

Educational
Local & Muni. (1912) Department.

MISCELLANEOUS.

G.O., No. 813

DATED 6/2/12

[Despatch Abstract.]

*Copyrights Informing the Registrar of
Books, Madras, that copies of certificates
of — under the Indian Copyright Act of
1857 1847 may be printed & that after
Rs 2 sh. be demanded for each copy.*

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

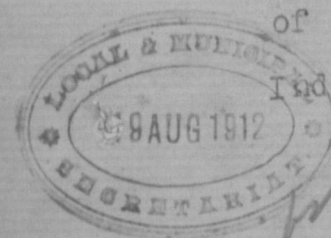
EDUCATIONAL DEPARTMENT.

R. F. D.—80-j.

Received 191 , Registered 19-8-1912.

Subject.

Submitting for orders of Government a letter from the Registrar of Books, Madras, in regard to the question of issue of copies of certificates of copyright under Indian Copyright Act of 1847.



ENCLOSURES.

No.

Spare copies

N. Ref. on CurNo. 5863 of 12.

Station Madras, Dated the 16th August 1912.

From (Name) The Hon'ble Mr. A. G. Bourne, D.Sc., F.R.S., C.I.E.
(Designation) Director of Public Instruction,

To the Secretary to the Government of Madras,
Educational Department.

No. 1335.

2 2
OFFICE OF THE REGISTRAR OF BOOKS,
Madras, S. W., 19th July 1912.

From

M. R. Jayas Bahadur M. Rangachariya, M. A.,
REGISTRAR OF BOOKS,

Madras,

To The Secretary to Government,
Educational Department,
Ootacamund,

through the Director of Public Instruction, Madras.

SIR,

In accordance with rule 8 in the Government Notification (vide copy enclosed) a certificate in the form submitted herewith is granted, acknowledging the receipt of the prescribed fee of Rupees Two for the registration of the proprietorship of copyright in a book and declaring that the copyright of the work has been duly registered. Several applications for the grant of copies of the original certificates of copyright are received here from the proprietors concerned. I have therefore the honour to request that Government be pleased to pass orders as to whether such copies of the certificates may be granted, and whether the fee of Two Rupees prescribed in section 3 of the Indian Copyright Act XX of 1847 for giving copies of the entries in the Registry Book should be demanded in all such cases.

I have the honour to be,

Sir,

Your most obedient Servant,

M. Rangachariya
Registrar of Books.

Office of the Registrar of Books.

No.

191 .

Despatched

Received

191 .

Enclosures.

Spare Copies.

Subject.

3
OFFICE OF THE REGISTRAR OF BOOKS,

The Old College,

Madras,

191 .

I do hereby acknowledge to have received from

the sum of Rupees (2-0-0) Two only, being the amount of Fee for the Registration of the Proprietorship in

the Copyright of the undermentioned book, and do further certify that the copyright has been secured under

Rule 9 of Notification No. 65, dated 30th April 1909, framed in accordance with Section 20 of Act XXV

of 1867.

Page 217

Sp. no. 258 9d

30-4-19

Registrar of Books.

1/22/24

N. ref. on Cur. No. 5863 of 12., dated ¹⁶ August 1912.

Submitted to Government.

2. Neither the Act nor the rules framed under it authorizes the grant of copies of copyright certificates, but such grant seems to be unnecessary since a copy of an entry in the Registry book is prima facie proof of copyright - Vide the Indian Copyright Act of 1847, Section 3.

C. Krishnamani

for Director of Public Instruction.

U. L. N.

ms

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2274 25/10/12

[E. & L.]
61.

1,000-17-1

Educ DEPARTMENT.

NOTE FILE.

C. No. 2274 From the D.P.I. No 5863 dated 16-8-1912.

SUBJECT.

Granting certificates of Copyright
under The Indian Copyright Act of 1847.

The Registrar of Books states that applications are received frequently for copies of certificates of Copyright given under rule 8 of the rules framed under section 20 of the Press and Registration of Books Act, 1867. and enquires whether copies of such certificates may be granted and if so, whether the fee of two rupees prescribed in section 3 of the Indian Copyright Act of 1847 for copies of entries in the book of registry may be levied for such copies of certificates.

2. The D.P.I. observes that neither the Act nor the rules framed under it (no rules appear to have been framed under the Indian Copyright Act) authorizes the grant of copies of Copyright certificates and that the grant of such ~~certificates~~ copies seems unnecessary since a copy of an entry in the Registry book is prima facie proof of Copyright.

3 - The grant of copyright certificates is authorized by rule 8 of the rules framed under section 20 of the Press and Registration of

Page 8 of G.O. no.
491 Jud-81-4-10 N

Page 5 of C.F.

Books Act, 1867; there is therefore ¹no objection to the grant of copies of such certificates - A person who has lost such certificates may wish to possess copies of them and it does not appear why ~~copies of the certificates~~ ~~printed books~~ should not be given him. Neither the copyright certificates given under rule 8 above quoted nor copies of them are evidence in the eye of the law, but that need not prevent the Registrar of Books from giving copies ~~of them~~ to those who apply ~~and pay~~ for them.

4. - There remains the question of fee. The fee of two rupees suggested by the Registrar of Books seems to be too large. The fee for copies should not ordinarily exceed the copying and other incidental charges; but as the difference between a court of law and the office of the Registrar of Books is very great and as there is no separate ^{or special} copying establishment in the latter office, a fee of 8 annas, the same as that prescribed in section 3 of the Copyright Act for an inspection of the Book of Registry, may be levied for copies of Copyright certificates.

T.H.
28-8-12

of D. G. endorsement on p. 594.

The question is not whether a copy of the certificate of copyright granted under rule 9 ^(whether when applied for it should be granted or not) will be useful or not, but what fee, if any, should be charged for the grant of such copies.

Section 3 of the Copyright Act requires the payment of a sum of ₹2 for every extract from the book of registry. Similarly under section 18 of the Printing Presses and Books Act a similar amount is payable for every extract from the book of registry ^(maintained under that act). Though no provision exists either under the latter Act or the rules framed thereunder for demanding a fee for the grant of copies of certificates, under rule 9, it seems on ~~an~~ analogy to be equitable to charge the same fee for such purposes. In fixing the sum of ₹2, section 3 of the Copyright Act would not have only taken into consideration the bare charges of copying. The scale of fees for ~~certificates~~ copies laid down in Board's

Standing Order, Number 173 (page 317 of B.S.O.,

Vol.1) does not seem suitable to the cases in question. Under the Indian Arms Act, a fee of an amount equal to the original is demanded in granting duplicate copies of licenses under the rules, where the license fee amounted to one rupee and less. But in other cases a fixed copying fee of one rupee is levied. It is

for consideration whether the Registrar of Books may be informed that copies of certificates may be granted and that a fee of ₹2 ^{[pre-} ~~scribed in section 3 of the Indian Copyright Act]~~ should be demanded.

Yes: answer to question is affirmative. It is not the proprietor who ask for duplicates.

A draft is submitted for approval.

7A. CA
30-8-12 10/8/12

The question is not whether a copy of the certificate of copyright granted under rule 3 will be useful or not, but what fee, if any, should be charged for the grant of such copies. Section 3 of the Copyright Act requires the payment of a sum of Rs. 2 for every extract from the book of registry. Similarly under section 18 of the Printing Presses and Books Act a similar amount is payable for every extract from the book of registry. Though no provision exists either under the latter Act or the rules framed thereunder for demanding a fee for the grant of copies of certificates, under rule 3 it seems on an analogy to be equitable to charge the same fee for such purposes. In fixing the sum of Rs. 2 section 3 of the Copyright Act would not have only taken into consideration the bare charges of copying. The scale of remuneration copies laid down in Board's Standing Order Number 173 (page 217 of T.E.O. Vol. I) does not seem and will be the same in question. Under the Indian Arms Act a fee of an amount equal to the original is demanded in granting duplicate copies of licences when the rules where the licence fee amounted to one rupee and less. But in other cases a fixed copying fee of one rupee is levied. It is for consideration whether the Registrar of Books may be informed that copies of certificates may be granted and that a fee of Rs. 2 prescribed in section 3 of the Indian Copyright Act should be demanded.

4,000-17-12-29.

Educational
~~LOCAL AND MUNICIPAL~~ DEPARTMENT.

Papers to be read in Proceedings: -

Again G.O., No. _____, dated _____ 19 ____ .

Again G.O., No. _____, dated _____ 19 ____ .

Current No. 2274 From the D.P. 9 _____, No. 5863/12, dated 16-8-1912 .

" " _____ " _____ " _____ " _____ " _____

" " _____ " _____ " _____ " _____ " _____

ORDER. No. 8/3 *mis*, dated 6-9-19/2.
mis

With reference to his letter no. 1335, dated 19th July 1912 the Registrar of Books ^{shall} ~~will~~ be informed that copies of certificates of copyrights may be granted and that a fee of Rs 2/- should be demanded for ~~such~~ ^{each} copy —

7K. ca
30-8-12 1987/12

DESPATCHED
7-SEP 1912

To The D.P.I. 940

~~Find diff-also~~

813 25/11/11
6/9/12

For the U.S.

Please see Rule 7 (vi)

of the Rules for the regulation
of Interdepartmental re-
ferences in the Secret.

CR
2.9.12

Will this not raise the
question of any 'appreciable'
amount - will it?

Wm
3/11/11

The Registrar of Books speaks of
'several' applications for copies.
As it was not possible to estimate
the revenue, it was thought safer
to send a copy to the Finl. Departt.
If it is however considered un-
necessary, the entry may be
omitted.

CR
4.9.12

Wm
4/9/12

When given for copying _____
When copied _____
When examined _____
When signed _____

191

READ AGAIN G.O., No. _____, DATED _____
191

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

A A A A A A A

V.E.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy Heading only