

THE DELIVERY OF BOOKS 'AND NEWSPAPERS' (PUBLIC LIBRARIES) ACT, 1954

[The delivery of Books (Public Libraries) Act, 1954: No. 27 of 1954, as amended by the Delivery of Books (Public Libraries) Amendment Act, 1956: No. 99 of 1956.]

An Act. to provide for Delivery of Books to the National Library, Calcutta, and other public libraries.
Be it enacted by Parliament in the Fifth Year of the Republic of India as follows :-

1 Short title and extent. -

- . (a) This Act may be called the Delivery of Books 'and Newspapers' (Public Libraries) Act, 1954
- . (b) It extends to the whole of India

2 Definitions. - In this Act, unless the context otherwise requires, -

- . (a) "book" includes every volume, part or division of a volume and pamphlet, in any language, and every sheet of music, map, chart or plan separately printed or lithographed, but does not include a newspaper published in conformity with the provisions of Section 5 of the Press and Registration of Books Act, 1867 (XXV of 1867);
"(aa) 'newspaper' means any printed periodical work containing public news or comments on public news published in conformity with the provisions of Section 5 of the Press and Registration of Books Act, 1867;
- . (b) "public libraries" means the National Library at Calcutta and any three other libraries which may be specified by the Central Government in this behalf by notification in the Official Gazette.

3 Delivery of books to public libraries. -

- . (1) Subject to any rules that may be made under this Act, but without prejudice to the provisions contained in Section 9 of the Press and Registration of Books Act, 1867 (XXV of 1867), the publisher of every book published in the territories to which this Act extends after the commencement of this Act shall, notwithstanding any agreement to the contrary, deliver at his own expense a copy of the book to the National Library at Calcutta and one such copy to each of the other three public libraries within thirty days from the date of its publication.
- . (2) The copy delivered to the National Library shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the same, and shall be bound, sewed or stitched together, and on the best paper on which any copy of the book is printed.
- . (3) The copy delivered to any other public library shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.
- . "3A. Delivery of newspapers to public libraries. - Subject to any rules that may be made under this Act, but without prejudice to the provisions contained in the Press and Registration of Books Act, 1867, the publisher of every newspaper, published in the territories to which this Act extends, shall deliver at his own expense one copy of each issue of such newspaper as soon as it is published to each such public library as may be notified in this behalf by the Central Government in the Official Gazette."
- . (4) Nothing contained in sub-section (1) shall apply to any second or subsequent edition of a book in which edition no additions or alterations either in the letter-press or in the maps, book prints or other engravings belonging to the book have been made, and a copy of the first or some preceding edition of which book has been delivered under this Act.

4 Receipt for books delivered. - The person in charge of a public library (whether called a librarian or by any other name) or any other person authorised by him/her in this behalf to whom a copy of a book is delivered under section 3 shall give to the publisher a receipt in writing therefor.

5 Penalty. - Any publisher who contravenes any provision of this Act. or of any rule made there under shall be punishable with fine which may extend to fifty rupees and, "if the contravention is in respect of a book, shall also be punishable with fine which shall be equivalent to" the value of the book, and the court trying the offence may direct that the whole or any part of the fine realised from him shall be paid, by way of compensation to the public library to which the book or "newspaper" as the case may be ought to have been delivered.

6 Cognizance of offences. -

- . (a) No court shall take cognizance of any offence punishable under this Act save on complaint made by an officer empowered in this behalf by the Central Government by a general or special Order.
- . (b) No court inferior to that of a presidency magistrate or a magistrate of the first class shall try any offence punishable under this Act.

7 Application of Act to books and newspapers published by Government. - "This Act shall also apply to books and newspapers published by or under the authority of the Government but shall not apply to books meant for official use only."

8 Power to make rules. - The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

GAZETTE OF INDIA, Pt. II, Sec. 3, dated 19-3-1955
MINISTRY OF EDUCATION
New Delhi, 11th March, 1955

S. R. O. 587. - In exercise of the powers conferred by Section 8 of the Delivery of Books (Public Libraries) Act, 1954 (27 of 1954), The Central Government hereby makes the following rules, namely :-

- 1 Short title. - These rules may be called the Delivery of Books (Public Libraries) Rules, 1955.
- 2 Definitions. - In these rules, unless the context otherwise requires :-
 - (a) "the Act" means the Delivery of Books (Public Libraries) Act, 1954 (27 of 1954);
 - (b) "Librarian", in relation to a public library, means the person in charge of such public library, and includes any person authorised by him in this behalf to discharge all or any of the functions imposed on him by or under the Act;
 - (c) "section" means section of the Act; and
 - (d) all words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.
- 3 Mode of delivery. - Subject to the provisions of section 3 a copy of every book published by a publisher shall be delivered by him to the librarian of each public library either by registered post or through a special messenger and the librarian to whom the copy is so delivered shall forthwith acknowledge receipt thereof in the Form annexed hereto and send it to the publisher by registered post and such receipt shall be conclusive proof of the fact that a copy of the book has been duly delivered to the public library of which he is the librarian.
- 4 Prosecution of a defaulting publisher. - Where a copy of the book published after the 20th day of May, 1954 has not been delivered to a public library within a period of thirty days from the date of its publication, the officer empowered under sub-section (1) of section 6 may at any time after the expiry of the said period make a complaint to the court against the publisher of such book for his failure to deliver a copy to the public library named in the complaint and such complaint shall be inquired into and tried by the court according to the procedure laid in the Code of Criminal Procedure, 1898 (Act V of 1898):
Provided that before a complaint is made to the court, a notice thereof may be given to the publisher by the librarian stating that he has failed to deliver a copy of such book within a period of thirty days of its publication and that if a copy is not delivered within a period of thirty days of the receipt of the notice he shall make himself liable to a penalty under section 5.
- 5 Information regarding the correct date of publication. - The publisher of every book shall affix on the copy of the book delivered to every public library a stamp bearing the date of the publication of the book and specifying that "the copy delivered is pursuant to the Delivery of Books (Public Libraries) Act, 1954."
- 6 Memoranda of Books. - The publisher of every book shall furnish to the librarian a statement containing (so far as may be practicable) the following particulars, that is to say, -
 - (1) the title of the book and the contents of the title page, with a translation into English of such title and contents, when the same are not in the English language;
 - (2) the language in which the book is written;
 - (3) the name of the author, translator or editor of the book or any part thereof;
 - (4) the subject;
 - (5) the place of printing and the place of publication;
 - (6) the name or firm of the printer and the name or firm of the publisher;
 - (7) the date of issue from the press or of the publication;
 - (8) the number of sheets, leaves or pages;
 - (9) the size;
 - (10) the first, second or other number of the edition;
 - (11) the number of copies of which the edition consists
 - (12) whether the book is printed or lithographed;
 - (13) the price at which the book is sold to the public; and
 - (14) the name and residence of the proprietor of the copyright or of any portion of such copyright.