

A BRIEF HISTORY AND FUNCTIONING OF THE RNI OFFICE

The office of the Registrar of Newspapers for India (RNI) is an attached office of the Ministry of Information and Broadcasting and a statutory office under Section 19(A) of the Press & Registration of Books Act, 1867.

PRESS & REGISTRATION OF BOOKS ACT, 1867

The main objective of this Act during British period was to keep a record of Books and Publications published in the country. The Act has been amendment 22 times since then (11 time before independence and 11 times thereafter).

Before and after independence, until the RNI office came into existence in 1956, there was no Central Authority for registration of publications in India. The Registration record was maintained by the respective District Magistrates at their offices. The RNI office was established as a result of the recommendations of the First Press Commission which in its report submitted to the Government of India in 1954 had suggested Constitution of a statutory authority responsible for the collection of reliable statistics regarding the Press in India. The commission was mandated to examine the state of the Press in India and made recommendations for its all round development in long term perspective. The First Press Commission was appointed in September 1952, under the chairmanship of Justice G.S. Rajadhyaksha which had several prominent personalities and journalists as its members: Dr. C.P. Ramaswami Aiyar, Acharya Narendra Dev, Dr. Zakir Hussain, Dr. V.K.R.V. Rao, P.H. Patwardhan, T.N. Singh, Jaipal Singh, J. Natarajan, A.R. Bhat and Chalapati Rau. After two years of rigorous work, the commission submitted its annual report in July 14, 1954 and made several important recommendations. One of the main recommendations of the Commission was the appointment of the Registrar of Newspapers for India (Press Registrar). As a result, office of the RNI was created on 1st July, 1956. Consequently, the Press and Publication of Books Act, 1867 was amended in 1955.

The Press and Registration of Books (Amendment) Act, 1955 (55 of 1955) was brought into force on July 1, 1956 by a notification of the Government of India. Simultaneously, the Registration of Newspapers (Central) Rules, 1956 was also promulgated and Registrar of Newspapers for India (also known as the Press Registrar) was appointed under Section 19(A) of the Press and Registration of Books Act, 1867 with headquarters in New Delhi. The aim of amendment in the Act was to vest in the Central Government the authority to administer provisions of the Act relating to newspapers. The Amendment Act did not, however, in any way affect the powers of State Governments. They continue to shoulder the entire responsibility for the enforcement of the provisions relating to books and printing presses. Their responsibility for enforcing the provisions relating to newspapers also remains unaffected.

OFFICE OF REGISTRAR OF NEWSPAPERS FOR INDIA

The office came into existence in 1956 with headquarters at New Delhi. There was also a Regional Office at Shimla, looking after certain functions related to Registration, till 1977. In 1977, Shimla Office was closed and the entire registration records were shifted to Delhi

Headquarters. In Delhi, the office functioned at various places beginning from P Block (in Lutean Zone of Delhi). Later, it was moved to Shastri Bhawan, thereafter to 4, Tolstoy Marg and then to Vandana Building (11, Tolstoy Marg). Later, it was shifted to the Present Building at West Block 8, Wing No. 2, R K Puram, New Delhi in 1981. Regional Offices of RNI at Chennai, Kolkata and Mumbai were created in 1990 under VIII Plan. Further, under the XI Plan Regional Offices were created at Bhopal and Guwahati as well. Consequent upon the order dated 14.07.2016 regarding the closure of regional offices of RNI received from the Ministry, the regional offices of RNI at Mumbai, Kolkata, Chennai, Bhopal and Guwahati were closed and the assets of these offices were taken over by Press Information Bureau offices in respective stations.

FUNCTIONS OF RNI

The duties and functions of the RNI can be classified into two broad categories: (i) Statutory, and (ii) Non- statutory. With the passage of time the RNI has assumed various other duties and responsibilities.

(i). **Statutory Functions:**

- Compilation and maintenance of a register of newspapers published and registered with RNI;
- Issuance of Certificate of Registration to the newspapers under Section 19(C) of the PRB Act, published under valid declaration;
- Scrutiny and analysis of annual statements sent by the publishers of newspapers every year under Section 19(D) of the Act, containing information on circulation, ownership, etc;
- Informing the District Magistrates about the availability of proposed titles for intending publishers for filing declaration under proviso to Section 6 of the Act;
- Preparation and submission to the Government on or before 31st December each year, a report containing all available information and statistics about the Press in India, with particular reference to the emerging trends in circulation;
- Verification of Circulation claims of newspapers, under Section 19(F) of the Act.

(ii). **Non-statutory Functions:**

- Issuance of **Eligibility Certificates** to the registered newspapers to enable them to import newsprint.
- Issuance of **Essentiality Certificates** to import printing and composing machinery and allied materials.
- Issuance of **No Newspaper Certificates** under Foreign Contributions [Regulation] Act, 1976.

(iii). **Present Status of Non--statutory Functions:**

- In place of **Eligibility Certificates**, **Authentication of Self-declaration Certificate** is being done by this office for import of newsprint w.e.f. 16-07-2017 via Order No. 09/2015-2020 dated 3.6.2016 issued by DGFT.
- During the period 01-April-2016 to 31-March-2017, no **Essentiality Certificate** as well as **No Newspaper Certificate** has been issued by this office.

TITLE VERIFICATION

The Registration of Newspapers and other Periodicals is done in two steps. In the first step, the intending publishers have to apply in the office of District Magistrate (DM) concerned for title verification, mentioning title options, language, periodicity etc. The application is forwarded by the DM concerned to RNI for title verification. After the title verification, the publisher and/or printer is required to file declaration (Form I) to the DM concerned and after authentication of the declaration, Volume - I Issue - I of the publication is to be brought out. Thereafter, the publisher is required to submit the requisite documents to RNI office for issuing Registration Certificate. In case such documents are not received within 2 years from the date of title verification, the title gets automatically De-blocked and is available to any intending applicant again. The first exercise to De-block unregistered titles was undertaken in 1998 in which about 1.7 lakh titles were de-blocked with the approval of Ministry of Information and Broadcasting, to prevent squatting. A total of 6,508 titles were de-blocked during the year 2016-17.

This procedure is derived from, proviso to section 6 of PRB Act, 1867 which states that the DM concerned shall inquire from Press Registrar that the newspaper proposed to be published should not bear a title which is same as, or similar to, that of any other newspaper published either in the same language or in the same state. However, in the absence of clear definition and scope of the word 'similar', the issue remains ticklish since beginning. The titles are verified within the framework of RNI guidelines for this purpose.

RNI verifies the title forwarded by the DM concerned after checking the data of the titles already verified. Before computerization of the Registration data in 1999, a manual card system was maintained. However, computerization has facilitated software based checking. Now, since the data of titles already verified is on RNI website, the intending applicants can have an idea of existing titles before applying. The title verification letter is sent to the DM concerned with copy to the applicant. To facilitate the publishers, system of putting the title letters on the RNI website with scanned signature of the Title Section In-charge was started and a communication was sent to all the DMs to accept the same for authentication of declaration in 2009. Since July, 2014, the system of sending title letters manually has been discontinued and the applicants are required to download the letters from RNI website, which cuts down the time taken in post and the letter is available to them as soon as the title is verified. A facility has also been created in 2014 for filling title application online on the RNI website. Printout of the same is then to be submitted to the DM concerned, for forwarding to RNI for title verification.

RNI receives approximately 20,000 applications for title verification every year of which over 9,000 titles verified. 20,555 title applications were received and 9,278 titles were verified during the period 2016-17.

INDIAN/FACSIMILE EDITIONS OF FOREIGN PUBLICATIONS

The Print Media Policy of the Government was revised in 2002 and following changes were made in 2002 and subsequently:-

- (a) Allowing publication of Indian editions of foreign owned scientific, technical and specialty magazines/periodicals/journal (that is, those not dealing in news and current affairs as generally understood) in India, on a case to case basis, on the specific recommendations of the Ministry of Information and Broadcasting.
- (b) Allowing foreign investment (including FDI) up to 70% (enhanced to 100% in 2005) in Indian entities publishing scientific/technical and specialty magazines/periodicals/journals.
- (c) FDI (which includes FDI by NRIs, PIOs) and portfolio investments (in 2005) by recognized FIIs, together up to a ceiling of 26% of paid up equity capital, in Indian entities publishing newspapers and periodicals dealing with news and current affairs. Such investment would be permissible by foreign entities having sound credentials and international standing, subject to certain conditions.
- (d) Facsimile editions (in 2005), in whole or in part(s), of foreign newspapers, by Indian entities, with or without foreign investment, and also by foreign companies owing the original newspaper, provided that they get incorporated and registered in Indian under the Companies Act, 1956.

The titles for Indian/Facsimile editions of Foreign Publications are verified by RNI as per instructions issued vide M/o Information & Broadcasting's OM No 10/34/2004-Press dated 16th June, 2004 and No. 10/28/2007-Press dated 13th June, 2011.

CERTIFICATE OF REGISTRATION

The process of registration of a publication starts after the verification of a title. After the title verification, an intending publisher is required to submit a declaration duly authenticated by the concerned DM along with a copy of the first issue published within specified days after authentication of declaration as per the Act and an affidavit for no-foreign tie-up. After ascertaining that the publication has been printed and published in conformity with the various provisions of the PRB Act, 1867 and the rules made there under, a registration number is allotted to the newspaper/periodical and entries made in the register of RNI. The Certificate of Registration (CR) is then issued to the publisher by the Press Registrar. A total of 4,143 Registration Certificates have been issued by RNI during 2016-17 in fresh cases.

The Registration Numbers were issued as a Serial Number/Year starting from 1/57 issued to "Vishva Jyoti" from Punjab, till the Registration No. 72557/99. After computerization of the data, a system of issuing Registration Number with State & Language code was started. First such number against the serial no. 72558 was issued to "Rashtriya Hindi Mail", New Regd. No. CHHHIN/1998/00001.

MAINTENANCE OF RECORD OF REGISTRATION

Under Section 19(B) of the PRB Act, 1867 the Press Registrar is required to maintain in the prescribed manner a Register of Newspapers. Such record has been maintained by RNI office in the form of Registers containing two page proforma till Regd. No. 28734 issued in 1976. Later, the record was maintained in the form of single page only. In 1999, the existing registration data was computerized and the record is maintained in the form of computer generated office copy since April, 2007. The first such record is of “Bankurar Mukh” (Regd. No. WBBEN/2004/19101).

REVISED REGISTRATION CERTIFICATE

Under Sections 5(2D, 2E, 3 &7) of the PRB Act, 1867 existing declaration becomes void and a fresh declaration is required if there is change of owner, publisher, printer, language, periodicity, place of publication, place of printing and republication after one year. In all such cases, RNI issues a revised Registration Certificate to the publishers on submission of requisite documents, after the revised declaration is authenticated by the DM concerned.

The title is regarded as ‘property’ under the ordinary law and can be transferred or inherited, like other property. On the death of the proprietor, it passes to his legal representatives or the Official Assignee, in case of bankruptcy. The right of a title is also transferable as ‘intangible property’ under Section 24 of the Transfer of Property Act, 1882. Accordingly, in case of death, Legal Heir Certificate and NOC affidavit authenticated by the Magistrate from other legal heirs is required along with a fresh declaration. In case of transfer of ownership, a deed authenticated by Magistrate is required along with the new declaration.

COMPUTERIZED PROCESS OF TITLE VERIFICATION & REGISTRATION

The office of RNI has undergone several changes since its inception and the most important of all is the computerization of its functioning and system. RNI has installed hardware and software to streamline its functions like allotment of titles, registration of newspapers, preparation of the Press in India and other activities. Apart from the computer based processing of verification of titles as well as registration, all the verified titles and registration details have been put on the RNI’s website, <http://rni.nic.in> which is updated periodically. With the introduction of the latest facilities in public domain, any person/prospective publisher can check the list of existing titles. The data is available State/Language wise. Net Connectivity has been provided in RNI through Radio Frequency Link with the assistance of NIC. This has facilitated the end users to know the status of their title application or registration process online. The Title Letter, Discrepancy Letter and copy of the Registration Certificate can also be downloaded from the RNI’s website online.

ANNUAL STATEMENT

As per Section 19(D) of the PRB Act, 1867, an Annual Statement in Form-II prescribed in the Registration of Newspapers (Central) Rules 1956 is required to be submitted by the publishers of newspapers to the Press Registrar on or before the last day of May each year containing various information as prescribed under the rules. It is also obligatory on the part of every publisher to print in the publication, a statement indicating the ownership and other relevant particulars in Form IV in the first issue every year after the last day of February. Annual Statement is the basic document on the basis of which RNI undertakes compilation and analysis of the status of the Press, which is incorporated in its Annual Report, called "Press in India".

It has been seen that a large number of publishers do not furnish the Annual Statements. Since the RNI is responsible for presenting an analysis of the Print Media in the country to the Union Government, it is imperative for the publishers to send their Annual Statements to the RNI office on or before the due date i.e. 31st May every year. A credible and holistic documentation and analysis of the print media is therefore possible only with the full cooperation of the publishers. Annual Statements were received 100 percent online for the first time for 2013-14 and the number was 19,660. For the year 2016-17, 31,028 Annual Statements were submitted online including 1,472 Annual Statements for the Miscellaneous Publications.

PRESS IN INDIA

Under Section 19(G) of the PRB Act, 1867, the Press Registrar shall, in such form and at such time each year as may be prescribed, submit an Annual Report containing summary of the information obtained by him during the previous year in respect of the newspapers in India and giving an account of the working of such newspapers and copies thereof shall be forwarded to the government. The first such Report 'PRESS IN INDIA 1956' was submitted to the Central Government on April 30, 1957, by the first Press Registrar, Shri M L Bhardwaj. It covered a period of six months i.e. July to December 1956. It contained information collected from the newspapers supposed to be in existence on July 1, 1956, from across the country obtained after correspondence with as many as 6,000 publishers. A proforma 'Statement of Facts' was sent to the publishers and were asked to return it back after filling the details. Information regarding existing newspapers was also collected from the State Governments. The first Chapter 'Introduction' of the Report rightly ends with the words that it was more exploratory than expository in character. As per the report there were 6,407 newspapers in the country as on July 1, 1956 and their number went up to 6,570 newspapers on December 31, 1956.

Since then, PRESS IN INDIA is brought out every year on the basis of the information provided by the publishers in the Annual Statements filed by under Rule 6(1) of 'The Registration of Newspapers (Central) Rules, 1956'. The first Press in India was published in single volume, but thereafter it was published in 2 volumes (parts) each year. The first part was devoted to the study and analysis of Indian Press on the basis of Annual Statements submitted by publishers and the second part was devoted to the information containing a catalogue of newspapers published in the country. The practice of publishing in

2 parts was discontinued later and at present it is being brought out in a single volume. Since 2013-14, the Press in India is also being brought out in digital format as CD.

CHECKING AND VERIFICATION OF CIRCULATION CLAIMS

The Annual Statements submitted by the publishers under Section 19(D) of the PRB Act, 1867 contain details of the circulation of newspapers indicating:

- (a) The average number of copies printed per publishing day;
- (b) The average number of copies sold and the average number of copies distributed free of cost which includes complimentary copies, voucher, exchange, bonus, sample and office copies.

A Chartered Accountant or a qualified Auditor is required to authenticate/certify the Publisher's Statement in cases where the number of circulated copies exceeds 2,000. However, educational institutions, charitable societies or associations that bring out un-priced publications, generally for their members, are exempt from submitting these statements.

Section 19(F) of the PRB Act, 1867 provides that the Press Registrar or any gazetted officer authorized by him in writing in this behalf shall, for the purpose of the collection of any information relating to a newspaper under this act, have access to any relevant record or document relating to the newspaper in the possession of the publisher thereof and may enter at any reasonable time any premises where he believes such record or documents to be and may inspect or take copies of the relevant records or documents or ask any question necessary for obtaining any information required to be furnished under this Act.

The Press Registrar derives the authority for the circulation verification from section 19(F) of the PRB Act, 1867. Prior to 2006, the work of circular verification was done by RNI through its Circulation Wing which consisted Senior Circulation Officer and Circulation Officers, who worked in RNI on deputation from 'Audit and Accounts Services'. However, after the implementation of the new advertisement policy of DAVP. RNI is verifying the circulation of newspapers as per the Print Media Policy dated 10.06.2016 i.e. having circulation above 45,000 copies per publishing day on request basis or cases referred by DAVP or on the request of the publishers or complaints.

Due to shortage of staff, after a considered decision in July, 2007, the work of circulation check was outsourced to Chartered Accountants from a panel of approved Chartered Accountants by RNI with the approval of Ministry of Information and Broadcasting. However, the order of RNI dated 9th July, 2007 was challenged in the Hon'ble High Court of Delhi by Indian Language Newspapers Association. The Hon'ble High Court in its decision dated 20.12.2010 quashed the RNI's order dated 9th July, 2007 with the observation:

“Section 19(I) of the PRB Act, 1867 makes it abundantly clear that the Press Registrar can delegate his power only to “any officer subordinate to him” and not to a third party. The external auditor not being an employee in the office of RNI

certainly is not an officer subordinate to Press Registrar. The outsourcing of the work of circulation audit by private Chartered Accountant firms would be in violation of Section 19(I) of the PRB Act, 1867”.

Since RNI does not have CA/Auditors on its roll and circulation check being a specialized job, the services of CA/Auditors empanelled with ABC are being utilized for assistance in checking financial records and are being paid by RNI as honorarium. This is as per the proposal approved by the Ministry of Information and Broadcasting in consultation with Ministry of Law in the last financial year.

The authenticated circulation data enables publishers to avail of various concession and facilities provided by the Central and the State Governments. The verified circulation figure serve as a basis for the Central and State Governments to determine advertisement rates and also to consider eligibility for press accreditation.

The RNI's officers also conduct spot checks in some cases at the premises of newspapers and periodicals to verify relevant records and infrastructure so as to arrive at a correct circulation figure, rejecting exaggerated claims, if any.

NEWSPRINT (POLICY AND GUIDELINES)

The RNI authenticates the Self-declaration Certificate instead of issuing **Eligibility Certificate** w.e.f. 16-07-2017 to the registered publications for the import of newsprint on **Actual User Condition** basis as per EXIM Policy of the Ministry of Commerce & Industry. The policy condition is as follows:-

“Item cover under EXIM Code heading 4801 shall however be permitted without an import license subject to Actual User condition to those who hold Registrations Certificate issued by the Registrar of Newspapers for India (RNI), Ministry of Information and Broadcasting, New Delhi, on submission of necessary documentary evidence, duly authenticated by the RNI, to the satisfaction of the Customs authorities at the time of clearance of goods. In addition, importer shall also be required to submit an annual audited statement reflecting the total quantity and value of the newsprint consumed and quantity imported by them in the preceding (Licensing) year to the Registrar of Newspapers for India, by 30 April of each year. The format of the declaration and the annual statement and other guidelines in this regard shall be as announced by the Ministry of information and Broadcasting from time to time”.

The Newsprint was de-channelized in April 1992 and RNI was asked to continue to issue the Eligibility/Entitlement Certificates as per the Government's Newsprint Import Policy. Under the liberalization policy of the Government, newsprint was put under Open General License (OGL) vide M/o Commerce Notification No. 3(RE-95) 92-97 dated 30.04.1995. This made Standard and Glazed newsprint freely importable to the registered newspapers. The order remained in force during 1995 and 1996. Thereafter, in the changing scenario of liberalized economy, a new policy was introduced by M/o Commerce vide public Notification No. 22(RE-96)/92-97 dated 29th January, 1997 followed by amendments dated

5th March, 1997 which states that import shall be permitted without an import license subject to Actual User Condition to those who hold ‘**Registration Certificate**’ issued by RNI. On that basis, RNI started **Authentication of the Certificate of Registration** for the import of newsprint.

Further in the year 1999, a slight modification was made in the newsprint policy and guidelines vide M/o I&B’s Public Notification No. 601/1/99-Policy, dated 26th February, 1999 and the words “**Guidelines for issue of Authentication of the Certificate of Registration**” had been substituted by the words, “**Guidelines for issue of Eligibility Certificate**”. The present import policy is based on the Govt.’s Newsprint Import Policy enunciated in 1997 which imposes no restriction on the quantity to be imported by the Actual users. During the year 2006-07, Ministry of I&B revised the form of Annual Return showing the import and consumption details of newsprint. As per directions of the Ministry, an affidavit showing the details of imported newsprint for the previous two years and the proposed quantity of newsprint to be imported during the current financial year has been introduced. The format of **Eligibility Certificate** has also been changed. According to the Revised Format, RNI issues the E.C. specifying the maximum quantity of newsprint that can be imported by a newspaper. This quantity is based on the figures mentioned in the affidavit in which the publishers have to state the consumption of newsprint for the two previous years and the proposed quantity of consumption for the current year.

The Ministry of Commerce & Industry had further made amendments in the policies/guidelines (Notification No.29 dated 28.1.2004) under which instead of furnishing half-yearly statement, an annual statement is required to be submitted to RNI. Copy of the guidelines and the current newsprint import policy along with the latest amendments, application form etc. are available at RNI website <http://www.rni.nic.in>. During 2016-17, RNI issued Eligibility Certificates of 380 different owners having their respective different publications for import of 17,54,482.90 MT of Standard and 11,023.00 MT of Glazed Newsprint.

The Ministry of Commerce & Industry had further made amendments in the policies/guidelines (Notification No. 09/2015-2020 dated 3.6.2016 issued by DGFT). Existing Policy Condition No.2 of Chapter 48 of ITC (HS), 2012, Schedule – I (Import Policy) is as follows:

“Item cover under Exim Code heading 4801 shall however be permitted without an import licence subject to Actual User condition to those who hold 'Registrations Certificate' issued by the RNI, Ministry of Information and Broadcasting, New Delhi, on submission of necessary documentary evidence, duly authenticated by the RNI, to the satisfaction of the Customs authorities at the time of import of goods. In addition, importer shall also be required to submit an annual audited statement reflecting the total quantity and value of the newsprint consumed and quantity of newsprint imported by them in the preceding (Licensing) year to the Registrar of Newspapers for India, by 30th April of each year. The format of the declaration and the annual statement and other guidelines in this regard shall be as announced by the Ministry of Information and Broadcasting from time to time.”

Effect of this Notification: Actual users holding registration certificate from RNI can import item covered under Exim Code heading 4801 by filing bill of entry for home consumption or warehousing, at the time of import of goods.

NO NEWSPAPER CERTIFICATE

No newspaper certificate is issued under the Foreign Contributions [Regulation] Act, 1976 to those registered publications, which give affidavits that they do not contain news and views contents in their publications and thus are not a newspaper. These certificates are required by them to be submitted to the Home Ministry for getting permission to accept Foreign Contributions. Two such certificates were issued during 2016-17.

RNI ACHIEVEMENTS & PUBLISHER FACILITATION

Some of the major achievements of RNI in the last three years are as under:-

- a) Advances in the field of Information Technology have enabled RNI to devise certain applications for facilitation of publishers. One such application is uploading all the details about title verification & registration cases on its website for public view. This has led publishers to know the status of their title applications as well as registration status instantly.
- b) RNI is regularly sending information through SMS and E-mail to the applicant about the status of title applications as well as registration applications.
- c) A public query response cell (PQRC) is already in operation with an e-mail ID pqrc-rni@nic.in to facilitate publishers in getting response for various queries regarding title verification, registration etc. This has helped the stakeholders particularly from far flung areas of the country as they need not come to Delhi for redressing their grievances.
- d) The e-filing of Annual Statements is being implemented vigorously.
- e) Title Application has been made online since 01.03.2015.