

## MANIPUR PUBLIC LIBRARIES ACT, 1988

enacted by the Authority 1915) MANIPUR : LAW & LEGISLATIVE AFFAIRS DEPARTMENT NOTIFICATION Imphal, the 17th June, 1993 No. following Act of the Legislature of Manipur which came into force on 9.6.93 is hereby published in the Emr Gazette. L. SINGH, io the Govt. of Manipur. THE MANIPUR PUBLIC LIBRARIES ACT, 1988 (Manipur Act No. 7 of 1993) An Act provide the establishment and maintenance of Public Libraries in the State of Manipur and matters connected therewith. BE it enacted by the Legislature of Manipur • in the Thirty-ninth Year of the Republic of India as follows : CHAPTER 1 1. Short title, extent and commencement.— (1) This Act may be Manipur Public Libraries Act, 1988. (2) It shall come into force on such date as Government may, by order, appoint. (3) It shall apply to the whole of Manipur. (4) It shall be deemed to have come into force on the 1st day of June, 1993. (5) (6) (7) (8) 'public library' means a library established or maintained by the Government or from the Library in accordance with the rules made under this Act ; 'Committee' means the State Library Committee ; 'Director' means the Director of Public Libraries ; 'District' means the revenue district ; 'State Government' means the State Government of Manipur ; 'notification' means a notification published in the Manipur Gazette ; 'prescribed' means prescribed by rules made under this Act ; 'Public Library' means,— (a) a library established or maintained by a District Library Authority. including the branches and delivery stations of such a library ; a library established or maintained by the State and declared open to the public ; a library established or maintained by any body or co-operative society and declared open to the public ; a library declared to be eligible for aid and receiving aid from State Government or from the Library Fund ; and includes any other library notified by the State Government as a public library for the purposes of this Act ; (9) (10) (11) 'State' means the State of Manipur ; 'State Central Library' means a library established by the State as the State Central Library ; 'District Library' means a library established by the State as a District Library ; 'Year' means the financial year. CHAPTER 2 THE STATE LIBRARY COMMITTEE 3. Constitution and composition of the State library committee.— (1) As soon as may be after the commencement of this Act, Government shall, by notification, constitute for the purposes of this Act a committee to be called the State Library Committee. (2) The Committee shall consist of— (a) the Minister in charge of Education, who shall also be the Chairman ; (b) Commissioner/Secretary to the Government ; (c) (d) (e) (f) (g) (h) 3 the Director of Public Libraries who shall also be the Secretary of the Committee ; the Chief Librarian of the State Central Library ; one person elected by the Syndicate of Manipur University ; one person nominated by the Manipur Library Association ; two persons nominated by the State Government from among the members of the Manipur Legislative Assembly ; one person co-opted by the Committee. (3) The Committee shall advise the State Government on all matters arising under this Act and shall exercise and perform such other powers and duties as may be prescribed. 4. Terms of office of certain members of the Committee.— (1) Subject to the provisions of sub-section (2) of section 3, every member of the Committee other than an ex-officio member shall hold office for a period of three years from the date of his election, nomination or co-option as the case may be. Provided that such term of a member nominated, or elected shall come to an end as soon as the member ceases to be a member of the body from which he was nominated or elected. 5. Filling up of casual vacancies of certain members of the Committee.— Any vacancies occurring in the office of nominated, elected or co-opted member of the Committee after the expiration of his term shall be filled up by nomination, election or co-option, as the case may be, of another person in manner provided in section 3 and the person so nominated, elected or co-opted shall hold office for the remaining of the term of his predecessor. 6. Meetings of the Committee.— The Committee shall meet at such time and place and shall observe such rules of procedure at its meeting as may be prescribed. 7. Act of State Library Committee not to be invalidated by informality etc.— No act of a State Library Committee shall be deemed to be invalidated by reason only of the existence of any vacancy in, or any defect in the constitution of, that Committee. 8. Control of the State Library Committee.— The Committee shall be under the control and supervision of the State Government. If, at any time, it appears to the State Government that the Committee has failed to perform its functions or has exceeded or abused any

of the powers conferred upon it by or under this Act the State Government may communicate the particulars thereof to the Committee, and if the Committee omits to remedy such failure, excess or abuses or to give satisfactory expression therefor within such time as the State may fix in this behalf, the State Government may dissolve or supersede the Committee and cause all or any, of powers and functions of the Committee to be exercised and by any reason or agency such period as they may think fit or that it be reconstituted

CHAPTER 111? DEPARTMENT QE PUBUC LIBRARIES oCthe of PubNé Libraries and a Director and his duties.- For the purposes of this Act, the S ide overnment \*Shall constitctc a serarate Department of Public Librar—pcint a Director .4 4 to be the Director of Public Libraries in-charge of the Department. The Director so appointed shall, subject to the control Ot the State Government:— (a) (c) (d) (e) (f) (g) 10. supervise the State Cen&al Library and the branches of such library ; superintend and direct all matters relating to public libraries ; declare, in accordance with the rules made under this Act, what libraries. are eligible for aid from the State Government and supervise and direct all matters relating to such libraries ; direct and control the work of all District Library Authorities under this Act in the manner prescribed ; submit to the State Government, through the State Library Committee every year, a report on the working of the libraries under this Act in the- preceding year • submit reports to the Committee on the working of libraries, whenever necessary ; perform such other duties and exercise such other powers as are impose& or conferred on him by this Act orthe rules made thereunder

CHAPTER IV THE DISTRICT LIBRARY AUTHORITIES Constitution and incorporation of District Library Authorities:—(1) For the purposes of organising and administering public libraries in the State, there shall be constituted a District Library Authority for each district. (2) Every District Library Authority shall, by the name of the area for which it is constituted, be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property, and to enter into contracts and may by the said name sue and be sued. (3) It shall be the duty of every District Library Authority to provide Library service in the area of its jurisdiction

**11. Composition of District Library Authorities** The District library Authority for each district shall consist of the following members, namely,—(a) four members nominated by the State Government from among the citizens (b) (c) (d) of the district who have rendered eminent service to the cause of education or public libraries or a person of social eminence; two members elected among themselves by the members of the governing bodies of the public libraries other than those referred to in sub-clauses (a) and (b) of clause (8) of section 2 in each revenue division in the district ; two members elected from among themselves by the Board of Municipalities or by the Small Town Committee in the district ; two members nominated by the district branch of the Manipur Library Association ; 5 , \_ (e) District Library who shall be its - -12, Term of office of members of a District Library Every —Member of a District Library Authority, other than ex-officio members, shall hold for a period of three years from the date of his nomination or election, as the may be, -A member nominated or elected 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 District Library Authority

**13. Filling up of casual vacancies or the members of the District Library Authority**—A vacancy occurring in the office of a nominated or elected member of a District Library Authority before the expiration of his term shall be filled by nomination or election, as the case may be, of another person in the manner provided in section 11, and the person so nominated or elected shall hold office for the remaining of the term of his predecessor.

**14. Powers and function of District Library Authorities,—**A District Library Authority may— (a): provide suitable lands and buildings for public and also the furniture, (b) (c) (d) (e) (g) (h) (i) fittings, materials and conveniences requisite therefor ; stock Such libraries with books, periodicals, newspapers, manuscripts, maps, Works and Specimens of art and science; lantern slides, films, cinema pfojeeto-ré, recorders and the like; employ from time to time, such staff as it considers necessary for such li6YaAries ; With the Previous sanction of the State Government, shift or clQse, any public library mentioned in sub-clause (a) of clause (8) of section 2, or dis- continue aid to any other public librÄry, the payment of which is regulated by the prescribed Library Grant-in-Aid Code ; accept any gift or endowment for any purpose

connected with its activities : that no Sft or endowment of an immovable property shall be without previous sanction of the State Government ; provide for lectures and the holding of classes and other activities connected with public library service including social ; with the consent of the management and the previous sanction of the State Government library or such conditions as may be approved grants for public libraries and social purposes; in 6 15, Scheme to be submitted to Library as possible after a District Library Authority is constituted, and thereafter as often as may be required by the Director, every District Library Authority shall and whenever it considers it so to do, a District Library Authority may prepare a scheme for establishing libraries for spreading library service within its area in such form and manner as may be prescribed, and submit it to the Director for sanction. The Director may with previous approval of State Government sanction it with alteration, if any, as he may think fit after giving the District Library Authority an opportunity to make its representations, if any, in respect of such alterations and the District Library Authority shall thereupon give effect to the scheme so sanctioned by him. (2) The Director may, with previous approval of State Government, on application by the District Library Authority concerned, modify a scheme under sub-section (1) or replace it by a new scheme

**16. Executive Committee and Sub-Committees of District library Authorities.--** (1) A District Library Authority may appoint an Executive Committee consisting of such of its members as it may deem fit and delegate to such committee any of its powers or functions under this Act except the power to borrow money, to dispose of immovable property, and to manage the budget, accounts and the audit and annual reports. (2) A District Library Authority may also, from time to time, appoint committees to inquire into and report or advise on any matters which it may refer to them

**17. Act of District Library Authorities not be by informality etc.**— No act of a District Library Authority shall be deemed to be invalidated by reason only of the existence of any vacancy in, or any defect in the constitution of, that authority. 18. Vesting District Library Authorities.--(1) All property acquired or held in any area by the District Library Authority for the purpose of any public library defined in sub-clause (a) of clause (8) of section 2 shall vest in the District Library Authority of that area. (2) Any immovable property required by the District Library Authority shall be deemed to be land needed for a public purpose within the meaning of the Land Acquisition Act, 1894 (No. 1 of 1894) and may be acquired under that Act: 19. Power of District Library Authorities to make Subordinate provisions of this Act and the rules made thereunder, a District Library Authority may make bye-laws, generally to carry out the purposes of this Act. (2) In particular and without prejudice to the generality of foregoing powers such bye-laws may provide for, all or any of the following matters, namely,— (a) (b) the admission of the public to the public libraries in its area on conditions as it may specify : Provided that no fees shall be charged for such admission ; the guarantee or security to be furnished by persons desiring to use such libraries, against injury to or misuse, destruction or loss of property of such libraries ; the manner in which the property of such libraries may be used and the protection of such property from injury, misuse; 7 (d) the authority to be exercised by its officers and servants in the case of exclusion or removal from any such library, of any person who contravenes or does not comply with the provisions of this Act or the rules or bye-laws made thereunder; (e) the conduct of meetings of the District Library Authority and the procedure to be followed in the transaction of business at such meetings and the quorum for the transactions of such business at a meeting ; Provided that a District Library Authority shall not have power to make any bye-laws affecting a public library mentioned in sub-clause (10) or sub-clause (11) of section 2. (3) The Director may, with previous approval of State Government, modify or cancel any bye-law made by a District Library Authority under sub-section (2) : Provided that before modifying or cancelling any bye-law, the Director shall give the District Library Authority concerned a reasonable opportunity to make its representations in the matter, 20. Control of the District Library Authorities by the State Government.—If, at any time, it appears to the State Government that a District Library Authority has failed to perform its functions or has exceeded or abused any of the powers conferred upon, it by or under this Act, the State Government may communicate the particulars thereof to the District Library Authority, and if the District Library Authority omits to remedy such failure, excess or abuse or to give a satisfactory explanation therefore within such time as the State Government may fix in this behalf, the State Government may suspend, dissolve or supersede the District Library Authority and cause all or any of the powers and functions of such Authority to be exercised and performed by any person or agency for such period as they may think fit or direct that it be reconstituted

CHAPTER V FINANCE AND ACCOUNTS 21. Every District Library Authority shall maintain a fund called the "Library Fund" from which all its payments under this Act shall be met. (2) There shall be credited to the Library Fund the following sums, (a) contributions, gifts and income from endowments made to the District Library Authority for the benefit of public libraries, (b) special grants which the State Government may make for any purpose connected with libraries and social education; (c) fund and other amounts collected by the District Library Authority under any rules or bye-laws made under this Act. (3) There shall be contributed annually to the Library Fund maintained by every District Library Authority

**22. Maintenance of an account shall be kept of the income and expenses of each District Library Authority.** (2)

The accounts shall be open to subject to audit, and shall be dealt with in all other respects in such manner, as may be prescribed. CHAPTER REPORTS, RETURNS AND INSPECTION 23. Reports District Library Authority every person in charge of a 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 Director or the person authorised may, from time to time, require. 24. 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

CHAPTER VII MISCELLANEOUS 25. Power to make rules 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 appointment, nomination, co-option, or election of members to the State Library Committee and District Library Authorities; (b) the publication of audited statements of the accounts of District Library Authorities and of the reports of the auditors; (c) the publication of a Library Grant-in-aid Code, regulating the grant of aid to aided libraries and the amounts maintained by such libraries; (d) of State Records of Libraries, and (3) All rules made under this section shall, as soon as they are made, be laid on the Table for fourteen days and shall be subject to such modification, whether by way of repeal or amendment, as the State may make during the time so laid. M. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, make such provisions as appear to them to be necessary or expedient for removing the difficulty

**27. Amendment to the Press Registration of Books Act, 1867 in its application to the State of Manipur,—**

The Press and Registration of Books Act, 1867 (No. 25 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 is first published, 9 (ii) in the last paragraph of the same section, 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 letterpress or in the maps, prints or other engravings belonging to the book have been made and two copies of the first or some preceding edition of which books 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 two 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, Manipur, to be kept in clause (a) of section 9 of this Act, and the remaining one copy shall be disposed of in such manner as the State Government may from time to time, determine". Printed at Directorate of Ptg. & Sty., Manipur/320-O/174-93.