
Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Act, 1998

20 of 1998

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An Act further to amend the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989. WHEREAS it is expedient further to amend the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989, for the purposes hereinafter appearing; Be it enacted in the Forty-ninth Year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Act, 1998.

(2) Sections 5, 7 and 12 shall be deemed to have come into force on the 26th day of April, 1998 and the remaining provisions of this Act shall be deemed to have come into force on the 22nd day of May, 1998.

2. Amendment Of Section 2 :-

In the Kerala Public Libraries (Kerala Granthasala Sanghom) Act, 1989 (15 of 1989) (hereinafter referred to as the principal Act), for clause (t) of section 2, the following clause shall be substituted, namely :--

"(t) "Taluk Library Council" means a Taluk Library Council constituted under section 18;"

3. Substitution Of The Words "Taluk Library Council" Etc :-

In the principal Act, except in section 26, section 27, clauses (a), (b) and (c) of sub-section (2) of section 42, section 43 and in section 44 for the words "Taluk Library Union", "Taluk Library Unions" and "Union" and "Unions", wherever it occurs the words "Taluk Library Council", "Taluk Library Councils", "Council" and "Councils" shall, respectively, be substituted.

4. Amendment Of Section 3 :-

In the principal Act, for sub-sections (2) and (3) of section 3, the following sub-section shall be substituted, namely:--

"(2) The State Library Council shall consist of one member each from a Taluk, elected by the general body of the District Library Council, five members nominated by the Government, of whom one shall be a librarian, one shall be a person belonging to the Scheduled Castes or Scheduled Tribes and one shall be a woman and five officials who shall be, the Principal Secretaries or Secretaries to Government, as the case may be, of the Higher Education Department, the General Education Department, the Finance Department, the Cultural Affairs Department and the Local Administration Department or officers not below the rank of Deputy Secretaries of the respective Departments, nominated, as the case may be, by the concerned Principal Secretaries or Secretaries.

(3) There shall be an Executive Committee for the State Library Council consisting of twenty-five members of whom, fifteen shall be elected by the elected members of State Library Council, from among themselves, and the remaining ten members shall be non-

officials and officials referred to in sub-section (2).".

5. Amendment Of Section 4 :-

In the principal Act, in sub-section (1) of section 4, for the words "four years", the words "five years" shall be substituted.

6. Amendment Of Section 11 :-

In the principal Act, in section 11,--

(i) to sub- section (1), the following proviso shall be added, namely :--

"Provided that where a woman or a person belonging to the Scheduled Castes or Scheduled Tribes could not be elected under clause (b), the Government shall nominate a woman or a person belonging to the Scheduled Castes or Schedules Tribes, as the case may be, to the said vacancy.";

(ii) for sub-section (2), the following sub-section shall be substituted, namely:--

"(2) The members referred to in clause (b) of sub-section (1) of every District Library Council shall elect, from among themselves, a District Executive Committee consisting of eleven members including a President, a Vice-President, a Secretary and a Joint Secretary:

Provided that one of the members so elected shall be a woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes.".

7. Amendment Of Section 12 :-

In the principal Act, in sub-section (1), of section 12, for the words "four years", the words "five years" shall be substituted.

8. Amendment Of Section 13 :-

In the principal Act, in section 13, for the words beginning with "by election of a suitable person" and ending with the words "if the vacancy had not occurred", the words and figures "by election or nomination, as the case may be, of a suitable person in accordance with the provisions of section 11 and any person so elected or nominated to fill a vacancy shall hold office only so long as the member in whose place he is elected or nominated would have held office, if the vacancy had not occurred" shall be substituted.

9. Amendment Of Section 14 :-

In the principal Act, in sub-section (1) of section 14, for the words "at least once in every three months", the words "at least thrice a year" shall be substituted.

10. Amendment Of Section 15 :-

In the principal Act, in section 15, after sub-section (2), the following sub-section shall be inserted, namely:--

"(3) In the absence of both the President and the Vice President, any member chosen by the members present, from among themselves, shall preside over a meeting of a District Library Council.

11. Amendment Of Section 19 :-

In the principal Act, in section 19,--

(i) to sub-section (1), the following proviso shall be added, namely:--

"Provided that if there is no woman or a person belonging to the Scheduled Castes or Scheduled Tribes in a Taluk Library Council, the Government shall nominate a woman or a person belonging to the Scheduled Castes or Scheduled Tribes, as the case may be, to that Council.";

(ii) in sub-section (2), for the existing proviso, the following proviso shall be substituted, namely:-

"Provided that one of the members so elected shall be a woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes.".

12. Amendment Of Section 20 :-

In the principal Act, in sub-section (1) of section 20, for the words "four years", the words, "five years" shall be substituted.

13. Amendment Of Section 22 :-

In the principal Act, in section 22,--

(i) in sub-section (1) for the words "at least once in every two months", the words "at least thrice a year" shall be substituted;

(ii) in sub-section (4), for the word "one-third", the word "one fifth" shall be substituted.

14. Amendment Of Section 26 :-

In the principal Act, in section 26,--

- (i) in the marginal heading, the words "or Union" shall be omitted;
- (ii) in the section,--
 - (a) for the words "Taluk Library Union", in both the places where it occur, the words "Taluk Library council" shall be substituted;
 - (b) the words "or Union" and "and/or Unions" shall be omitted.

15. Amendment Of Section 27 :-

In the principal Act, in section 27,--

- (i) in the marginal heading, for the words "Taluk Library Union", the words "Taluk Library Council" shall be substituted;
- (ii) in the opening paragraph, for the words "Taluk Library Union", the words "Taluk Library Council" shall be substituted;
- (iii) in clause (a),--
 - (a) for the words "Taluk Library Union", the words "Taluk Library Council" shall be substituted;
 - (b) the words "or Union" at the end shall be omitted.

16. Omission Of Chapter IX :-

In the principal Act, Chapter IX shall be omitted.

17. Amendment Of Section 42 :-

In the principal Act, in section 42, in clauses(a), (b) and (c) of sub-section (2), the words "or union" shall be omitted.

18. Amendment Of Section 43 :-

In the principal Act, in section 43,--

- (i) in sub-section (1),--
 - (a) for the words "Taluk Library Union", the words "Taluk Library Council" shall be substituted;
 - (b) the words "or union" and "or the Union" shall be omitted;
 - (c) in clause (c), for the words "Taluk Library Union" and "that Union", the words "Taluk Library Council" and "that Council" shall, respectively, be substituted;
- (ii) in sub-section (4), the words "or the union, as the case may be," shall be omitted.

19. Amendment Of Section 44 :-

In the principal Act, in clause (a) of section 44, the words "or union" shall be omitted.

20. Amendment Of Section 48 :-

In the principal Act, in section 48,--

(i) in sub-section (1), for the words, figures and brackets "the Kerala Panchayats Act, 1960 (32 of 1961)" and "the Kerala Municipalities Act, 1960 (14 of 1961) or the Kerala Municipal Corporations Act, 1961 (30 of 1961)", the words, figures and brackets "the Kerala Panchayat Raj Act, 1994 (13 of 1994)", and "the Kerala Municipality Act, 1994 (20 of 1994)" shall respectively, be substituted;

(ii) in sub section (2),--

(a) for clause (a), the following clauses shall be substituted, namely:--

"(a) in the area within the jurisdiction of a Grama Panchayat, by the Grama Panchayat;

(aa) in the area within the jurisdiction of a Town Panchayat, by the Town Panchayat;"

(b) for the words, figures and brackets "the Kerala Panchayats Act, 1960 (32 of 1960)" and "the Kerala Municipalities Act, 1960(14 of 1961) or the Kerala Municipal Corporations Act, 1961 (30 of 1961)", the words, figures and brackets "the Kerala Panchayat Raj Act, 1994, (13 of 1994)" and "the Kerala Municipality Act, 1994 (20 of 1994)" shall, respectively, be substituted;

(c) in the proviso, for the words and figures, "the Kerala Panchayats Act, 1960, the Kerala Municipalities Act, 1960 and the Kerala Municipal Corporations Act, 1961", the words, figures and brackets "the Kerala Panchayat Raj Act, 1994 (13 of 1994) or the Kerala Municipality Act, 1994 (20 of 1994)" shall, respectively, be substituted;

(iii) in sub-section (3), for the words "by the Panchayat", the words "by the Grama Panchayat, Town Panchayat", shall be substituted.

21. Repeal And Saving :-

(1) The Kerala Public Libraries (Kerala Granthasala Sanghom) Amendment Ordinance, 1998 (8 of 1998), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as

amended by this Act.