

By - Laws

BALANGODA URBAN COUNCIL

By - Laws

IT is hereby notified that I, the minister in - charge of the subject of local government, by virtue of powers vested in me under section 154 of the Urban Council Act, that I have approved the following by - law passed by the Balangoda urban council of Ratnapura district in terms of Section 153 and 154 of Urban Council Act (chapter 255)

MAHIPALA HERATH,
Minister in - charge of
Subject of Local Government
Sabaragamuwa Province.

2nd March, 2016.

BY - LAW OF THE PUBLIC LIBRARY OF THE BALANGODA URBAN COUNCIL

01. There shall be a public library established and maintained by the Balangoda Urban Council for the provision of resources and services in various media to provide education information and personal development and to fulfill creative and recreational requirements for persons and social groups living within the area of authority of the Urban Council and these by laws are enacted to make relevant provisions thereto.
02. The Public library of the Urban Council may consist of the following Sections and services according to requirements of the public in the area :-
 - (i) Lending Section
 - (ii) Reference Section
 - (iii) Childrens Section
 - (iv) Newspaper and periodical Section
 - (v) Study Section
 - (vi) Book preservation Section
 - (vii) Rare book collecting Section
 - (viii) Special collection and local collection Section
 - (ix) Community information Services
 - (x) Other information Services
 - (xi) Mobile Services
 - (xii) Computer Section - E - Library
 - (xiii) Audio visual Section
 - (xiv) Reading hall
 - (xv) Expansion Services (mobile, competitions, lectures)
03. There should be a librarian for the public library of the urban council appointed by the Sabaragamuwa local government Service Commission. Such appointee shall be responsible for organizing and maintenance of the management of the public library.
 - (i) Constant supervision should be there in relation with the proper maintenance of the organization and management of the public library.
04. (i) Library advisory board should be appointed which should be mentioned as the committee herein after in order to make principals, guide and to give advice for the maintenance of the public library services. This committee should be appointed annually and it should consist of the following persons.

- (a) The chairman and the council ex officio is the chairman of the committee if any other one is appointed as the chairman it should be done solely by the chairman.
- (b) not less than four members should be included at least per one council member from each and every group representing all the groups including and the vice chairman.
- (c) At least three representatives duly elected from among the representatives so as to represent multi religions that the residents of the area of authority believes.
- (d) Four educated VIPS living in the urban area of authority selected by the chairman.
- (e) secretary of the urban council.
- (f) Community development officer.
- (g) The librarian.
- (h) At least three principals from the principals in school in area of authority.
- (i) President and, secretary representing the readers' club.

(ii) The total membership should not exceed (23/25)

05. (i) The chairman should be the ex officio chairman of the committee every meeting should be presided over by him. In the absence of the chairman for any meeting the vice chairman or if he is not elected for the committee some other member present should preside over the meeting.
- (ii) The member presiding over at any meeting shall have one primary vote and a casting vote when there is an equal number of votes for and against any decision.
- (iii) The librarian should be the secretary of the advisory committee ex-officio.
- (iv) The Secretary of the urban council should be the convener ex - officio.

06. *Establishment of funds*

The advisory committee has the capacity of the designing and the implementing various projects adopted as suitable on a resolution by the committee subject to approval by the assistant commissioner of local government on the recommendation of the chairman of the local government institution in case of any money earned from these projects should be credited to the fund which is implemented by the committee.

- (i) The committee has the capacity of establishing and maintaining a fund for the facilitation of the development of the library and other requirements.
- (ii) The trust of the fund should be maintained by the urban council and it should be performed by a group consisting of persons appointed by the committee.
- (iii) Financing fund should be done by the urban council and it should be done by either the chairman or secretary or accountant or librarian or any other close person authorized by him.
- (iv) A bank account should be maintained for the fund and use of the money in the account and the cheques should be done by the officers mentioned in No: iii above.
- (v) Accounts activities of this fund should be subject to supervision of the committee and money transaction and uses should be done on the decision of the committee.

07. The quorum should be 1/3 of the members of the committee number and the membership of the members who have not participated continuously in three meetings will be abolished. The duration of office of the committee should be one year and the members should be appointed annually.

08. *Lending Section - Obtaining membership*

- (i) The person should possess the following eligibilities to obtain the membership of the library.
 - (a) Ability to read and write
 - (b) A permanent resident within the area and authority of the urban council.

- (c) Should maintain an office or a place of business within the area of authority of the urban council.
- (d) Should involve in education in a government or and international school within the area of authority of the urban council.
- (e) should be an employee within the area of authority of the Urban Council.
- (ii) (a) Should be over 12 years of age to obtain general membership.
- (b) Should be under 12 years of age to obtain child membership.
- (iii) Every person who expects the library services should pay a charge determined by the council on resolution and adoption from time to time and apply for membership through an application from obtained from the librarian and that application should be attested by a person mentioned below.
- (a) In case of a school applicant - a certificate from the principle certifying that the applicant is receiving education in that school.
- (b) In case of and employee - a certificate from the head of the institution.
- (c) In case of a resident out side the area of authority a certificate from the Gramma Niladhari the division where he resides.
- (d) a permanent resident who is a tax payer within the jurisdiction of the urban council area should sign as a guarantee.
- (iv) Membership fee :
- (a) For permanent resident within the jurisdiction of the urban council.
A fee of Rs. 50/= for child membership and fee of Rs. 100/= for adult membership should be paid.
This will include the VAT/NBT membership should be renewed by paying Rs. 50/= once in two years however the membership fee will be prescribed on resolution and adoption by the council from time to time on the recommendation of the committee.
- (b) For relevant members under 08 i-(c) (d) (e) double the membership fee of the permanent residents within the jurisdiction of the urban council should be levied. on the renewal of the membership o n c e in two years double the sum of the residents within the jurisdiction of the urban council should be levied. VAT/NBT charges should also the included for this.
However the
- (a) membership fee will be presented on resolution and adoption by the council from time to time.
- (b) The clergy residing permanently within the jurisdiction of the urban council should be given the membership if signed by an Urban Council member. However the bylaw meant for other members are empowered for them too.

09. Obtaining membership

- (a) Two tickets should be issued to every person who is admitted as a member of the lending library and such a person is entitled to borrow one book each for such ticket.
- (b) Transfer of such tickets is prohibited.
- (ii) A member of the lending library is responsible for any book issued to him on a ticket.

10. Where a member of the lending library loses a ticket issued to him under by law 09 he should immediately give notice to the librarian of subh a loss. If the librarian is satisfied that no book has been borrowed from the lending library on such a ticket he may issue to such a member a duplicate ticket. No such duplicate tickets should be issued by the librarian unless there has elapsed at least a period of thirty days from the date on which the loss was brought to his notice.

11. Any book borrowed by a member from the lending library should be returned to the librarian within a period of fourteen days from the date on which it was borrowed. The member may be allowed by the librarian to borrow any book for the further period of fourteen days if the book is not required by any other member.
12. Where a member fails to return any book to the librarian within the period of fourteen days referred to in by law 11, he shall be liable to a fine of one rupee per each and every day or a fine resolved and adopted by the council on the recommendation of the committee.
13. When a member fails to return any book he has borrowed from the lending library within 90 days from expiry of the period of fourteen days referred to in by law 11, then such book shall be presumed to be lost.
14. (i) In an instance where a book deemed to have been lost the member concerned should pay the cost of the book binding charges and the cost of replacement and fines stipulated in by law No. 11, In such an instance the librarian shall determine the charges to be recovered on the basis of the recommendations made by the advisory committee and standard method.
(ii) Cost of the book -25% of the value of the book as department charges. If it is an old publication the current price of it. If the book is not published the current price value and binding charges should be levied.
(iii) In case of a member who fails to return the book obtained by him even after expiring of one month, actions should be taken to obtain some other copy of that book or levy all charges that should be paid to the library by the member in relation with that book.
15. No member should damage or disfigure in any manner any book, borrowed from the library. Where a book so damaged is returned a fine may be imposed in keeping with the present value for the damage caused to such book at the discretion of the librarian.
16. It shall be the duty of every member to bring to the notice of the librarian any damage or injury in any book he intends to borrow from the lending library where he has failed to bring any such damage or injury to the notice of the librarian such book shall be presumed to have been issued to him without any damage or disfigurement.
17. Where the librarian is satisfied that a book returned by a member has been damaged and disfigured by him as to render it unfit for further circulation, action should be taken initially to obtain a copy of that book from the member. On failure to obtain so the member should defray the current cost of the resupply of the book. When the book has been replaced the damaged book shall be given to that member with the words "the public library - removed as damaged" stamped there on. The new book replaced so should be entered to the accession number indicated in the damaged book. In case of such failure action shall be taken as stipulated in by law no 14 deeming it to be a lost book
18. (i) No member should transfer a book borrowed from the library to any person.
(ii) Any member who violates the provisions in Para 01 of this by law shall be deprived of his security deposit of membership and the membership of the lending library shall also cease.
19. (i) No member should return to the lending library any book if he is aware that such book has been used by any person who is suffering from an infectious or a contagious disease and he should forth with bring it to the notice of the librarian. the member concerned shall take action in regard to the book on instruction and direction issued by the librarian.
(ii) When a book borrowed by a member has been used by a person who is suffering from an infectious or contagious disease such book should be destroyed and he should pay to the librarian the cost of its replacement.
20. Where any dispute arises between two member or more of the lending library as to which member should borrow particular book, the librarian should take due decision.
21. When any member expects to obtain a book which was taken away by some other member he should make a note of his name and of the book in the register meant for that purpose. When that is returned by the member who had taken

it away the librarian should issue it to the member who has made a note in that register.

Where two members or more have made entries regarding any book they should be issued that book in the sequential order of the entries in the register.

22. Any member who ceases to reside or have employed in an office or place of business or to change a school where he receives education within the urban council area shall cease to be a member of the lending library and should return to the librarian the two tickets. And case of change of residence the address of the new residences should be produced to the librarian in writing without delay.
23. The library should be opened for the readers on due days during specific hours on accordance with the standards of the National Library and Documentation Service Board from 8.30 a. m. to 5.00 p. m. daily excepts the day at stock taking or other days decided at the discretion of the council for specific reasons.

(Sunday s and public holidays and full moon poya days are normal holidays and the library should be kept closed on such days. These holidays may be subject to change depending on the committee decisions and adoption of the council meetings.)

24. **Reference Library (Section) :**

- (i) Any user who wants to use the reference library should submit his national identity card or any other document to prove his identity acceptable to the librarian and should obtain the permission from the librarian.
- (ii) If a reader who intents to refer the books and the other reading material of the reference library, he shall record the relevant information in the register of user properly and should borrow the books and the reading materials.

25. (i) Any Person
(a) Who is literate and
(b) Who is not less than 14 years of age may be permitted by the librarian to use the reference library.

(ii) The reader should bring blank sheets of paper only into the reference library for taking their notes.

(iii) No person should bring books, magazines newspapers, personal files or any other into reference library.

26. No person should take out of the reference section any book issued to him for reading from the reference library. But when there is a photocopy service in operation provision should be made available to any person to obtain copies of that particular publication by paying charges on request of the photocopies with the approval and under custody of the librarian.
27. If a reader who has attended the reference section requires any reading materials of any other section except the reference section he may a request to the librarian of the reference section and if he thinks that the request made is justifiable he may accede to the request.
28. Newspapers and periodical section (Reading Room)
Reading room - The reading room should be opened from 8.00 a. m. to 5. p. m. every week day or days and during the hours decided by the council on the recommendations of the committee. Any person may be allowed to use the reading room, name and time of arrival should be entered in the register maintained in the reading room.
29. Any damage should be not caused to any newspapers, periodical magazine, map or any other library material belonging to the reading room or kept there and taking them away is strictly prohibited.
30. Books, periodical magazines, newspapers, and personal file etc or any other bag and baggage should not be taken in to the room by readers.

31. Removing of papers of books and tearing of pictures, drawing or diagrams should be strictly prohibited and contravention of these by- laws shall be a punishable offence. And if convicted after a trial by a court of law he is liable to a fine mentioned in section 153.2 of the urban council ordinance.

32. Newspaper and periodical magazine section

- (i) This shall come into force under by laws 28,29,30, and 31
- (ii) the newspapers of the library will not be collected for preservation. The old newspapers should be handed over to the stores for auction.
- (iii) Periodical magazines - Periodical magazines of education value should be handed over to the stores for reservation and auction (on the recommendation of the committee and adoption of resolution of the council)

33. Children Library

The children between 6-12 years of age who are permanent residents or studying within the Balangoda Urban Council limits are entitled to obtain the membership by submitting their applications in accordance with the rules and regulations of the library.

34. In an instance where the member has failed to pay the fines due from him the guarantor shall be responsible for books and other reading articles or equipment lent and lost by such member he shall pay such expenses incurred for the resupply of the material and the Government charges of 25% should be paid by the guarantor.

35. By - law 9-21 shall be applicable in respect of the children library.

36. The opening time of the children library shall be from 8.30 a. m. to 5.00 p. m. and the time of opening and closing of the children library shall be decided by the urban council and a notice that effect be displayed in the library.

37. Book preservation section

This can work as Library book preservation section and in addition to book bindings, book binding of the other government institutions can be carried out. Charges on recommendation of the committee, resolution and adoptions by the councils can be levied.

38. Computer Section- Objectives

A Computer Section for the library can be established in order to supply quick and correct information. The right to obtain information to the people can be performed through this system. Through this the library can be converted to a center for an internet computer system and an information center.

39. By laws 24 and 25 will be enforced for this section too.

40. Fees decided by inter - mittent resolutions & adoptions by the council should be levied for obtaining services from the computer center.

41. The readers who use the computers should not bring CDs & Discs from outside to this computer section and they can be obtained from the library. The charges on intermittent resolutions and adoptions by the council can be levied for E-mail internet facilities.

General

42. Any person who is suffering from an infectious or a contagious disease or any person who has involved in attending such person should not enter the public library premises until infection period and incubation period are over.

43. No person is allowed to display or distribute any leaflet, poster or notice without the permission of the librarian.
44. The users of this library should not be disturbed shouting, singing or making some other sounds within the premises of the public library. Taping sounds broadcasting or transmitting equipment should not be used in any place in the library meant for the use of the public, without obtaining the permission from the librarian.
45. No person shall behave disorderly or cause any harassment to anybody within the premises of the library.
46. Damaging any part of the building or property in or around the library in any building of the council or any part of such building or disfiguring such property in any manner should not be done.
47. No person should disturb harass, make angry or restrict any person employed in the library or any other person who duly uses the library.
48. No person should carry any animal into the library or into the premises or retain such animal there.
49. All goods such as hats, walking sticks, travelling bags, parcels and book etc. possessed by a member or reader should be kept on the rack meant for keeping goods closer to the entrance and he should not enter any section with them. The responsibility of all the personal goods etc. lies in the reader and they should be taken away before the closure of the library.
50. Sleeping, consuming foods or begging should not be done inside the library.
51. Smoking or spitting inside the library should not be done.
52. Do not enter the library in an impure state.
53. Gambling with lots and card packs or some other acts should not be done within the library.
54. There should be a deep silence in the library.
55. Shooting in the library without the permission, making sounds, broadcasting, or transmitting of sound should not be done.
56. Carrying inside the library mobile phones, cameras lights, etc. is prohibited. The librarian shall have the power to expel from the library premises any person who does not comply with the requirements as stipulated in the by - laws.
57. Remaining or loitering after opening hours of the library without making a satisfactory reason should not be done.
58. Disturbing a librarian or any other person acting under his directions in the implementations of his powers under any by - law should not be done.
59. For the purpose of using the reference section and other sections except lending section a fee recommended by the committee and resolved and adopted by the council can be charged from non-library members.
60. Mobile Service
A mobile library service can be maintained by the council in case of person who are unable to get access to the public library.
61. In place where mobile library services are held the date and time of holding such library services should be made known to the readers and notices should be displayed so that are clearly seen.

62. Expansion services

Facilities should be provided by the council for lectures, seminars, workshops and other expansion services.

63. Annual Verification

It shall be the responsibility of the Urban Council Secretary to conduct and annual verification of stocks for the library. And annual verification reported by the council should be submitted to the council. Recommendation resolved and adopted by the council should be implemented within a period of three months from the date of adoption.

64. Where any library/library service is conducted by any NonGovernmental institution/ organization within the area of authority of Local Government bodies such an institution/organization shall obtain prior approval of such authority. (this shall not be applicable to libraries of school and parvenas and libraries of religious worship).

65. Violation of any section included in the by-law is an offence by any authorized Court of Law, He/she is liable for a fine mentioned under Section 153(2) of Chapter 255 of the Urban Council Ordinance, and if that offence is continued to do he/she is liable for additional fine for each day of such continuation even after handing over a written notice notice by the Chairman of the Urban Council of Secretary or any officer authorized by him according to Section 153(2) of Chapter 255 of the Urban Council Ordinance.

Interpretation

in this by-laws relating to libraries, unless the context otherwise requires

the expressions

“librarian” means the librarian of the Balangoda public library or in the absence of the librarian the appointed officer to be in charge of that post,

“Books” mean various reading materials, periodicals, magazines, newspapers, leaflets, reproduction, maps, plans, supplies, drawing, hand bills, photographs, CD plates, video cassettes etc. that belong to the library,

“Student” means the children who are studying under National Education System,

“Council” means the Balangoda Urban Council,

“Chairman” means the Chairman of the Balangoda Urban Council,

“Vice Chairman” means the Vice Chairman of the Balangoda Urban Council,

“Urban Council Secretary” means the secretary of the Balangoda Urban Council.

“Library” means the Balangoda public library,

“Reading Room” means the new reading hall affiliated to the public library,

“Vidu Nana Piyasa” means E-Library affiliated to the public library,

“Community Development Officer” means the officer to make supervision in the urban council appointed by the Local Government Commissioner,

“Committee” means the library advisory committee and

“Distinguished Person” means the person who are leaned. Intelligent and considered to be rendering some service for the society living within the area of jurisdiction.

The designation herein are equally enforced to identify the persons bearing such designation irrespective of any difference of male or female.

In case of any discrepancy with regard to the meaning of the Tamil or English copies the Sinhala copy will be enforced.