THE WEST BENGAL PUBLIC LIBRARIES ACT, 1979

DIRECTORATE OF LIBRARY SERVICES
MASS EDUCATION EXTENSION DEPARTMENT
GOVERNMENT OF WEST BENGAL
THE WEST BENGAL PUBLIC LIBRARIES ACT, 1979

To provide for the establishment of public libraries in the State of West Bengal and to regulate, guide, control and supervise libraries as also to provide for a comprehensive rural and urban library and information service in the State of West Bengal.

Whereas it is expedient to provide for the establishment of public libraries in the State of West Bengal and to regulate, guide, control and supervise the libraries as also to provide for a comprehensive rural and urban library and information service in the State of West Bengal.

It is hereby enacted in the Thirtieth Year of the Republic of India, by the Legislature of West Bengal.

It is hereby enacted in the Thirty third year of the Republic of India, by the Legislature of West Bengal.

It is hereby enacted in the Thirty sixth year of Republic of India by the Legislature of West Bengal.

It is hereby enacted in the Forty fourth year of the Republic <1i>India</i> by the Legislature of West Bengal.

It is hereby enacted in the Forty fifth year of the Republic of India by the Legislature of West Bengal.

It is hereby enacted in the Forty ninth year of the Republic of India by the Legislature of West Bengal, and

It is hereby enacted in the Fifty fourth year of the Republic of India, by the Legislature of West Bengal, as follows:

CHAPTER-I

PRELIMINARY

Short Title and Commencement

1. This Act may be called the West Bengal Public Libraries Act, 1979.
2. It extends to the whole of West Bengal.
3. This section shall come into force at once and the remaining sections shall come into force on such date or dates as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different sections of this Act.

DEFINITIONS

2. In this Act, unless the context otherwise requires-

a) Deleted in 1985 amendment;

aa) "Kolkata Metropolitan Library" means the District Library in Kolkata declared by the State Government as such;

b) omitted in 1985 amendment;

bb) "Corporation" means the Kolkata Municipal Corporation as constituted under the Kolkata Municipal Corporation Act, 1980.
c) "Director" means the Director of Library Services appointed under section 6;
d) "District" means a district of West Bengal and includes Calcutta as defined in the Calcutta Municipal Corporation Act, 1980;

dd) omitted in 1985 amendment;
ddd) "District Library Officer" means the person appointed to be called the District Library Officer under section 16;
e) omitted in 1985 amendment;
f) "Government" means Government of West Bengal;
f) "Library" means a public library;
g) "Notification" means a notification published in the official gazette;
h) "Prescribed" means prescribed by the rules made under this Act.
i) omitted in 1994 amendment;
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;

j) "Siliguri Mahakuma Parishad" means the Mahakuma Parishad for the subdivision of Siliguri in the district of Darjeeling constituted under section 185B of the West Bengal Panchayat Act, 1973;
jj) omitted in 1994 amendment;
k) omitted in 1985 amendment;
l) included in 1982 amendment but omitted in 1985 amendment.

CHAPTER-I

STATE LIBRARY COUNCIL

State Library Council and its functions

3. (1) The Government shall constitute a State Library Council (hereinafter referred to as the Council) for the purpose of advising the Government on the management of the State Central Library, on matters relating to policies and programmes for the development and management of public libraries and public library system and on such other matters as may be referred to it.

(2) The Council shall advise the government on any scheme prepared by a Local Library Authority under section 15 and also on the principles governing the aid to a library under this Act.
(3) The Council shall exercise such powers and perform such duties as may be prescribed.

Composition of the Council

4. (1) The Council shall consist of
   a) the Minister-in-charge of Library Services who shall be Chairman of the Council;
   b) four persons to be elected by the members of the West Bengal Legislative Assembly from amongst themselves;
   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;
   d) two representatives of Bengal Library Association to be nominated by the Executive Committee of the said constituted members;
   e) two representatives of the employees of the libraries that will come under the purview of this Act to be elected in the manner prescribed;
   f) two persons to be nominated by the government from amongst the members of the Local Library Authorities;
   g) District Library Officer to be nominated by the Government;
   h) one Librarian of a District Library to be nominated by the Govt.;
   i) the Secretary to the Government in the Mass Education Extension Department or his nominee;
   j) the Director of Public Instruction, West Bengal or his nominee;
   k) four persons to be nominated by the Govt. who in its opinion are experts in library Science and library services;
   l) the Dy. Director of Public Instruction (Social Edu.) West Bengal;
   m) the Director of Culture or his nominee;
   mm) the Director of Mass Education Extension or his nominee; n) the Librarian, State Central Library;
   o) the Director of the National Library, Kolkata or his nominee;
   00) the Director of the Raja Rammohun Roy Library Foundation or his nominee;
   p) the Director who shall be the ex-officio member-secretary of the Council.

(2) The members, other than the ex-officio members, shall hold office for a period of four years:
   Provided that if a nominated or an elected member ceases to hold the position by virtue of which he was so nominated or elected, he shall automatically cease to be a member of the Council.
FUNCTIONS OF PUBLIC LIBRARY

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

APPOINTMENT AND FUNCTIONS OF DIRECTOR

6. The Govt. shall appoint a Director of Library Services in accordance with the rules made under this Act and the Director shall subject to the control of the Govt. discharge the following functions:

   a) maintain a register of public libraries and recognised libraries;
   b) manage the State Central Library and the public libraries established or maintained by the govt. and superintendent and direct all matters relating to such libraries;
   bb) supervise and control subject to the provisions of this Act and the rules made thereunder all other public libraries;
   c) declare by notification from time to time the names and addresses of the public libraries in the state;
   d) superintendent and direct all matters relating to the work of all Local Library Authorities under this Act and take such steps as he may consider necessary, if any action taken by the Local Library Authority is in violation of any direction of the Govt. or is in contravention of any provision of this Act or the rules made there under;
   dd) disapprove any action or decision of a Local Library Authority if such action violates any direction of the Govt. or such decision is inconsistent with the provisions of this Act or the rules made there under and report the fact of such disapproval in the subsequent meeting of the Council;
   e) submit to the Govt. and to the Council the annual report and other reports from time to time on the working of all public libraries and Local Library Authorities;
   f) inspect or cause to be inspected periodically through Officers authorised in this behalf of the public libraries;
   g) take steps for removal of defects in the working of any such library as the report on inspection of the libraries by the officers authorised under clause (f) may disclose and take measures for enforcing the rules as may be made in this behalf and in appropriate cases obtain approval of the govt. for de-recognition of the library or discontinuance of financial and other assistance to such library in the event of persistent failure to abide by the rules made under this Act or otherwise which in his opinion warrants such action;
   h) guide control and supervise the functioning of the public libraries;
   hh) convene the meetings of the Council, keep the records of the proceedings thereof and report to the Council the decision of the Govt. on all matters relating to public libraries and public library system;
   i) take appropriate steps for prosecution of persons responsible for any loss or injury caused to any public library; and
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;
j) perform such other duties and exercise such other powers in accordance with this Act or the rules made there under.

DIRECTORATE OF LIBRARY SERVICE

7. (1) There shall be a Directorate of Library Services to be constituted by the Government for the purpose of this Act with such numbers of officers and employees as may be prescribed.

(2) The officers and staff of the Directorate of Library Services shall be whole time Govt. employees and the terms and conditions of their services shall be such as may be prescribed.

CHAPTER-III
LOCAL LIBRARY AUTHORITY

CONSTITUTION OF LOCAL AUTHORITY

8. (1) For the purpose of organising and administering public libraries in the state, there shall be constituted by the Government Local Library Authority for each district except the district of Darjeeling where there shall be Local Library Authority for each of the areas within the jurisdiction of the Darjeeling Gorkha Hill Council and the Siliguri Mahakuma Parishad.

(2) Each Local Library Authority except the Local Library Authority for each of the areas within the jurisdiction of the Darjeeling Gorkha Hill Council and Siliguri Mahakuma Parishad, shall consist of:

   i) the District Magistrate of the district (other than Kolkata) or his nominee not below the rank of sub-divisional officer or in case of Kolkata, the Director, shall be the chairman.
   ii) the District Library Officer who shall function as ex-officio Member-Secretary of the Local Library Authority.
   iii) the District Mass Education Extension Officer.
   iiiia) the District Information Officer;
   iv) two representatives of the employees of different public libraries to be elected from amongst themselves in the manner prescribed;
   v) two members to be nominated by the Government from amongst the Commissioners of the municipalities or Councillors of the Corporation, within the district;
   vi) two representatives of the district branch of the Bengal Library Association to be nominated by the Executive Committee of the said organisation;
   vii) one person to be nominated by Sabhadhipati from amongst the members of the Zilla Parisad in the district or in the case of Kolkata to be nominated by the Mayor of the Corporation from amongst the Councillors of the Corporation;
viii) two persons nominated by the government from amongst the members of the Panchayat Samities in the district or in the case of Kolkata from amongst the persons interested in library services;

ix) two persons nominated by the government from amongst the members of the Managing Committees of public libraries;

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;

x) omitted in 1994 amendment;

xi) omitted in 1994 amendment;

xii) omitted in 1994 amendment;

xiii) two M.L.A.s of the district to be nominated by the government; xiv) the Librarians of District Libraries;

(2A) The Local Library Authority for the area within the jurisdiction of the Siliguri Mahakuma Parisad (hereinafter referred to in this subsection 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) one District Library Officer to be nominated by the government from amongst the District Library Officers appointed under section 16, who shall function as the ex-officio Member Secretary of the Local Library Authority.

iii) the District Mass Education Extension 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;

ix) two persons to be nominated by the Government from amongst the members of the Panchayat Samities 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 subsection 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 Mass Education Extension 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 Samities in the area;

x) two persons to be nominate 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 library in the area."
(3) The members, other than the ex-officio members, shall hold office for a period of four years or till the Local Library Authority is reconstituted, whichever is earlier;

Provided that if a nominated or an elected member ceases to hold the position by virtue of which he was so nominated or elected, he shall automatically cease to be a member of the Local Library Authority.

LOCAL LIBRARY AUTHORITY SHALL BE A BODY CORPORATE

9. Every Local Library Authority shall be a body corporate by the name of the area for which it is so constituted, shall have perpetual succession and a common seal and may sue or be sued in its corporate name, shall have the right of acquire, holding or transferring property movable or immovable or entering into contract and of doing all things necessary, proper or expedient for the purpose for which it is constituted.

POWER OF A LOCAL LIBRARY AUTHORITY

10. A) Local Library Authority may:
   a) provide suitable lands and buildings for public libraries and also the furniture, fittings materials and convenience requisite thereof;
   b) stock public libraries with different kinds of printed, audiovisual and reprographic materials and any other thing suitable for the purpose of public libraries;
   bb) maintain a register of the public libraries within its jurisdiction and inspect or cause to be inspected all such libraries.
   c) employ from time to time the officer and staff of the sponsored public libraries declared as such under section 16A in such manner and on such terms and conditions as may be prescribed or directed by the Government;
   d) with previous sanction of the Government, close or discontinue any public library organised or run by it or change the site thereof;
   e) recommend to the Director for withdrawal of recognition of or discontinuance of Govt. grant to, any sponsored public library declared as such under section 16A;
   f) accept, with the previous sanction of the Director, any gift of books or with the previous sanction of the Government, any other gift or endowment for any purpose connected with its activity;
   ff) implements the decisions of the Government and submit in the Government the annual report and other reports from time to time on the working of the public libraries and the public library system within its jurisdiction;
   g) provide for lectures and seminars on topical subjects and the holding of classes;
   (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 within its jurisdiction through supervision, control and inter-library co-operative programme and activities;
(gggg) organize book fairs, seminars, exhibitions and other similar programmes in different areas within its jurisdiction to popularize library services and to grow reading habits;

(ggggg) organize library service for neo-literates and children;

h) in general do everything necessary to carry out the purposes of this Act.

10. A) (1) If, at any time the Government is of opinion that a Local Library Authority has failed to perform its functions or has exceeded or abused any of the powers conferred on it by or under this Act or the rules made thereunder, the Government may communicate the particulars thereof to that Local Library Authority asking it to remedy such failure, excess or abuse or to submit to the Government a satisfactory explanation for such failure, excess or abuse, within such time as may be fixed by the Govt. and if the Local Library Authority does not remedy such failure, excess or abuse or submit the explanation to the Government within the time so fixed or if the explanation submitted by the Local Library Authority is not found satisfactory the Government may, in consultation with the Council, by order supersede the Local Library Authority for such period as the Govt. may consider expedient:

Provided that such supersession shall not be for a period of more than one year and such period may, for reasons to be recorded in writing, be extended by a period not exceeding one year.

(2) When a Local Library Authority is superseded under Sub-section(I), then, with effect from the date of the order of supersession

(a) all the members of the Local Library Authorities shall be deemed to have vacated their offices;

(b) the Government may appoint an Administrator or an Ad-hoc Committee consisting of such persons and in such manner as the Government may think fit, and, thereupon, the Administrator or the Ad-hoc Committee, as the case may be, shall exercise all the powers and perform all the duties of the Local Library Authority.

(3) The Government may, at any time during the period of supersession, reconstitute the Local Library Authority in accordance with the provisions of section 8, and upon such reconstitution of the Local Library Authority, the Administrator or the Ad-hoc Committee, as the case may be, shall cease to exist and the Local Library Authority shall function in accordance with the provisions of the Act.

VESTING OF PROPERTIES IN LOCAL LIBRARY AUTHORITIES
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.
REGULATIONS BY LOCAL LIBRARY AUTHORITIES

12. Subject to the provisions of this Act and the rules made thereunder, a Local Library Authority may with previous approval of the Government make regulations generally to carry out the purpose of this Act and without prejudice of this power such regulations may provide and for

a) the admission of persons to public libraries in its area on such conditions as it may specify;

b) requiring from persons desiring to use such libraries any guarantee or security against injury to, or misuse, destruction or loss of the property of such libraries;

c) the manner in which the property of such libraries shall be used to ensure the protection of such property from injury, misuse, destruction or loss; and.

d) authorise its officers and employees to exclude or remove from any such library any person who contravene or fails to comply with the provisions of this Act or the rules or regulations made thereunder.

POWER TO GOVERNMENT TO CANCEL OR MODIFY REGULATIONS

13. (1) If, at any time the Government is of opinion that any regulation made under this Act by a Local Library Authority should be cancelled or modify either wholly or in part, it shall cause the reasons for such opinion to be communicated to such Local Library Authority and shall specify a reasonable period within which such Local Library Authority may make any representation with regard thereto which it may think fit.

(2) After receipt and consideration of any such representation, or, if in the meantime, no such representation is received after the expiry of the specified period, the Government may at any time by notification cancel or modify such regulation either wholly or in part.

(3) The cancellation or modification of a regulation under subsection (2) shall take effect from such date as the Govt. may in the said notification direct or if no such date is specified then from the date of publication of the said notification except as to anything done or suffered or omitted to be done before such date.

COMMITTEE OR COMMITTEES OF LOCAL LIBRARY AUTHORITY

14. A Local Library Authority may appoint a Committee or Committees consisting of such of its members as it may deem fit to assist the Local Library Authority in carrying out the purposes of this Act.

PREPARATION OF THE SCHEME

15. (1) As soon as possible after a Local Library Authority is constituted and thereafter if required by the Govt. every Local Library Authority shall prepare a scheme for establishing libraries and for spreading library services within its area and submission of it to the Govt. for sanction. Govt. may in consultation with the Council, sanction it with such modifications or additions, if any, as it may think fit and the Local Library Authority shall give effect to the scheme as may be sanctioned by the Government.

(2) Government may suo moto or on application of the Local Library Authority concerned modify any scheme sanctioned under sub-section (1) of replace it by a new scheme.
POWER TO GIVE DIRECTION TO THE LOCAL LIBRARY AUTHORITY

15. (A) The Government may, from time to time give such direction to a Local Library Authority as it may consider necessary for the purpose of this Act.

DISTRICT LIBRARY OFFICER

16. The Government shall appoint a person to be called District Library Officer on such terms and conditions as may be prescribed. The District Library Officer shall exercise such powers and perform such duties as may be prescribed.

SPONSORED PUBLIC LIBRARY

16. A) (1) Any library (other than a Govt. Public Library) functioning as a District Library or Sub-Divisional or Town Library or Area Library or Rural Library or Primary Unit Library and receiving aid from the District Magistrate or the District Mass Education Extension Officer or District Library Officer or any other officer of the government towards the payment of salaries of its employee(s) or for any other purpose may be declared by the government as a Sponsored Public Library and thereupon the provision of this Act and the rules made thereunder shall apply to such library.

Explanation—for the purpose of this sub-section a District Library, Sub-divisional Library, Town Library, Area Library, Rural Library or Primary Unit Library shall respectively mean a library functioning as a District Library, Sub-divisional Library, Town Library, Area Library, Rural Library or Primary Unit Library in a district by whatever name called and recognised by the govt. as such.

(2) Any library which is not a Government Public Library may on application in the prescribed manner be declared by the Govt. as a Sponsored Public Library and thereupon the provisions of this Act and the rules made thereunder shall apply to such library.

(3) Notwithstanding anything contained in sub-section (1) and (2) the Government may if it considered necessary so to do sponsor any library and declare it to be a sponsored public library and thereupon the provision of this Act and the rules made thereunder shall apply to such library.

Explanation—for the purpose of this sub-section a library established under scheme referred to in section 15 shall be deemed to be a sponsored public library.

(4) Any library, not being a public library, registered or deemed to have been registered under the West Bengal Societies Registration Act, 1961, or any library, not being a public library, established or managed by any society or association of individuals registered or deemed to have been registered under that Act shall on being declared to be a sponsored public library cease to be a library registered or deemed to have been registered under that Act or a library established or managed by such society or association of individuals and thereupon the provisions of this Act and the rules made thereunder shall apply to such library.

(5) The sponsored public library shall be managed in the manner prescribed.
The employees of the Sponsored Public Libraries as approved by the District Magistrate or the District Mass Education Extension Officer or the District Library Officer or the District Advisory Council for Social Education or the Director of Public Instruction or the Local Library Authority or the Director of Library Services shall be deemed to be the employees of the Local Library Authority and the terms and conditions of service of such employees shall be such as may be prescribed.

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

16. B) (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.

(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 district 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 appointment shall be final.

CHAPTER-IV
FINANCE AND ACCOUNTS
Library Fund
17. (1) Every Local Library Authority shall maintain a library fund out of which
payments under this Act shall be met.
(2) There shall be credited to the library fund the following sums;
   a) Contributions, gift, income from endowments made to the Local
      Library Authority for the benefits of the public libraries,
   b) Grants which the government may make for the general maintenance
      or for any specific purpose connected with libraries or social
      education,
   c) Any amount collected by the Local Library Authority un.der any rule
      or regulation, made under this Act.

Government Grant
17. (A) The Government may from time to time make such grant to a Local Library
Authority or a library for management (including payment of salaries of
employees), maintenance, improvement and development of library
services’...for any other purpose as it may think fit.

Power to Local Library Authority or Library to incur Expenditure

17. (B) A Local Library Authority or a library may incur expenditure out of the library
fund for carrying out the purposes of this Act:
Provided that no expenditure shall be incurred by a Local Library Authority
or a library without prior approval of the government or for any purpose
other than a purpose for which a grant has been made by the government
under Section 17-A.

Account and Audit

18. (1) An account of all assets and liabilities of each Local Library Authority and of
all contributions, gifts and income from endowments, grants made by the
Government, any amount collected by the Local Library Authority under any
rule made under this act shall be maintained in the prescribed manner.
(2) The account shall be audited annually in such manner and by such officer or authority as may be prescribed. A copy of the audit report shall be submitted to the Government in the prescribed manner.

CHAPTER-V
MISCELLANEOUS

Validation of Acts

19. No act of the Councilor of a Local Library Authority shall be deemed to be invalid by reason only of the existence of any vacancy, initial or subsequent, or any defect, in the constitution of the Councilor the Authority.

Reports and Returns

20. Every Local Library Authority and every person-in-charge of a public library shall submit such reports and returns and furnish information to the Director or any person authorised by him, in this behalf as the Director or the person so authorised may, from time to time, require.

Inspection of Public Library

21. The Director or any person authorised by him in this behalf may inspect any public library or any institution attached thereto for the purpose of satisfying himself that the provisions of this Act and the rules made thereunder are duly carried out.

Penalty

22. (1) Whoever contravenes any provision of the Act or of any rules made thereunder shall, if no other penalty is provided therefor in any other Act, be punishable with fine which may extend to two hundred and fifty rupees or if having been previously convicted of such offence is again convicted of an offence under this Act, with fine which may extend to five hundred rupees.

(2) No court shall take cognizance of any offence under this Act except on a written complaint made by the Director or by any person authorised by the Director in this behalf.

Power to make rules

23. (1) Government may in consultation with the Council by notification make rules for carrying out purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which may be or are required to be prescribed or made by rules.

(3) All rules made under this section shall, as soon as may be, after they are made, be laid before the House of the State Legislature for 14 days and shall be subject to such modification as the State Legislature may make during the session in which they are so laid.

Amendment to the Press and Registration of Books Act, 1867

24. The Press and Registration of Books Act, 1867, shall in its application to the State of West Bengal, be amended as follows:
(1) for clause (a) of the first paragraph of Section 9, the following clause shall be substituted
"(a) in a case, within one calendar month after the day on which any book shall first be delivered out of the press, three such copies and";

(2) in section 11, for the first paragraph, the following paragraph shall be substituted:
"Out of the three copies delivered pursuant to clause (a) of the first paragraph of section 9, on this Act, one copy shall be sent to the State Central Library, and the remaining copies shall be disposed of in such manner as the government may from time to time determine."