

The Haryana Public Libraries Act, 1989

HARYANA

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Act 20 of 1989

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The Haryana Public Libraries Act, 1989 Haryana No. 20 of 1989 Statement of Objects and Reasons. - (a) to provide for a comprehensive rural and urban library service in the State of Haryana; (b) to establish a network of libraries on statutory basis; (c) to ensure stable financial support on a progressive basis; (d) to set up a library authority which would be responsible for the staffing, administration and management of libraries; (e) to ensure permanent uniform, efficient, expanding and co-ordinated library service; (f) to provide free library services and make them easily accessible to potential users irrespective of their qualifications and age. Published vide Haryana Gazette, (Extra.), Legislative Supplement, Part III, dated March 12, 1996/Phalgunaa, 22, 1917. Date of Enforcement. - In exercise of powers conferred by sub-section (3) of Section 1 of the Haryana Public Libraries Act, 1989 the Governor of Haryana hereby appoints the 15th March, 1996, to be the date on which the said Act shall come into force. Haryana Government Notification No. S.P. 32/H.A. 20/1989/Section 1/96. dated 12.2.1996. Received the assent of the Governor of Haryana on the 16th October, 1989, and was published in the Haryana Gazette (Extra.), Legislative Supplement Part I, dated November 8, 1989/Kartika 17, 1911. An act to provide for the establishment, maintenance and development of Public Libraries in the State of Haryana and for matters ancillary thereto. Be it enacted by the Legislature of the State of Haryana in the Fortieth Year of the Republic of India as follows :-

1. Short title, extent and commencement.

(1) This Act may be called the Haryana Public Libraries Act, 1989. (2) It extends to the whole of the State of Haryana. (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, - (a) "Authority" means the State Library Authority constituted under sub-section (1) of Section 4; (b) "book" includes - (i) every volume, part or

division of a volume, be it a printed work or a manuscript or a micro film or a video/audio cassette or a photograph;(ii)every sheet of music, map, chart or plan separately printed or lithographed;(iii)newspapers, periodicals and other such materials;(c)"book service" means reference service, lending out books to members of Public Libraries, helping groups with books, helping people to know the whereabouts of a book or books, and helping them to procure the books they need;(d)"Departmental Library" means a library maintained by a Department of the State Government;(e)"Public Library" means a library, which permits members of the public to use it for reference or borrowing without charging fee or subscription;(f)"reference service" means assistance from the library staff to the reader or user of the library to enable him to know, locate and consult books and other materials and to secure from such books and materials information relevant to his purpose;(g)"State" means the State of Haryana;(h)"Subscription Library" means a library run on the subscription of its members;(i)"Year" means the financial year.

3. Establishment of Library Service.

(1)The State Government shall establish, maintain and develop Library service in the State.(2)For carrying out the purposes of sub-section (1), the State Government may, -(a)acquire for its Public Library sufficient number of books;(b)offer in its Public Library an adequate book and reference service;(c)promote reading habit and the use of books for the benefit of the people;(d)establish and sponsor organisations and institutions with a view to promote public interest and participation in the Public Library;(e)give adequate library service to all Government Departments and offices subordinate or attached to these Departments;(f)provide library training facilities to ensure adequately trained personnel for libraries in the State;(g)provide or secure suitable conditions of service for the library personnel in the State;(h)promote co-operation between the Public Libraries and cultural and educational institutions;(i)promote production and publication of useful literature.(3)The State Government shall discharge its functions and responsibilities under this Section through -(a)the State Library Authority;(b)the State Public Library; and(c)the Co-operating Institutions.

4. Constitution and Establishment of Authority.

(1)With effect from such date as the State Government may, by notification, specify in this behalf, the State Government shall establish, for the purpose of this Act, an authority to be known as State Library Authority, with headquarters at such place as the State Government may specify.(2)The Authority shall consist of -(i)the following ex officio members :-(a)the Minister-in-charge of libraries who shall be the Chairman;(b)the Secretary, Libraries Department;(c)Secretary Education;(d)Secretary Finance;(e)Secretary Culture;(f)Secretary Local Bodies;(g)Secretary Social Welfare;(h)the Secretary, State Development and Panchayat Department;(i)the Director of Public Relations;(j)the Librarian of the Civil Secretariat, Haryana;(k)the State Librarian;(l)the Vice-Chancellors of all Universities in the State;(m)the Chairman or President, State Library Association;(n)Director Libraries, who shall be the Secretary;(ii)a member of the State Legislative Assembly interested in library development to be nominated by the State Government;(iii)not more than four non-official members having special knowledge of libraries to be nominated by the Chairman of the Authority.(3)The Authority shall advise the State Government on all matters

mentioned under Section 3 and also in regard to promotion and development of library service in the State.(4)The Authority shall meet at least once in a year.(5)A nominated member of the Authority shall hold office during the pleasure of State Government; provided that his term of office shall not exceed four years from the date of his nomination.(6)Whenever any member dies, resigns, becomes incapable of acting as a member or is otherwise removed, the State Government may nominate other member for the un-expired period of the term of such member.(7)The Authority shall frame regulations for transacting its business and for matters in respect of which regulations are to be framed by it under this Act and may appoint committees.

5. Standing Advisory Committee.

(1)Within a month of the constitution of the Authority, an eleven member Standing Advisory Committee shall be constituted of which eight members will be nominated by the Chairman of the Authority from amongst the members of the Authority and the Secretary, Department of Libraries, the Director, State Library Directorate and the State Librarian shall be ex officio members.(2)The Chairman of the Authority shall nominate any member of the Standing Advisory Committee to be its Chairman and the Secretary of the Authority shall also be the Secretary of the Standing Advisory Committee.(3)A member of the Standing Advisory Committee shall cease to hold office when he ceases to be a member of the Authority.(4)The functions of the Standing Advisory Committee shall be -(i)to advise the State Library Directorate in all technical matters relating to library development and organisation;(ii)to make recommendations to the Authority on matters relating to the promotion and development of library service in the State.

6. State Library Directorate.

(1)The State Government shall constitute a State Library Directorate which shall be a department of the Government. The functions of the State Library Directorate shall be as follows :-(a)to prepare the annual as well as short or long term plans for libraries in the State in co-operation with the development and other concerned departments of the State Government and of the Central Government;(b)to prepare and publish descriptive and statistical reports on the working of all the Public Libraries;(c)to arrange or to secure training of various categories of library employees;(d)to conduct inspection of and render advisory service to the district, block and other libraries in the State;(e)to administer the system of grant-in-aid to the subscriptive libraries, and to undertake their inspection;(f)to fix the boundaries of the operation of district libraries in the districts;(2)The Director of the State Library Directorate (hereinafter called the Director) shall be appointed by the State Government and will have the rank of the Head of a department.(3)The State Library Directorate shall have staff with adequate qualifications and training.(4)The Director shall perform the following duties :-(a)he shall participate in all meetings of the Authority and the committees which may be set up by the Authority;(b)he shall be responsible for carrying out such of the recommendations of the Authority as have been approved by the State Government;(c)he shall perform such other duties as may be prescribed in the regulations made by the Authority;(d)subject to any rules made by the State Government, the Director -(i)shall be responsible for implementing the programmers of work for the year as approved by the Authority;(ii)shall administer the grant-in-aid to subscription libraries;(iii)may absorb a subscription library into the Public Library of

the State;(iv)shall decide where district and other libraries in the State are to be set up and approve the constitution and bye-laws of a Public Library.

7. State Central Library.

- The State Government shall by an order establish a State Central Library located in the State.

8. Book stock of the State Central Library.

(1)The stock of books in the State Central Library shall consist of books acquired through any legislation for the time being in force providing for compulsory acquisition of books published in the State, books acquired otherwise by purchase, exchange, gifts and bequests and its own publications.(2)Materials in the State Central Library may also include films, filmstrips, slides, tape and gramophone records, maps, charts, bulletins, photos, pictures.

9. Mode of book acquisition.

(1)The Secretary, State Legislative Assembly shall deliver to the State Librarian bound volumes of all debates and proceedings of the Legislative Assembly.(2)The Head of a department in the State Government shall deliver to the State Central Library all books in his office no longer needed there, but which in the opinion of the State Librarian will be of use in the State Central Library.(3)All books and other materials which have to be purchased by the State Librarians shall only be purchased on the advice of a Book Selection Committee to be constituted by the Authority.

10. Departments of State Central Library.

(1)The State Central Library shall have at least two sections, viz. State Reference Library Section and the State Lending Library Section.(2)The functions of the State Reference Library section shall be as follows :-(a)to maintain a representative collection of reference books and publications such as those mentioned in clause (b) of sub-section (2) of Section 3;(b)to procure and maintain in a readily available manner all books, reports, especially the reports of the Houses of Parliament and the State Legislative Assembly and Central and State Government reports together with their indexes as well as other reference materials needed for consultation;(c)to maintain a catalogue of the important academic libraries in the State;(d)to undertake bibliographical work, including special bibliographies for the use of scholars and research workers, and to prepare useful catalogues and bibliographies in the regional languages;(e)to offer, in co-operation with departmental and research libraries, books and bibliographical service to institutions, groups and individuals engaged in higher studies and research;(f)to promote library service for children;(g)to organise library conferences and book exhibitions;(h)to provide technical assistance and information to the district and other librarians in the State;(i)to act as the centre of book exchange and inter-library lending within and outside the State;(j)to prepare and issue reports on the working of libraries, especially the public libraries in the State.(3)The State Reference Library shall not lend books for use outside the premises of the library.(4)The functions of the State Lending Library section shall be as follows

:- (a) to render home-lending service; (b) to replenish from time to time the stocks of district libraries; (c) to give book service to cultural and educational institutions and social welfare organisation; (d) to arrange book exhibitions and book displays on suitable occasions; (e) to publicise its book stock; (f) to publish library reports and literature.

11. State Librarian.

(1) The Office-in-charge of the State Central Library shall be known as the State Librarian. (2) The State Librarian shall be appointed by the State Government. (3) The State Librarian shall - (a) be responsible for the management of all the departments of the State Central Library; (b) maintain the stock of books and conduct all approved activities of the State Central Library; (c) advise the Authority on all technical matters; (d) submit to the Director, a report on the working of the Library during the previous financial year, which report shall also include the detailed statement of receipts and expenditure on account of the State Central Library. (4) The State Librarian shall be subordinate to the Director. (5) The State Librarian shall be assisted by technical and general staff in running the State Central Library.

12. The District Library.

(1) There shall be a District Library in each district rendering book service to the resident of a district. (2) In addition to the District Library under sub-section (1), there shall also be the following types of libraries, namely :- (a) Municipal/City/Town Library; (b) Block Library; (c) Village Library; and (d) smaller book deposit centres.

13. Functions of a District Library.

- The functions of a District Library shall be as follows :- (a) to provide reference and bibliographical service in the district; (b) to give special reference service to the members of the Municipal Committee/Corporation of the town/city in which it is situated; (c) to give special service to student groups, study circles and other educational groups; (d) to extend library service in the urban and rural areas by setting up branch libraries, mobile libraries and deposit centres and to extend similar service in the district through the various block libraries and other library units; (e) to feed block libraries with supply of suitable books; (f) to co-operate with and help the subscription libraries in the district in accordance with the instructions of the Director; (g) to co-operate with other institutions and groups, especially the social educational institutions and workers, in promoting library mindedness among the people; (h) to arrange conferences, camps and seminars of libraries and other library workers in the district.

14. District Library Committee.

(1) There shall be a district library committee for each District Library in the State which shall be constituted in accordance with such regulations as may be framed by the Authority. (2) The District Library Committee shall, subject to the approval of the Authority, frame its rules of business and

procedure for carrying out the functions of the District Library.(3)The functions of a District Library Committee shall be as follows :-(a)to supervise the work of the District Library and the various library units;(b)to start branch libraries;(c)to take all necessary steps to develop public library service in the district;(d)to employ, in accordance with the regulations framed by the Authority, staff for the District Library;(e)to make provisions for purchase of books, films, filmstrips, records, furniture, equipment and book-mobile for the District Library;(f)to acquire, purchase or hire land or other properties and effects, and build, alter, repair and extend buildings and fit up and furnish the same with requisite furniture fittings and conveniences;(g)to accept any endowment, bequest or gift for the purpose of promotion and development of library service as envisaged in this Act;(h)to organise or participate in conferences and exhibitions relating to libraries and spend such sum as may be reasonable in connection with such conferences and exhibitions, and depute any person or persons to attend any such conference or exhibition;(i)to provide accommodation for lectures and other cultural and educational activities in the premises of libraries in the District Library;(j)to administer the District Library fund;(k)to arrange library timings, provided that the number of hours of daily service to the public shall not be less than the minimum laid down by the Authority;(l)to extend library service in its area by setting up branch libraries, travelling libraries, deposit centres and book service by mail.(4)If any question arises whether a particular matter is or is not within the purview or power of district or any other library committee, the decision of the Authority thereon shall be final.(5)The District Library Committee shall meet as often as the Chairman thereof may decide to summon it, but preferably at least four times a year.(6)The District Library Committee shall, by the name of the District for which it is constituted, be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contract and may by the said name sue and be sued.

15. City and Town Library Committees.

(1)There shall be a City Library Committee for each city with a population of over a lakh, and a Town Library Committee for a municipal town with a population of not more than one lakh, constituted in accordance with such rules as may be framed by the District Library Committee concerned.(2)The functions of a City or Town Library Committee shall, so far as may be, the same as those of the District Library Committee within its jurisdiction.(3)The City or Town Library Committee shall, subject to the approval of the District Library Committee concerned frame its rules of business and procedure.

16. Block Library Committee.

(1)There shall be Block Library Committee for each Block Library and its constitution and functions shall be such as may be laid down in rules framed by the District Library Committee concerned.(2)The Block Library Committee shall, subject to the approval of the District Library Committee concerned frame its rules of business and procedure.

17. Panchayat Library Committee.

(1) There shall be a Panchayat Library Committee for each village Library and its constitution and functions shall be such as may be laid down in rules framed by the District Library Committee concerned. (2) The Panchayat Library Committee shall, subject to the approval of the District Library Committee concerned, frame its rules of business and procedure.

18. Employees of the Public Library.

(1) The State Government shall create cadres for Public Library employees similar to those of the employees of Government Departments and lay down the qualifications and the other terms and conditions of service for those cadres. (2) Within a year of its first constitution, the Authority shall frame service rules for the various categories of library employees.

19. Public Library Fund.

(1) There shall be three types of library funds in the State:—(a) The State Library Fund. (b) The District Library Fund. (c) The City or Town or Block or Village Library Fund. (2) There shall be credited into the State Library Fund :—(a) the amount provided by the State Government for development, improvement and maintenance of library service in the State; (b) the contribution received from the Central Government; (c) any special grant that the Central or a State Government may make for any specific purpose; (d) the amount received under the library rules of the State Central Library; (e) any amount received as gift, contribution or endorsement for the development of Public Libraries in the State. (3) There shall be credited into a District Library Fund :—(a) the amount transferred to it from the State Library Fund, the State contribution to the District Library Fund being in no case less than the total amount of library cess collected in the district; (b) any special grant that the Authority may make to the District Library Committee for any specific purpose; (c) the amount collected under the rules of the District Library; (d) any amount received as gift contribution or endowment for the development of libraries in the District; (e) any loan that the District Library Committee may raise. (4) There shall be credited into a City, Town, Block or Village Library Fund :—(a) the amount raised as library cess within the limits of the city, town, block or village; (b) any special grant that the District Library Committee may make for any purpose; (c) the amount collected under the Town or Block Library rules; (d) any amount received as gift, contribution or endowment for the development of libraries in the city, town, block or village; (e) any loan that a city Library Committee may raise.

20. Library Cess.

- Every local body in a district levy in its area a library cess in the form of a surcharge on property tax and house tax at such rate as the Government may decide from time to time.

21. Power of Committees to borrow.

(1) A Block, Town or a Village Library Committee may borrow money on the security of its Library Fund for purchasing land, building, furniture and fixtures to be used for library purposes with the approval of the District Library Committee, who shall also approve the amount to be so borrowed, which amount shall not exceed five times the amount of library cess accruing annually to it. (2) A District or City Library Committee may similarly borrow money for the same purpose with the approval of the Authority who shall also approve the amount to be borrowed in any particular case within the same limit.

22. Framing of rules and regulations.

- The Authority shall prepare model bye-laws, rules and regulations regarding the administration of library service in the State.

23. State Library Association.

- The Authority shall recognise only one State Library Association as Co-operative Institution, the constitution of which shall be approved by the Authority.

24. Power to make rules.

(1) The State Government may, by notification, make rules for carrying out the purposes of this Act. (2) Every rule made under this section shall be laid as soon as may be after it is made before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, the House agrees in making any modification in the rules or the House agrees that the rules should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, 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.