

**THE PUBLICATION OF BOOKS (REGULATION AND
CONTROL) ORDINANCE, 1965**

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THE PUBLICATION OF BOOKS (REGULATION AND CONTROL) ORDINANCE, 1965

ORDINANCE NO. V OF 1965

[26th October, 1965]

An Ordinance to provide for the regulation and control of printing and publication of books or works first published in a foreign country.*

WHEREAS it is expedient to provide for the regulation and control of printing and publication of books or works first published in a foreign country;

AND WHEREAS the Provincial Assembly of East Pakistan is not in session and the Governor is satisfied that circumstances exist which render immediate legislation necessary;

NOW, THEREFORE, in exercise of the powers conferred by Article 79 of the Constitution of the Islamic Republic of Pakistan, the Governor is pleased to make and promulgate the following Ordinance, namely:-

Short title,
extent and
commencement

1. (1) This Ordinance may be called the ¹[* * *] Publication of Books (Regulation and Control) Ordinance, 1965.

(2) It extends to the whole of Bangladesh.

(3) It shall come into force at once.

Definitions

2. (1) In this Ordinance, unless there is anything repugnant in the subject or context,-

(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;

* Throughout this Ordinance, the words “Bangladesh” and “Government” were substituted for the words “East Pakistan” and “Provincial Government” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

¹ The words “East Pakistan” were omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President’s Order No. 48 of 1972).

- (b) “person” shall, include the proprietors, directors, managers, secretary or other officer or agent of a company or body corporate;
- (c) “prescribed” means prescribed by rules made under this Ordinance; and
- (d) “work” means a literary work.

(2) All words used in this Ordinance, but not defined in this Ordinance, and used in the ¹[Printing Presses and Publications (Declaration and Registration) Act, 1973 (XXIII of 1973) and কপিরাইট আইন, ২০০০ (২০০০ সনের ২৮ নং আইন)], shall have the same meanings as in those Ordinances.

3. (1) No person shall, except with the permission of the Government or such officer as may be specially empowered in this behalf, print or publish any book or work which is first printed or published in any foreign country.

Restriction on
publication of
certain books or
works

(2) Any person who has printed or published any book or work, which was first printed or published in any foreign country, immediately before the commencement of this Ordinance, shall, within two months from the date of commencement of this Ordinance, obtain permission of the Government under this Ordinance for publication or putting on circulation of such books or works.

4. (1) An application for permission to print or publish a book or work shall be made in such manner and form and on payment of such fee as may be prescribed.

Application for
permission

(2) The Government or the officer specially empowered under sub-section (1) of section 3 shall refuse permission to print or publish a book or work if the book or work is prejudicial to the tradition, culture or national interest.

¹ The words, commas, figures and brackets “Printing Presses and Publications (Declaration and Registration) Act, 1973 (XXIII of 1973) and কপিরাইট আইন, ২০০০ (২০০০ সনের ২৮নং আইন)” were substituted for the words, commas, figures and brackets “Press and Publications Ordinance, 1960 (Ordinance No. XV of 1960) and the Copyright Ordinance, 1962 (Ordinance No. XXIV of 1962)” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

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| Appeal | <p>5. (1) Any person aggrieved by an order under sub-section (2) of section 4 may, within one month from the date of such order,-</p> <p>(a) prefer an appeal to the Government, if such order is passed by the officer specially empowered under sub-section (1) of section 3, or</p> <p>(b) apply for a review to the Government if such order is passed by the Government.</p> <p>(2) Any order passed in appeal or review under sub-section (1) shall be final and shall not be called in question in any Court.</p> |
| Exemption | <p>6. The Government may, by notification in the <i>official Gazette</i>, exempt any book or work from the provisions of this Ordinance.</p> |
| Penalty | <p>7. Any person contravening any provision of this Ordinance shall be punishable with imprisonment which may extend to two years, or with fine which may extend to one thousand ¹[Taka], or with both.</p> |
| Forfeiture of the book or work | <p>8. On conviction, all copies of the book or work wherever found shall stand forfeited to Government and any Police-Officer may seize the same wherever found in Bangladesh.</p> |
| Jurisdiction to try offences | <p>9. (1) No Court shall take cognizance of an offence punishable under this Ordinance, except on complaint in writing made by the Government or by an officer authorised for the purpose by the Government.</p> <p>(2) No Court inferior to that of a Magistrate of the First Class shall try any offence under this Ordinance.</p> <p>(3) An offence under this Ordinance shall be cognizable and non-bailable.</p> |
| Bar to jurisdiction of Civil Courts | <p>10. Notwithstanding anything contained in any other law for the time being in force, no civil Court shall entertain any application or suit for any action taken or anything done under this Ordinance.</p> |
| Power to make rules | <p>11. The Government may make rules for carrying out the purposes of this Ordinance.</p> |

¹ The word "Taka" was substituted for the word "rupees" by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).