

Bihar State Public Libraries and Information Centre Act, 2008

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Rule

BIHAR-STATE-PUBLIC-LIBRARIES-AND-INFORMATION-CENTRE-ACT of 2008

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Bihar State Public Libraries and Information Centre Act, 2008[Bihar Act 17, 2008]Last Updated 1st February, 2020[Dated 23.04.2008]Preamble. - An Act to provide for the establishment, re-constitution of public libraries in the State of Bihar and to regulate, guide, control and supervision for systematic development of libraries.Be, it enacted by the Legislature in the State of Bihar in the fifty ninth year of the Republic of India as follows: -CHAPTER-1

1. Short Title, Extent, Application and Commencement.

(1)This Act may be called the Bihar State Public Libraries and Information Centre Act, 2008.(2)It shall extend to the whole of the State of Bihar.(3)It shall come into force at once.

2. Definitions.

- Unless there is anything contrary to the subject or the context, in this Act -(i)'State Library' means library declared as State Library by the notification of State Government.(ii)'Government Library' means libraries fully financed by the State Government.(iii)'Aided Library' means a library fully or partially aided by the Government or Library Authority.(iv)'Unaided Library' means such library which are not aided by the Government or Library Authority.(v)'Special Library' means special library declared by the State Government.(vi)'Divisional Library' means divisional level library in the State.(vii)'District Library' means library situated at district headquarter.(viii)'Sub-divisional Library' means library situated at sub divisional headquarter.(ix)'Block Library' means library situated at Block Level.(x)'Panchayat Library' means library situated at Panchayat Level.(xi)'Village Library' means library situated at Village Level.(xii)'Public Library' means any library recognised by State Library Authority as such for the purpose of this Act.(xiii)'Private Library' means a library

other than an aided public library.(xiv)'Director' means the Director of Public Library and Information Centre appointed under section 6.(xv)'District' means a revenue district.(xvi)'Library Authority' means State Library Authority constituted by the Government under this Act.(xvii)'Government' means the Govt, of the State of Bihar.(xviii)'Notification' means a notification published in the Bihar Gazette.(xix)'Prescribed' means prescribed by the rules made under this Act.Category wise Division of Library

3. There will be following categories of libraries.

- (i) State Library(ii)Divisional Library(iii)District Library(iv)Sub divisional Library(v)Special Library.(vi)Block Library(vii)Panchayat Library(viii)Village Library(ix)Private Library.CHAPTER-2
State Library and Information Centre Authority

4. Constitution of State Library and Information Centre Authority.

- The State Government may constitute State Library and Information Centre Authority, which may comprise of a maximum of twelve members including Chairman and Vice Chairman for the purpose of advising on the matters related to all categories of Govt, and non-Govt. public library and library services by publishing a notification in official Gazette.

5. Nomination for the post of Chairman and Vice-Chairman, of State Library and Information Centre Authority by the State Government.

- This nomination will be done from a panel of eminent scholars, library science experts, persons having special knowledge or practical experience in respect of literature, science, art and social service of the State. The panel will be prepared by Human Resource Development Department. Apart from Chairman and Vice Chairman there will be one representative from Human Resource Development Department, Art, Culture & Youth Department and Finance Department, who will not be less than the rank of Deputy Secretary. State Government will nominate remaining members. Director, Library and Information Centre will be Ex-Officio member secretary of the Authority.Powers and Functions of Bihar State Library and Information Centre Authority.

6. Powers and Functions of the Bihar State Library and Information Centre Authority.

- The following shall be the powers and functions of the State Library and Information Centre Authority for the organisation, guidance and development of public libraries in the State: -(a)To control the State Library Fund and to make available aid to libraries out of this fund and to determine conditions and qualifications of Aid.(b)To establish libraries at different level, to initiate for the conduct and development of established libraries and to decide necessary conditions, situations and standards for this.(c)To make rules/regulations for achieving objectives of this Act.(d)To initiate and analyse the short term/long term plans for the purpose of development of libraries and to make recommendations relating thereto to the Government.(e)To disseminate

teaching and training of State Library and Information science and to prepare standard thereto. CHAPTER-3 Library and Information Centre Directorate-Separate Directorate

7. Separate Directorate.

(1) For achieving the objectives of this Act as a separate Directorate of Library and Information Centre shall be constituted and a Director and an Assistant Director shall be appointed by State Government. The Director will perform the responsibility of the Superintendent of Library besides the work of the Directorate. The already created post of the Superintendent of Library in the cadre of Bihar Education Service shall convert into that of the Director, Directorate of Libraries. The post of Assistant Director shall be created by conversion of any floating post of Department/ Bihar Education Service Cadre. The present post of Class III and Class IV of the office of Superintendent of Library, Bihar will be deemed to be post of employees of Directorate. (2) The Directorate of Library and Information Centre will perform the following functions as per the direction of Bihar State Library and Information Centre Authority. (a) To control and ensure proper utilisation of the Public Library Fund of the State and to make arrangement of audit by Finance Department/ Accountant General office and produce the report of it to Human Resource Development Department. (b) To make advice for necessity based grant to the libraries of different level of the State according to specified rules of this Act. (c) To prepare updated register of libraries and librarians in the State. (d) To prepare analytical and descriptive report relating to the functions of libraries at different level in the State and produce before the government through the State Library Authority. (e) To make supervision, direction and execution of all works relating to the Central Press and Registration of Books Act, 1867 and to organisation, maintenance, effective management and to manage its publication after preparing Bibliography of books obtained under this Act. CHAPTER-4 Library Fund

8. State Library Fund.

- The State Government shall constitute an independent fund called State Library Fund. The following kinds of amount shall be deposited in this fund: - (a) Amount given by the State Government as grants. (b) Grants or donations given by the Govt, of India or Raja Ram Mohan Roy Library Foundation for the development of libraries at different level. (c) Amount received from District Development Fund as grant. (d) Amount received from M.P. or MLA/MLC fund for purchase of reading materials, construction of building, repair, furniture and modernisation of libraries. (e) Funds and other amount collected by State Library and Information Centre Authority within the rules framed under this Act. (f) All interest and profits arising from any investment of State Library and Information Centre Authority. (g) Grant and Donation received from Private Companies, Organisations, Institutions and Persons.

9. Application of Library Fund.

- The State Library Fund may be utilised by the State Library and Information Centre Authority for carrying out the following purpose of his Act. (a) Maintenance and development of Public libraries. (b) Allowances and Honorarium admissible to the members of Authority and Sub-Committees. (c) Any necessary expenditure approved under the rules by the Director, State

Library and Information Centre Directorate.

10. Accounts and Audit.

(1) State Library Fund shall be maintained in the prescribed manner. (2) The account shall be audited annually by the Accountant General in such manner and by such officer or authority as may be prescribed and a copy of the audit report shall be submitted to the State Government in the prescribed manner. CHAPTER-5 Miscellaneous

11. Validation of Act.

- No section or sub-section of this Act shall be deemed to be invalid by reason only of the existence of any vacancy initial or subsequent, or any defect, in the constitution of the Authority.

12. Reports & Returns.

- Incharge of every public library of different levels shall submit such reports and returns and furnish such information to the State Library and Information Centre Directorate or any person authorised by it for this purpose as the directorate or the person authorised by it may require from time to time.

13. Inspection of Public Libraries at different levels.

- The Director or any person authorised by him 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 made thereunder are duly carried out.

14. Powers to make rules.

(1) The State Government may make rules to carry out the provisions of the Act. (2) In particular and without prejudice to the generality of the foregoing power such provisions may provide for all or any of the matters which may be prescribed or are required to be prescribed. (3) All rules made under this section shall as soon as may be, after they are made, laid before the House of the Legislature for 14 days and shall be made subject to such modification as may be made by the State Legislature during the session in which they are so laid. CHAPTER-6

15. Press and Registration of Books.

- It shall be applicable in the State of Bihar as per the proviso of Press and Registration of Books Act, 1867 as follows - (a) One copy of all books published in one calendar year within the territory of the State should be given free of cost to the following library: - Smt. Radhika Sinha Institute and Sachchidanand Sinha Library, Patna. Concerned Library shall maintain a separate Register for the received books under this Act, which will be provided only for research and reference.

16. Penalty.

- Authors/Publishers shall be subject to punishment for not depositing the books under section 15 of this Act. The Authority shall decide the amount of penalty.