

Andhra Pradesh Public Libraries Act, 1960

ANDHRA PRADESH

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Act 8 of 1960

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Andhra Pradesh Public Libraries Act, 1960(Andhra Pradesh Act No. 8 of 1960)Last Updated 6th August, 2019[Dated 1.4.1960.](Received the assent of the Governor on the 18th February, 1960 and first published in the Andhra Pradesh Gazette, dated the 25th February, 1960An Act to consolidate and amend the Laws relating to the establishment and maintenance of Public Libraries in the State of Andhra Pradesh and matters connected therewith.Be it enacted by the Legislature of the state of Andhra Pradesh in the eleventh year of the Republic of India as follows:

Chapter I Preliminary

1. Short title, extent and commencement.

(1)This Act may be called the Andhra Pradesh public libraries Act, 1960.(2)It extends to the whole of the state of Andhra Pradesh.(3)It shall come force on such date as the government may, by notification, appoint.

2. Definitions.

- In this Act, unless, the context otherwise requires:(1)'Aided library' means a library declared by the Director to be eligible for aid either from the government or from the library Fund in accordance with the rules made under this act;(2)'committee' means the State Library Committee constituted under section 3;(3)'director' means the Director of Public Libraries appointed under section 8;(4)'district' means a revenue district;(5)'government' means the State Government;(6)'library cess' means the cess levied under sub-section (1) of section 20;(7)'notification' means a notification published in the Andhra Pradesh Gazette;(8)'prescribed' means prescribed by rules made under this Act;(9)'public library' means:-(a)a library established or maintained by a Zilla Grandhalaya Samstha, including the branches and delivery stations of such a library;(b)a library established or

maintained by the Government and declared open to the public;(c)a library established or maintained by any local body or co-operative society and declared open to the public;(d)a library declared to be eligible for aid and receiving aid from the Government or from the Library Fund; and includes, any other library notified by the Government as a public library for the purposes of this Act.(10)'State' means the State of Andhra Pradesh;(11)'State' Central Library' means a library established by the Government as the State Central Library;(12)'State Regional Library' means a library established by the Government as a State Regional Library;(13)'year' means the financial year.

Chapter II

The State Library Committee

3. Constitution and Composition of the State Library Committee and its functions.

(1)As soon as may be, after the commencement of this Act, the government shall, by notification, constitute for the purposes of this Act a committee to be called the State Library Committee.(2)The Committee shall consist of :-(a)The Minister in-charge of Education, who shall also be the Chairman of the Committee;(b)The Secretary to Government in the Education Department;(c)The Secretary to Government in the Health Housing and Municipal(e)The Director of Public Libraries, who shall also be the Secretary to the Committee;(f)The Director of Public Instruction;(g)The Director of Municipal Administration;(h)The Librarian, State Central Library, Hyderabad;(i)Six members of the State Legislature, four to be elected from among themselves by the Members of the Legislative Assembly and two to be elected from among themselves by the Members of the Legislative council;(j)Three person nominated by the Syndicate of each of the Universities in the State;(k)Three persons nominated by the Andhra Pradesh library Association;(l)Eight persons nominated by the Government as follows:-(i)One from among the members of the Hyderabad City Grandhalaya Samstha:(i)One person who had rendered outstanding service to the cause of libraries;(ii)One person with special Knowledge of matters relating to the Public libraries in the State;(iii)Two district central librarians.(ii)One from among the members of the Zilla Grandhalaya Samsthas in each University Area in the State.(3)The committee shall advise the Government on all matters arising under this Act and shall exercise and perform such other powers and duties as may be prescribed.

4. [Term of office of certain members of the committee. [Substituted by Andhra Pradesh Act No. 7 of 1969.]

- Every member of the committee, other than an ex-officio member, shall hold office for a period of five years from the date of his nomination or election, as the case may be;Provided that the term of a member nominated or elected shall come to an end soon as he ceases to represent the body from which he was nominated or electedProvided further that a member who is holding office at the commencement of the Andhra Pradesh Public Libraries (Amendment) Act, 1969 shall continue to hold office for a period of five-years from the date on which he was nominated, elected or co-opted

as the case may be.]

5. [Filling up of casual vacancies of certain members of the committee. [Substituted by Andhra Pradesh Act No.7 of 1969.]

- Any vacancy occurring in the office of a nominated or elected member of the committee before the expiration of his term shall be filled by nomination or election as the case may be, of another person in the manner provided in section 3 and the person so nominated or elected shall hold office for the residue of the term of his predecessor.]

6. Meeting of the committee.

- The committee shall meet at such times and places and shall observe such rules of procedure at its meeting as may be prescribed.

7. Act of State Library Committee not be invalidated by informality, etc.

- No Act of a State Library Committee shall be deemed to be a invalid by reason only of the existence of any vacancy in, or any defect in the constitution of, that Committee.

Chapter III

Department of Public Libraries

8. Constitution of the Department of Public Libraries and appointment of the Director thereof and his duties.

- For the purposes of this Act, the Government shall constitute a separate Department of Public Libraries and appoint a (a) Director for that Department. The Director so appointed shall, subject to the control, of the Government:-(a)Supervise the state Central Library and the (b) branches of such library;(b)Superintend and direct all matters relating to Public Libraries;(c)Declare, in accordance with the rules made under the Act, what libraries are eligible for aid from the Government and supervise and direct all matters relating to such libraries;(d)Direct and control the work of all Zillah Grandhalaya Samsthas under this Act in the manner prescribed;(e)Submit to the Government, through the State Library Committee every year, a report on the working of the libraries under this Act in the preceding year , and the government shall place every such report on the Table of both Houses of the State Legislature within three months from the date of its submission to the Government;(f)Submit reports to the committee on the working of libraries, whenever necessary.(g)Publish annually a bibliography of all the books published in the State in any language other than English or Sanskrit;(h)Perform such other duties and exercise such other powers as are imposed or conferred on him by this Act or the rules made there under;(i)Arrange for centralized classification, cataloguing, inter-library loan, co-ordinations of book selection, and maintenance of copyright registry;(j)[Create in accordance with the rules made under this Act, the posts required in

the office of a Zilla Grandhalaya Samstha and in the Public libraries established or maintained by the Zilla Grandhalaya Samstha.] [Inserted by Andhra Pradesh Act No.7 of 1969.]

Chapter IV

The Zilla Granhalaya Samsthas

9. [Constitution an incorporation of Zilla Grandhalaya Samsthas.

[Substituted by Andhra Pradesh Act No.7 of 1969.]

(1)For the purposes of organizing and administering public libraries in the state. There shall be constitute Zilla Graazndhalaya samstha, one for the City of Hyderabad by the name of the Hyderabad City Grandhalaya Samstha; one for the district of Hyderabad excluding the said City by the name of the Hyerabad Zilla Grandhalaya Samstha and one for each of the other istricts by the name of the the district concerned.(2)Every Zilla Grandhalaya Samastha shall by the name of the area of which it is constituted, be a body corporate having perpetual succession and common seal with power to acquire: hold and dispose of property, and to enter into contracts and may by the said name sue and be sued.(3)It shall be the duty of every Zilla Granhalaya Samastha to provide library service in the area of its jurisdiction.]

10. Composition of Zilla Grandhalaya Samastha.

(1)The Zilla Grandhalaya samastha for the twin cities of Hyderabad and Secunderabad shall consist of the following members, namely:-(a)Four members nominated by the Government from among the residents of the twin cities of the Hyderabad and Secunderabad who have rendered eminent service to the cause of education or public libraries;(b)Two members elected from among themselves by the Presidents of the Governing bodies of the Public Libraries other than those referre to in sub-clauses (a) and (b) of clause (9) of Section 2 in the twin cities of Hyderabad and Secuderabad.(c)[Two members elected by the Councillors of the Municipal Corporation of Hyderabad.] [Substituted by Andhra Pradesh Act No.7 of 1969.](d)Two members nominated by the Andhra Pradesh Library Associations from among the members of the branches of the said association in the cities of Hyderabad and Secunderabad(e)The Librarian, City Central Library, Hyderabad who shall be the Secretary of Zilla Grandhalaya Samstha.(2)[The Zilla Grandhalaya Samstha for each district shall consist of the following members, namely :-(a)five members nominated by the Government as follows:-(i)One person from among person in the medical profession in the district;(ii)One person from among person in the leagal profession in the district;(iii)one head-master or head-mistress of a secondary school in the district;(iv)two persons who have rendered eminent service in the field of education or public libraries;(b)two members elected from among themselves by the Presidents of the Governing bodies of the Public Libraries, other than those referre to sub-clause (a), (b), and (c) of clause (9) of section 2 in each revenue division in the district.(c)one member elected from among themselves by the Sarpanchas of Gram Panchayats in each taluk in the district;(d)one members elected from among themselves by the Councillors of the Council of every municipality in the district(e)two members nominated by the district branch of the Andhra Pradesh Library Association.(f)The Librarian, District Central Library,

who shall also be the Secretary of Zilla Grandhalaya Samstha.](2)Every ZGS shall elect one of members to be its Chainman.

11. Term of office of members of Zilla Grandhalaya samstha.

(1)Every member of a ZGS not being the librarian of the City Central Library or the Librarian of the Distric Central Library shall hold office for a period of five years from the date of his nomination or election as the case may be;* provide that any such member who is holding office at the commencement of the Andhra Pradesh Libraries (Amendment)Act, 1969. Shall continue to hold office for a period of five years from the date on which he was nominated or elected as the case may be;(2)A member nominated or elected in his capacity as the holder of a particular office shall if he ceases to be holder of that office, cease to be a member of the ZGS.

11A. [Disqualifications for being chosen as and for being a member of the ZGS. [Inserted by Andhra Pradesh Act. No. 7 of 1969.]

(1)A person shall be disqualified for being chosen as and for being a member of the ZGS if he:-(a)Is or has been sentenced by a criminal court to imprisonment for aperiod of more than six months for any offence involving moral delinquency, such sentence not having been reserved or the offence pardoned, and period of five years has not elapsed from the date of the expiration of such sentence;Provided that the Government may direct that such sentence shall not operate as a disqualification;(b)is of unsound mind and stands so declared by a competent court;(c)is a deaf-mute or is suffering from leprosy;(d)applies to be adjudicated as an insolvent or is an undischarged insolvent;(e)absent himself from three consecutive meetings without excuse sufficient to the Opinion of the ZGS to exonerate the absence.(2)Where a person ceases to be a member under clause (e) of sub-section (1), the secretary, shall at once intimate the fact in writing to such person and report the same to the ZGS at its next meeting. Where such person applies for restoration of membership of the ZGS on or before the date of its next meeting or with in fifteen days of the receipt by him of such intimation, the ZGS may, at the meeting next the receipt of the application, or suo-moto, restore him as member thereof.Provided that a member shall not be so restored more than twice during his term of office.] [Substituted by Andhra Pradesh Act No.7 of 1969.]

12. Filling up of casual vacancies of the members of Zilla Grandhalaya Samstha.

- A Vacancy occurring in the office of a nominated or elected member of a ZGS before the expiration of histerm shall be filled by nomination or election, as the case may be , of another person in the manner provided in section10, and the person so nominated or elected shall hold office for the residue of the term of his predecessor;

13. Powers and functions of Zilla Grandhalaya Samstha.

(1)A Library may-(a)Provide suitable lands and buildings for Public Libraries and also the furniture, fittings, materials and conveniences requisite therefore;(b)Stock libraries with books, periodicals, newspapers,manuscripts,maps,works and specimens of art and science lantern slides, films, cinema projectors, recorders and like;[Provided that the books that be stock in the libraries shall be selected from the list of books approved from time to time by the Government.Provided further that the ZGS shall stock also books and periodicals as may be directed from time to time by the Government in this behalf, the aggregate value where of shall not be less than twenty five per cent of the provision made in the budget of that samstha for the purpose of this clause;] [Inserted by Andhra Pradesh Act No. 7 of 1969.](c)[(.....)] [Omitted by Andhra Pradesh Act No. 17 of 1964.](d)[with the previous sanction of the Director, shift or close any public library mentioned in sub-clause (a) of section 2, or discontinue aid to any other public library, the payment of which is regulated by rules and made under this Act.] [Substituted by Andhra Pradesh Act. No. 7 of 1969.](e)accept any gift or endowment for any purpose connected with its activities;Provided that no gift or endowment of an immovable property shall be accepted without the previous sanction, of the Government.(f)Provide for lectures and the holding classes and conduct other activities connected with public library service including social education.(g)with the consent of the management and the previous sanction of the Government or an officer authorized by the Government in this behalf, acquire any library on such conditions may be approved by the Government or an officer authorized by the Government in this behalf;(h)Distribute grants for Public Libraries and social education purposes;[(h-1) with the previous approval of the Director, organise, or participate in conferences for the discussions of matters relating to the development of public libraries and the library service.] [Inserted by Andhra Pradesh Act No. 7 of 1969.](i)In general do everything necessary to carry out provisions of this Act.(2)[nothing in sub-section (1) shall apply to the library maintained by the Government.] [Inserted by Andhra Pradesh Act No. 17 of 1964.]

14. Schemes to be submitted by Zilla grandhalaya Samstha.

(1)As soon as possible after a ZGS is constituted, and thereafter as often as may be required by the Director, every ZGS shall and whenever it considers it necessary so to do, a ZGS may, prepare a scheme for establishing libraries and for spreading library service within its area in such form and manner as may be prescribed, and submit it to the Director for sanction. The Director may sanction it with such alteration, if any as he may think fit after giving the ZGS an opportunity, to make its representations, if any in respect of such alterations and the ZGS shall there upon give effect to the scheme so sanctioned by him.(2)The Director may on application by the ZGS concerned, modify the scheme sanctioned under sub-section (1) or replace it by a new scheme.

15. Executive committees and sub-committees of ZGS.

(1)A ZGS may appoint an executive committee consisting of such of its members as it may deem fit and delegate to such committee any of its powers or functions under this Act except the power to levy library cess, to borrow money, to dispose of immovable property and to pass the budget, accounts and the audit and annual reports.(2)A ZGS may also , from time to time appoint

subcommittees to inquire into and report or advise on any matters which it may refer to them.

16. Act of ZGS not to be invalidated by informality, etc..

- No Act of a ZGS shall be deemed to be invalid by reason only of the existence of any vacancy in or any defect in the constitution of that authority.

17. Vesting of properties in ZGS.

(1) All property acquired or held in any area by the ZGS for the purpose of any public library defined in sub-clause (a) of clause (9) of section 2 shall vest in the ZGS of that area. (2) Any immovable property required by the ZGS shall be deemed to be land needed for a public purpose within the meaning of the Land Acquisitions Act, 1894 (central Act 1 of 1894) and may be acquired under that Act.

18. Power of ZGS make bye-laws.

(1) Subject to the provisions of this Act and the rules made thereunder a ZGS may make bye-laws, generally to carry out the purposes of this Act. (2) In particular and without prejudice to the generality of the foregoing powers such bye-laws, may provide for all or any of the following matters, namely:-(a) The admission of the public libraries in its area on such conditions as it may specify; (b) The guarantee of security to be furnished by persons desiring to use such libraries, against injury to or misuse, destruction or loss of the property of such libraries; (c) The manner in which the property of such property from injury misuse, destruction or loss; (d) The authority to be exercised by its officers and servant in the matter of exclusion or removal from any such library, of any person who contravenes or does not comply with provisions of this Act, or the rules or bye-laws made thereunder; (e) The conduct of meetings of the ZGS and the procedure to be followed in regard to the transaction of business at such meeting and the quorum for the transaction of such business at a meeting; Provide that a ZGS shall not have power to make bye-laws affecting a public library mentioned in sub-clause (12) of section 2 ; (3) The Director may modify or cancel any bye-law made by a ZGS under sub-section (2); [Provided that before modifying or cancelling any bye-law, the Director shall give the ZGS concerned a reasonable opportunity to make its representations in the matter.] [Inserted by Andhra Pradesh Act No. 17 of 1964.]

18A. [Powers of Government to remove chairman of the ZGS. [Inserted by Andhra Pradesh Act No. 7 of 1969.]

(1) The Government may by notifications, remove any chairman of the ZGS, who in their opinion willfully omits or refuse to carry out or disobeys the provisions of this Act or the rules, bye-laws or law-full orders made thereunder, or abuses his position or powers vested in him. (2) The Government shall, when they propose to remove a chairman under sub-section (1) , give the chairman concerned an opportunity for explanation, and the notification issued under the said sub-section shall contain a statement of the reasons of the Government for the action taken (3) The

Government shall have power to review any of removal published under sub-section (1) and pending such review to stay such order.(4)Any person removed under sub-section (1) from the office of the chairman shall not eligible for re-election to the said office for a period of three years from the date of his removal.]

19. Control of the ZGS by the Government.

- If at any time , it appears to the Government that a ZGS has failed to perform its functions or has exceed or abused any of the powers conferred upon it by or under this Act, the Government may Communicate the particulars thereof to the ZGS and if the ZGS omits to remedy such failure, excess or abuse or to give a satisfactory explanation there for within such time as the Government may fix in this behalf, the Government may suspend. Dissolve or supersede the ZGS and cause all or any of the powers and functions of such authority to be exercised and performed by any person or agency for such periods as they may think fit or direct that it be reconstituted.

19A. [Constitution of a Library Service for ZGS in the State. [Inserted by Andhra Pradesh Act No. 17 of 1964.]

- Not withstanding anything in this Act. the Government may, by notification , constitute a Library Service for the ZGS in the State and appoint to that service such category of Librarians as may be prescribed.]

19B. [Age of Superannuation of employees of Zilla Grandhalaya Samsthas. [Inserted by Andhra Pradesh Act No. 8 of 2016.]

- Every employee of Zilla Grandhalaya Samstha shall retire from service on the afternoon of the last day of the month in which he/she attains the age of sixty years:Provided that every employee of Zilla Grandhalaya Samsthas, who retired from service on attaining the age of fifty eight years during the interregnum period between 2nd June, 2014 and the date of publication of the Andhra Pradesh Public Libraries (Amendment) Act, 2016, shall be re-induced into the service/post as such with effect from the date of publication of the said Act:Provided further that the said interregnum period from 2nd June 2014 to the date of the publication of the Andhra Pradesh Public Libraries (Amendment) Act, 2016, shall be treated in such manner as may be prescribed.]

Chapter V

Finance and Accounts

20. Library Cess.

(1)(a)Every ZGS shall levy in its area a library cess in the form of a surcharge on the property tax or house tax levied in such area under the relevant laws providing for the levy of such property tax or house tax, at the rate of four naye paise for every rupee in the property tax or house tax so levied

;(b)A ZGS may, with the previous sanction of the Government and shall if directed by them, increase the rate specified in clause (a) so as not to exceed EIGHT naya paise for every rupee.(2)The cess levied under sub-section (1) shall be collected:- (a)[in the twin cities of Hyderabad and Secunrabad by Municipal corporation of Hyderabad ;] [Clause (a) was substituted by Andhra Pradesh Act No. 17 of 1964, clause (b) was omitted and clause (c), (d) and (e) are relettered as clause (b), (c) and (d) respectively by Act 17 of 1964.](b)[in an area within the jurisdiction of a municipal council, by such Council; [Substituted by Andhra Pardesh Act No. 7 of 1969.](c)in an area within the jurisdiction of Gram Panchayat by the Gram Panchayat;](d)in an area in a district not including within the jurisdiction of a municipal council or a Gram Panchayat by the local body having jurisdiction in such area, as if the cess were a property tax or house tax payable under the relevant laws for the time being in force in the area, and all the provisions of the said laws relating to collection of property tax or house tax shall apply subject to such modifications as may be specified by the Government in the notification issued in this behalf.(3)The cess collected under sub-section (2) shall be paid to the Zilla Grandhalaya Samstha concerned in such manner as may be prescribed.

21. Library Fund.

(1)Every ZGS shall maintain a fund called the "Library Fund" from which all its payments under this Act shall be met.(2)There shall be credited to the Library Fund the following sums namely : (a)The cess collected under sub-section (2) of Section 20.(b)Contributions, gift and income from endowments made to the ZGS for the benefit of public libraries;(c)Special grants which the Government may make for any specified purpose connected with libraries and social education ;(d)Funds and other amounts collected by ZGS under any rules or bye-law made under this Act ;(3)The Government shall contribute annually to the Library Fund maintained by every ZGS a sum not less than the amount of the cess collected under sub-section (2) of section 20.

22. Maintenance of accounts.

(1)An account shall be kept of the receipts and expenses of ZGS.(2)The accounts shall be open to inspection, shall to audit disallowance, and surcharges and shall be dealt with in all other respects in such manner, as may be prescribed.

Chapter VI

Reports, Returns and Inspection

23. Reports and Returns.

- Every ZGS and every person incharge of a public library shall submit such reports and returns and furnish such information to the Director or any person authorized by him in this behalf as the Director or the person authorized may , from time to time , require.

24. Inspection of Libraries.

- The Director or any person authorized by him in this behalf may inspect any public library or any institution attached thereto for the purpose of satisfying himself that the provisions of this Act and the Rules and bye-laws made thereunder are duly carried out.

Chapter VII

Miscellaneous

25. Power to make rules.

(1)The Government may, by notification, make rules to carry out the purposes of this Act.(2)In particular and without prejudice to the generality of the foregoing power, such rules may provide for-(a)The method of appointment, nomination, or election of members to the State Library Committee and ZGS;(b)The publication of audited statements of the accounts of ZGS and of the reports of the auditors ;(c)The Publication of a Library grant-in-Aid code regulating the grant of aid to aided libraries and the standards to be maintained by such libraries ;(d)The maintenance of State Registers of libraries, and librarians.(e)The employment of necessary staff for the public libraries maintained by ZGS and for regulating the classification, methods of recruitment, pay and allowances discipline and conduct and other conditions of services of the staff employed in such libraries :(f)The classification, methods of recruitment pay and allowances, discipline and conduct and other conditions of service of the members of the library service constituted under section 19-A.(ff)[the procedure governing the age of superannuation and the re-induction into service/post and such other matters as specified in section 19-B;] [Inserted by Andhra Pradesh Act No. 8 of 2016.](g)The recognition of the library associations and regulation of grants to such associations.(3)[Every rule made under this Act shall immediately after it is made, be laid before each House of the State Legislature if it is in session and if it is not in session , in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session , in which it is so laid or the session immediately following both Houses agree in making any modification or in the annulment of the rule. The rule shall thereafter have effect only in such modified form or shall stand annulled as the case may be ; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.] [Substituted by Andhra Pradesh Act No. 17 of 1964.]

26. [[Omitted by Act 7 of 1969.]

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27. Amendment to the Press and Registration of Books Act, 1867 in its application to the state of Andhra Pradesh.

- The Press and Registration of Books Act 1867 (Central Act XXV of 1867) shall, in its application to the state of Andhra Pradesh amended as follows:-(i)In the first paragraph of section 9, for clause (a) the following clause shall be substituted, namely :(a)In any case, within one calendar month after the day on which any such book shall first be delivered out of the press, three such copies, and ".(ii)In the last paragraph of the same section, for clause (i) the following clause shall be substituted, namely :(j)any second or subsequent edition of a book in which edition no additions or alterations either in the letterpress or the maps, book prints or other engravings belonging to the book have been made, and three copies of the first or some preceeding editions of which books have been delivered under this Act or;"(iii)in section II for the first sentence the following sentence shall be substituted, namely."Out of three copies delivered pursuant to clause (a) of the first paragraph of section 9 of this Act, one copy shall be sent to the State Central library ,Hyderabad, referred to in clause (a) of section 8 of the Andhra Pradesh Public Libraries Act, 1960 and the remaining two copies shall be disposed of in such manner as the Government may from time to time determine".

28. Repeal and Saving .

(1)The Madras Public Libraries Act 1948 (madras Act XXIV of 1948) and the Public libraries Act, 1955 (Hyderabad Act III of 1955) are hereby repealed.(2)Notwithstanding such repeal -(a)The members of the State Library Committee or the State Library Council, as the case may be, and the ZGS constituted under the said Acts and holding office immediately before the commencement of this Act shall be deemed to be respectively the members of the State Library Committee and ZGS constituted under this Act, and shall exercise all powers and perform all duties conferred on such committee or authorities in the respective areas in which they are functioning at such commencement until their present term expires or until a new committee or authority are constituted under this Act, Which ever is later ;(b)All rules , bye-law and regulations made under the said Acts and inforce at the commencement of this Act, shall so far as new rules, bye-law and regulations are not inconsistent with the provisions of this Act, continue to be inforce in the representative areas in which they are in force at such commencement, and such rules shall be deemed to be bye-laws, made under the provisions of this Act, until they are superseded or modified by rules and bye-laws made under this Act.