

GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT
Legislative

West Bengal Act XLI of 1994

**THE WEST BENGAL PUBLIC LIBRARIES
(AMENDMENT) ACT, 1994.**

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 19th August, 1994.]

[19th August, 1994.]

An Act to amend the West Bengal Public Libraries Act, 1979.

West Ben.
Act XXXIX
of 1979.

WHEREAS it is expedient to amend the West Bengal Public Libraries Act, 1979, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Forty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the West Bengal Public Libraries (Amendment) Act, 1994.

Short title
and
commencement.

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

2. In the long title of the West Bengal Public Libraries Act, 1979 (hereinafter referred to as the principal Act), for the words "library service", the words "library and information service" shall be substituted.

Amendment
of long title
of West Ben.
Act XXXIX
of 1979.

3. In the preamble to the principal Act, for the words "library service", the words "library and information service" shall be substituted.

Amendment
of preamble.

4. In section 2 of the principal Act,—

Amendment
of section 2.

(1) in clause (ff), the words "and includes the State Central Library" shall be omitted;

(2) clause (i) shall be omitted;

(3) for clause (j), the following clause shall be substituted:—

(j) "Public Library" means a library open to the public, and includes—

(i) a Government Public Library,

(ii) the State Central Library,

(iii) a sponsored public library declared as such under section 16A, or

(iv) such other library as the Government may declare to be a public library;';

(4) clause (jj) shall be omitted.

(Sections 5-7.)

Amendment
of section 4.

5. In section 4 of the principal Act, in sub-section (1),—
 - (a) for clause (c), the following clause shall be substituted:—

“(c) five persons representing the interest of education, social work, cultural, literary or artistic activity, or literacy or science movement, to be nominated by the Government;”;
 - (b) for clause (f), the following clause shall be substituted:—

“(f) two persons to be nominated by the Government from amongst the members of the Local Library authorities;”;
 - (c) in clause (i), for the words “Education Department”, the words “Mass Education Extension Department” shall be substituted;
 - (d) in clause (mm), for the words “Adult Education”, the words “Mass Education Extension” shall be substituted;
 - (e) for clause (o), the following clauses shall be substituted:—

“(o) the Director of the National Library, Calcutta, or his nominee;

(oo) the Director of the Raja Rammohan Roy Library Foundation or his nominee;”;

Substitution
of new
section for
section 5.

6. For section 5 of the principal Act, the following section shall be substituted:—

“Functions of
public library. 5. A public library shall perform such functions
and discharge such duties as the Government may
determine.”.

Amendment
of section 6.

7. In section 6 of the principal Act,—
 - (1) in clause (a), for the words “public libraries;”, the words “public libraries and recognised libraries;” shall be substituted;
 - (2) in clause (h), for the word “libraries;”, the words “public libraries;” shall be substituted;
 - (3) in clause (i), for the words “any library;”, the words “any public library;” shall be substituted;
 - (4) after clause (i), the following clause shall be inserted:—

“(ii) implement the decisions of the Council after such decisions are approved by the Government and report to the Council about such implementation from time to time;”.

(Sections 8, 9.)

8. In section 8 of the principal Act,—

(1) in sub-section (2),—

(a) after clause (iii), the following clause shall be inserted:—

“(iiiia) the District Information Officer;”;

(b) for clause (v), the following clause shall be substituted:—

“(v) two members to be nominated by the Government from amongst the Commissioners of the municipalities, or Councillors of the Corporation, within the district;”;

(c) after clause (ix), the following clause shall be inserted:—

“(ixa) four persons representing the interest of education, social work, cultural, literary or artistic activity, or literacy or science movement, to be nominated by the Government;”;

(d) clause (x) shall be omitted;

(e) clause (xi) shall be omitted;

(f) clause (xii) shall be omitted;

(2) in sub-section (3), for the words “for a period of four years:”, the words “for a period of four years or till the Local Library Authority is reconstituted, whichever is earlier:” shall be substituted.

9. In section 10 of the principal Act,—

(1) for clause (b), the following clause shall be substituted:—

“(b) stock public libraries with different kinds of printed, audio-visual and reprographic materials and any other thing suitable for the purpose of public libraries;”;

(2) in clause (c),—

(a) for the words “public libraries”, the words, figures and letter “sponsored public libraries declared as such under section 16A” shall be substituted, and

(b) after the words “as may be prescribed”, the words “or directed by the Government” shall be inserted;

(3) in clause (e), for the words “public library;”, the words, figures and letter “sponsored public library declared as such under section 16A;” shall be substituted;

Amendment
of section 8.

Amendment
of section
10.

(Sections 10-12.)

(4) after clause (g), the following clauses shall be inserted:—

- “(gg) advise the public libraries about different services to be rendered and implement the directions of the Government regarding standards of public library services;
- (ggg) develop an integrated public library system in the district through supervision, control and inter-library co-operative programmes and activities;
- (gggg) organize book fairs, seminars, exhibitions and other similar programmes in different parts of the district to popularize library services and to grow reading habits;
- (ggggg) organize library services for neo-literates and children;”.

10. For section 11 of the principal Act, the following section shall be substituted:—

“Vesting of properties in Local Library Authority. 11. All properties, movable or immovable, acquired or held for the purpose of any sponsored public library declared as such under section 16A in any area shall vest in the Local Library Authority for that area without liabilities, if any, of such sponsored public library.”.

11. In section 15 of the principal Act, for the word “Director”, wherever it occurs, the word “Government” shall be substituted.

12. In section 16A of the principal Act,—

- (a) in sub-section (1), for the words “a public library and the state Central Library”, the words “a Government public library” shall be substituted;
- (b) in sub-section (2), for the words “a public library or the state Central Library”, the words “a Government public library” shall be substituted.

Substitution of new section for section 11.

Amendment of section 15.

Amendment of section 16A.