

The U.P. Course Books Order, 1975

UTTAR PRADESH

India

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Rule THE-U-P-COURSE-BOOKS-ORDER-1975 of 1975

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The U.P. Course Books Order, 1975Published vide Notification U.P. Gazette, (Extraordinary), dated 12.7.1975, vide Notification No. 3403/15(6)-11(56)74, dated Lucknow, July 11, 1975Whereas, the State Government is of opinion that it is necessary and expedient so to do for securing the equitable distribution of course books up to Intermediate Examination standard and their availability at fair prices:Now, therefore, in exercise of the powers under sub-rule (2) of Rule 114 of the Defence and Internal Security of India Rules, 1971, the Governor is pleased to make the following Order, namely:

1. Short title, extent and commencement.

(1)This Order may be called the Uttar Pradesh Course Books Order, 1975.(2)It extends to the whole of Uttar Pradesh.(3)It shall come into force at once.

2. Definitions.

- In this Order, unless the context otherwise requires-(a)["Concessional rate paper" means the paper made available by the Central Government, at cheaper rate, and allotted through the State Government;] [Substituted by U.P. Course Books (Ninth Amendment) Order, 1975, vide Notification No. K-384/XV-(6)-11-(56)-74, dated 24.2.1976.](b)"Dealer" means a person engaged-in the business of purchase, sale or storage for sale; of any course books, whether by wholesale (whether as printer or publisher or as distributor) or by retail, and includes his representative or agent;(c)"Prescribed authority" means the District Magistrate and includes any officer authorised by him in writing to perform any of his functions under this Order;(d)"Prospectus" means the Vivaran Patrika issued for the High School and Intermediate Examinations by the Board of High School and Intermediate Education, Uttar Pradesh for the year 1975-76;(dd)["Publisher" means a person who publishes any book prepared according to the syllabus prescribed by the Board of High School and Intermediate Education, U.P. for use in the High School and Intermediate classes or according to syllabus prescribed by the Department of Education for Classes I to VIII;] [Inserted by U.P. Course Books (Ninth Amendment) Order, 1975, vide Notification No. K-384/XV-(6)-11-(56)-74, dated

24.2.1976.](e)["Schedule" means the Schedule I, Schedule II, Schedule III, Schedule IV, Schedule V, Schedule VI, Schedule VII as the case may be, appended to this Order;] [Substituted by U.P. Course Books (Second Amendment) Order, 1975, dated 8.8.1975.](f)["Scheduled price" in relation to a course book or books, means the price indicated against it in the Schedule relating thereto.] [Substituted by U.P. Course Books (Second Amendment) Order, 1975, dated 8.8.1975.]

3. Dealer not to withhold from sale or charge excess price.

- No dealer shall, -(a) withhold from sale any course book held in stock by him; (b) charge for any course book a price which exceeds its scheduled prices; (c) [sell a book prepared according to the syllabus, and printed on cultural variety of paper, though such book is not mentioned in the prospectus, unless the price in relation to it has been indicated against it in the Schedule.] [Substituted by U.P. Course Books (Second Amendment) Order, 1975, dated 8.8.1975.]

3A. [(1) No publisher shall subsequent to this Order, 1975 use any other paper than concessional rates paper for the printing or publishing of books-

(i) prescribed recommended for use in any class by the Board of High School and Intermediate Education or by the Department of Education, as the case may be, (ii) written, according to the syllabus in respect of subject for which the Board of High School and Intermediate Education has not recommended or approved any text-book. (2) Nothing contained in this clause shall be deemed to require a publisher to use concessional rate paper for the printing or publishing of any book referred to above, if such paper cannot be made available to him for any reason].

4. Requisition of stock of the course book.

(1) Where the prescribed authority has reason to believe that any dealer has stored or continued to store or acquired, for storage, whether on his own account, or on account of or in partnership with, any other person any course books, the prescribed authority may, by order, require him to sell at the scheduled price the whole or a specified part of such stock to the State Government or to such person or class of persons and in such manner and within such time as may be specified in this behalf. (2) Where any person against whom an order is passed under sub-clause (1) fails to comply with it, the prescribed authority may take, or cause to be taken, such stock of course books or part thereof, as the case may be, in its custody, and may deliver or cause to be delivered such stock or part thereof to the State Government or such person or class of persons as may have been specified in the Order, and cause to be paid to the dealer, the scheduled price thereof.

5. Power of entry, search and seizure.

- The prescribed authority may with a view to securing compliance with this Order or to satisfying itself that this Order has been complied with- (a) require any person believed to be a dealer to maintain and produce for inspection such books, accounts and records relating to his business or to the stocks under his custody or control as may be specified; (b) require any dealer or any person

employed by a dealer to produce such books, accounts and other documents relating to the stock of course books under his custody or control as may be specified;(c)enter with such assistance as may be necessary any premises where he has reason to believe that any course books are stored;(d)examine and seize any books, accounts or other documents which in the opinion of such officer would be useful for, or relevant to any proceedings in respect of any contravention of this Order and return such books, accounts and other documents to the person from whom they were seized after copies thereof or extracts therefrom, certified under his hand, have been taken; or(e)search any premises, vehicle or vessel and prepare an inventory or any course book found therein, or seize any course book in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed and thereafter take or authorise the taking of all measures necessary for securing the production of stock so seized in court and for its safe custody pending such production.

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Nationalized Course Books-1975 Edition onlyFor name of the Approved and Recommended Course Books for High School and Intermediate Class, Books and Price, see U.P. Gazette, (Extraordinary), dated July 12, 1975 and dated 8th August, 1975.[Inserted by U.P. Course Books (Ninth Amendment) Order, 1975.]