

Andhra Pradesh Public Libraries Act, 1960

7 of 1960

[25 February 1960]

CONTENTS

CHAPTER 1 :- PRELIMINARY

1. Short title, extent and commencement
2. Definitions

CHAPTER 2 :- CHAPTER II

- 3 . Establishment and composition of the Andhra Pradesh Grandhalaya Parishad
4. Objects of the Parishad
5. Powers and functions of Parishad
6. Powers and functions of the Chairman
7. Salaries and allowances of Chairman etc.
- 7A. Powers And Functions Of The Member Secretary
- 7 B. Filling Up Of Casual Vacancies Of The Chairman And The Members Of The Parishad
- 7C. Funds Of The Parishad
- 7D. Transfer Of Properties And Staff
- 7E. Power Of The Government To Give Directions

CHAPTER 3 :- DEPARTMENT OF PUBLIC LIBRARIES

- 8 . Constitution of the Department of Public Libraries and appointment of the Director thereof and his duties
- 8 A. Librarians For City Central Library, Hyderabad And District Central Libraries
9. Constitution and incorporation of Zilla Grandhalaya Samsthas
10. Composition of Zilla Grandhalaya Samsthas
- 11 . Term of office of members of Zilla Grandhalaya and its Chairman
- 11 A. Disqualification For Being A Member Of Zilla Grandhalaya Samstha
- 12 . Filling up of casual vacancies of the members of Zilla Grandhalaya Samstha
- 12A. Management Of Zilla Grandhalaya Samstha In The Absence Of The Parishad
13. Powers and functions of Zilla Grandhalaya Samsthas
14. Scheme to be submitted by Zilla Grandhalaya Samsthas

- 15 . Executive Committees and Sub-Committees of Zilla Grandhalaya Samsthas
- 16 . Act of Parishad or Zilla Grandhalaya Samsthas not to be invalidated by informality, etc.
- 17. Vesting of properties in Zilla Grandhalaya Samsthas
- 18. Power of Zilla Grandhalaya Samsthas to make bye-laws
- 18A. Power Of Government To Remove Chairman Of The Zilla Grandhalaya Samstha
- 19. Control of the Parishad or the Zilla Grandhalaya Samsthas by the Government
- 19A. Constitution Of A Library Service For Zilla Grandhalaya Samsthas In The State

CHAPTER 4 :- Chapter IV

CHAPTER 5 :- FINANCE AND ACCOUNTS

- 20. Library cess
- 21. Library Fund
- 22. Maintenance of accounts

CHAPTER 6 :- REPORTS RETURNS AND INSPECTION

- 23. Reports and returns
- 24. Inspection of libraries
- 24A. Establishment Of A Vigilance And Audit Cell

CHAPTER 7 :- MISCELLANEOUS

- 25. Power to make rules
- 26. Omitted
- 27. Amendment to the Press and Registration of Books Act, 1867, in its application to the State of Andhra Pradesh
- 28. Repeal and Saving

Andhra Pradesh Public Libraries Act, 1960

7 of 1960

[25 February 1960]

An Act to consolidate and amend the Law 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 1 PRELIMINARY

1. Short title, extent and commencement :-

- (1) This Act may be called the Andhra Pradesh Public Libraries Act, 1960.
- (2) It extends to the whole of the State of Andhra Pradesh
- (3) It shall come into force on such date as the Government may, by notification, appoint

2. Definitions :-

In this Act, unless the context otherwise requires:-

(1) aided library means a library declared by the Director to be eligible for aid either from the Government or from the Library Fund in accordance with the rules made under this Act:

(2) 1[x x x x]

(3) director means the Director of Public Libraries appointed under Section 8;

(4) district means a revenue district;

(5) Government means the State Government;

(6) Library cess means the cess levied under sub-section (1) of Section 20;

(7) notification means a notification published in the Andhra Pradesh Gazette;

2[(7-a) "Parishad" means the Andhra Pradesh Grandhalaya Parishad established under Section 3.

(8) prescribed means prescribed by rules made under this Act;

(9) public library means-

(a) a library established or maintained by a 3[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 Cooperative 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.

1. Clause (2) omitted by Act 11 of 1989.
2. Inserted by A.P. Act 11 of 1989.
3. Substituted for the word "Local Library Authority" by Act 7 of 1969.

CHAPTER 2 CHAPTER II

3. Establishment and composition of the Andhra Pradesh Grandhalaya Parishad :-

(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 be a body corporate, having perpetual succession and a common seal with power subject to the provisions of this Act and the rules made there under, 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.

1. Substituted by Act 11 of 1989.

4. Objects of the Parishad :-

The objects of the Parishad shall be,

- (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 Grandhalaya Samsthas in the State;
- (v) to raise finances and regulate their usage for the promotion of Library service;
- (vi) to undertake other related activities;
- (vii) to augment the income of the Parishad and Zilla Grandhalaya Samsthas 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 approved plans.

5. Powers and functions of Parishad :-

(1) The Parishad shall be the principal policy 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 Grandhalaya Samsthas;
- (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 development programmes;
- (c) to approve the budget estimates of the Parishad and Zilla Grandhalaya Samsthas;
- (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 up to rupees five lakhs and with 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 Samsthas;
- (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 to language concerned besides other eminent persons in the faculties concerned;
- (m) to organise and conduct library seminars, work-shops 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 connected with the library service and also to supervise the proper utilisation of funds allotted to such activities including the cess collected by the Zilla Grandhalaya Samsthas; and
- (p) to prepare consolidated programme in the sphere of the library service in 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 at least once in two months. The number of members necessary to constitute a quorum at the meeting and the procedure to be followed thereat shall be such as may be prescribed.

6. Powers and functions of the Chairman :-

The Chairman shall be Head of the Parishad and shall preside over all its meetings. He shall 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. Salaries and allowances of Chairman etc. :-

(1) The Chairman of the Parishad 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.

1[(2) The Chairman and every member of the Parishad, other than

the ex-officio member, shall hold office during the pleasure of the Governor.]

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

1. Substituted by Act 16 of 1990.

7A. Powers And Functions Of The Member Secretary :-

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

- (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 of the Parishad and all the libraries under Zilla Grandhalaya Samsthas;
- (3) to deal with all the administrative matters pertaining to appointments, postings, transfers, promotions and disciplinary action of the staff of Parishad and Zilla Grandhalaya Samsthas;
- (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 account and utilisation certificates to the Parishad for its approval;
- (7) obtain audited statements of accounts of all the Zilla Grandhalaya Samsthas and place them before the Parishad for its approval along with utilisation certificates; and
- (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.

7B. Filling Up Of Casual Vacancies Of The Chairman And The Members Of The Parishad :-

Any vacancy occurring in the office of the Chairman or as the case may be of the member of the Parishad 1[x x x] shall be filled by nomination of another person in the manner provided in Section 3 2[x x x].

1. The words "before the expiration of the term" omitted by Act 16 of 1990.

2. Certain words omitted by ibid.

7C. Funds Of The Parishad :-

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.

7D. Transfer Of Properties And Staff :-

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.

7E. Power Of The Government To Give Directions :-

The Parishad shall function under the general supervision and control of the Government and the Government shall have power to give such directions as it may deem fit from time to time and may review the actions of the Parishad"].

CHAPTER 3 DEPARTMENT OF PUBLIC LIBRARIES

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

For the purposes of this Act, the Government shall constitute a separate Department of Public Libraries and appoint a Director for that Department. The Director so appointed shall, subject to the

control of the Government:-

- (a) 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 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) to (j) 1[.....]

1. Clause (e) to (J) omitted by A.P. Act 11 of 1989.

8A. Librarians For City Central Library, Hyderabad And District Central Libraries :-

1[(1) Government may, at any time, create such number of posts of Librarians for City Central Library, Hyderabad and for the District Central Libraries, as they may consider necessary, for carrying out the purposes of this Act.

(2) All appointments to the posts of Librarians created under subsection (1) and transfers of the holders of such posts shall be subject to the provisions of the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 as amended from time to time and to such other rules as may be made under the proviso to Article 309 of the Constitution of India.

(3) The Government shall pay, out of the Consolidated Fund of the State, the salaries, allowances, Leave allowances, pension and contributions, if any, towards Provident Fund or Pension-cum-Provident Fund of the Librarians referred to in sub-section (1)

(4) The Classification and methods of recruitment, conditions of service, Pay and Allowances and discipline and conduct of the Librarians referred to in sub-section (1) shall be regulated in accordance with the provisions of the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984, as amended from time to time and to such other rules as may be made under the proviso to Article 309 of the Constitution of India.

(5) Every holder of the post of Librarian, who is appointed under this Act, immediately before the commencement of the Andhra Pradesh Public Libraries (Amendment) Act, 1987 shall, notwithstanding anything in this Act, continue to hold such post, subject to the provisions of the Andhra Pradesh Employment (Regulation of Age of Superannuation) Act, 1984 as amended from time to time and to such other rules as may be made under the

proviso to Art. 309 of the Constitution and until provision in that behalf is so made, the rules for the time being in force regulating the recruitment and conditions of service applicable to such holder immediately before such commencement, except the provision relating to age of superannuation, shall continue to apply to such holder.

(6) The Government may, from time to time, by order give such direction to any Zilla Grandhalaya Samsthas, or Director as may appear to them to be necessary for the purpose of giving effect to the provisions of this section; and Zilla Grandhalaya Samstha or Director, as the case may be, shall comply with all such directions.

1. Section 8-A added by Act 13 of 1987.

9. Constitution and incorporation of Zilla Grandhalaya Samsthas :-

(1) For the purpose of organising and administering public libraries in the State there shall be constituted Zilla Grandhalaya Samsthas, one for the City of Hyderabad by the name of Hyderabad 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. Composition of Zilla Grandhalaya Samsthas :-

(1) The Zilla Grandhalaya Samstha for the twin cities of Hyderabad and Secunderabad shall consist of the following members, namely:-

(a) three members nominated by the Government from among the residents of the twin cities of Hyderabad and Secunderabad who have rendered eminent service in the field of education or public libraries;

(b) One member nominated by the Government from among the Presidents of the Governing bodies of the aided libraries in the cities of Hyderabad and Secunderabad;

- (c) Two members nominated by the Government, from among the Councilors of the Municipal Corporation of Hyderabad;
- (d) The District Educational Officer, Hyderabad, Ex-Officio;
- (e) The Deputy Director, Office of the Directorate of Adult Education, Hyderabad, Ex-Officio;
- (f) the District Public Relations Officer, Hyderabad, Ex-Officio;
- (g) the Librarian, City Central Library, Hyderabad, Ex-Officio who shall be the Member-Secretary.

(2) The Zila Grandhalaya Samstha for each District shall consist of the following members, namely:-

- (a) three members nominated by the Government from among the residents of the District, who have rendered eminent service in the field of education or public libraries;
- (b) One member nominated by the Government from among the Presidents of the governing bodies of the aided libraries in the Districts;
- (c) One member nominated by the Government from among the Councillors of either Municipal Corporations or the Municipalities of the District;
- (d) Two members nominated by the Government from among the Presidents of Mandal Panchayats in the District concerned;
- (e) the District Educational Officer of the District concerned, Ex-Officio;
- (f) the Deputy Director of the Adult Education in charge of the District concerned, Ex-officio;
- (g) the District Public Relations Officer of the District concerned, Ex-Officio;
- (h) the Librarian District Central Library, Ex-Officio, who shall be the Member-Secretary;
- (i) The District Panchayat Officer of the District concerned, Ex-Officio.

(3) The Government shall nominate one of the the non-official members as "the Chairman of the Zilla Grandhalaya Samasthas"

11. Term of office of members of Zilla Grandhalaya and its Chairman :-

1[(1) Every member of a Zilla Grandhalaya Samstha not being an ex-officio member shall hold office 2[during the pleasure of the Governor;]

(2) A member nominated to the Zilla Grandhalaya Samastha in his capacity as a holder of particular office shall if he ceases to be the

holder of that office, cease to be a member of the Zilla Grandhalaya Samastha.

(3) Save as otherwise provided in this Act, 2[the Chairman of a Zilla Grandhalaya Samstha shall hold office during the pleasure of the Governor.] The Chairman shall, however, cease to hold office, before the expiration of such term on his ceasing to be a member of the Zilla Grandhalaya Samastha.]

1. Substituted by A.P. Act 13 of 1987.

2. Substituted by Act 16 of 1990.

11A. Disqualification For Being A Member Of Zilla Grandhalaya Samstha :-

1[(1) A person shall be disqualified from 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 reserved 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 suffering from leprosy;

(d) applies to be adjudicated as an insolvent or is a discharged 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 subsection (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;

Provided that a member shall not be so restored more than twice 2[during the period he holds of office.]

1. Section 11 -A Inserted by Act 7 of 1969.

2. Substituted for the words "during his term of office" by Act No.

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

A vacancy occurring in the office of a nominated or the elected as the case may be member of a Zilla Grandhalaya Samstha 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 10, and the person so nominated or elected as the case may be shall hold office for the residue of the term of his predecessor.

12A. Management Of Zilla Grandhalaya Samstha In The Absence Of The Parishad :-

*[1[(1) Where, for any reason, there is a delay in the constitution of the Parishad in accordance with the provisions of Section 3 or the constitution of Zilla Grandhalaya Samstha for the twin cities of Hyderabad and Secunderabad under sub-section (1) of Section 10 of the Zilla Grandhalaya Samstha, for the District under sub-section (2) of Section 10 or the nomination of the Chairman of the Zilla Grandhalaya Samstha under sub-sec. (3) of Section 10, the Government may appoint a person or persons to manage the affairs of the 2[Parishad or of the Zilla Grandhalaya Samstha or to perform the functions of the Chairman, as the case may be for a period not exceeding six months and they may in the like manner from time to time extend such period beyond six months; so however, that the aggregate period including the extended period, if any, shall not exceed two years.

(2) The person or persons so appointed shall, subject to the control of the Government and to such instructions or directions as they may issue from time to time exercise the powers, discharge the duties and perform the functions of the Parishad or of the Zilla Grandhalaya Samstha and its Chairman; as the case may be, and take all such actions as may be required in the interests of the Zilla Grandhalaya Samstha.

(3) The Government may fix the remuneration payable to the person or persons so appointed. The amount of such remuneration and other costs, if any, incurred in the management of the Zilla Grandhalaya Samstha shall be payable out of the Library Fund.

* The word "Committee" wherever it occurs in Sec. 12-A the word parishad" shall be Substituted by Act 16 of 1990.

1. Section 12-A, Inserted by A.P. Act 14 of 1987.
2. The word "Committee" wherever it occurs in Sec. 12-A the word "Parishad" shall be substituted by Act 16 of 1990.

13. Powers and functions of Zilla Grandhalaya Samsthas :-

(1) A Library may-

(a) provide suitable lands and buildings for public libraries and also the furniture, fittings, materials and conveniences requisite therefore;

(b) stock such libraries with books, periodicals, newspapers, 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 1[by the Parishad;

Provided further that the Zilla Grandhalaya Samstha shall stock also books and periodicals as may be directed from time to time, by the Parishad in this behalf, the aggregate value whereof shall not be less than twenty five percent of the provision made in the budget of that Samstha for the purpose of this clause;]

(c) 2[x x x]

3[(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;

(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 Parishad or an officer authorised by the Parishad in this behalf, acquire any library on such conditions as may be approved by the Parishad or an officer authorised by the Government in this behalf;

(h) distribute grants for public libraries and social educational purposes;

4[(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 everything necessary to carry out provisions of this Act.

(2) Nothing in sub-section (1) shall apply to a library maintained by the Government.

1. Substituted by Act 11 of 1989.

2. Clause (c) omitted by Act 17 of 1964.

3. Substituted by A.P. Act 1969.

4. Inserted by ibid.

14. Scheme to be submitted by Zilla Grandhalaya Samsthas
:-

(1) As soon as possible after a Zilla Grandhalaya Samstha is constituted, and thereafter as often as may be required by the Parishad, every 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 Parishad for sanction. The Parishad may sanction it with such alteration, if any, as Parishad may think fit after giving the Zilla Grandhalaya Samstha an opportunity to make its representation. If any, in respect of such alterations and the Zilla Grandhalaya Samstha shall thereupon give effect to the scheme so sanctioned by Parishad.

(2) The Parishad may on application by the Zilla Grandhalaya Samstha concerned, modify the scheme sanctioned under subsection (1) or replace it by a new scheme.

15. Executive Committees and Sub-Committees of Zilla Grandhalaya Samsthas :-

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

(2) A Zilla Grandhalaya Samstha 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.

16. Act of Parishad or Zilla Grandhalaya Samsthas not to be invalidated by informality, etc. :-

No act of a Parishad or Zilla Grandhalaya Samstha shall be deemed to be invalid by reason only of the existence of any vacancy in or any defect in the constitution of that authority.

17. Vesting of properties in Zilla Grandhalaya Samsthas :-

(1) All property acquired or held in 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 1 of 1894) and may be acquired under that Act.

18. Power of Zilla Grandhalaya Samsthas to make bye-laws :-

(1) Subject to the provisions of this Act and the rules made there under 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, of any person who contravenes or does not comply with provisions of this Act or the rules or bye-laws made there under;

(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 subclause (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 cancelling any bye-law, the Director shall give the Zilla Grandhalaya Samstha concerned a reasonable opportunity to make its representations in the matter.

18A. Power Of Government To Remove Chairman Of The Zilla Grandhalaya Samstha :-

1[(1)The Government may, by notification, remove any Chairman of the Zilla Grandhalaya Samstha, who in their opinion willfully omits or refuses to carry out or disobeys the provisions of this Act, or the rules, bye-laws or lawful orders made there under, 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 of removal published under sub-section (1) and pending such review to stay such order.

(4) Any person removed under sub-section (1) from the office of the Chairman shall not be eligible for re-election to the said office for a period of three years from the date of his removal.

1. Inserted by A.P. Act 7 of 1969.

19. Control of the Parishad or the Zilla Grandhalaya Samsthas by the Government :-

If, at any time, it appears to the Government that a parishad or as the case may be 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 the particulars thereof to the Zilla Grandhalaya Samstha; and if the Zilla Grandhalaya Samstha 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 periods as they may think fit or direct that it be reconstituted.

19A. Constitution Of A Library Service For Zilla Grandhalaya Samsthas In The State :-

1[Notwithstanding anything in this Act, the Government may, by notification, constitute a Library Service for the Zilla Grandhalaya Samsthas in the State and appoint to that service such category of Librarians as may be prescribed.

1. Inserted by A.P. Act 17 of 1964.

CHAPTER 4 Chapter IV

CHAPTER 5 FINANCE AND ACCOUNTS

20. Library cess :-

(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 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 taxes or house tax to 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:-

1[(a) in the twin cities of Hyderabad and Secunderabad by Municipal Corporation of Hyderabad;

2[(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;

(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 collecting 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 in such manner as may be prescribed to the Zilla Grandhalaya Samstha concerned.

1. Substituted by *ibid*.
2. Substituted by A.P. Act 7 of 1969.

21. Library Fund :-

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

(2) There shall be credited to the Library Fund the following sums, namely:-

- (a) the cess collected under sub-section (2) of Section 20;
- (b) contributions, 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.

1[(e) grants, released by the Government from time to time;]

2[(3) [xxx]

1. Added by Act No. 11 of 1989.
2. Omitted by Act 11 of 1989.

22. Maintenance of accounts :-

(1) An account shall be kept of the receipts and expenses of 1[the Parishad and 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.

1. Substituted by *ibid*.

CHAPTER 6 REPORTS RETURNS AND INSPECTION

23. Reports and returns :-

Every Zilla Grandhalaya Samstha and every person in charge of a public library shall submit such reports and returns and furnish such information to the Parishad or any person authorized by it in this behalf in such manner as the Parishad or the person authorised may, from time to time, require.

24. Inspection of libraries :-

The Parishad or any person authorised by it in this behalf may inspect any public library or any institution attached thereto [for the purpose of satisfying itself] that the provisions of this Act and the rules and bye-laws made there under are duly carried out.

24A. Establishment Of A Vigilance And Audit Cell :-

1[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.

1. Inserted by Ibid.

CHAPTER 7 MISCELLANEOUS

25. Power to make rules :-

(1) The Government may, by notification, make rules to carry out the purposes of this Act.

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

1[(a) the method of appointment and the nomination of members to the Parishad and the 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 maintained by a 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 recruitment 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 associations and regulation or grants to such associations.

(3) Every rule made under this Act shall, immediately after it is

made, be laid before each House of the State Legislature if it is in session and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, both Houses agree in making any modification or in the annulment of the rule, the rule shall thereafter have effect only in such modified form or shall stand annulled as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

1. Substituted by Act 11 of 1989.

26. Omitted :-

[Omitted by Act 7 of 1969].

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

The Press and Registration of Books Act, 1867 (Central Act XXV of 1867) shall, in its application to the State of Andhra Pradesh, 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 such book shall first be delivered out of the press, three such copies, and";

(ii) in the last paragraph of the same section, for clause (i) the following clause shall be substituted, namely:

"(i) any second or subsequent editions of a book in which edition, no additions or alterations either in the letterpress or the maps, book prints or other engravings belonging to the book have been made, and three copies of the first or some preceding edition of which books have been delivered under this Act, or.

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

"Out of three copies delivered pursuant to clause (a) of the first paragraph of Section 9 of this Act, one copy shall be sent to the State Central Library, Hyderabad, referred to in clause (a) of Section 8 of the Andhra Pradesh Public Libraries Act, 1960 and the remaining two copies shall be disposed of in such manner as the Government may from time to time determine".

28. Repeal and Saving :-

The Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948) and the Public Libraries Act, 1955 (Hyderabad Act III of 1955), are hereby repealed.

(2) Notwithstanding such repeal-

(a) the members of the State Library Committee or the State Library Council, as the case may be, and the Zilla Grandhalaya Samsthas constituted under the said Acts and holding office immediately before the said commencement of this Act shall be deemed to be respectively the members of the State Library Committee and the Zilla Grandhalaya Samstha 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, by laws and regulations made under the said Acts and in force at the commencement of this Act, shall, so far as new rules, bye-laws and regulations are not inconsistent with the provisions of this Act, continue to be 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 bye-laws made under this Act.