CHAPTER VII

MANIPUR PUBLIC LIBRARIES BILL: A MODEL
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7.1 INTRODUCTION

The Manipur Public Libraries Bill which was passed by the Manipur Legislative Assembly on the 1st August 1988 could not become an Act due to certain shortcomings. As a result the progress of public libraries in the state are in the snails pace. For overall development of public libraries in Manipur and to make a system of the public libraries a sound one public libraries Act is required. For these purposes the best suitable Public Libraries Bill of Manipur will be as appended below:

MANIPUR PUBLIC LIBRARIES BILL, 1988

Proemblem

A Bill to provide for the establishment, for-the-establishment, maintenance, service, organisation and development of a comprehensive public library system in the State of Manipur and for matters connected therewith.

Be it enacted by the Manipur State Legislature in the Forty

............. year of the Republic of India as follows:-
CHAPTER I
PRELIMINARY

1. Short title, extent and commencement. — (1) This Act may be called the Manipur Public Libraries Act, 199...

(2) It extends to the whole of the State of Manipur.

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

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

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

(2) 'Book' includes every volume, part or division of a volume and pamphlet in any language, and every sheet of music, map, chart or plan separately printed or lithographed, newspapers, periodicals, paintings, films, slides, discs, or tapes used for audio-visual information and such other materials;

(3) 'Council' means the State Library Council constituted under section 3;

(4) 'Director' means the Director of Public Libraries appointed under section 9;

(5) 'District' means a revenue district;

(6) 'City' means a city having more than one lakh population;

(7) 'Chief Librarian' means the Librarian appointed to be in-charge of a District Central Library or a City Central Library;
(8) 'City Library Authority' means a Library Authority constituted for a city area under sections 12 and 14.

(9) 'District Library Authority' means a Library Authority constituted for a district under sections 12 and 14.

(10) 'Local Library Authority' means a District Library Authority or City Library Authority.

(11) 'notification' means a notification published in the Manipur Gazette.

(12) 'prescribed' means prescribed by rules made under this Act.

(13) 'State Central Library' means the library declared to be the State Central Library under Chapter VI.

(14) 'State Government' means the State Government of Manipur.

(15) 'public library means, -

(a) a library established or maintained by the State Government and declared open to the public;

(b) a library established or maintained by a District Library Authority or a City Library Authority, including the branches and delivery stations of such a library;

(c) a library declared to be eligible for aid and receiving aid from the State Government; and includes, any other library notified by the State Government as a public library for the purposes of this Act;

(16) 'year' means the financial year.
CHAPTER II
THE STATE LIBRARY COUNCIL

3. Constitution and Composition of the State Library Council. —

(1) As soon as may be after the commencement of this Act, the State Government shall, by notification, constitute for the purposes of this Act a Council to be called the State Library Council.

(2) The Council shall consist of,

(a) the Minister in-charge of Public Libraries, who shall ex-officio be the President of the Council;

(b) the Commissioner/Secretary to the Government of Manipur, Arts and Culture Department for the time being in office;

(c) one person nominated by the Syndicate of the Manipur University from the members of the Syndicate;

(d) One person nominated by the Manipur Library Association;

(e) two persons elected by the Manipur Legislative Assembly from among its members;

(f) one person elected by the Manipur Legislative Council from among its members;

(g) one person nominated by the City Library Authority of the City of Imphal from among its members;

(h) two persons nominated by the State Government from among the members of the District Library Authorities;

(i) one person co-opted by the Council who in the opinion of the Council is expert in the field of Library & Information Science;

(j) the Director of Public Libraries who shall ex-officio be the Secretary of the State Library Council.
4. **Functions of the State Library Council.** - The Council shall advise the State Government on all matters connected with the administration of this Act, shall be the managing Council for the State Central Library, and shall exercise and perform such powers and duties conferred and entrusted to the said Council by this Act, and such other powers and duties as may be prescribed.

5. **Term of office.** - (1) Save as otherwise provided in this Act, the term of office of members of the Council, other than ex-officio members, shall be for a period of three years commencing from the date on which the first meeting of the Council is held after the election or nomination of the members under section 3.

(2) An outgoing member shall continue in office until the election or nomination of his successor.

6. **Vacancies.** - In the event of a vacancy arising out of death, resignation, disability or otherwise, previous to the expiry of the term of office of any member of the Council, the vacancy shall be filled by election, nomination or co-option, as the case may be of another person in the manner provided in sub-section (2) of section 3 and the person so nominated, elected or co-opted shall hold office for the remaining of the term of his predecessor.

7. **Disabilities for continuing as member.** - If any member other than an ex-officio member of the Council, during the period for which he has been nominated or elected,
(a) absent himself without excuse sufficient in the opinion of the Council from three consecutive meetings of the Council; or 
(b) in the case of a member elected or nominated by any body referred to in sub-section (2) of section 3, ceases to be a member of the body concerned, his office in the Council shall become vacant.

8. Meetings of the Council. — (1) The Council shall meet at least twice a year on dates to be fixed by the President. One of such meetings shall be annual meeting.

(2) The President of the Council may, whenever he thinks fit, and shall, upon the written request of not less than one-third of the total number of members of the Council, and on a date not later than thirty days after the receipt of such request, call a special meeting of the Council.

(3) One-third of the total number of members of the Council shall form the quorum.

(4) The Council shall transact business in such manner and in accordance with such procedure as may be prescribed.
CHAPTER III
DEPARTMENT OF PUBLIC LIBRARIES

9. Department of Public Libraries. - (1) For the purposes of this Act, a Department of Public Libraries shall be constituted by the State Government with a Director of Public Libraries as its head and such other officers and servants as the Government may by order specify.

(2) The State Government shall appoint a whole-time officer having a prescribed qualifications to practice the library profession to be the Director of Public Libraries.

10. Functions of Director. - (1) Subject to the superintendence, direction and control of the State Government, the Director shall be responsible for the administration of this Act.

(2) In a particular and without prejudice to the generality of the foregoing provision, the Director shall, -

(a) supervise the State Central Library;
(b) be responsible for the planning, maintenance, organisation and development of public libraries and public library systems;
(c) superintend and direct all matters relating to public libraries;
(d) promote the establishment of public libraries to achieve the purposes of this Act;
(e) supervise and direct all matters relating to libraries receiving aid from the State Government;
(f) maintain State Registers of libraries and of Librarians;

(g) superintend, direct and deal with the exercise of powers and
the performance of duties by Local Library Authorities under
this Act;

(h) ensure the proper utilisation of the Library Funds and library
man-power of the State;

(i) submit to the State Government every year, a report on the
working of public libraries under this Act;

(j) control the appointments, postings, and transfers of officers
and servants in the State Library Service;

(k) exercise such other powers and perform such other duties as
may be conferred or imposed on him by rules made under this
Act.

11. **State Library Service.** - (1) The State Government shall establish
a Manipur State Library Service, and appoint persons thereto.

(2) The Manipur State Library Service shall consist of such classes
and categories of posts as the State Government may from time to time
determine. All members of the said service shall be Government servants
and their recruitment and conditions of service shall be regulated by such
rules as may be made by the State Government from time to time.

(3) The salaries, allowances, gratuity, pension and other emolu-
ments of the members of the Manipur State Library Service shall be paid
from the Consolidated Fund of the State.
CHAPTER IV
LOCAL LIBRARY AUTHORITIES

12. Constitution of Local Library Authorities. - (1) For the purposes of organising and administering Public Libraries in the State, there shall be constituted Local Library Authorities, -

(a) for the city of Imphal, and for such other urban area having a population of more than one lakh, as the State Government may by notification specify, called the City Library Authority; and

(b) for each revenue district called the District Library Authority.

(2) Every Local Library Authority shall be called by the name of the area for which it is constituted.

13. Composition of City Library Authorities. - Every City Library Authority shall consist of, -

(a) the Mayor of the municipal corporation or the President of the municipal council or other municipal body of the city who shall ex-officio be the Chairman of the Authority;

(b) a Principal of a Government College in the city nominated by the State Government;

(c) one person elected by the municipal corporation, municipal council or other municipal body of the city from among its members;

(d) one person nominated by the Manipur Library Association;
(e) a Principal of a Higher Secondary School in the city nominated by the State Government;

(f) one person nominated by the State Government from among the members of governing bodies of aided libraries in the city;

(g) an officer of the Department of Social Welfare having jurisdiction over the city;

(h) two persons nominated by the State Government from among persons ordinarily residents in the city;

(i) the Chief Librarian of the city shall ex-officio be the Secretary of the City Library Authority and of the Committee of the said Authority.

14. Composition of District Library Authorities. — Every District Library Authority shall consist of, —

(a) the Deputy Commissioner of the district who shall ex-officio be the Chairman of the Authority;

(b) the District Education Officer of the district;

(c) one person elected by the Board of Municipalities or by the Small Town Committee in the district;

(d) one person elected from among its members by the District Development Council;

(e) one person nominated by the executive committee of the District Branch, if any, of the Manipur Library Association;

(f) a Principal of a Higher Secondary School in the district nominated by the State Government;
(g) one person nominated by the State Government from among the members of the governing bodies of aided libraries in the district;

(h) two persons nominated by the State Government from among persons ordinarily resident in the district;

(i) the Chief Librarian of the district shall *ex officio* be the Secretary of the District Library Authority.

15. **Term of office.** - (1) Save as otherwise provided in this Act, the term of office of members of Local Library Authority, other than *ex officio* members shall be for a period of three years commencing from the date on which the first meeting of the Authority is held after the election or nomination of the members under sections 13 and 14.

(2) An outgoing member shall continue in office until the election or nomination of his successor.

16. **Vacancies.** - In the event of a vacancy arising out of death, resignation, disability or otherwise, before the expiry of the term of office of any member of a Local Library Authority, the vacancy shall be filled by election or nomination, as the case may be, of another person in the manner provided in section 13 or section 14, as the case may be, and the person so elected or nominated shall hold office for the remaining of the term of his predecessor.
17. **Disability for continuing as members.** - If any member other than an ex-officio member of a Local Library Authority, during the period for which he has been nominated or elected, -

(a) absents himself without excuse sufficient in the opinion of the Authority, from three consecutive meetings of the Authority;

or

(b) in the case of a member elected by any body referred to in section 13 or section 14 ceases to be a member of the body concerned, his office in the Authority shall become vacant.

18. **Meetings of Local Library Authorities.** - (1) Every Local Library Authority shall meet at least twice a year on dates to be fixed by the Chairman. One of such meetings shall be the annual meeting.

(2) The Chairman may, whenever thinks fit, and shall, upon the written request of not less than one-third of the total number of members of the Authority, and on a date not later than thirty days after the receipt of such request, call special meeting of the Authority.

(3) A Local Library Authority shall transact business in such manner and in accordance with such procedure as may be prescribed.

19. **Powers and functions of Local Library Authorities:**

(1) It shall be the duty of every City Library Authority and every District Library Authority to provide library service to the persons
residing in the area within its jurisdiction. The Library Authority shall in every City establish a City Central Library and Branch Libraries and in every district establish a District Central Library and Branch Libraries.

(2) For purpose of sub-section (1), a Local Library Authority may, -

(a) provide suitable lands and buildings for public libraries, and the furniture, fittings, equipment and other conveniences necessary for the purpose;

(b) provide such libraries with books, periodicals, newspapers, maps, gramophone records, manuscripts, works and specimens of arts and science, lantern slides, films, cinema projectors, recorders, micro documents, audio-visual sets and the like;

(c) with the previous sanction of the State Government, shift, renovate or close any public library mentioned in sub-clause (b) of clause (15) of section 2.

(d) accept any gift or endowment for any purpose connected with its activities:

Provided that no gift or endowment of an immovable property shall be accepted without the previous sanction of the State Government.

(e) provide for lectures and conduct other activities as may be conducive to the carrying out of the purposes of this Act;

(f) with the consent of the management and the previous sanction of the State Government acquire any library on such conditions as may be approved by the State Government;
(g) with the sanction of the State Government do any other thing that may be conducive to the furtherance of the purpose of this Act;

(h) exercise such other powers and perform such other duties as may be conferred or imposed by or under this Act.

20. **Library Development Scheme.** - (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 (hereinafter referred to as the 'Local Library Development Scheme') for establishing libraries and spreading library service within the jurisdiction of such Authority in such form and manner and containing such particulars as may be prescribed.

(2) The salient features of every Local Library Development Scheme prepared under sub-section (1) shall be published in such manner as may be prescribed along with a notice inviting objections and suggestions from all persons interested in the plan within such period as may be specified in the notice. Any objection or suggestion which may be received from any person with aspect to the Local Library Development Plan shall be considered by the Local Library Authority and such modifications in the Scheme shall be made as the Authority deems fit.
(3) The Local Library Development Scheme shall thereafter be sent to the Director along with a copy of the objections and suggestions received under sub-section (2). The Director shall with his comments on the Local Library Development Scheme submit it to the State Government for sanction.

(4) The State Government may if it deems fit after ascertaining the Local Library Development Scheme with such alterations as it considers necessary. The State Government may on application by the Local Library Authority concerned, modify any Local Library Development Scheme sanctioned under this sub-section.

(5) (a) As soon as may be after the State Government sanctions a Local Library Development Plan under sub-section (4), the Director shall in conformity with the provisions of the said Scheme make an order called the Local Library Order for the area, specifying the Central Library and the Branch Libraries, Libraries to be located in educational institutions, jails and hospitals and the village libraries, which shall be established and maintained by the Local Library Authority, the measures to be taken by the Local Library Authority for providing adequate library service to the people in the area and the stages in which such measures shall be taken.

(b) A Local Library Order made under clause (a) may be amended in consultation with the Local Library Authority, whenever the Director considers it expedient to do so.
(5) Every Local Library Authority shall give effect to the Local Library Development Scheme as sanctioned by the State Government and the Local Library Order made under sub-section (5).

21. Local Library Authority to appoint committee. — (1) Every Local Library Authority shall constitute the following committees by election from among its members namely, —

(a) the Executive Committee; and

(b) the Finance Committee.

(2) The Chairman of the Local Library Authority shall ex-officio be a member and Chairman of the Executive Committee, and the Finance Committee.

22. Advisory Library Committees. — (1) For the purpose of advising on local requirements relating to library service of each branch library and each village library, Advisory Committees shall be constituted in accordance with the provisions of this section.

(2) Every Branch Library Committee shall consist of, —

(a) the branch Librarian who shall ex-officio be the Chairman and convenor of the Committee;

(b) one persons elected from among themselves by the Board of Municipalities or by the Small Town Committee or by the Panchayat having jurisdiction over the area of the Branch Library;
(c) two Head Masters of high schools in the area in which the branch library is located, nominated by the Chief Librarian of the city or the Chief Librarian of the district, as the case may be;
(d) two persons from among the registered borrowers of the branch library nominated by the Chief Librarian of the City or the Chief Librarian of the district, as the case may be.

(3) Every Village Library Committee shall consist of,—
(a) the Village Librarian who shall ex-officio be the Chairman and convenor of the Committee;
(b) two Head Masters of primary schools in the area served by the village library, nominated by the Chief Librarian of the District;
(c) two persons from among the registered borrowers in the area served by the service station, nominated by the Chief Librarian of the district.

(4) The nominated members of the Branch Library Committee and Village Library Committee shall hold office for a period of three years or until their successors are nominated.
CHAPTER V
FINANCE AND ACCOUNTS

23. **State Library Fund.** - (1) The State Library Council shall maintain a Fund called the State Library Fund from which all its payments under this Act shall be met.

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

(a) the grants made by the State Government to the State Library Council to perform the duties entrusted to it;

(b) any grants given by the Government of India to the State Government for development of public libraries;

(c) contributions and gifts made to the State Library Council;

(d) funds and other amounts collected by the State Library Council under the rules or bye-laws made under this Act.

24. **City and District Library Funds.** - (1) Every City Library Authority and District Library Authority shall maintain a Fund called the City Library Fund and the District Library Fund, as the case may be, from which all its payments under this Act shall be met.

(2) There shall be credited to the City Library Fund and the District Library Fund, as the case may be, the following sums, namely, -
(a) contributions, gifts, and income from endowments, made to
the Library Authority for the benefit of public libraries;
(b) grant which the Central Government or the State Government
may make;
(c) funds and other amounts collected by the Local Library Authority
under rules or by-laws made under this Act.

25. Accounts. — (1) An account shall be kept of the receipts and expenses
of the State Library Council and of each City Library Authority and Dis-
trict Library Authority.

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

CHAPTER VI
STATE CENTRAL LIBRARY

26. Manipur State Central Library. — (1) The Manipur State Central Library
shall be maintained as a reservoir of books and other materials for the
proper functioning of the State Library System.

(2) In addition to a general library, the State Central Library shall
consist of the following sections, namely, —

(a) a State Bureau of Copyright Collections;
(b) a State Library for the Blind.
(c) a State Bureau of inter-library-loan;
(d) a State Bibliographical Bureau;
(e) a State Bureau of Technical Service;
(f) a State Bureau of services for the illiterates;
(g) a State Library for the children;
(h) such other sections as may be prescribed.

27. Sections of State Central Library. - (1) (a) One copy of each book received under the Press and Registration of Books Act, 1867 (Central Act XXV of 1867) shall be kept in the State Central Library as a Bureau of Copyright.

(b) Copies of books in the Bureau of Copyright shall not be issued by way of loan of any kind may be made available for reference in the library premises.

(2) Braille, sound records and kindred materials shall be dealt with in the section relating to the State Library for the Blind.

(3) (a) The State Bureau of inter-library-loan shall implement such schemes of inter-library-loans among the public libraries, academic libraries and special libraries in the State as may be prescribed.

(b) The State Central Library may with the approval of the State Government, collaborate in any scheme of inter-state library loans etc.

(4) The State Bibliographical Bureau shall undertake such bibliographical work as and when necessary.
(5) The State Bureau of Technical Service shall be maintained for centralised technical services, such as, acquisition, classification and cataloguing of book for public libraries.

(6) The state Bureau of services for the illiterates and neo-literates shall be maintained for the illiterates and neo-literates by means of narrating stories, by using audio-visual sets and the like.

(7) The State Library for the children shall collect children's literature, toy etc. and shall arrange story telling, exhibitions, films etc. from time to time.

CHAPTER VI

REPORTS, RETURNS AND INSPECTION

28. Reports and returns. - Every Local Library Authority and every person in-charge of a public library shall submit such reports and returns and furnish such information to the Director or any person authorised by him in this behalf as the said Director or authorised person may, from time to time require.

29. Inspection of libraries. - The Director or any person authorised by him in this behalf may inspect any public library or any institution attached thereto for the purpose of satisfying himself that the provisions of this Act and the rules and bye-laws made thereunder are duly carried out.
30. **Submission of Annual Report by Director.** - (1) The Director shall, in respect of each financial year, prepare an annual report of the progress made along with such information and particulars as may be prescribed and submit report to the State Government before such date as the State Government may be by order specify.

(2) The Director shall, in respect of each financial year prepare an annual report of the activities of the State Library Council during the year along with such information and particulars as may be prescribed and submit such report to the State Government before such date as the State Government may by order specify.

CHAPTER VIII

MISCELLANEOUS

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

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

(a) the method of election, nomination or co-operation of members to the State Library Council, the Local Library Authorities, the Branch Library Committees and the Village Library Committees;

(b) the maintenance of a State Library Fund and the City and District Library Funds;
(c) the administration, inspection and management of the State Central Library;

(d) the maintenance of accounts by the State Library Council and the Local Library Authorities and the publication of audited statement of accounts and the reports of auditors;

(e) the grants-in-aid to aided libraries and the standards to be maintained by such libraries;

(f) the maintenance of State Registers of Libraries, and of Librarians;

(g) the constitution of committees by the State Library Council and the Local Library Authorities;

(h) the restrictions and conditions subject to which the State Library Authority or a Local Library Authority may enter into contracts, or acquire, hold or dispose of property.

(3) All rules made under this section shall, as soon as may be after they are made, be laid on the Table of the House of the State Legislature while it is in session for a total period of thirty days and shall be subject to such modification, whether by way of repeal or amendment, as the State Legislature may make during the session in which they so laid.

32. Power of State Library Council and Local Library Authorities to make bye-laws. - (1) The State Library Council and every Local Library Authority may, subject to the provisions of this Act and the rules made thereunder and with the previous sanction of the State Government, by notification, make bye-laws generally to carry out the purpose of this Act.
(2) In particular and without prejudice to the generality of the foregoing power, such bye-laws may provide for all or any of the following matters, namely, -

(a) the admission of the public to the public libraries under the control of the State Library Council or the Local Library Authority subject to such conditions as may be specified in such bye-laws.

(b) the guarantee or security to be furnished by persons desiring to use such libraries, against injury to, or misuse, destruction or loss of the property of such libraries;

(c) the manner in which the property of such libraries may be used and the protection of such property from injury, misuse, destruction or loss;

(d) the authority to be exercised by the officers and servants of the State Library Council or the Local Library Authority for the purpose of exclusion or removal from any such library of any person who controvertes or does not comply with any provisions of this Act or rule or bye-law made thereunder.

(3) Every bye-law made under this section shall be subject to the condition of previous publication for a period of not less than thirty days, and such publication shall be in the Manipur Gazette and in such other manner as may be prescribed.

(4) The State Government may by notification modify or cancel any bye-law made by State Library Council or a Local Library Authority under this section:
Provided that before modifying or cancelling any bye-law, the State Government shall give the State Library Council or the Local Library Authority concerned a reasonable opportunity to make its representations in the matter.

33. Control of Local Library Authorities by Government. - (1) If, at any time, it appears to the State Government that a Local Library Authority has failed to perform its functions or has exceed or abused any of the powers conferred upon it by or under this Act, the State Government may communicate the particulars thereof to the Local Library Authority and if the Local Library omits to remedy such failure, excess or abuse or to give an explanation which in the opinion of the State Government is satisfactory within such time as the State Government may fix in this behalf, the State Government may supersede the Local Library Authority for such period as the State Government may direct.

(2) If a Local Library Authority in superseded,

(a) all the powers and duties of the Authority shall during the period of supersession, be exercised and performed by such person or persons as the State Government may from time to time appoint in this behalf;

(b) all property vested in the Local Library Authority shall during the period of supersession, vest in the State Government; and

(c) on the expiry of the period of supersession, the Local Library Authority shall be reconstituted in the manner provided in this Act.
34. **Power to remove difficulties.** - If any difficulty arises in giving effect to the provisions to this Act, the State Government may, by order, make such provisions as appear to it to be necessary or expedient for removing the difficulty.

35. **Amendment of the Press and Registration of Books Act, 1867 in its application to the State of Manipur.** - The Press and Registration of Books Act, 1867 (Central Act XXV of 1867) shall, in its application to the State of Manipur be amended as follows:

(i) in the first paragraph of section 9, for clause (a), the following clause shall be substituted, namely:

"(a) in any case, within one calendar month after the day on which any such book shall first be delivered out of the press, three such copies, and";

(ii) in the last paragraph of section 9, for clause (i) the following clause shall be substituted, namely:

"(i) any second or subsequent edition of a book in which edition no additions or alterations either in the letter-press or in the maps, block prints or other engravings belonging to the book have been made, and three copies of the first or some preceding edition of which book have been delivered under this Act, or";
(iii) in section 11, for the first sentence, the following sentence shall be substituted, namely:

"Out of the three copies delivered pursuant to clause (a) of the first paragraph of section 9 of this Act, one copy shall be sent to the State Central Library, Imphal, and the remaining two copies shall be disposed of in such manner as the State Government may, from time to time determine".