
Andhra Pradesh Public Libraries Act, 1989

11 of 1989

[20 April 1989]

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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:-

*Received the assent of the Governor on the 19th April. 1989. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Part-IV A, Extraordinary, dated the 21st March, 1989 at Page 14.

1. Short title and commencement :-

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

(2) It shall be deemed to have come into force on the 2nd December, 1988.

2. Amendment of section 2 :-

In the Andhra Pradesh Public Libraries Act, 1960(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;"

3. Substitution of new Chapter for Chapter II :-

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

CHAPTER - II

The Andhra Pradesh Grandhalaya Parishad

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 shall be a body corporate, having perpetual succession and 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. 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 the 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 developmental 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 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 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 or 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 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 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. 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.

(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. 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 accounts 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.

7-B. Any vacancy occurring in the office of the Chairman or as the case may be of the member of the Parishad 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.

7-C. Filling up of casual vacancies of the Chairman and the members of the Parishad. Funds of the Parishad.--

(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. 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.

7-E. 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".

4. Amendment of section 8 :-

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

5. Amendment of section 13 :-

In section 13 of the principal Act, in sub-section (1),

(i) in clause (b), in the first and second provisos for the words "by the Government" in the 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;

6. Amendment of section 14 :-

In Section 14 of the principal Act,--

(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 "so sanctioned by the Parishad" shall respectively be substituted; and

(ii) in sub-section (2) for the words "the Director" the words "the Parishad" shall be substituted.

7. Amendment of section 16 :-

In section 16 of the principal Act,-

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

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

8. Amendment of section 19 :-

In section 19 of the principal Act,--

(i) 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", wherever they occur the words "the Parishad or 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. Amendment of section 21 :-

In section 21 of the principal Act,--

(i) In sub-section (2), after clause (d) 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. Amendment of section 22 :-

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

11. Amendment of section 23 :-

In section 23 of the principal Act, for the words "the Director or any

person authorised by him in this behalf as the Director" the words "the Parishad or any person authorised by it in this behalf in such manner as the Parishad", shall be substituted.

12. Amendment of section 24 :-

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

13. Insertion of new section 24A :-

After section 24 of the principal Act, the following section shall be inserted, namely:--

24-A. "Establishment of a Vigilance and Audit Cell.--

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.

14. Amendment of section 25 :-

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 Samsthas".

15. Transitional provision :-

On and from the date of commencement of the Andhra Pradesh Public Libraries (Amendment) Act, 1989, 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. Repeal of ordinance 16 of 1988 :-

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