

**MODEL UNION LIBRARIES ACT**

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*Note* :—1 Draft 1 of the Act was published in my *Library development plan, thirty year programme for India with draft library bills for the Union and the Constituent States*, 1950, P 183-198 ;

2 The objects and reasons for the change from the Draft of 1950 to the present draft are given at the end of the papers ; and

3 The numbers of the sections in the Act are pure decimal fractions.

Whereas it is expedient to provide for the establishment and maintenance of a system of National Central Libraries,

It is hereby enacted as follows :

**1 Preliminary****11 SHORT TITLE**

11a This Act may be called the Union Libraries Act, 19....

11b It shall come into force on such date as the Union Government may by notification appoint.

**12 DEFINITION**

In this Act, unless there is anything repugnant in the subject or context,

12a 'Government' means the Union Government of India.

12b 'National Central Library' means any one of the libraries of the system of national central libraries, enumerated in Sec 12c to 12g.

12c 'National Copyright Library' means the library made up of one copy of each of the reading materials collected or received from their respective publishers in India. Its reading materials will be produced before a Court of Law on demand. Otherwise, no reading material will be lent out of the library. Fur-

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ther, no reading material will be given for use within the library or in its premises, until the expiry of ten years of its receipt in the library. Any reader desiring to have a copy of any of its reading material, will have to get it from the appropriate National Service Library.

12d 'National Dormitory Library' means a library made of one sound copy of each of the reading materials (along with their Catalogue Cards) weeded out by any library in India including the National Service Libraries. This collection is maintained as a deposit of the intellectual and cultural output of the country. It is also intended to serve the needs of persons engaged in anti-quearian and bibliographical research, from time to time. Such persons are usually few and far between.

12e 'National Service Library' means a library of reading materials of current value, established, maintained, and managed by the National Department of Libraries, for serving readers. As and when any reading material, in a National Service Library, is not on demand for some years or has outmoded idea-content is weeded out periodically, as in the case of every service library;

12f 'National Seafarers Library' means any one of the libraries described in Sec 25;

12g 'National Contact Library' means a library established, maintained, and managed in any population cluster in any foreign country for the promotion of cultural relation between India and that country. Its reading material is one generally written for the use of the people of India about the conditions in India. It excludes any reading material specially produced for distribution in other countries for political or other similar purposes. This library is different and independent of the library of the Indian Embassy or Consulate or High Commission in a foreign country. The latter belongs to the External Affairs Ministry. But a Contact Library belongs to the National Department of Libraries.

12h 'Out-lier Library' means any library other than one belonging to the system of National Central Libraries, situated within India;

12i 'Reading material' means :

12j1 Any book—macro document—or a volume, part or division of a volume, and pamphlet in any language, produced by printing or near-printing process, such as reprograph;

12j2 Any sheet of music, map, chart or plan separately printed or lithographed;

12j3 Any newspaper, periodical publication, or any other such publication;

12j4 Any other reading or kindred material such as book for the blind, audio, visual, or audio-visual material, giving service similar to that of a reading material expressing ideas in an articulate language and embodied in a book of any of the kinds defined in the preceding sub-sections.

12k 'Micro-document' means a paper in a periodical or a part, chapter or section in a book.

12m 'Prescribed' means prescribed by Rules made under this Act.

Note :—This is different from the rules of a library framed in regard to the use of a library.

12n 'Notification' means the notification published in the official *Gazette of India*.

12p 'Year' means the financial year.

## 2 National Library Authority

### 21 THE UNION MINISTER FOR EDUCATION

The Union Minister for Education, hereinafter called the "Minister" shall be the National Library Authority.

### 22 FUNCTION OF THE MINISTER

The functions of the Minister are to:

- 1 Establish, maintain, and manage a system of National Central Libraries; and
- 2 Promote and stimulate the establishment in each Constituent State
  - 1 A State grid of Public Library System;
  - 2 Hospital Library Service; and
  - 3 Prison Library Service.

### 23 THE SYSTEM OF NATIONAL CENTRAL LIBRARIES

- 1 National Copyright Library;
- 2 National Dormitory Library; and
- 3 A System of
  - 1 National Service Libraries;
  - 2 National Seafarers Libraries;
  - 3 National Contact Libraries.

### 24 SYSTEM OF NATIONAL SERVICE LIBRARIES

The system of National Service Libraries shall include a

- 1 National Service Library for the Natural Sciences and their applications other than those mentioned in categories 2 and 3;
- 2 Agricultural Sciences;
- 3 Medical Sciences;
- 4 Humanities and Generalia;
- 5 Social Sciences; and
- 6 Such other subject fields forming subdivisions of the subject fields mentioned in categories 1 to 5, as may be determined by the Minister from time to time.

### 25 SYSTEM OF NATIONAL SEAFARERS LIBRARIES

The system of National Seafarers Libraries shall include

- 1 National Seafarers Library in each of the ports at Calcutta, Visakapatam, Madras, Cochin, and Bombay and such other ports in India as may be determined by the Minister from time to time;
- 2 National Seafarers Library on board each Indian ship; and
- 3 National Seafarers Library in each of such of the foreign ports, as may be determined by the Minister from time to time, where an Indian ship may have to stay for a long time for repair or for overhauling or for any other reason.

**26 SYSTEM OF NATIONAL CONTACT LIBRARIES**

The system of National Contact Libraries shall include a National Contact Library in such of the population clusters in each of such countries, as may be determined by the Minister from time to time.

**27 NATIONAL DEPARTMENT OF LIBRARIES**

For helping the Minister in the administration of the System of National Central Libraries, there shall be a National Department of Libraries, with the necessary staff.

**3 National Librarian****31 SELECTION AND PERIOD OF TERM OF NATIONAL LIBRARIAN**

The Minister shall appoint, on the basis of the principle of rotation, the librarian of one of the National Service Libraries as the National Librarian for a period of five years. During the period of his functioning as National Librarian, the Minister shall appoint temporarily a suitable person to take his place in the National Service Library, to which he otherwise belongs.

**32 DUTIES AND FUNCTIONS OF NATIONAL LIBRARIAN**

The National Librarian shall have the following functions and duties :

1 He will generally assist the Minister in the implementation and working of the Union Libraries Act;

2 He will be the head of the Department of Libraries of the Union Government;

3 He will coordinate the work of all the National Central Libraries;

4 He will arrange for the carrying out of any centralised classification, cataloguing, ad-hoc bibliographies, and the linguistic parts of the National Bibliographies assigned to the National Central Libraries by mutual agreement between him and the State Librarians and foreign librarians, if any;

5 In co-operation with the Indian Standards Institution he will promote standards for the library work of every kind admitting of standardisation and for library building, fittings and furniture and promote their adoption throughout the country;

6 With the sanction of the Minister, he will convene periodical conferences of representatives of the State Library Systems, to find out the ways and means for the continuing improvement of the working of the Library Grid to the nation as a whole;

7 Subject to the direction of the Minister, he will draft the Annual Budget for the National Central Libraries and for the National Department of Libraries; and

8 He will prepare and submit an annual report on the working of the National Central Libraries based on the Annual Reports prepared by the respective librarians of those libraries. He will also include in his Annual Report the annual report of the National Department of Libraries.

**33 COMMITTEE OF LIBRARIANS**

For the discussion of the problems of common interest to all the National Central Libraries, there shall be a Committee of Libraries, consisting of the librarians of each of the National Copyright Library, the National Dormitory Library and the National Service Library, with the National Librarian as the Convenor.

**4 National Library Committee**

There shall be a National Library Committee for the purpose of advising the National Library Authority on all matters arising under this Act and referred to it.

**41 MEMBERSHIP**

The National Library Committee shall consist of

- 1 The Minister (*Ex-officio* Chairman) ;
- 2 The National Librarian (*Ex-officio* Secretary) ;
- 3 Secretary of the Union Ministry of Education or his Deputy ;
- 4 The Secretary of the Union Ministry of Finance or his Deputy ;
- 5 The Secretary of the Ministry of External Affairs or his Deputy ;
- 6 One person elected by each of the houses of Parliament, from among its members ;
- 7 One person nominated by the Executive of any of the Central Universities ;
- 8 One person appointed by the Executive of a Library Association of national status approved by the Minister for this purpose ; and
- 9 One expert of the library profession in the country.

**42 TERM OF OFFICE**

Members of the National Library Committee, other than *ex-officio* members, shall hold office for three years from the date of their election or appointment, as the case may be.

**43 MEETINGS AND PROCEDURE AND OTHER DETAILS**

The National Library Authority shall, by rules, provide for the annual meeting and other meetings of the National Library Committee and as to the procedure thereof, and about the election of its members.

**5 Working of the System of National Central Libraries****51 USE OF THE LIBRARIES**

Admission to any library of the system of National Central Libraries and the use of the reading materials in it shall be free and no subscription will be charged.

**52 BYE-LAWS AND RULES**

Admission into and the use of any library of the system of National Central Libraries shall be according to the bye-laws and the rules of the library made for each of the libraries, framed according to the prescribed rules.

**6 Finance****61 NATIONAL LIBRARY FUND**

There shall be a National Library Fund from which shall be met

- 1 The salaries, allowances, pension and Provident Fund, of the staff of the department of libraries of the Union Government and of each of the libraries of the libraries of the system of National Central Libraries ;
- 2 All the other expenses of the said department, of the said libraries, of the National Library Committee, and of any other committee or body functioning either as provided in the Act or as may be sanctioned by the Minister ;
- 3 The grants—normally grants for capital expenditure—that may be paid to the Government of a Constituent State for public library purposes ;
- 4 Grants, if any, to be paid to any selected member of the library profession or to any institution for research in Library Science, approved for this purpose ;
- 5 The expenses of conferences and exhibitions promoted by the National Library Authority for the furtherance of library cause ; and
- 6 All other expenses incurred by the National Library Authority in the furtherance of the purpose of this Act.

#### 62 CREDIT TO THE NATIONAL LIBRARY FUND

To the National Library Fund shall be credited:

- 1 The amount provided by the Parliament for the purpose of this Act ;
- 2 Any other amount provided by the Union Government ;
- 3 The amount collected by each of the libraries of the system of National Central Libraries under the rules of that library ;
- 4 Amount received from endowment if any ; and
- 5 Any contribution from any person or body of persons.

#### 7 Miscellaneous

##### 71 POWER TO MAKE RULES

The Union Government, may, after previous publication, by notification, make rules to carry out the purposes of this Act. Every rule made under this Act shall, as soon as may be after it is made, be laid before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more sessions and if before the expiry of the session in which it is so laid or the sessions immediately following both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; however, that any such modification or annulment shall be without prejudice to the validity of any thing previously done under that rule.

##### 72 OFFICES AND PENALTIES

Whoever

- 1 In any library of the system of National Central Libraries maintained under this Act, acts in any manner likely to cause annoyance or disturbance to any person using such a library or behaves in a disorderly manner or uses violent or abusive language in any such library ;
- 2 After due warning persists in remaining therein beyond the hours fixed for closing shall be liable to be removed from such library and shall also be punishable with fine which may extend to rupees ten and for a second or subsequent offence with fine which may extend to rupees fifty.

## 73 SAYINGS OF VALIDITY OF ACTS AND PROCEEDINGS

No act done, or proceedings taken under this Act shall be questioned merely on the ground

- 1 Of any vacancy or defect in the constitution of any authority or any committee thereof; or
- 2 Of any defect or irregularity in such act or proceedings not affecting the merits of the case.

## 74 PROVISIONS RELATING TO SUITS, ETC

1 No suit or other legal proceeding shall be instituted against the National Library Authority or any of its officers or any person acting under its direction until the expiration of two months next after notice in writing shall have been delivered or left at the office of the Authority or at the place of abode of such officer or person; such notice shall state the cause of action, the relief sought, the amount of compensation, if any claimed, and the name and place of abode of the intending plaintiff.

2 No suit or other legal proceeding shall lie against the Union Government, the National Librarian, the National Library Authority, or any member, officer, servant, or agent of such authority acting under its direction, in respect of anything done or intended to have been done lawfully and in good faith under this Act or any Rule, Bye-law or Order made thereunder.

## 75 POWER TO REMOVE DIFFICULTIES

If any difficulty arises in giving effect to the provisions of this Act, the Union Government may, by order, make such provisions as appear to it to be necessary or expedient for removing the difficulty.

## 76 AMENDMENT OF THE DELIVERY OF BOOKS AND NEWSPAPERS (PUBLIC LIBRARIES) ACT, 1954, AS AMENDED IN 1956

The Delivery of Books and Newspapers (Public Libraries) Act, 1954 shall be amended as follows:

In Sec 3 change the words "National Library at Calcutta" into the words "National Department of Libraries".

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