

The Tamil Nadu Public Libraries Act, 1948

Act 24 of 1948

Keyword(s):

Aided Library, District, Public Library

Amendments appended: 15 of 1998, 5 of 2001, 20 of 2007

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ACT, 1948.

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'[TAMIL NADU] ACT No. XXIV OF 1948'.

[THE ¹(TAMIL NADU) PUBLIC LIBRARIES ACT, 1948.]

(Received the assent of the Governor-General on the 29th January 1949 ; first published in the Fort St. George Gazette on the 8th February 1949.)

An Act to provide for the establishment of public libraries in the ³[State of Tamil Nadu] and the organisation of a comprehensive rural and urban library service therein.

WHEREAS it is expedient to provide for the establishment of public libraries, and the organization of a comprehensive rural and urban library service, in the ³[State of Tamil Nadu]; It is hereby enacted as follows :—

PRELIMINARY.

1. (1) This Act may be called the ⁴[Tamil Nadu] Public Libraries Act, 1948. Short title, extent and commencement.

(2) It extends to the whole of the ⁴[State of Tamil Nadu].

(3) This section shall come into force at once ; and the rest of this Act shall come into force on such ⁵date as the Government may, by notification, appoint.

¹ These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

² For Statement of Objects and Reasons, see *Fort St. George Gazette*, dated the 9th December 1947, Part IV-A, p. 579.

³ This expression was substituted for the expression "Province of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

⁴ This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

⁵ Came into force on the 1st April 1950.



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Definitions.

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

(1) 'aided library' means a library declared by the Director to be eligible for aid from the Government ;

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

(3) 'district' means a revenue district ;

(4) 'Government' means the ¹[State] Government ;

(5) 'notification' means a notification published in the *Fort St. George Gazette* ;

(6) 'prescribed' means prescribed by rules made under this Act ;

(7) ²'[State]' means the ³[State of Tamil Nadu] ;

(8) 'public library' means a library established or maintained by a Local Library Authority, and includes the branches and delivery stations of such a library ; and

(9) 'year' means the financial year.

THE ¹[STATE] LIBRARY COMMITTEE.

State Library
Committee
and its functions.

3. (1) A ¹[State] Library Committee shall be constituted by the Government for the purpose of advising them on such matters relating to libraries as they may refer to it.

(2) The Committee shall be constituted in such manner, and shall exercise and perform such other powers and duties as may be prescribed.

¹ This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

² This word was substituted for the word "Province" by *ibid.*

³ This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



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THE DIRECTOR AND HIS DUTIES.

4. The Government shall appoint a Director of ^{Appointment and duties of} Public Libraries for the ^{Director.} [State] and he shall, subject to their control—

(a) manage the central library, being a library constituted by the Government as the central library or an existing Government library recognized by them as the central library, together with the branches of such library ;

(b) superintend and direct all matters relating to public libraries ;

(c) declare in accordance with the rules made under this Act, what libraries are eligible for aid from the Government and superintend and direct all matters relating to such libraries ;

(d) superintend and control the work of all Local Library Authorities under this Act ;

(e) submit to the Government every year a report on the working of libraries under this Act in the previous year ; and

(f) perform such other duties and exercise such other powers as are imposed or conferred by this Act or the rules made thereunder.

LOCAL LIBRARY AUTHORITIES.

5. (1) For the purpose of organizing and administering public libraries in the [State], there shall be constituted Local Library Authorities, one for the City of Madras and one for each district. ^{Constitution of Local Library Authorities.}

(2) The Local Library Authority for the City of Madras shall consist of—

(a) three members elected by the Corporation of Madras ;

¹ This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

² This word was substituted for the word "Province" by *ibid.*



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(b) eight members nominated by the Government, of whom—

(i) three shall be office-bearers of libraries situated in the City of Madras and recognised in this behalf by the Government,

(ii) two shall be headmasters or headmistresses of high schools in the City of Madras, and

(iii) one shall be the principal of a college in the City of Madras ;

(c) the holder for the time being of an office which the Government may, from time to time specify in this behalf.

(3) The Local Library Authority for each district shall consist of—

(a) ten members nominated by the Director, of whom—

(i) three shall be office-bearers of libraries situated in the district and recognised in this behalf by the Government, and

(ii) five shall be headmasters or headmistresses of high schools or principals of colleges in the district ;

(b) one member elected by the members of

(b) one member elected by the district board, and where there are two or more district boards in the district, one member elected by each such district board ;

the district panchayats from among themselves.

(c) such number of members as may be elected by the presidents of the panchayats in the district, the presidents of the panchayats in each taluk electing one member ;

Subsidiary
TNA 15/98



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(d) such number of members as may be elected by the municipal councils in the district, each municipal council electing one or more members in accordance with the following scale :—

	NUMBER OF MEMBERS.
Municipalities with a population—	
Not exceeding one lakh	One.
Exceeding one lakh but not exceeding two lakhs.	Two.
Exceeding two lakhs	Three.

(e) the holder for the time being of an office which the Government may, from time to time, specify in this behalf.

(4) The member referred to in clause (c) of sub-section (2) or in clause (e) of sub-section (3), as the case may be, shall be the Secretary of the Local Library Authority concerned.

(5) Every Local Library Authority shall elect one of its members to be its Chairman.

(6) Subject to the provisions of sub-section (8), the term of office of a nominated or elected member of a Local Library Authority shall be three years from the date of his nomination or election, as the case may be.

(7) A vacancy in the office of a nominated or elected member of a Local Library Authority occurring otherwise than by efflux of time shall be filled by nomination or election in accordance with the provisions of sub-section (2) or sub-section (3), as the case may be, and the person nominated or elected to fill the vacancy shall, subject to the provisions of sub-section (8), hold office only for the remainder of the term for which the member whose place he takes was nominated or elected.



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(8) A member nominated 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 Local Library Authority.

(9) No act of a Local Library Authority shall be deemed to be invalid by reason only of the existence of any vacancy in, or any defect in the constitution of, that Authority.

(10) Members of Local Library Authorities shall be eligible for re-nomination or re-election.

6. Every Local Library Authority shall be a body incorporate, by the name of the area for which it is constituted, shall have perpetual succession and a common seal and shall be vested with the capacity of suing or being sued in its corporate name, of acquiring, holding or transferring property, movable or immovable, of entering into contracts and of doing all things necessary, proper or expedient for the purposes for which it is constituted.

7. (1) A Local Library Authority may appoint an executive committee consisting of such number of its members, not exceeding seven, as it may deem fit and delegate to such committee all or any of its powers or duties under this Act.

(2) A Local Library Authority may also from time to time appoint sub-committees to enquire into and report or advise on any matters which it may refer to them.

8. (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 for establishing libraries and for spreading library service within its area and submit it to the



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Director for sanction. The Director may sanction it with such modifications and additions, if any, as he may think fit and the Local Library Authority shall give effect to the scheme as so sanctioned by him.

(2) The Director may *suo motu* or on application by the Local Library Authority concerned modify any scheme sanctioned under sub-section (1) or replace it by a new scheme.

9. A Local Library Authority may—

Powers of
Library A
thorities

(a) provide suitable lands and buildings for public libraries and also the furniture, fittings, materials and conveniences requisite therefor ;

(b) stock such libraries with books, periodicals, newspapers, maps, works and specimens of art and science, lantern slides, cinema reels and any other thing suitable for their purpose ;

(c) employ from time to time such staff as it considers necessary, for such libraries ;

(d) with the previous sanction of the Government, close or discontinue any public library or change the site thereof ;

¹[(e) accept, with the previous sanction of the Director or the Government, any gift of books, or, with the previous sanction of the Government, any other gift or endowment for any purpose connected with its activities ;]

(f) provide for lectures and the holding of classes ;
and

(g) in general, do everything necessary to carry out the provisions of this Act.

¹ This clause was substituted for the original clause (e) by section 2 of the Tamil Nadu Public Libraries (Amendment) Act, 1954 (Tamil Nadu Act XXI of 1954).

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vesting of
properties in
Local Library
Authorities.

10. All property, movable and immovable, acquired or held for the purpose of any public library in any area shall vest in the Local Library Authority of that area.

regulations by
Local Library
Authorities.

11. (1) Subject to the provisions of this Act and the rules made thereunder, a Local Library Authority may make regulations generally to carry out the purposes of this Act and, without prejudice to the generality of this power, such regulations may provide for—

(a) the admission of the public to public libraries in its area on such conditions and on payment of such fees as it may specify ;

(b) requiring from persons desiring to use such libraries any guarantee or security 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 ; and

(d) authorizing its officers and servants to exclude or remove from any such library any person who contravenes or fails to comply with the provisions of this Act or the rules or regulations made thereunder.

(2) The Government may, in their discretion, modify or cancel any regulation made by a Local Library Authority under sub-section (1) :

Provided that before modifying or cancelling any regulation, the Government shall give the Local Library Authority concerned a reasonable opportunity to make its representations in the matter.

FINANCE AND ACCOUNTS.

12. (1) (a) Every Local Library Authority shall ^{Library cess.} levy in its area a library cess in the form of a surcharge on the property tax or house tax levied in such area under the Madras City Municipal Act, 1919¹, the [Tamil Nadu] District Municipalities Act, 1920, or the [Tamil Nadu] Local Boards Act, 1920², as the case may be, at the rate of ³[three naye paise] for every whole rupee in the property tax or house tax so levied.

[Tamil Nadu] Act IV of 1919.
[Tamil Nadu] Act V of 1920.
[Tamil Nadu] Act XIV of 1920.

(b) A Local Library Authority may, with the previous sanction of the Government and shall, if so directed by them, increase the rate specified in clause (a).

(2) The cess levied under sub-section (1) shall be collected—

(a) in the City of Madras, by the Corporation of Madras ;

(b) in an area within the jurisdiction of a municipal council, by the municipal council ;

(c) in an area within the jurisdiction of a panchayat, by the panchayat ; and

(d) in an area in a district not included within the jurisdiction of a municipal council or a panchayat by the district board†

¹ These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

² Now the Tamil Nadu District Boards Act, 1920 (Tamil Nadu Act XIV of 1920).

³ These words were substituted for the words "six pies" by section 2 of, and the Schedule to, the Tamil Nadu Coinage (Alteration of References) Act, 1960 (Tamil Nadu Act 9 of 1960).

* The short title of this Act has now been altered as the Madras City Municipal Corporation Act, 1919.

† Now the panchayat union council.



as if the cess were a property tax or house tax payable under the Madras City Municipal Act, 1919*, or the ¹[Tamil Nadu] District Municipalities Act, 1920, or the ¹[Tamil Nadu] Local Boards Act, 1920², as the case may be, and all the relevant provisions of the said Acts shall apply accordingly :

Provided that the Government may, by notification, direct that for the purposes of the collection of the cess aforesaid, the provisions of the Madras City Municipal Act, 1919*, or the ¹[Tamil Nadu] District Municipalities Act, 1920, or the ¹[Tamil Nadu] Local Boards Act, 1920,² as the case may be, shall apply subject to such modifications as may be specified in the notification.

(3) The cess collected under sub-section (2) shall be paid to the Local Library Authority concerned by the Corporation of Madras, the municipal council, the panchayat or the district board[†], as the case may be.

13. (1) Every Local Library Authority shall maintain a fund called the 'Library Fund' from which all its expenses under this Act shall be met.

(2) There shall be credited to the Library Fund the following sums, namely :—

(a) the cess collected under section 12, sub-section (2) ;

(b) contributions, gifts, and income from endowments made for the benefit of public libraries ;

(c) special grants which the Government may make for any specific purpose connected with libraries ;

¹ These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

² Now the Tamil Nadu District Boards Act, 1920 (Tamil Nadu Act XIV of 1920).

* The short title of this Act has now been altered as the Madras City Municipal Corporation Act, 1919.

† Now the panchayat union council.



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(d) fees, fines and other amounts collected by the Local Library Authority under any rules or regulations made under this Act.

(3) The Government shall contribute to the Library Fund maintained by every Local Library Authority other than the Local Library Authority for the City of Madras, a sum not less than the fees collected under section 12, sub-section (2).

14. (1) An account shall be kept of the receipts and Maintenance expenses of each Local Library Authority. of accounts.

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

15. Notwithstanding any provision in [this Act] the Government may, in cases where they think it is necessary to do so, supersede or reconstitute any [Library Authorities constituted under [this Act]]: ^{Supersession or reconstitution of Library Authorities.}

Provided, however, the Government shall give notice to the Authority concerned together with the grounds on which they propose to supersede or reconstitute and shall consider any explanations that may be offered by such Authority.

REPORTS, RETURNS AND INSPECTION.

16. Every Local Library Authority and every person in charge of a public or aided library shall submit such reports and returns and furnish such information to the Director or any person authorized by him and the Director or the person authorized may, from time to time, require. ^{Reports and returns.}

¹ These words were substituted for the words "the Act" by section 4 of, and the Third Schedule to, the Tamil Nadu Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957).



Inspection
of libraries.

17. The Director, or any person authorized by him may inspect any public or aided library or any institution attached thereto for the purpose of satisfying himself that the provisions of this Act and the rules and regulations thereunder are duly carried out.

RULES.

Power to
make rules.

18. (1) The Government may, by notification, make rules consistent with this Act to carry out the purposes thereof.

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

(a) all matters required or allowed to be prescribed under this Act ;

(b) the method of conducting the election of members to Local Library Authorities and all matters connected therewith ;

(c) the matters to be included in the scheme referred to in section 8 ;

(d) the maintenance of the minutes of the proceedings of Local Library Authorities ;

(e) the publication of audited statements of the accounts of such Authorities and of the reports of the auditors ; and

(f) a Library Grant-in-aid Code, regulating the Government's aid to, and the declaration, inspection and co-ordination by the Director of, aided libraries and the standards to be maintained by such libraries.



MISCELLANEOUS.

Central Act XXV of 1867. 19. The Press and Registration of Books Act, 1867, shall, in its application to the [State] be amended as follows:—

Amendment of the Press and Registration of Books Act, 1867, in its application to the State.

(i) In section 9, first paragraph, clause (a) (which relates to the delivery to the Government of copies of books by the printer of a press), for the words "one such copy", the words "five such copies" shall be substituted.

(ii) In the same section, in the last paragraph, clause (i), for the words "a copy of the first or some preceding edition of which book has been delivered" the words "five copies of the first or some preceding edition of which book have been delivered" shall be substituted.

(iii) In section 11, for the first sentence the following sentence shall be substituted, namely :—

"Out of the five copies delivered pursuant to clause (a) of the first paragraph of section 9 of this Act, four copies shall be sent to the central library referred to in section 4, clause (a), of the [Tamil Nadu] Public Libraries Act, 1948, and the fifth copy shall be disposed of in such manner as the [State] Government may, from time to time, determine."

¹ This word was substituted for the word "Province" by the Adaptation Order of 1950.

² These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

³ This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 16th June 1998 and is hereby published for general information:—

ACT No. 15 OF 1998.

An Act further to amend the Tamil Nadu Public Libraries Act, 1948.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Public Libraries (Amendment) Act, 1998. **Short title and commencement.**

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

Tamil Nadu
Act XXIV of
1948.

2. In section 5 of the Tamil Nadu Public Libraries Act, 1948, in sub-section (3), for clause (b), the following clause shall be substituted, namely:— **Amendment of section 5.**

“(b) one member elected by the members of the district panchayat from among themselves;”.

(By order of the Governor)

A. K. RAJAN,
Secretary to Government,
Law Department.

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GOVERNMENT OF TAMIL NADU
2001

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TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 119]

CHENNAI, WEDNESDAY, FEBRUARY 14, 2001
Maasi 2, Vikkrama, Thiruvalluvar Aandu-2032

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th February 2001 and is hereby published for general information:—

ACT No. 5 OF 2001.

An Act further to amend the Tamil Nadu Public Libraries Act, 1948.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Public Libraries (Amendment) Act, 2001.

Short title
and Commencement.

(2) (a) Section 29, in so far as it relates to the insertion of section 9-A, and sections 3 and 6 shall be deemed to have come into force on the 1st day of April 1982.

(b) Section 4 shall come into force on such date as the State Government may, by notification, appoint.

Tamil Nadu
Act XXIV of
1948.

2. After section 9 of the Tamil Nadu Public Libraries Act, 1948 (hereinafter referred to as the principal Act), the following sections shall be inserted, namely:—

Insertion of
new sections
9-A, 9-B and
9-C

“9-A. Persons employed in Local Library Authorities to be Government servants.—(1) Notwithstanding anything contained in any law for the time being in force, on and from the 1st day of April 1982, all persons employed in every Local Library Authority in the posts specified in the Schedule shall become whole-time Government servants.

(2) Notwithstanding anything contained in this Act and subject to the provisions of Article 311 of the Constitution, the Government may make rules regulating the conditions of service of the persons employed in the Local Library Authorities in the posts specified in the Schedule.

9-B. Repayment of amounts.—The amounts paid by the Government towards salaries, allowances, pensions and other remuneration of the persons employed in a Local Library Authority in the posts specified in the Schedule, shall be repaid by such Local Library Authority to the Government

9-C. Power to exempt.—If the Government are satisfied that any Local Library Authority is not in a position to repay the amounts referred to in section 9-B, the Government may, by order, exempt, whether prospectively or retrospectively and subject to such conditions, if any, as may be specified in the order, such Local Library Authority from the repayment of whole or part of such amounts referred to in that section."

Amendment of section 13.

3. In section 13 of the principal Act, sub-section (3) shall be omitted.

Insertion of new section 14A.

4. After section 14 of the principal Act, the following section shall be inserted, namely:—

"14-A. General Fund.— (1) There shall be constituted a Fund called the General Fund with a view to assist, on requisition, any financially weaker Local Library Authority as may be declared by the Government, by order, for the purchase of books or furniture or construction of building or for any other purpose as may be prescribed.

(2) Every Local Library Authority shall contribute to the General Fund a sum at such rate not exceeding twenty per cent of the cess collected under sub-section (2) of section 12 as may be prescribed and different rates may be prescribed for different Local Library Authorities.

(3) The receipts which shall be credited to the General Fund shall include—

- (a) the contribution referred to in sub-section (2);
- (b) all other monies received from such other source as may be prescribed.

(4) The General Fund shall be operated by the Director in such manner as may be prescribed."

Insertion of new section 18-A.

5. After section 18 of the principal Act, the following section shall be inserted, namely:—

"18-A. Power to amend Schedule.—The Government may, by notification, alter, amend or add to, the Schedule or omit any of the posts specified in the Schedule and upon the issue of such notification, the Schedule shall be deemed to be amended accordingly."

Insertion of new Schedule.

6. After section 19 of the principal Act, the following Schedule shall be inserted, namely:—

"THE SCHEDULE.

(See section 9-A)

Serial No.	Name of the Post.
(1)	(2)
1	Librarian Grade I
2	Librarian Grade II
3	Librarian Grade III
4	Inspector of Libraries
5	Superintendent
6	Building Supervisor

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

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<i>Serial No.</i> (1)	<i>Name of the Post.</i> (2)
7	Stock Verification Officer
8	Accountant
9	Assistant
10	Head Clerk
11	Building Maistry
12	Junior Assistant
13	Typist
14	Clerk-cum-Typist
15	Film Operator
16	Driver
17	Binder
18	Plumber
19	Electrician
20	Sergeant
21	Record Clerk
22	Binding Boy
23	Office Assistant
24	Office Assistant-cum-Driver
25	Van Cleaner
26	Lift Operator
27	Watchman
28	Sweeper
29	Scavenger".

7. Notwithstanding anything contained in any law for the time being in force, all things done or actions taken by any officer or authority, on or after the 1st day of April 1982 and before the date of the publication of this Act in the *Tamil Nadu Government Gazette*, which are in conformity with the provisions of the principal Act as amended by this Act, shall, for all purposes, be deemed to be, and to have always been, validly done or taken in accordance with law as if the principal Act, as amended by this Act, had been in force at all material times when such things or actions were done or taken.

Validation.

(By order of the Governor)

K. PARTHASARATHY,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th June 2007 and is hereby published for general information:—

ACT No. 20 OF 2007.

An Act further to amend the Tamil Nadu Public Libraries Act, 1948.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Public Libraries (Amendment) Act, 2007.

Short title and commencement.

(2) It shall be deemed to have come into force on the 24th day of January 2007.

2. In section 5 of the Tamil Nadu Public Libraries Act, 1948 (hereinafter referred to as the principal Act), for sub-section (5), the following sub-section shall be substituted, namely:—

Amendment of section 5.

"(5) The members of every Local Library Authority shall elect a Chairman and a Vice-Chairman from among themselves."

3. Notwithstanding anything contained in the principal Act or the rules made thereunder, the election of Vice-Chairman by the members of the Local Library Authority, City of Chennai, on the 24th day of January 2007 shall, for all purposes, be deemed to be and to have always been, validly held in accordance with law as if the principal Act as amended by this Act had been in force at all material times when such election had been held.

Validation.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government-in-charge,
Law Department.

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