

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Act VII of 1998

THE WEST BENGAL PUBLIC LIBRARIES (AMENDMENT) ACT, 1998.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 5th August, 1998.]

[5th August, 1998.]

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-ninth 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, 1998.

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 section 2 of the West Bengal Public Libraries Act, 1979 (hereinafter referred to as the principal Act),—

Amendment
of section 2
of West Ben.
Act XXXIX
of 1979.

(1) after clause (bb), the following clause shall be inserted:—

‘(bbb) “Darjeeling Gorkha Hill Council” means the Darjeeling Gorkha Hill Council constituted under the Darjeeling Gorkha Hill Council Act, 1988;’;

(2) after clause (j), the following clause shall be inserted:—

‘(j1) “Siliguri Mahakuma Parishad” means the *Mahakuma Parishad* for the sub-division of Siliguri in the district of Darjeeling constituted under section 185B of the West Bengal *Panchayat Act*, 1973;’.

West Ben.
Act XIII of
1988.

West Ben.
Act XLI of
1973.

(Section 3.)

Amendment
of section 8.

3. In section 8 of the principal Act,—

- (1) in sub-section (1), after the words “for each district”, the words “except the district of Darjeeling where there shall be a Local Library Authority for each of the areas within the jurisdiction of the Darjeeling Gorkha Hill Council and the Siliguri *Mahakuma Parishad*” shall be inserted;
- (2) in sub-section (2), for the words “The Local Library Authority for each district”, the words “Each Local Library Authority, except the Local Library Authority for each of the areas within the jurisdiction of the Darjeeling Gorkha Hill Council and the Siliguri *Mahakuma Parishad*,” shall be substituted;
- (3) after sub-section (2), the following sub-section shall be inserted:—

“(2A) The Local Library Authority for the area within the jurisdiction of the Siliguri *Mahakuma Parishad* (hereinafter referred to in this sub-section as the area) shall consist of—

- (i) the District Magistrate of the district of Darjeeling or his nominee, not below the rank of Sub-divisional Officer, who shall be the Chairman of the Local Library Authority;
- (ii) the District Library Officer who shall function as the *ex officio* Member-Secretary of the Local Library Authority;
- (iii) the District Social Education Officer;
- (iv) the District Information Officer;
- (v) two representatives of the employees of different public libraries in the area to be elected from amongst themselves in the manner prescribed;
- (vi) two members to be nominated by the Government from amongst the Councillors of the Municipalities, or the Councillors of the Municipal Corporation, within the district of Darjeeling;
- (vii) two representatives of the district branch of the Bengal Library Association to be nominated by the Executive Committee of the said Association;
- (viii) one person to be nominated by the *Sabhadhipati* of the Siliguri *Mahakuma Parishad* from amongst the members of the Siliguri *Mahakuma Parishad*;

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(Section 3.)

- (ix) two persons to be nominated by the Government from amongst the members of the *Panchayat Samitis* in the area;
- (x) two persons to be nominated by the Government from amongst the members of the managing committees of the public libraries in the area;
- (xi) 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;
- (xii) two Members of the Legislative Assembly from the area, to be nominated by the Government;
- (xiii) the Librarians of the District Libraries in the area.

(2B) The Local Library Authority for the area within the jurisdiction of the Darjeeling Gorkha Hill Council (hereinafter referred to in this sub-section as the area) shall consist of—

- (i) the Principal Secretary of the Darjeeling Gorkha Hill Council, who shall be the Chairman of the Local Library Authority;
- (ii) the District Library Officer who shall function as the *ex officio* Member-Secretary of the Local Library Authority;
- (iii) the District Social Education Officer;
- (iv) the District Information Officer;
- (v) two representatives of the employees of different public libraries in the area to be elected from amongst themselves in the manner prescribed;
- (vi) two members to be nominated by the Darjeeling Gorkha Hill Council from amongst the Councillors of the Municipalities within the area;
- (vii) two representatives of the district branch of the Bengal Library Association to be nominated by the Executive Committee of the said Association;
- (viii) one person to be nominated by the Chairman of the Darjeeling Gorkha Hill Council from amongst the Councillors of the Darjeeling Gorkha Hill Council;
- (ix) two persons to be nominated by the Darjeeling Gorkha Hill Council from amongst the members of the *Panchayat Samitis* in the area;

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- (x) two persons to be nominated by the Darjeeling Gorkha Hill Council from amongst the members of the managing committees of the public libraries in the area;
- (xi) 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;
- (xii) two Members of the Legislative Assembly from the area, to be nominated by the Government on the recommendation of the Darjeeling Gorkha Hill Council;
- (xiii) the Librarians of the District Libraries in the area.”.

Amendment
of section 10.

4. In section 10 of the principal Act,—

- (1) in clause (bb), for the words “in the district”, the words “within its jurisdiction” shall be substituted;
- (2) in clause (ff), for the words “in the district;”, the words “within its jurisdiction;” shall be substituted;
- (3) in clause (ggg), for the words “in the district”, the words “within its jurisdiction” shall be substituted;
- (4) in clause (gggg), for the words “in different parts of the district”, the words “in different areas within its jurisdiction” shall be substituted.