



Bill Summary

The Press and Registration of Books and Publications Bill, 2011

- The Press and Registration of Books and Publications Bill, 2011 was introduced in the Lok Sabha on December 16, 2011 by Ms. Ambika Soni, Minister of Information and Broadcasting. The Bill was referred to the standing committee on January 5, 2012. The Bill was introduced to give statutory backing to the present print media policy. It seeks to consolidate and amend the existing laws on press and registration of books.
- The Bill allows Indian entities and citizens to bring out newspapers and journals. It bars persons convicted of certain offences from bringing out such publications. These include terrorist acts, unlawful activities and acts against the security of the State. It also bars non-residents and minors from editing a publication or making declarations under the Bill.
- Prior approval of the central government would be required to print or publish a newspaper or journal if (a) the publication is owned or invested in by a foreigner or an entity registered outside India; (b) its title is identical or similar to a foreign journal's title; (c) its foreign news content exceeds the limits prescribed; (d) it is identical to a known foreign publication. The central government will have to secure the printer or publisher a hearing before rejecting the application.
- The Bill creates the following authorities: (a) specified authority which may be the District Magistrate, Deputy Commissioner or Commissioner Police; and (b) the Press Registrar General of India (PRG) appointed by the central government.
- Before publishing a newspaper or journal, the publishers and printers should have secured authentication of their declaration before the specified authority. The declaration is *prima facie* evidence to identify the printer, publisher and editor of the newspaper or journal. Any person may inspect and secure copies of the original declaration on payment of a fee prescribed under the Bill.
- The PRG is empowered to reject proposed titles of a publication. Its decision is final in this matter. The PRG is also responsible to issue certificates of registration to the publisher on receipt of a copy of the declaration attested by the specified authority.
- The publisher will submit to the PRG an annual statement stating the publication's title, foreign direct investment in it and such other details.
- The PRG may access any relevant document relating to a publication in the possession of the publisher. It may also demand for documents from the publisher, printer or owner, giving reasons for such a demand.
- The specified authority and the PRG are empowered to cancel the declarations made by the printer or publisher.
- The specified authority may cancel a declaration if (a) the publication contravenes the Bill; (b) the publication's title is similar to a foreign publication's title; (c) the owner of the publication mentioned in the declaration has ceased to be the owner; or (d) the declaration was made on false representations or in concealment of material fact or in relation to a work that is not a publication.
- An appeal may be made against the order of the specified authority. Appeals should be made within 60 days of the order. Appeals will lie before the Press and Registration Appellate Board constituted by the central government. This Board will consist of a chairperson and a member nominated by the Press Council of India.
- The PRG may cancel a publisher's declaration if the annual statement for the publication is not submitted for a consecutive period of three years. On cancellation of the declaration, the certificate of registration issued by the PRG is deemed to be cancelled.
- Every state government is required to maintain a Catalogue of Books containing specified information regarding books printed in India.
- The Bill penalises publication of books and journals in contravention of the Bill. Making false statements in the declaration; and editing, printing or publishing a newspaper or journal in contravention of the Bill carry a punishment of imprisonment up to six months and a fine up to Rs 10,000.
- The PRG or the specified authority may initiate proceedings under the Bill before a Metropolitan Magistrate or a District Magistrate of the first class.

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