Website Link: prgi.gov.in

MINISTRY OF INFORMATION AND BROADCASTINGPUBLIC NOTICE

PUBLIC NOTICE

Dated : 5th .01.2024

Ministry of Information and Broadcasting invites comments/suggestions on the Draft Press and Registration of Periodicals Rules, 2024 proposed to be notified to carry out the provisions of the Press and Registration of Periodicals Act, 2023 notified on 29.12.2023.

After passage by both the Houses of Parliament and subsequent assent of the President, the Press and Registration of Periodicals (PRP) Act, 2023 has been notified on 29th December, 2023 copy of which is placed at **Annexure A**. The salient features of the Act are at **Annexure B**. The Press and Registration of Books Act, 1867 shall stand repealed from the date this PRP Act, 2023 comes into effect.

2. In order to carry out the provisions of the Press and Registration of Periodicals Act, 2023 the Ministry of Information and Broadcasting proposes to notify the Press and Registration of Periodicals Rules, 2024 as per Draft placed **Annexure C**.

3. Suggestions/ feedback are invited from the stakeholders and members of general public on the Draft Press and Registration of Periodicals Rules, 2024. Comments/suggestions may be sent to the Ministry through email to the undersigned at the below mentioned email ID. The last date for submission of comments/suggestions is **4th of February, 2024**

(Amarendra Singh)
Deputy Secretary (IP)
Ministry of Information and Broadcasting
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ANNEXURE-A

रजिस्ट्री सं॰ डी॰ एल॰—(एन)04/0007/2003—23 REGISTERED NO. DL—(N)04/0007/2003—23

भारत का राजपत्र
The Gazette of India

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असाधारण
EXTRAORDINARY
भाग II — खण्ड 1
PART II — Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं॰ 59] नई दिल्ली, शुक्रवार, दिसम्बर 29, 2023/पौष 8, 1945 (शक)
No. 59] NEW DELHI, FRIDAY, DECEMBER 29, 2023/PAUSHA 8, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 29th December, 2023/*Pausha* 8, 1945 (*Saka*)

The following Act of Parliament received the assent of the President on the 28th December, 2023 and is hereby published for general information:—

THE PRESS AND REGISTRATION OF PERIODICALS ACT, 2023

No. 51 OF 2023

[28*th December,* 2023.]

An Act to provide for press, registration of periodicals and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

Short title, extent and commencement.

1. (*1*) This Act may be called the Press and Registration of Periodicals Act, 2023.

(*2*) It extends to the whole of India.

(*3*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "facsimile edition" of a publication means an exact reproduction of the original edition of a foreign publication in English or an Indian language included in the Eighth Schedule to the Constitution;

(*b*) "journal" means a periodical publication, other than a magazine, which primarily carries academic, scientific or technical content related to a particular discipline or profession;

(*c*) "keeper" means a person who manages the day-to-day operations of a printing press, the owner of which is a non-individual entity;

(*d*) "newspaper" means a periodical of loose-folded sheets usually printed on newsprint and brought out daily or at least once in a week, containing information on current events, public news or comments on public news;

(*e*) "notification" means a notification published in the Gazette of India or the Official Gazette of a State, as the case may be, and the expression "notify" with its grammatical variation and cognate expressions shall be construed accordingly;

(*f*) "owner" means an individual, firm or any such legal entity owning a periodical;

(*g*) "periodical" means any publication, including a newspaper, which is published and printed at regular intervals containing public news or comments on public news, but does not include a book, or a journal including a book or journal of scientific, technical and academic nature;

(*h*) "prescribed" means prescribed by rules made under this Act;

(*i*) "Press Registrar General" means the Press Registrar General of India, appointed by the Central Government under sub-section (*1*) of section 5;

(*j*) "printer" means the owner or keeper of a printing press;

(*k*) "printing" means reproduction of a periodical through any technology involving mass production of copies, but does not include photocopying;

(*l*) "publication" means newspapers, magazines, journals or newsletters printed periodically and published in India, and shall include its reproduction in electronic form or any syndication, facsimile edition, for public distribution or access;

(*m*) "publish" means the process of making a work available to the public by issuing or causing to be issued the copies thereof or in any other manner, whether for a price or free of charge, and the word "publishing" shall be construed accordingly;

(*n*) "publisher" means a person responsible to publish any periodical;

(*o*) "register" means the register of periodicals maintained under clause (*b*) of sub-section (*3*) of section 5;

(*p*) "specified authority" means a District Magistrate or Collector or such other officer as the State Government or, as the case may be, Union territory Administration may, by notification, specify;

(*q*) "title", in relation to a periodical, means the name of such periodical as may be verified by the Press Registrar General, printed prominently and legibly as the masthead on the front page of that periodical by which it shall be known or be identified.

CHAPTER II

PRINTING PRESS AND PERIODICAL

Printer to furnish intimation.

3. Every printer of a periodical shall furnish an intimation in the online portal to the Press Registrar General and the specified authority within whose local jurisdiction his printing press is situated with such particulars and in such manner, as may be prescribed.

Publication of periodical.

4. (*1*) Every citizen of India or a person, being an entity incorporated and registered in India under any law for the time being in force, may bring out a periodical:

Provided that no person who has been convicted by any court for an offence—

(*a*) involving terrorist act or unlawful activity; or

(*b*) for having done anything against the security of the State,

shall bring out a periodical.

Explanation.—For the purposes of this section, the expressions "terrorist act" and "unlawful activity" shall have the meanings respectively assigned to them in clauses (*k*) and (*o*) of sub-section (*1*) of section 2 of the Unlawful Activities (Prevention) Act, 1967.

37 of 1967.

(*2*) Every periodical printed in India shall have printed on it legibly the name of the printer, place of printing, name of editor, publisher and place of publication.

Explanation.—For the purposes of this sub-section, "editor" means a person who decides the matter that is to be published in a periodical.

(*3*) A facsimile edition of a foreign periodical may be printed in India only with the previous approval of the Central Government in accordance with the guidelines made in this regard, and the registration of such facsimile edition shall be made with the Press Registrar General in such manner as may be prescribed.

Explanation.—For the purposes of this sub-section, "foreign periodical" means any periodical printed and published in a country outside India.

CHAPTER III

AUTHORITIES

Press Registrar General and other officers.

5. (*1*) The Central Government may, by order, appoint a Press Registrar General of India for carrying out the purposes of this Act.

(*2*) The Central Government may, by general or special order, appoint such other officers under the general superintendence and control of the Press Registrar General, as may be necessary, for the purpose of performing the functions assigned to the Press Registrar General by or under this Act and may, by such order provide for the distribution or allocation of functions to be performed by them under this Act.

(*3*) In particular, and without prejudice to the generality of the foregoing provisions, the Press Registrar General shall perform the following functions, namely:—

(*a*) issue a certificate of registration to a periodical;

(*b*) maintain a register of registered periodicals;

(*c*) make guidelines for admissibility and availability of title of a periodical;

(*d*) collect fees, as may be applicable, with regard to applications received by him under this Act;

(*e*) receive funds from the Central Government and disburse the same for implementation of the provisions of this Act;

(*f*) prepare and publish an annual report containing information in respect of the periodicals in India;

(*g*) any function incidental to, or connected with, clauses (*a*) to (*f*); and

(*h*) any other function as may be assigned to it by the Central Government for the effective implementation of the provisions of this Act.

Powers of Press Registrar General.

6. The Press Registrar General shall—

(*a*) obtain annual statements of a periodical;

(*b*) verify the circulation figure of such class of periodicals in such manner and for such purpose, as may be prescribed, and shall have access to any relevant record or

document relating to a periodical in the possession of the owner of such periodical or printer thereof, and enter any premises where the business of such periodical is carried on at any reasonable time to inspect or take copies of the relevant records or documents or ask any question necessary for obtaining any information required to be furnished;

(*c*) revise, suspend or cancel registration of a periodical;

(*d*) requisition the services of an authorised person and such other person as may be specified by him for undertaking verification of circulation figure of a periodical.

Explanation.—For the removal of doubts, it is clarified that an "authorised person" means a Gazetted Officer of the Central Government, subordinate to the Press Registrar General, and authorised by the Press Registrar General in writing to function as his representative for discharging such functions as he may assign to such representative;

(*e*) call for records, documents and such other information in respect of a printing press or a periodical as may be required in discharge of his duties;

(*f*) call for information from a State Government or Union territory Administration or a specified authority regarding a periodical; and

(*g*) impose penalty.

CHAPTER IV

REGISTRATION OF PERIODICAL

Registration of periodical.

7. (*1*) A periodical shall be printed or published in India only in accordance with the provisions of this Act.

(*2*) Every publisher of a periodical shall, with the authorisation of the owner of such periodical, obtain a certificate of registration from the Press Registrar General by making an online application to the Press Registrar General and the specified authority within whose local jurisdiction such periodical is proposed to be published, in such manner and on payment of such fee, with such documents and particulars, as may be prescribed.

(*3*) The application referred to in sub-section (*2*) shall contain the title, which the publisher intends to assign to the periodical, and for that purpose the publisher may suggest one or more names for the title, in an order of preference, which is not the same or similar to a title already held by any other owner of a periodical either in the same language anywhere in India or in any other language in the same State, and which conforms to the guidelines made by the Press Registrar General for this purpose.

(*4*) The specified authority referred to in sub-section (*2*) shall, either furnish its no-objection or comments on the application to the Press Registrar General within a period of sixty days:

Provided that no-objection of the specified authority shall not be required, where the application referred to in sub-section (*2*) is for registration of a periodical proposed to be published by the Central Government or a State Government or any authority under such Government.

(*5*) On receipt of an application referred to in sub-section (*2*), if the Press Registrar General is satisfied with its correctness and completeness and after taking into account the comments, if any, received from the specified authority within the period referred to in sub-section (*4*) and the guidelines relating to admissibility of titles, he shall issue a certificate of registration containing particulars of its periodicity, language, place of publication, details of the owner and the title of the periodical, in such form as may be prescribed:

Provided that the Press Registrar General may, after giving an opportunity of being heard and for reasons to be recorded in writing, refuse to issue the certificate of registration.

(*6*) The publisher of the periodical shall, on receipt of the certificate of registration, commence publication of the periodical:

Provided that if the publisher of the periodical fails to publish the periodical within twelve months from the end of the month in which the certificate of registration was issued, the Press Registrar General may cancel the certificate of registration and withdraw the title.

Revision of certificate of registration or title.

8. (*1*) A publisher of a periodical may make an application to the Press Registrar General for revision of particulars of the certificate of registration, or for revision of title, in such manner and with such particulars as may be prescribed.

(*2*) The Press Registrar General may, on being satisfied with the particulars of the revision applied for under sub-section (*1*), issue a revised certificate of registration or a revised title, to the publisher and intimate the same to the specified authority.

Transfer of ownership of a periodical.

9. (*1*) The transfer of ownership of every periodical registered under section 7 shall be made in accordance with the provisions of this section.

(*2*) The owner of a periodical referred to in sub-section (*1*) shall apply for transfer of its ownership to the Press Registrar General by furnishing such documents, setting forth such particulars and on payment of such fee, as may be prescribed.

(*3*) On receipt of an application from the owner of a periodical for transfer of ownership of such periodical, if the Press Registrar General is satisfied with its correctness and completeness, and after taking into account the comments, if any, received from the specified authority, he shall permit the transfer of ownership of that periodical:

Provided that the Press Registrar General may, after giving an opportunity of being heard and for reasons to be recorded in writing, refuse to permit such transfer of ownership of a periodical.

(*4*) The owner of the periodical shall, on receipt of the permission from the Press Registrar General under sub-section (*3*), forward a copy of the same to the publisher, and the publisher shall apply and obtain a revised certificate of registration in accordance with the provisions of section 7.

(*5*) The owner of a periodical shall intimate any change in the shareholding pattern of his company within fifteen days of such change being informed by him to the Registrar of Companies.

Discontinuation of a periodical.

10. (*1*) The owner of a periodical may discontinue a periodical registered under this Act and shall, within six months of such discontinuation, intimate to the Press Registrar General and the specified authority, within whose local jurisdiction such periodical is published, about such discontinuation.

(*2*) The Press Registrar General shall, on receipt of intimation from the publisher under sub-section (*1*), cancel the certificate of registration of the discontinued periodical and remove the periodical along with its title from the register maintained under clause (*b*) of sub-section (*3*) of section 5.

Suspension or cancellation of registration.

11. (*1*) The Press Registrar General may, by order, for a period not less than thirty days but not exceeding one hundred and eighty days, suspend the certificate of registration of a periodical, if—

(*a*) the registration was obtained on false representation or on concealment of any material fact; or

(*b*) the publisher has failed to publish the periodical continuously.

Explanation.—For the removal of doubts, it is hereby clarified that if a periodical publishes less than half of its issues, as are required to be published in a calendar year in accordance with the application made under sub-section (*2*) of section 7, such periodical shall be deemed to have failed to publish continuously; or

(*c*) the publisher has given false particulars in the annual statement; or

(*d*) the publisher has failed to furnish the annual statement within two years from the end of the financial year for which the annual statement was to be furnished.

(*2*) The Press Registrar General may cancel the certificate of registration of a periodical, where the publisher fails to remove the defects of the grounds on which the said certificate was suspended under sub-section (*1*) before the expiry of the period of such suspension.

(*3*) The Press Registrar General may, by order, cancel the certificate of registration of a periodical which—

(*a*) bears the same or similar title already held by any other owner of a periodical, either in the same language anywhere in India or in any other language in the same State or Union territory; or

(*b*) violates the guidelines made under sub-section (*3*) of section 7.

(*4*) The Press Registrar General may, by order, cancel the certificate of Registration of a periodical where the owner or publisher of such periodical has been convicted by any court for an offence—

(*a*) involving terrorist act or unlawful activity; or

(*b*) for having done anything against the security of the State.

Explanation.—For the purposes of this section, the expressions "terrorist act" and "unlawful activity" shall have the meanings respectively assigned to them in clauses (*k*) and (*o*) of sub-section (*1*) of section 2 of the Unlawful Activities (Prevention) Act, 1967. 37 of 1967.

(*5*) No order for suspension or cancellation of certificate of registration shall be passed under this section, without giving an opportunity of being heard to the publisher or owner of the periodical, as the case may be.

(*6*) A copy of order of suspension or cancellation passed under this section shall be made available to the Central Government or State Government or Union territory Administration, as the case may be, and to the specified authority.

(*7*) The Press Registrar General may, after the cancellation of certificate of registration of a periodical under this section, issue a new certificate of registration to such periodical bearing another title, if the publisher of that periodical makes an application to that effect in conformity with the guidelines made under sub-section (*3*) of section 7.

(*8*) The Press Registrar General may, in such circumstances and manner, as may be prescribed, authorise the specified authority to suspend or cancel the certificate of registration granted under section 7.

Annual statement to be furnished by periodical.

12. (*1*) The publisher of a periodical shall furnish to the Press Registrar General an annual statement in respect of the periodical, at such time, in such form and giving such particulars, as may be prescribed.

(*2*) The publisher of every newspaper in India shall, subject to any rules made under this Act, deliver free of cost to the Press Registrar General and to the State Government one copy of each issue of such newspaper within forty-eight hours.

Annual report.

13. The Press Registrar General shall prepare and publish an annual report containing information in respect of the periodicals in India.

CHAPTER V

PENALTIES

Power of Press Registrar General to impose penalty.

14. (*1*) The Press Registrar General may impose penalty, if—

(*a*) a periodical is published without obtaining a certificate of registration under section 7;

(*b*) the publisher fails to furnish the annual statement as required under section 12 within one year from the end of the financial year in respect of which the annual statement was required to be furnished:

Provided that no order of imposition of penalty shall be passed without giving an opportunity of being heard to the publisher.

(*2*) Where a periodical is published without obtaining a certificate of registration under section 7, the Press Registrar General may impose a penalty of an amount not exceeding five lakh rupees with a direction to the publisher to cease the publication of such periodical.

(*3*) The quantum of penalty imposable under clause (*b*) of sub-section (*1*) shall be not less than ten thousand rupees but not exceeding twenty thousand rupees for the first default:

Provided that for every subsequent default, an enhanced penalty of twice such quantum may be imposed but shall not exceed two lakh rupees.

(*4*) Whoever fails to cease publication of periodical even after six months of issue of a direction under sub-section (*2*), or publishes any other periodical without obtaining a certificate of registration under section 7, shall be punishable with imprisonment for a term which may extend to six months.

CHAPTER VI

APPEAL

Press and Registration Appellate Board.

15. (*1*) There shall be an Appellate Board to be called the Press and Registration Appellate Board consisting of Chairperson, Press Council of India and two members to be nominated by the Press Council of India, from among its members:

Provided that at least one of the two members shall be a person referred to in clause (*d*) or clause (*e*) of sub-section (*3*) of section 5 of the Press Council Act, 1978.

37 of 1978.

(*2*) Any person aggrieved by an order of refusal to issue the certificate of registration under sub-section (*5*) of section 7, or cancellation or suspension of registration under section 11, or order of imposition of penalty under section 14, may, within sixty days from the date on which such order is communicated to him, prefer an appeal before the Press and Registration Appellate Board:

Provided that the Press and Registration Appellate Board may admit an appeal after the expiry of the said period, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal on time.

(*3*) On receipt of an appeal under this section, the Press and Registration Appellate Board may, after calling for the records and after making such further inquiries as it deems fit, confirm, modify or set aside the order appealed against.

(*4*) The manner and procedure to be followed for preferring appeals, calling for records and making inquires under this section shall be such as may be laid down by the Chairperson, Press Council of India.

CHAPTER VII

MISCELLANEOUS

Power of Central Government to issue directions.

16. (*1*) Without prejudice to the foregoing provisions of this Act, the Central Government may give directions on matters of policy to the Press Registrar General, in writing, from time to time and the Press Registrar General shall, in the discharge of his powers and functions under this Act, be bound by such directions.

(*2*) The decision of the Central Government as to whether a question is one of policy or not shall be final.

Press Registrar General and other officers to be public servants.

17. The Press Registrar General and all officers appointed under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

45 of 1860.

Protection of action taken in good faith.

18. No suit or other legal proceedings shall lie against the Central Government or State Government or Union territory Administration or the Press Registrar General or any officer or employee authorised by the Press Registrar General, for anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

Power of Central Government to make rules.

19. (*1*) The Central Government may, by notification in the Official Gazette, after previous publication, make rules to carry out the provisions of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing provisions, such rules may provide for all or any of the following matters, namely:—

(*a*) the manner and particulars for furnishing an intimation before the specified authority by the printing press under section 3;

(*b*) the manner of registration of a facsimile edition of a foreign periodical under sub-section (*3*) of section 4;

(*c*) the manner of verification of circulation figure of class of periodicals under clause (*b*) of section 6;

(*d*) the form, fees and manner of making an online application, documents to be furnished and particulars to be set forth under sub-section (*2*) of section 7;

(*e*) the form in which and the particulars along with which a certificate of registration shall be issued under sub-section (*5*) of section 7;

(*f*) the manner of making an application and particulars to be set forth therein under sub-section (*1*) of section 8;

(*g*) the form, fees and manner of making an application, documents to be furnished and particulars to be set forth under sub-section (*2*) of section 9;

(*h*) the circumstances and manner for authorising the specified authority to suspend or cancel the certificate of registration under sub-section (*7*) of section 11;

(*i*) the form, time and particulars for furnishing an annual statement under section 12;

(*j*) any other matter which is required to be, or may be, prescribed under the provisions of this Act.

(*3*) The State Government may, by notification in the Official Gazette of the State, make such rules not inconsistent with the rules made by the Central Government, as may be necessary or desirable for carrying out the objects of this Act.

(*4*) Every rule made by the State Government under sub-section (*3*) shall be laid, as soon as may be after it is made, before the State Legislature.

Power to remove difficulties.

20. (*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

(*2*) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Laying of rules and notification.

21. Every rule made or notification issued by the Central Government under this Act shall be laid, as soon as may be after it is made or issued, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

Repeal and savings.

22. (*1*) The Press and Registration of Books Act, 1867 is hereby repealed. 25 of 1867.

(*2*) Notwithstanding such repeal,—

(*a*) anything done or any action taken or purported to have been done or taken including any rule, notification, inspection, order or declaration made or any document or instrument executed or any direction given or any proceedings taken or any penalty or fine imposed under the Act hereby repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act;

(*b*) any declaration, including title thereof, so made and authenticated under the provisions of the Act hereby repealed, shall be deemed to have been made and authenticated under the corresponding provisions of this Act;

(*c*) any proceeding pending in any court at the commencement of this Act may be continued in that court as if this Act has not been passed;

(*d*) the Press Registrar General and other officers appointed under the Act hereby repealed and holding office as such immediately before the commencement of this Act, shall, on the commencement of this Act, continue to hold their respective offices under the corresponding provisions of this Act, unless and until they are removed or superannuated;

(*e*) the Press and Registration Appellate Board established under the Act hereby repealed shall continue to function under the corresponding provisions of this Act, unless and until the Press and Registration Appellate Board is constituted under this Act;

(*f*) any appeal preferred to the Press and Registration Appellate Board hereby repealed and not disposed of before the commencement of this Act, may be disposed of by the Press and Registration Appellate Board constituted under this Act;

(*g*) any penalty payable under the Act hereby repealed may be recovered in the manner provided by or under this Act, but without prejudice to any action already taken for the recovery of such penalty under the Act so repealed;

(*h*) any certificate of registration issued or granted under the Act hereby repealed shall continue to have effect after the commencement of this Act under the same conditions as if this Act had not been passed.

(*3*) The matters referred to in clauses (*a*) to (*h*) of sub-section (*2*) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of such repeal.

10 of 1897.

S.K.G. RAHATE,
Secretary to the Govt. of India.

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ANNEXURE - B

SALIENT FEATURES OF PRESS AND REGISTRATION OF PERIODICALS ACT 2023

Grant of title allotment and Certificate of Registration Periodicals

- The Act provides for a simple online mechanism to apply for title verification and grant of certificate of registration by the Press Registrar General to a periodical as a simultaneous process.
- There is no requirement of furnishing any declaration before the local authority or its authentication by the local authority.
- A person who has been convicted by any court for an offence involving terrorist act or unlawful activity, or having done anything against the security of the State shall not be permitted to bring out a periodical.
- Facsimile edition of a foreign periodical can be printed in India with prior approval of the Central Government and its registration with the Press Registrar General.

Printing Presses

- A printer of a periodical to furnish an online intimation to the Press Registrar General and the local authority.
- No requirement by the Printer to file any declaration before the local authority or obtain authentication from the authority.

Role of District magistrate/local authority

- The Act envisages minimalistic role of the District Magistrate/local authority with regard to grant of Certificate of Registration and title allotment.
- On receipt of an application, the District Magistrate is expected to provide its comments/NOC to the Press Registrar General within 60 days; thereafter the Press Registrar General can proceed to take a decision for grant of registration even where the comments/NOC are not received from the DM/local authority after 60 days.
- No requirement for a publisher to file any declaration before the District Magistrate.

Penalties

- The Act substantially decriminalizes all violations under the statute except in the case where a periodical is published without obtaining Certificate of Registration and even after 6 months of issuance of direction by the Press Registrar General to stop the periodical, the publisher does not cease that publication. In such case, the person

would be liable for a punishment leading to imprisonment up to 6 months.

- Financial penalty to be imposed by the Press Registrar General has been provided where a periodical is published without obtaining a Certificate of Registration (up to Rs. 5 lakh), and the publisher fails to furnish the annual statement within one year from the end of the financial year in respect of which annual statement is to be furnished (of Rs. 10,000-20,000/- for the first default with a maximum amount of Rs. 2 lakh for subsequent default.

Suspension of Certificate of Registration

- Press Registrar General has been empowered to suspend Certificate of Registration under the following circumstances:-

(a) Registration was obtained on false representation or on concealment of material fact
(b) The periodical is not published continuously
(c) False particulars are given in the annual statement
(d) Annual statement is not filed even after two years for which it is to be filed.

Cancellation of Certificate of Registration

- Press Registrar General may cancel Certificate of Registration in the following circumstances:-

a) Where a publisher fails to remove the defects of the grounds on which certificate was suspended
b) The periodical bears same or similar title already held by some other publisher in other language in the same State or in any other language either in the same or other State or UT
c) Where the owner or publisher of the periodical has been convicted by any court for an offence involving terrorist act or unlawful activity or having done anything against the security of the State.

Appellate mechanism

- The Act provides for an Appellate Board (Press and Registration Appellate board) consisting of chairperson, Press Council of India and two members of the Press Council of India to hear an appeal against refusal of grant of registration, imposition of any penalty or suspension/cancellation of registration by the Press Registrar General.

ANNEXURE-C

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRA ORDINARY, PART II, SECTION 3, SUB SECTION-II]

MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATION

New Delhi, the 5th January , 2024.

GSR (E).- The Central Government proposes to issue the Press and Registration of Periodicals Rules, 2024 under the powers conferred under Section 19 of the Press and Registration of Periodicals Act, 2023 notified on 29.12.2023 to carry out the provisions of the Act. The following Draft Press and Registration of Periodicals Rules, 2024 , is proposed to be notified by the Central Government for this purpose. Stakeholders and general public may provide suggestions /comments on the Draft Press and Registration of Periodicals Rules, 2024 through post or through to " Shri Amarendra Singh, Deputy Secretary (IP), Ministry of Information and Broadcasting, Room No. 760, A-Wing, Shastri Bhavan, New Delhi-110001, Email ID : amarendra.singh@nic.in within 30 days of publication of this notification.

DRAFT NOTIFICATION

The Press and Registration of Periodicals Rules, 2024

PART I – PRELIMINARY

Short title, extent and commencement

1. (1) These Rules may be called the Press and Registration of Periodicals Rules, 2024

(2) They shall come into effect on the date of its publication in the Official Gazette.

(3) They shall extend to the whole of India

Definitions

2 (1) In these rules, unless the context otherwise requires,-

(a) 'Act' means the Press and Registration of Periodicals Act, 2023;

(b) 'Bharat Kosh' means the online service window of the Government of India to deposit any fees/fine/other money into the Government Account.

(c) 'Central Bureau of Communication' means the attached office of the Central Government for dissemination of information on Government policies and programmes through advertising and outreach activities using various vehicles of communication – audio-visual, print, electronic, digital, exhibitions, outdoor activities.

(d) 'financial year' means the period ending on the 31st day of March every year

(e) 'National Single Window System' (NSWS) is the digital platform of the Central Government (https://www.nsws.gov.in) to guide persons in identifying and applying for various approvals, permissions and registrations

(f) 'Ministry' means the Ministry of Information and Broadcasting, Government of India

(g) 'Press Information Bureau' means the attached office of the Central Government to disseminate information to print, electronic and social media on Government policies, programmes, initiatives and achievements, through various interventions and activities including press releases, press notes, feature articles, backgrounders, press briefings, interviews, press conferences, press tours.

(h) 'Press Sewa Portal' means the online portal developed by the Press Registrar General for receiving various applications, intimations, and such other documents, forms as may be required under the Act, formats of certificate of registration of a periodical and of annual statement, including the following :

(i) Intimation by printer of a periodical;
(ii) Registration of facsimile edition of a foreign periodical;
(iii) Application form by a publisher for obtaining a certificate of registration of a periodical
(iv) Application form for revision of certificate of registration;
(v) Application form for transfer of ownership of certificate of registration;
(vi) Format of certificate of registration of a periodical;
(vii) Format of furnishing annual statement by the publisher of a periodical.
(viii) Guidelines for title allotment
(ix) Procedure for desk audit for verification of circulation of a periodical

(2) All references to 'forms' in these rules shall be construed as references to forms set out in the Press Sewa Portal.

(3) All other words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

PART II – INTIMATION BY A PRINTER

3. (1) A printer of a periodical shall, within fifteen days of starting a printing press of a periodical, send an intimation to the Press Registrar General and the specified authority within whose jurisdiction the printing press is situated, on the Press Sewa Portal furnishing the particulars and the documents specified in the Press Sewa Portal.

(2) Where, after sending the intimation under sub-rule (1), any changes take place in the particulars mentioned in the intimation, the printer shall inform the Press Registrar General and the specified authority of the changes of the particulars.

(3) Where the change in particulars involves change in location of the printing press falling under the local jurisdiction of another specified authority, the printer shall send a fresh intimation online on the Press Sewa Portal to the Press Registrar General and the other specified authority, and also inform the specified authority to whom the original intimation was sent.

PART III – REGISTRATION OF FACSIMILE EDITION OF A FOREIGN PERIODICAL

4 (1) An Indian entity shall apply on the National Single Window System for obtaining approval from the Central Government for publishing a facsimile edition of a foreign periodical in India in accordance with Guidelines formulated for the purpose by the Ministry and available on the National Single Window System.

(2) The Ministry shall after processing the application referred to in sub-rule (1), and after seeking any additional information it may require from the entity in respect of the application, grant approval to the entity for publication of the facsimile edition, along with such terms and conditions as specified in the approval and communicate it on the National Single Window System.

(3) Where the Ministry is of the opinion that approval cannot be granted, it shall by a written order convey its decision, along with reasons for refusal, and the same shall be communicated on the National Single Window System.

(4) The Indian entity shall, within fifteen days of grant of approval under sub-rule (2), make an application to the Press Registrar General on the Press Sewa Portal for grant of certificate of registration for publication of the facsimile edition of the foreign periodical in India, attaching along with the documents specified in the Press Sewa Portal, and on payment of a fees of rupees ten thousand on Bharat Kosh by any of the modes of payment specified therein.

(5) The Press Registrar General shall process the application, and after satisfying itself of the correctness and completeness of the application, and taking into consideration any additional information it may obtain from the entity for processing the application or comments if any obtained from the Ministry on the Press Sewa Portal, may issue a certificate of registration to the entity for the publication in India of the facsimile edition of the foreign periodical.

(6) The entity shall commence publication of the facsimile edition in India only after grant of certificate of registration by the Press Registrar General under sub-rule (5).

Provided that where an entity commences publication of the Facsimile edition in India before grant of certificate of registration, the Press Registrar General may refuse to grant a certificate of registration and also inform the Ministry regarding such publication.

(7) Where the Ministry on its own or based on information received from the Press Registrar General or any other authority regarding publication of the facsimile edition in India before grant of certificate of registration under sub-rule (5), it may suspend or cancel the approval granted by it under sub-rule (2).

PART III – GRANT OF CERTIFICATE OF REGISTRATION

Grant of certificate of registration of a periodical under section 7

5 (1) A publisher intending to start a periodical shall make an application online on the Press Sewa Portal, attaching along with such documents as specified on the Press Sewa Portal and on payment of fees of rupees one thousand for the application to Bharat Kosh by any of the modes of payment specified therein, while ensuring adherence to the Guidelines on title allotment issued by the Press Registrar General available on the Press Sewa Portal.

(2) The application referred to in sub-rule (1) shall be addressed to the Press Registrar General, and endorsed to the specified authority within whose local jurisdiction the periodical is proposed to be published, and sent online from the Press Sewa Portal to the Press Registrar General and the specified authority.

(3) On successful uploading of the application, the Press Sewa Portal shall generate an acknowledgement along with a unique 10 digit alphanumeric Applicant Reference Number (ARN), and the publisher and Press Registration General shall use the ARN for all future correspondences and references.

(4) Where the publisher intends to make any corrections or remove any omissions or error in the application so furnished, he may do so within three days of furnishing the application.

(5) The Press Registrar General shall verify the application regarding its completeness, payment of requisite fees and submission of the documents, adherence to the Guidelines on title allotment, and such other particulars which are necessary for processing the application, and

within seven working days of receipt of the application, and the further time specified under sub-rule (4), issue on online communication to the publisher specifying the deficiencies, if any, in the application so furnished, including the documents attached, payment made or any such deficiency as may be specified, which is considered necessary to be removed for processing the application.

(6) The publisher shall, within a period not exceeding thirty days of receiving the communication referred to in sub-rule (5), submit on the Press Sewa Portal all the requisite details and particulars for removing the deficiencies.

Provided that where the publisher fails to remove the deficiencies within a period of thirty days from the date of the communication of the deficiencies by the Press Registrar General, the application is liable to be rejected by the Press Registrar General.

(7) The Press Registrar General shall process the application, including the details furnished under sub-rule (2), and after taking into consideration comments if any received from the specified authority on the Press Sewa Portal, the guidelines regarding admissibility of the title, and on being so satisfied, issue a Certificate of Registration to the publisher in the format specified in the Press Sewa Portal, and also send a copy to the specified authority from the Press Sewa Portal.

(8) Where the Press Registrar General is of the opinion, after taking into consideration the comments of the specified authority, or where the application remains deficient and the deficiencies have not been removed by the publisher within the specified time, that registration need not be granted, it shall issue an online communication to the publisher providing the reasons for the same and afford ten days time to the publisher to submit a reply to the communication on the Press Sewa Portal.

(9) The Press Registrar General may, after taking into consideration the written reply of the publisher referred to in sub-rule (8) either grant certificate of registration or refuse to grant registration of the periodical.

Provided that where the Press Registrar General decides that registration be not granted, he shall pass a speaking order specifying the grounds and reasons for the same and send it to the publisher on the Press Sewa Portal.

Revision of particulars of the certificate of registration under section 8

6 (1) A publisher, who has been granted a certificate of registration for a periodical under section 7 may make an application on the Press Sewa Portal to the Press Registrar General for revision of particulars of the certificate, along with documents specified in the Press Sewa Portal, and on payment of a fees of rupees one thousand to Bharat Kosh by any of the modes of payment specified therein.

(2) The particulars for which an application for revision of the certificate can be made may include the following :

(a) Language of the periodical;
(b) Title of the periodical, in accordance with the Guidelines on title allotment;
(c) editor of the periodical;
(d) printing press of the periodical;
(e) place of publication of the periodical within the State/UT;
(f) periodicity of the periodical

(3) The Press Registrar General shall, after processing the application referred to in sub-rule (1), and, in the event of change in the specified authority due to change in place of publication referred to in clause (e) of sub-rule (2), after obtaining comments of the specified authority, under whose jurisdiction the new place of publication is located, within a period of sixty days, and after satisfying itself of the correctness particulars of the application and the documents attached therewith, issue a revised certificate of registration in respect of the periodical preferably within fifteen working days, and also send a copy to the specified authority.

Provided that the fifteen working days would exclude the sixty days period being the time taken in obtaining comments of the specified authority, and details, if any, obtained by the Press Registrar General from the applicant for verifying the correctness and completeness of the application.

(4) Where the owner of a periodical, which has been granted certificate of registration under rule 5 intends to change the publisher, the new publisher shall have to make an application for a revised certificate of registration and all the provisions of rule 5 shall apply.

Transfer of ownership of the periodical under section 9

7 (1) Where the owner of a periodical in respect of which certificate of registration has been granted under rule 5 intends to transfer the ownership of that periodical to any other person or entity, such person or entity being the transferee may apply for change of ownership of the periodical by making an application to the Press Registrar General on the Press Sewa Portal, attaching the documents specified in the Press Sewa Portal, and on payment of a fees of rupees one thousand to Bharat Kosh by any of the modes of payment specified therein.

(2) The application shall be endorsed by the transferee also to the specified authority within whose local jurisdiction the principal place of business of the transferee is situated, and sent online to the specified authority from the Press Sewa Portal.

(3) The Press Registrar General shall process the application and, after taking into consideration comments if any received from the specified authority referred to in sub-rule (2) within a period of sixty days, and after satisfying itself of the correctness and completeness of

the documents furnished by the owner, grant permission for change of ownership of the periodical.

(4) Where the Press Registrar General is of the opinion, after taking into consideration the comments of the specified authority and other factors, that permission for change of ownership need not be granted, it shall issue an online communication to the owner providing the reasons for the same and afford ten days time to the owner to submit a written reply to the communication.

(5) The Press Registrar General may, after taking into consideration the written reply of the owner referred to in sub-rule (4) either permit the change in ownershipand issue a written permission for the change on the Press Sewa Portal, or refuse to grant permission for change in ownership.

Provided that where the Press Registrar General decides that permission for change of ownership be not granted, he shall pass a speaking order specifying the grounds and reasons for the same and send it to the owner of the periodical on the Press Sewa Portal.

(6) Where the change in the particulars of the certificate of registration is limited only to change in ownership of the periodical, the Press Registrar shall grant a revised certificate of registration.

Provided where the change in ownership involves changes in other particulars of the periodical, the publisher or the new publisher, as the case may be, shall make an application for grant of registration in accordance with the provisions of rule 5within thirty days of the receipt of the written permission referred to under sub-rule (5).

(7) Where the owner of a periodical is a company registered under the Companies Act, 2013, and the shareholding pattern of the company undergoes any change from the shareholding pattern at the time of grant of certificate of registration of the periodical under section 7, the authorised person in the company shall intimate the Press Registrar General on the Press Sewa Portal the changes made, giving full details of the names, address and other particulars of the new shareholders, along with such other documents as specified in the Press Sewa Portal.

Discontinuation of a periodical under section 10

8. Where an owner of a periodical, which has been granted a certificate of registration under section 7, decides to discontinue the publication of the periodical, it shall, within six months of such discontinuation, send an intimation online on the Press Sewa Portal regarding such discontinuation to the Press Registrar General and the specified authority.

PART V – MISCELLANEOUS

Annual Statement to be furnished under section 12

9. (1) A publisher who has been granted a certificate of registration under section 7 shall furnish an annual statement, by the 31st May of a calendar year, in respect of the preceding financial year, on the Press Sewa Portal, containing the particulars and documents mentioned and specified in the Press Sewa Portal for the purpose.

(2) Where the publisher is due to circumstances beyond his control, unable to furnish the annual statement by the stipulated date mentioned in sub-rule (1), it may with prior approval of the Press Registrar General furnish the annual statement within such extended period as the Press Registrar General may permit, having regard to the circumstances for the delay in furnishing the annual statement.

Provided that the extended period shall not be beyond 31st December of the calendar year.

Delivery of periodical under section 12

10. (1) The publisher shall, within 48 hours of publication of a newspaper, upload the electronic version of the newspaper on the Press Sewa Portal.

(2) The publisher in a State/UT shall deliver the physical copy of the newspaper to the office of the Press Information Bureau located in the State/UT in which the paper is being published by the fifth day of every month for the all the days for which the newspaper is published during the preceding month.

Provided that the publisher may at its convenience deliver a copy of the newspaper to the office of the Press Information Bureau at a more frequent interval.

Provided further that in a State/UT where there is no office of PIB, the Press Registrar General shall authorise an officer under the Ministry in that State/UT for receiving the newspaper from the publisher.

(3) The publisher in a State/UT shall deliver the physical copy of the newspaper to such office of the State Government/UT Administration, as may be so authorised for the purpose by the State Government/UT Administration, by the fifth day of every month for the all the days for which the newspaper is published during the preceding month.

Provided that the publisher may at its convenience deliver a copy of the newspaper to the office of the office so authorised at a more frequent interval.

(4) Compliance to rules (1) to (3) shall be taken into consideration for the purpose of ascertaining whether the newspaper is being published continuously, referred to in clause (b) of sub-section (1) of section 11.

Verification of circulation figure of a periodical by the Press Registrar General under section 6.

11. (1) The Press Registrar General may verify the circulation figure of a periodical, in the manner laid down under this rule, in respect of the following classes and category :

(a) A daily newspaper, having an average circulation of twenty five thousand copies or more each day, as reported in the Annual Statement furnished by it under sub-section (1) of section 12 in the preceding two financial years, and is empanelled with the Central Bureau of Communication for the purpose of obtaining advertisements of the Central Government;

(b) A daily newspaper, having an average circulation of twenty five thousand copies or more each day, as reported in the Annual Statement furnished by it under sub-section (1) of section 12 in the preceding two financial years, and intends to be empanelled with the Central Bureau of Communication for the purpose of obtaining advertisements of the Central Government; and

(c) Any other periodical which, in the opinion of the Press Registrar General, and for reasons to be recorded in writing, requires such verification, having regard to any information, reference or complaint received by it in respect of that periodical.

(2) For the purpose of verifying the circulation of a periodical referred to in sub-rule (1), the Press Registrar General or any officer of the Central Government so authorised by him, may undertake a desk audit of the information furnished by the publisher in the latest Annual Statement in accordance with a procedure laid down in the Press Sewa Portal, and determine the circulation figure.

Provided that the Press Registrar General or the officer so authorised, may for undertaking the desk audit, call through an electronic mode for such information or documents as may be considered necessary, and the publisher shall provide such information or documents electronically.

Provided further that the desk audit shall be undertaken in a faceless manner, such that there is no physical interface between the publisher and the Press Registrar General or the officer(s) authorized for undertaking the desk audit.

Explanation : For the purpose of sub-rule (2), latest Annual Statement would be the Annual Statement of the periodical furnished for the immediately preceding financial year or the year immediately before that, whichever is latest.

(3) The Press Registrar General may undertake verification of the circulation by way of a physical inspection of the documents and other information and records at the business premise of the publisher and the printing press in accordance with the provisions of clause (b) of section 6 only under the following situations, namely :

(a) where the publisher is not regularly furnishing the Annual Statement as required under section 12;

(b) where in the desk audit undertaken under sub-rule (2) recommends such action due to exceptional circumstances, and the Press Registrar General is satisfied with such recommendations;

(c) where, in the opinion of the Press Registrar General, and for reasons to be recorded in writing, such verification is necessary, having regard to any information, reference or complaint received by it in respect of that periodical.

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(VIKRAM SAHAY)
Joint Secretary to the Government of India.