

THE NOTE-BOOKS (PROHIBITION) ACT, 1980

ACT NO. XII OF 1980

[9th April, 1980]

An Act to prohibit printing, publication, import, distribution and sale of note-books on text-books for primary schools and secondary schools up to Class VIII.

WHEREAS it is expedient to prohibit printing, publication, import, distribution and sale of note-books on text-books for primary schools and secondary schools up to Class VIII;

It is hereby enacted as follows:-

1. This Act may be called the Note-Books (Prohibition) Act, 1980. Short title

2. In this Act, unless there is anything repugnant in the subject or context,- Definitions
 - (a) "Board" means the Bangladesh School Text-Book Board established under the School Text-Book Act, 1954 (E.P. Act XIV of 1954);
 - (b) "note-book" means any printed book that contains notes, annotations, explanations, comments, references, answers or solutions to any questions on any subject or matter in, or translations or paraphrases of any part of, any text-book but does not include any such book published by, or under the authority of, the Board; and
 - (c) "text-book" means any text-book for primary schools or secondary schools up to Class VIII published by, or under the authority of, the Board.

3. (1) No person shall print, publish, import, sell, distribute or in any manner put into circulation or keep for printing, publication, sale, distribution or circulation of any note-book. Prohibition of printing, etc., of the note-books

- (2) Nothing in sub-section (1) shall apply to any notes, comments or explanations dictated or given in writing by a teacher in a class for the use of the students of that class:

Provided that such notes, comments or explanations shall not be reproduced in writing or otherwise and circulated for the use of any other person.

Penalty

4. (1) Whoever contravenes any provision of section 3 shall be punishable with rigorous imprisonment for a term which may extend to seven years, or with fine which may extend to twenty five thousand Taka, or with both.

(2) A Court trying the contravention of any provision of section 3 shall order the forfeiture to Government of every copy of the note-book in respect of which such provision has been contravened and may also order the forfeiture to Government of the printing press found printing such note-book.

(3) Where any provision of section 3 has been contravened by a firm, company or other body corporate, every partner, director, manager, secretary or other officer thereof shall, if actively concerned in the conduct of the business of such firm, company or body corporate, be deemed to have contravened such provision unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention.

Power to make rules

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