

Home (1918) Department.
Education

Ordinary SERIES.

G.O. No. 1194

DATED 10. 9. 18

INDEXED

[Despatch Abstract.]

Press and Registration of Books Act.-

Recording papers relating to the prosecution of the printer of the Vani Niketanam Press, Vellore, for failure to deliver certain publications to the Registrar of Books.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number.	Date.	Original (=O) or spare copy (=S.O.)	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

Papers of other departments.

Department.	Number	Date.	Original (=O) or spare copy (=S.O.)	Initials with date of (1) Referencer acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to the department concerned.

ENCLOSURES
No. _____
Spare copies _____

Ref. on M.R. No. 74

Station Madras, Dated the 11th June 1918

From (Name) M.R. Dy. Rao Bahadur A.C. Prasadartihara Aiyar
Avl., B.A., I.S.O.,
 (Designation) Registrar of Books.

To The SECRETARY TO GOVERNMENT,
 Home (Educational) Department, Fort St. George,
 Through The Director of Public Instruction, Madras.
 Sir,

I have the honour to bring to your notice that the proprietor, Vani Niketanam Press, Vellore, has failed to deliver, for registration, in this Office, the marginally-noted

The Illustrated Criminal Investigation: all issues of the all issues prior to Vol.9, No.11. periodical in spite of this Office requisition Ref. on M.R. No.74 dated 12th March 1917, three reminders thereon dated 30th April 1917, 16th June 1917 and 23rd July 1917 respectively and an urgent notice Ref. on M.R. No.74 of 17 dated 30th August 1917. This failure on the part of the proprietor, Vani Nike-

tanam

3-14.
 1045/15-
 1293/15-
 RECEIVED
 17 JUN 1918
 DIRECTOR OF PUBLIC INSTRUCTION
 MADRAS
 DEPARTMENT.
 No. 1276 B
 Cn 5098/18
 Registered 18-2-1918
 Subject
 Reporting the case of a failure to deliver for registration all issues of 'The Illustrated Criminal Investigation prior to Vol.9, No.11' in spite of repeated reminders.

tanam Press, Vellore, was reported to the District Magistrate, North Arcot, Vellore, for necessary legal action under sec.16 of Act XXV of 1867 as amended by Act X of 1890, in this Office Ref. on M.R.No.74 dated 29th October 1917; and he was requested in four subsequent letters dated 16th January 1918, 20th February 1918, 23rd March 1918 and 4th May 1918 respectively, to state what action was taken thereon, to which I regret no reply has as yet been received.

I have the honour to be,

S i r,

Your most obedient Servant,

Ashwatathas
Registrar of Books.

T.R.V.

N. R. C. No.5098/18 dated 15th June 1918.

Submitted to Government.

for Director of Public Instruction

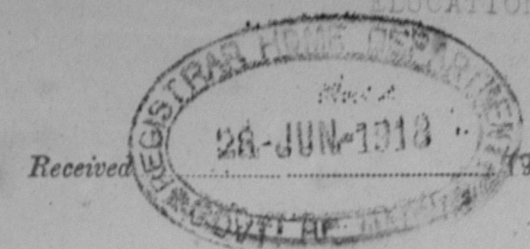
Y.V./15/6

B.A.

3

C.F.-31

EDUCATIONAL DEPARTMENT.



C.N. 1343 B

Received 28-JUN-1918 Registered 29.6.1918

Subject

Furnishing information called for regarding the proprietor of the Vani Niketanam Press, Vellore.

ENCLOSURES.

No.

Ref. on M.R. No. 74/17

Spare copies

Station Madras, Dated the 28th June 1918

From (Name) M.R. By. Rao Bahadur A.C. Pranatartihara Aiyar
(Designation) Registrar of Books.

To The SECRETARY TO GOVERNMENT,
Educational (Home) Department,
Fort St. George, Madras.

Sir,

(I)

With reference to your telephonic message dated 25th June 1918 from the Superintendent, Home Department (Education), I have the honour to state that the proprietor of the Vani Niketanam Press, Vellore, Mir Abbas Hussain Sahib was the declared printer of the press at the time when the publications under reference were not delivered for Registration in this Office. Prosecution has, therefore, to be instituted against him.

The

4

The press has since changed hands and Mr. Baquer Hussain Sahib has now declared himself the printer. I may mention in this connection that by the word, proprietor, the declared printer i.e., the person who signed the declaration prescribed in Section 50 of the Act, is always meant by this Office.

I have the honour to be,

Sir,

Your most obedient Servant,

Ahmed Sahib

Registrar of Books.

T.R.V.

CRK
31/7

Home (Edn) Dept

C Nos. 1276 B & 1343 B.

Memo. N.P. 1276 B-2
29-7-18

The letters from the Registrar of Books read above are forwarded to the Dt. Magistrate of N. Arcot who is requested to offer his remarks thereon at a very early date and to state whether two copies of the periodical therein referred to were being submitted to him under Section 16 of the Indian Press Act of 1908. The Dt. Magistrate is also requested to explain why he did not reply to the letters ^(addressed to him by) the Registrar of Books.

Rees Hays
with enclos.
31-7-18

To The D.M. of N. Arcot
with copies of C.N.
1276 B & 1343 B.

To be returned on
18 Sept 1918 noted
2/8

CR
28-7-18
24-7-18

29/7/18

HOME (JUDICIAL)

DEPARTMENT.

Received



191

Registered

191

Subject.

Criminal Investigation and Law Digest.

Submitting report regarding the failure of the Proprietor of the 'Vani Niketanam Press,' Vellore, to deliver the publication of -----.

ENCLOSURES

No. 1

Spare copies

Dis. No. 986 D.M. of 18.

Station VELLORE, Dated the 12th August 1918From (Name) P. C. Dutt, Esq., B.A., I.C.S.,(Designation) District Magistrate, North Arcot.

To The SECRETARY TO THE GOVERNMENT OF MADRAS,

Home (Judicial) Department,

Sir,

O O T A C A M U N D.

"Illustrated Criminal Investigation"
all issues prior to Volume
IX, No. 11.

With reference to the Government Memorandum No. 1276 B-2, dated the 29th July, forwarding copies of the letters from the Registrar of Books, Madras, regarding the failure of the Proprietor of the 'Vani Niketanam Press,' Vellore, to deliver the publications noted in the margin, I have the honour to state that a copy of the letter of the Registrar of Books was sent to the Sub Divisional Magistrate, Vellore, for instituting necessary enquiries and submitting a report in the matter. His report was received only on the 8th instant after the issue of six

reminders

reminders with the explanation of the present printer, Baquer Hussain Sahib. The explanation is herein enclosed. According to the letter of the Registrar of Books to Government Ref. on M.R. 74 of 1917, dated the 26th June last, the Proprietor, Mir Abbas Hussain who was the declared printer of the Press at the time when the publications under reference were not delivered for registration in his Office, is responsible, and prosecution proceedings have to be instituted only against him. The Sub Divisional Magistrate has not enquired this man. I have again asked him to enquire Mir Abbas Hussain and take such legal action as may be necessary in the matter, under section 16 of the Act.

2. As stated by the present proprietor and printer, copies of publications prior to Volume IX No. 11 were submitted to this Office in 1916.

3. I regret that this Office did not answer the reminders received from the Registrar of Books.

I have the honour to be,

Sir,

Your most obedient servant,

W. K. K. K.
For Dt. Magistrate. 13-8.

A R. 13-8-18.

13-8-18

13-8-18

From

Messrs. Subas and Sons

proprietors V. K. Press

To the Sub Magistrate, Ullah.

Sir,

With reference to your enquiry regarding the non submission of the issues of The I. C. I. Journal to the Registrar of Books, may I be permitted to say that I have submitted the relative copies to the District Magistrate and the publication of same has also been mentioned by me in my quarterly returns for the period - As I am not aware of the fact that the copies of such periodical publications which are printed only after the declaration is made before the District Magistrate should also be sent to the Registrar of Books I did not send them to him. I have I hope to the Registrar of Books to remain, Ullah,

Ullah,
14-3-1918.

Your most obedient servant,
Mir Baquer Hussain

C No. 1276B

From the D. P. J. N. R. C. 5098/18 d 15.6.18

Subject Forwarding letter from the Registrar of Books regarding the non-delivery of certain issues of a journal for registration.

For the Registrar

The Registrar of Books has apparently sent his requisition and reminders to the proprietor of the Vani Niketanam Press, Vellore, whereas according to Section 9(a) of the Press and Registration of Books Act, 1867, it is the printer who is responsible for the delivery of publications to the Registrar and it is ~~only~~ the printer who should be prosecuted under Sec 16 of the Act for failure to supply the books. It is not known whether in this case the printer and proprietor are one and the same ^{person}. Submitted that the Registrar may be requested to furnish the information.

2. A Draft Memo is submitted for approval.

vep
27.6.18
Jk.
v.b.

From the Registrar of Books, No. R.H.R. 74/17 dated 26.6.18.

Vide also
H.S. No. 12
of No. 104521
22.9.18 (C)

Withheld with reference
to Registrar's letter
pp 3-4 of.

pp 3-4 of. C No. 1343B

For the Registrar

The Registrar of Books now reports that the proprietor of the Vani Niketan Press, Vellore, Mr. Abbas Hussain Sahib, was also the declared printer of the press when the publications under reference were not delivered for registration in his office and that prosecution proceedings should be instituted against him. Submitted that the St. Magistrate, Vellore, may be requested to take steps for the prosecution of the printer under Sec 16 of the Press and Registration of Books Act.

2 A Draft Order is submitted for approval. It may be sent to Public (Ward) for acceptance.

Rel
7.7.18

CA
6.7.18

May
15/7/18

Publ

Public Dept.

The C.I.D. Annual Memoranda on newspapers and periodicals show that the "Illustrated Criminal Investigation and Law Digest", which is presumably identical with the "Illustrated Criminal Investigation" referred to in this case, was printed at "Victoria Press, Officers Lines, Vellore" in 1911, at the "Criminal Investigation Press, Vellore" during the years 1912, 1913, 1914, 1915 and 1916 and at "Victoria Press, Vellore" in 1917, and



2386
15.7.18

with memoranda on newspapers for 1911-16 (put up below, marked)

② Item 120 in the statement on p 35 of Chap 5

that Mir Abbas Hussain was the registered printer of the periodical from 6th June 1914 upto 8th February 1917. No reference is traceable to show that the periodical in question was printed at the 'Vani Niketanam Press' mentioned by the Registrar of Books.

2. It is not clear why the District Magistrate of North Arcot has not replied to any of the five Communications addressed to him by the Registrar of Books in the matter.

3. It is also probable that the periodical in question is being treated as a 'newspaper' please see the heading at the tabular statement in the C.I.D. memorandum; if this were so, the printer Mir Abbas Hussain would have been sending two copies of the 'Illustrated Criminal Investigation and Law Digest' to the D.M., North Arcot, and he would not therefore have been liable to send Copies to the Registrar of Books under Section 9 of the Press & Registration of Books Act of 1867 - please see the cases in G.O. No. 1965 Jndt of 21-12-11 and G.O. No. 2136 Jndt of 21-12-12.

In the notes to G.O. No. 1965 Jndt of 21-12-11 after consultation with the Advocate General Educational proposed to lay down general orders as regards the classification of publications of this kind, but it is not known whether any such definite orders have been

p1 CF.

p2 CF.

page 15 of 16 p5

Para: 16 on page 88
no. 491 p28 1-4-10 - F

Est. notes on p2 under
to flap V.

This will be looked up
and noted on after the return
of the memo.

14.7.18

issued

4. In view of the above circumstances it may perhaps be suggested to Home (22m) prior to taking action as proposed in the draft, to ask the D.M., North Arcot to offer remarks on the present letters from the Registrar

of Books at a very early date, and to state whether two copies of the periodical were being submitted to him under Section 16 of the Librarian Press Act, 1910.

5. Under Section 16 of the Press and Registration of Books Act- of 1867, it is the 'printer of the book' that is liable. The letter from the Registrar of Books refers to 'the proprietor of the Wani Niketanam press' and the 'declared printer of the press'. With a view to obviating legal flaws, it would seem advisable to ask the Registrar to use the legally correct term in Communications of this kind.

6. The suitability of asking the District Magistrate to take steps to prosecute seems doubtful. Under Section 16 of the Press & Registration of Books Act-, the Magistrate should determine the penalty for default, on application made to him by the officer to whom the copies should have been delivered or any person authorised by that officer. Submitted that as the Registrar of Books has already made an application to the District Magistrate in this case, the only thing

cf. Notif. in para: 18
pro. 314 JWS 28.2.10-1917
also to explain why he did not reply to the Reg's letter

p1 CF.
+ No 3-4 CF.

not necessary

G. also 20.10.10 JWS 4-1-12

p1 CF.

(if it is eventually found that a prosecution is called for necessary ~~to ask~~ it is to ask the D.M. whether he has considered the application made to him by the Registrar and, if not, to report what he proposes to do in the matter.

7. It is for orders whether the case may be returned to Home (Education) with the above remarks.

me
18.7.18
CML
18.7.18

letter may be item as suggested in form 4 above. All seems to be quite clear that the publication is a "newspaper".

DP
19.7.18

Home (Educ)

Home (Educ) Dept

A draft memo in accordance with para. 4 of Public Dept's note above is submitted for approval.

La
24.7.18.

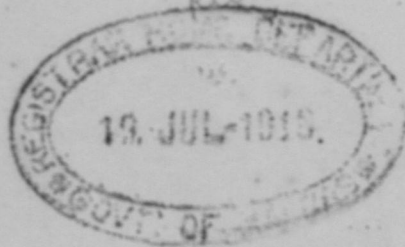
A
18.7.18

W
29/7/18

Memo. No 1276 B-2 dated 29th July 1918

At-6-7 of [Letter from the District Magistrate, No. 9860. M. 12.8.18] C. No 1726 B

For The Registrar. The District Magistrate states



p. 7. cf

States that he has instructed the ^{(Sub-} Divisional Magistrate to enquire into the non-delivery of the publications in question for registration and take such legal action as may be necessary in the matter. ~~The papers may be recorded.~~

2/19.8.18

~~1. Draft is submitted for approval.~~
2. Further, copies of the publications prior to Vol. IX No 11 were submitted to the D+ Magistrate in 1916. Since the present printer ^{that he was not aware} states that copies of such periodical publications should also be sent to the Registrar of Books, it is probable that the periodical is being treated as a 'newspaper' and the printer would not therefore be liable to send copies to the Registrar of Books under section 9 of the Press & Registration of Books Act, 1867. In view of the fact that the D+ Magistrate has instructed the Sub Divisional Magistrate to take legal action in the matter, if necessary, no further action is required.

A draft order recording the papers is subd.

Le
20.8.18

A
M.A.

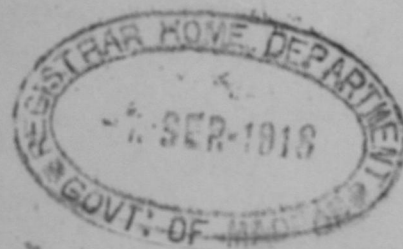
But the Registrar of Books
Should know the circumstances
under which the file is recorded.
The file should be sent to him
(us) for perusal *my*
28/8/18

D. P. I. [us]

N.O. NO 9123-9-18

To the Registrar of Books for perusal
and return.

No 2028 5. 9. 18



order NO. 1194
10.9.18
Recorded

Ca
7.9.18

Copy to the Registrar
with his letter of 10.9.18
- W. H. H. (G. H.)

Recd to the Registrar
with his letter of 10.9.18
- 139/18

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 LIST.

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

N.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.