

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

1912.

Enclosures

Spare copies

G.O. No. 222, 9th March 1912.

Registration of Books.

Laying down the procedure to be adopted by the Registrar of Books in cases where the publisher refuses to countersign the memorandum of particulars furnished under the rules framed under section 20 of the Press and Registration of Books Act, 1867.

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper :—

Letter—from Rao Bahadur M. RANGACHARYA, M.A., Registrar of Books, Madras.

To—the Secretary to Government, Educational Department (through the Director of Public Instruction, Madras).

Dated—the 5th February 1912.

No.—232.

I have the honour to request that Government may be pleased to pass orders on the following point.

2. The publisher of a book printed within the Presidency of Fort St. George refuses to sign the memorandum of particulars (*vide* specimen form enclosed) in relation to the book prepared for submission by his printer, on the plea that the particulars given under certain columns therein are incorrect, whereas the printer alleges that all the entries made in the memorandum are correct and true to the best of his knowledge. The Government Solicitor agrees with me (*vide* his letter enclosed) in holding that the obligation to furnish the memorandum of particulars is imposed upon the printer by rules which, as noted in G.O. No. 59, Educational, dated 29th January 1909, have the force of law, although there is no means prescribed by which the obligation can be enforced.

3. When, under such circumstances, the publisher declines to sign the memorandum as required by rule 2 in Government notification (*vide* copy enclosed) owing to a misunderstanding between himself and his printer, and throws obstacles in the way of the legally required book-registration, I wish to know whether he is not, according to the said rule, bound to sign the memorandum, reserving to himself the right to protest, if necessary, against anything that he may find wrong therein and submitting such a protest in a separate communication, without meddling with the memorandum of particulars as prepared and signed by the printer.

ENCLOSURES.

(i)

Letter—from W. O. DAVID, Esq., Government Solicitor, Madras.

To—the Registrar of Books, Madras.

Dated—the 17th January 1912.

No.—52.

I have the honour to acknowledge the receipt of your letter No. 55, dated the 12th instant.

2. The obligation to furnish the memorandum prescribed by rule 2 of the rules framed under section 20 of the Press and Registration of Books Act, 1867, is imposed by the rule on the printer or lithographer, but there appears to be no means prescribed by which the obligation can be enforced.

(ii)
SPECIMEN.
MEMORANDUM of books, etc., printed during the month of December 1898.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
The title of the book and the contents of the title page.	The language in which the book is written	The name of (a) the Author, (b) the Translator, and (c) the Editor of the book or any part thereof.	The subject	(a) The place of printing, and (b) the place of publication.	(a) The name or firm of the printer, and (b) the name or firm of the publisher.	The date of delivery from the press and of the publication.	The number of leaves, sheets or pages.	The size.	The first, second or other number of the edition.	The number of copies of which the edition consists.	Whether the book is printed or lithographed.	The price at which the book is sold to the public.	The name and residence of the proprietor of the copy-right or of any portion of such copyright.
Strimed Rajangala Mahodayanam, Vol. I (The Great Park of the British Empire).	Sanskrit (Devanagari) and English.	P. V. Ramaswami Raju, B.A., Barrister-at-Law, Author.	Poetry.	(a) Sri Vidya Press, Kumbakonam. (b) Madras.	(a) V. Sambasiva Aiyar, Printer. (b) P. V. Ramaswami Raju, B.A., Publisher.	21st January 1894.	82 pages.	4to	First.	10,000	Printed.	Rs. 4. P. 1 0 0	P. V. Ramaswami Raju, B.A., Barrister-at-Law, Temple Gardens, Koyapeta, Madras.

I declare that the above entries are correct and true to my knowledge.

SRI VIDYA PRESS, KUMBAKONAM,
1st January 1894.

(Sd.) P. V. RAMASWAMI RAJU,
Publisher.

(Sd.) V. SAMBASIVA AIYAR,
Printer (Proprietor of the Press).

(iii)

Instructions for the preparation of Memorandum of Particulars required under Rule 2 of the Notification of Government framed under section 20 of the Press and Registration of Books Act, 1867, as amended by Act X of 1890.

As several printers in the Madras Presidency appear to have a very confused idea as to the filling up of the form prescribed under Act XXV of 1867 and printed on the reverse, the Registrar of Books deems it necessary to issue the special instructions given below, and desires that care should be taken to see that every memorandum presented for registration along with a printed book is duly prepared and signed by both the printer and the publishers as a genuine document:—

Column 1.—The title of the book and the contents of the title page. The name of the book need only be given, but not the whole letter-press printed on the title-page.

Column 5.—(a) The place of printing and (b) the place of publication. (a) The full name of the press as well as that of the locality of its situation should be legibly entered and also (b) that of the principal place where the book is sold.

(b) The name of the printer, i.e., the name of the proprietor or the responsible manager or superintendent of the press, but not the name of any compositor or foreman, as has been noticed in several cases and (c) the name of the publisher, i.e., author or translator or editor of the book should be shown.

N.B.—The persons whose names are entered in this column should sign the memorandum giving also their designations below their signature.

Column 7.—The date of delivery from the press and of the publication. The date on which the very first copy of the book was issued out of the press should be noted. English dates should be given, but not the Vernacular Indian dates and years.

Column 8.—The number of sheets, leaves or pages.

Pages from beginning to end of the book should be given including preface, table of contents and index, glossary, etc.

In the case of the second or other subsequent editions, the name of the press at which, and the year in which, the previous edition or editions were printed and published should be clearly stated.

The name of the applicant for the proprietorship of copyright as well as his residential address must be written in full. When no copyright is applied for, no entry need appear in this column.

N.B.—This return should be sent in the prescribed form printed on thick foolscap paper; and the size of the paper used should never be smaller than half a sheet. It should be clearly understood that statements not prepared in the prescribed form, or in accordance with the foregoing instructions, or defective in any other manner, will be returned; and that no entry will be made in the Registry Book of this Office in respect of the books to which such inaccurate or incomplete memoranda of particulars relate.

M. RANGACHARYA,
Registrar of Books.

(iv)

Notification No. 216, dated 1st April 1910.

The following rules framed under section 20 of the Press and Registration of Books Act, 1867, as amended, are republished for general information:—

Rules.

(1) One copy, or, if requisition be made, a further copy or copies not exceeding two, of every book printed or lithographed within the presidency of Fort St. George shall, as required in section 9 of the Act, be delivered to the Registrar of Books at his office, Madras.

(2) At the same time the printer or lithographer shall furnish the Registrar with a memorandum duly dated and signed by himself and countersigned by the publisher and containing the following particulars:—

(1) The title of the book and the contents of the title page.

(2) The language in which the book is written.

(3) The name of—

- (a) the author,
 - (b) the translator, and
 - (c) the editor
- of the book or any part thereof.

(4) The subject of the book.

- (5) (a) The place of printing, and
- (b) the place of publication.

- (6) (a) The name or firm of the printer, and
- (b) the name or firm of the publisher.

(7) The date of delivery from the press and of the publication.

(8) The number of sheets, leaves, or pages.

(9) The size.

(10) The 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.

(14) The name and residence of the proprietor of the copyright or of any portion thereof.

(3) The receipt referred to in section 10 of the Act shall be in the following form:—

“I, A.B., Registrar of Books, Madras, do hereby acknowledge to have received from C.D., printer (or lithographer, as the case may be), a copy of with a memorandum of the particulars specified in paragraph 2 of the rules published under notification, dated ”

(4) The Registrar of Books shall deposit all books received under section 9 (a) of the Act in a separate library which shall be constituted a reference library.

(5) Every keeper of a printing press shall, within ten days after the first day of January, the first day of April, the first day of July and the first day of October of each year, forward to the District Magistrate, or if the press is situate within the limits of the town of Madras to the Chief Presidency Magistrate, a return in the appended form of all books printed at his press in the quarter preceding the said dates, or if no books have been printed at his press, a statement to that effect—

Quarterly return of books and pamphlets issued from the

Press.

Full title of book (contents of title page).	Printer and place of publication.	Date of delivery from the Press and of the publication.

(6) The catalogue of books printed within the Presidency of Fort St. George and referred to in section 18 of the Act shall be kept by the Registrar of Books.

(7) The Registrar of Books shall forward to the Secretary to Government, Educational Department, through the Director of Public Instruction, at the end of each quarter, an extract from the catalogue of the books registered during the quarter, a note being attached to each entry stating whether or not the copyright has been registered. Similar extracts shall be forwarded quarterly to each District Magistrate and the Chief Presidency Magistrate for the books printed within their jurisdictions.

(8) On receipt of the fee of Rs. 2 referred to in section 18 of the Act, the Registrar shall note the payment in the catalogue of books and give a certificate declaring that the copyright of the work has been so registered. Tender of payment to secure copyright shall be made in a written application praying for registration under the Indian Copyright Act, 1847.

(9) Nothing in the foregoing rules shall apply to—

(1) an edition of a book in which no additions or alterations, either in the letter-press or in the maps, prints or other engravings, belonging to the edition last preceding, have been made provided that a copy of the first or later edition of the book was delivered;

(2) any periodical work published in conformity with section 5 of the Press and Registration of Books Act, 1867.

W. S. MEYER,
Chief Secretary.

No. 222, EDUCATIONAL, 9TH MARCH 1912.

N. Ref. on Cur. No. 887, dated 7th February 1912.

Submitted.

A. G. BOURNE,
Director of Public Instruction.

Order—No. 222, Educational, dated 9th March 1912.

With reference to his letter No. 232, dated 5th February 1912, the Registrar of Books will be informed that in cases where the publisher refuses to countersign the memorandum of particulars furnished under rule 2 of the rules framed under section 20 of Act XXV of 1867, he should act on the information as supplied by the printer or lithographer unless he is satisfied that specific changes are necessary.

(True Extract.)

L. DAVIDSON,
Ag. Secretary to Government.

To the Director of Public Instruction.
,, Judicial Department.

EDUCATIONAL DEPARTMENT.

**NOTES CONNECTED WITH G.O. No. 222, EDUCATIONAL,
DATED 9TH MARCH 1912.**

[SUBJECT.—*Countersignature of the publisher to the memorandum of particulars furnished by the printer to the Registrar of Books.*]

From the Director of Public Instruction, dated 7th February 1912, No. 887.

The Registrar of Books enquires whether the publisher of a book is not bound to countersign the memorandum of particulars furnished by the printer, although the particulars furnished by the printer are not correct. The question raised is a legal one and if an authoritative opinion is necessary, it should be submitted to the Advocate-General.

2. Under the rules framed by Government under section 20 of the Press and Pages 6 and 7 of G.O. No. 491, Judicial, dated 1st April 1910. Registration of Books Act, 1867, the obligation to furnish the memorandum of particulars is imposed upon the printer and not upon the publisher. Hence, if the publisher refuses to countersign the memorandum of particulars prepared by the printer, the duty of the latter is to submit the memorandum to the Registrar of Books, without the countersignature of the publisher and to explain the reason for its omission. He should not delay the submission of the memorandum, saying that the publisher refuses to countersign it. Nor should the Registrar refuse to accept the memorandum of particulars furnished by the printer on the score that it is not countersigned by the publisher. He should receive the memorandum and decide whether the countersignature of the publisher is necessary and, if so, he should take such steps as he may be advised to do, to procure the signature of the publisher. The memorandum of particulars is furnished to the Registrar to enable him to prepare the memorandum, the maintenance of which is imposed upon him by section 18 of the Press and Registration of Books Act and for this the countersignature of the publisher is not necessary.

3. In these circumstances it is for consideration whether the Registrar may be told to receive the memorandum furnished by the printer in question and to proceed against the publisher, if he considers his signature necessary.

T.K.—21-2-12.

This seems to be the only course. It is doubtful, however, whether any action can be taken against the publisher. In the Government Solicitor's letter on page 5 of G.O. No. 54, Educational, dated 31st January 1911, the Advocate-General has given it as his opinion that Government have no power to prescribe a penalty for infringement of the rules framed under the Act. In the absence of such penalty, no action can be taken against the publisher.

R. SUNDARAM AIYAR—22-2-12.

The rules were issued by Judicial in G.O. No. 491, Judicial, dated 1st April 1910, and Judicial should therefore see the papers. There is no sanction by which to enforce the rules. The best disposal would therefore be, I think, to tell the Registrar that in cases where the publisher refuses to countersign the memorandum furnished under rule 2 he should act on the information as supplied by the printer or lithographer unless he is satisfied that specific changes are necessary.

L. DAVIDSON—22-2-12.

To the Judicial Department.

JUDICIAL DEPARTMENT.

The question is discussed in the notes to G.O. No. 54, Educational, dated 31st January 1911. When it is doubtful whether the obligation to furnish the memorandum prescribed by rule 2 on the printer or lithographer can be enforced, it is obvious that there are no means of proceeding against the publisher for failure to countersign the printer's memorandum of particulars.

2. The disposal of the Registrar's reference suggested by Educational, may be accepted.

C.V.—28-2-12.

T.V.T.—28-2-12.

S. H. SLATER—29-2-12.

Yes, but it is not a very satisfactory state of things.

C. W. E. Cotton—2-3-12.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

A draft is submitted for approval.

TK.--4-3-12.

R. SUNDARAM AIYAR—4-3-12.

L. DAVIDSON—8-3-12.

I agree to the draft.

M. II[AMMICK]--8-3-12.

[G.O. No. 222, Educational, dated 8th March 1912.]

READ AGAIN G.O. No., dated..... 191

91 92 93 94 95 191

READ ALSO:—

C. No. 433, From the SP. I, No. 587, dated 7-2 1912.

” ” ” ” ” ” ” ” 191

" " ; " " ; " ; " 191

ORDER.

P. S.

No. 222, dated 7-3- 1912.

with ref. to his letter no. 232 dated 5th Feb. 1912, the Registrar of Books will be informed that in cases where the publisher refuses to countersign the memorandum of particulars furnished under rule 2 of the rules framed under section 20 of Act XXV of 1867 he should act on the information as supplied by the printer or lithographer unless he is satisfied that specific changes are necessary.

LD
5-3-

7.4.
4-312

Re
4.3.12

Q.O. $\frac{491 \text{ ms}}{1.4 \cdot 10}$ M

best 7/9
 S. Cap. 10/12
 4/4/12
 To the D.P. 9.
 1. - jud. 24/5.

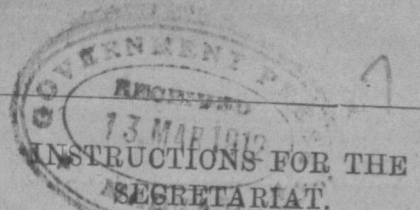
ORDINARY.

PRESS SLIP.

PREFERENCE.

URGENT (a).

EDUCATIONAL
DEPARTMENT.



Current No....., dated.....190 ..

G.O., No. 222, dated 7..... 3..... 1912.

Number of MS. pages sent { Correspondence including order or orders (b)
Notes..... (b¹)

Docket. Registration of Books.

Laying down the procedure to be adopted by the Registrar of Books in cases where the publisher refuses to comply with the requirements of the rule framed under sec. 20 of the Registration of Books Act 1867.

Madras Records	...	...	...	30	15
Ooty Records	...	...	...	3	3
For filing with original	...	...	...	1	1
Total				34	19

For Issue.†

	Letter only.	Complete G.O.	Special issue copies of G.O. (b)		Notes.
			No.	Papers.	
Signature copies.....					
India Office.....					
Govt. of India.....Dept.					
Public Department.....					
Judicial Department.....					
Financial Department.....					
Revenue Department.....					
Public Works Department.....					
Local and Municipal Department.....					
.....Dept.					
Total					
Spare copies.					
The Director of Public Instruction.....					
The Comr. for Govt. Examinations.....					
The Superintendent, Govt. Museum.....					
The Surgeon-General.....					
The Accountant-General.....					
The Collector of.....					
The P. D. B.....					
The.....					
The.....					
The.....					
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The.....					
The.....					
Total				9	

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b¹) For rules regarding printing of notes, see the rules in G.O., No. 1220, Public, dated 30th November 1900.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Deputy Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Deputy Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Members should be printed in full when they occur on the right hand side, but only the first time when they appear on the left side, the initials alone being printed later.

* Copies distributed on.....*(Press Clerk.)

† Copies distributed on.....*(Despatcher.)

* To be initialed and dated.

A

B

C

Please send proof in triplicate. The papers have been carefully edited.

Proof returned corrected. Please strike off and send number of copies as indicated.

As the matter is clear manuscript and has been carefully edited, (b) proof need not be sent. Please print and supply number of copies as indicated.

Type may be released after usual interval at once.

Type may be released after usual interval.

.....Clerk.

.....Clerk.

.....Clerk.

.....Supdt.

.....Supdt.

.....Supdt.

(b) Three copies of proof of all notes should be sent for approval, except when instructions are given to the contrary.

SPECIAL INSTRUCTIONS.

TO BE FILLED IN BY THE PRESS.

Diary.	Initials of Press official.
Received in Press on.....	13/3/12 J.B.L.
First proof furnished on.....	
Call for revised proof received on.....	
Revised proof furnished on.....	
Corrected proof received for striking on.....	24/3/12 J.B.L.
Final copies supplied on.....	24/4/12 J.B.L.

Account of copies.	Complete copies.	Notes.	Issue copies.
Supplied to Secretariat for Record.....			
" " " Issue.....			
For Volumes....			
For E. T.....			
Total ...			