

INDIAN PUBLIC LIBRARY LEGISLATION :

A MODEL FOR TWENTY- FIRST CENTURY

DRAFT

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CHAPTER I

Preliminaries and Definitions

1. Preliminaries

1.1 Short Title

- a) This Act may be called “ The... Public Libraries Act, 20_____” .
- b) It shall extend to the whole of the State of ...
- c) It shall come in to force on such a date, the State Government may, by notification, appoint.

2. Definitions – In this Act, unless the context otherwise requires _____

- a) ‘ book’ includes _____
 - i) Every volume, part or division of a volume and pamphlet in any languages;
 - ii) Every sheet of music, map, chart or plan separately printed or lithographed.
 - iii) News papers, periodicals and other such reading materials ;
 - iv) Any other reading or kindred material such as the book for the Blind, audio, visual, or audio visual materials.
- b) ‘City Central Library’ means a city having a population of one lakh and more.
- c) ‘Department’ means the Department of Public Library and Information Services as indicated under Chapter IV.
- d) ‘Director’ means the Director of the Public Library and Information Services, appointed by the State Government.
- e) ‘District’ means a revenue district.
- f) ‘Region’ means a revenue division
- g) ‘Local Library Authority’ means a Regional, Metropolitan, City Central, District Central Library authorities.
- h) ‘Notification’ means a Notification published in the Official Gazette.
- i) ‘ Panchayat’ means a voluntary body organized by the State Government by election among the community people, to manage there developmental activities in their jurisdiction.
- j) ‘Prescribed’ means prescribed by the rules under this Act.
- k) ‘ Public Library’ means,____
 - i. a library established and maintained by the State Government and declared open to the public:
 - ii. a library established and maintained by any local library authority and declared open to the public;
 - iii. a library declared to be eligible for grant-in-aid and receiving aid from the State Government.
 - iv. a library, which permits the members of the public to use it for reference without charging fee or subscription;
 - v. any other library notified as a Public Library for the purpose of this Act.
- l) ‘Town’ means a town having a population of 10000 and more
- m) ‘ State ‘ means state of ...
- n) ‘ State Library Authority’ means Authority constituted under Chapter V.
- p) ‘ Year ‘ means the financial year.

CHAPTER II

OBJECTIVES

The following shall be the objectives of the ... State Public Libraries Act-

1. To enable the citizens to translate into reality the truth contained in the dictum, ' Reading and Information are our Birthright', in as free and easy a manner as possible;
2. To ensure the availability of Library and Information service to every citizen according to his or her need recognizing libraries as National resource centers for the transfer of information and knowledge and as agents of fostering friendship and mutual understanding among the nations of the world;
3. To keep the electorate enlightened, or through the potent instruments of educational institutions, which libraries truly are, realizing that for the success of democratic experiment and enlightened electorate is a *sine qua non*;
4. To provide books (for the literates) and other forms of documents, such as , audio-visual aids (for the illiterates) fully realizing that books etc., are the " Daughters of Democracy"
5. To ensure suitable and efficient library and information services to all the citizens in a time-bond manner, utilizing all means of communication – manuscripts, print and non print, electronic etc., and the modern information technology devices;
6. To ensure sufficient regular flow of funds for the maintenance and further development of library and information services.
7. To ensure adequate resource sharing at all levels of the System;
8. To ensure the existence of a full-blooded publishing and communication industry, which can promote and enrich public libraries, which truly are the Peoples' Universities; and
9. To give encouragement to the book trade, recognizing it as the most fundamental service of the public.

CHAPTER III

... STATE PUBIC LIBRARY SYSTEM

1. Organisation of ...State Public Libraries –
The...State Public Library system shall be managed by different library authorities and committees.

There shall be an overall supreme governing body known as the '...State Public Library' Authority', whose span of activity and control, covers the entire ... State Public Library System.

The State Library Authority shall be supported by Regional Library Authorities, Metropolitan, City Library, District Library Authorities, Taluka Library, Town Library, and Grama Panchayat Library Committees.

The library network shall have On Line Information Access Centre for every cluster of 1000 population, and full-fledged Library Service Centres, for a population cluster of 25,000 persons in urban areas. Each of the authorities though having autonomous jurisdiction with in its population cluster, shall have an overall conformity with the State Public Library Authority's policies, programmes and regulations.

The public libraries shall be managed by an administrative and professional management system.

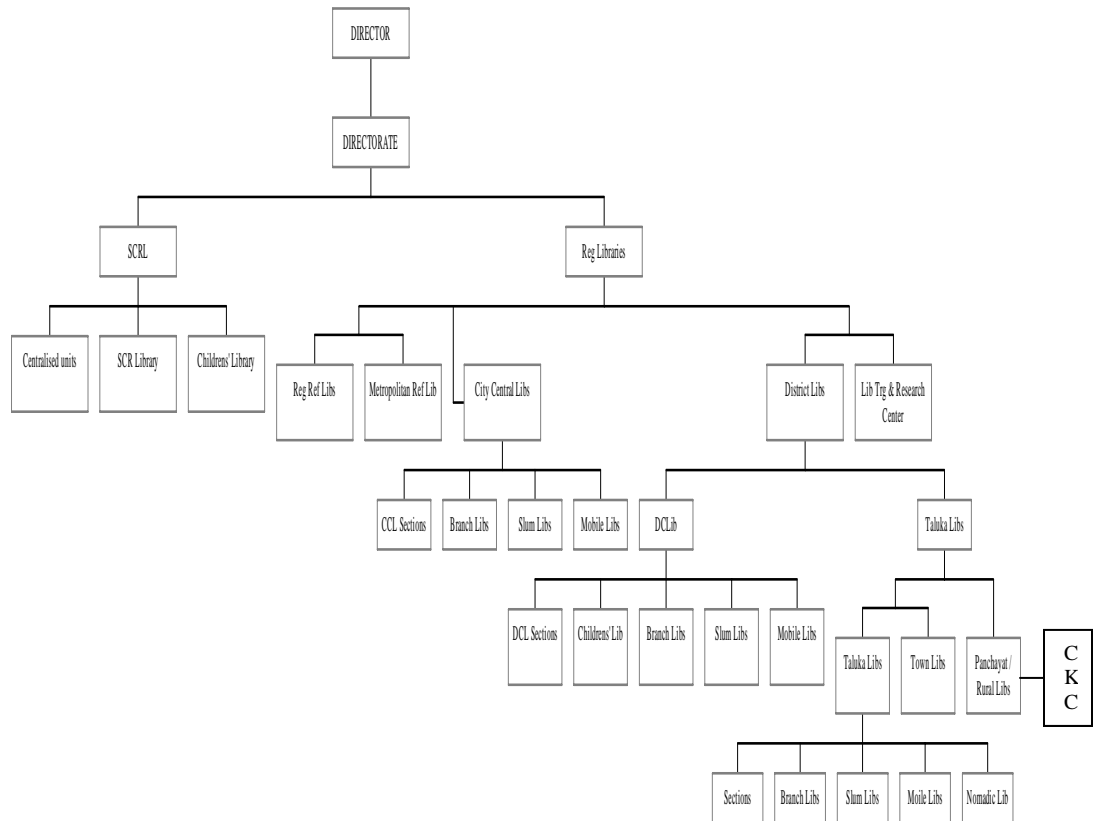
All the libraries in this system shall be connected by telecommunication networks, having computer-assisted data bases and services.

All forms of electronic data communication shall be integrated in this service.

2. The Organisation Chart :
The Organization Chart of the Public Library System shall be hierarchical as per the model shown as under :

CHART-I

Organisation of the Public Libraries in a Model Act



CHAPTER IV

THE DEPARTMENT OF PUBLIC LIBRARY AND INFORMATION SERVICES

4.1 Constitution –

The Department of Public Library and Information Services of the ... State Government shall be responsible for organisation , management and maintenance of the Public Library network with in the State.

4.2 Composition –

The Department of Public Libraries shall have a Director as its Chief Executive Officer.

The DPL shall be major department *on par* with the other major departments.

The Director's status shall be equal in ranking to that of a Secretary Of the State Government.

1.1 The Director of the Public Library and Information Services shall be the overall in charge of the Public Library System of the State.

4.3 Functions and Powers :

The Department of Public Library and Information Services shall ,--

1. Be responsible for the establishment, development and maintenance... Public Library System in collaboration with the Public Library Authorities. The department shall acquire, organize and service the documents and other kinds of library materials for use by public;
2. Frame rules and regulations and provide services to the public;
3. Recruit, develop and promote the cadre of '... Public Library Service' as a part of major department of the ...State Government;
4. Organise work audit for transparency of the working of the Public Library System.
5. Promote and establish the Public Library Service in order to achieve the purposes of this Act.
6. Supervise and direct all matters relating to Public Library System in the State and promote its services;
7. Maintain State Registry of Libraries and Librarians;
8. Consolidate the Review Committee recommendations and act accordingly;
9. Set time bound programmes and develop in-built mechanisms for the liberalizations of the State;
10. Superintendent, direct and deal with the exercise of powers and the performance of duties by Local Library Authorities under this Act;
11. Ensure the proper utilisation and control of the library funds and library manpower at various levels;
12. Conduct user surveys at regular intervals;
13. To organize user education programmes at regular intervals;
14. Arrange preparation and publication of annual administration and technical reports;
15. Prepare work manuals to help library staff to achieve uniformity in providing library service ;

16. Ensure proper maintenance of library statistics and display them properly in each of the constituent libraries ;
17. Ensure provision of continuing education programmes to the library staff at all levels ;
18. Establish and supervise training & research centres in each of the Region to provide in- service training to the library staff ;
19. Bring out publications like News Letter, Directory of Libraries, Professional Journal and specialised monographs of various aspects of the public library services ;
20. Carry out the recommendations of the State Public Library Authority;
21. Give recognition to the libraries for the Government Aid;
22. Supervise, direct and deal with all matters relating to the Press Registration of Books Act, 1867 (Central Act 25 of 1867) and maintain and manage the State Copyright Library; and
23. Perform such other duties and exercise such other powers as are imposed or conferred or assigned by this Act or the rules made their under.

4.4 State Library Service :

- i) Not with standing anything contained in any other law, all posts in the Department of Public Libraries, State Central Reference Library and every Local Library Authority shall be filled by appointment of persons belonging to the ... State Library Services.
- ii) ... State Library Service shall consists of Director, other officers and such other classes and categories of posts as the State Government may determine from time to time. All members of the said service shall be Government servants, and their recruitment and conditions of service shall, subject to the provisions of Article 309 of the Constitution, be regulated by such rules as may be prescribed.
- iii) The salary, allowances , gratuity, pension and other benefits of the members of the ... State Library Service shall be met from the Consolidated Fund of the State.

CHAPTER V

AUTHORITIES AND COMMITTEES

5 The ... State Public Library Authority.

5.1 Constitution :

The State Government shall, by notification, constitute for the purpose of this Act, a body called the ...State Public Library Authority. Such an Authority shall be a body corporate, having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property, and to contract, and may by the same name sue and be sued.

The... State Public Library Authority shall consists of :

1. Minister for Libraries, who shall be the ex-officio Chairman of the Authority.
2. Four persons elected by the ... Legislative Assembly from among its members, of whom one at least shall be a woman.
3. Two persons elected by the ... Legislative Council from among its members , of whom one at least shall be a woman.
4. Two persons elected by the Syndicate of different Universities in the State by rotation to be nominated by the Government, of whom one shall be a woman.
(In case of Universities of Agricultural Sciences, ' Syndicate ' means the Board of Regents)
5. The President of theState Library Association or his nominee.
6. One person elected by the Metropolitan Library Authority of ...
7. Four persons (one each elected by the Regional Public Library Authority) of each of the Region of the State, of whom one at least shall be a woman.
8. One person elected by the City Library Authorities by rotation.
9. One person elected by the District Library Authorities by rotation.
10. Three persons (one each) elected by any three of the Taluka Public Library Committees by rotation, of whom one at least shall be a woman.
11. Two persons (one each) elected by at least by two Town Library Committees by rotation, of whom one shall be a woman.
12. Three persons (one each) elected by at least three Gram Panchayat Public Library Committees by rotation, of whom one shall be a woman.
13. Three persons who are experts in Library and Information Science, nominated by the State Government, of whom one shall be a woman.
14. Four persons, each to represent literary and cultural, legal, medical, social, industrial and business organisations, nominated by the State Government, of whom one shall be a woman.
15. The Secretary to the Education Department of the State Government.
16. The Deputy Secretary of the Finance Department of the State Government.
17. The Director of Public Libraries in the State shall be the ex-officio Member- Secretary.
18. The subordinate officer of the Director shall attend the meetings as a special invitee.
19. One of the officers in charge of the Regional Library, shall attend the meetings as a special invitee by rotation.

5.1.2 Powers and Functions :

The ... State Public Library Authority shall :

1. be an apex body that governs all aspects of the ... Public Library System and Services;
2. develop Public Libraries, throughout the State in a time bound manner and shall act as an ultimate authority on all public library matters;
3. formulate policies, programmes for developmental activities and implementation processes related to public libraries, helpful to the public of the State;
4. develop standards and guidelines for the state wide application in all public libraries. It shall provide overall regulations for organisation of public library services with in the state without jeopardizing essential requirements of the other constituent authorities of the State ;
5. shall formulate standards for financial provisions to be made from the State exchequer;
6. provide system regulations, administrative structure for efficient audit for its provisions and services, compilation of annual reports, audited statement of accounts, developmental plans and budget proposals ;
7. possesses power to constitute an Executive Committee, from among its members, which may meet every month to monitor the working of the Department;
8. have the power to constitute the special committees to look after the functioning of the State Central Reference Library, the State Library for the Children, the State Public Technical Library, Finance Committee, Book Selection Committee, Public Relations Committee, etc., as and when necessary;
9. have the power to interact with the State Planning Bureau, The Pustaka Pradikara, The Publishers and Book sellers Association, and similar other bodies, as well as other departments of the Government and the Non Governmental Organisations with a view to achieving objectives of this Act;
10. review the progress made by the Department of Public Libraries in the implementation of the provisions of this Act and evaluate the performance of the Department;
11. monitor the working of the Local Library Authorities and Committees;
12. recommend to the State Government, amendments/ additions to the provisions of the Act, as and when found necessary;
13. consider and approve the annual reports and the budget proposals of all the Local Library Authorities;
14. scrutinize and approve development plans submitted by the Local Library Authorities and their units;
15. examine the inspection reports and suggest remedial measures wherever necessary;
16. supervise, direct and deal with all matters relating to the Press and Registration of Books Act, 1867(Central Act 25 of 1867);
17. draw up plans to establish contact and cultural libraries and information centers in the different states of India;
18. encourage establishment of association of friends of libraries through out the State, to make the Library Movement a Peoples' Movement;
19. to hold quarterly meetings : (a) if necessary to convene especial meetings ; (b) at all meetings two-fifth of the total number of members of the authority shall form the quorum; and (c) in the absence of the President, the members present shall choose one from among themselves to preside over the meetings.
20. perform such other duties and exercise such other powers are imposed or conferred or assigned by the Act or the rules made there under; and
21. perform such other functions as found necessary to promote the Library Movement in the State.

5.1.3 Nomination of Members in Default of Election :

If any of the bodies referred in section 5.1 does not, by such period as may be prescribed, elect a person to be a member of the State Public Library Authority, State Government shall, by nomination, nominate to the vacancy a person qualified for election there to; and the person so nominate shall be deemed to be a member of the Authority as if he had been duly elected by the said body.

5.1.4 Term of Office :

1. Save as other wise provided in this Act, the term of office of members of the State Public Library Authority, other than ex-officio members, shall be for a period of three years, commencing from the date on which the first meeting of the Authority is held after the election or nomination of the members under section 5.1.3.
2. An outgoing member shall continue in office until election or nomination of his successor.
3. an out going member shall be eligible for re-election or re-nomination

5.1.5 Vacancies :

In the event of a vacancy arising out of death, resignation, disability or otherwise, prior to the expiry of the term of office of any member of the State Public Library Authority, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in 5.1, and any person elected or nominated to fill the vacancy shall hold office only so long as the members in whose place he is elected or nominated would have held office, if the vacancy had not occurred.

5.1.6 Disability for Continuing as Member :

If any member, other than an ex-officio member of the State Library Authority, during the period for which, he has been nominate or elected;-

- a. absents himself with out excuse, sufficient in the opinion of the Authority, from three consecutive meetings of the Authority; or
- b. in the case of a member elected by any body referred in section 5.1, ceases to be a member of the body concerned, his office in the authority shall become vacant.

5.1.7 Disqualifications :

A person shall be disqualified for being chosen as, and for being, a member of the State Public Library Authority,-

- a. If he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been, subsequently reversed, squashed or remitted, unless he has, by order, which the State Government is empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence;
- b. if he is an un-discharged insolvent; and
- c. if he is of unsound mind and stands so declared by a competent court.

LOCAL LIBRARY AUTHORITIES

5.2 REGIONAL PUBLIC LIBRARY AUTHORITY (Reg PLA)

5.2.1 Constitution :

Each of the two / more Revenue Divisions of the State shall have a Regional Public Library Authority.

The Authority shall be responsible for implementing policy, programmes and regulations for Public Libraries with in the concerned Region. However, it will take cognizance of the needs of autonomy of the District Public Library Authorities, City Public Library Authorities, Taluka Public Library Committees, Town Public Library Committees and Gram Panchayat Public Library Committees within its jurisdiction.

5.2.2 Composition :

Every Regional Public Library Authority shall consist of :

1. The Divisional Commissioner of the Division, who shall be the ex-officio Chairman of the Authority.
2. Two members of the Legislative Assembly elected from any of the Constituencies of the Region, nominated by the State Government, of whom one shall be a woman.
3. Two members nominated from any two District Library Authorities, by rotation falling within the jurisdiction of the Region, of whom one shall be a woman.
4. Two members nominated from any two Taluka Library Committees, by rotation, falling with in the jurisdiction of the Region, of whom one shall be a woman.
5. One member of the Town Public Library Committee nominated by the Government on rotation basis.
6. Two members nominated from any two Gram Panchayat Library Committees, by rotation falling with in the jurisdiction of the Region, of whom one shall be a woman.
7. Two members who are Library and Information Science experts nominate by the State Government of whom one shall be a woman,
8. Two members from the Syndicate of the Universities, located in the Region, of whom one shall be a woman.
9. The Joint Director of the Public Instructions of the Region.
10. One member representing the State Library Association, nominated by the State Government.
11. The Officer in-charge of the Regional Library of the Division shall be ex-officio Member-Secretary.
12. One officer in-charge of the District Public Libraries falling within the jurisdiction of the Division shall, by rotation be invited to attend the meeting.

5.2.3. Powers and Functions of the Regional Public Library Authority :

The following shall be the powers and functions of the Regional Public Library Authority :

1. To formulate developmental plans of the libraries in the Region, and send them to the State Public Library Authority for ratification.
2. To direct and control, administrative and organisational matters of the Regional Public Library and the other libraries in the Region.
3. To provide infrastructural facilities for the libraries in the Region such as buildings, furniture, equipment, etc..
4. To provide Library and Information Service to the urban and rural areas by establishing libraries at various levels within its jurisdiction.
5. To enlist the support of governmental and non-governmental organisations, to promote and strengthen the library movement in the region.
6. To compile the annual reports and the budget proposals for the Regional Library.
7. To provide the latest information technology facilities to the libraries, such as, Computers, CD-ROM Drives, E-Mail, Internet, etc.
8. To arrange meeting with the readers, authors, book sellers and publishers in the Region with a view to enrich the library services.
9. To constitute sub committees, such as, Executive Committee, Finance Committee, etc..
10. To hold quarterly meetings for the above purposes and if necessary convene special meetings.
11. Two-Fifths of the total number of members shall form the quorum.
12. In the absence of the Chairman, the members present shall choose one from among themselves to preside over the meetings.
13. To perform such other duties and functions as may promote the objectives of this Act.

5.2.3.1 Functions of the Regional Public Library :

1. To serve as the Regional Reference Library on par with the State Central Reference Library. It shall also function as the heritage library of the Region.
2. To provide proper library and information services to all the users.
3. To extend reference, bibliographical and lending services in libraries within the region.
4. To initiate inter-library cooperation among the other public, academic and special libraries within and outside the Region.
5. To organise conferences, seminars, and refresher courses for library professionals and other library workers of the Region..
6. To organize extension activities like, drama, puppetry, janapada mela, etc., specially for the benefit of the school children and disadvantaged.
7. To obtain and collect all the relevant data pertaining to the public libraries in there Region for compilation of annual and adhoc reports by the Regional Library Authority.
8. To establish a library training & research centres.

5.2.3.2 **Nomination of Members in Default of Election :**

If any of the bodies referred in section 5.2.2 does not, by such period as may be prescribed, elect a person to be a member of the Regional Public Library Authority, State Government shall, by nomination, nominate to the vacancy a person qualified for election there to; and the person so nominate shall be deemed to be a member of the Authority as if he had been duly elected by the said body.

5.2.3.3 **Term of Office :**

1. Save as other wise provided in this Act, the term of office of members of the Regional Public Library Authority, other than ex-officio members, shall be for a period of three years, commencing from the date on which the first meeting of the Authority is held after the election or nomination of the members under section
2. An outgoing member shall continue in office until election or nomination of his successor.
3. An out going member shall be eligible for re-election or re-nomination

5.2.3.4 **Vacancies :**

In the event of a vacancy arising out of death, resignation, disability or otherwise, prior to the expiry of the term of office of any member of the Regional Public Library Authority, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in 5.2.2, and any person elected or nominated to fill the vacancy shall hold office only so long as the members in whose place he is elected or nominated would have held office, if the vacancy had not occurred.

5.2.3.5 **Disability for Continuing as Member :**

If any member, other than an ex-officio member of the Regional Public Library Authority, during the period for which, he has been nominate or elected;-

- a. absents himself with out excuse, sufficient in the opinion of the Authority, from three consecutive meetings of the Authority; or
- b. in the case of a member elected by any body referred in section 5.2.2, ceases to be a member of the body concerned, his office in the authority shall become vacant.

5.2.3.6 **Disqualifications :**

A person shall be disqualified for being chosen as, and for being, a member of the Regional Public Library Authority,-

- a. If he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been, subsequently reversed, squashed or remitted, unless he has, by order, which the State Government is empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence;
- b. if he is an un-discharged insolvent; and
- c. if he is of unsound mind and stands so declared by a competent court.

5.3 METRO POLITAN PUBLIC LIBRARY AUTHORITY (MPLA)

(to be applicable as and when the State Government declares any City as a Metropolis)

5.3.1 Constitution :

A Metropolitan Public Library Authority controls and manages the sections of the library.

5.3.2 Composition :

The metropolitan Public Library Authority shall consists of :

1. The Mayor of the City who shall be the ex-officio Chairman of MPLA.
2. Three corporators nominated by the City Corporation, of whom one shall be a woman.
3. Two Syndicate members of the Universities of the metropolis by rotation , of whom one shall be a woman, nominated by the State Government.
4. Two research scientists and two Litterateurs belonging to the metropolis nominated by the State Government, of whom one shall be a woman.
5. Two Legislators of the metropolis nominated by the State Government, of whom one shall be a woman.
6. One member who is an expert in the field of library and information science nominated by the State Government.
7. One member of the ... State Library Association city branch nominated by the Sate Government.
8. One representative from business and industry nominated by the State Government.
9. The officer in charge of the Metropolitan Public Library shall be the ex-officio Member-Secretary.

5.3.3 Powers and Functions

1. To formulate developmental plans for establishing and supporting the MPLS, and send them to the State Public Library Authority for ratification.
2. To establish, organize, coordinate and supervise, City Library System.
3. To arrange for mobilizing funds to be collected for acquiring of books, periodicals, and other non-book materials including audio-visual and electronic media.
4. To enlist the support of Governmental and Non-Governmental organisations to promote and strengthen the Library Movement in the jurisdiction.
5. To compile annual reports and budget proposals.
6. To provide latest information technologies facilities to the libraries in different areas of the metropolis, such as Computers, CD-ROMS, E-Mail, Internet, etc,
7. To arrange meetings with readers, authors and media persons, educationists, social leaders, book sellers and publishers in the metropolis with a view to enriching the Library Service in the Metropolis.
8. To have a power to constitute Sub Committees.
9. To hold quarterly meetings, and if necessary to convene special meetings.
10. Seven members shall form the quorum.
11. In the absence of the Chairman, members present shall choose one from among themselves to preside over the meetings.

5.3.3.2 Functions of the Metropolitan Public Library :

1. To serve as the heritage library of the metropolis.
2. To serve as the Metropolitan Reference Library on par with State Central Reference Library.
3. To provide proper Library and Information Services to all the users.
4. To extend reference, bibliographical, and lending services in the libraries within the Metropolis.
5. To provide for infrastructural facilities for the libraries in the Metropolis, such as buildings, furniture, equipment, etc.,
6. To initiate resource sharing among the other public, academic and special libraries within and outside the metropolis.
7. To organise the conferences and seminars.
8. To organize extension activities like drama, dance, sports, painting, music, story hours, especially for the benefit of the school children and the disadvantaged.
9. To conduct orientation programme for new members.

5.3.3.3 Nomination of Members in Default of Election :

If any of the bodies referred in section 5.3.2 does not, by such period as may be prescribed, elect a person to be a member of the Metropolitan Public Library Authority, State Government shall, by nomination, nominate to the vacancy a person qualified for election there to; and the person so nominated shall be deemed to be a member of the Authority as if he had been duly elected by the said body.

5.3.3.4 Term of Office :

1. Save as otherwise provided in this Act, the term of office of members of the Metropolitan Public Library Authority, other than ex-officio members, shall be for a period of three years, commencing from the date on which the first meeting of the Authority is held after the election or nomination of the members under section 5.3.2
2. An outgoing member shall continue in office until election or nomination of his successor.
3. An outgoing member shall be eligible for re-election or re-nomination

5.3.3.5 Vacancies :

In the event of a vacancy arising out of death, resignation, disability or otherwise, prior to the expiry of the term of office of any member of the Metropolitan Public Library Authority, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in 5.3.2, and any person elected or nominated to fill the vacancy shall hold office only so long as the members in whose place he is elected or nominated would have held office, if the vacancy had not occurred.

5.3.3.6 Disability for Continuing as Member :

If any member, other than an ex-officio member of the Metropolitan Public Library Authority, during the period for which, he has been nominated or elected;-

- a. absents himself with out excuse, sufficient in the opinion of the Authority, from three consecutive meetings of the Authority; or
- b. in the case of a member elected by any body referred in section 5.3.2, ceases to be a member of the body concerned, his office in the authority shall become vacant.

5.3.3.7 Disqualifications :

A person shall be disqualified for being chosen as, and for being, a member of the Metropolitan Public Library Authority,-

- a. If he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been, subsequently reversed, squashed or remitted, unless he has, by order, which the State Government is empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence;
- b. if he is an un discharged insolvent; and
- c. if he is of unsound mind and stands so declared by a competent court.

5.4 THE CITY PUBLIC LIBRARY AUTHORITY (CPLA)

5.4.1 Constitution :

Each of the City having population of more than one lakh, as the State Government by notification specify, shall have a Library Authority called the City Public Library Authority.

5.4.2 Composition :

Each of the City Public Library Authority shall consists of :

1. The Mayor of the City or President of the City municipal Corporation who shall be the ex-officio Chairman of the CPLA.
2. Two academicians of repute nominated by the City Municipal Corporation, of whom one shall be a woman.
3. One Library and Information Science expert nominated by the City Municipal Corporation.
4. One activist in women's and children's movements, preferably a woman, nominated by the City Municipal Corporation.
5. One member of the City Branch of the ... State Library Association nominated by the City Municipal Corporation.
6. One person representing business and industry nominated by the City Municipal Corporation.
7. The officer in-charge of the City Public Libraries shall be ex-officio Member-Secretary.

5.4.3 Powers and functions :

5.4.3.1 The following shall be the powers and functions of the CPLA :

1. To formulate developmental plans for establishing and supporting the City Public Library System and send them to the State Library Authority for ratification.
2. To establish, organise and supervise public library system in the cities starting from the city central library with several branches, slum areas and service centers in a network format.
3. To arrange for mobilizing funds to be allocated for acquisition of books, periodicals and, other non-book materials including audio-visual and electronic media.
4. To enlist the support of Governmental and Non-Governmental organisations to promote and strengthen the library movement in the city.
5. To compile annual reports and budget proposals.
6. To provide the latest information technology facilities to the libraries in the City such as Computers, CD-ROM Drives, E-Mail, Internet, etc.,
7. To arrange meetings with readers, authors, book sellers and publishers, in the library with a view to enrich library services.
8. To provide for Mobile Public Library Services within the City to reach where library services are not provided.
9. To have power to constitute sub-committees like Executive, Finance Committee, etc.,
10. To meet in a quarter and if necessary, to hold special meetings.
11. Five members shall constitute the quorum.
12. In absence of the Chairman, the members present shall choose one from among themselves to preside over the meeting.

5.4.3.2 Functions of the City Public Library :

The following shall be the functions of the City Public Library :

1. To serve as the heritage library of the city.
2. To provide for infrastructural facilities for the libraries in the City, such as buildings, furniture, equipment etc
3. To provide proper Library and information services to all the users.
4. To extend reference, bibliographical, and lending services in the libraries with in the City.
5. To initiate resource sharing among the other public, academic and special libraries with in and outside the City.
6. To organise the conferences and seminars
7. To obtain and collect all the relevant data pertaining to the Public Libraries in the city for compilation of annual and adhoc reports by the City Library Authority.
8. To organize extension activities like drama, dance, sports, painting, music, story hours, especially for the benefit of the school children and the disadvantaged.
9. To conduct orientation programme for new members.

5.4.3.3 Nomination of Members in Default of Election:

If any of the bodies referred in section 5.4.2 does not, by such period as may be prescribed, elect a person to be a member of the City Public Library Authority, State Government shall, by nomination, nominate to the vacancy a person qualified for election there to; and the person so nominate shall be deemed to be a member of the Authority as if he had been duly elected by the said body.

5.4.3.4 Term of Office :

1. Save as other wise provided in this Act, the term of office of members of the City Public Library Authority, other than ex-officio members, shall be for a period of three years, commencing from the date on which the first meeting of the Authority is held after the election or nomination s of the members under section 5.4.2.
2. An outgoing member shall continue in office until election or nomination of his successor.
3. An out going member shall be eligible for re-election or re-nomination

5.4.3.5 Vacancies :

In the event of a vacancy arising out of death, resignation, disability or otherwise, prior to the expiry of the term of office of any member of the City Public Library Authority, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in 5.4.2, and any person elected or nominated to fill the vacancy shall hold office only so long as the members in whose place he is elected or nominated would have held office, if the vacancy had not occurred.

5.4.3.6 Disability for Continuing as Member :

If any member, other than an ex-officio member of the City Library Authority, during the period for which, he has been nominate or elected;-

- a. absents himself with out excuse, sufficient in the opinion of the Authority, from three consecutive meetings of the Authority; or
- b. in the case of a member elected by any body referred in section 5.4.2, ceases to be a member of the body concerned, his office in the authority shall become vacant.

5.4.3.7 Disqualifications :

A person shall be disqualified for being chosen as, and for being, a member of the City Public Library Authority,-

- a. If he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been, subsequently reversed, squashed or remitted, unless he has, by order, which the State Government is empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence;
- b. if he is an un-discharged insolvent; and
- c. if he is of unsound mind and stands so declared by a competent court.

5.5 DISTRICT PUBLIC LIBRARY AUTHORITY (DPLA)

5.5.1 Constitution :

For each revenue district, excluding the area for which a City Public Library Authority, is constituted, there shall be an authority called The District Public Library Authority. The purpose of a District Public Library Authority is to promote Public Library Services within the District. It should be able to persuade the Taluka and The Town Municipalities and Gram Panchayats to constantly improve the library services to the public.

5.5.2 Composition :

The District Public Library Authority shall consist of :

1. The Chairman of the Zilla Parishad who shall be the ex-officio Chairman of the DPLA.
2. Two persons elected from among its members by the Zilla Parishad, of whom one shall be a woman.
3. The District Educational Officer / The Deputy Director of Public Instructions.
4. One person elected from among its members by each Municipal Council, or other Municipal Bodies, in the District by rotation.
5. One member who is an expert in the field of Library and Information Science, nominated by the State Government.
6. One member of the District Branch of the ... State Library Association nominated by the Zilla Parishad.
7. One woman, social worker, nominated by the Zilla Parishad.
8. One academician / Litterateur nominated by the Zilla Parishad
9. One member from the Panchayats nominated by the respective Panchayat by rotation.
10. Two agriculturists / farmers nominated by the Zilla Parishad.
11. The officer in-charge of the District Public Libraries shall be ex-officio Member -Secretary.

5.5.3 Powers and functions :

5.5.3.1 The following shall be the powers and functions of the DPLA :

- 1 To formulate developmental plans for establishing and supporting the District Public Library System, and send them to the State Library Authority for ratification.
2. To establish, organise and supervise public libraries with several branches, slum areas and service centers in the district in a network format.
3. To arrange for mobilizing funds to be allocated for acquisition of books, periodicals, and other non-book materials including audio-visual and electronic media.
4. To enlist the support of Governmental and Non-Governmental organisations to promote and strengthen the library movement in the District.
5. To compile annual reports and budget proposals.
6. To provide the latest information technology facilities to the libraries in the District such as Computers, CD-ROM Drives, E-Mail, Internet, etc.,
7. To arrange meetings with readers, authors, book sellers and publishers, in the library with a view to enrich library services.

8. To provide for Mobile Public Library Services with in the District and arrange to reach places, where Library Services are not provided.
9. To settle disputes and resolve problems between various branches with in the jurisdiction of the District.
10. To have power to constitute sub-committees like Executive, Finance Committee, etc.,
11. To meet in a quarter and if necessary, to hold special meetings.
12. Five members shall constitute the quorum.
13. In absence of the Chairman, the members present shall choose one from among themselves to preside over the meeting.

5.5.3.2 Functions of the District Public Library :

The following shall be the functions of the District Public Library :

- a. To serve as the heritage library of the District.
- b. To provide for infrastructural facilities for the libraries in the jurisdiction of the District, such as buildings, furniture, equipment, etc.
- c. To provide proper Library and information services to all the users, including women, illiterates, children and the disadvantaged.
- d. To extend reference, bibliographical, and lending services in the libraries with in the District.
- e. To initiate resource sharing among the other public, academic and special libraries within and outside the District.
- f. To organise the conferences, seminars and refresher courses for library professionals and other library workers in the District.
- g. To obtain and collect all the relevant data pertaining to the Public Libraries in the District for compilation of annual and adhoc reports.
- h. To organize extension activities like drama, dance, sports, painting, music, story hours, especially for the benefit of the school children and the disadvantaged.
- i. To conduct orientation programme for new members.

5.5.3.3 Nomination of Members in Default of Election:

If any of the bodies referred in section 5.5.2 does not, by such period as may be prescribed, elect a person to be a member of the District Library Authority, State Government shall, by nomination, nominate to the vacancy a person qualified for election there to; and the person so nominate shall be deemed to be a member of the Authority as if he had been duly elected by the said body.

5.5.3.4 Term of Office :

1. Save as other wise provided in this Act, the term of office of members of the District Public Library Authority, other than ex-officio members, shall be for a period of three years, commencing from the date on which the first meeting of the Authority is held after the election or nomination of the members under section 5.5.2.
2. An outgoing member shall continue in office until election or nomination of his successor.
3. An out going member shall be eligible for re-election or re-nomination

5.5.3.5 Vacancies :

In the event of a vacancy arising out of death, resignation, disability or otherwise, prior to the expiry of the term of office of any member of the District Public Library Authority, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in 5.5.2, and any person elected or nominated to fill the vacancy shall hold office only so long as the members in whose place he is elected or nominated would have held office, if the vacancy had not occurred.

5.5.3.6 Disability for Continuing as Member :

If any member, other than an ex-officio member of the District Library Authority, during the period for which, he has been nominated or elected;-

1. absents himself without excuse, sufficient in the opinion of the Authority, from three consecutive meetings of the Authority; or
2. in the case of a member elected by any body referred in section 5.5.2, ceases to be a member of the body concerned, his office in the authority shall become vacant.

5.5.3.7 Disqualifications :

A person shall be disqualified for being chosen as, and for being, a member of the District Public Library Authority,-

- a. If he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been, subsequently reversed, squashed or remitted, unless he has, by order, which the State Government is empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence;
- b. if he is an un-discharged insolvent; and
- c. if he is of unsound mind and stands so declared by a competent court.

5.6 THE TALUKA PUBLIC LIBRARY COMMITTEE (TPLC)

5.6.1 Constitution :

For each revenue Taluka in a district, excluding the area for which a either City Public Library Authority or a District Public Library Authority, is constituted, there shall be a committee called The Taluka Public Library Committee.

5.6.2 Composition :

The Taluka Public Library Committee shall consist of :

1. The President of the Taluka Municipal Council, who shall be the ex-officio Chairman.
2. Two members representing the Municipal Councils in the Taluka, nominated by the President on the basis of rotation, of whom one shall be a woman.
3. One member who is an expert in the field of Library and Information Science, nominated by Director of Public Libraries.
4. Block Education Officer of the Taluka.
5. One academician / Litterateur nominated by the Taluka Public Library Committee.
6. One member of the Local Branch of the ... State Library Association nominated by its Executive Council of the Association.
7. One woman to represent women and children association in the jurisdiction of the Taluka, nominated by the Taluka Public Library Committee.
8. Two representatives from Gram Panchayats by rotation, of whom one shall be a woman, both nominated by the Taluka Municipal Council.
9. Two agriculturists / farmers nominated by the Taluka Municipal Council.
10. The officer in-charge of the Taluka Public Libraries shall be ex-officio Member- Secretary

5.6.3 Powers and functions :

5.6.3.1 The following shall be the powers and functions of the TPLC :

- 1 To formulate developmental plans for establishing and supporting the Taluka Public Library System, and send them to the State Library Authority for ratification.
- 2.To establish, organise and supervise public libraries with branches, slum & nomadic areas, and service centers in the Taluka in a network format.
- 3.To arrange for mobilizing funds to be allocated for acquisition of books, periodicals, and other non-book materials including audio-visual and electronic media.
- 4.To enlist the support of Governmental and Non-Governmental organisations to promote and strengthen the library movement in the Taluka.
- 5.To compile annual reports and budget proposals.
- 6.To provide the latest information technology facilities to the libraries in the Taluka, such as Computers, CD-ROM drives, E-Mail, and Internet etc.,
- 7.To arrange meetings with readers, authors, book sellers and publishers, in the Taluka, with a view to enriching and enhancing the library services to the public.
8. To settle disputes and resolve problems between various branches with in the jurisdiction of the Taluka.
9. To provide for Mobile Public Library Services with in the Taluka and arrange to reach places, where Library Services are not provided.

10. To arrange quarterly meeting and if necessary, to hold special meetings.
11. Five members shall constitute the quorum.
12. In absence of the Chairman, the members present shall choose one from among themselves to preside over the meeting.

5.6.3.2 Functions of the Taluka Public Library :

The following shall be the functions of the Taluka Public Library :

- a. To serve as the heritage library of the Taluka.
- b. To provide for infrastructural facilities for the libraries in the Taluka, such as buildings, furniture, equipment, etc.
- c. To provide proper Library and Information Services to all the users, including women, illiterates, children, farmers and the disadvantaged.
- d. To extend reference, and lending services to the users of the library.
- e. To lend support to the literary, cultural and other constructive activities.
- f. To arrange for lecturers by eminent people on days of Local and National importance.
- g. To organise book exhibitions on significant events during the year.
- h. To obtain and collect all the relevant data pertaining to the Public Libraries in the Taluka for compilation of annual and adhoc reports by the Taluka Library Committee
- i. To organize extension activities like drama, dance, sports, painting, music, story hours, especially for the benefit of the school children and the disadvantaged.
- j. To conduct orientation programme for new members.

5.6.3.3 Nomination of Members in Default of Election:

If any of the bodies referred in section 5.6.2 does not, by such period as may be prescribed, elect a person to be a member of the Taluka Public Library Authority, State Government shall, by nomination, nominate to the vacancy a person qualified for election there to; and the person so nominate shall be deemed to be a member of the Authority as if he had been duly elected by the said body.

5.6.3.4 Term of Office :

1. Save as other wise provided in this Act, the term of office of members of the Taluka Public Library Authority, other than ex-officio members, shall be for a period of three years, commencing from the date on which the first meeting of the Authority is held after the election or nomination of the members under section 5.6.2
2. An outgoing member shall continue in office until election or nomination of his successor.
3. An out going member shall be eligible for re-election or re-nomination

5.6.3.5 Vacancies :

In the event of a vacancy arising out of death, resignation, disability or otherwise, prior to the expiry of the term of office of any member of the Taluka Public Library Authority, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in 5.6.2, and any person elected or nominated to fill the vacancy shall hold office only so long as the members in whose place he is elected or nominated would have held office, if the vacancy had not occurred.

5.6.3.6 Disability for Continuing as Member :

If any member, other than an ex-officio member of the Taluka Library Authority, during the period for which, he has been nominated or elected;-

1. absents himself without excuse, sufficient in the opinion of the Authority, from three consecutive meetings of the Authority; or
2. in the case of a member elected by any body referred in section 5.6.2, ceases to be a member of the body concerned, his office in the authority shall become vacant.

5.6.3.7 Disqualifications :

A person shall be disqualified for being chosen as, and for being, a member of the Taluka Public Library Committee,-

- a. If he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been, subsequently reversed, squashed or remitted, unless he has, by order, which the State Government is empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence;
- b. if he is an un-discharged insolvent; and
- c. if he is of unsound mind and stands so declared by a competent court.

5.7 THE TOWN PUBLIC LIBRARY COMMITTEE (TOPLC)

5.7.1 Constitution :

For each of the major town in a Taluka, declared such as by the State Government with a population of more than 10,000, there shall be a Town Public Library Committee.

5.7.2 Composition :

The Town Public Library Committee shall consist of :

1. The President of the Town Municipal Council, who shall be the ex-officio Chairman.
2. Two members of the Town Municipal Council, nominated by the Town Municipal Council, of whom one shall be a woman.
3. One member who is an expert in the field of Library and Information Science, nominated by The Town Municipal Council
4. One academician nominated by the Town Municipal Council.
5. One litterateur nominated by the Town Municipal Council.
6. One member of the Town Branch of the ... State Library Association nominated by its Executive Council.
7. One woman representative, nominated by the Town Municipal Council.
8. One agriculturist / farmer nominated by the Town Municipal Council.
9. The officer in-charge of the Town Public Libraries shall be ex-officio Member-Secretary.

5.7.3 Powers and functions :

5.7.3.1 The following shall be the powers and functions of the TOPLC :

- 1 To function as the managing body of the Town Public Library.
- 2.To provide infrastructural facilities to the Town Public Library to operate with in the jurisdiction of the town.
- 3.To take responsibility for the acquisition of documentary and communication resources required by the users.
- 4.To develop branch libraries with in its jurisdiction.
- 5.To mobilize resources for purchase of documents, furniture, equipment, buildings, communication facilities, etc.. required for facilitating the library and information services to the users.
- 6.To arrange quarterly meetings and if necessary hold special meetings for above purposes.
7. Five members shall constitute the quorum.
8. In absence of the Chairman, the members present shall choose one from among themselves to preside over the meeting.

5.7.3.2 Functions of the Town Public Library :

The following shall be the functions of the Town Public Library :

- a. To serve as the heritage library of the Town.
- b. To provide for infrastructural facilities for the branches and services centers.
- c. To provide proper Library and Information Services to all the users, including women, illiterates, children, farmers and the disadvantaged.
- d. To arrange for lecturers by eminent people on days of Local and National importance
- e. To organise book exhibitions on significant events during the year.
- f. To organize extension activities like drama, dance, sports, painting, music, story hours, especially for the benefit of the school children and the disadvantaged.
- g. To lend support to the literary, cultural and other constructive activities
- h. To perform any other function aimed at implementing the objectives of the Act.
- i. To obtain and collect all the relevant data pertaining to the Public Libraries in the Town for compilation of annual and adhoc reports by the Town Public Library Committee
- j. To conduct orientation programme for new members.

5.7.3.3 Nomination of Members in Default of Election:

If any of the bodies referred in section 5.7.2 does not, by such period as may be prescribed, elect a person to be a member of the Town Public Library Authority, State Government shall, by nomination, nominate to the vacancy a person qualified for election there to; and the person so nominate shall be deemed to be a member of the Authority as if he had been duly elected by the said body.

5.7.3.4 Term of Office :

1. Save as other wise provided in this Act, the term of office of members of the Town Public Library Authority, other than ex-officio members, shall be for a period of three years, commencing from the date on which the first meeting of the Authority is held after the election or nomination of the members under section 5.7.2
2. An outgoing member shall continue in office until election or nomination of his successor.
3. An out going member shall be eligible for re-election or re-nomination

5.7.3.5 Vacancies :

In the event of a vacancy arising out of death, resignation, disability or otherwise, prior to the expiry of the term of office of any member of the Town Public Library Authority, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in 5.7.2, and any person elected or nominated to fill the vacancy shall hold office only so long as the members in whose place he is elected or nominated would have held office, if the vacancy had not occurred.

5.7.3.6 Disability for Continuing as Member :

If any member, other than an ex-officio member of the Town Library Authority, during the period for which, he has been nominate or elected;-

1. absents himself with out excuse, sufficient in the opinion of the Authority, from three consecutive meetings of the Authority; or
2. in the case of a member elected by any body referred in section 5.7.2, ceases to be a member of the body concerned, his office in the authority shall become vacant.

5.7.3.7 Disqualifications :

A person shall be disqualified for being chosen as, and for being, a member of the Town Public Library Committee-

- a. If he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been, subsequently reversed, squashed or remitted, unless he has, by order, which the State Government is empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence;
- b. if he is an un-discharged insolvent; and
- c. if he is of unsound mind and stands so declared by a competent court.

5.8 THE GRAM PANCHAYAT PUBLIC LIBRARY COMMITTEE (GPPLC)

5.8.1 Constitution :

Every Gram Panchayat shall have a Gram Panchayat Public Library Committee, which shall be responsible for the provision of Public Library Service to its resident population.

5.8.2 Composition :

The Gram Panchayat Public Library Committee shall consist of :

1. The Chairman of the Gram Panchayat who shall be the ex-officio Chairman.
2. Two members of the Gram Panchayat, nominated by the Panchayat Chairman, of whom one shall be a woman.
3. One woman to represent women and children association, in the jurisdiction of the village, nominated by the Gram Panchayat.
4. The Head Master / Head Mistress of the village school nominated by the Gram Panchayat.
5. Two farmers / agriculturists nominated by the Gram Panchayat.
6. The officer in-charge of the Gram Panchayat Public Library, who shall be the ex- officio Member- Secretary.

5.8.3 Powers and functions :

5.8.3.1 The following shall be the powers and functions of the GPPLC :

- 1 To function as the governing body of the Gram Panchayat Public Library.
- 2.To suggest policy guidelines for development of its Public Library System.
- 3.To provide infrastructural facilities for the Gram Panchayat Public Library, like furniture, buildings, etc., facilities required to provide library services.
- 4.To arrange the meetings of the public with the library staff to improve the library services.
- 5.To coordinate its developmental activities with the District Library Authority and Sate Public Library Authority.
- 6.To arrange quarterly meetings and if necessary hold special meetings for above purposes.
7. Five members shall constitute the quorum.
8. In absence of the Chairman, the members present shall choose one from among themselves to preside over the meeting.

5.8.3.2 Functions of the Town Public Library :

The following shall be the functions of the Gram Panchayat Public Library:

- a. To serve as the heritage library of the concerned village, or group of villages.
- b. To provide proper library and information services to all the users, including farmers, women, illiterates, children, and the disadvantaged.
- c. To obtain and collect all the relevant data pertaining to the Public Libraries in the village or villages for compilation of annual and adhoc reports by the Gram Panchayat Public Library Committee and budget proposals.
- d. To organize extension activities like drama, dance, sports, painting, music, story hours, especially for the benefit of the school children and the disadvantaged for the benefit of the villagers.
- e. To provide farmers, pin-pointed reference service, availing the facilities of the lab-to-land programmes being offered by the Agricultural Universities, the ISRO and such other organisations.
- f. To make extensive use of the audio-visual aids to enlighten the citizenry enlisting the cooperation of Governmental and Non Governmental organisations, such as Family Planning Associations, District Councils for Science and Technology, etc,
- g. To lend support to literacy and health campaigns.
- h. To arrange reading, and recitation gamaka sessions in the library.
- i. To perform such other duties as may promote the implementation of the Objectives of this Act.
- j. To conduct orientation programme for new users.

5.8.3.3 Nomination of Members in Default of Election:

If any of the bodies referred in section 5.8.2 does not, by such period as may be prescribed, elect a person to be a member of the Gram Panchayat Public Library Committee, State Government shall, by nomination, nominate to the vacancy a person qualified for election there to; and the person so nominate shall be deemed to be a member of the Authority as if he had been duly elected by the said body.

5.8.3.4 Term of Office :

1. Save as other wise provided in this Act, the term of office of members of the Gram Panchayat Public Library Committee, other than ex-officio members, shall be for a period of three years, commencing from the date on which the first meeting of the Authority is held after the election or nomination s of the members under section
2. An outgoing member shall continue in office until election or nomination of his successor.
3. An out going member shall be eligible for re-election or re-nomination

5.8.3.5 Vacancies :

In the event of a vacancy arising out of death, resignation, disability or otherwise, prior to the expiry of the term of office of any member of the Gram Panchayat Public Library Committee, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in 5.8.2, and any person elected or nominated to fill the vacancy shall hold office only so long as the members in whose place he is elected or nominated would have held office, if the vacancy had not occurred.

5.8.3.6 Disability for Continuing as Member :

If any member, other than an ex-officio member of the Gram Panchayat Library Committee, during the period for which, he has been nominate or elected;-

1. absents himself with out excuse, sufficient in the opinion of the Authority, from three consecutive meetings of the Authority; or
2. in the case of a member elected by any body referred in section 5.8.2, ceases to be a member of the body concerned, his office in the authority shall become vacant.

5.8.3.7 Disqualifications :

A person shall be disqualified for being chosen as, and for being, a member of the Gram Panchayat Public Library Committee,-

- a. If he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been, subsequently reversed, squashed or remitted, unless he has, by order, which the State Government is empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence;
- b. if he is an un-discharged insolvent; and
- c. if he is of unsound mind and stands so declared by a competent court.

CHAPTER VI

THE STATE CENTRAL REFERENCE LIBRARY

6.1 Preliminary :

1. The Government shall establish a Central Reference Library at the State Capital. This library shall have the responsibility of acting as a clearing house for all types of information available in different types of format. They may include information contained in documents and non-documents, published and non-published sources.
2. Information must be transmitted immediately to any library in the public library system in the State, using the computer and telecommunication networks in order to reach the seeker of information.
3. There shall be a separate committee for maintenance and further development of the State Central Reference Library, constituted by the State Library Authority.

6.2 Constitution :

The State Central Reference Library shall have three divisions attached to it:

1. Centralised Units.
2. State Central Reference Library
3. Children's Library

6.2.1 Centralised Units :

- a) State Copyright Library ;
- b) State Bureau of Government Publications (State and Central) ;
- c) State Electronic Library System ;
- d) State Audio-Visual Library System ;
- e) State Library for Disadvantaged ;
- f) State Public Technical Library ;
- g) State Resourcing Division ;
- h) State Bibliographical Division ;

Such other Divisions may be prescribed from time to time.

6.2.2 State Central Reference Library :

State Central Reference Library shall be a apex of the entire Public Library System in the State having distinct sections.

6.2.3 Children's Library.

It shall be a model for other Children's Libraries in the State.

6.3 **Functions :**

The functions of SCRL shall be as under :

1. To serve as the heritage library of the State.
2. To be the apex of the entire Public Library System in the State.
3. To serve as the repository of books received under the delivery of the Books Act, 1954 (Amended) and also books purchased and books received as gifts and on exchange.
4. To publish the State Bibliography of Books published in the State.
5. To compile bibliographies- general and subject bibliographies, for the use of scholars, research workers and other users.
6. To provide technical guidance and assistance to libraries, maintained by the Government, aided and also to private libraries in the State.
7. To initiate book exchange programmes and interlibrary lending with in the State as well as with libraries out side the State.
8. To undertake publishing professional literature, such as manuals, guides, journals and news letters, etc.,
9. To function as information and reference center, for the State in general, and State Legislature in particular.
10. To maintain a roster of authors in the State.
11. To promote publishing literature for the Blind.
12. To provide Library services for the disadvantaged.
13. To provide library services to children.
14. To act as technical information center for industrial, scientific and business establishments.
15. To have a Center charged with responsibility of printing and supplying catalogue cards (Unit Cards) for all the books published in the State.
16. To have a center of Audio-Visual aids for the benefit of normal patrons, illiterates, neo-literates and other category of people.
17. To have a center for microfilming of rare and other significant documents.
18. To have a modern state-of-the-art book preservation and reprographic laboratory
19. To publish annual reports on the working of the SCRL.
20. To compile and publish union catalogues of reference books, serials and periodicals available in the different libraries of the State.
21. To organise conferences, seminars, workshops concerning the promotion of use of books.
22. To conduct extension activities.\
23. To perform such other functions, as may be necessary with a view to keeping the entire population of the State enlightened and well informed.

CHAPTER VII

LIBRARY TRAINING AND RESEARCH CENTRE

7.1 Constitution :

Each revenue region shall have a Training & Research Centre to take care of :

1. Orientation of new staff.
2. Regular students (to be trained for managing rural libraries)
3. Refresher courses

7.2 Functions :

The duration of the course and preparation of syllabus, prepared by the Director of the Public Libraries, in co-operation with the Officers in-charge of Regional Libraries, and other professional experts in the State. The staff pattern shall be mentioned in Chapter-VIII.

CHAPTER – VIII

STAFFING PATTERN OF THE DEPARTMENT

[Note: A modern Public Library is a self –educational centre providing instructional materials and information to all categories of citizens. To carry out its functions, well trained staff is a pre-requisite. The professional staff should be endowed with the socio –cultural and educational background of the region, coupled with the knowledge of modern library and information techniques and skills.]

Staff Structure:

Notwithstanding anything contained in the Act, the Government shall, by notification, constitute a State Public Library Service for appointing staff in the Department.

The State Public Library Services shall consist of the pattern of Staff as shown in Chart 1-12.

Chart :- I

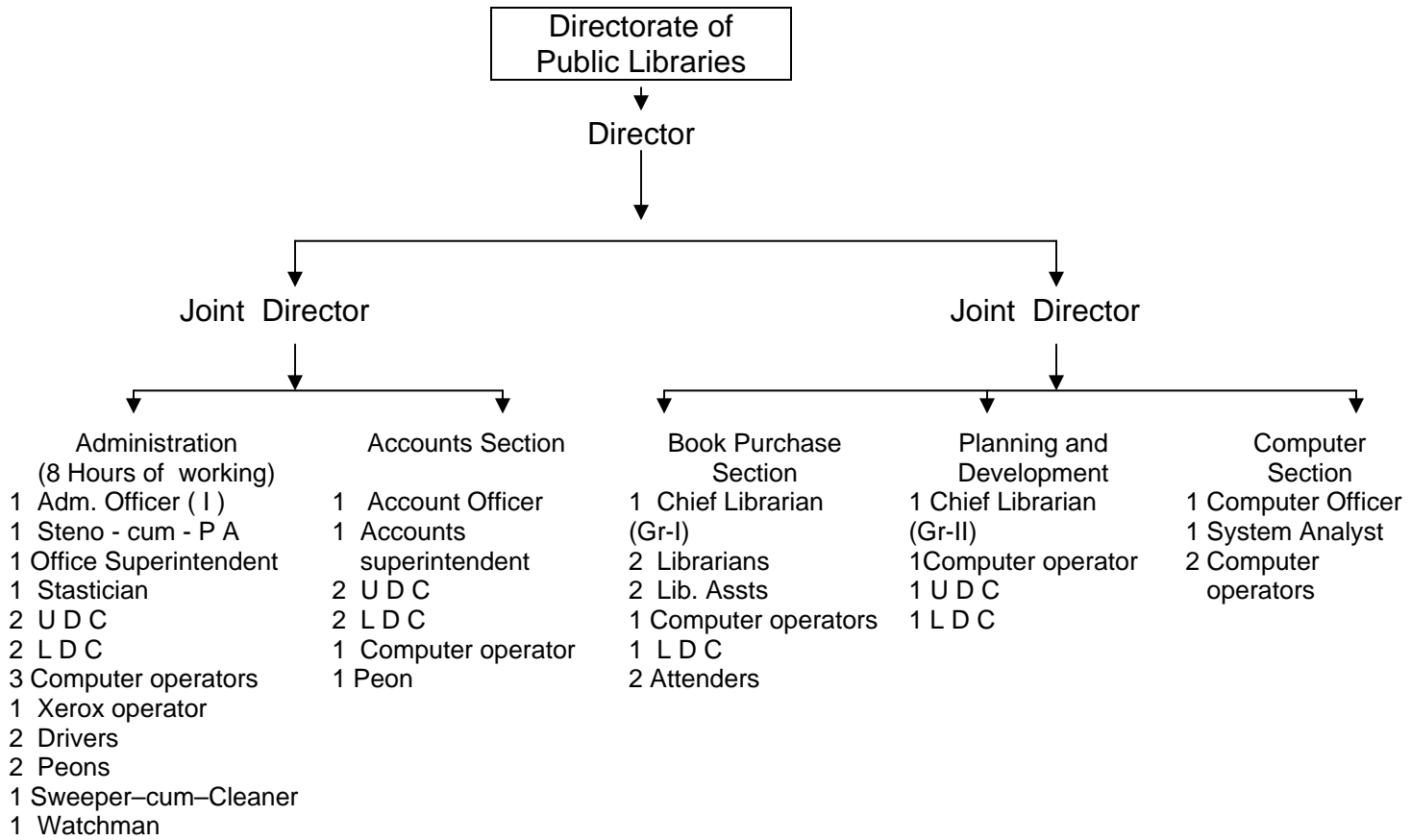


Chart :- II

State Central
Reference Library

↓
Joint Director

Centralized Units (8 Hours of working)	Office (8 Hours of working)	Reading Room (12 Hours of working)	Children's Library (12 Hours of working)
1 Chief Librarian (Gr-I) 1 Chief Librarian (Gr-II) 4 Asst. Librarians 4 Lib. Assts 1 Braille Specialist 2 U D C 1 Peon 1 Attender 1 Sweeper- cum - Cleaner	1 Office Superintendent 1 Accountant 1 Steno - cum - P A 1 Photographer 1 Xerox operator 2 U D C 2 L D C 2 Computer operators 1 Binder 1 Asst. Binder 1 Driver 2 Peons 1 Sweeper-cum- Cleaner 1 Watchman	2 Chief Librarians (Gr-I) 4 Chief Librarians (Gr-II) 4 Librarians 4 Asst. Librarians 2 Lib. Assts 2 Computer operators 4 Attenders 4 Peons 1 Sweeper-cum- Cleaner	1 Chief Librarian (Gr-II) 2 Librarians 2 Asst. Librarians 2 Lib. Assts 1 Computer operator 2 Attenders 2 Peons 1 Sweeper-cum- Cleaner 1 Watchman

Chart :- III

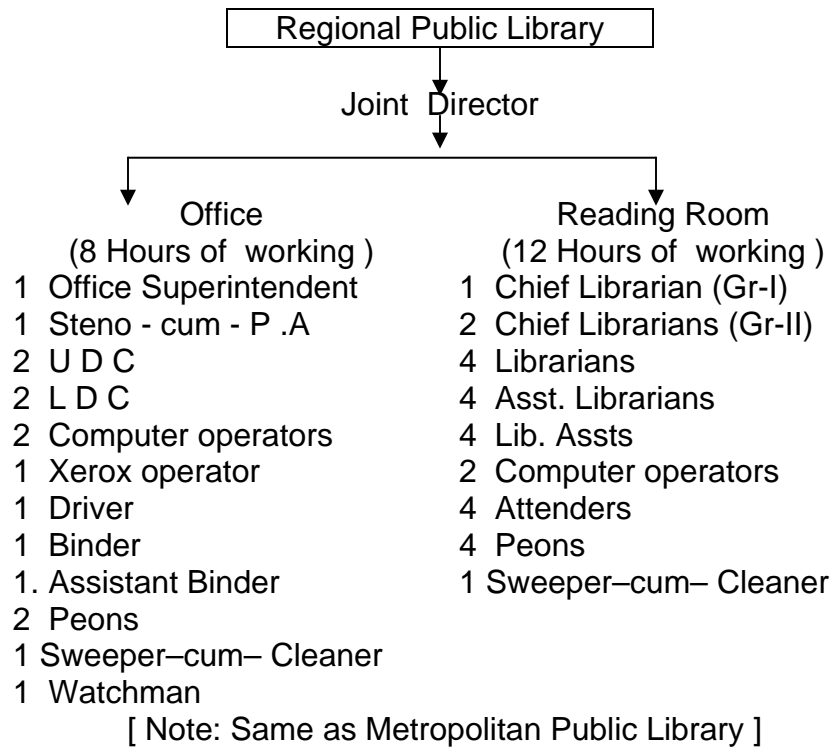


Chart :- IV

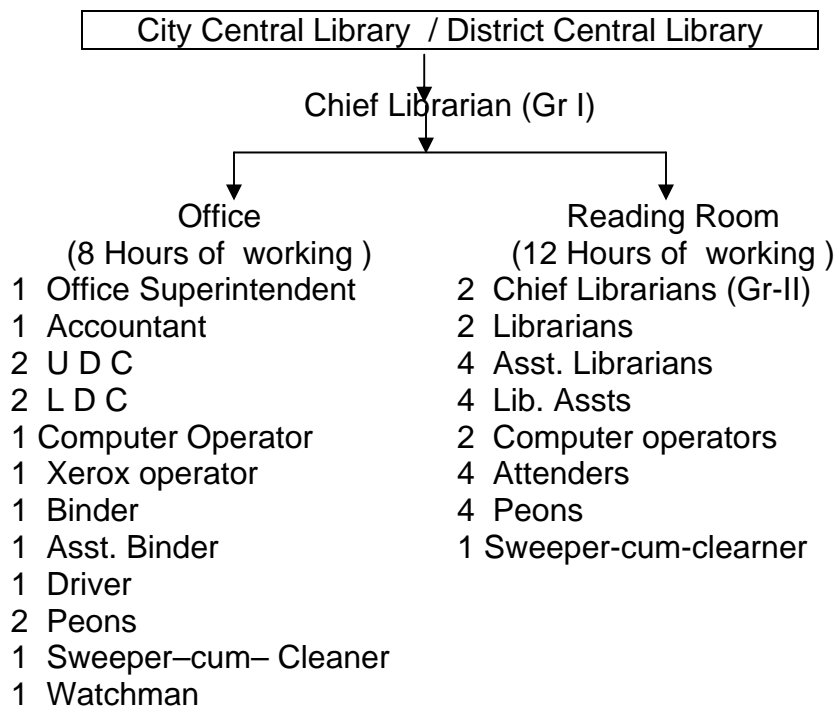


Chart :- V

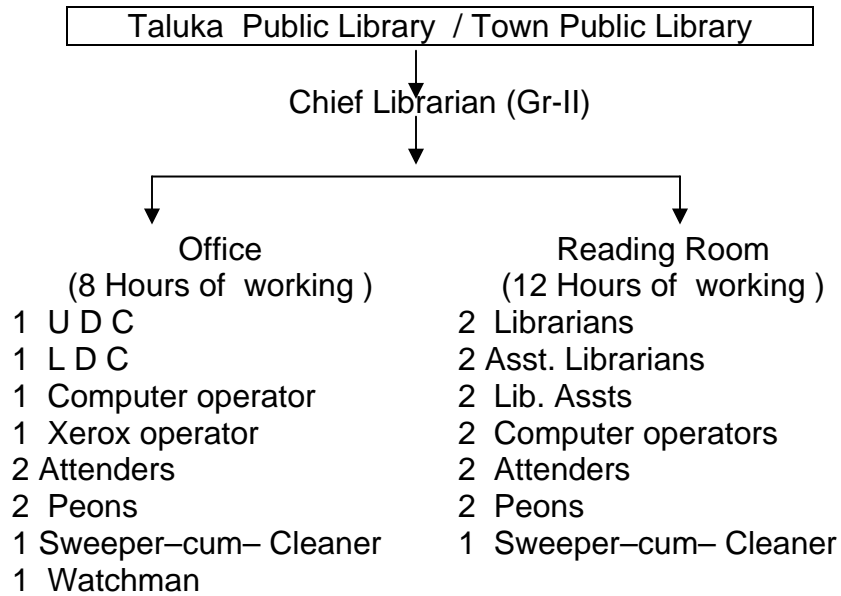


Chart :- VI

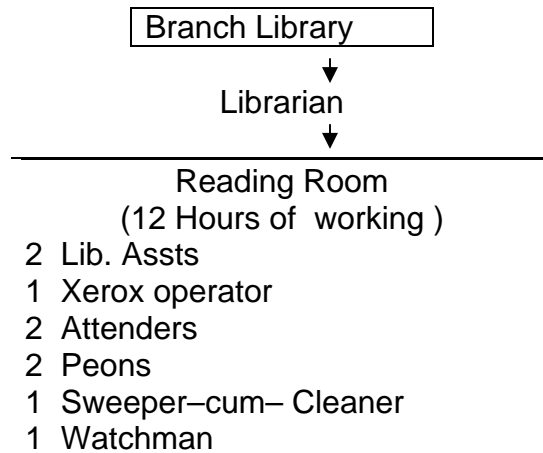


Chart :- VII

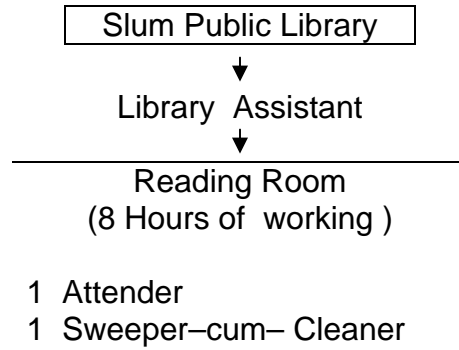


Chart :- VIII

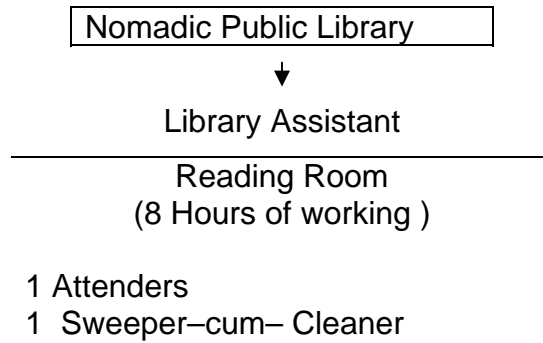


Chart :- IX

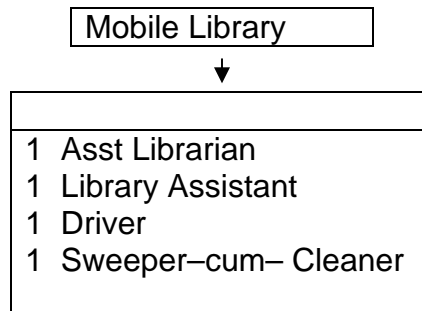


Chart:- X

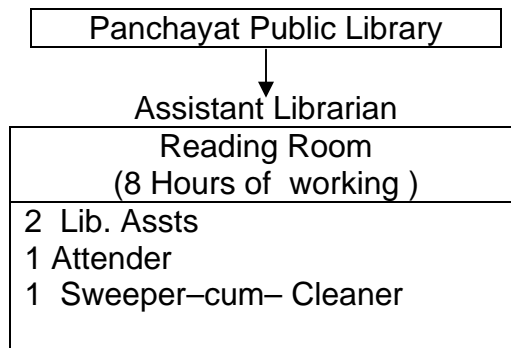


Chart :- XI

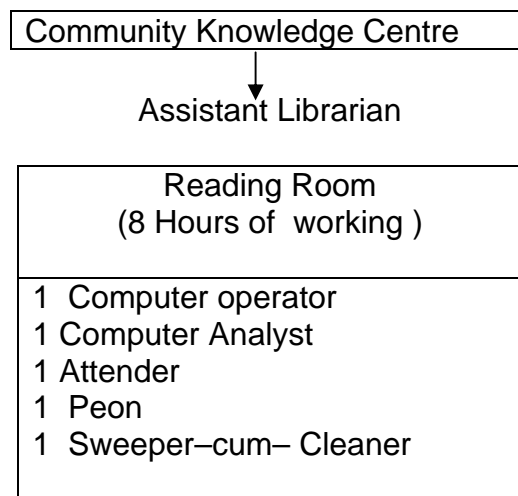
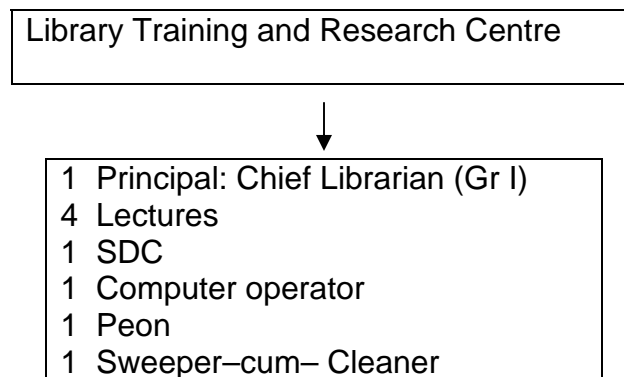


Chart :- XII



CHAPTER – IX

FINANCE AND ACCOUNTS

9.1 Library Cess :

1. With effect from the date of commencement of this Act, -
 - a. a library cess in the form of a surcharge on –
 - i. tax on lands and buildings ;
 - ii. tax on entry of goods in to the local areas for consumptions, use or there in;
 - iii. tax on entertainment.

shall be levied in the area with in the jurisdiction of every City Library Authority under the relevant laws, relating to local authorities, providing for levy of such taxes at the rate of 10 paise for every rupee of the taxes so levied;

- b. a library cess in the form of surcharge on tax, on lands and buildings, shall be levied in the area with in the jurisdiction, every District Library Authority, under the relevant laws, relating to local authorities providing for the levy of such tax at the rate of 10 paise for every rupee of the tax so levied.
2. A City Library Authority or District Library Authority may, with the previous sanction of the State Government, by notification, increase the rate of library cess levied on any item of tax specified in clause (a or b) of sub section (1) subject to the condition that the rate shall not exceed 15 paise for every rupee of the tax levied.
3. The cess levied under clause (a) or clause (b) of section 1 or increased under subsection 2 shall be collected by the Municipal Corporation, Municipal Council or other Municipal body or the Village Panchayat or other local authority having the jurisdiction over the area as if the cess were a tax referred to in the said clause payable under the relevant laws for the time being in force in the area, and all the provisions of the said laws relating to the levy and collection of the said tax shall apply subject to such modifications as may be prescribed.
4. The cess collected under subsection by every local authority shall be paid to City Library Authority or District Library Authority, as the case may be.

9.2 Government grant to District Library Authority :

1. The State Government shall make annually a grant to every District Library Authority of an amount equal to cess collection of the District.
2. The amount granted to the District Library Authority under sub section (1) shall be credited to the District Library Fund, at such times and in such manner as may be prescribed.

9.3 City and District Library Funds :

1. Every City library Authority and District Library Authority shall maintain a Fund called City Library Fund, and The District Library Fund, as the case may be, from which all its payments under this Act shall be met.
2. There shall be credited to the City Library Fund and District Library Fund as the case may be the following sums, namely,-

- a) a cess collected under sub section 9.1;
- b) the grant under sanction 9.2;
- c) contributions, gifts and the income from endowments, made to the Library Authority for the benefit of Public Libraries;
- d) grant of the Central Government or the State Government may make;
- e) funds and other amounts collected by the Local Library Authority under rules or bye-laws made under this Act.

9.4 State Library Fund :

1. The State Library Authority shall provide funds to the Directorate of the Public Libraries, State Central Reference Library, Regional Metropolitan, City, District, Taluka, Town, and Gram Panchayat Libraries, from which all their payments under this Act shall be met.
2. There shall be credited to the State Library Fund, the following sums, namely:-
 - a) the grants made by the State Government to the State Library Authority to perform the duties entrusted to it;
 - b) grants which the Central Government may make;
 - c) contributions and gifts made to the State Library Authority;
 - d) funds and other amounts collected by the State Library Authority under the rules or bye –laws made under this Act.

9.5 Regional Library Fund :-

1. The State Library Authority shall provide funds to the Regional Library Authority.
2. There shall be credited to the Regional Library Fund, the following sums, namely:-
 - a. the grants made by the State Government to the Regional Library Authority to perform the duties entrusted to it;
 - b. grants which the Central Government may make;
 - c. contributions and gifts made to the Regional Library Authority;
 - d. funds and other amounts collected by the Regional Library Authority under the rules or bye –laws made under this Act.

9.6 Metropolitan Library Fund :-

1. The State Library Authority shall provide funds to the Metropolitan Library Authority.
2. There shall be credited to the Metropolitan Library Fund, the following sums, namely:-
 - a. the grants made by the State Government to the Metropolitan Library Authority to perform the duties entrusted to it;
 - b. grants which the Central Government may make;
 - c. contributions and gifts made to the Metropolitan Library Authority;
 - d. funds and other amounts collected by the Metropolitan Library Authority under the rules or bye –laws made under this Act.

9.7 Accounts :

1. An account shall be kept of the receipts and a expenses of the State Library Authority, State Central Reference Library, each of Regional Library Authorities, Metropolitan Library Authority, City Central Library Authority and District Central Library Authority, Taluka, Town and Gram Panchayat Committees.
2. An account shall be open for inspection, and shall be subject to audit, disallowance and surcharge and shall be dealt with in all other respects in such a manner as may be prescribed.

CHAPTER X

REPORTS , RETURNS AND INSPECTION

10.1 **Reports and Returns :**

Each local library authority and every person in charge of Public Library shall submit such reports and returns and furnish such information to the Director or any person authorized by him in this regard.

10.2 **Annual Report :**

1. The Director shall in respect of each financial year, prepare an annual report of the progress made by the Library Authorities and Library Committees under their control during the year along with such information and particulars as may be prescribed and submit such report to the State Government through the State Library Authority before such date as State Government may by order specify.
2. The Annual Report of the Department of Public Libraries shall highlight the following:
 - a. An introduction which elaborates the achievements of the department since inception, particularly with reference to the three years.
 - b. Nature of work done by the out going State Library Authority, in case of new authority has been constituted during the year under report.
 - c. Any out standing contributions made by the Staff.
 - d. Full report on general and special services rendered by the Department.
 - e. Important events of the year including organisation of lectures, conferences, seminars, book exhibitions and A – V shows, etc.,
 - f. Data regarding working hours of the libraries, statistics regarding the documents acquired, circulated, documents lost and weeded, number of members, significant donations, if any etc...
 - g. Detailed annual report of the State Central Reference Library and other subordinate libraries at all levels.
 - h. Statistical tables, giving information about the number of libraries, use of books, number of readers and borrowers, income and expenditure, number of staff along with maps showing location of libraries and photographs of significant activities should form an important and integral part of the Annual Report.
 - i. A peep into the future programmes of development.
3. The annual report shall serve as a publicity document for the Department.

10.3 Inspection :

1. The appropriate Library Authority shall constitute an Inspection Committee to inspect Libraries under its jurisdiction for verifying whether the provisions of the Act, Rules and Bye –Laws made there under are duly observed by the libraries.
2. The inspecting committee shall submit a detailed report of the inspection to the appropriate Library Authority.
3. For carrying out the provisions of this Act, the State Library Authority shall prepare an inspection code.
4. An appropriate library authority shall take suitable action on the report.`
5. A high level Review Committee constituted by the State Government, in consultation with State Library Authority, may go into details of functioning of any public library coming under the jurisdiction of the Government make recommendations which shall be carried out by the State Government.

/*CHAPTER XI

MISCELLANEOUS PROVISIONS

11.1 Powers to Make Rules :

1. The State Government may, after previous publication, by notification, make rules to carry out the purposes of this Act.
2. In particular and without prejudice, to the generality of the forgoing power, such rules may provide for :
 - a. the method of election or nomination of members to the State Library Authority, the Local Library Authorities, the Taluka, Town and Gram Panchayat Public Library Committees ;
 - b. the maintenance of the State Library Fund, Regional Library Fund, Metropolitan Library Fund, the City and District Library Fund ;
 - c. the administration, inspection and management of the State Central Reference Library ;
 - d. the maintenance of accounts by the State Library Authority and Local Library Authorities and the publication of audited statement of accounts and the reports of auditors ;
 - e. the grant-in-aid to aided libraries and the standards to be maintained by such libraries ;
 - f. the maintenance of State Register of Libraries, and of Librarians;
 - g. the constitution of the committees by the State Library Authority and the Local Library Authorities;
 - h. the restrictions and conditions subject to which the State Library Authority or a Local Library Authority may enter into contracts, or acquire, hold or dispose of property ;
3. Every rule made under this Act shall be laid before each house of the State Legislature while it is in session for a total period of 30 days which may be comprised in one session or two or more sessions and if before the expiry of the session in which it is so laid, or the sessions immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall therefore have effect only in such modified form or be of no effect, as the case maybe, so that any such modification or annulment shall be with out prejudice to the validity of anything previously done under that rule.

11.2 Power of State Library Authority and Local Library Authorities to make Bye-laws :

1. The State Library Authority and every Local Library Authority may subject to the provisions of this Act and the rules made there under and with the previous sanction of the State Government, by notification, make Bye-laws generally to carry out the purposes of this Act.
2. In particular and with out prejudice to the generality of the foregoing power, such Bye-laws may provide for all or any of the following matters, namely ;
 - a. the admission of the public to the public libraries under the control of the State Library Authority or Local Library Authority subject to such conditions may be specified in such Bye-laws : provided that no fees shall be charged for such admission ;

- b. the guarantee or security to be furnished by the persons desiring to use such libraries, against injury to or misuse, destruction or loss of property of such libraries;
 - c. the manner in which the property of such libraries may be used and the protection of such property from injury to, or misuse, destruction or loss;
 - d. the authority to be exercised by the officers and servants of the State Library Authority or Local Library Authority for the purpose of exclusion or removal from any such library of any person who contravenes or does not comply with any provisions of this Act or any rule or bye-law made there under.
3. Every Bye-law made under this section shall be subject to the condition of previous publication for a period of not less than 30 days, and such publication be in the Official Gazette and such other manner as may be prescribed.
 4. The State Government may by notification modify or cancel any bye-laws made by State Library Authority or a Local Library Authority under this section :

Provided that before modifying or canceling any bye-law, the State Government shall give the State Library Authority or the Local Library Authority concerned, a reasonable opportunity to make its representations in the matter.

11.3 Offences and Penalties :

Who ever :

- a. in a public library or other institutions maintained under this Act, acts in any manner likely to cause annoyance or disturbance to any person using such library or institution, or behaves in any disorderly manner or uses violent or abusive language in any such library or institution;
- b. after due warning persists in remaining there in beyond the hours fixed for closing, shall be liable to be removed from such library or institution and also be punishable with fine which may extend rupees fifty and for a second or subsequent offence with fine which may extend to rupees hundred.

11.4 Control of Local Library Authorities by Government :

1. If, at any time, it appears to the State Government that a Local Library Authority has failed to perform its functions or has exceeded or abused any of the powers conferred upon it by or under this Act, such State Government may communicate the particulars there of to the Local Library Authority and if the Local Library Authority omits to remedy such failure, excess or abuse or to give an explanation which in the opinion of the State Government is satisfactory with in such time as State Government may fix in this behalf, supersede the Local Library Authority for such period as the State Government may direct.
2. If, a Local Library Authority is superseded :
 - a. all the powers and duties of the authority shall, during the period of suppression, be exercised and performed by such person or persons as the State Government may from time to time appoint in this behalf;
 - b. all property vested in the Local Library Authority shall during the period of suppression, vest in the Sate Government ; and
 - c. on the expiry of the period of suppression, the Local Library Authority shall be reconstituted in the manner provided in this Act.

11.5 Liability of Members for Loss, Waste or Misapplication :

1. Every member of a Local Library Authority shall be personally liable for the loss, waste or misapplication of any money or other property of the Authority to which he has been a party or which has been caused or facilitated by his misconduct or neglect of his duty as a member.
2. If after giving the member or members concerned a reasonable opportunity for showing cause to the contrary, the Director is satisfied that the loss, waste or misapplication of any money or other property of the Local Library Authority is a direct consequence of misconduct or neglect on his or their part, the Director shall be order in writing direct such member or members to pay Local Library Authority before a specified date, the amount required to reimburse it for such loss, or waste or misapplication.
3. If the amount is not so paid it shall be recoverable as an arrears of land revenue or by any other legal means.
4. An appeal shall lie from the decision of the Director to the Karnataka Revenue Appellate Tribunal with in such a period as may be prescribed by, and the decision of the Karnataka Revenue Appellate Tribunal on such appeal shall be final.

11.6 Members and Employees of Library Authorities to be public servants :

Every member of the State Library Authority or Local Library Authority and every officer and the servant employed under such authority shall be deemed to be a public servant with in the meaning of section 21 of the Indian Penal Code.

11.7 Savings of validity of the Act and Proceedings :

No act done or proceedings taken under this Act shall be questioned on the ground,-

- a. of any vacancy or defect in the constitution of any Authority or any Committee there of ; or
- b. of any defect or irregularity in such act or proceedings not affecting the merits of the case

11.8 Provisions relating to suits, etc.

1. No suit or other legal proceeding shall be instituted against the State Library Authority or a Local Library Authority or any other if its officers or any person acting under its direction until the expiration of two months next after notice in writing shall have been delivered or left at the office of the Authority or at any place of abode of such officer or person; such notice shall state the cause of action, the relief sought, the amount of compensation, if any claimed and the name, and place of abode of the intending plaintiff.
2. No suit or other legal proceeding shall lie against the State Government, the State Library Authority, or Director, or a Local Library Authority, or any member, officer, servant or agent of such Authority acting under its direction, in respect of anything done or intended to have been done lawfully and in a good faith under this Act or any rule, or bye-law or order made there under.

11.9 Power to remove difficulties :

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, make such provisions as appear to it to be necessary or expedient for removing the difficulty.

11.10 Amendment of The Press and Registration of Books Act ,1867 :

On and from the commencement of this Act, three copies of the printed books of every kind together with all charts, maps, etc.. shall be delivered to State Central Reference Library of the State.

(Note : This article is prepared with the cooperation of Prof. K. S. Deshpande, who was the Chairman of the subcommittee for amendments for KPLA, 1965, and the report submitted to the State Government, 1998. The State Government is yet to take action on it. I sincerely acknowledge and thanks his guidance. At the same time I am thankful to the Director and his colleagues, Department of Public Libraries, Government of Karnataka for their timely suggestions)

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