

**THE PRINTING PRESSES AND PUBLICATIONS  
(DECLARATION AND REGISTRATION) ACT, 1973**

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**THE PRINTING PRESSES AND PUBLICATIONS  
(DECLARATION AND REGISTRATION) ACT, 1973**

ACT NO. XXIII OF 1973

[22<sup>nd</sup> September, 1973]

**An Act to provide for declaration for the keeping of  
printing presses and the printing and publication of  
newspapers and for registration of books.**

WHEREAS it is expedient to provide for declaration for the keeping of printing presses and the printing and publication of newspapers and for registration of books, and for matters connected therewith;

It is hereby enacted as follows:-

**PART I**

PRELIMINARY

Short title and commencement

**1.** (1) This Act may be called the Printing Presses and Publications (Declaration and Registration) Act, 1973.

(2) It shall come into force at once and shall be deemed to have taken effect on the 28<sup>th</sup> day of August, 1973.

Definitions

**2.** In this Act, unless there is anything repugnant in the subject or context,-

- (a) "authenticated declaration" means a declaration made and subscribed under section 7 and authenticated or deemed to have been authenticated under section 12;
- (b) "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;
- (c) "document" includes any painting, drawing, photograph or other visible representation;
- (d) "editor" means the person who controls the selection of the matter that is published in a newspaper;

- (e) “form” means a form contained in the Schedule;
- (f) “newspaper” means any periodical work containing public news or comments on public news, and includes such other class of periodical works as the Government may, by notification in the *official Gazette*, declare to be newspapers;
- (g) “news-sheet” means any document other than a newspaper containing public news or comments on public news;
- <sup>1</sup>[(gg) “Press Appellate Board” means the Press Appellate Board constituted under section 2a.]
- (h) “papers” includes a document, leaflet, newspaper, news-sheet and poster;
- (i) “prescribed” means prescribed by rules;
- (j) “press” includes a printing press and all machines, implements and plant and parts thereof and all materials used for multiplying documents;
- (k) “printer” means the person who owns or keeps in his possession any press for the printing of books or papers;
- (l) “printing press” includes all engines, machinery, types, lithographic stones, implements, utensils and other plant or materials used for the purpose of printing;
- (m) “publisher” means the person who, in any manner whatsoever, undertakes, is in control on, or is responsible for the publication of any book or paper, and includes the proprietor of the publishing concern;
- (n) “unauthorised newspaper” means any newspaper in respect of which there are not for the time being valid declarations under section 7;
- (o) “unauthorised news-sheet” means any news-sheet other than a news-sheet published by a person authorised under section 21 to publish it; and
- (p) “unauthorised press” means any press other than a press in respect of which there is for the time being a valid declaration under section 4.

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<sup>1</sup> Clause (gg) was inserted by section 2 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

<sup>1</sup>[PART I A

## PRESS APPELLATE BOARD

Press Appellate Board

**2A.** The Government shall constitute a Press Appellate Board consisting of the following members, namely:-

- (a) Chairman of the Press Council established under the Press Council Act, 1974 (XXV of 1974), who shall also be its Chairman;
- (b) a member of the said Press Council to be nominated by its Chairman;
- (c) an officer in the service of the Republic, not below the rank of a Joint Secretary, to be nominated by the Government.]

## PART II

## PRINTING PRESSES

Particulars to be printed on books and papers

**3.** Every book or paper printed in Bangladesh shall have printed legibly on it the name of the printer and the place of printing, and, if the book or paper be published, the name of the publisher and the place of publication.

Keeper of printing press to make declaration

**4.** (1) No person shall keep in his possession any press for the printing of books or papers, unless he has made and subscribed before the District Magistrate within whose local jurisdiction such press may be a declaration in Form A.

(2) As often as the place where a printing press is changed, a fresh declaration shall be necessary:

Provided that where the change is for a period not exceeding sixty days and the place to which the printing press is shifted is within the jurisdiction of the same District Magistrate no fresh declaration shall be necessary if-

- (a) the keeper of the press continues to be the same; and

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<sup>1</sup> PART IA was inserted by section 3 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

- (b) within twenty-four hours of the change, the keeper of the press informs the District Magistrate in writing of the Change.

### **PART III**

#### **PRINTING AND PUBLICATION OF NEWSPAPERS**

**5.** No newspaper shall be printed or published except in conformity with the provisions of this Part and unless there subsists an authenticated declaration in respect thereof.

Publication of newspapers

**6.** Every copy of every newspaper shall contain the name of the editor of the newspaper printed clearly on such copy as the name of the such editor.

Name of the editor to be printed on the newspaper

**7.** The printer and the publisher of every newspaper shall appear, in person or by agent authorised in this behalf in accordance with the rules, before the District Magistrate within whose local jurisdiction such newspaper shall be printed or published and shall make and subscribe, in duplicate originals, a declaration in Form B.

Declaration of the printer and publisher

**8.** No person who has not attained majority in accordance with the provisions of the Majority Act, 1875 (IX of 1875), or of the law to which he is subject in respect of the attainment of majority shall be permitted to make a declaration under section 7, not shall any such person edit a newspaper.

No minor to be printer, publisher or editor

**9.** (1) If a newspaper in respect of which a declaration has been made under section 7 is not published within three months of the date on which such declaration is authenticated or deemed to have been authenticated under section 12, the declaration shall become null and void.

Effect of non-publication of newspaper

(2) Where a declaration becomes null and void under sub-section (1), the printer and the publisher shall make and subscribe a fresh declaration under section 7 before printing or publishing the newspaper, and the provision of sub-section (1) shall apply to the fresh declaration and to any subsequent fresh declaration.

(3) Where a newspaper having been published is not published,-

- (a) in the case of a daily newspaper, for three months, and
- (b) in the case of any other newspaper, for six months, the declaration made in respect of that newspaper shall become null and void, and the printer and the publisher shall make and subscribe a fresh declaration u/s 7 before further printing or publishing the newspaper and to every such fresh declaration the provisions of the two foregoing sub-sections shall, without prejudice to the provisions of this sub-section, apply.

Effect of change of language, periodicity or place of publication

**10.** If at any time after the making of a declaration under section 7, the newspaper to which the declaration relates is printed or published in a language, with a periodicity or at a place, other than the language or languages, periodicity or place shown in the declaration, the declaration shall become null and void, and any further printing and publication of the newspaper shall be unauthorised unless a fresh declaration under section 7 is made, but nothing in this section shall apply to a temporary change of the place of printing or publication for a period not exceeding thirty days at any one time, if within seventy-two hours of such temporary change the District Magistrate is informed of it in the manner prescribed.

Effect, if printer or publisher leaves Bangladesh

**11.** If at any time the printer or the publisher who has made a declaration under section 7 leaves Bangladesh, the declaration shall become null and void unless,-

- (a) the absence of the printer or the publisher from Bangladesh be for a period not exceeding six months, and
- (b) the printer or the publisher, before leaving Bangladesh, informs, in writing, the District Magistrate within whose jurisdiction the newspaper is printed or published, of his intended absence and the name of the person who has undertaken to discharge, in his absence and on his behalf, the responsibilities of the printer or the publisher, and furnishes to the District Magistrate a statement, in writing, of that person accepting those responsibilities.



**12.** (1) Subject to the provisions of sub-section (2), each of the duplicate originals of every declaration made and subscribed under section 7 shall be authenticated by the signature and official seal of the District Magistrate before whom the said declaration is made.

Authentication  
of the  
declaration

(2) The District Magistrate shall not authenticate the declaration unless he is satisfied that-

- (a) the proprietor, the printer and the publisher are citizens of Bangladesh;
- (b) the proprietor, if he himself is not the printer or the publisher, has authorised the making of such declaration;
- (c) the title of the newspaper proposed to be published is not the same as the title of any newspaper already being published in the same language at any place in the country, not being a newspaper of different periodicity published by the same publisher or another edition of the same newspaper published from another place;
- (d) the printer or the publisher was not convicted of an offence involving moral turpitude within five years before the date of his making and subscribing a declaration under section 7;
- <sup>1</sup>[\* \* \*]
- (f) the printer or the publisher has not been found to be a lunatic or of unsound mind by any court;
- (g) <sup>2</sup>[the proprietor or the publisher] has the financial resources required for regularly publishing the newspaper; and
- (h) the editor possesses reasonable educational qualifications or has had adequate training or experience in journalism.

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<sup>1</sup> Clause (e) was omitted by section 2 of the Printing Presses and Publications (Declaration and Registration) (Second Amendment) Ordinance, 1977 (Ordinance No. III of 1977).

<sup>2</sup> The words “the proprietor or the publisher” were substituted for the words “the publisher” by section 2 of the Printing Presses and Publications (Declaration and Registration) (Second Amendment) Ordinance, 1977 (Ordinance No. III of 1977).

<sup>1</sup>[**Explanation.-** A proprietor or a publisher shall be deemed to have the financial resources required for regularly publishing a newspaper if he has such bank balance as the Government may, by notification in the *official Gazette*, specify from time to time in this behalf.]

(3) If the District Magistrate refuses to authenticate the declaration, the person making the declaration may, within forty-five days of such refusal, prefer an appeal to the <sup>2</sup>[Press Appellate Board] whose decision thereon shall be final.

(4) If the District Magistrate fails to authenticate the declaration within sixty days of the making thereof, the person making the declaration may prefer an application to the <sup>3</sup>[Press Appellate Board] praying for an order directing the District Magistrate to authenticate the declaration, and the <sup>4</sup>[Press Appellate Board] shall make such order on such application as it may deem fit.

Deposit of authenticated declaration

**13.** The duplicate originals of the declaration authenticated under section 12 shall be deposited one each in the office of the District Magistrate and with the officer appointed by the Government under section 37.

Inspection and supply of copies of the declaration

**14.** The officer in charge of each original deposited under section 13 shall allow any person to inspect that original on payment of a fee of Taka two, and shall give to any person applying a copy thereof attested by the seal of the office which has the custody of the original, on payment of a fee of Taka four.

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<sup>1</sup> The Explanation was added by section 2 of the Printing Presses and Publications (Declaration and Registration) (Second Amendment) Ordinance, 1977 (Ordinance No. III of 1977).

<sup>2</sup> The words "Press Appellate Board" were substituted for the word "Government" by section 4 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

<sup>3</sup> The words "Press Appellate Board" were substituted for the word "Government" by section 4 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

<sup>4</sup> The words "Press Appellate Board" were substituted for the word "Government" by section 4 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

**15.** In any legal proceeding, whether civil, criminal or otherwise, a copy of a declaration attested in the manner prescribed in section 14 and a copy of the newspaper having the name of a person printed thereon as its editor, shall be sufficient evidence, unless the contrary is proved, as against the person whose name has been subscribed to such declaration, or printed on such newspaper, as the case may be, that the said person was printer or publisher, or printer and publisher (according as the words of the said declaration may be) of every portion of every newspaper whereof the title corresponds with the title of the newspaper mentioned in the declaration or the editor of every portion of that issue of the newspaper of which a copy is produced.

Copy of declaration or newspaper to be *prima facie* evidence

**16.** Every person who having subscribed a declaration under section 7 subsequently ceases to be the printer or publisher of the newspaper mentioned in such declaration shall appear, in person or by agent authorised in this behalf in the manner prescribed, before the District Magistrate, and make and subscribe in duplicate originals a declaration in Form C.

New declaration by person who have signed declaration and subsequently ceased to be printers or publishers

**17.** Each of the duplicate originals of the declaration made under section 16 shall be authenticated by the signature and seal of the District Magistrate before whom it is made and one such original shall be filed along with each originals or the declaration under section 7.

Authentication and filing of declaration under section 16

**18.** The officer in charge of each original of the declaration filed under section 17 shall allow any person applying to inspect that original on payment of a fee of Taka one, and shall give to any person applying a copy thereof attested by the seal of the officer having custody of the original, on payment of a fee of Taka two.

Inspection and supply of copies of declaration under section 16

**19.** In any legal proceeding in which a copy of a declaration under section 7 attested in accordance with section 14 has been put in evidence, it shall be lawful to put in evidence a copy of a declaration under section 16 attested in accordance with section 18, and the former declaration shall not then be taken to be evidence that the declarant, was, at any period subsequent to the date of the latter declaration, printer or publisher of the newspaper therein mentioned.

Putting copy of declaration under section 16 in evidence

Cancellation of authentication

**20.** (1) If, at any time, the District Magistrate, who authenticated a declaration under section 12, is satisfied that, subsequent to the authentication,-

- (a) the proprietor, the printer or <sup>1</sup>[the proprietor or the publisher] of the newspaper has ceased to be a citizen of Bangladesh;
- <sup>2</sup>[(b) the printer or the publisher has been convicted of an offence involving moral turpitude;]
- (c) the printer or the publisher has been found to be a lunatic or of unsound mind by any court; or
- <sup>3</sup>[(d) the proprietor or the publisher has ceased to have the financial resources required for regularly publishing the newspaper, he may, by an order in writing stating the reasons therefor, cancel the authentication of the declaration:

Provided that no such order shall be made except after giving the person who made the declaration a reasonable opportunity of being heard.]

(2) Any person aggrieved by an order under sub-section (1) may, within sixty days of the making of such order, prefer an appeal to the <sup>4</sup>[Press Appellate Board] whose decision thereon shall be final.

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<sup>1</sup> The words “the proprietor or the publisher” were substituted for the words “the publisher” by section 2 of the Printing Presses and Publications (Declaration and Registration) (Second Amendment) Ordinance, 1977 (Ordinance No. XVI of 1977).

<sup>2</sup> Clause (b) was substituted by section 3 of the Printing Presses and Publications (Declaration and Registration) (Second Amendment) Ordinance, 1977 (Ordinance No. III of 1977).

<sup>3</sup> Clause (d) was substituted by section 2 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Ordinance, 1979 (Ordinance No. I of 1979).

<sup>4</sup> The words “Press Appellate Board” were substituted for the word “Government” by section 5 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

<sup>1</sup>[20A. Where any book or paper wherever made appears to the Government to contain any words, signs or visible representations which are indecent, obscene or scurrilous, the Government may, by notification in the *official Gazette*, stating the grounds of its opinion, declare all copies of such book or paper to be forfeited to the Government and thereupon any police officers may seize the same wherever found in Bangladesh, and any District Magistrate may by warrant authorise any police officer not below the rank of Sub-Inspector to enter upon and search for the same in any premises where any copy of such book or paper may be or may be reasonably suspected to be.]

Power to declare certain publications forfeited and to issue search warrants for the same

#### PART IV

##### UNAUTHORISED NEWS-SHEETS AND NEWSPAPERS

21. (1) The District Magistrate may, by order in writing and subject to such condition as he may think fit to impose, authorise any person by name to publish a news-sheet or to publish news-sheets from time to time.

Authorisation of persons to publish news-sheets

(2) A copy of an order under sub-section (1) shall be furnished to the person thereby authorised.

(3) The District Magistrate may at any time revoke an order made by him under sub-section (1).

22. (1) Any police officer, or any other person empowered in this behalf by the Government may seize any unauthorised news-sheet or unauthorised newspaper, wherever found.

Power to seize and destroy unauthorised news-sheets and newspapers

(2) Any District Magistrate, Sub-divisional Magistrate or Magistrate of the first class may by warrant authorise any police officer not below the rank of Sub-Inspector to enter upon and search any place where any stock of unauthorised news-sheets or unauthorised newspapers may be or may be reasonably suspected to be, and such police officer may seize any documents found in such place which, in his opinion, are unauthorised news-sheets or unauthorised newspapers.

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<sup>1</sup> Section 20A was inserted by section 2 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Ordinance, 1976 (Ordinance No. II of 1976).

(3) All documents seized under sub-section (1) shall be produced as soon as may be before a District Magistrate, Sub-divisional Magistrate or Magistrate of the first class and all documents seized under sub-section (2) shall be produced as soon as may be before the Court of the Magistrate who issued the warrant.

(4) If in the opinion of such Magistrate or Court any of such documents are unauthorised news-sheets or unauthorised newspapers, the Magistrate or Court may cause them to be destroyed; but if, in the opinion of such Magistrate or Court, any of such documents are not unauthorised news-sheets or unauthorised newspapers, such Magistrate or Court shall dispose of them in the manner provided in sections 523, 524 and 525 of the Code of Criminal Procedure, 1898 (V of 1898).

Power to seize  
and forfeit  
presses  
producing  
unauthorised  
news-sheets and  
newspapers

**23.** (1) Where a District Magistrate or Sub-divisional Magistrate has reason to believe that an unauthorised news-sheet or unauthorised newspaper is being produced from any press within the limits of his jurisdiction, he may by warrant authorize any police officer not below the rank of Sub-Inspector to enter upon and search any place wherein such press may be, or may be reasonably suspected to be, and if, in the opinion of such police officer, any press found in such place is used to produce an unauthorised news-sheet or unauthorised newspaper, he may seize such press and any documents found in the place which in his opinion are unauthorised news-sheets or unauthorised newspapers.

(2) The police officer shall make a report of the search to the Court which issued the warrant and shall produce before such Court, as soon as may be, all property seized:

Provided that where any press which has been seized cannot be readily removed, the police officer may produce before the Court only such parts thereof as he may think fit.

(3) If such Court, after such inquiry as it may deem requisite, is of opinion that a press seized under this section is used to produce an unauthorised news-sheet or unauthorised newspaper, it may, by order in writing, declare the press to be forfeited to the Government; but if, after such inquiry, the Court is not of such opinion, it shall dispose of the press in the manner provided in sections 523, 524 and 525 of the Code of Criminal Procedure, 1898 (V of 1898).

(4) The Court shall deal with the documents produced before it under this section in the manner provided in sub-section (4) of section 22.

## PART V

### DELIVERY OF BOOKS AND NEWSPAPERS

**24.** Notwithstanding any agreement between the printer and publisher of a book, the printer of every book, printed or lithographed in Bangladesh, shall, within one month of its delivery out of the press, supply free of expense, four copies of every such book, together with all maps, prints, or other engravings belonging thereto, finished and coloured in the same manner as the best copies of the book, to such officer and at such place as the Government may by notification appoint.

Copies of books printed to be delivered gratis to Government

**25.** The officer to whom a copy of a book is delivered under section 24 shall give to the printer a receipt in writing therefor.

Receipt of copies delivered under section 24

**26.** The printer of every newspaper shall deliver at such place and to such officer as the Government may by notification direct, free of cost, four copies of each issue of such newspaper as soon as it is published.

Copies of newspapers to be delivered gratis to Government

## PART VI

### REGISTRATION OF BOOKS

**27.** There shall be kept at such office, and by such officer as the Government may appoint, a book to be called a Catalogue of Books wherein shall be registered, as soon as may be after the delivery of every book in pursuance of the provisions of section 24, a memorandum of the book so delivered, and such memorandum shall, so far as may be practicable, contain the following particulars, namely:-

Registration of memoranda of books

- (a) the title of the book and the contents of the title page, with a translation into Bengali of such title and contents, when the same are not in the Bengali language,
- (b) the language in which the book is written,

- (c) the name of the author, translator or editor of the book or any part thereof,
- (d) the subject,
- (e) the place of printing and the place of publication,
- (f) the name of the printer and the name of the publisher,
- (g) the date of issue from the press or of the publication,
- (h) the number of sheets, leaves or pages,
- (i) the number of the editions,
- (j) the number of copies of which the edition consists,
- (k) whether the book is printed or lithographed,
- (l) the price at which the book is sold to the public, and
- (m) the name and residence of the proprietor of the copyright or of any portion of such copyright.

Publication of the memoranda of books

**28.** The memoranda registered during each quarter in the said Catalogue of Books shall be published in the *official Gazette* as soon as may be after the end of such quarter.

## PART VII

### PENALTIES FOR OFFENCES UNDER FOREGOING PROVISIONS

Penalty for contravention of section 3

**29.** Whoever shall print or publish any book or paper in contravention of the provisions of section 3 shall be punishable with fine not exceeding Taka <sup>1</sup>[five thousand] or with simple imprisonment for a term not exceeding six months, or with both.

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<sup>1</sup> The words “five thousand” were substituted for the words “two thousand” by section 6 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).



**30.** Whoever shall keep in his possession any printing press without making a declaration as is required by section 4 shall be punishable with fine not exceeding Taka <sup>1</sup>[five thousand], or with simple imprisonment for a term not exceeding six months, or with both.

Penalty for keeping press without making declaration

**31.** Any person who shall, in making any declaration under this Act, make a statement which is false, and which he either knows or believes to be false, or does not believe to be true, shall be punishable with fine not exceeding Taka <sup>2</sup>[five thousand] and imprisonment for a term not exceeding six months.

Punishment for making false statement

**32.** Whoever shall edit, print or publish any newspaper in contravention of the provisions of this Act or whoever shall edit, print or publish, or shall cause to be edited, printed or published, any newspaper, knowing that the said provisions have not been observed with respect to that newspaper shall be punishable with fine not exceeding Taka <sup>3</sup>[five thousand], or imprisonment for a term not exceeding six months, or with both.

Penalty for printing or publishing in contravention of the provisions of this Act

**33.** (1) Whoever makes, prints or otherwise produces, distributes, publishes or publicity exhibits or keeps for sale, distribution or publication, any unauthorised news-sheet or unauthorised newspaper, shall be punishable with fine not exceeding Taka <sup>4</sup>[twenty thousand].

Penalty for disseminating unauthorised news-sheets and newspaper

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<sup>1</sup> The words “five thousand” were substituted for the words “two thousand” by section 7 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

<sup>2</sup> The words “five thousand” were substituted for the words “two thousand” by section 8 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

<sup>3</sup> The words “five thousand” were substituted for the words “two thousand” by section 9 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

<sup>4</sup> The words “twenty thousand” were substituted for the words “ten thousand” by section 10 of the Printing Presses and Publications (Declaration and Registration) (Amendment) Act, 1991 (Act No. VIII of 1991).

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898), any offence punishable under sub-section (1), and any abatement of any such offence, shall be cognizable.

Penalty for not delivering books

**34.** If any printer of any such book as is referred to in section 24 shall neglect to deliver copies of the same in pursuance of that section, he shall for every such default forfeit to the Government such sum not exceeding Taka five hundred as a Magistrate having jurisdiction in the place where the book was printed may, on the application of the officer to whom the copies should have been delivered or of any person authorised by that officer in his behalf, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum, such further sum as the Magistrate may determine to be the value of the copies which the printer ought to have delivered.

Penalty for failure to supply copies of newspapers gratis to Government

**35.** If any printer of any newspaper published in Bangladesh neglects to deliver copies of the same in compliance with section 26, he shall, on the complaint of the officer to whom copies should have been delivered or of any person authorised by that officer in this behalf, be punishable with fine which may extend to Taka five hundred for every default.

Recovery of forfeitures and disposal thereof and of fines

**36.** Any sum forfeited to the Government under section 34 may be recovered under the warrant of the Magistrate determining the sum, or of a successor in office, in the manner authorised by the Code of Criminal Procedure, 1898 (V of 1898), and within the period prescribed by the Penal Code (XLV of 1860), for the levy of a fine.

## **PART VIII**

### **MISCELLANEOUS**

Appointment of officers

**37.** The Government may appoint an officer or officers to carry out the purposes of this Act and such officer or officers shall have such duties and powers in respect of the regulation of matters pertaining to printing press, books and papers, printers and publishers as the Government may assign.

**38.** Every warrant issued under this Act shall, so far as it relates to a search, be executed in the manner provided for the execution of search warrants under the Code of Criminal Procedure, 1898 (V of 1898).

Conduct of searches

**39.** (1) If the person contravening any of the provisions of this Act is a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Offences by companies

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if the offence was committed without his knowledge.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence was committed with the consent of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

**Explanation.-** For the purposes of this section,-

(a) 'company' means anybody corporate and includes a firm or other association of individuals, and

(b) 'director' in relation to a firm means a partner in the firm.

**40.** The Government may, by notification in the *official Gazette*, make rules for carrying out the purposes of this Act.

Power to make rules

**41.** (1) The Press and Publications Ordinance, 1960 (XV of 1960), and the Printing Presses and Publications (Declaration and Registrations) Ordinance, 1973 (XVI of 1973), are hereby repealed.

Repeals and savings

(2) Notwithstanding the repeal, any declaration made, subscribed or authenticated, anything done or any action taken under any provision of any of the aforesaid Ordinance shall, in so far as it is not inconsistent with any provision of this Act, be deemed to have been made, subscribed, authenticated, done or taken under the corresponding provisions of this Act.

(3) The provisions of the General Clauses Act, 1897 (X of 1897), shall, subject to the provision of sub-section (2) apply to the repeal of the aforesaid Ordinances by this Act.

## **THE SCHEDULE**

### **FORM A**

(See section 4)

#### **Declaration of the Keeper of the Press**

I ..... (name), son of  
 ..... residing at  
 ..... do hereby declare that I have a press  
 for printing at\* .....

\_\_\_\_\_

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\* Give full description and address of the premises where the press may be situated.

**FORM B**

(See section 7)

**Declaration of the Printer and/or Publisher of Newspaper**

I ..... (name), son of  
..... residing  
at ..... do hereby declare that I am the  
printer or publisher or printer and publisher of the newspaper entitled  
..... appearing as<sup>2</sup>  
..... in<sup>3</sup> .....  
and printed or <sup>1</sup>published or printed and published at<sup>4</sup> .....  
.....  
.....

1. Strike out which is not applicable.
2. Here state the periodicity.
3. Here mention the language or languages.
4. Give full description and address of the premises where the printing or publication is conducted.

\_\_\_\_\_

**FORM C**

(See section 16)

**Declaration of person who ceases to be Printer and/or Publisher**

I ..... (name), son of  
..... residing at  
.....do hereby declare that  
I have ceased to be the <sup>1</sup>printer or publisher or, the printer and the publisher of  
the newspaper entitled ..... appearing as<sup>2</sup> ..... in<sup>3</sup>  
.....

1. Strike out which is not applicable.
2. Here state the periodicity.
3. Here mention the language or languages.

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