

HARYANA LIBRARY ASSOCIATION [REGD.]

c/o Kurukshetra University Library, Kurukshetra—132 119

~~Dr. Maninder~~ Kumar Sharma
President

No. _____

Dated _____

To

Dr. B. P. Barua,
Director,
Raja Rammohun Roy Library Foundation,
Block : DD-34, Sector-1,
Salt Lake,
Calcutta-700064.

Dear Dr. Barua,

This is to acknowledge your kind letter dated 25-9-89. This achievement could be possible through your kind cooperation and the organization of the Seminar with a thrust at an appropriate time. We shall need your active cooperation and guidance from time to time for other activities of the Association as well.

I am enclosing herewith a copy of an extract of the Gazette including Haryana Public Libraries Bill, 1989 for your kind perusal and records.

The other day I was in Lucknow and have tried to make the professionals active there as well. In the recent past you might have observed Library Legislations are being enacted in such States where non-congress governments are in power.

Kindly write an appeal to the States under Congress (I) to counter this gain-point with the opposition. I am sure this might work for immediate action and introduction of Library Legislation in a couple of states soon. I played this card with Haryana to follow West Bengal and Kerala, it

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Dated _____

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worked.

I shall be attending ILA conference at Panna and hope to see you if your kindself also decide to attend.

With kind regards,

Yours sincerely,

(N.K.Sharma)



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

Govt. of Haryana

CHANDIGARH, MONDAY, SEPTEMBER 11, 1989
(BHADRA 20, 1911 SAKA)

HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 11th September, 1989

No. 20-HLA of 1989/41.—The Haryana Public Libraries Bill, 1989 is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :—

Bill No. 20-HLA of 1989.

THE HARYANA PUBLIC LIBRARIES BILL, 1989

A BILL

to provide for the establishment, maintenance and development of Public Libraries in the State of Haryana and for matters ancillary thereto.

BE it enacted by the Legislature of the State of Haryana in the Fortieth Year of the Republic of India as follows :—

1. (1) This Act may be called the Haryana Public Libraries Act, 1989.
- (2) It extends to the whole of the State of Haryana.

Short title,
extent and
commencement.

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

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "Authority" means the State Library Authority constituted under sub-section (1) of section 4 ;

(b) "book" includes—

(i) every volume, part or division of a volume, be it a printed work or a manuscript or a micro-film or a video/audio cassette or a photograph ;

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

Establishment
of Library
Service.

3. (1) The State Government shall establish, maintain and develop Library service in the State.

(2) For carrying out the purposes of sub-section (1), the State Government may,—

- (a) acquire for its Public Library sufficient number of books ;
- (b) offer in its Public Library an adequate book and reference service ;
- (c) promote reading habit and the use of books for the benefit of the people ;
- (d) establish and sponsor organisations and institutions with a view to promote public interest and participation in the Public Library ;
- (e) give adequate library service to all Government Departments and offices subordinate or attached to these Departments ;
- (f) provide library training facilities to ensure adequately trained personnel for libraries in the State ;
- (g) provide or secure suitable conditions of service for the library personnel in the State ;
- (h) promote co-operation between the Public Libraries and cultural and educational institutions ;
- (i) promote production and publication of useful literature.

(3) The State Government shall discharge its functions and responsibilities under this section through —

- (a) the State Library Authority ;
- (b) the State Public Library ; and
- (c) the Co-operating Institutions.

Constitution
and Establish-
ment of
Authority.

4. (1) With effect from such date as the State Government may, by notification, specify in this behalf, the State Government shall establish, for the purpose of this Act, an authority to be known as State Library Authority, with headquarters at such place as the State Government may specify.

(2) The Authority shall consist of—

(i) the following *ex-officio* members :—

- (a) the Minister-in-charge of libraries who shall be the Chairman;

- (b) the Secretary, Education Department ;
- (c) Secretary Education ;
- (d) Secretary Finance ;
- (e) Secretary Culture ;
- (f) Secretary Local Bodies ;
- (g) Secretary Social Welfare ;
- (h) the Secretary, State Development and Panchayat Department ;
- (i) the Director of Public Relations ;
- (j) the Librarian of the Civil Secretariat, Haryana ;
- (k) the State Librarian ;
- (l) the Vice-Chancellors of all Universities in the State ;
- (m) the Chairman or President, State Library Association ;
- (n) Director Libraries, who shall be the Secretary ;

(ii) a member of the State Legislative Assembly interested in library development to be nominated by the State Government ;

(iii) not more than four non-official members having special knowledge of libraries to be nominated by the Chairman of the Authority.

(3) The Authority shall advise the State Government on all matters mentioned under section 3 and also in regard to promotion and development of library service in the State.

(4) The Authority shall meet at least once in a year.

(5) A nominated member of the Authority shall hold office during the pleasure of State Government ; provided that his term of office shall not exceed four years from the date of his nomination.

(6) Whenever any member dies, resigns, becomes incapable of acting as a member or is otherwise removed, the State Government may nominate other member for the un-expired period of the term of such member.

(7) The Authority shall frame regulations for transacting its business and for matters in respect of which regulations are to be framed by it under this Act and may appoint committees.

5. (1) Within a month of the constitution of the Authority an eleven member Standing Advisory Committee shall be constituted of which eight members will be nominated by the Chairman of the Authority from amongst the members of the Authority and the Secretary, Department of Libraries, the Director, State Library Directorate and the State Librarian shall be *ex-officio* members.

Standing Advisory Committee.

- (d) to undertake bibliographical work, including special bibliographies for the use of scholars and research workers, and to prepare useful catalogues and bibliographies in the regional languages ;
 - (e) to offer, in co-operation with departmental and research libraries, book and bibliographical service to institutions, groups and individuals engaged in higher studies and research ;
 - (f) to promote library service for children ;
 - (g) to organise library conferences and book exhibitions ;
 - (h) to provide technical assistance and information to the district and other librarians in the State ;
 - (i) to act as the centre of book exchange and inter-library lending within and outside the State ;
 - (j) to prepare and issue reports on the working of libraries, especially the public libraries in the State.
- (3) The State Reference Library shall not lend books for use outside the premises of the library.
- (4) The functions of the State Lending Library section shall be as follows:—
- (a) to render home-lending service ;
 - (b) to replenish from time to time the stocks of district libraries ;
 - (c) to give book service to cultural and educational institutions and social welfare organisation ;
 - (d) to arrange book-exhibitions and book displays on suitable occasions ;
 - (e) to publicise its book-stock ;
 - (f) to publish library reports and literature.

State Librarian.

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

- (4) The State Librarian shall be subordinate to the Director.
- (5) The State Librarian shall be assisted by technical and general staff running the State Central Library.
12. (1) There shall be a District Library in each district rendering book service to the resident of a district. The Libra
- (2) In addition to the District Library under sub-section (1), there shall also be the following types of libraries, namely :—
- (a) Municipal/City/Town Library ;
 - (b) Block Library ;
 - (c) Village Library ; and
 - (d) smaller book deposit centres.
13. The functions of a District Library shall be as follows :— Fazal
Distric
- (a) to provide reference and bibliographical service in the district ;
 - (b) to give special reference service to the members of the Municipal Committee/Corporation of the town/city in which it is situated;
 - (c) to give special service to student groups, study circles and other educational groups;
 - (d) to extend library service in the urban and rural areas by setting up branch libraries, mobile libraries and deposit centres and to extend similar service in the district through the various block libraries and other library units ;
 - (e) to feed block libraries with supply of suitable books ;
 - (f) to co-operate with and help the subscription libraries in the district in accordance with the instructions of the Director ;
 - (g) to co-operate with other institutions and groups, especially the social educational institutions and workers, in promoting library mindedness among the people ;
 - (h) to arrange conferences, camps and seminars of librarians and other library workers in the district.
14. (1) There shall be a district library committee for each District Library in the State which shall be constituted in accordance with such regulations as may be framed by the Authority. District
Commit
- (2) The District Library Committee shall, subject to the approval of the Authority, frame its rules of business and procedure for carrying out the functions of the District Library.
- (3) The functions of a District Library Committee shall be as follows :—
- (a) to supervise the work of the District Library and the various library units ;

- (d) to undertake bibliographical work, including special bibliographies for the use of scholars and research workers, and to prepare useful catalogues and bibliographies in the regional languages ;
 - (e) to offer, in co-operation with departmental and research libraries, book and bibliographical service to institutions, groups and individuals engaged in higher studies and research ;
 - (f) to promote library service for children ;
 - (g) to organise library conferences and book exhibitions ;
 - (h) to provide technical assistance and information to the district and other librarians in the State ;
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(e) to feed block libraries with supply of suitable books ;

(f) to co-operate with and help the subscription libraries in the district in accordance with the instructions of the Director ;

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(h) to arrange conferences, camps and seminars of librarians and other library workers in the district.

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District
Commit

(2) The District Library Committee shall, subject to the approval of the Authority, frame its rules of business and procedure for carrying out the functions of the District Library.

(3) The functions of a District Library Committee shall be as follows :—

(a) to supervise the work of the District Library and the various library units ;

- (b) to start branch libraries ;
- (c) to take all necessary steps to develop public library service in the district ;
- (d) to employ, in accordance with the regulations framed by the Authority, staff for the District Library ;
- (e) to make provisions for purchase of books, films, filmstrips, records, furniture, equipment and book-mobile for the District Library;
- (f) to acquire, purchase or hire land or other properties and effects, and build, alter, repair and extend buildings and fit up and furnish the same with requisite furniture fittings and conveniences ;
- (g) to accept any endowment, bequest or gift for the purpose of promotion and development of library service as envisaged in this Act ;
- (h) to organise or participate in conferences and exhibitions relating to libraries and spend such sum as may be reasonable in connection with such conferences and exhibitions, and depute any person or persons to attend any such conference or exhibition ;
- (i) to provide accommodation for lectures and other cultural and educational activities in the premises of libraries in the District Library;
- (j) to administer the District Library fund ;
- (k) to arrange library timings, - provided that the number of hours of daily service to the public shall not be less than the minimum laid down by the Authority ;
- (l) to extend library service in its area by setting up branch libraries, travelling libraries, deposit centres and book service by mail.

(4) If any question arises whether a particular matter is or is not within the purview or power of district or any other library committee, the decision of the Authority thereon shall be final.

(5) The District Library Committee shall meet as often as the Chairman thereof may decide to summon it, but preferably at least four times a year.

(6) The District Library Committee shall, by the name of the district for which it is constituted, be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contract and may by the said name sue and be sued.

**City and Town
Library Committees.**

15. (1) There shall be a City Library Committee for each city with a population of over a lakh, and a Town Library Committee for a municipal town with a population of not more than one lakh, constituted in accordance with such rules as may be framed by the District Library Committee concerned.

(2) The members of a City or Town Library Committee shall, so far as may be possible, be appointed by the District Library Committee within its jurisdiction.

(3) The City or Town Library Committee shall, subject to the approval of the District Library Committee concerned frame its rules of business and procedure.

16. (1) There shall be Block Library Committee for each Block Library and its constitution and functions shall be such as may be laid down in rules framed by the District Library Committee concerned.

Block
Comm.

(2) The Block Library Committee shall, subject to the approval of the District Library Committee concerned, frame its rules of business and procedure.

17. (1) There shall be a Panchayat Library Committee for each village Library and its constitution and functions shall be such as may be laid down in rules framed by the District Library Committee concerned.

Pancha
brary C

(2) The Panchayat Library Committee shall, subject to the approval of the District Library Committee concerned, frame its rules of business and procedure.

18. (1) The State Government shall create cadres for Public Library employees similar to those of the employees of Government Departments and lay down the qualifications and the other terms and conditions of service for those cadres.

Emplo
Public L

(2) Within a year of its first constitution, the Authority shall frame service rules for the various categories of library employees.

19. (1) There shall be three types of library funds in the State :—

Public
Fund.

(a) The State Library Fund.

(b) The District Library Fund.

(c) The City or Town or Block or Village Library Fund.

(2) There shall be credited into the State Library Fund—

(a) the amount provided by the State Government for development, improvement and maintenance of library service in the State ;

(b) the contribution received from the Central Government ;

(c) any special grant that the Central or a State Government may make for any specific purposes ;

(d) the amount received under the library rules of the State Central Library ;

(e) any amount received as gift, contribution or endowment for the development of Public Libraries in the State.

(3) There shall be credited into a District Library Fund—

(a) the amount transferred to it from the State Library Fund, the State contribution to the District Library Fund being in no case less than the total amount of library cess collected in the district ;

- (b) any special grant that the Authority may make to the District Library Committee for any specific purpose ;
- (c) the amount collected under the rules of the District Library ;
- (d) any amount received as gift, contribution or endowment for the development of libraries in the district ;
- (e) any loan that the District Library Committee may raise.

(f) There shall be credited into a City, Town, Block or village Library fund—

- (a) the amount raised as library cess within the limits of the city, town, block or village ;
- (b) any special grant that the District Library Committee may make for any purpose ;
- (c) the amount collected under the Town or Block Library rules ;
- (d) any amount received as gift, contribution or endowment for the development of libraries in the city, town, block or village ;
- (e) any loan that a city Library Committee may raise.

Library Cess.

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

Power of Committees to borrow.

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

(2) A District or City Library Committee may similarly borrow money for the same purpose with the approval of the Authority who shall also approve the amount to be borrowed in any particular case within the same limit.

Framing of rules and regulations.

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

State Library association.

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

Power to make rules.

24. (1) The State Government may, by notification, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid as soon as may be after it is made before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, the House agrees in making any modification in the rules or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be so amended or altered as may be so however, that any such modification or amendment shall not be made without prejudice to the validity of anything previously done thereunder.

STATEMENT OF OBJECTS AND REASONS

- (a) to provide for a comprehensive rural and urban library service in the state of Haryana ;
- (b) to establish a network of libraries on statutory basis ;
- (c) to ensure stable financial support on a progressive basis ;
- (d) to set up a library authority which would be responsible for the staffing, administration and management of libraries ;
- (e) to ensure permanent, uniform, efficient, expanding and co-ordinated library service ;
- (f) to provide free library services and make them easily accessible to potential users irrespective of their qualifications and age.

SUSHMA SWARAJ,

Education Minister, Haryana.

Ghandigarh :
The 9th September, 1989.

SUMIT KUMAR,
Secretary.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 24 of the Haryana Public Libraries Bill, 1989 provides a provision of rule making powers delegated to the Executive. The provisions of the Bill ~~itself~~ nowhere overrides the normal scope of delegation. Hence the memorandum evidently shows that the rule making provision has been provided just to carry out the purposes of the Bill.

(अधिसूचन संख्या 20-एच०एल०ए०)

1989 का विधेयक संख्या 20-एच०एल०ए०
हरियाणा सार्वजनिक पुस्तकालय विधेयक, 1989
हरियाणा राज्य में सार्वजनिक पुस्तकालयों की स्थापना,
अनुसंधान और विकास तथा उनके संबंधित मामलों
का उपबन्ध करने के लिये
विधेयक

भारत गणराज्य के चालीसवें वर्ष में हरियाणा राज्य विधानमंडल द्वारा निर्मित लिखित रूप में यह अधिनियमित हो :—

1. (1) यह अधिनियम हरियाणा सार्वजनिक पुस्तकालय अधिनियम, 1989, कहा जा सकता है ।
- (2) यह सारे हरियाणा राज्य में लागू होगा ।
- (3) यह उस तिथि से लागू होगा जो हरियाणा सरकार राजपत्र में, अधिसूचना द्वारा, नियत करे ।

संक्षिप्त ना-
विस्तार तथा
प्रारम्भ ।

2. इस अधिनियम में, जब तक संदर्भ से अन्यथा स्पष्टित न हो :—

परिभाषाएं ।

- (क) "प्राधिकरण" से अभिप्राय है, धारा 4 की उपधारा (1) के अधीन गठित राज्य पुस्तकालय प्राधिकरण ;
- (ख) "पुस्तक" के अन्तर्गत हैं :—
 - (i) प्रत्येक पुस्तक, भाग अथवा प्रभाव वाले मुद्रित रचना हों अथवा यादृच्छिक अथवा भाईकॉफिल्म अथवा रेडियो/ट्राइयो/कॉसिट अथवा फोटोग्राफ आदि ;
 - (ii) पृथक-पृथक मुद्रित अथवा लिखी मुद्रित कोई संगीत-पत्रिका, नवजा, आर्ट अथवा रेखा-आकृति ;
 - (iii) समाचार-पत्र, पत्र-पत्रिकाएँ और अन्य ऐसी सामग्री ;
- (ग) "पुस्तक सेवा" से अभिप्राय है, संदर्भ सेवा, सार्वजनिक पुस्तकालयों के सदस्यों को पुस्तकों उधार देना, पाठक-बुन्द की पुस्तकों द्वारा सहायता करवा, लोगों को पुस्तक अथवा पुस्तकों के अति-शुद्ध के बारे में जानकारी प्रदान करना और उनकी आवश्यकता की पुस्तकों आपूर्ति करने में उनकी सहायता करना ;