

THE ANDHRA PRADESH PUBLIC LIBRARIES
(AMENDMENT) ACT, 1987

ACT NO. 13 OF 1987*

[12th February, 1987]

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 Thirty-
Eighth Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra
Pradesh Public Libraries (Amendment) Act, 1987.

Short title
and com-
mencement.

(2) It shall come into force on such
date as the State Government, may, by notifica-
tion in the Andhra Pradesh Gazette appoint.

2. In the Andhra Pradesh Public Libraries
Act, 1960 (hereinafter referred to as the Princi-
pal Act), in Section 3, in sub-section (2), in
clause (a), for the words "Minister incharge of
Education", the words "Minister incharge of
Libraries" shall be substituted.

Amendment
of Section 3,
Act VIII of
1960.

*Received the assent of the Governor on the 12th
February, 1987. For Statement of Objects and Reasons, please
see the Andhra Pradesh Gazette, Part IV-A, Extraordinary,
dated the 28th July, 1986 at page 6.

words "Minister incharge of Libraries" shall be substituted.

Insertion of
new section
8-A.

3. After section 8 of the Principal Act, the following section shall be inserted, namely:—

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

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

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

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

Act 23 of
1984.

(5) Every holder of the post of Librarian, who is appointed under this Act, immediately before the commencement of the Andhra Pradesh Public Libra-

ries (Amendment) Act, 1986 shall, notwithstanding anything in this Act, continue to hold such post, subject to the provisions of the Andhra Pradesh Employment (Regulation of Age of Superannuation) Act, 1984, as amended from time to time and to such other rules as may be made under the proviso to article 309 of the Constitution and until provision in that behalf is so made, the rules for the time being in force regulating the recruitment and conditions of service applicable to such holder immediately before such commencement, except the provision relating to age of superannuation, shall continue to apply to such holder. Act. 23 of 1984.

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

4. For Section 10 of the Principal Act, the following section shall be substituted, namely:— Substitution of new section for section 10.

10. (1) The Zilla Grandhalaya Samstha for the twin cities of Hyderabad and Secunderabad shall consist of the following members, namely:— "Composition of Zilla Grandhalaya Samsthas.

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

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

(c) Two members nominated by the Government, from among the Councillors of the Municipal Corporation of Hyderabad;

(d) The District Educational Officer, Hyderabad, Ex-Officio;

(e) The Deputy Director, Office of the Directorate of Adult Education, Hyderabad, Ex-Officio;

(f) the District Public Relations Officer, Hyderabad Ex-Officio;

(g) the Librarian, City Central Library, Hyderabad Ex-Officio., who shall be the Member-Secretary.

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

(a) three members nominated by the Government from among the residents of the District, who have rendered eminent service in the field of education or public libraries;

(b) One member nominated by the Government from among the Presidents of the governing bodies of the aided libraries in the Districts;

(c) One member nominated by the Government from among the Councillors of either Municipal Corporations or the Municipalities of the District;

(d) Two members nominated by the Government from among the Presidents of Mandal Panchayats in the District concerned;

(e) the District Educational Officer of the District concerned, Ex-Officio;

(f) the Deputy Director of the Adult Education incharge of the District concerned, Ex-Officio;

(g) the District Public Relations Officer of the district concerned, Ex-Officio;

(h) the Librarian, District Central Library ex-Officio, who shall be the Member-Secretary;

(i) The District Panchayat Officer of the district concerned, Ex-Officio.

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

5. For section 11 of the Principal Act, the following section shall be substituted, namely:—

(1) Every member of a Zilla Grandhalaya Samstha not being an ex-officio member shall hold office for a period of three years from the date of his nomination.

"Term of office of members of Zilla Grandhalaya Samstha and its Chairman.

Substitution of new Section for section 11.

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

(3) Save as otherwise provided in this Act, the term of office of the Chairman of a Zilla Grandhalaya Samastha shall be three years from the date of his nomination as Chairman. The Chairman shall, however, cease to hold office, before the expiration of such term on his ceasing to be a member of the Zilla Grandhalaya Samastha.

6. In section 11-A of the Principal Act, in Sub-section (1) and in the marginal heading the words "for being chosen as and", shall be omitted.

Amendment of section 11-A.

Amendment
of section 12.

7. In section 12 of the Principal Act, the word "for elected" in the two places where they occur and the words "or election as the case may be", shall be omitted.

THE ANDHRA PRADESH PUBLIC LIBRARIES
(SECOND AMENDMENT) ACT, 1987

ACT NO. 14 OF 1987*

[12th February, 1987]

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 Thirty-Eighth Year of the Republic of India as follows:-

1. This Act may be called the Andhra Pradesh Public Libraries (Second Amendment) Act, 1987. Short title.

2. After section 12 of the Andhra Pradesh Public Libraries Act, 1960, the following section shall be inserted, namely:- Insertion of new section 12-A, Act 8 of 1960.

*Received the assent of the Governor on the 12th February, 1987. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Part IV-A, Extraordinary, dated the 8th January, 1987, at page 3.

"Management of the Zilla Grandhalaya Samstha in the absence of the committee.

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

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

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

**THE ANDHRA PRADESH PUBLIC LIBRARIES
ACT, 1989*,**

ACT No. 11 OF 1989.

[20th April, 1989.]

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

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

1. (1) This Act may be called the Short title and commence- Andhra Pradesh Public Libraries (Amendment) Act, 1989. ment.

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

*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.

Amendment of section 2, Act VIII of 1960.

2. In the Andhra Pradesh Public Libraries Act, 1960 (hereinafter referred to as the principal Act) in section 2,--

(a) clause (2) shall be omitted;

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

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

Substitution of new Chapter for Chapter II.

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

"CHAPTER - II

THE ANDHRA PRADESH GRANDHALAYA PARISHAD

Establishment and composition of the Andhra Pradesh Grandhalaya Parishad.

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

(2) The headquarters of the parishad Grandhalaya 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. The objects of the Parishad shall be - ^{Objects} of the

(i) to organise and promote library ^{of the} Parishad 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.

Powers and functions of the Parishad. 5. (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. The Chairman shall be Head of the Powers and Parishad and shall preside over all its functions meetings. He shall supervise the implementa- of the tion of the policies and programmes of the Chairman. Parishad and exercise such other powers and perform such other functions as may be prescribed.

7. (1) The Chairman of the Parishad Salaries shall be entitled to such salary and and allow- allowances and shall be subject to such ances of conditions of service as may from time to Chairman time be prescribed. etc.

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

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

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

(1) implement all the policies and programmes of the Parishad;

(2) exercise general supervision and control over the Parishad office staff, field staff of libraries or any other employees of the Parishad and all the libraries under Zilla Grandhalaya Samsṭhas;

(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.

Filling up of casual vacancies of the Chairmen and the members 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.

Funds of the Parishad.

7-C. (1) The Parishad shall have its own funds, consisting of;

(a) the grants made by the State Government;

(b) all moneys received by or on its behalf under the provisions of this Act or any other law for the time being in force or under any other contract;

(c) all proceeds of the disposal of the property by or on behalf of the Parishad;

(d) all moneys received by or on behalf of the Parishad from public bodies, private bodies or private individuals by way of grants, donations or deposits;

(e) all interests and profits arising from any investment or from any transaction in connection with any money belonging to the Parishad; and

(f) such other sums from the Zilla Grandhalaya Samsthas as may be required for specific purposes as provided under the Act or as per the instructions of the Government, from time to time.

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

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

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

Power of the Govern- 7-E. The Parishad shall function under
ment to the general supervision and control of the
give direc- Government and the Government shall have
tions. power to give such directions as it may deem
fit from time to time and may review the
actions of the Parishad".

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

Amendment of section 13. 5. In section 13 of the principal Act, in
of 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;

Amendment of section 14. 6. 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. In section 16 of the principal Act,-- Amendment
of

(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. In section 19 of the principal Act,-- Amendment
of

(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. In section 21 of the principal Act,-- Amendment
of

(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. 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.

Amendment of section 23. 11. 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.

Amendment of section 24. 12. 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.

Insertion of new section 24-A. 13. After section 24 of the principal Act, the following section shall be inserted, namely:--

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

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

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

Transitional provision. 15. 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. The Andhra Pradesh Public Libraries Regest of (Amendment) Ordinance, 1988 is hereby Ordinance repealed. 16 of 1988

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS ETC.**

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 26th October, 1990 and the said assent is hereby first published on the 27th October, 1990 in the Andhra Pradesh Gazette for general information:

ACT NO. 16 OF 1990.

**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 Forty-first Year of the Republic of India, as follows:-

1. This Act may be called the Andhra Short Pradesh Public Libraries (Amendment) Act, 1990.

Amendment of Section 7, Act VIII of 1950. 2. In the Andhra Pradesh Public Libraries Act, 1960 (hereinafter referred to as the principal Act), in section 7, for sub-section (2), the following shall be substituted, namely:-

"(2) The Chairman and every member of the Parishad, other than the ex-officio Member, shall hold office during the pleasure of the Governor".

Amendment of Section 7B. 3. In section 7B of the principal Act, the words "before the expiration of the term" and the words "and the persons so nominated, shall hold office for the residue of the term of his predecessor" shall be omitted.

Amendment of Section 11. 4. In section 11 of the principal Act,-

(i) in sub-section (1), for the words "for a period of three years from the date of his nomination", the words "during the pleasure of the Governor" shall be substituted;

(ii) in sub-section (3), for the words "the term of Office of the Chairman of a Zilla Grandhalaya Samstha shall be three years from the date of his nomination as Chairman", the words "the Chairman of a Zilla Grandhalaya Samstha shall hold office during the pleasure of the Governor", shall be substituted.

Amendment of section 11A. 5. In section 11A of the principal Act, in the proviso to sub-section (2), for the words "during his term of office", the words "during the period he holds office", shall be substituted.

6. In section 12A of the principal ^{Amendment of} Act, for the word "Committee", wherever it ^{Section 12A.} occurs the word "Parishad" shall be substituted.

P.V. VIDYASAGAR,
Secretary to Government,
Law and Legislative Affairs,
Law Department.