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**THE KERALA PUBLIC LIBRARIES (KERALA GRANTHASALA SANGHOM)  
ACT, 1989<sup>1</sup>**

(ACT 15 OF 1989)

*An Act to consolidate and unify the library laws in the State and to provide for the reorganisation of the entire library system in the State of Kerala with a view to the development and maintenance of a comprehensive rural and urban library service and for matters connected therewith or incidental there to.*

*Preamble.*— WHEREAS, the period of the notified order by which the Board of Control for the Kerala Granthasala Sanghom was constituted under the Kerala Granthasala Sanghom (Taking over of Management) Act, 1977 expire on 21st May, 1988;

AND WHEREAS by the Kerala Granthasala Sanghom (Taking over of Management) Amendment Act, 1988 (20 of 1988), the period of the notified order was extended for a further period of one year;

AND WHEREAS the Public Libraries and Local Library Authorities constituted under the Madras Public Libraries Act, 1948, in the erstwhile Malabar District are not functioning properly;

AND WHEREAS Government consider that the taking over of the management of Kerala Granthasala Sanghom by Government will not solve the problems confronting the libraries in the State;

AND WHEREAS Government consider that the Kerala Granthasala Sanghom which was originally registered under the Travancore Companies Act 1114 M.E., cannot effectively function as a democratic, cultural body if it continues to be a company;

AND WHEREAS the Government consider it feasible and desirable to reorganize the functioning of the libraries affiliated to the Kerala Granthasala Sanghom and of the other libraries in the State.

AND WHEREAS Government have received several representations from members of the public and other bodies requesting that a comprehensive and uniform legislation for Public Libraries may be enacted, encompassing all the libraries in the State with a view to ensuring their democratic functioning, all-round development and progress;

AND WHEREAS Government feel that a uniform legislation applicable to all the library authorities and libraries is necessary to give fillip to the library movement in the State.

BE it enacted in the Fortieth Year of the Republic of India as follows:—

## CHAPTER I

### **Preliminary**

1. *Short title, extent and commencement.*— (1) This Act may be called the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989.

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

(3) It shall come into force on such date as the Government may, by notification in the Gazette, appoint and different dates may be fixed for different provisions of this Act.

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

(a) “affiliated library” means a library affiliated to the Kerala State Library Council;

(b) “book” includes every volume, part or division of a volume, and pamphlet in any language;

(c) “Children’s library” means a library established by the State Library Council for the benefit of children;

(d) “district” means a Revenue District;

(e) “District Library Council” means a District Library Council constituted under section 10;

(f) “Granthasala Sanghom” means the Kerala Granthasala Sanghom;

(g) “notification” means a notification published in the Gazette;

(h) “prescribed” means prescribed by rules made under this Act;

(i) “President of the State Library Council” means the President of the Kerala State Library Council elected by the State Executive Committee;

(j) “President of the District Library Council” means the President of the District Library Council elected by the members of the District Library Council;

(k) “President of the <sup>2</sup>[Taluk Library Council]” means the President of the Taluk Library Union elected by the members of the General Body;

- (l) “public library” means a library established or maintained or run directly by the State Library Council, a District library Council or a <sup>3</sup>[Taluk Library Council] under this Act;
- (m) “representative of affiliated library” means a member elected by the general body of an affiliated library from among its members;
- (n) “section” means a section of this Act;
- (o) “State” means the State of Kerala;
- (p) “State Library Council” means the Kerala State Library Council constituted under section 3;
- (q) “State Executive Committee” means the Executive Committee of the State Library Council;
- (r) “State Library” means a State Library established under this Act;
- (s) “Taluk” means Revenue Taluk;
- <sup>4</sup>[(t) “Taluk Library Council” means a Taluk Library Council constituted under section 18;”.]
- (u) “year” means the financial year.

## CHAPTER II

### **The Kerala State Library Council**

*3. Constitution and composition of the Kerala State Library Council.*— (1) As soon as may be after the commencement of this Act, the Government may, by notification, constitute a Library Council for the State to be called the Kerala State Library Council which shall be a body corporate by the name aforesaid 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, both movable and immovable, and to enter into contracts, and shall by the said name sue and be sued.

<sup>5</sup>[(2) The State Library council shall consist of one member each from a taluk, elected by the general body of the District Library Council, of the members nominated by the Government, of whom one shall be a librarian, one shall be a person belonging to the Scheduled Castes or Scheduled Tribes and one shall be a woman and five officials who shall be, the Principal Secretaries or Secretaries to Government, as the case may be, of the Higher Education Department, the General Education Department, the Finance Department, the Cultural Affairs

Department and the Local Administration Department or officers not below the rank of Deputy Secretaries of the respective Departments, nominated, as the case may be, by the concerned Principal Secretaries or Secretaries.

(3) There shall be an Executive Committee for the State Library Council consisting of twenty-five members of whom, fifteen shall be elected by the elected members of State Library Council, form among themselves, and the remaining ten members shall be the non-officials and officials referred to in sub-section (2).”.]

(4) The Executive Committee shall meet at such times and at such places as the President of the State Library Council may decide and exercise such powers and functions as may be prescribed.

(5) The elected members of the Executive Committee shall elect a President, Vice-President, Secretary and Joint Secretary from among themselves to be the President, Vice-President, Secretary and Joint Secretary respectively of the State Library Council and of the Executive Committee.

4. *Term of Office.*— (1) Save as otherwise provided in this Act, the term of office of the members of the State Library Council, other than the ex-officio members, shall be <sup>6</sup>[five years] from the date on which the Government notifies the constitution of the State Library Council in the Gazette:

Provided that every member, other than an ex-officio member, shall continue to hold office until his successor assumes office.

(2) A member of the State Library Council shall not be eligible for re-election or re-nomination, as the case may be, for more than two terms consecutively.

5. *Vacancies.*— (1) A casual vacancy caused by death, resignation or disability of a member or otherwise, in the State Library Council shall be filled as early as possible by election or nomination, as the case may be.

(2) Any person so elected or nominated to fill a casual vacancy shall hold office only so long as the member in whose place he is elected or nominated would have held office if the vacancy had not occurred.

6. *Meeting of the State Library Council.*— (1) The State Library Council shall meet at least thrice a year on dates to be fixed by the President and one of such meetings shall be the annual meeting.

(2) The President may, whenever he thinks fit, convene a special meeting of the State Library Council for the transaction of urgent business.

(3) Subject to such conditions as may be prescribed, a special meeting shall be convened by the President to discuss matters of urgent importance upon a written requisition by not less than one-third of the total number of members of the State Library Council.

(4) One-third of the total number of the members of the State Library Council shall be the quorum for a meeting of the Council.

(5) The President or, in his absence, the Vice-President or, in the absence of both, any member chosen by the members present from among themselves, shall preside over a meeting of the State Library Council.

(6) The President and the Vice-President shall exercise such other powers and perform such other duties as may be prescribed.

*7. Procedure of State library Council.*— (1) The State Library Council shall transact business by resolutions passed in such manner and in accordance with such procedure as may be prescribed.

(2) Copy of every resolution shall be forwarded to the Government within fifteen days of the passing of that resolution.

(3) The Government may call for any record or information regarding any resolution from the State Library Council and the Council shall be bound to furnish such record or information.

(4) The Government may, after giving reasonable notice to the State Library Council and after hearing its objections if any, suspend or cancel or modify any resolution passed by the Council.

*8. Powers and functions of the State Library Council.*— (1) Subject to the other provisions of this Act and the rules made thereunder, the State Library Council may,—

(a) advise the Government on all matters connected with the administration of this Act;

(c) co-ordinate the working of the District Library Councils and the <sup>2</sup>[Taluk Library Councils;]

(d) supervise and direct all matters relating to library service in the State;

(e) re-organize in a phased manner the library service in the State into an integrated library system with close linkages between the several limits as also to comprise book-banks and mutual loaning;

(f) with the prior concurrence of the Government establish one or more State Libraries or Children's Libraries at such place or places in the State as may be considered necessary;

Provided that the Trivandrum Public Library shall be deemed to be a State Library established by the State Library Council under this clause:

Provided further that the Trivandrum Public Library shall continue to be a Department of the Government;

(g) organize children's section in affiliated libraries wherever it is not in existence;

(h) appoint and control such officers and servants as may be necessary for the efficient performance of its duties and functions under this Act and the rules made thereunder;

(i) (i) carry on propaganda on the importance of library development in the State by providing lectures, conferences, etc., and using any media as appropriate from time to time;

(ii) conduct such other activities as may be conducive to creating favourable atmosphere in the State for the organization of new libraries and for the better functioning of the existing libraries;;

(iii) impart training to librarians; or other library staff;

<sup>8</sup>[(iv) \*\*\*\*\*]

(v) cultivate reading habit and foster book mindedness among the public;

<sup>2</sup>[(vi) \*\*\*\*\*]

(vii) maintain and preserve useful published and other records relevant to the cultural heritage of the people at large;

(viii) provided in the Trivandrum Public Library or in such other State Libraries, books, periodicals, newspapers, maps, radios, manuscripts, works and specimens of art and science, lantern slides, films, cinema projectors, recorders, television sets, charts, video cassette players, video cassette recorders and computer and the like;

(ix) provide mobile Libraries to District Library Council which can give book service to each Panchayat;

(x) prepare project reports and seek financial assistance from the Central Government, Trusts or any charitable institutions for the implementation of the same.

(j) do any other act that may be conducive to the furtherance of the objects of this Act with the previous sanction of the Government.

(k) exercise such other powers and perform such other duties as are conferred on it by this Act and the rules made thereunder.

(2) The State Library Councils may give to the District Library Councils and the <sup>10</sup>[Taluk Library Councils] directions in the performance of their functions under this Act and the District Library Councils and the <sup>11</sup>[Taluk Library Councils] shall not in the discharge of their functions under this Act depart from the directions given by the said Council.

9. *Secretary of the State Library Council.*— (1) The Secretary of the State Library Council shall be the chief executive authority of the State Library Council.

(2) It shall be the duty of the Secretary of the State Library Council to give effect to the resolutions of the said Council unless they are suspended or cancelled or modified by the Government under sub-section (4) section 7.

(3) Where a resolution passed by the State Library Council is modified by the Government under sub-section (4) of section 7, the Secretary of the State Library Council shall give effect to the resolution as so modified by the Government.

(4) The Secretary of the State Library Council shall exercise such other powers and perform such other duties as are, or may be, conferred or imposed on him by the President of the State Library Council.

(5) Suits by or against the State Library Council shall be instituted by or against the Secretary of the State Library Council.

(6) The Joint Secretary shall assist the Secretary and shall perform such other functions as may be entrusted to him by the executive Committee.

## CHAPTER III

### **District Library Councils**

10. *Constitution of District Library Councils.*—(1) For the purpose of organizing, administering and developing library service at the district level, the Government may, by notification, constitute a District Library Council for each District in the State.



(2) Every District Council shall be a body corporate, by the name of the district for which it is constituted, having perpetual succession and a common seal with power, subjects to the provisions of this Act and the rules made thereunder, to acquire, hold and dispose of property, both movable and immovable, to enter into contracts, and to do all things necessary, proper or expedient for the purpose for which it is constituted and shall, by the said name sue and be sued.

11. *Composition of District Library Councils.*—(1) Every District Library Council shall consist of —

(a) the Presidents and Secretaries of the <sup>2</sup>[Taluk Library Councils] in the district;

(b) seven persons to be elected by the General Body of each of the <sup>13</sup>[Taluk Library Councils] in the district of whom one shall be a woman, and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes; <sup>14</sup>[\*\*\*\*\*]

(c) the President or any other office bearer of any affiliated library in the district headquarters nominated by the Government.

<sup>15</sup>[“Provided that where a woman or a person belonging to the Scheduled Castes or Scheduled Tribes could not be elected under clause (b), the Government shall nominate a woman or a person belonging to the Scheduled Castes or Scheduled Tribes, as the case may be, to the said vacancy.”;]

<sup>16</sup>[“(d) one member elected from among the District Panchayat members; and

(e) one member elected from among the councilors of the Municipalities in the district.”;]

<sup>17</sup>[“(2) The members referred to in clause (b) of sub-section (1) of every District Library Council shall elect, from among themselves, a District Executive Committee consisting of eleven members including a President, a Vice-President, a Secretary and a Joint Secretary:

Provided that one of the members so elected shall be a woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes.”.]

(3) The District Executive Committee shall exercise such powers as are determined by the State Library Council and perform such functions as may be prescribed from time to time.

12. *Term of office.*— (1) Save as otherwise provided in this Act, the term of office of the members of a District Library Council shall be <sup>18</sup>[five years] commencing from the date on which the Government notifies the constitution of the District Library Council in the Gazette:

Provided that every member shall continue in office until his successor assumes office.

(2) A member of a District Library Council shall be eligible for re-election to the Council.

13. *Vacancies.*— A casual vacancy caused by death, resignation or disability of a member or otherwise, in the District Library Council shall be filled as early as possible <sup>19</sup>[by election or nomination, as the case may be, of a suitable person in accordance with the provisions of section 11 and any person so elected or nominated to fill a vacancy shall hold office only so long as the member in whose place he is elected or nominated would have held office, if the vacancy had not occurred]

14. *Meetings of the District Library Councils.*— (1) Every district Library Council shall meet <sup>20</sup>[at least thrice a year] on dates to be fixed by the President of the Council and one of such meetings shall be the annual meeting.

(2) The President may, whenever he thinks fit, convene a special meeting of the District Library Council for the transaction of urgent business.

(3) Subject to such conditions as may be prescribed, a special meeting shall be convened by the President to discuss matters of urgent importance upon a written requisition by not less than none-third of the number of members of the District Library Council.

(4) One-third of the total number of members of the District library Council shall be the quorum for a meeting of the Council.

(5) A District Library Council shall transact business by resolutions passed in such manner and in accordance with such procedure as may be prescribed.

(6) Copy of every resolution shall be forwarded to the State Library Council within fifteen days of the passing of that resolution.

15. *Powers and duties of President and Vice-President of District Library Council.*— (1) The President of a District Library Council may preside over the meetings of the Council and exercise such powers and perform such duties as may be prescribed.

(2) The Vice-President may in the absence of the President preside over the meetings of the Council and exercise such powers and perform such duties of the President as the President may, from time to time, delegate to him.

<sup>21</sup>[(3) In the absence of both the President and the Vice-President any member chosen by the members present, from among themselves, shall preside over a meeting of a District Library Council.”.]

16. *Secretary of the District library Council.*— (1) The Secretary of the district Library Council shall be the chief executive authority of the District Library Council.

(2) It shall be the duty of the Secretary of the District Library Council to give effect to the resolutions of the said council.

1. The Secretary of the District Library Council shall exercise such other powers and perform such other duties as are, or may be, conferred or imposed on him by the President or the District Library Council.
2. Suits by or against the District Library Council shall be instituted by or against the Secretary of the District Library Council.
3. The Joint Secretary shall assist the Secretary and shall perform such other functions as may be entrusted to him by the Executive Committee.

17. Powers and functions of the District Library Councils.—(1) Save as otherwise provided in this Act, every District Library Council shall have power-

(a) to elect members to the State Library Council to the extent of one for each taluk in the district;

(b) to establish new libraries within its jurisdiction with the previous sanction of the State Library Council;

(c) to supervise, co-ordinate and control the library service under its jurisdiction in the district and to promote co-operation between libraries and cultural and educational institutions in the country;

(d) to provide library service and mobile library service to the persons residing in the district;

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

(f) to provide such libraries with books, periodicals, newspapers maps, radios, manuscripts, works and specimens of art and science, lantern slides, films,

video films, cinema projectors, recorders, cassettes, television sets, charts, tape recorders, video cassette players, video cassette recorders and the like;

(g) to shift, reorganise, or close or amalgamate any public library established or maintained or run directly by the District Library Council;

(h) to appoint and control such officers and servants as may be necessary for the efficient performance of its duties and functions under this Act and the rules made thereunder;

(i) to accept any endowment or gift for any purpose connected with its activities;

(j) to provide for lectures, seminars, symposia, conferences and conduct study classes to strengthen the functioning of the Libraries and conduct other activities as may be conducive to the carrying out of the purposes of this Act;

(k) with the sanction of the State Library Council to do any other thing that may be conducive to the furtherance of the purposes of this Act; and

(l) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act, or the rules made thereunder.

(2) The District Library Council may give to the [22](#)[Taluk Library Councils] directions not contrary to the directions, if any, issued by the State Library Council in the performance of their functions under this Act and the unions shall not in the discharge of their functions under this Act depart from the directions given by the Council.

## CHAPTER IV

### [23](#)[Taluk Library Councils]

18. *Constitution of [24](#)[Taluk Library Councils]*.— (1) For the purpose of organizing and administering library service at the taluk level the Government may, by notification, constitute a [25](#)[Taluk Library Council] for each Taluk in the State.

(2) Every [26](#)[Taluk Library Council] shall be a body corporate by the name of the Taluk for which it is constituted 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 both movable and immovable, to enter into contracts, and to do all things necessary, proper or expedient for the purpose for which it is constituted and shall, by the said name sue and be sued.

19. *Composition of Taluk Library Unions.*— [27](#)[(1) Every Taluk Library Council shall consist of,—

4. two members elected from among the village panchayat presidents in the taluk;
5. one member elected from among the municipal chairpersons (if any) in the taluk; and
6. two representatives of each affiliated library in the taluk.”]

(2) Every [28](#)[Taluk Library Council] shall elect an Executive Committee of the Union consisting of nine members including a President, a Vice-President a Secretary and a Joint Secretary:

[29](#)[(“Provided that one of the members so elected shall be a woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes.”.)]

(3) Every [30](#)[Taluk Library Council] shall elect seven persons as members to the District Library Council under clause (b) of sub-section (1) of section 11 of whom one shall be a woman and one shall be a person belonging to the Scheduled Caste or Scheduled Tribes.

20. *Term of office.*—(1) Save as otherwise provided in this Act, the term of office of the members of a Taluk Library Union shall be [31](#)[five years] commencing from the date on which the Government notifies the constitution of the Taluk Union in the Gazette:

Provided that every member shall continue in office until his successor assumes office.

(2) A member of a [32](#)[Taluk Library Council] shall be eligible for re-election.

21. *Vacancies.*— A casual vacancy caused by death, resignation or disability of a member or otherwise in the [33](#)[Taluk Library Council] shall be filled as early as possible in accordance with the provisions of section 19 and any person so taken shall hold office only so long as the member in whose place he is taken would have held office if the vacancy had not occurred.

22. *Meetings of the* [34](#)[Taluk Library Councils].—(1) Every [35](#)[Taluk Library Council] shall meet [36](#)[at least thrice a year] on dates to be fixed by the

President of the [37](#)[Council] and one of such meetings shall be the annual meeting.

(2) The President may, whenever he thinks fit, convene a special meeting of the [38](#)[Taluk Library Council] for the transaction of urgent business.

(3) Subject to such conditions as may be prescribed, a special meeting shall be convened by the President to discuss matters of urgent importance upon a written requisition by not less than one-third of the number of members of the [39](#)[Taluk Library Council.]

(4) [40](#)[One-fifth] of the total number of members of the [41](#)[Taluk Library Council] shall be the quorum for a meeting of the [42](#)[Council.]

(5) A [43](#)[Taluk Library Council] shall transact business by resolutions passed in such manner and in accordance with such procedure as may be prescribed.

(6) Copy of every resolution shall be forwarded to the District Library Council within fifteen days of the passing of that resolution.

23. *Powers and duties of President and Vice-President of the [44](#)[Taluk Library Council].*— (1) The President of a [45](#)[Taluk Library Council] may preside over the meetings of the [46](#)[Council] and exercise such powers and perform such duties as may be prescribed.

(2) The Vice-President of a [47](#)[Taluk Library Council] may, in the absence of the President, preside over the meetings of the [48](#)[Council] and exercise such powers and perform such duties of the President as the President may, from time to time, delegate to him.

(3) In the absence of both the President and Vice-President any member chosen by the members present from among themselves shall preside over a meeting of the [49](#)[Taluk Library Council.]

24. *Secretary of the [50](#)[Taluk Library Council].*— (1) The Secretary of the [51](#)[Taluk Library Council] shall be the chief executive authority of the [52](#)[Taluk Library Council.]

(2) It shall be the duty of the Secretary of the [53](#)[Taluk Library Council] to give effect to the resolutions of the said [54](#) [Council.]

(3) The Secretary of the [55](#)[Taluk Library Council] shall exercise such other powers and perform such other duties as are, or may be, conferred or imposed on him by the President or the [56](#)[Taluk Library Council]

(4) Suits by or against the [57](#)[Taluk Library Council] shall be instituted by or against the Secretary of the [58](#)[Taluk Library Council.]

(5) The Joint Secretary shall assist the Secretary and shall perform such other functions as may be entrusted to him by the Executive Committee.

25. *Powers and Functions of Taluk Library Unions.*— Save as otherwise provided in this Act, every [59](#)[Taluk Library Council] shall have power —

(a) to elect members to the District Library Council under sub-section (3) of section 19;

(b) to supervise, co-ordinate and control the library service under its jurisdiction in the Taluk and to give directions and advice to the affiliated libraries in regard to their day to day functions and management;

(c) to provide library service including mobile library service to the persons residing in the taluk and to establish new libraries within that area;

(d) to provide suitable lands and buildings for affiliated libraries and furniture, fittings, equipment and other conveniences necessary for the purpose;

(e) to provide such libraries with books, periodicals, news papers, maps, manuscripts, works and specimens of art and science, lantern slides, films, cinema projectors, radios, recorders, television sets, charts, video cassette players, tape recorders, video cassette recorders and the like;

(f) to provide for lectures, seminar, symposia conferences and conduct other activities as may be conducive to the carrying out of the purposes of this Act;

(g) to accept any endowment or gift or contribution for any purpose connected with its activities;

(h) to appoint and control such officers and servants as may be necessary for the efficient performance of its duties and functions under this Act and the rules made thereunder;

(i) with the sanction of the District Library Council, to do any other thing that may be conducive to the furtherance of the purposes of this Act; and

(j) to exercise such other powers and perform such other duties as may be conferred or imposed on it or delegated to it by or under this Act or the rules made thereunder.

## CHAPTER V

### Disqualification and Affiliation

26. *No person to be a member of more than one Council* [60](#)[\*\*\*\*].— Notwithstanding anything contained in the foregoing provisions, no person shall be a member of more than one District Library Council or of more than one [61](#)[Taluk Library Council] and if a person is chosen as a member of more than one District Library Council or [62](#)[Taluk Library Council] and he does not specify the Council [63](#)[\*\*\*] of which he desires to be a member within thirty days from the date of last election or nomination, as the case may be, then on the expiration of such period his membership in all the Councils [64](#)[\*\*\*\*\*] shall cease.

27. *Disqualification of members of State Library Council, District Library Council and* [65](#)[Taluk Library Council].— A person shall be disqualified for being chosen as, or for being, a member of the State Library Council, the District Library Council or the [66](#)[Taluk Library Council],—

(a) if he absents himself without leave being granted by the State Library Council or the District Library Council or the [67](#)[Taluk Library Council], as the case may be, from three consecutive meetings of the Council [68](#)[\*\*\*\*]; or

(b) if he ceases to hold the office or be a member of the body or authority by virtue of which he has been elected; or

(c) if he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been subsequently reversed, quashed or remitted; or

(d) if he is of unsound mind and stands so declared by a competent court.

28. *Affiliation of Libraries.*— (1) Any library other than a library established or maintained by the State Library Council or a District Library Council or a [69](#)[Taluk Library Council] may apply, in such form as may be prescribed, to the [70](#)[Taluk Library Council] of the Taluk in which it is situated for recognition as an affiliated library under this Act.

(2) The [71](#)[Taluk Library Council] shall consider the application and it is satisfied that the conditions prescribed for granting affiliation have been complied with, recommend the application through the District library /council to the State Library Council for affiliation and on such affiliation being granted, the library shall be treated as an affiliated library.



(3) A person aggrieved by any decision of the <sup>72</sup>[Taluk Library Council] with regard to the affiliation of library may appeal to the state library council in writing through the District Library Council within thirty days of such decision, and the decision of the State Library Council after obtaining the opinion of the District Library Council thereon shall be final.

## CHAPTER VI

### **Development Plan and Funds**

29. *Library Development Plan.*— (1) Subject to the provisions of this Act and the rules made thereunder and any general or special orders of the Government, if any, in this behalf, a District Library Council [in consultation with the District Planning Committee] may prepare a District Library Development Plan for establishing, co-ordinating and spreading library service within the entire district or part thereof, in such form and manner and containing such particulars as may be prescribed.

(2) The District Library Development Plan shall thereafter be forwarded to the President of the State Library Council who shall submit it to the Government with the views of the State Library Council.

(3) The Government may, if they deem fit, sanction the District Library Development Plan with or without alterations.

(4) The Government may, on application by the District Library Council, modify any district Library Development Plan sanctioned under sub-section (3).

(5) As soon as may be after the sanctioning of a District Library Development Plan, the President of the State Library Council shall, in conformity with the provisions of the said plan, make an order called the District Library Development Order, specifying the extent and nature of the Library service which shall be established and maintained by the District Library Council, the measures to be taken by the District Library Council for providing adequate library service to the people in the area and the stages in which such measures shall be taken,

(6) Every District Library Council shall give effect to the District Library Development Plan as sanctioned by the Government under sub-section (3) and the District Library Development Order made under sub-section (5).

30. *Government grant to the State Library Council.*— (1) The Government may make every year a grant to the State Library Council of a sum which shall not be more than one per cent of the amount allotted for education in the State budget for the year, taking into account the programmes and projects of the State Library Council for that year.

(2) The amount of such grant shall be credited to the State Library Fund maintained under section 31 at such times and in such manner as may be prescribed.

31. *State Library Fund.*— (1) The State Library Council shall maintain a fund called the State Library Council, from which all the expenses of the State Library Council, District Library Councils and [Taluk Library Councils] shall be met.

(2) The following sums shall be credited to the State Library Fund:-

(a) grants which the State Government or Central Government may make to the State Library Council;

(b) contributions and gifts made to the State Library Council by any other person, body or authority;

(c) Provident Fund, Superannuation Fund, Welfare Fund and other funds of the Granthasala Sanghom transferred under sub-section (2) of section 38;

7. cess collected under section 48.

32. *Distribution of funds to the District Library Councils and [Taluk Library Councils].*— The State Library Council shall distribute from the State Library, fund such amounts as may be required for each of the District Library Councils and the [Taluk Library Councils.]

33. *Accounts.*— (1) The State library Council and every District Library Council and [Taluk Library Council] shall keep complete accounts of their financial transactions in such form as may be prescribed.

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

(3) The State Library Council shall with the prior concurrence of the Government, appoint an officer not below the rank of a Deputy Secretary in the Finance Department to be the Accounts Officer of the State Library Council who shall exercise such powers and perform such functions relating to the accounts of the State Library Council, District Library Councils and [Taluk Library Councils,] as may be prescribed.

(4) The State Library Council shall appoint auditors to audit the accounts of the State Library Council, District Library Councils and the [Taluk Library Councils.]

(5) The audited annual statement of accounts shall be forwarded to the Government.

(6) The government shall on receipt of the audited annual accounts cause the same to be laid on the table of the State Legislative Assembly.

34. *Inspection of Libraries.*— (1) The President of the State Library Council may inspect any library under his jurisdiction for verifying whether the provisions of this Act and the rules and bye-laws made thereunder are duly observed by it:

Provided that the President of the State Library Council may delegate the power of inspection to any office bearer of the Council.

(2) In all cases where such inspections are made, the person conducting the inspection shall furnish a detailed report of his inspection to the State Library Council and the concerned District Library Council.

(3) The concerned District Library Council may consider the report furnished under sub-section (2) and pass such resolution in regard thereto as it may deem fit and the library concerned shall be bound to comply with such resolution unless it is suspended or cancelled or modified by the Government.

(4) Where a resolution referred to in sub-section (3) is modified by the Government, the library shall be bound to comply with such resolution as modified by the Government.

(5) The State Library Council may, from time to time, direct the District Library Council to prepare a gradation list of affiliated libraries functioning in the District in conformity with the principles to be laid down by the State Library Council in that behalf from time to time and forward such lists to the State Library Council for approval.

# THE KERALA PUBLIC LIBRARIES (KERALA GRANTHASALA SANGHOM)

## AMENDMENT ACT, 1991 [\[1\]](#)

### (ACT 27 OF 1991)

*An Act to amend the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989.*

*Preamble.*— WHEREAS it is expedient to amend the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989, for the purposes hereinafter appearing;

BE it enacted in the Forty-second Year of the Republic of India as follows:—

1• *Short title and commencement.*— (1) This Act may be called the Kerala Public Libraries (Kerala Granthasala Sanghom) Amend ment Act, 1991.

(2) It shall come into force at once.

2. *Substitution of section 39.* —In the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989 (15 of 1989) (hereinafter referred to as the principal Act), for section 39, the following section shall be substituted, namely:—

"39. *Board of Control to remain in office for certain period.*— (1) The Board of Control of the Kerala Granthasala Sanghom appointed by notified order made under the Kerala Granthasala Sanghom (Taking over of Management) Act, 1977, shall continue in office till a Committee consisting of a Chairman and such other members not exceeding ten, is appointed by the Government, by notification, to arrange for and conduct the first election to the State Library Council, District Library Councils and Taluk Library Unions and attend to other matters incidental thereto.

(2) On the issue of a notification appointing the Committee,—

- the Board of Control referred to in sub-section (1) shall stand dissolved and all the members thereof shall be deemed to have vacated their offices, as such members:

- all the powers and duties which may be exercised or performed by the Board of Control shall, subject to such directions as may be issued by the Government in this behalf, be exercised or performed by the Committee;

- All properties vested in the Board of Control shall vest in the Government and, subject to such directions as may be issued by the Government, from time to time, in this behalf, be administered by the Committee;

- action, if any, initiated or taken by the Board of Control in respect of the first election to the said councils and Unions referred to in sub-section (1) shall stand cancelled.

(3) Subject to the other provisions of this Act, the Committee shall, in such manner and subject to such conditions as may be prescribed, arrange for conducting the first election to the Councils and Unions referred to in sub-section (1).

- The term of office of the members of the Committee, the procedure to be followed in the discharge of their functions, their salaries, allowances and other conditions of service shall be such as may be determined by the Government.”.

3. *Amendment of section 50* . — In the principal Act, in section 50, for sub-section (2), the following sub-section shall be substituted, namely: —

“(2) Notwithstanding such repeal, the Board of Control appointed by notified order made under the Kerala Granthasala Sanghom (Taking over of Management) Act, 1977, shall remain in office till a Committee under sub-section (1) of section 39 of this Act is appointed.”

## ACT 1 OF 1998

### THE KERALA PUBLIC LIBRARIES (KERALA GRANTHASALA SANGHOM) AMENDMENT ACT, 1997 [1]

*An Act further to amend the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989.*

*Preamble.*--WHEREAS it is expedient further to amend The Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989, for the purposes hereinafter appearing;

BE it enacted in the forty-eighth Year of the Republic of India as follows:--

1. *Short title and commencement.*--(1) This Act may be called the Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Act, 1997.

(2) It shall be deemed to have come into force on the 26th day of April, 1997.

2. *Amendment of section 4.*--In the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989, (15 of 1989) (hereinafter referred to as the principal Act), in sub-section (1) of section 4, for the words "three years", the words "four years" shall be substituted.

3. *Amendment of section 12.*--In the principal Act, in sub-section (1) of section 12, for the words "three years", the words "four years" shall be substituted.

4. *Amendment of section 20.*-- In the principal Act, in sub-section (1) of section 20, for the words "three years", the words "four years" shall be substituted.

5. *Repeal and saving.*--(1) The Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Ordinance, 1997 (11 of 1997), is hereby repealed.

(2) Notwithstanding such repeal, anything, done or deemed to have been done or any action taken or deemed to have been taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

## ACT 1 OF 1998

### THE KERALA PUBLIC LIBRARIES (KERALA GRANTHASALA SANGHOM) AMENDMENT ACT, 1997 [1]

*An Act further to amend the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989.*

*Preamble.*--WHEREAS it is expedient further to amend The Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989, for the purposes hereinafter appearing;

BE it enacted in the forty-eighth Year of the Republic of India as follows:--

1. *Short title and commencement.*--(1) This Act may be called the Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Act, 1997.

(2) It shall be deemed to have come into force on the 26th day of April, 1997.

2. *Amendment of section 4.*--In the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989, (15 of 1989) (hereinafter referred to as the principal Act), in sub-section (1) of section 4, for the words "three years", the words "four years" shall be substituted.

3. *Amendment of section 12.*--In the principal Act, in sub-section (1) of section 12, for the words "three years", the words "four years" shall be substituted.



4. *Amendment of section 20.*-- In the principal Act, in sub-section (1) of section 20, for the words "three years", the words "four years" shall be substituted.

5. *Repeal and saving.*--(1) The Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Ordinance, 1997 (11 of 1997), is hereby repealed.

(2) Notwithstanding such repeal, anything, done or deemed to have been done or any action taken or deemed to have been taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

## ACT 20 OF 1998

### THE KERALA PUBLIC LIBRARIES (KERALA GRANTHASALA SANGHOM) AMENDMENT ACT, 1998 [\[1\]](#)

*An Act further to amend the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989.*

*Preamble.*--WHEREAS it is expedient further to amend the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989, for the purposes hereinafter appearing;

Be it enacted in the Forty-ninth Year of the Republic of India as follows:--

1. *Short title and commencement.*--(1) This Act may be called the Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Act, 1998.

(2) Sections 5, 7 and 12 shall be deemed to have come into force on the 26th day of April, 1998 and the remaining provisions of this Act shall be deemed to have come into force on the 22nd day of May, 1998.

2. *Amendment of section 2.*--In the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989 (15 of 1989) (hereinafter referred to as the principal Act), for clause (t) of section 2, the following clause shall be substituted, namely :--

"(t) "Taluk Library Council" means a Taluk Library Council constituted under section 18;"

3. *Substitution of the words "Taluk Library Council" etc.*--In the principal Act, except in section 26, section 27, clauses (a), (b) and (c) of sub-section (2) of section 42, section 43 and in section 44 for the words "Taluk Library Union", "Taluk Library Unions" and "Union" and "Unions", wherever it occurs the words "Taluk Library Council", "Taluk Library Councils", "Council" and "Councils" shall, respectively, be substituted.

4. *Amendment of section 3.*--In the principal Act, for sub-sections (2) and (3) of section 3, the following sub-section shall be substituted, namely:--

"(2) The State Library council shall consist of one member each from a Taluk, elected by the general body of the District Library Council, five members nominated by the Government, of whom one shall be a librarian, one shall be a person belonging to the Scheduled Castes or Scheduled Tribes and one shall be a woman and five officials who shall be, the Principal Secretaries or Secretaries to Government, as the case may be, of the Higher Education Department, the General Education Department, the Finance Department, the Cultural Affairs Department and the Local Administration Department

or officers not below the rank of Deputy Secretaries of the respective Departments, nominated, as the case may be, by the concerned Principal Secretaries or Secretaries.

(3) There shall be an Executive Committee for the State Library Council consisting of twenty-five members of whom, fifteen shall be elected by the elected members of State Library Council, from among themselves, and the remaining ten members shall be non-officials and officials referred to in sub-section (2)."

*5. Amendment of section 4.*--In the principal Act, in sub-section (1) of section 4, for the words "four years", the words "five years" shall be substituted.

*6. Amendment of section 11.*--In the principal Act, in section 11,--

(i) to sub- section (1), the following proviso shall be added, namely :--

"Provided that where a woman or a person belonging to the Scheduled Castes or Scheduled Tribes could not be elected under clause (b), the Government shall nominate a woman or a person belonging to the Scheduled Castes or Schedules Tribes, as the case may be, to the said vacancy.";

(ii) for sub-section (2), the following sub-section shall be substituted, namely:--

"(2) The members referred to in clause (b) of sub-section (1) of every District Library Council shall elect, from among themselves, a District Executive Committee consisting of eleven members including a President, a Vice-President, a Secretary and a Joint Secretary:

Provided that one of the members so elected shall be a woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes."

*7. Amendment of section 12.*--In the principal Act, in sub-section (1), of section 12, for the words "four years", the words "five years" shall be substituted.

*8. Amendment of section 13.*--In the principal Act, in section 13, for the words beginning with "by election of a suitable person" and ending with the words "if the vacancy had not occurred", the words and figures "by election or nomination, as the case may be, of a suitable person in accordance with the provisions of section 11 and any person so elected or nominated to fill a vacancy shall hold office only so long as the member in whose place he is elected or nominated would have held office, if the vacancy had not occurred" shall be substituted.

*9. Amendment of section 14.*-- In the principal Act, in sub-section (1) of section 14, for the words "at least once in every three months", the words "at least thrice a year" shall be substituted.

10. *Amendment of section 15.*--In the principal Act, in section 15, after sub-section (2), the following sub-section shall be inserted, namely:--

"(3) In the absence of both the President and the Vice President, any member chosen by the members present, from among themselves, shall preside over a meeting of a District Library Council."

11. *Amendment of section 19.*--In the principal Act, in section 19,--

(i) to sub-section (1), the following proviso shall be added, namely:--

"Provided that if there is no woman or a person belonging to the Scheduled Castes or Scheduled Tribes in a Taluk Library Council, the Government shall nominate a woman or a person belonging to the Scheduled Castes or Scheduled Tribes, as the case may be, to that Council.";

(ii) in sub-section (2), for the existing proviso, the following proviso shall be substituted, namely:-

"Provided that one of the members so elected shall be a woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes."

12. *Amendment of section 20.*--In the principal Act, in sub-section (1) of section 20, for the words "four years", the words, "five years" shall be substituted.

13. *Amendment of section 22.*--In the principal Act, in section 22,--

(i) in sub-section (1) for the words "at least once in every two months", the words "at least thrice a year" shall be substituted;

(ii) in sub-section (4), for the word "one-third", the word "one fifth" shall be substituted.

14. *Amendment of section 26.*--In the principal Act, in section 26,--

(i) in the marginal heading, the words "or Union" shall be omitted;

(ii) in the section,--

(a) for the words "Taluk Library Union", in both the places where it occur,  
the words "Taluk Library council" shall be substituted;

(b) the words "or Union" and "and/or Unions" shall be omitted.

15. *Amendment of section 27.*--In the principal Act, in section 27,--

(i) in the marginal heading, for the words "Taluk Library Union", the words "Taluk Library Council" shall be substituted;

(ii) in the opening paragraph, for the words "Taluk Library Union", the words "Taluk Library Council" shall be substituted;

(iii) in clause (a),--

(a) for the words "Taluk Library Union", the words "Taluk Library Council" shall be substituted;

(b) the words "or Union" at the end shall be omitted.

16. *Omission of Chapter IX.*--In the principal Act, Chapter IX shall be omitted.

17. *Amendment of section 42.*--In the principal Act, in section 42, in clauses(a), (b) and (c) of sub-section (2), the words "or union" shall be omitted.

18. *Amendment of section 43.*-- In the principal Act, in section 43,--

(i) in sub-section (1),--

(a) for the words "Taluk Library Union", the words "Taluk Library Council" shall be substituted;

(b) the words "or union" and "or the Union" shall be omitted;

(c) in clause (c), for the words "Taluk Library Union" and "that Union", the words "Taluk Library Council" and "that Council" shall, respectively, be substituted;

(ii) in sub-section (4), the words "or the union, as the case may be," shall be omitted.

19. *Amendment of section 44.*--In the principal Act, in clause (a) of section 44, the words "or union" shall be omitted.

20. *Amendment of section 48.*--In the principal Act, in section 48,--

(i) in sub-section (1), for the words, figures and brackets "the Kerala Panchayats Act, 1960 (32 of 1961)" and "the Kerala Municipalities Act, 1960 (14 of 1961) or the Kerala Municipal Corporations Act, 1961 (30 of 1961)", the words, figures and brackets "the Kerala Panchayat Raj Act, 1994 (13 of 1994)", and "the Kerala Municipality Act, 1994 (20 of 1994)" shall respectively, be substituted;

(ii) in sub section (2),--

(a) for clause (a), the following clauses shall be substituted, namely:--

"(a) in the area within the jurisdiction of a Grama Panchayat, by the Grama Panchayat;

(aa) in the area within the jurisdiction of a Town Panchayat, by the Town Panchayat;"

(b) for the words, figures and brackets "the Kerala Panchayats Act, 1960 (32 of 1960)" and "the Kerala Municipalities Act, 1960(14 of 1961) or the Kerala Municipal Corporations Act, 1961 (30 of 1961)", the words, figures and brackets "the Kerala Panchayat Raj Act, 1994, (13 of 1994)" and "the Kerala Municipality Act, 1994 (20 of 1994)" shall, respectively, be substituted;

(c) in the proviso, for the words and figures, "the Kerala Panchayats Act, 1960, the Kerala Municipalities Act, 1960 and the Kerala Municipal Corporations Act, 1961", the words, figures and brackets "the Kerala Panchayat Raj Act, 1994 (13 of 1994) or the Kerala Municipality Act, 1994 (20 of 1994)" shall, respectively, be substituted;

(iii) in sub-section (3), for the words "by the Panchayat", the words "by the Grama Panchayat, Town Panchayat", shall be substituted.

21. *Repeal and saving.*--(1) The Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Ordinance, 1998 (8 of 1998), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.