

Manipur Public Libraries Act, 1988

MANIPUR

India

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Rule MANIPUR-PUBLIC-LIBRARIES-ACT-1988 of 1988

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Manipur Public Libraries Act, 1988Last Updated 19th February, 2020An Act to provide the establishment and maintenance of Public Libraries in the State of Manipur and matters connected there-with.Be it enacted by the legislature of the State of Manipur in the Thirty-ninth Year of the Republic of India as follows :

Chapter I Preliminary

1. Short title, extent and commencement.

(1)This Act may be called the Manipur Public Libraries Act, 1988.

2. It extends to the whole of the State of Manipur.

3. It shall come into force on such date as the State Government may, by notification in the Official Gazette, 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 State 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 9;**
- 4. 'District' means the revenue district;**
- 5. 'State Government' means the State Government of Manipur;**
- 6. 'notification' means a notification published in the Manipur Gazette;**
- 7. 'prescribed' means prescribed by rules made under this Act;**
- 8. 'Public Library' means -**
 - a. a library established or maintained by a District Library Authority, including the branches and delivery stations of such a library;
 - b. a library established or maintained by the State 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 State Government or from the Library Fund; and includes any other library notified by the State Government as a Public Library for the purpose of this Act;
- 9. 'State' means the State of Manipur;**
- 10. 'State Central Library' means a library established by the State Government as the State Central Library;**
- 11. 'District Library' means a library established by the State Government as a District Library;**
- 12. 'Year' means the financial year;**

Chapter II

The State Library Committee

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

- 1. As soon as may be after the commencement of this Act, the State 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. Commissioner/Secretary to the Government in the Education Department;c. The Director of Public Libraries;d. The Chief Librarian of the State Central Library;e. One person elected by the syndicate of Manipur University;f. One person nominated by the Manipur Library Association;g. Two persons nominated by the State Government from among the members of the District Library Authorities;h. One person co-opted by the Committee;

3. The Committee shall advise the State Government on all matters arising under this Act and shall exercise and perform such other powers and duties as may be Prescribed.

4. Terms of Office of Certain Members of The Committee.

(1)Subject to the provisions of sub-section (2) of Section (3) every member of the Committee other than ex-officio member shall hold office for a period of three years from the date of his election, nomination or co-option as the case may be :Provided that such term of a member nominated or elected shall come to an end as soon as the member ceases to be a member of the body from which he was nominated or elected.

5. filling up casual vacancies of certain member of the committee.

- Any vacancies occurring in the office of nominated, elected or co-opted member of the Committee before the expiration of his term shall be filled by nomination election or co-option, as the case may be, of another person in the manner provided in Section 3 and the person so nominated, elected or co-opted shall hold office for the remaining of the term of his predecessor.

6. Meetings of The Committee.

- The Committee shall meet at such time and place and shall observe such rules of procedure at its meeting as may be prescribed.

7. Act of State Library Committee not To Be Invalidated By Informality Etc.

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

8. Control of The State Library Committee By The State Government.

- If, at any time, it appears to the State Government that the Committee has failed to perform its functions or has exceeded or abused any of the powers conferred upon it by or under this Act the State Government may communicate the particulars thereof to the Committee and if the Committee omits to remedy such failure, excess or abuses or to give satisfactory' expression therefor within such time as the State Government may suspend dissolve or supersede the committee and cause all or any of powers, and functions of the Committee to be exercised and performed by any reason or agency for such period as they may think fit or direct that it be reconstituted.

Chapter III

Department of Public Libraries :

9. Constitution of The Department of Public Libraries And Appointment of The Director And His Duties.

- For the purposes of this Act, the State Government shall constitute a separate Department of Public Libraries and appoints Director to be the Director of Public Libraries in-charge of the department. The Director so appointed shall subject to the control of the State Government. Supervise the State Central Library and the branches of such library; b. superintend and direct all matters relating to public libraries; c. declare, in accordance with the rules made under this Act, what libraries are eligible for aid from the State Government and supervise and direct all matters relating to such libraries; d. direct and control the work of all District Library Authorities under this Act in the manner prescribed. e. submit to the State Government through the State Library Committee every year, a report of the working of the libraries under this Act in the preceding year; f. submit reports to the Committee on the working of libraries, whenever necessary; g. perform such other duties and exercise such other power as are imposed or conferred on him by this Act or the rules made thereunder.

Chapter IV

The District Library Authorities

10. The Constitution And Incorporation of District Library Authorities.

- 1. For the purposes of organising and administering public libraries in the State there shall be constituted a District Library Authority for each district.

2. Every District Library' Authority shall, by the name of the area for which it is constituted, be a body corporate having perpetual succession and a common seal power to acquire, hold and dispose of property, and to enter into contracts and may by the said name, sue and be sued.

It shall be the duty of every District Library Authority to provide Library service in the area of its jurisdiction.

11. Composition of District Library Authorities.

(1) The District Library Authorities for each District shall consist of the following member, namely :a. four members nominated by the State Government from among the citizens of the district who have rendered eminent service to the cause of education or public libraries or a person of social eminentb. two members elected among themselves by the members of the Governing bodies of the public libraries (other than those referred to in sub-clauses (a) and (b) of clause (9) of Section 2 in each revenue division in the district.c. two members elected from among themselves by the Board of Municipalities or by the Small Town Committee in the district.d. two members nominated by the district branch of the Manipur Library Association.e. the librarian, District Library who shall be the Secretary of the District Library Authority.f. The District Education Officer of the district.

2. Every District Library Authority shall elect one of its members to be its Chairman.

12. Term of Office of Members of A District Library Authority.

(1) Every members of a District Library Authority other than ex-officio members, shall hold office for a period of three years from the date of his nomination or election, as the case may be 2. A members nominated or elected in his capacity as the holder of a particular office shall, if he ceases to be the holder of that office ceases to be a member of the District Library Authority.

13. Filling Up of Casual Vacancies of The members of The District Library Authority.

- A vacancy occurring in the office of a nominated or elected member of a District Library Authority before the expiration of his term shall be filled by nomination or election as the case may be of another person so nominated or elected shall hold office for the remaining of the term of his predecessor.

14. Powers And Functions of District Library Authority.

- A District Library Authority may -a. provide suitable lands and buildings for public libraries and also the furniture, fittings, materials and conveniences requisite therefor: .b. stock such libraries with books, periodicals, newspapers, manuscripts, maps, works and specimens of arts and science, lantern slides, films, cinema projectors, recorders and the like;;c. employ from time to time, such staff as it considers necessary for such libraries;d. with the previous sanction of the State Government, shift or close, any public library mentioned in sub-clause (a) of clause (8) of Section 2 or discontinue aid to any other Public Library, the payment of which is regulated by the prescribed Library Grant -in-Aid Code;e. accept any gift or any 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 said Government;provide for lectures and holding of classes and conduct other activities connected with Public Library Service including social education;with the consent of the management and the previous sanction of the State Government acquire any library of such conditions as may be approved by the State Government;f. distribute grants for public libraries and social educational purposes;in general do everything necessary to carry out the provisions of this Act.

15. Scheme to be Submitted by District Library Authorities.

(1)As soon as possible after a District Library Authority is constituted and thereafter often as may be required by the Director, every District Library Authority shall, and whenever it considers it necessary so to do, a District Library Authority may prepare a scheme for establishing the libraries 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 with previous approval of State Government, sanctioned it with such alteration, if any, as he may think fit after giving the District Library Authority an opportunity to make its representation, if any, in respect of such alterations and the District Library Authority shall thereupon give effect to the scheme so sanctioned by him.

2. The Director may with previous approval of State Government, on application by the District Library Authority concerned, modify any scheme sanctioned under sub section (1) or replace it new scheme.

16. Executive Committee and Sub-Committees of District Library Authorities.

(1)A District Library Authority 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 and functions under this Act, except the power to borrow money, to dispute of immovable property, and to pass the budget account and the audit and annual reports.

2. A District Library Authority may also from time to time, appoint sub-committees to inquire into and report or advice on any matters which it may refer to them,

17. Act of District Library Authorities Not be Invalidated by Informality Etc.

- No act of a District Library Authority shall be deemed to be invalidated by reason only of the existence of any vacancy in, or any defect in the constitution of that authority.

18. Vesting of Property In District Library Authority.

(1) All property acquired or held in any area by the District Library-Authority for the purpose of any Public Library defined in sub-clause (a) of clause (8) of Section 2 shall vest in the District Library Authority of that area.

2. Any immovable property required by the District Library Authority shall be deemed to be land needed for a public purpose within the meaning of the Land Acquisition Act 1894 (No. 1 of 1984) and may be acquired under that Act.

19. Power of District Library Authorities To Make Bye-Laws.

- 1. Subject to the provisions of this Act and the rules made thereunder, a District Library Authority may make bye-laws, generally to carry out the purposes of this Act.

2. In particular and without prejudice to the generality of 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 in its area on such conditions as it may specify; provided that no fees shall be charged for such admission; b. the guarantee or 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 libraries may be used and the protection of such property from injury, misuse, destruction or loss; d. the authority to be exercised by its officers and servants in the matter of exclusion or removal from any such library, of any person who contravenes does not comply with the provisions of this Act or the rules or bye-laws made thereunder; e. the conduct of meetings of the District Library Authority and the procedure to be followed in regard to the transaction of business at a meeting; Provided that a District Library Authority shall not have power to make any bye-laws affecting a public library mentioned in sub-clause (2) or sub-clause (12) of section 2,

3. The Director may with previous approval of State Government modify or cancel any bye-law made by a District Library Authority under sub-section (2):

Provided that before modifying or cancelling any bye-law, the director shall give the District Library Authority concerned a reasonable opportunity to make its representation in the matter.

20. Control of the District Library Authorities By The State Government.

- If, at any time, it appears to the State Government that a District 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, the State Government may communicate the particulars to the District Library Authority, and if the District Library Authority omits to remedy such failure, excess or abuse or to give a satisfactory explanation therefor within such time as the State Government may fix in this behalf, the State Government may suspend, dissolve or supersede the District Library Authority 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 period as they may think fit or direct that it be reconstituted.

Chapter V

Finance and Accounts:

21. Library Fund.

- 1. Every District Library Authority shall maintain a fund called the "Library Fund" from which all its payments under this Act shall be met.

2. These shall be credited to the Library fund the following sums namely :

a. Contributions, gifts and income from endowments made to the District Library Authority for the benefit of Public Libraries.b. Special grants which the State Government may make for any specified purpose connected with libraries and social education;c. Fund and other amounts collected by the District Library Authority under any rules or bye- laws made under this Act.

3. The State Government shall contribute annually to the Library fund maintained by every District Library Authority.

22. Maintenance of Accounts.

- 1. An account shall be kept of the receipts and expenses of each District Authority.

2. The Accounts shall be opened to inspection, shall be subject to audit, 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 District Library Authority and every person in charge of a public library shall submit such reports and returns and furnish such information to the Director or any person authorised by him in this behalf as the Director or the person authorised may, from time to time, require.

24. Inspection of Libraries.

- The Director or any person authorised 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 State Government may, by notification make rules to carry out the purposes of this Act.

2. In a particular and without prejudice to the generality of the foregoing power, such rules may provide for -

a. the method of appointment, nomination, co-option, or election of members to the State Library Committee and District Authorities; b. the publication of audited statements of the accounts of District Library Authorities 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.

3. All rules made under this section shall, as soon as may be after they are made, be laid on the Table of the Head of the State Legislature or fourteen days and shall be subject to such modification, whether by way of repeal or amendment, as the State Legislature may make during the session in which they so laid.

26. 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 them to be necessary or expedient for removing the difficulty.

27. Amendment To The Press and Regulations of Books Act 1867 In Its Application To The State of Manipur.

- The press and Registration of Books Act 1867 (No. 25 of 1867) shall, in its application to the State of Manipur, be 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 book shall first be delivered out of the press, two such copies, and," (ii) in the last

paragraph of the same section for clause (10) the following clause shall be substituted namely;(i)any second or subsequent edition of a book in which addition or additions or alterations either in the letter press or in the maps book prints or other engravings belonging to the book have been made, and two copies of the first or some preceding edition of which books have been delivered under this Act, or(iii)In section 11, for the first sentence, the following sentence shall be substituted namely:"Out of the two 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, Manipur, referred to in clause (a) of Section 8 of this Act, and the remaining one copy shall be disposed of in such manner as the State Government may from time to time determine.