

*THE ANDHRA PRADESH PUBLIC LIBRARIES ACT, 1960.

Andhra Pradesh Act, No.VIII of 1960!

(Received the assent of the Governor on the 18th February, 1960 and first published in the Andhra Pradesh Gazette, dated the 25th February, 1960).

AN 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. (1) This Act may be called the Andhra Pradesh Public Libraries Act, 1960.

SHORT TITLE, (2) It extends to the whole of EXTENT AND the State of Andhra Pradesh.
COMMENCE- MENT.

(3) It shall come into force on such date as the Government may, by notification, appoint.

2. In this Act, unless the context other-
DEFINITIONS: wise 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;

— — — — —
For Statement of Objects and Reasons,
Part IV-A of the Andhra Pradesh Gazettee,
Extraordinary, dated the 25th July, 1959,
page 58.

Act came into force on 1st April, 1960.

(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 any 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. (I) 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.

CONSTITUTION AND COMPOSITION OF THE STATE LIBRARY COMMITTEE AND ITS FUNCTIONS.

(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 Health, Housing and Municipal Administration Department;

(d) the Director of Public Libraries, who shall also be Secretary of the Committee;

(e) the Director of Public Instruction;

(f) the Director of Municipal Admini- stration;

(g) the Librarian, State Central Library, Hyderabad;

(h) 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;

(i) one person nominated by the Syndicate of each of the Universities in the State;

(j) three persons nominated by the Andhra Pradesh Library Association;

(k) eight persons nominated by the Government as follows:

(i) one from among the members of the Hyderabad City Grandhalaya Samstha;

(ii) one from among the members of the Zilla Grandhalaya Samsthans in each University area in the State;

(iii) one person who had rendered outstanding service to the cause of libraries.

(iv) one person with special knowledge of matters relating to the public libraries in the State;

(v) two District Central Librarians.

(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. Every member of the Committee, other than an ex-officio member, shall hold office for TERM OF OFFICE OF CERTAIN MEMBERS OF THE COMMITTEE. 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 as soon as he ceases to represent the body from which he was nominated or elected;

Provided 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. Any vacancy occurring in the office of a nominated, or elected member of the Committee FILLING UP OF CASUAL VACANCIES OF CERTAIN MEMBERS 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. The Committee shall meet at such times MEETINGS OF THE COMMITTEE. and places and shall observe such rules of procedure at its meetings as may be prescribed.

7. No act of a State Library Committee ACT OF STATE LIBRARY COMMITTEE NOT TO BE INVALIDATED BY INFORMALITY ETC. shall be deemed to be 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. For the purposes of this Act, the Government shall constitute a separate Department of Public Libraries and appoint a Director for that Department. The Director CONSTITUTION OF THE DEPARTMENT OF PUBLIC LIBRARIES AND APPOINTMENT OF THE DIRECTOR THEREOF AND HIS DUTIES. so appointed shall, subject to the control of the Government,

(a) supervise the State Central Library and the branches of such library;

* Substituted by Andhra Pradesh Act No.7 of 1969.

- (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 Government and supervise and direct all matters relating to such libraries;
- (d) direct and control the work of all Zilla 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 thereunder;
- (i) arrange for centralised classification, cataloguing, inter-library loan, co-ordination 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 GRANDHALAYA SAMSTHAS.

§9. (1) For the purposes of organising and administering public libraries in the State, there shall be constituted CONSTITUTION AND INCORPORATION Zilla Grandhalaya Samsthas, OF ZILLA GRANDHA. one for the City of Hyderabad by the name of the LAYA SAMSTHAS. Hyderabed City Grandhalaya Samstha, one for the district of Hyderabad excluding the said City by the name of the Hyderabad Zilla Grandhalaya Samstha and one for each of the other districts by the name of the district concerned.

(2) Every Zilla Grandhalaya Samstha shall, by the name of the area 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 contracts and may by the said name sue and be sued.

(3) It shall be the duty of every Zilla Grandhalaya Samstha to provide library service in the area of its jurisdiction.

10. (1) The Zilla Grandhalaya Samstha.

COMPOSITION OF ZILLA GRANDHALAYA SAMSTHAS. 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 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 referred to in sub-clauses (a) & (b) of clause (9) of section 2) in the twin cities of Hyderabad and Secunderabad;

*(c) two members elected by the councillors of the Municipal Corporation of Hyderabad;

(d) two members nominated by the Andhra Pradesh Library Association 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 the Zilla Grandhalaya Samstha.

§ Substituted by ibid.

* Substituted by A.P. Act No.17 of 1964.

(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 persons in the medical profession in the district;
- (ii) one person from among persons in the legal profession in the district;
- (iii) one headmaster or headmistress 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 referred to in sub-clauses (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 member 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.

(3) Every Zilla Grandhalaya Samstha shall elect one of its members to be its Chairman.

11. (1) Every member of a Zilla Grandhalaya Samstha, not being the Librarian of the City Central Library or the Librarian of the District Central Library, shall hold office for a period of five years from the date of his nomination or election, as the case may be.

** Substituted by A.P. Act No.7 of 1969

*Provided that any such 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 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 the holder of that office, cease to be a member of the Zilla Grandhalaya Samstha.

§§ 11-A. (1) A person shall be disqualified

DISQUALIFICATION
FOR BEING CHOSEN
AS AND FOR BEING
A MEMBER OF THE
ZILLA GRANDHALAYA
SAMSTHA.

for being chosen as and
for being a member of the
Zilla Grandhalaya Samstha,

if he —

(a) is or has been sentenced by a criminal court to imprisonment for a period of more than six months for any offence involving moral delinquency, such sentence not having been reversed or the offence pardoned, and a 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) absents himself from three consecutive meetings without excuse sufficient in the opinion of the Zilla Grandhalaya Samstha 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 Zilla Grandhalaya Samstha at its next meeting. Where such person applies for restoration of membership to the Zilla Grandhalaya Samstha on or before the date of its next meeting or within fifteen days of the receipt by him of such intimation, the Zilla Grandhalaya Samstha may, at the meeting next after the receipt of the application, or suo motu, restore him as member thereof:

12. A vacancy occurring in the office of
FILLING UP OF a nominated or elected
CASUAL VACANCIES member of a Zilla Grandhalaya
OF THE MEMBERS OF Sanstha before the expiration
THE ZILLA GRANDHA- of his term shall be filled
LAYA SAMSTHA. by nomination or election,
as the case may be, of another
person in the manner provided in section 10, and
the person so nominated or elected shall hold
office for the residue of the term of his predecessor.

13. (1) A Zilla Grandhalaya Sanstha may --
POWERS AND (a) provide suitable lands and buildings
FUNCTIONS for public libraries and also the
OF ZILLA furniture, fittings, materials
GRANDHALAYA and conveniences requisite therefor;
SAMSTHA.
(b) stock such libraries with books,
periodicals, newspapers, manuscripts,
maps, works and specimens of art
and science, lantern, slides, films,
cinema projectors, recorders and
the like:

*Provided that the books that may be stocked
in the libraries shall be selected from
the list of books approved from time
to time by the Government;

Provided further that the Zilla Grandhalaya
Sanstha shall stock also books and periodicals
as may be directed, from time to time
by the Government or by an officer
authorised by the Government in this
behalf, the aggregate value whereof
shall not be less than twenty five
per cent of the provision made in the
budget of that Sanstha for the purpose
of this clause;

@(c) (.)

§(d) with the previous sanction of the
Director, shift or close any
public library mentioned in sub-
clause (a) of clause (9) of
section 2, or discontinue aid to
any other public library, the payment
of which is regulated by rules made
under this Act;

— - - - - * Inserted by A.P. Act No.7 of 1969.

© Omitted by A.P. Act No.17 of 1964.

§ Substituted by A.P. 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 of 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 authorised by the Government in this behalf acquire any library on such conditions as may be approved by the Government or an officer authorised 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 discussion of matters relating to the development of public libraries and the library service;

(i) in general, do every thing necessary to carry out the provisions of this Act.

§(2) Nothing in sub-section (i) shall apply to a library maintained by the Government.

14. (1) As soon as possible after a Zilla Grandhalaya Samstha is constituted, and thereafter as often as may be required by the Director, every SCHEMES TO BE SUBMITTED BY ZILLA GRANDHALAYA SAMSTHAS. Zilla Grandhalaya Samstha shall and whenever it considers it necessary so to do, a Zilla Grandhalaya Samstha 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 alterations, if any, as he may think fit after giving the Zilla Grandhalaya Samstha an opportunity to make its representations, if any in respect of such alterations and the Zilla Grandhalaya Samstha shall thereupon give effect to the Scheme so sanctioned by him.

*Inserted by Andhra Pradesh Act No.7 of 1969.
§Inserted by Andhra Pradesh Act No.17 of 1964.

(2) The Director may on application by the Zilla Grandhalaya Samstha concerned, modify any scheme sanctioned under sub-section (1) or replace it by a new scheme.

15. (1) A Zilla Grandhalaya Samstha may appoint an executive committee consisting of EXECUTIVE COMMITTEE AND SUB-COMMITTEES OF ZILLA GRANDHALAYA SAMSTHAS. 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 Zilla Grandhalaya Samstha may also, from time to time, appoint sub-committees to enquire into and report or advise on any matters which it may refer to them.

16. No act of a Zilla Grandhalaya Samstha ACT OF ZILLA GRANDHALAYA SAMSTHAS TO BE NOT INDATED BY INVALI-FORMALITY ETC. 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. (1) All property, acquired or held in VESTING OF PROPERTIES IN THE ZILLA GRANDHALAYA SAMSTHAS. any area by the Zilla Grandhalaya Samstha for the purpose of any public library defined in sub-clause (a) of clause (9) of section 2 shall vest in the Zilla Grandhalaya Samstha of that area.

(2) Any immovable property required by the Zilla Grandhalaya Samstha shall be deemed to be land needed for a public purpose within the meaning of the Land Acquisition Act, 1894 (Central Act I of 1894) and may be acquired under that Act.

18. (1) Subject to the provisions of this POWER OF ZILLA GRANDHALAYA SAMSTHAS TO MAKE BYE-LAWS. Act and rules made thereunder, a Zilla Grandhalaya Samstha 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 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, or any person who contravenes or does not comply with the provisions of this Act or the rules or bye-laws made thereunder;
- (e) the conduct of meetings of the Zilla Grandhalaya Samstha and the procedure to be followed in regard to the transaction of business at such meetings and the quorum for the transaction of such business at a meeting:

*Provided that a Zilla Grandhalaya Samstha shall not have power to make any bye-laws affecting a public library mentioned in sub-clause (11) or sub-clause (12) of section 2.

(3) The Director may modify or cancel any bye-law made by a Zilla Grandhalaya Samstha under sub-section (2):

Provided that before modifying or canceling any bye-law, the Director shall give the Zilla Grandhalaya Samstha concerned a reasonable opportunity to make its representations in the matter:

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* Inserted by Andhra Pradesh Act No.17 of 1964.

§ 18-A. (1) The Government may, by notification, remove any Chairman of the Zilla Grandhalaya Samstha, who in their opinion wilfully omits or refuses to carry out or disobeys the provisions of this Act, or the rules, bye-laws or lawful 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 order or 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 be eligible for re-election to the said office for a period of three years from the date of his removal.

19. If, at any time, it appears to the Government that a Zilla Grandhalaya Samstha has failed to perform its functions or has exceeded or abused any of the powers conferred upon it by or under this Act, the Government may communicate CONTROL OF THE the particulars thereof to ZILLA GRANDHALAYA the Zilla Grandhalaya Samstha SAMSTHAS BY THE and if the Zilla Grandhalaya GOVERNMENT. Sanstha omits to remedy such failure, excess or abuse or to give a satisfactory explanation therefor within such time as the Government may fix in this behalf the Government may suspend, dissolve or supersede the Zilla Grandhalaya Samstha 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.

§§ 19-A. Notwithstanding anything in this Act, the Government may, by notification, constitute a Library Service for the Zilla Grandhalaya Samsthas CONSTITUTION OF A LIBRARY SERVICE FOR ZILLA GRANDHALAYA SAMSTHAS IN THE STATE. in the State and appoint to that service such category of Librarians as may be prescribed.

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§ Inserted by Andhra Pradesh Act No.7 of 1969.

§§ Inserted by Andhra Pradesh Act No.17 of 1964.

CHAPTER-V.

FINANCE AND ACCOUNTS

20. (1) (a) Every Zilla Grandhalaya Samstha 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 LIBRARY CESS relevant laws providing for the levy of such property tax or house tax, at the rate of four *naya paise for every rupee in the property tax or house tax so levied.

(b) A Zilla Grandhalaya Samstha may, with the previous sanction of the Government and shall if so directed by them, increase the rate specified in clause (a) so as not to exceed eight *naye paise for every rupee.

(2) The cess levied under sub-section (1) shall be collected ---

§(a) in the twin cities of Hyderabad and Secunderabad, by the Municipal Corporation of Hyderabad;

§§(b) in an area within the jurisdiction of a municipal council, by such council;

§§(c) in an area within the jurisdiction of a gram panchayat; by the gram panchayat; and

(d) in an area in a district not included 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.

* Now Paise

§ Clause (a) was substituted by Andhra Pradesh Act No.17 of 1964, clause (b) was omitted and clauses (c), (d) and (e) are relettered as Clauses (b), (c) and (d) respectively by Act 17 of 1964.

§§ Substituted by Andhra Pradesh Act No.7 of 1969

21. (1) Every Zilla Grandhalaya Samstha shall maintain a fund called the "Library Fund" from which all its payments under this Act shall be net.

(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, gifts and income from endowments made to the Zilla Grandhalaya Samstha 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 Zilla Grandhalaya Samstha under any rules or bye-laws made under this Act.

(3) The Government shall contribute annually to the Library Fund maintained by every Zilla Grandhalaya Samstha a sum not less than the amount of the cess collected under sub-section (2) of section 20.

22. (1) An account shall be kept of the MAINTENANCE OF ACCOUNTS receipt and expenses of each Zilla Grandhalaya Samstha.

(2) The accounts shall be open to inspection, shall be subject to audit, disallowance and surcharge and shall be dealt with in all other respects in such manner, as may be prescribed.

CHAPTER-VI.

REPORTS, RETURNS AND INSPECTION.

23. Every Zilla Grandhalaya Samstha and every person in charge of a public library shall REPORTS AND RETURNS. 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. The Director or any person authorised by him in this behalf may inspect any public INSPECTION OF LIBRARIES. 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.

CHAPTER-VII.

MISCELLANEOUS.

25. (1) The Government may, by notification,
~~POWER TO~~ ~~MAKE RULE.~~ make rules to carry out the
purpose 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 Zilla
Grandhalaya Samsthas;
- (b) the publication of audited statements
of the accounts of Zilla Grandhalaya
Samsthas 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 main-
tained by Zilla Grandhalaya •
Samstha and for regulating the
classification, methods of
recruitment, pay and allowances,
discipline and conduct and other
conditions of service of the staff
employed in such libraries;
- § (f) the classification, methods of recruit-
ment, pay and allowances, discipline
and conduct and other conditions of
service of the members of the
Library Service constituted under
section 19-A;
- §§(g) the recognition of the library associa-
tions and regulation of grants to
such associations.

§ Inserted by A.P. Act No.17 of 1964.

§§ Inserted by A.P. Act No.7 of 1969.

§ (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 in the rule 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.

§§ 26. (.)

27. The Press and Registration of Books

AMENDMENT OF THE PRESS AND REGISTRATION OF BOOKS ACT, 1867, IN ITS APPLICATION TO THE STATE OF ANDHRA PRADESH. Act, 1867 (Central Act XXV of 1867) shall, in its application to the State of Andhra Pradesh, 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 calender 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 (j), 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 letter press or in the maps, book prints or other engravings belonging to the book have been made, and three copies of the first or some preceding edition of which books have been delivered under this Act, or";

§ Substituted by A.P. Act No. 17 of 1964.
§§ Omitted by A.P. Act. No. 7 of 1969.

(iii) in section 11, for the first sentence the following sentence shall be substituted namely:--

"Out of the 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. (1) The Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948) and the REPEAL AND SAVING. Hyderabad 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 Zilla Grandhalaya Sansthas 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 the Zilla Grandhalaya Sansthas 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 Authorities are constituted under this Act. whichever is later;

(b) all rules, bye-laws and regulations made under the said Acts and in force at the commencement of this Act, shall so far as such rules, bye-laws and regulations are not inconsistent with the provisions of this Act, continue to be in force in the respective areas in which they are in force at such commencement, and such rules shall be deemed to be rules and such bye-laws and regulations 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.

GOVERNMENT OF ANDHRA PRADESH

Re. No. 211-B3/88

Dated 30-10-1989.

From

Sri R.Krishna Murthy, M.A., M.Ed.,
P.G.Dip.T.E.,
Director of Public Libraries,
Andhra Pradesh, Hyderabad.

To

The Director,
Raja Rammohun Roy Library
Foundation, Block, DD-34,
Sector-1, Salt Lake,
Calcutta-700 064.

Sir,

Sub:- Libraries - Dept. of Public
Libraries Copy of A.P.P.L.(Amendment)
Act 1989 - Furnished - Reg.

Ref:- Your Lr.No. 3-1/DIR/89/12085
dated 13-10-1989.

With reference to your letter
cited, I enclose herewith a copy of Andhra
Pradesh Public Libraries (Amendment) Act 1989
(Act 11 of 1989) in which provision was made
for the constitution of Andhra Pradesh
Grandhalaya Parishad in place of State Library
Committee.

Yours faithfully,

for Director of Public Libraries.

Copy of

GOVERNMENT OF ANDHRA PRADESH
THE ANDHRA PRADESH GAZETTE
PART VI-B-EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 15) HYDERABAD THURSDAY, APRIL, 20 1989.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 19th April, 1989 and the said assent is hereby first published on the 20th April, 1989 in the Andhra Pradesh Gazette for General information:

ACT NO. 11 of 1989

An Act further to amend the Andhra Pradesh Public Libraries Act, 1960.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fortieth Year of the Republic of India, as follows:-

1. (1) This Act may be called the Andhra Pradesh Public Libraries (Amendment) Act, short title and commencement. 1989.

(2) It shall be deemed to have come into force on the 2nd December, 1989.

ment of section 2; Act VIII of 1960. ~~section 2; Act VIII of 1960.~~ (hereinafter referred to as the principal Act) in section 2, --

(a) Clause (2) shall be omitted;

(b) after clause (7), the following clause shall be inserted, namely:-

"(7a) "Parishad" means the Andhra Pradesh Grandhalaya Parishad established under section 3;".

Substitution of ~~xxx~~ new Chapter for Chapter II.

3. In the principal Act, for Chapter II, the following Chapter shall be substituted, namely:-

contd... 3.

Establish-
ment and
composi-
tion of
the Andhra
Pradesh
Grandhalaya
Parishad.

THE ANDHRA PRADESH GRANDHALAYA PARISHAD

3.(1) There shall be established by the Government by notification for the State of Andhra Pradesh a Parishad by the name of "The Andhra Pradesh Grandhalaya Parishad".

(2) The headquarters of the parishad shall be at Hyderabad.

(3) The Parishad shall be a body corporate, having perpetual succession and ~~possess~~ a common seal with power subject to the provisions of this Act and the rules made thereunder, to acquire, hold and dispose of property and to enter into contracts and shall by the said name sue and be sued.

(4) The Parishad shall consist of the following members, namely:-

(a) a Chairman to be appointed by the Government from among the persons who have rendered eminent service for the cause of education and library movement;

(b) the Director of Public Libraries, who shall be the Member-Secretary; and

(c) seven members to be nominated by the Government of whom;--

(i) one shall be expert having special knowledge of library science;

(ii) two shall be from among those who have rendered service for the development of library movement and education;

(iii) one shall be a person representing the recognised aided libraries;

(iv) one shall be from among the Chairman of the Zilla Grandhalaya Samsthas;

(v) One shall be from among the Secretaries of the Zilla Grandhalaya Samsthas; and

(vi) the Chief Librarian, State Central Library, Hyderabad shall be member; ex-officio.

4. The objects of the Parishad shall be, object
of the
Parishad.

(i) to organise and promote library service in the State;

(ii) to establish, equip, maintain and develop an integrated, comprehensive and efficient library service in the State;

(iii) to augment the supply of books and periodicals to all the libraries in the State;

(iv) to develop infrastructural facilities such as buildings, furniture, equipment to all public libraries and Zilla Granthalaya Samsthans in the State;

(v) to raise finances and regulate their usage for the promotion of Library services;

(vi) to undertake other related activities;

(vii) to augment the income of the Parishad and Zilla Granthalaya Samsthans and suggest ways and means for raising additional resources; and

(viii) to prepare long term and short term plans for improving the library service in the State and also to supervise the implementation of improved plans.

5. (1) The Parishad shall be the principal policy ~~and~~ ~~formulating~~ body and shall exercise the following powers and perform the following functions, namely:-

(a) to evolve perspective plans for the development of library services and to co-ordinate and determine the standard of library service in Zilla Granthalaya Samsthans;

(b) to prepare consolidated programmes in accordance with the guidelines issued by the Government and the Raja Ram Mohan Roy Library Foundation and also to implement the developmental programmes;

contd...

- (c) to approve the budget estimates of the panchayat and Zilla Grandhalaya Samsthans;
- (d) to sanction the opening of Library branches, village libraries and book deposit centres, subject to the availability of funds and creation of full time post with the approval of the Government;
- (e) to accord administrative and financial sanction for the construction of buildings for the purpose of public libraries;
- (f) to accord administrative and financial sanction for additional staff with the approval of the Government.
- (g) to approve the shifting of regional and mobile libraries;
- (h) to accept gifts or endowments for any purpose connected with the library activities of a value upto rupees five lakhs and with the permission of the Government of a value exceeding five lakhs;
- (i) to approve and submit to Government every year the audited statements of accounts and utilisation certificates of its funds;
- (j) to approve the annual audited statements of accounts of the Zilla Grandhalaya Samsthans;
- (k) to approve the annual report on the working of public libraries under the act and cause to be placed before the Legislature;

- (l) to decide the policy for the selection and purchase of books required by the public libraries in the state and for this purpose to constitute sub-committees, which shall include one expert in the subject of language concerned besides other eminent persons in the faculties concerned;
- (m) to organise and conduct library seminars, workshops and conferences;

(n) to set up sub - committees, as may be necessary from time to time to regulate the work;

(o) to co-ordinate all the activities concerned with the library service and also to supervise the proper utilisation of funds allotted to such activities ~~and~~ including the cess collected by the Zilla Grandhalay Samsthans; and

(p) to prepare consolidated programme accordance with the guidelines issued by the Government from time to time.

(2) The Parishad shall advise the Government on all matters arising under this Act and shall exercise such other powers and perform such other functions as may be prescribed.

(3) The Parishad shall meet atleast once in two months. The number of members necessary to constitute a quorum at the meetings and the procedure to be followed thereat shall be such as may be prescribed.

6. The Chairman shall be Head of the Parishad ^{powers and functions of the} and shall preside over all its meetings. He shall ^{Chairman.} supervise the implementation of the policies and programmes of the Parishad and exercise such other powers and perform such other functions as may be prescribed.

7. (1) The Chairman of the Parishad ~~xx xx~~ shall be entitled to such salary and allowances and shall be subject to such conditions of service as may from time to time be prescribed.

Salaries
and allow-
ances of
Chairman
etc.

(2) The Chairman and every member of the Parishad, other than the ex-officio member, shall hold office for a period of three years from the date of his nomination.

(3) The other members of the Parishad shall receive such allowances as may be prescribed.

7-A. The Member-Secretary shall be the Chief Executive of the Parishad and shall exercise the following powers and perform the following functions, namely:-

Powers and functions of the Member-Secretary.

- (1) implement all the policies and programmes of the Parishad;
- (2) exercise general supervision and control over the Parishad office staff, field staff of libraries or any other employees ~~or~~ of the Parishad and all the libraries under Zilla Grandhalay & Samsthans;
- (3) to deal with all the administrative matters pertaining to appointments, postings, transfers, promotions, and disciplinary action of the staff of Parishad and Zilla Grandhalay & Samsthans;
- (4) run the day-to-day administration of the Parishad and conduct all its financial administrative transactions;
- (5) be the custodian of the finances of the Parishad;
- (6) prepare and present the audited statements of accounts and utilisation certificates to the Parishad for its approval;
- (7) obtain audited statements of accounts of all the Zilla Grandhalay & Samsthans and place them before the Parishad for its approval along with utilisation certificates;
- (8) recommend administrative and financial sanctions for the creation of the posts of Officers and the other employees for the performance of functions of the Parishad.

Filling up
of Casual vacancies
of the Chairman and
the members of the
Parishad. Funds
of the Parishad.

7-B. Any vacancy occurring in the office of the Chairman or as the case may be of the member of the Parishad ~~xxxxxx.~~ ~~x~~ before the expiration of the term shall be filled by nomination of another person in the manner provided in section 3 and the persons so nominated, shall hold office for the residue of the term of his predecessor.

Contd. . 7

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Funds
of the
Parishad.

7-C (1) the Parishad shall have its own funds, consisting of,

- (a) the grants made by the State Government;
- (b) all moneys received by or on its behalf under the provisions of this Act or any other law for the time being in force or under any other contract;
- (c) all proceeds of the disposal of the property by or on behalf of the Parishad;
- (d) all moneys received by or on behalf of the Parishad from Public bodies, private bodies or private individuals by way of grants, donations or deposits;
- (e) all interests and profits arising from any investment or from any transaction in connection with any money belonging to the Parishad; and
- (f) such other sums from the Zilla Grandhalaya Samsthas as may be required for specific purposes as provided under the Act or as per the instructions of the Government, from time to time.

(2) all moneys belonging to the Parishad shall be deposited in such banks or invested in such manner as may be prescribed.

(3) The Parishad may spend such sums as it may deem fit for performing its functions under this Act and such expenditure shall be treated as expenditure payable out of this fund.

7-D. The Government may, at any time after the constitution of the Parishad transfer to it any properties of the public libraries along with the staff on such terms and conditions as it may deem proper.

7-E. The Parishad shall function under the general supervision and control of the Government to give contd... 6

Power of
the Govern-
ment to
give direc-
tions.

such directions as it may deem fit from time to time and
may review the actions of the Parishad".

Amendment 4. In section 8 of the principal Act, Clauses (e) and
of
section 8. (j) shall be omitted.

Amendment 5. In section 13 of the principal Act, in
of
section 13. sub-section (1);--

(i) in clause (b), in the first and second provisos
for the words "by the Government" in three places
where they occur the words "by the Parishad" shall be
substituted;

(ii) in clause (g), for the words "the Government"
wherever they occur, the words "the Parishad" shall be
substituted;

Amendment 6. In Section 14 of the principal Act,--
of
section 14. (i) in sub-section (1), for the words "the Director"
wherever they occur, the words "the Parishad" and for the
words "as he may think fit" and "so sanctioned by him"
the words "as the Parishad may think fit" and respectively
be substituted; and
(ii) in sub-section (2) for the words "the Director"
the words "the Parishad" shall be substituted.

7. In section 16 of the principal Act;-- Amendment
of
section 16.

(i) for the words "a Zilla Grandhalaya
Samsthan" the words "the Parishad or a Zilla
Grandhalaya Samsthan" shall be substituted;

(ii) in the marginal heading, for the
words "Zilla Grandhalaya Samsthans" the words
"Parishad or Zilla Grandhalaya Samsthans" shall
be substituted.

8. In section 19 of the principal Act;-- Amendment
of
section 19

contd....

(1) for the words "a Zilla Grandhalaya Samstha",
the words "the Parishad or, as the case may be a Zilla
Grandhalaya Samstha" and for the words "the Zilla Grandhalaya
Samstha" for as the case may be the Zilla Grandhalaya Samstha
shall respectively be substituted;

(ii) in the marginal heading for the words "The Zilla
Grandhalaya Samstha"; the words "the Parishad or the Zilla
Grandhalaya Samstha" shall be substituted.

9. In section 21 of the principal Act -- amendment
of
(i) in sub-section (2), after clause (d) section 21.

the following clause shall be added, namely:

"(e) grants, released by the Government
from time to time";

(ii) sub-section (3) shall be omitted.

10. In section 22 of the principal Act, for amendment
of
the words "each Zilla Grandhalaya Samstha", the section 22.
words "the Parishad and each Zilla Grandhalaya
Samstha" shall be substituted.

Amendment
of Section
23.

11. In section 23 of the principal Act,
for the words "the Director or any person authorised
by ~~xxx~~ him in this behalf as the Director", the
words "the Parishad or any such manner as the
Parishad", shall be substituted.

Amendment
of
section 24.

12. In section 24 of the principal Act, for
the words, "The Director or any person or any person
authorised by it", and for the words "for the purpose
of satisfying itself" shall respectively be
substituted.

Insertion
of new
section 24-A

13. After section 24 of the principal Act,
the following section shall be inserted,

Namely:-

contd..10.

Establish-
ment of a
Vigilance
and Audit
Cell.

24-A. There shall be established by the Parishad a separate accounts, inspection, vigilance and audit cell to look after the accounts, inspection and vigilance and audit work of the Department of the Public Libraries in the manner and with such officers as may be prescribed.

Amendment
of
section 24.

14. In section 25 of the principal act, in sub-section (2), for clause (a) the following clause shall be substituted, namely:-

"(a) the method of appointment and the nomination of members to the Parishad and the Zilla Grandhalaya Samsthans".

Transi-
tional
provision.

15. On and from the date of commencement of the Andhra Pradesh Public Libraries (Amendment) Act, 1983, the Chairman and Members of the State Library Committee constituted and functioning under section 3 of the principal act immediately before such commencement shall cease to hold office.

16. The Andhra Pradesh Public Libraries (Amendment) Ordinance, 1988 is hereby repealed.

²
Repeal of
Ordinance
16 of
1988

P.V. VIDYASAGAR
SECRETARY TO GOVERNMENT
Law and Legislative Affairs,
Law Department.

/True copy/

SUPERINTENDENT