

Vol (1915) Department.

mis SERIES.

G.O. No. 492

DATED the 7th May 1915

[Despatch Abstract.]

Books

Drawing the attention of
the Registrar of Books to the notification
of the Govt of India Number 1294
of 1868 under which books, maps,
sketches, charts & papers printed or
published under orders of Govt are
exempted from the provisions of
Act XXV of 1867.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government of Madras.

FINANCIAL DEPARTMENT.



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1915.

Enclosure.

Spare copies *4*

G.O. No. 195, 13th March 1915.

Annual list of official publications.

Communicating to the Superintendent, Government Press, for information and careful observance, letter from the Government of India, Department of Education (Books), No. 429, dated 24th November 1914, containing the instructions of the India Office on the subject of the compilation of the — and stating that orders will issue in Educational Department drawing the attention of the Registrar of Books to the Government of India Notification of 1868 exempting official publications from registration under Act XXV of 1867.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

READ—the following papers :—

I

G.O. No. 58, Financial, dated 4th February 1909.

ABSTRACT.—Requesting the Superintendent, Government Press, to submit to Government from the current year onwards the annual list of non-confidential official publications pertaining to this Government, printed in the form laid down by the Government of India, and stating that copies of the list will be furnished to the Government of India, Home Department (Books), and to the departments and institutions concerned.

II

Letter—from KUNWAR MAHARAJ SINGH, M.A., Bar-at-law, Assistant Secretary to the Government of India, Department of Education (Books).
To—the Chief Secretary to the Government of Madras.
Dated—Delhi, the 24th November 1914.
No.—429.

I am directed to forward for information a copy of the communication noted in Extract from a letter from the Registrar and Superintendent of Records, India Office, No. R. & R. 2637, dated the 1st October 1914. the margin regarding the preparation of the annual lists of non-confidential official publications exempted from registration and to request that, with the permission of the Governor in Council, the instructions of the India Office may be complied with.

ENCLOSURE.

Letter—from WILLIAM FOSTER, Esq., Registrar and Superintendent of Records, India Office, Whitehall, London, S.W.
To—the Secretary to the Government of India, Department of Education, Simla.
Dated—the 1st October 1914.
No.—R. & R. 2637.

It has been observed that, while certain of the annual "Lists of non-confidential office publications exempted from registration," issued by the several departments of the Government of India and by Local Governments, are carefully compiled, and are practically exhaustive (some even including lists of addenda and corrigenda), others are manifestly incomplete.

2. It also occurs, occasionally, that official publications are registered under sections 18 and 19 of the Press and Registration of Books Act, 1867 (Act XXV of 1867) (although expressly exempted by Notification No. 1294, dated 12th March 1868, under the authority of section 21 of the Act) and appear in the Quarterly Catalogues of Books so registered, instead of in the annual lists [For example, in the

[] To Madras only.

"Catalogue of Books published in the Madras Presidency during the fourth quarter of 1913," twenty-five of the entries would appear to relate to official publications.]

3. It would be convenient if instructions could be given for the annual lists in question to be made complete, so as to include every publication of the nature indicated by the title of the lists.

4. The information given in column 10 of lists, headed "Number of edition" is also valueless as a rule, as almost everything is described as "First" edition even when [as in item No. 91 of the Bombay List for 1913,] column 1 contains the words "2nd edition."

[] To Bombay only.

Forwarded to the Educational Department
(By order)

5. Further, there appears to be a certain want of uniformity in the methods employed for deciding which publications may be sold to the public. For example, consecutive annual issues of a report are frequently marked, one with a sale-price, and the next with "not for sale"; other reports, which are published in the official gazettes, are, when issued in separate form, described in column 13 of the annual lists as "not for sale." It would seem desirable that information should not be withheld from the public, unless for definite and sufficient reasons, and that the apparent inconsistencies in the present practice, to which I have referred, should be avoided. Even when only a small number of copies are printed, a sale-price might be fixed so that any spare copies could be sold to the public, and this sale-price should always (under existing orders) be printed on the copies.

Bks. A., Feby. 1898, Nos. 195—209.
" A., May 1899, Nos. 627—637.
" A., Jany. 1900, No. 47.

III

Official Memorandum No. 14-1, Educational, dated 15th January 1915.

The India Office brings to notice that the marginally-noted official publications have been registered under the provisions of Act XXV of 1867, and included in the catalogue of books registered in the Madras Presidency during the fourth quarter of 1913, even though such publications are exempted from registration under the Government of India Notification No. 1294, dated the 12th March 1868. The Director of Public Instruction is requested to ascertain from the Registrar of Books and report why the official publications referred to were registered under Act XXV of 1867.

(By Order.)

H. A. HARVEY,
Under Secretary to Government.

To the Director of Public Instruction.

IV

Letter—from the Hon'ble Mr. J. H. STONE, M.A., F.R.H.S., C.I.E., Director of Public Instruction.
To—the Secretary to Government, Educational Department.
Dated—Madras, the 18th February 1915.
No.—Ref. on Cur. 285.

With reference to Government Memorandum No. 14-1, Educational, dated 15th January 1915, requesting me to ascertain and report why the official publications during the 4th quarter of 1913 were registered under Act XXV of 1867, I have the honour to enclose herewith a copy of the letter of the Registrar of Books, R.C. No. 69, dated 8th February 1915, submitting his explanation on the subject.

ENCLOSURE.

Letter—from the Registrar of Books.
To—the Director of Public Instruction, Madras.
Dated—the 8th February 1915.
No.—R.C. 69.

In returning herewith your Ref. N.R.C. No. 285 of 1915, dated the 4th instant, I have the honour to state that the Government of India Notification No. 1294, dated 12th March 1868, is not traceable in this office and that the Notification which has been followed all along is of a later date, viz., December 1871 (copy herewith enclosed). This notification obviously superseded the earlier one; and it gives a list of such publications as are exempted from the provisions of Section 21 of Act XXV of 1867; and it will be seen that in this list Government publications are not shown to be exempted as such from registration under the above Act, the object of the legislature in respect of such registration being, as laid down in the preamble to the Act, "to provide for the preservation of copies of every book printed or lithographed in British India." Consequently, it has been the custom in this office to receive from the Superintendent, Government Press, Madras, lists of official publications printed by him in the several quarters of the year and to select therefrom such publications as deserve to be looked upon as books worthy of being preserved in the library attached to this office.

Forwarded to the Educational Department
(By order)

2. It may also be mentioned here that until the promulgation of the Indian Copyright Act III of 1914, the copyright in Government publications had to be registered either under the Indian Copyright Act XX of 1847, or under section 18 of the Book Registration Act XXV of 1867, and for the purpose of registering the copyright of Government publications according to the latter legal provision, without applying to the Government of India as required by Act XX of 1847, Government publications also had to be registered before they could be copyrighted.

SUB-ENCLOSURE.

NOTIFICATION.

By virtue of the power vested in the Governor-General in Council by section 21 of Act XXV of 1867, entitled "An Act for the regulation of Printing-presses and Newspapers, for the preservation of copies of books printed in British India, and for the registration of such books," His Excellency in Council is pleased to declare that the following publications are exempted from the provisions of the said Act.

- (1) Reprints of books without additions or alterations and without new notes or commentaries.
- (2) Acts of the Legislative Councils without notes or commentaries.
- (3) Price lists and tradesmen's circulars.
- (4) Catalogues of books and other articles, auctioneers' notices and advertisements.
- (5) Play-bills, comprising advertisements of Theatrical and musical entertainments.
- (6) Decisions of courts of law without notes or commentaries.
- (7) Petitions and appeals addressed to constituted authority under the provisions of law.
- (8) Testimonials of private individuals or public officers.
- (9) Annual reports of schools, banks, societies and firms.
- (10) Almanacs and calenders.
- (11) Labels affixed to articles of commerce.

Home Department, Public,
Fort William, December 1871.

E. C. BAYLEY,
Secretary to Government of India.

Order—No. 195, Financial, dated 13th March 1915.

The letter from the Government of India will be communicated to the Superintendent, Government Press, for information and careful observance of the instructions referred to therein.

2. Orders will issue in the Educational Department drawing the attention of the Registrar of Books to the Notification of the Government of India, No. 1294, dated 12th March 1868, under which books, maps, sketches, charts and papers printed or published under orders of Government or for official purposes are exempted from the provisions of Act XXV of 1867.

(True Extract.)

A. BUTTERWORTH,
Chief Secretary.

To the Superintendent, Government Press,
Educational Department.

ANNEXURE.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Fort William, the 12th March 1868.

No. 1294.

By virtue of the power vested in the Governor-General in Council by section 21 of Act XXV of 1867, entitled "An Act for the Regulation of Printing Presses and Newspapers, for the preservation of copies of books printed in British India, and for the registration of such books," His Excellency in Council is pleased to declare that all books, maps, sketches, charts, and papers printed or published under orders of Government or for official purposes, are exempted from the provisions of the said Act.

Forwarded to the Educational Department,
(By order)

N. H. K. Aiyar
Superintendent-in-charge
Chief Secretariat.

NOTES CONNECTED WITH G.O. No. 195, FINANCIAL, DATED
13TH MARCH 1915.

[SUBJECT.—Annual list of non-confidential official publications.]

Previous papers:

Extract from "Fort St. George Gazette," containing Catalogue of Books for
fourth quarter of 1913.

Annual list of official publications for 1913.

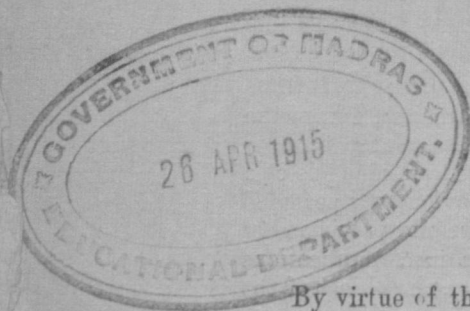
G.O.	584, Financial,	27th May	1892.
"	797	5th August	"
"	5	2nd January	1895.
"	598	19th August	"
"	1020-204	6th December	1897.
"	442-43	13th May	1898.
"	873-74	3rd September	1900.
"	1317	17th December	"
"	123, Financial (Books),	20th July	1901.
"	425, Financial,	14th August	1907.
"	34	13th January	1908.
"	58	4th February	1909.
"	269	5th July	"
"	133	16th March	1911.
"	197	25th "	1912.
"	380	17th June	"
"	238	29th March	1913.

II

From the Government of India, Department of Education (Books), No. 429, dated
24th November 1914.

The case relates to certain instructions suggested by the India office in the matter of the compilation of the annual "List of Official publications (other than Confidential) which are exempted from registration." The Government of India request that these instructions may be complied with. As far as this Government are concerned the lists are compiled by the Superintendent, Government Press, and the orders of the Government of India may be communicated to him for information and careful observance.

2. One of the instructions suggested by the India Office is due to certain inaccuracies observed by the India Office in the Madras list for 1913 and this needs examination. Under the notification of the Government of India No. 1294, dated 12th March 1868, books, etc., printed and published under orders of Government or for official purposes were exempted from the provisions of Act XXV of 1867 which regulates the registration of books, etc., printed in British India. Notwithstanding this notification some of the official publications of this Government are registered under the provisions of Act XXV of



1867 above referred to and are included in the Quarterly "Catalogue of Books" (so registered) under section 19 of the Act. These publications are *also* included in the "List of Official publications (other than Confidential) which are exempted from registration" issued annually. The instances of the kind above referred to which have appeared in the "list" and "catalogue" for 1913 are shown below:—

Item number in the "Annual List of Official publications" for 1913.	Item number in the "Catalogue of Books" for the 4th quarter of 1913.
104 same as ...	101 on page 323.
103 do. ...	60 do.
113 do. ...	61 do.
114 do. ...	72 on page 324.
152 do. ...	79 on page 325.
100 do. ...	81 do.
125 do. ...	85 do.
92 do. ...	86 do.
158 do. ...	87 do.
168 do. ...	88 do.
147 do. ...	89 do.
140 do. ...	90 on page 326.
105 do. ...	94 do.
149 do. ...	14 on page 330.
93 do. ...	15 do.
106 do. ...	16 do.
124 do. ...	17 do.
155 do. ...	18 do.
123 do. ...	5 on page 386.

The India Office speaks of 25 cases but the office has traced only 21.

Items 37 and 38 on page 360 of the "Catalogue" are not found in the "Annual list."

The India office brings to notice this inaccuracy and states that it would be convenient if the "List of Official publications (other than Confidential) which are exempted from registration" show only those which have not been registered under Act XXV of 1867 as the title of the list indicates.

3. It is not known why the official publications referred to in the list above were registered under Act XXV of 1867 in the face of the notification of 1868 exempting all official publications from registration. Submitted the Educational department may first be requested to examine the question.

S.V.—14-12-14.

T.H.R.—15-12-14.

B. LAVILLE—2-1-15.

EDUCATIONAL DEPARTMENT.

With reference to paragraphs 2 and 3 of the Financial department note, dated 2nd January 1915, the Director of Public Instruction may be requested to ascertain and report why the official publications referred to therein were registered under Act XXV of 1867 as such publications have been exempted from registration under the Government of India notification No. 1294, dated the 12th March 1868.

2. A draft memorandum is submitted for approval.

T.N.C.—7-1-15.

T.K.—8-1-15.

E. A. HARVEY—12-1-15.

[Memorandum No. 14-1, Educational, dated the 15th January 1915—III.]

IV

From the Director of Public Instruction, No. 285, dated the 18th February 1915.

The Registrar of Books reports that the Government of India Notification No. 1294, dated the 12th March 1868, is not traceable in his office and that the notification which he had all along been following is of a later date, viz., December 1871. He also adds that the latter notification obviously superseded the former. It is submitted that this latter statement is not however correct, for the notification of the 21st December 1871, No. 5604, is only supplemental to that of the 12th March 1868 above referred to and does not supersede it.

Notification 5604, 21st December 1871—*vide* page 154 of the General Statutory Rules and Orders.

2. The Registrar's arguments in the latter portion of paragraph 1 and in paragraph 2 of his letter do not also hold water, since the exemption of all official publications from the provisions of Act XXV of 1867 has been expressly provided for by the notification of 1869 above referred to. With the above remarks, the file may be returned to Financial u.o.

T.N.C.—26-2-15.

T.K.—26-2-15.

P. RAJAGOPALA ACHARIYAR—1-3-15.

FINANCIAL DEPARTMENT.

A draft order is submitted. Paragraph 2 of the draft is for acceptance in Educational.

S.V.—4-3-15.

T.H.R.—4-3-15.

B. LAVILLE—5-3-15.

EDUCATIONAL DEPARTMENT.

The draft order may, it is submitted, be accepted in this department and the file returned to Financial.

K.M.—8-3-15.

T.K.—8-3-15.

E. A. HARVEY—11-3-15.

FINANCIAL DEPARTMENT.

For orders as to issue the draft.

S.V.—12-3-15.

T.H.R.—12-3-15.

Issue.

B.L.—12-3-15.

[G.O. No. 195, Financial, dated 13th March 1915.]

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

" " " " 191 .

READ ALSO:-

C. No. 1491, From the Financial Dept. No. 19572, dated 13-3-1915.

" " " " 191 .

" " " " 191 .

ORDER.

mis

No. 492, dated 7-5-1915.

The attention of the Registrar of Books will be drawn to the Notification of the Govt. of India, No. 1294, of the 12th March 1868 under which books, maps, sketches, charts and papers printed or published under orders of Government or for official purposes are exempted from the provisions of Act XXV of 1867. and he will also be requested to note that Notification No 5604 of the 21st December 1871 does not supersede but only supplements Notification No 1294 of the 12th March 1868.

To the Regt of Books
Copy to the D.P.D.

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2/5/15
3/5/15

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The attention of the
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of the 1911. 2. 21. 1911.
be required to state
Clerks no book
1911. 2. 21. 1911.
only sufficient
1911. 2. 21. 1911.

1911. 2. 21. 1911.

When given for copying
When copied
When examined
When signed

191

READ AGAIN G.O. No.
191

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH BILLS.

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

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.