

WEST PAKISTAN PUBLICATION OF TEXT BOOKS (REGULATION AND CONTROL) ORDINANCE, 1970

30th JUNE, 1970.

WEST PAKISTAN ORDINANCE No.XXVII OF 1970.

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An

Ordinance

**To provide for the regulation and control printing,
Publication and sale of textbooks and works published by or under
The authority of the West Pakistan Textbook Board.**

Preamble.- WHEREAS it is expedient to provide for the regulation and control of printing, publication and sale of textbooks and works published by or under the authority of the West Pakistan Textbooks Board;

NOW, THEREFORE, in pursuance of Martial Law Proclamation of 25th March, 1969, read with the Provisional Constitution Order and in exercise of all powers enabling him in that behalf, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:-

1. **Short title, extent and commencement,**— (1) This Ordinance may be called the West Pakistan Publication of Textbooks (Regulation and Control) Ordinance, 1970.

(2) It shall extend to the whole of the¹[Province of Khyber Pakhtunkhwa] except the Tribal Areas.

(3) It shall come into force at once.

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

(a) **“book”** includes every volume, part or division of a volume, and pamphlet in any language and every sheet of music, map, chart or plan separately printed or lithographed, and also includes its translation in any language;

¹. Subs-by Khyber Pakhtunkhwa Adaptation of Law Order, 1975 and then sub vide the Khyber Pakhtunkhwa Act, IV of 2011.

- (b) **“Board”** means the ¹[Text Book Board] established under the West Pakistan Textbook Board Ordinance, 1962 (Ordinance No. XLI of 1962);
- (c) **“Government”** means Government of ²[Khyber Pakhtunkhwa];
- (d) **“person”** shall include the proprietor, director, manager, secretary or other officer or agent of a company or association or body of individuals whether incorporated or not;
- (e) **“prescribe”** means prescribed by rules made under this Ordinance;
- (f) **“work”** means a literary work;
- (g) **“textbook”** means a book or work which is printed, published or sold by or under the authority or with the permission of the West Pakistan Textbook³[Board]

(2) Words and expressions used but not defined in this Ordinance shall, unless the context otherwise requires have the meanings assigned to them in the West Pakistan Press and Publication Ordinance, 1963, and the Copyright Ordinance, 1962.

3. **Prohibitions.**- (1) No person shall, except with the permission of the Board or such officer as may be specially empowered in this behalf by the Board, print, publish or sell any textbook which is or has been printed, published or sold by or under the authority or with the permission of the Board.

(2) An application for permission to print, publish, or sell a textbook shall be made in such manner and form and on the payment of such fee as may be prescribed.

4. **Offence.**- Whoever contravenes the provision of section 3 shall be punished with imprisonment of either description for a term which may extend to one year or with fine or both.

5. **Forfeiture.**- Where a person is convicted of an offence under this Ordinance, all copies of the textbook in respect of which the offence has been committed, shall stand forfeited to the Board.

6. **Cognizance and trial.**- (1) No Court shall take cognizance of an offence punishable under this Ordinance except on report in writing made by an officer authorized for the purpose by the Board.

¹. Subs vide P.O 4 of 1975.

². Sub. vide the Khyber Pakhtunkhwa Act No. IV of 2011.

³. Subs vide P.O 4 of 1975.

(2) No Court inferior to that of a Magistrate of the First Class shall try an offence under this Ordinance.

(3) An offence under this Ordinance shall be cognizable and non-bailable.

7. **Indemnity.**- No suit, prosecution or other legal proceedings shall lie against the Board or any person for any thing which is in good faith done or intended to be do in pursuance of this Ordinance.

8. **Exemption.**- Government may, on the recommendations of the Board, by a notification in official Gazette, exempt any textbook from all or any of the provisions of this Ordinance.

9. **Rules.**- Government may by notification in the official Gazette, make rules for a carrying out the purposes of this Ordinance.