

No. 41 of 1958

PROFANE PUBLICATIONS

AN ACT TO PREVENT THE WRITING, PRODUCTION, PRINTING, PUBLICATION, SALE, DISTRIBUTION OR EXHIBITION OF ANY PROFANE PUBLICATION.

[3rd November, 1958.]

Short title.

1. This Act may be cited as the Profane Publications Act, No. 41 of 1958.

Writing, production, printing, publication, sale, distribution or exhibition of a profane publication to be an offence.

2. Any person who writes, produces, prints, publishes, sells, distributes or exhibits any profane publication shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to imprisonment of either description for a term not exceeding one year or to a fine not exceeding two thousand rupees or to both such imprisonment and such fine :

Provided that it shall not be an offence under the preceding provisions of this section to write, print, publish, sell, distribute or exhibit any fair comments on, or any fair criticism of, any religion or religious belief.

Sanction of the Attorney-General required for prosecution.

3. Except with the sanction of the Attorney-General, no person shall be prosecuted for an offence under section 2.

Powers of the police in regard to profane publications.

4. (1) A police officer of any rank not below that of an Inspector may, with or without any assistants, enter and search any premises where he reasonably suspects that any profane publication is written, produced, printed, published, sold, distributed or exhibited, and any police officer may seize any such publication found with any person or in any place.

(2) All profane publications seized under subsection (1), together with a list thereof, shall be taken forthwith before the Magistrate's Court having jurisdiction in the place of seizure and shall be dealt with in such manner as that Court may order.

5. In this Act, "profane publication" means any newspaper, book, picture, film or other visible representation containing— Interpretation.

(a) any insult to—

(i) the founder of any religion,

(ii) any deity, saint or person, whether alive or dead, venerated by the followers of any religion, or

(iii) any religion or religious belief, or

(b) any ridicule of any figure, picture, emblem, device or other thing associated with, or sacred to the followers of, any religion.