

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Act XIII of 1993

THE WEST BENGAL PUBLIC LIBRARIES (AMENDMENT) ACT, 1993.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 27th August, 1993.]

[27th August, 1993.]

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 purpose and in the manner hereinafter appearing;

It is hereby enacted in the Forty-fourth 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, 1993.

(2) It shall come into force at once.

Short title
and
commence-
ment.

2. In Chapter III of the West Bengal Public Libraries Act, 1979, after section 16A, the following section shall be inserted and shall be deemed always to have been inserted:—

Insertion of
new section
16B in West
Ben. Act
XXXIX of
1979.

“Dissolution of Local Library Authority for former district or any committee appointed by it upon creation of more than one district by dividing former district.

16B. (1) If and when the Government creates more than one district by dividing any existing district (hereinafter referred to as the former district) under any law for the time being in force, the Government shall dissolve the Local Library Authority for the former district with effect from such date as the Government may by notification appoint.

(2) Upon the dissolution of the Local Library Authority for the former district under sub-section (1),—

(a) the members of the said Local Library Authority shall be deemed to have vacated their respective offices, and

(b) any committee appointed by the said Local Library Authority under section 14 shall stand dissolved, and the members of the said committee shall be deemed to have vacated their respective offices, forthwith.

(Section 2.)

(3) Notwithstanding anything contained in this Act or in any other law for the time being in force, the Local Library Authority for the former district or any committee appointed by the said Local Library Authority under section 14 shall, until the said Local Library Authority is dissolved under sub-section (1), continue to exercise all the powers, discharge all the duties and perform all the functions of the Local Library Authority or the committee, as the case may be, under this Act or the rules or the regulations made thereunder as if the former district has not been divided into more than one district.

(4) Notwithstanding anything contained in this Act or in any other law for the time being in force,—

- (a) anything done or any action taken by the Local Library Authority for the former district under this Act or the rules or the regulations made thereunder prior to the dissolution of the said Local Library Authority under sub-section (1), and
- (b) any regulations made, or orders issued under the provisions of this Act or the rules or the regulations made thereunder, and continuing in force immediately before such dissolution, shall, upon the constitution under sub-section (1) of section 8 of the Local Library Authority for the districts created by dividing the former district, be applicable to the Local Library Authority for each such district and shall continue in force in so far as they are not inconsistent with the provisions of this Act or the rules or the regulations made thereunder until they are repealed or amended.

(5) Notwithstanding anything contained in this Act,—

- (a) the properties, funds and liabilities of the Local Library Authority for the former district, and
- (b) the officers and staff of the public libraries employed by the said Local Library Authority under clause (c) of section 10 and holding office immediately before the dissolution of the said Local Library Authority,

shall be determined and apportioned between the Local Library Authorities constituted under sub-section (1) of section 8 for the districts created by dividing the former district, in such manner as may be prescribed, and such determination and apportionment shall be final.”.