

Maharashtra Public Libraries, State Library Council
& District Library Committees Transaction of
Business Procedure) Rules, 1973

EDUCATION DEPARTMENT

Sachivalaya Annexe, Bombay-32:BR, dated 15th June 1973

MAHARASHTRA PUBLIC LIBRARIES ACT, 1967.

No. LIB. 2571-A2.—In exercise of the powers conferred by sub-section (1) and clauses (i), (ii) and (viii) of sub-section (2) of section 26 of the Maharashtra Public Libraries Act, 1967 (Mah. XXXIV of 1967), and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section 26, namely :—

1. *Short title.*—These rules may be called the Maharashtra Public Libraries, State Library Council and District Library Committees (Transaction of Business Procedure) Rules, 1973.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(a) "Act" means the Maharashtra Public Libraries Act, 1967 (Mah. XXXIV of 1967);

(b) "Presiding authority" means the person, who for the time being is presiding over a meeting of the Council or a Committee, as the case may be;

3. *Vacancies in Council.*—(1) When a vacancy in the Council occurs otherwise than by efflux of time, the Director shall, as soon as may be approach the authority or body concerned to take steps to fill in the vacancy by election or nomination, as the case may be. In the case of members to be nominated by the State Government, the Director shall forward his recommendations within a period of one month of the occurrence of the vacancy.

(2) When a vacancy in the Council is due to occur by efflux of time, the Director shall, two months before the date of such occurrence, approach the authority or body concerned to take steps to fill in the vacancy by election or nomination, as the case may be. In case, the vacancy is to be filled in by nomination by the State Government, such authority or body shall not later than one month before the date of such occurrence, forward its recommendations in that behalf to the State Government.

(3) A person ceasing to be a member shall be eligible for re-election or re-nomination, as the case may be.

4. *Presiding authorities.*—Every meeting of the Council shall be presided over by the President, and in his absence, by the Vice-President and in the absence of both of them, by such one of the members present may be elected by the meeting.

[Price—Re. 0-05]

5. *Notice of Meeting of Council.*—(1) The Secretary shall give fifteen clear days notice of every ordinary meeting of the Council indicating the date, time and place of the meeting and the business to be transacted thereat. The President may place before the meeting any urgent item of business not included in the agenda.

(2) The written request for a special meeting of the Council, referred to in sub-section (2) of section 7, shall indicate the matters of urgent importance to be discussed at the meeting. A notice of eight clear days indicating the date, time and place of such meeting shall be given.

6. *Adjournment for want of quorum.*—If at any meeting of the Council there is no quorum, the President shall adjourn the meeting to a subsequent date. The Secretary shall give fresh notice indicating the date, time and place of the adjourned meeting, and the business which should have been brought before the original meeting had there been a quorum thereat, shall be brought before the adjourned meeting.

7. *Questions to be decided by majority of Votes.*—(1) All questions at any meeting of the Council shall be decided by majority of the votes of the members present and voting, and in case of equality of votes, the presiding authority shall have a second or casting vote.

(2) Voting shall ordinarily be by show of hands, but the Council may resolve that any particular question shall be decided by ballot.

(3) Except when voting is demanded, by ballot, a declaration by the Presiding authority that the proposition has been carried or lost shall be conclusive evidence of such proposition having been adopted or negatived, as the case may be.

(4) When voting is by ballot, the votes of all the members present who desire to vote shall be taken under the direction of the presiding authority and the result of the voting, shall be deemed to be decision of the Council at such meeting.

8. *Minutes.*—The Secretary shall maintain a record of the proceedings and the decisions of the meetings of the Council under the directions of the Presiding authority. The Secretary shall submit the minutes of the meeting within fifteen days to the Presiding authority for approval after which the minutes shall be communicated to the members.

9. *Functions of Council.*—Subject to the provisions of section 4, it shall be the duty of the Council to advise the State Government on the following matters :—

(a) the functions of the Central Library, a Divisional Library and other Public Libraries in the State ;

(b) the employment of trained professional staff of different grades for the Public Libraries in the State ;

(c) the publication of annual bibliography of all the books published in the State ;

(d) the promotion of standards for library buildings, fittings and furniture and for library techniques ;

(e) the planning, organisation and development of libraries for adults, children and the handicapped ;

(f) the preservation of old and rare books and manuscript and other documents ; and

(g) the training of candidates in Library Science.

10. *Compensatory Allowances.*—All non-official members of the Council other than the local non-official members and those who are members of the State Legislature shall be entitled to draw travelling allowance and daily allowance in accordance with Scale I in paragraph (b) of sub-rule (1) of the rule 1 in Section I of Appendix XLVII-A to the Bombay Civil Services Rules, 1959, as amended from time to time. The non-official members, who are members of the State Legislature, shall be entitled to draw travelling allowance and daily allowance in accordance with Government Resolution, Finance Department, No. TRA. 1470/131-XVIII, dated the 27th January 1971. The Local non-official members (not being members of the State Legislature) shall be entitled to draw conveyance charges in accordance with the rate prescribed by Government from time to time. The Director shall countersign the Bills referred by the non-official members.

11. *Qualifications of Librarian appointed on Library Committee.*—The Librarian to be nominated by the State Government on a District Library Committee under clause (iv) of sub-section (2) of section 13, shall:—

(i) hold a post-graduate degree or diploma in Library Science ; or

(ii) hold a certificate in Library Science with three years experience as a Librarian ; or

(iii) have seven years experience as a Librarian.

12. *Vacancies in District Library Committee.*—(1) Where in the case of a member nominated by the State Government on a District Library Committee a vacancy occurs otherwise than by efflux of time, the Director shall forward his recommendations to fill in the same within a period of one month of the occurrence thereof.

(2) When a vacancy is due to occur by efflux of time, the Director shall, in consultation with the institution concerned, forward his recommendations to fill in the same to the State Government not later than one month before the date of such occurrence.

(3) A person ceasing to be a member shall be eligible for renomination.

13. *Meeting of District Library Committees.*—(1) Every District Library Committee shall meet at least once in a year on a date to be fixed by the President.

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

(3) In the absence of the Chairman of the Education Committee of the Zilla Parishad, the members present at the meeting of the Committee shall elect a President from among themselves.

(4) One-third of the total members of the Committee shall form the quorum.

14. *Application of rules 5 to 8.*—The provisions of rules 5 to 8 (both inclusive) shall, *mutatis mutandis*, apply to the transaction of the business of the District Library Committees.

15. *Compensatory Allowances.*—All non-official members of the District Library Committee, other than local non-official members, shall be entitled to draw travelling allowance and daily allowance in accordance with Scale II in paragraph (b) of sub-rule (1) of rule 1 in Section I of Appendix XLII-A to the Bombay Civil Services Rules, 1959, as amended from time to time. The local non-official members shall be entitled to draw conveyance charges in accordance with the rate prescribed by Government from time to time. The Director or any officer authorised by Government in this behalf, shall countersign the Bills preferred by the non-official members.

By order and in the name of the Governor of Maharashtra,

B. L. BAKARE,
Deputy Secretary to Government.