

## LIBRARY LEGISLATION IN INDIAN STATES

### 0.1 DESCRIPTION OF THE MODULE

Subject Name	Library and Information Science
Paper Name	Public Libraries
Module Name/Title	Library Legislation in India States
Module Id	LIS/PL/7
Pre-requisites	Advantages of library legislation, Functions of library legislation, Factors for consideration and early history
Objectives	To study the role, functions and need of library legislation. To go into the details of history and efforts made for library legislation in India
Key-words	Library Legislation-Role of, Library Legislation-Functions, Library Legislation Efforts Made in India, Library Legislation- Its Success

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## 0.2 OBJECTIVES

- To study the advantages and functions of library legislation
- To know the factors that **are needed** to be considered for library legislation
- To elaborate the efforts made for library legislation with particular reference to India
- To discuss the various library bills and acts in India
- To find out the success and failure of library legislation in India

## 1. INTRODUCTION

### 1.1 Advantages of Library Legislation

A Library Act provides the following advantages:

1. Helps in the establishment of an organized network of public libraries;
2. A sound administrative set-up;
3. Proper and continuous financial support;
4. Coordination in administration and management of public libraries;
5. Centralized services like purchase, processing, bibliographical and other services that can be provided conveniently;
6. Possibility of providing quality library service, with qualified hands, at free of charge.

### 1.2 Functions

The Advisory Committee for Libraries<sup>2</sup> constituted by the Government of India (1958) proposed the following five functions of library legislation:

1. It should clearly define the government's responsibility in the matter of public libraries;
2. Legislation should lay-down the constitution and functions of the library authority at national, state and district levels;
3. Legislation should provide an assured basis for library finance. There are two ways of providing a firm basis for library finance:
  - (i) A Special library cess; and
  - (ii) Reservation of certain percentage of the education budget.
4. Legislation should lay-down the structure of the public library system; and
5. Legislation should provide for participation of the representative of the public, in the work of the public libraries at all levels.

### 1.3 Factors for Consideration

CO Houle in his work "Libraries in Adult and Fundamental Education"<sup>1</sup> mentioned the following as factors to be kept in view for library legislation:

- The library legislation must be both simple and general. It should allow for future development, without giving an opportunity for misrepresentation.
- It must as far as possible be kept above accidents of political changes.
- The law must make library services possible, encourage development, and ensure that libraries shall provide.
- It should coordinate library activities and control them in full recognition of the people's right to free access to the means of knowledge and factual information.
- The law should stipulate the duties and privileges of public libraries and above all, the terms of financial assistance that they should receive from public authorities.

- The law must make clear the respective responsibilities of local, state and national administration in respect of public libraries.
- The law may provide either for the state establishment of libraries or state aid when local governments are managing them. The library service may be made compulsory if the financial resources of the district are adequate.
- The law must prescribe that public libraries should be free to one and all. The law should also provide for public library resources to be supplemented by those of academic, specialized and scientific libraries.
- All libraries should lend their books free of charge to all citizens in the country in accordance with an approved scheme for cooperation between libraries.
- The books in stock should cover every shade of opinion. Censorship should apply only to the type of books which would incite crime and violence. The law should also include a provision for the establishment of libraries for children and schools, for the defense service and merchant marine.

## 2 HISTORY

### 2.1 Great Britain

Mr. Edward of the British Museum was a firm believer of the establishment of public libraries with public funds through legislation. The thread was picked up by William Ewart and moved proposal in the Parliament of the Great Britain in 1849. On approval of the Selection Committee, the Bill was introduced in early 1850. The Bill finally became Act on 14 August 1850, which is a red letter day in the annals of the Library movement not only in the Great Britain, but also in the whole world, as it was the first Library Act to be ever enacted.

### 2.2 India

#### 2.2.1 Ranganathan's UK Experience

Prof. Ranganathan who visited UK in 1924 saw the functioning of the Library Act and was convinced of the role library legislation can play in the establishment of a network of public libraries for all sections of the society with public funds.

#### 2.2.2 Model Library Act

Prof. Ranganathan prepared 'Model Library Act'<sup>7</sup> and presented the same at the All Asia Educational Conference held at Banaras in 1930.

#### 2.2.3 Attempt in Bengal

Kumara Munindra Deb Roy Mahasay of Banasberia, who attended the conference, with the help of Ranganathan got a draft Bill prepared for Bengal and introduced the same in Bengal Legislature. Unfortunately, the Bill was turned-down by the Governor General of India because of certain compulsory clauses.

#### 2.2.4 Efforts in Madras

Janab Basheer Ahmed Sayyad introduced a Library Bill in the Madras Legislature in 1931 on behalf of the Madras Library Association. The Bill could not get through as the Local Self Government wanted an amendment making provision for a grant to the Department for collecting the cess by the local bodies.

A second effort was made in 1935. Unfortunately this time it could not get the approval as the Madras Legislature was dissolved by the direction of the Government of India.

### 2.3 First Library Act of India

The third attempt of the Madras Library Association made in 1946 through the good offices of Ranganathan met with success in 1948. The then Minister for Education in Madras State, Hon'ble Avinasalingam Chettiar took special interest and got the Bill passed in 1948.<sup>7</sup>

### 2.4 Kolhapur Public Libraries Act, 1945

The credit of enacting a Library Act for the first time in India however goes to the Kolhapur Princely State (of the present Maharashtra), whereby the Karveer Nagar Wachan Mandir was declared as the State Central Library. The Act also made provision for providing mobile library service, and organizing library training classes.

### 2.5 Efforts outside Madras

Several efforts were made in different states mostly with the initiative or support of Ranganathan. Some of these are:

1. CP & Berar in 1946. Bill drafted by Ranganathan;
2. Travancore in 1947. Bill drafted by Ranganathan;
3. Cochin in 1947. Bill drafted by Ranganathan;
4. United Provinces in 1949. Bill drafted by Ranganathan;
5. Kashmir in 1949. Bill drafted by P N Kaula. Mr Kaula also prepared a draft Bill for Delhi which also failed to get attention.

## 3 MODEL BILL AND ACTS IN INDIA

### 3.1 Union Bill of Ranganathan

The Government of India appointed a committee in 1948 to suggest the possibility of establishing a National Central Library at New Delhi. Dr. Ranganathan submitted his report titled *Library Development Plan: Thirty Year Program for India with Draft Library Bill for the Union and Constituent States*. Following are the salient features of the Model Act:

- (i) Establishment of a State Library Authority;
- (ii) State Library Committee;
- (iii) Department of Public Libraries headed by State Librarian;
- (iv) Local library Authority at the District Level;
- (v) Establishment of : (a) State Library Service; (b) State Bureau for the Blind; (c) State Bureau of Inter Library Loan; (d) State Bureau of Technical Services; and
- (vi) State Library Fund with provision for Library Cess.

### 3.2 Model Public Libraries Bill, 1963

While accepting the recommendations of the Advisory Committee for Libraries, the Union Government constituted a Committee of Experts under the Chairmanship of Mr. Sen to prepare a Model Public Library Bill<sup>2</sup>. This Bill was released in 1963 and circulated to all the State Governments for necessary action; and National and State Library Associations for information, comments and promotion.

Salient features of this Bill are:

- (i) Establishment of State Library Council;
- (ii) State Library Directorate to look into the administration and technical matters;
- (iii) State Library Committee vested with the responsibility of preparing a perspective plan; and

(iv) No mention of library cess.

### 3.3 Model Public Libraries Bill, 1965

While preparing the IV-Five Year Plan, Planning Commission appointed a Working Group on Libraries in 1964 with Dr. VKRV Rao as its Chairman.<sup>3</sup>The report of the Working Group appended a Model Public Libraries Bill, the salient features of which are:

- (i) Constitution of a Committee of Experts (equal to State Library Authority);
- (ii) State Library Council (of Advisory nature);
- (iii) State Library Directorate (to control, supervise and direct the State Library System);
- (iv) Establish a Public Library System with : (a) State Central Library, (b) State Regional (or Divisional Libraries); (c) District libraries; and (d) Local Libraries;
- (v) Training facility for employees;
- (vi) State Library Service;
- (vii) No Library cess recommended.

### 3.4 Indian Library Association's Model Libraries Act, 1989

The Indian Library Association has been contributing its bit for library legislation right from the beginning. It circulated the Ranganathan's Model Bill in 1942 to various States. It passed a resolution at the IX-All India Library Conference held in Nagpur in 1948 requesting the Government of India to take steps in this direction. Its Fourteenth All India Library Conference held at Patna in 1964, organized a seminar on State Library Legislation and thoroughly discussed on the Model Public Libraries Bill and made several commendable amendments for its smooth working. Another Seminar was held in Chandigarh under the auspices of Punjab Library Association during November 1947. Again in 1978 it had organized a Seminar in Delhi on Library Legislation. In 1981 another Seminar on 'A Second Look at the Library Legislation In India' was held in Hyderabad. In 1989, it got a Model Public Libraries Act prepared by Dr. V. Venkatappaiah, who was the Chairman of its Central Sectional Committee on Public Libraries. This was discussed at a Seminar held in Delhi on 14 February 1990 organized by ILA in collaboration with RRRLF.

Salient features of the Bill are:

- (i) State Library Authority with Minister for Libraries as Head;
- (ii) State Library Council;
- (iii) Department of Public Libraries with a qualified person as Director;
- (iv) State, Regional, City/District Library Authorities;
- (v) Establishment of : (a) State Planning Board; (b) Staff Welfare Board, (c) Board of Library Education; (d) State Book Development Council; and (e) Adult Education Council;
- (vi) Grant-in-aid to Private Libraries;
- (vii) Library cess and equal matching grant from the State Government;
- (viii) Public enquiry on any irregularity;
- (ix) State Library Service

### 3.5 Ranganathan's Draft Bills for Various States

Central Provinces*	1946	Andhra Pradesh	1957
Cochin*	1946	West Bengal	1958
Travancore*	1947	Uttar Pradesh (Revised)	1958
United Provinces*	1949	Kerala	1960
Hyderabad*	1953	Mysore**	1961

Madhya Pradesh	1957	Assam	1964
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\* **Indicates** the former States and Provinces.  
 \*\* Now known as Karnataka State.

### 3.6 Kaula's Bills

Prof. P.N. Kaula had drafted the Library Development Plans and the Model Library Bills for the following States:

Jammu & Kashmir	1951
Delhi (Then Part C State)	1954

### 3.7 Efforts Made by others

Apart from Dr. Ranganathan, Kumaramunindra Deb RaiMahasay, and Dr. Venkatappaiah, RaoBahadur S.K. Bole, Messrs. AAA Fyze (the then Bombay State), R.L. Mittal, G.L. Trehan (Punjab), V.S. Moghe (M.P.), M.L. Bhagi (Haryana), B.B. Shukla (Orissa), S.R. Gupta and S.S. Varma (Delhi) and several others made efforts towards library legislation in their respective states.

### 3.8 Efforts of State Library Associations

The following Library Associations have taken or taking keen interest in having Library legislation in their respective states:

1. Assam Library Association
2. Bengal Library Association
3. Delhi Library Association
4. Gujarat Library Association
5. Haryana Library Association
6. Kerala Library Association
7. M.P. Library Association
8. Punjab Library Association
9. Rajasthan Library Association
10. U.P. Library Association.

### 3.91 LIBRARY ACTS IN INDIA

1. Kolhapur Public Libraries Act (1945) (non-functional)
2. Madras Public Libraries Act (1948) (now called Tamilnadu Public Libraries Act)
3. Hyderabad Public Libraries Act (1955) (non-functional)
4. Andhra Pradesh Public Libraries Act (1960)
5. Mysore Public Libraries Act (1965) (now called as Karnataka Public Libraries Act)
6. Maharashtra Public Library Act (1967)
7. West Bengal Public Libraries Act (1979)
8. Manipur Public Libraries Act (1988)
9. Kerala Public Libraries Act (1989)
10. Haryana Public Libraries Act (1989)
11. Mizoram Public Libraries Act (1994)
12. Goa Public Libraries Act (1994)
13. Gujarat Public Libraries Act (2001)
14. Orissa Public Libraries Act (2001)
15. Uttaranchal Public library Act (2005)
16. Rajasthan Public Library Act (2006)



17. Uttar Pradesh Public Library Act (2006)
18. Bihar Public Libraries and Information Centers Act (2008)
19. Chhattisgarh Public Libraries Act (2008)
20. Arunachal Pradesh Public Libraries Act (2009)

### **3.92 Operation of the Acts**

Out of the 20 library acts mentioned above, Kolhapur act was confined to the State Library. Nolibrary system was envisaged for the entire State. Hence, it cannot be compared with other library acts in India. Further, Kolhapur State was merged with Bombay Presidency with the result it lost its statehood. The Hyderabad State was disintegrate and a portion each was annexed with Andhra, Maharashtra and Karnataka. The Hyderabad Public Library Act (1955) has a very short span of operation. Minus these two, there are 18 states in India having library legislation on their statute books. Even among these 18 only 10 states have system of public libraries based on library act in operation. Eight of the States, though enacted library legislation, could not commence implementation.

### **3.93 How Far The Acts Succeeded?**

#### **3.93.1 *No Devotion to the Cause***

India's independence and enactment of library laws coincided. As like in other fields, people started thinking that providing library service is a job of the government. Public participation in establishing and running libraries started declining rapidly. Libraries established under the Act started suffering under bureaucracy. Librarians and other staff who regard librarianship as a source of livelihood rather than service started increasing in numbers.

#### **3.93.2 *Infrastructure Facilities are lacking***

In all the earlier acts to that of West Bengal, Library cess was regarded as an important source of revenue. Even Salaries of Local Library Authorities were to be met from this account. It was later realized that recovery of cess was most difficult and the cess collected is so meagre that employees were to go without salaries for months. It is after a long persuasion state governments provincialized the services of library employees. It is indeed surprising how Ranganathan advocated cess in library bills where UK withdrew this provision as early as in 1919. Proper book stock, furniture and good building remained always wanting.

#### **3.93.3 *Competition from Media***

Radio, television, newspapers, Internet, etc. are taking away the little time leftover of the common man. Visitors to libraries are decreasing. Libraries should evolve innovative methods to serve the users and justify the existence of libraries.

#### **3.93.4 *New Orientation to Services***

Advanced countries transformed libraries to community information centers and finally community resource centers. Public libraries are giving importance to catching young and train them in the art of reading and building knowledge blocks in their minds.