

15 -ാം കേരള നിയമസഭ

14 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 1887

29-09-2025 - ൽ മറുപടിയ്ക്ക്

ലൈബ്രറി കൗൺസിലിൽ അംഗത്വമുള്ള ലൈബ്രറികളുടെ സ്വത്ത്

ചോദ്യം		ഉത്തരം	
ഡോ. എൻ. ജയരാജ്		ഡോ. ആർ. ബിന്ദു (ഉന്നതവിദ്യാഭ്യാസ-സാമൂഹ്യനീതി വകുപ്പ് മന്ത്രി)	
(എ)	<p>ദീർഘകാലമായി പ്രവർത്തനരഹിതമായതും ലൈബ്രറി കൗൺസിലിൽ അംഗത്വമുള്ളതുമായ ലൈബ്രറികളുടെ പേരിലുള്ള സ്ഥലവും കെട്ടിടവും അതത് താലൂക്ക് ലൈബ്രറി കൗൺസിലിലേക്ക് ഉടമസ്ഥാവകാശം മാറ്റുന്നതിന് വ്യവസ്ഥയുണ്ടോ; എങ്കിൽ പ്രസ്തുത വ്യവസ്ഥയുടെ/നിയമത്തിന്റെ അഥവാ ചട്ടത്തിന്റെ വിശദാംശമോ പകർപ്പോ ലഭ്യമാക്കാമോ;</p>	(എ)	<p>ഉണ്ട്.</p> <p>1991- ലെ കേരള പബ്ലിക് ലൈബ്രറീസ് (കേരള ഗ്രന്ഥശാലാ സംഘം) റൂൾസിലെ റൂൾ 10,11 എന്നിവയിലെ വ്യവസ്ഥകൾ പ്രകാരം സ്റ്റേറ്റ് ലൈബ്രറി കൗൺസിലിൽ അംഗത്വമുള്ളതും ദീർഘകാലമായി പ്രവർത്തനരഹിതമായതുമായ ലൈബ്രറികളുടെ ആസ്തി ബാധ്യതകൾ സ്റ്റേറ്റ് ലൈബ്രറി കൗൺസിലിന് ഏറ്റെടുക്കാവുന്നതോ അതത് താലൂക്ക് ലൈബ്രറി കൗൺസിലിനെ കൊണ്ട് ഏറ്റെടുപ്പിക്കാവുന്നതോ ആണ്. പ്രസ്തുത ചട്ടങ്ങളുടെ പകർപ്പ് അനുബന്ധമായി ഇതോടൊപ്പം ചേർക്കുന്നു.</p>
(ബി)	<p>താലൂക്ക് ലൈബ്രറി കൗൺസിലിന് ഉടമസ്ഥാവകാശം ഉറപ്പിക്കുന്നതിന് ചട്ടപ്രകാരമുള്ള നടപടിക്രമം വിശദമാക്കാമോ?</p>	(ബി)	<p>1991- ലെ കേരള പബ്ലിക് ലൈബ്രറീസ് (കേരള ഗ്രന്ഥശാലാ സംഘം) റൂൾസിലെ റൂൾ 10,11 എന്നിവയിലെ വ്യവസ്ഥകൾ പ്രകാരം സ്റ്റേറ്റ് ലൈബ്രറി കൗൺസിലിൽ അംഗത്വമുള്ളതും ദീർഘകാലമായി പ്രവർത്തനരഹിതമായതുമായ ലൈബ്രറികളുടെ ആസ്തി ബാധ്യതകൾ സ്റ്റേറ്റ് ലൈബ്രറി കൗൺസിലിന് ഏറ്റെടുക്കാവുന്നതോ അതത് താലൂക്ക് ലൈബ്രറി കൗൺസിലിനെ കൊണ്ട് ഏറ്റെടുപ്പിക്കാവുന്നതോ ആണ്. പ്രസ്തുത ചട്ടങ്ങളിലെ ചട്ടം 11 പ്രകാരം അങ്ങനെ സ്റ്റേറ്റ് ലൈബ്രറി കൗൺസിൽ ഏറ്റെടുക്കുന്നതോ അതത് താലൂക്ക് ലൈബ്രറി കൗൺസിലിനെ കൊണ്ട് ഏറ്റെടുപ്പിക്കുന്നതോ ആയ ലൈബ്രറിയുടെ ഭരണ ചുമതലയുള്ള ഉദ്യോഗസ്ഥനോ അല്ലെങ്കിൽ കമ്മിറ്റിയോ ബന്ധപ്പെട്ട ലൈബ്രറിയുടെ ആസ്തികളും രേഖകളും മറ്റു സാമഗ്രികളും സ്റ്റേറ്റ് ലൈബ്രറി കൗൺസിലിനോ താലൂക്ക് ലൈബ്രറി കൗൺസിലിനോ, അതത് സംഗതി പോലെ, കൈമാറേണ്ടതാണെന്നും അല്ലാത്ത പക്ഷം അങ്ങനെ കൈമാറാത്തവർക്കെതിരെ സ്റ്റേറ്റ് ലൈബ്രറി</p>

		കൗൺസിലിന് നടപടി
		കൈക്കൊള്ളാവുന്നതാണെന്നും വ്യവസ്ഥ ചെയ്തിട്ടുണ്ട്.

സെക്ഷൻ ഓഫീസർ

***The Kerala Public Libraries (Kerala Granthasala Sanghom) Rules, 1991**

In exercise of the powers conferred by section 40 of the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989 (15 of 1989) the Government of Kerala hereby make the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:-

Chapter Preliminary

1. Short title and extent.-

- (1) These rules may be called the Kerala Public Libraries (Kerala Granthasala Sanghom) Rules, 1991.
- (2) They shall come into force on the 15th day of February 1991.

2. Definitions.- In these Rules, unless there is anything repugnant in the subject or context,-

- (a) 'Act' means the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989 (Act 15 of 1989);
- (b) "approved candidate" means a candidate whose name appears in an authoritative list of candidates approved for appointment to any service, class, category or grade;
- (c) "approved probationer" in a service, class, category or grade means a member of that service, class, category or grade who has satisfactorily completed his probation and awaits appointment as a full member of such service, class, category or grade;
- ¹[(cc) "Committee" means a committee constituted under sub-section (1) of section 39 of the Act.
- (d) "discharge of a probationer" means in case the probationer is a full member or an approved probationer of any service, class, category or grade reverting him to such service, class, category or grade and in any other case dispensing with his service under the State Library Council/ District Library Council/²[Taluk Library Council];
- (e) "clear day" means the number of days due to be counted excluding first and last days;
- (f) a person is said to be on "duty" as a member of service,-
 - (i) when he is performing the duties of a post borne on the cadre of such service or is undergoing the probation, instruction or training prescribed for such service; or
 - (ii) when he is on joining time; or

* Issued under Notif. No. 22370/A3/89/H.Edn. dt. 14-2-1991 pub. in K.G. Ex. No. 197 dt. 15-2-1991 as SRO 204/91.

1. Inserted by SRO 841/93.

2. Substituted by G.O. (P) No. 189/2000/H.Edn. dt. 8-12-2000 pub. in K.G. Ex. No. 2202 dt. 14-12-2000 as SRO 1152/2000.

- (iii) when he is absent from duty during vacation or on authorised holidays or on casual leave taken in accordance with the instructions regulating such leave issued by the State Library Council, District Library Council, [Taluk Library Council], as the case may be, having been on duty immediately before and immediately after such absence; or
- (iv) when he is on deputation, during his period of probation, for training or for acquisition of higher or additional qualifications in public interest; or
- (v) when he is waiting for posting orders after reporting for duty; or
- (vi) when he is given the benefit of notional promotion consequent on revision of rank and seniority.
- (g) "disciplinary authority" in relation to the imposition of penalty on an employee of the State Library Council, District Library Council, Taluk Library Council, as the case may be, means the authority competent under these rules to impose on him that penalty;
- (h) "employee" means a person in the service of State Library Council, District Library Council or Taluk Library Council;
- (i) "full member" of service means a member of that service who has been appointed substantively to a permanent post borne on the cadre thereof;
- (j) "fund" means the Pension and Gratuity established and maintained by the State Library Council;
- (k) "family" means family as defined in the Kerala Service Rules;
- (l) "member of service" means a person who has been appointed to that service and who has not retired or resigned, been removed or dismissed, been substantively transferred or reduced to another service, or been discharged otherwise than for want of vacancy. He may be a probationer, an approved probationer or a full member of that service;
- (m) "probationer" in a service means a member of the service who has not completed his probation;
- (n) "promotion" means the appointment of a member of any category or grade of service or a class of service to higher category, or grade of such service or class;
- (o) a candidate is said to be "recruited direct" to a service, class, category or post when on the date of notification inviting applications for the recruitment he is not in the service of the State Library Council/District Library Council/Taluk Library Council;

Provided that for the purpose of this definition a person who has been appointed on foreign service terms shall not be deemed to be a direct recruit;

Provided further that a person shall be deemed to be not in the service of the State Library Council/District Library Council/Taluk Library Council:-

1. Substituted by G.O. (P) No. 189/2000/H.Edn. dt. 8-12-2000 pub. in K.G. Ex. No. 2202 dt. 14-12-2000 as SRO 1152/2000

- (i) if a period of five years has not elapsed since his first appointment to a service under the State Library Council/District Library Council/Taluk Library Council; and
 - (ii) if he belongs to the Scheduled Castes, Scheduled Tribes or other Backward Class.
 - (p) a candidate is said to be "recruited by transfer" to a service if at the time of the first appointment thereto he is a full member or an approved probationer in another service;
 - (q) "Secretary of the State Library Council" means the Secretary of the Kerala State Library Council elected by the elected members of the State Executive Committee;
 - (r) "Secretary of the District Library Council" means the Secretary of the District Library Council elected by the elected members of the District Library Council;
 - (s) "Secretary of the Taluk Library Council" means the Secretary of the Taluk Library Union elected by the Members of the Taluk Library Council.
3. The words and expressions used and but not defined in these rules shall have the meaning respectively assigned to them in the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989, or in the Kerala Service Rules Part I, II, III or in the Interpretation and General Clauses Act, 1125.

Chapter II Affiliation of Libraries

4. **Conditions for affiliation of Libraries.**- No Library shall be affiliated to the State Library Council under sub section (1) of Section 28 of the Act, unless:-
- (a) an application for affiliation has been made in Form No. 1 in triplicate;
 - (b) the library has been functioning for a period of not less than one year prior to the date of application;
 - (c) the library has a minimum of fifty members as per rules adopted by the general body of the library;
 - (d) the library has a minimum of one thousand books, fifty per cent of which shall be from the approved list of the State Library Council, the cost of which shall not be less than Rs. 5,000, at the aggregate;
 - (e) the library is situated beyond 2 kilometres from an existing affiliated library;
- Provided that the State Library Council may with the recommendation of the Taluk Library Council relax this condition in accordance with the density of population in the area;
- (f) the library has the minimum storage facilities for safe keeping of the books, periodicals and other records, accommodate reading room with necessary furniture for the reading public;
 - (g) the library has a building of its own or rented with not less than 15 square metres space;

- (h) the membership in the library is open to all irrespective of religion, race, caste, creed or sex;

Provided that special provisions may be made for women and children and members of Scheduled Castes and Scheduled Tribes;

- (i) the library is subscribing to a minimum of three dailies and six current periodicals;
- (j) the library has a librarian in charge of its functions, who shall be a full employee or person elected from the members as per the bye-laws of the library;
- (k) the library has been issuing a minimum of two thousand books annually to its members;
- (l) the library has bye laws duly approved by the general body of the library; and
- (m) the library has a name board and common seal.

5. Mode of applying for affiliation and admission by the State Library Council.-

- (1) Every library applying for affiliation shall pay Rs. 50 along with an application;
- (2) The applications as provided in sub-rule (1) shall be submitted to the Secretary, Taluk Library Council of the Taluk in which the library is situated.
- (3) The Taluk Library Council after conducting enquiry and satisfying the conditions prescribed for giving affiliation to the library may recommend the application to the State Library Council through the District Library Council.
- (4) The State Library Council, on receipt of the application duly recommended by the Taluk Library Council and the District Library Council, after due consideration may grant affiliation to the library and on such affiliation being granted the library shall be treated as an affiliated library.
- (5) Nothing contained in these rules shall apply to the libraries deemed to be affiliated to the State Library Council under Sections 45 of the Act.

6. Time Limit to process application for affiliation.-

- (1) An application for affiliation shall be disposed of by the respective bodies as mentioned in the Act and in the rules within a period of one month. The decision shall be communicated to the Library with copy endorsed to the District Library Council and the Taluk Library Council.
- (2) The State Library Council shall issue the certificate of affiliation in Form No. II. Each library shall be assigned a code No. consisting of a common serial number and numbers letters indicating the District and the Taluk.
- (3) The Taluk Library Council, the District Library Council and the State Library Council shall keep registers showing the details of all affiliated libraries coming under their jurisdiction.

7. Appeal against the decision of the Taluk Library Council.-

- (1) Any decision of the Taluk Library Council rejecting the application for

affiliation to a Library shall be communicated to the affected party in writing within seven days from the date of such decision.

- (2) An appeal against such decision shall be filed by the aggrieved person to the State Library Council through the District Library Council within thirty days. The State Library Council may, pass such order on the appeal as it, may deem fit after obtaining the opinion of the District Library Council.
- (3) An order passed by the State Library Council under sub-rule (2) shall be final.

8. Maintenance of Registers and Records.- Every Library shall maintain the following records duly approved by the State Library Council, namely:-

- (a) Bye-laws;
- (b) Admission form;
- (c) Stock register;
- (d) Issue register of book;
- (e) Minutes books;
- (f) Subscription register;
- (g) Receipt book;
- (h) Cash book;
- (i) Ledger;
- (j) Voucher file
- (k) Monthly statement register;
- (l) Act and Rules Governing the library service;
- (m) Visitors diary; and
- (n) Any other records as may be prescribed by State Library Council.

9. Bye-laws.-

- (1) Every library should have bye-laws/Rules duly approved by the State Library Council
- (2) The bye-laws/rules as mentioned in sub-rule (1) shall be in accordance with the Act and the Rules.

In case any existing Rules/Regulation or the bye-laws of the library are contrary to the provisions of the Act and Rules, such Rules/Regulation or bye-law shall be deemed to be without force and the State Library Council shall have the power to direct the library concerned to amend them. The library is bound to carry out the instructions issued to it by the State Library Council.

10. Power to withdraw the affiliation.-

- (1) Notwithstanding any provision contained in the rules/bye-laws/regulations of an affiliated library, the State Library Council shall be competent to take suitable steps to take over by itself the effects, assets and liabilities shall be taken over by the Taluk Library Council within the area of which the library is situated when it is found that-

- (i) the library has ceased to function and is not in a position to get it revived; or
 - (ii) its functioning is such that taking over of the assets etc. is absolutely necessary to protect the interests of the members;
- (2) Action as per sub-rule (1) shall not be finalised unless reasonable opportunity is given to the committee of the library to explain why such an action shall not be finalised.

- 11. Responsibility of the Officer or committee administering the library to deliver the property of the district library to the State Library.-** The Officer or committee administering the library shall on the date of taking over of the library hand over all the assets, records and other materials of the library to the State Library Council or the Taluk Library Council as the case may be and if the person does not do so, he can be proceeded against by the State Library Council.

Chapter III Election to the various Bodies

12. Affiliation of existing Libraries.-

- (1) All the Libraries affiliated to the Granthasala Sanghom and the Public Libraries established or maintained by a Local Library Authority in erstwhile Malabar area, under the provisions of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948) and the Libraries which are not affiliated to the Granthasala Sanghom but which receive grant direct from the Government as well as the State Libraries shall within such period as may be specified by the Control Board of the Granthasala Sanghom furnished the details as required in Form No. 50 to the Control Board.
- (2) The State Library Council shall collect the details of all the libraries affiliated or deemed to be affiliated to it in Form No. 50 as and when they require.

13. Election to the Executive Committee of affiliated libraries.-

- (1) Every affiliated library shall be managed by an executive committee duly elected by the members of the library.
- (2) The election to the executive committee of the library shall be conducted in the manner prescribed in the bye-laws of the libraries.
- (3) The term of the executive committee shall be three years.
- (4) The election to the executive committee shall be conducted before the date of expiry of the outgoing committee so as to enable the newly elected committee to take charge of the management of the library.

14. Constitution of Taluk Library Councils.-

- (1) There shall be one Taluk Library Council for each Revenue Taluk.
- (2) The areas may be notified in the Gazette by Government in this behalf.
- (3) Each Taluk Library Council shall be situated as far as possible at a place convenient to the public and representatives of the affiliated libraries.