



EDUCATION AND PUBLIC HEALTH DEPARTMENT

THE MADRAS PUBLIC LIBRARIES ACT, 1948

(MADRAS ACT XXIV OF 1948)

AND

THE RULES MADE THEREUNDER

(As modified up to the 15th November 1955)



GOVERNMENT OF TAMIL NADU

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XXIV OF 1948), AND RULES MADE THEREUNDER.

As modified up to the 15th November 1955.

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REFERENCES TO PAPERS CONNECTED WITH THE ACT.

The Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948).

[For Statement of Objects and Reasons, see *Fort St. George Gazette*, Part IV-A, dated the 9th December 1947, page 572; for proceedings in the Assembly, see *Madras Legislative Assembly Debates*, Volume IX, pages 599, 607, 619 to 642, Volume XVI, pages 586 to 719; for Report of the Select Committee, see Appendix at pages 749-757 of the *Madras Legislative Assembly Debates*, Volume XVI; for proceedings in the Council, see *Madras Legislative Council Debates*, Volume XIX, pages 619-630; for Act, see *Fort St. George Gazette*, Part IV-B, dated 8th February 1949, pages 21 to 28.]

The Madras Public Libraries (Amendment) Act, 1954 (Madras Act XXI of 1954).

[For Statement of Objects and Reasons, see *Fort St. George Gazette*, Part IV A, dated the 19th May 1954, page 213; for Act, see *Fort St. George Gazette*, Part IV-B, dated 25th August 1954, page 121.]

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THE MADRAS PUBLIC LIBRARIES ACT, 1948
(MADRAS ACT XXIV OF 1948).

(As modified up to the 15th November 1955.)

An Act to provide for the establishment of public libraries in the State of Madras and the organization of a comprehensive rural and urban library service therein.

WHEREAS it is expedient to provide for the establishment of public libraries and the organization of a comprehensive rural and urban library service, in the State of Madras, it is hereby enacted as follows :—

PRELIMINARY.

Short title, extent and commencement. 1. (1) This Act may be called the Madras Public Libraries Act, 1948.

(2) It extends to the whole of the ¹State of Madras.

(3) This section shall come into force at once ; and the rest of this Act shall come into force on such date as the Government may, by notification, appoint.

Definitions. 2. In this Act, unless there is anything repugnant in the subject or context—

(1) 'aided library' means a library declared by the Director to be eligible for aid from the Government ;

(2) 'Director' means the Director of Public Libraries appointed under section 4 ;

(3) 'district' means a revenue district ;

(4) 'Government' means the ²State Government ;

(5) 'notification' means a notification published in the *Fort St. George Gazette* ;

(6) 'Prescribed' means prescribed by rules made under this Act ;

(7) ¹ 'State' means the ¹State of Madras ;

(8) 'public library' means a library established or maintained by a Local Library Authority, and includes the branches and delivery stations of such a library ; and

(9) 'year' means the financial year.

¹ This word was substituted for the word "Province" by the Adaptation Order of 1950.

² This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

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THE ¹ (STATE) LIBRARY COMMITTEE.

3. (1) A ¹ State Library Committee shall be constituted by the Government for the purpose of advising them on such matters relating to libraries as they may refer to it.

² State Library Committee and its functions.

(2) The Committee shall be constituted in such manner, and shall exercise and perform such other powers and duties as may be prescribed.

THE DIRECTOR AND HIS DUTIES.

4. The Government shall appoint a Director of Public Libraries for the ² State, and he shall, subject to their control—

Appointment and duties of Director.

(a) manage the central library, being a library constituted by the Government as the central library or an existing Government library recognized by them as the central library, together with 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 superintend and direct all matters relating to such libraries ;

(d) superintend and control the work of all Local Library Authorities under this Act ;

(e) submit to the Government every year a report on the working of libraries under this Act in the previous year ; and

(f) perform such other duties and exercise such other powers as are imposed or conferred by this Act or the rules made thereunder.

LOCAL LIBRARY AUTHORITIES.

5. (1) For the purpose of organizing and administering public libraries in the ² State, there shall be constituted Local Library Authorities, one for the City of Madras and one for each district.

Constitution of local Library Authorities.

(2) The Local Library Authority for the City of Madras shall consist of—

(a) three members elected by the Corporation of Madras ;

(b) eight members nominated by the Government, of whom—

(i) three shall be office-bearers of libraries situated in the City of Madras and recognized in this behalf by the Government ;

(ii) two shall be headmasters or headmistresses of high schools in the City of Madras ; and

(iii) one shall be the principal of a college in the City of Madras ;

(c) the holder for the time being of an office which the Government may, from time to time, specify in this behalf.

¹ This word was substituted for the word " Provincial " by the Adaptation Order of 1950,

² This word was substituted for the word " Province " by *ibid.*

(3) The Local Library Authority for each district shall consist of—

(a) ten members nominated by the Director, of whom—

(i) three shall be office bearers of libraries situated in the district and recognized in this behalf by the Government; and

(ii) five shall be headmasters or headmistresses of high schools or principals of colleges in the district;

(b) one member elected by the district board, and where there are two or more district boards in the district, one member elected by each such district board;

(c) such number of members as may be elected by the presidents of the panchayats in the district, the presidents of the panchayats in each taluk electing one member;

(d) such number of members as may be elected by the municipal council in the district, each municipal council electing one or more members in accordance with the following scale:—

Municipalities with a population—

Number of Members.

Not exceeding one lakh	One.
Exceeding one lakh but not exceeding two lakhs.	Two
Exceeding two lakhs	Three

(e) the holder for the time being of an office which the Government may, from time to time, specify in this behalf.

(4) The member referred to in clause (c) of sub-section (2) or in clause (e) of sub-section (3), as the case may be, shall be the Secretary of the Local Library Authority concerned.

(5) Every Local Library Authority shall elect one of its members to be its Chairman.

(6) Subject to the provisions of sub-section (8), the term of office of a nominated or elected member of a Local Library Authority shall be three years from the date of his nomination or election, as the case may be.

(7) A vacancy in the office of a nominated or elected member of a Local Library Authority occurring otherwise than by efflux of time shall be filled by nomination or election in accordance with the provisions of sub-section (2) or sub-section (3), as the case may be, and the person nominated or elected to fill the vacancy shall, subject to the provisions of sub-section (8), hold office only for the remainder of the term for which the member whose place he takes was nominated or elected.

(8) A member nominated 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 Local Library Authority.

(9) No act of a Local Library Authority 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.

(10) Members of Local Library Authorities shall be eligible for re-nomination or re-election.

66. Every Local Library Authority shall be a body corporate, by the name of the area for which it is constituted, shall have perpetual succession and a common seal and shall be vested with the capacity of suing or being sued in its corporate name, of acquiring, holding or transferring property movable or immovable, of entering into contracts and of doing all things necessary, proper or expedient for the purposes for which it is constituted.

7. (1) A Local Library Authority may appoint an executive committee consisting of such number of its members, not exceeding seven, as it may deem fit and delegate to such committee all or any of its powers or duties under this Act.

(2) A Local Library Authority 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.

8. (1) As soon as possible after a Local Library Authority is constituted, and thereafter as often as may be required by the Director, every Local Library Authority shall, and whenever it considers it necessary so to do, a Local Library Authority may, prepare a scheme for establishing libraries and for spreading library service within its area and submit it to the Director for sanction. The Director may sanction it with such modifications and additions, if any, as he may think fit and the Local Library Authority shall give effect to the scheme as so sanctioned by him.

(2) The Director may *suo motu* or on application by the Local Library Authority concerned modify any scheme sanctioned under sub-section (1) or replace it by a new scheme.

9. A Local Library Authority may—

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

(b) stock such libraries with books, periodicals, newspapers, maps, works and specimens of art and science, lantern slides, cinema reels and any other thing suitable for their purpose.

(c) employ from time to time such staff as it considers necessary, for such libraries ;

(d) with the previous sanction of the Government, close or discontinue an public library or change the site thereof ;

¹[(e) accept, with the previous sanction of the Director or the Government, any gift of books, or with the previous sanction of the Government, any other gift or endowment for any purpose connected with its activities ;]

(f) provide for lectures and the holding of classes ; and

(g) in general, do everything necessary to carry out the provisions of this Act.

10. All property, movable and immovable, acquired or held for the purpose of any public library in any area shall vest in the Local Library Authority of that area.

¹ Substituted by section² 2 of the Madras Public Libraries (Amendment) Act, 1954 (Madras Act XXI of 1954).

11. (1) Subject to the provisions of this Act and the rules made thereunder, a Local Library Authority may make regulations generally to carry out the purposes of this Act and, without prejudice to the generality of this power, such regulations may provide for—

(a) the admission of the public to public libraries in its area on such conditions and on payment of such fees as it may specify ;

(b) requiring from persons desiring to use such libraries any guarantee or security 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 ; and

(d) authorizing its officers and servants to exclude or remove from any such library any person who contravenes or fails to comply with the provisions of this Act or the rules or regulations made thereunder.

(2) The Government may, in their discretion, modify or cancel any regulation made by a Local Library Authority under sub-section (1) :

Provided that before modifying or cancelling any regulation, the Government shall give the Local Library Authority concerned a reasonable opportunity to make its representations in the matter.

FINANCE AND ACCOUNTS.

12. (1) (a) Every Local Library Authority 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 Madras City Municipal Act, 1919, the Madras District Municipalities Act, 1920 or the Madras Local Boards Act, 1920, as the case may be, at the rate of three paise for every whole rupee in the property tax or house tax so levied.

(b) A Local Library Authority may, with the previous sanction of the Government and shall, if so directed by them, increase the rate specified in clause (a).

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

(a) in the City of Madras, by the Corporation of Madras ;

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

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

(d) in an area in a district not included within the jurisdiction of a municipal council or a panchayat, by the district board.

as if the cess were a property tax or house tax payable under the Madras City Municipal Act, 1919, or the Madras District Municipalities Act, 1920 or the Madras Local Boards Act, 1920, as the case may be, and all the relevant provisions of the said Acts shall apply accordingly :

Provided that the Government may, by notification, direct that for the purposes of the collection of the cess aforesaid, the provisions of the

Madras
Act IV
1919,
Madras
Act V
1920.
Madras
Act X
1920.

Madras
Act IV of
1919,
Madras
Act V of
1920.
Madras
Act XIV
of 1920,

Madras City Municipal Act, 1919, or the Madras District Municipalities Act, 1920, or the Madras Local Board Act, 1920, as the case may be, shall apply subject to such modifications as may be specified in the notification.

(3) The cess collected under sub-section (2) shall be paid to the Local Library Authority concerned by the Corporation of Madras, the municipal council, the panchayat or the district board, as the case may be.

13. (1) Every Local Library Authority shall maintain a fund called the 'Library Fund' from which all its expenses under this Act shall be met.

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

- (a) The cess collected under section 12, sub-section (2) ;
- (b) contributions, gift, and income from endowments made for the benefit of public libraries ;
- (c) special grants which the Government may make for any specific purpose connected with libraries ;
- (d) fees, fines and other amounts collected by the Local Library Authority under any rules or regulations made under this Act.

(3) The Government shall contribute to the Library Fund maintained by every Local Library Authority other than the Local Library Authority for the City of Madras, a sum not less than the cess collected under section 12, sub-section (2).

14. (1) An account shall be kept of the receipts and expenses of each Local Library Authority.

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

15. Notwithstanding any provision in the Act, the Government may, in cases where they think it is necessary to do so, supersede or reconstitute any Library Authorities constituted under the Act :

Provided, however, the Government shall give notice to the Authority concerned together with the grounds on which they propose to supersede or reconstitute and shall consider any explanations that may be offered by such Authority.

REPORTS, RETURNS AND INSPECTION.

16. Every Local Library Authority and every person in charge of a public or aided library shall submit such reports and returns and furnish such information to the Director or any person authorized by him as the Director or the person authorized may, from time to time, require.

17. The Director, or any person authorized by him may inspect any public or aided library or any institution attached thereto for the purpose of satisfying himself that the provisions of this Act and the rules and regulations thereunder are duly carried out.

RULES.

18. (1) The Government may, by notification, make rules consistent Power to make rules with this Act to carry out the purpose thereof.

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

(a) all matters required or allowed to be prescribed under this Act ;

(b) the method of conducting the election of members to Local Library Authorities and all matters connected therewith ;

(c) the matters to be included in the scheme referred to in section 8 ;

(d) the maintenance of the minutes of the proceedings of Local Library Authorities ;

(e) the publication of audited statements of the accounts of such Authorities and of the reports of the auditors ; and

(f) a Library Grant-in-aid Code, regulating the Government's aid to, and the declaration, inspection and co-ordination by the Director of aided libraries and the standard to be maintained by such libraries.

MISCELLANEOUS.

Amendment of the Press and Registration of Books Act, 1867 in its application to the follows :—
 19. The Press and Registration of Books Act, 1867 of shall, in its application to the [State] be amended as follows :—

(i) In section 9, first paragraph, clause (a) (which relates to the delivery to the Government of copies of books by the printer of a press), for the words "one such copy" the words "five such copies" shall be substituted.

(ii) In the same section, in the last paragraph, clause (i), for the words "a copy of the first or some preceding edition of which book has been delivered", the words "five copies of the first or some preceding edition of which book have been delivered" shall be substituted.

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

"Out of the five copies delivered pursuant to clause (a) of the first paragraph of section 9 of this Act, four copies shall be sent to the central library referred to in section 4, clause (a), of the Madras public Libraries Act, 1948, and the fifth copy shall be disposed of in such manner as the [State] Government may, from time to time, determine."

¹ This word substituted for the word "Province" by the Adaptation Order of 1950.

² This word was substituted for the word "Provincial" by *ibid.*

THE MADRAS PUBLIC LIBRARIES RULES.

NOTIFICATIONS.

(G.O. No. 627, Education, dated 28th February 1950).

The Government have decided that the provisions of the Madras Public Libraries Act, 1948 (Act XXIV of 1948), be brought into force from 1st April 1950. The Director of Public Instruction will also be the Director of Public Libraries for the time being under section 4 of the Act.

2. Under sections 5 (2) (c) and (3) (e) of the Act, the Government direct that the District Educational Officer in the case of a district having only one officer and one of the officers selected by the Director of Public Instruction in the case of districts having more than one such officer, be a member, chairman and Secretary of the Local Library Authority of the district.

3. The Commissioner, Corporation of Madras, the Presidents of District Boards and the Executive Authorities of municipal councils are informed that the library cess should be collected in pursuance of section 12 of the Act from the year 1950-51 and paid to the Local Library Authority.

4. The following notifications will be published in the *Fort St. George Gazette*—

I

In exercise of the powers conferred by section 1 (3) of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948), His Excellency the Governor of Madras hereby directs that sections 2 to 19 of the said Act shall come into force on the 1st April 1950.

II

In exercise of the powers conferred by section 4 of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948), His Excellency the Governor of Madras hereby appoints the Director of Public Instruction, Madras, as the Director of Public Libraries with effect on and from the 1st April 1950.

III

Under section 4 (a) of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948), His Excellency the Governor of Madras hereby directs that with effect on and from the 1st April 1950, the existing Government library known as the Connemara Public Library, Madras, be recognized as the Central Library. This library with the existing staff now employed therein will come under the jurisdiction of the Director of Public Libraries from 1st April 1950.

IV

In exercise of the powers conferred by section 18 (1) of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948), His Excellency the Governor of Madras hereby makes the following rules:—

RULES.

CHAPTER I.

The State Library Committee—Constitution, powers and duties.

1. These rules may be called the Madras Public Libraries Rules.

2. They shall come into force on the 1st April 1950.

2. (1) The State Library Committee (hereinafter referred to as the Committee), shall consist of—

(i) the Minister in charge of Education (hereinafter referred to as the Minister) ;

(ii) The Minister in charge of Local Administration ;

(iii) The Secretary to Government Health, Education and Local Administration Department ;

(iv) The Director of Public Instruction (ex-officio Director of Public Libraries, hereinafter referred to as the Director) ;

(v) The Special Officer assisting the Director in the Administration of the Act (hereinafter referred to as the Special Officer) ;

(vi) two persons elected by the State Legislature, one by the members of the Legislative Assembly and the other by the members of the Legislative Council ;

(vii) one person nominated by each of the Syndicates of (i) the Madras University and (ii) the Annamalai University ;

(viii) one person nominated by the executive of the Madras Library Association (Amendment issued in G.O. No. 361, Education, dated 23rd February 1959) ;

(ix) one person with special knowledge of matters relating to libraries nominated by the Minister ;

(x) one person nominated by the Minister from among the members of the Local Library Authority of the City of Madras ;

(xi) four persons nominated by the Minister from among the members of the Local Library Authorities of the districts.

(2) The Minister shall be the President and the Special Officer shall be the Secretary of the Committee.

(3) The Director shall address the Secretary to the Madras Legislature for the election of the members to be elected by the Legislature to the Committee. The member shall be elected upon a motion to be made in the House concerned by the Minister.

3. (1) Subject to the provisions of sub-rule (3), the term of office of a nominated or elected member of the Committee, other than an ex-officio member, shall be three years from the date of his nomination or election, as the case may be.

(2) A vacancy in the office of a nominated or elected member of the Committee occurring otherwise than by efflux of time shall be filled by nomination or election, as the case may be, and the person nominated or elected to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated or elected.

(3) A member nominated 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 Committee.

(4) Members of the Committee shall be eligible for re-nomination or re-election.

4. (a) The members of the Committee and its sub-committees shall receive no remuneration.

(2) The Committee or its sub-committee shall be treated of the first-class (as distinct from committees of the State Legislature) and members of the State Legislature and non-official members (including pensioners and those paid from non-Government sources) shall draw Travelling Allowance at the following rates and on the following conditions:—

Railway fee	I class + 6 paise per mile.
Mileage	37 paise a mile.
Daily allowance	Rs. 10 for each day of attendance at the meeting including halt of less than 24 hours to attend a meeting.
		Rs. 7.50 paise for each day of attendance at the meeting held at the place of residence of the member or within a radius of five miles of his residence.

No daily allowance for the day previous or subsequent to the meeting of the Committee.

5. The Committee shall commence functioning notwithstanding the fact that Local Library Authorities have not been constituted or representatives of such authorities have not been nominated to the Committee.

6 (1) The Committee shall meet at such times and in such places as may be determined by the Minister.

(2) Five members will form a quorum.

(3) In the absence of the Minister, the members present at a meeting of the Committee shall elect a Chairman from among themselves.

(4) (a) The Committee may appoint Sub-Committees to examine special problems coming within its purview and to formulate proposals for its consideration and to deal with current administration in respect of matters comprehended in rule 7, clauses (c), (d), (e), (g) and (h).

(b) Such sub-committees may consist solely of members of the Committee or solely of non-members who are experts in matters relating to libraries or partly of members and partly of such non-members.

7. The matters in regard to which the Committee may advise the Government, exercise powers or perform duties, are the following:—

(a) (i) The constitution of the Central Library and its branches or the recognition of an existing Government library together with its branches, if any, as such central library and its branches.

(ii) The laying down of the policy for the management of the central library including its branches.

(b) The rules to be framed under section 18 of the Act.

(c) (i) The encouraging of the employment of trained professional staff of different grades for the library system of the State.

(ii) The maintenance of a register of approved members of the library profession of different grades from among whom the professional staff of the libraries of the State may be appointed.

(iii) The prescription of qualifications, academic and professional, needed for the different grades of professional staff for inclusion in the register of approved librarians.

(iv) The suggestion of standard scales of salary and other conditions of service for the different grades of professional staff in libraries.

(d) The publication of the copy-right list of the State bibliography and book selection lists for the benefit of the libraries of the State.

(e) (i) The promotion of co-operative classification and cataloguing and other forms of co-operation and co-ordination among the libraries of the State and of India as a whole.

(ii) The promotion of standards for library buildings, fittings and furniture and for library technique.

(f) (i) The promotion of production of reference books; adults books and childrens' books suitable for use in libraries.

(ii) The promotion of production and use of books for the blind

(g) The consideration of the schemes submitted by the Local Library Authorities.

(h) The consideration of the stages in which libraries in different areas are to be established.

Local Library Authorities—Filling up of vacancies in the office of members.

8. The Director or the Chairman of the Local Library Authority for the City of Madras shall intimate to the Corporation of Madras the existence or the occurrence of a vacancy or vacancies in the Local Library Authority aforesaid to be filled by the Corporation by election and thereupon the Corporation shall elect the required number of members.

9. Whenever a vacancy occurs in the Local Library Authority for the City of Madras to be filled by nomination by the Government, the Chairman of the Local Library Authority shall address the Director to take the necessary step to fill it up.

10. Any vacancy arising under section 5 (2) (c) of the Act shall be reported to the Director for taking such action as may be necessary.

11. The Director or the Chairman of the Local Library Authority of the district shall intimate to the president of the district board, the occurrence or the existence of a vacancy in the Library Authority aforesaid to be filled by election by the district board. Thereupon the district board shall elect a member to fill up the vacancy.

12. The Director or the Chairman of the Local Library Authority of the district shall intimate to the District Panchayat Officer or the Deputy Panchayat Officer of the district the occurrence or the existence of a vacancy or vacancies in the Library Authority aforesaid to be filled by election by the presidents of the panchayats in the district. Thereupon the District Panchayat Officer or the Deputy Panchayat Officer, as the case may be, shall make the arrangements necessary for such election. The District Panchayat Officer or the Deputy Panchayat Officer, as the case may be, shall convene a meeting of the presidents of panchayats in the district after giving notice of not less than seven days of the meeting specifying the time and place at which the meeting will be held.

13. The Director or the Chairman of the Local Library Authority of the district shall intimate to the Chairman of the municipal council the occurrence or the existence of a vacancy or vacancies in the Library Authority aforesaid to be filled by election by the municipal council and thereupon the council shall elect the required number of members.

(14 Whenever vacancies occur in the Local Library Authority of a district among the ten members nominated by the Director, the Chairman of the Local Library Authority shall address the Director to take the steps necessary to fill them up.

15 Any vacancy arising under section 5 (3) (e) of the Act shall be reported by the Chairman of the Local Library Authority to the Director for taking such action as may be necessary.

16 (1) The election of members to the Local Library Authority to be made by the Corporation of Madras or a district board or municipal council shall be by ballot at a meeting held for the purpose by the body concerned.

(2) The election of one member to the Local Library Authority to be made by the presidents of the panchayats in each taluk in the district shall be by ballot at a meeting of the presidents concerned :

Provided that—

(a) if there is only one panchayat in the taluk, the president of that panchayat shall nominate a candidate and the candidate so nominated shall be declared to be duly elected ;

(b) if there are two or three panchayats in a taluk, a meeting of the presidents of these panchayats shall be convened at which these presidents shall, after due deliberation among themselves choose a candidate and the candidate so chosen shall be declared to be duly elected ; and

(c) if the presidents are unable to agree among themselves as to the candidate to be chosen, lots shall be drawn in the presence of the District Panchayat Officer or the Deputy Panchayat Officer as the case may be and the candidate whose name is thus drawn shall be declared to be duly elected

(3) The quorum for the meeting for the election of one member to the Local Library Authority by the presidents of the panchayats in a taluk shall be one-third of the total number of presidents.

CHAPTER II.

Libraries eligible for aid.

17. The Director shall maintain a register of aided libraries.

18. The following are the conditions determining eligibility for entry in the register of aided libraries, namely :—

(1) The library shall be kept open free of charge to the public of the locality for consultation of reading and kindred materials with the premises without any restriction except those relating to proper behaviour, public health and conformity to the rules of the library which have received the approval of the Director.

(2) The library shall be kept open for use by the public for not less than 30 hours in a week, shall have a minimum average daily attendance to be fixed by the Director, shall be located in a place accessible to all communities and shall not be removed to any place inaccessible to any community without the previous sanction of the Director.

(3) The library shall have books and not merely newspapers and current periodicals.

(4) The indents for books, magazines and journals to be purchased for libraries, shall receive the prior approval of the Local Library Authority. The books, magazines and journals to be purchased shall conform to the requirements mentioned below :—

(a) They shall be of general interest and of cultural value.

(b) The books, if they are stories or novels, shall be by standard authors and shall not be of doubtful taste.

(c) Books, magazines and journals abusing communities or religions shall not be purchased.

(d) Books, magazines and journals which are of doubtful taste or which contain undersirable pictures shall not be purchased.

(5) A separate register for books and for members shall be maintained in each library.

(6) The library shall lend books for use outside the library premises on conditions approved by the Director and the number of books so lent in a year shall not be less than a minimum to be fixed by the Director.

(7) The library shall have adequate staff to administer its affairs according to the standard fixed by the Director.

(8) The library shall be located in a building of its own with the necessary fittings and furniture to the satisfaction of the Director, who shall give advice about the standards required in each case.

(9) The library if it is one maintained by a gramasangam or a private agency, in a village with a population of over 5,000 or in an urban area shall have a capital fund of Rs. 2,000 and a minimum annual income of Rs. 200 derived from capital fund and other sources taken together but excluding the Government grant.

NOTE.—(1) A library maintained by a panchayat or a co-operative society will not come within the scope of this rule.

(2) Any existing library which does not have the capital fund of Rs. 2,000 and a minimum annual income of Rs. 200 derived from the Capital fund and other sources taken together excluding the Government grant shall be allowed a period of five years from 1st April 1953 to raise the same :

Provided that this clause shall not apply to any library maintained by the Corporation of Madras or by any municipal council, district board or panchayat or by a co-operative society.

(10) The library shall be owned and managed by a body approved by the Director or a person authorized by him and the copy of its constitution and by-laws shall be filed with the Director or the person aforesaid.

19. The following are the conditions for retention of the name of a library in the register of aided libraries from year to year, namely:—

(1) There shall be no deterioration in the standards and conditions approved at the time of entry in the register.

(2) The Director or his agents shall be allowed to inspect the library, from time to time, in order that the Director may satisfy himself that the standards and conditions of eligibility are being maintained.

(3) Periodicals and *ad hoc* returns and reports shall be submitted at such times and incorporating such information as may be required by the Director.

(4) The library building and other immovable property of the library or its capital fund shall not be alienated without the sanction of the Director and without the same being replaced to an extent equal in value to the satisfaction of the Director.

(5) All changes in the constitution and by-laws of the body owning the library shall be subject to the approval of the Director or person appointed by him and a copy of the same shall be filed with the Director.

(6) All changes in personnel of the Managing Body shall be reported to the Director within one month of the change.

(7) Each year the annual accounts as audited and certified by an auditor approved by the Director shall be submitted to him :

Provided that this sub-rule shall not apply to any library which receives a grant of less than Rs. 2,000 and the accounts of which are audited and checked by the Deputy Inspector of Schools having jurisdiction.

The aid to be given by the Director may be—

(1) non-recurring to meet capital expenditure on buildings, furniture and fittings ; or

(2) recurring to meet current expenditure on all or any of the following, namely :—

- (a) the purchase of reading and kindred materials ;
- (b) binding and preservation of reading and kindred materials ;
- (c) the payment of the staff ;
- (d) deputation allowance for staff deputed for professional training or instructions approved by the Director for the purpose ;
- (e) other office expenses.

The aid may be both recurring and non-recurring.

(1) Non-recurring grant shall be made on such capital expenditure as is made on buildings whose plans and specifications are approved by the Director and are erected in accordance with the estimates approved by him.

(2) The non-recurring grant shall bear such proportion to the actual expenditure as is fixed by the Government from time to time, subject to a maximum amount determined by the Government in relation to the approved estimate.

(1) The recurring grant for a financial year shall be sanctioned by the Director on the basis of the expenditure for the proceeding financial year as shown in the accounts and balance sheet in the report of the approved auditor or of the Deputy Inspector of Schools, as the case may be :

Provided that the estimated expenditure of the current year approved by the Director may form the basis for the first year in which a library is given aid. Any adjustment in the amount of recurring grant for the first year that may become necessary on the basis of the actual expenditure for the year may be made in the next year.

(2) The recurring grant shall bear such proportion to the actual expenditure as is fixed by the Government from time to time.

CHAPTER III.

Financial Rules—General.

23. All moneys received by the Local Library Authority shall be deposited in the nearest Government treasury :

Provided that the Local Library Authority may, with the sanction of the Government for specified reasons, have a current Account with any of the local banks approved by Government or with any of the following banks, namely :—

- (1) a branch of the Post Office Savings Bank ;
- (2) The Madras State Co-operative Bank ;
- (3) A Central Co-operative Bank approved by the Registrar of Co-operative Societies, Madras, for the purpose.
- (4) The State Bank of India :

Provided further that the Local Library Authority may invest any sum not required for immediate use in "fixed deposits" in any of the local banks approved by the Government or in any of the banks mentioned in items 1 to 4 of the preceding proviso or in Government securities or with the sanction of the Government in any other security.

24. (a) All orders or cheques against the library fund shall be signed by the Chairman of the Local Library Authority or by some person duly authorized by him in this behalf. The treasury (or bank) in which the fund is deposited shall, so far as the funds to the credit of the Local Library Authority admit, pay all orders or cheques against the fund which are so signed.

(b) In cases where the Chairman of the Local Library Authority has ceased to be a member of that Authority, the Secretary of the Local Library Authority, if he is also the District Educational Officer of the district may, if so authorized by the Director, sign orders and cheques against the library fund to meet the expenditure relating to the day-to-day administration of the Authority and the libraries under its management.

24-A. The Local Library Authority shall submit to the Director by the 1st February of every year, its budget estimate of receipts and expenditure in the Form appended to these rules and the Director shall scrutinize and approve the estimates with or without modifications.

Audit, surcharge and disallowance.

25. (1) The Local Library Authority shall submit all accounts to auditors as required by them.

(2) The auditors may—

(i) in writing, require the production of any book, deed, contract, account, voucher, receipt or other document the perusal or examination of which they consider necessary ;

(ii) in writing require any person who has the custody or control of any such document or who is accountable for it to appear in person before them ;

(iii) require any person so appearing to make and sign a declaration with respect to such document or to answer any question or to prepare and furnish any statement relating thereto.

The auditors shall—

(1) report to the Local Library Authority any material impropriety or irregularity which they may observe in the expenditure, or recovery of moneys due to the Local Library Authority or in the accounts ;

(2) furnish to the Local Library Authority such information as it may require concerning the progress of their audit ;

(3) report to the Local Library Authority any loss or waste of money or other property owned by or vested in the Local Library Authority caused by neglect or misconduct, with the names of persons, directly or indirectly, responsible for such loss or waste ; and

(4) submit to the Local Library Authority a final statement of the audit and a copy thereof to the Director within a period of three months from the end of the financial year, or within such other period as the Government may from time to time notify.

27 (1) The Local Library Authority shall forthwith remedy any defects or irregularities that may be pointed out by the auditors and submit three copies of its answers to the objections raised by the auditors to the District Inspector of Local Fund Accounts of the District concerned, not later than three months from the date of receipt of the Audit Report.

(2) Out of the three copies of the reports received by the District Inspector of Local Fund Accounts under sub-rule (1) from the Local Library Authorities, the District Inspector shall retain one copy and forward the other copies together with his remarks to the Director of Public Libraries. The Director will retain one copy and submit the other containing the remarks of the District Inspector of Local Fund Accounts to Government together with his remarks. The Government will review the Audit Reports and replies thereto in each individual case separately and communicate a copy of their orders to the Director of Public Libraries, to the Examiner of Local Fund Accounts and to the Local Library Authority concerned.

28 The auditors may disallow every item contrary to law and surcharge the same on the person making or authorizing the making of, the illegal payment, and may charge against any person responsible therefor the amount of any deficiency, loss or unprofitable outlay incurred by the negligence or misconduct of that person or of any sum which ought to have been but is not brought into account by that person and shall, in every such case, certify the amount due from such person.

29 The auditors shall state in writing the reasons for their decision in respect of every disallowance, surcharge or charge.

30 Every sum certified to be due from any person by the auditors under the Act, shall be paid by such person to the Local Library Authority within fourteen days from the date of intimation by the Chairman of said Authority to such person of the decision of the auditors unless within that time he has appealed to Government against the decision ; and such sum if not so paid or such sum as the Government shall on appeal declare to be due, shall be recoverable by the Local Library Authority.

31 Notwithstanding anything contained in these rules the Government may at any time direct that the recovery of the whole or any part of the amount certified to be due from any person by auditors under this Act shall be waived if in their opinion such a course is necessary considering all the circumstances of the case.

CHAPTER IV.

Mode of transacting business.

32. The Local Library Authority shall provide an office and shall meet therein or at any centre in the district which may be decided upon by the Chairman for the transaction of business as often as may be necessary, upon such days and at such times as it may arrange and also at other times as often as a meeting shall be called by the Chairman.

33. The Chairman shall, on the requisition in writing of not less than one-third of the members then on the Local Library Authority convene a meeting of the said authority provided that the requisition specifies the day when and the purpose for which the meeting is to be held. The requisition shall be delivered at the office of the Local Library Authority during office hours to the Chairman, Secretary or any other official in charge of the office of the Local Library Authority at least ten clear days before the day of the meeting. In case the Chairman fails to comply with the requisition the members who signed the requisition may summon a meeting of the Local Library Authority and hold it if there is the required quorum, electing one among themselves as the Chairman.

34. Every meeting of the Local Library Authority shall be presided over by the Chairman and in his absence by a member chosen by the meeting to preside for the occasion.

35. All meetings of the Local Library Authority shall be open to the public :

Provided that the presiding member may and, at the request of the Local Library Authority, shall in any particular case, for reasons to be recorded in the minute book kept under rule 40, direct that the public generally, or any particular person, shall withdraw :

Provided further that any of the District Educational Officers in the district if that district has more than one District Educational Officer or the Special Officer for Education, Pudukkottai, in respect of the Tiruchirappalli district shall not be directed to withdraw under the provisions of the foregoing proviso.

36. All questions which may come before the Local Library Authority at any meeting shall be decided by a majority of the members present and voting at the meeting and, in every case of equality of votes, the presiding member shall have and exercise a second or casting vote.

37. No business shall be transacted at a meeting, unless there be present at least six members or, if the number of members then on the Local Library Authority exceeds sixteen, at least one-third of that number.

38. (i) If within half an hour after the time appointed for a meeting, a quorum is not present, the meeting shall stand adjourned, unless all the members present agree to wait longer.

(ii) Subject to the provisions of sub-rule (iii) a member of Local Library Authority shall cease to hold his office if he absents himself from three consecutive meetings reckoned from the date of commencement of his term of office or of the last meeting which he attended :

Provided that no meeting from which a member absents himself shall be counted against him under this rule, if due notice of that meeting was not given to him.

(iii) When a person ceases to be a member under sub-rule (ii), the Chairman shall at once intimate the fact in writing to such person and report the same to the Local Library Authority at its next meeting. If such a person applies for restoration *suo moto* to the Authority on or before the date of its next meeting or within 15 days of receipt by him of such intimation, the Authority may at its meeting next after the receipt of such application restore him to his office of members :

Provided that a member shall not be so restored more than twice during his term of office.

39. No resolution of the Local Library Authority shall be modified or cancelled within three months after the passing thereof except at a meeting specially convened in that behalf and by a resolution of the Local Library Authority supported by not less than one-half of the sanctioned number of members.

40. Minutes of the proceedings at each meeting of the Local Library Authority shall be drawn up and entered in a book to be kept for that purpose; and shall be signed by the presiding member or in his absence by some one of the members present there at and the said minute shall, at all reasonable times and without charge, be open at the office of the Local Library Authority to the inspection of any person who pays any cess under this Act in the said area.

41. The proceedings of every committee appointed by the Local Library Authority shall be recorded in writing and submitted to the Local Library Authority.

42. (1) The duties of the Chairman of the Local Library Authorities shall be as follows :—

(a) He shall preside over all the meetings of the Local Library Authority.

(b) He shall exercise general control over the Local Library Authority.

(c) He shall also exercise control over the appointments in the library under his jurisdiction for which suitable candidates shall be obtained from the Secretary of the Provincial Library Committee on application.

(2) The duties of the Secretary of the Local Library Authority shall be as follows :—

The Secretary of the Local Library Authority shall be the convenor for the meetings of the said Authority. He shall also be responsible for the appointment of the staff, proper control and supervision of the office of the Local Library Authority including its fund and shall sign cheques if authorized by the Chairman under rule 24 in Chapter III.

43. If any difficulty arises in the interpretation or enforcement of these rules, the matter shall be reported to the Director whose decision thereon shall be final.

CHAPTER V.

Schemes to be submitted by Local Library Authorities.

44. Each Local Library Authority shall first prepare and submit to the Director a tentative outline scheme giving in skeleton form, a picture of the

number of main and branch libraries and delivery stations which its area should have ultimately, i.e., when the spread of library service reaches its fullness.

45. A tentative outline scheme shall give the following and any other relevant information :—

(1) a map of each city, i.e., a locality with a population of 50,000 or over, lying within the area with the positions of the main library and branch libraries shown by distinctive marks ;

(2) the basis for the map of each city may be as follows :—

(a) one main library ;

(b) a branch library either for each division or for every 25,000 people ;

(3) a map of the area of each district with the position of each city and of the main and branch libraries and delivery stations to serve the rest of the district shown by distinctive marks ;

(4) the basis for the map of a rural area, i.e., the area of a district board excluding the cities lying within it, may be as follows :—

(a) one main library as the minimum and more if the size or shape or the terrain of the area demands it ;

(b) one branch library for each town, i.e., a locality with a population between 5,000 and 50,000 ; and

(c) one delivery station for each village, i.e., a locality with a population between 1,000 and 5,000 and one for each group of three contiguous hamlets, i.e., localities with a population below 1,000 ;

(5) a tabular statement of the material given in the map under the following heads :—

(a) for each city—

(i) Division.

(ii) Area.

(iii) Population.

(iv) Branch library.

(The last line to give the total.)

(b) for each district—

(i) Area.

(ii) Population.

(iii) Number of cities.

I. Total population of the cities.

II. Number of branch libraries in cities.

(iv) Number of towns and their total population.

(v) Balance of the population.

(vi) Number of villages and their total population.

(vii) Number of hamlets and their total population.

(viii) Number of delivery stations.

(The last line to give the total.)

46 The Director shall examine the tentative outline scheme of each Local Library Authority and approve it with such modifications and additions, if any, as he may think fit. He shall thereafter call for a detailed scheme based on the tentative scheme approved by him. On receipt of the detailed scheme the Director may approve it with or without modifications and shall issue instructions in regard to its execution.

47 The Director shall make report to the State Library Committee in regard to the detailed schemes approved by him under rule 46 whenever it meets and consider wherever possible the suggestions made by its members.

APPENDIX.

FORM FOR SUBMISSION OF BUDGET.

(See rule 24-A.)

Submitted by the

Local Library Authority for 195 .

Columns (3) and (4) will give the figures for the current year. Column (5) will give the estimated figure for the coming year. Column (2) will give the figure relating to the previous year.

Head of account.	Actuals for	Budget estimate for	Revised estimate for	Budget estimate for	Explan- ation for variations.
	(2)	(3)	(4)	(5)	(6)
REVENUE.					
Opening balance					
Library fee					
Contributions and gifts					
Fees, fines and forfeitures					
Income from endowments					
Other receipts					
Grants-in-aid					
Under section 13 (3) of the Public Libraries Act.					
Under section 13 (2) (a) of the Public Libraries Act.					
Investments realised					
Advances recovered					
Deposits					
Refunds					
Amount transferred to capital.					
Total Ordinary					
Capital--					
Government grants					
Endowments and contribu- tions.					

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