CHAPTER VI

LIBRARY LEGISLATION IN INDIA
CHAPTER VI
LIBRARY LEGISLATION IN INDIA

6.1. Introduction

"Library legislation is an instrument for the development of an effective library system with stable financial support. It is specially necessary for promoting public library services and thus a library legislation means public library legislation."\(^1\) It is universally accepted view that public libraries should be supported by library legislation. In various international seminars on public libraries organised by UNESCO such as Malmo (1950), Sao Paulo (1951), Ibadan (1953), Delhi (1950 and 1960); the UNESCO Public Library Manifesto 1949 and its revised edition 1972 and which was adopted by IFLA as standards for public libraries in 1977, and many other individuals have pleaded that the public libraries should be established under the clear mandate of law, so as to ensure adequate financial support, efficient administration and effective service throughout the nation. It is an established fact that in the library map of the world more and more public libraries are situated in the areas where there is a library legislation. It is also seen that the public libraries are given a raw deal and shown step-motherly attitude in the areas where there is no library legislation.

The necessity of library legislation is more pertinent with the democratic form of government. India is a democratic country and the government is federal by nature. The constitution of India enlisted the
powers of the government as : Union list, State list and Concurrent list. In the Seventh Schedule of the Constitution the public library service is included as entry No. 12 of the State list. Therefore, the provision of the public library service is the responsibility of the State Government.

After the successful implementation of the Public Libraries Acts at Tamil Nadu, Andhra Pradesh, Karnataka, Maharashtra and West Bengal many states and Union Territory Governments realised the importance of library legislation in the development of public libraries and tried to have library legislation of their own. But so far only three states viz. Manipur, Kerala and Haryana could see through the passing of Public Libraries Bills in their State Assemblies.

6.2. Need for library legislation

Library legislation is sine-qua-non for establishment of a secure public library system. The very nature of the public library, its scope and nature demands sound financial source. Again, there are the problems of land, buildings, gifts, donations, legacies, purchase and sale of property for the library which form part of public administration. Therefore, question of arising funds through municipal rates and administration of public property do surely call for legislative sanction. Even in advanced countries growth of public libraries was facilitated through library legislation only.2

Mentioning the need for library legislation Prof. S. Das Gupta says : "It provides financial support on a stable and progressive basis."
The elements, structure, management and finance are so important that they should be placed on a firm footing. Otherwise the danger is that they become toys in the hands of administrators.3

Public library is a non-profit but free service organisation to all the people of the community. For the development of such libraries a huge fund and a legal based administration are required. Otherwise the libraries will not be able to have the optimum collection of documents, construction of library buildings, appointment of qualified staff and ultimately the service will not be satisfactory. All the problems can be solved only when there is library legislation. It eliminates political interference, enables library planning, secure funds, guarantee of services and make conscious of the people to utilise of the public libraries.

In 1957 the Government of India constituted an Advisory Committee for Libraries under the Chairmanship of K.P. Sinha. The Sinha Committee in its report submitted to the Government in 1958 recommended the need for library legislation for the following reasons:

(i) In order to provide free public library service a huge fund is required. In any scheme of public library finance, therefore, the bulk of the funds must come from the cess and State Governments' revenues. The levy of library rate can be made possible only by library legislation;

(ii) It will bring homogeneous and unified library service in the State;
(iii) It will ensure statutory recognition of State responsibility for the maintenance of public libraries in the State; and

(iv) It will stimulate non-readers to be readers and readers to be purposive readers.

The committee also recommended the following guidelines to be incorporated in the library legislation:

(i) The library law must state how the funds are to be collected and how they are to be spent, who will collect them and who will spend them. The body which administers the library service is usually called the library Authority;

(ii) The local bodies and Panchayats should be authorised to levy the library cess or library rate on property tax @ 6 paisa per rupee;

(iii) There will be Block Library Funds and Municipal Library Funds, but the district would be regarded as a unit of library service;

(iv) No library cess by itself can cope with the demands of even a moderate library service. Therefore, the Local Library Fund should be supplemented by the State Government on matching basis and the State Library Fund should be similarly augmented by contributions from the Central Government.

(v) The various units of library service will have their own library committees;

(vi) The State will organise a Department of Libraries and an independent Director will plan, organise and administer the library service in the state;
(vii) The State Government will recognise library associations and provide for adequate assistance to them; and

(viii) Books will form the bulk of library stocks, which must also include other media of mass communication, like audio-visual materials etc.

Besides, the library legislation should incorporate the right of every citizen to have free access to educational, scientific and cultural records of the country among his Fundamental Rights. It may collect the various deposit sections under the Copyright Act, the Delivery of Books Act, and the Press and Registration of Books Act and make them observe the needs of a National Library Service and the part to be played in it by different kinds of libraries.4

Regarding the necessity of library legislation in the development of public libraries, the Government of India's Planning Commission's Working Group on Libraries, in its report of 7th September, 1985 say: "There is no alternative to library legislation." After a thorough study Prof. R.L. Mittal rightly comments: "Western countries especially U.K. and U.S.A., the pioneers on leaders of modern librarianship reached such a stage of library development only through library legislation."5

In conformity with the UNESCO Public Library Manifesto the International Federation of Library Associations (IFLA) has issued the following guidelines:
(i) There should be generally applicable and mandatory legislation;

(ii) There should be a central authority charged with supervising the implementation of the legislation; and

(iii) The legislation, national or state (in a federal state) should name the appropriate units to be charged with responsibility for providing public library service. These units should be the largest possible which can directly administer a comprehensive and efficient service. Smaller units may be given a measure of responsibility, subject to supervision.⁶

Library networking, resource sharing, co-operation, inter-library-loan so on and so forth will be more effective when there is library legislation in the states and at the centre as well.

Prof. K.A. Isaac rightly says: "The ultimate purpose of library legislation should be to bring about a library system and also raise the financial resources to support such a system."⁷

Keeping the above points in view the need for library legislation may be summed up as follows:

(i) It ensures perennial source of finance which is the prime necessity of the public library organisation;

(ii) It lays down both the organisational and administrative structures of the public libraries;
(iii) it defines the powers and functions of different authorities, committees and administrators. Otherwise there is a possibility of disputes amongst them;

(iv) it makes aware of everybody that public libraries are existed for giving knowledge and information to them and they will be ready to pay the cess willingly;

(v) it ensures compulsory acquisition of documents by imposing the Delivery of Books Act, the Press and Registration of Books Act etc.;

(vi) it helps in maintaining disciplines of the readers;

(vii) it standardizes the library services;

(viii) it enables the people's representatives to participate in the policy making of the libraries;

(ix) it makes both the Government and public responsive;

(x) it eliminates political interference;

(xi) it ensures library networking, resource sharing and co-operation;

(xii) it guarantees free and efficient library service to one and all people of the community;

(xiii) it prevents haphazard growth of the public libraries; and

(xiv) it simplifies the land acquisition policy specifically for the libraries.

6.3 Library legislation in India:

The seed of library legislation was sown in the Indian soil by late Dr. S.R. Ranganathan, the father of library movement in India. Dr. Ranganathan for the first time drafted a Model Library Bill of India in
1930. The Model Bill was published as a chapter in his book entitled 'Five laws of Library Science', which was published in 1931. He was invited to become the Secretary of the Library Service Section of the First All-Asia Educational Conference held at Varanasi from 26th to 30th December, 1930. There he presented the Draft Model Library Bill. The conference discussed the Bill clause by clause and the amendments were recorded. The Bill imposed the local bodies to levy library cess and the Government to give grants.

6.3.1 Madras (the present Tamil Nadu) Public Libraries Act

In 1931, at the assurance of Sir George Stanley, the then Governor of Madras, that he would give personal attention at the library legislation, the Madras Library Association constituted a three-man committee consisting of K.K. Krishnaswamy Ayyar, T.R. Venkatarama Sastry and Dr.S. R. Ranganathan to draft a Library Bill of Madras. But the Bill had no luck.8

From the persistent effort to Dr. Ranganathan and the enthusiasm shown by Shri Avinashilingam Chettiar, the then Minister of Education and an old student of Ranganathan, the Legislative Assembly of Madras, (at present Tamil Nadu) passed the Public Libraries Bill of Madras in the year 1948. The Bill was assented by the Governor General on 29th January, 1949 and published in the Fort St. George Gazette on the 8th February, 1949 as Madras Act XXIV of 1948. Thus it became the first Public Libraries Act of India.
Due to the resignation of Shri Chettiar from the Ministership there was a great delay in the implementation of the Act. The government took a period of two years in the publication of the rules concerning with the Act. "The coimbatore Public Library was recognised as the State Central Library with effect from April 1, 1950. Under this Act, Local Library Authorities were formed after July, 1950. These Authorities, in their very first meeting, passed resolutions for the levy of library cess in their respective areas."

After the implementation of the Act for about 5 years some difficulties in the Act were detected by the Madras Library Association. Dr. Ranganathan met the Education Minister and offered suggestions for the removal of the defects. He also presented the Minister a memorandum concerning with library personnel, functions of the Local Library Authorities, and State Library Committee, book selection and purchase and other matters. Ultimately the Act was modified on the 15th November, 1955.

6.2.1.1 Soliant features of the Act

At first the Act did not provide a separate Director of Libraries. Director of Public Instruction was named also Director of Public Libraries. Later on a separate Directorate of Public Libraries was established on 1st August 1972. The State Library Committee is the highest advisory body in the Act. The Minister of Education is the Ex-Officio Chairman
of the Committee and the Director of Public Libraries who is the head of Public Libraries is the Ex-Officio Secretary. The members consist of representatives of Universities, Local Library Authorities and Library Associations. The number of total members is 17. The important duties of the Director are to manage the Central Library and its branches, superintend and direct all the matters relating to public libraries in the state and to submit annual report to the government on the working of libraries under the Act.

There are local Library Authorities, one for the city of Madras and one for each district. Every Local Library Authority elect one of its members as the Chairman. In practice the District Librarians for the districts and city Librarian for the Madras city are secretaries of the respective Authorities. The term of office of a nominated or elected member of the Local Library Authorities shall be three years from the date of his nomination or election, as the case may be. The Authorities can exercise different powers concerning with the local libraries, but the Director may suo-motu the decision of the Authorities.

Every Local Library Authority is empowered to levy in its area a library cess in the form of a surcharge on the property tax or house tax at the rate of 6 paise per rupee. The rate can also be increased by the concerned authority after previous sanction of the government. Each Local Library Authority maintains a Library Fund. All the sums received by the Authority are credited to the fund and expenses are also met from the Fund.
The Director or any person authorised by him may inspect any
public library under the Public Library System.

The Act amended Section 9 of the Press and Registration of
Books Act, 1867 to the effect that every printer shall deliver five copies
of each publication to the State Government. Out of which four copies
shall be sent to the State Central Library and the fifth copy shall be
disposed of in such manner as the State Government may, from time
to time, determine.

With effect from the 1st April, 1983 the library staff working
under the provision of the Tamil Nadu Public Libraries Act were made
government servants.

6.3.2 Hyderabad Public Libraries Act

"In April 1955, the Hyderabad Public Libraries Act came into
existence. This was the second library enactment in India. It covered
the erstwhile state of Hyderabad which include the Telangana region of
the present state of Andhra Pradesh. The Hyderabad Library Association
formed on January 26, 1951 was mainly responsible for the enactment.
It hosted the Tenth All-India Library Conference at Osmania University
during May 31 to June 4, 1953. The two public lectures on Ranganathan
on this occasion inspired the local people to work for the library Act.
M.M. Ujalambkar, Honorary Secretary of the Association was the spirit
behind the movement for legislation. Gopal Rao Ekbote, the then Education Minister and former Chief Justice of High Court of Andhra Pradesh readily responded.\textsuperscript{10}

"The Hyderabad Public Libraries Act was a short lived enactment. The Act was published in the Hyderabad Gazette (Extra Ordinary) on April 5, 1955."\textsuperscript{11}

6.3.3 Andhra Pradesh Public Libraries Act

As a result of the States Reorganisation (1956), the Hyderabad state was bifurcated into the three units and merged into the neighbouring states of Andhra Pradesh, Mysore (present Karnataka) and Maharashtra. Thus Andhra Pradesh had inherited two library Acts, the former Hyderabad Public Libraries Act of 1955 was in force in Telangana area and the Madras Public Libraries Act of 1948 was in force in former Andhra State. To have uniformity under the two Acts, a new Act called the Andhra Pradesh Public Libraries Act (Act VIII of 1960) replacing these two Acts was enacted on 1st April, 1960. "With a view to further strengthening the library movement in the state, the Government of Andhra Pradesh appointed a 14-men committee in February 1976 under the Chairmanship of Justice Gopal Rao Ekbote again to review the working of the above Act and to suggest amendments to it. The report submitted by the Committee was published in 1978."\textsuperscript{12}
Recently, the Andhra Pradesh Public Libraries (Amendment) Act 1987 and the Andhra Pradesh Public Libraries (Second Amendment) Act, 1987 were published on 12th February, 1987 in the Official Gazette.¹³

6.3.3.1 Salient features of the Act

There is a separate Department of public Libraries. The Department is headed by a Director. The State Library Committee is the highest advisory body in the Act. The Minister in-charge of Education is the ex-officio chairman of the committee and the Director of Public Libraries is the ex-officio secretary. Amongst others the Librarian of the State Central Libraries is a member of the State Library Committee. The committee consists of 25 members. From 1969 the term of office of the committee has been raised from three to five years. The duties of the Director of Public Libraries include among others the publication of State bibliography, centralisation of classification and cataloguing, implementation of Inter-library-loan and co-operation and maintenance of copy-right registers.

In every district there is Zilla Grundhalaya Samstha (District Library Authority). The Chairman of the Samstha is elected from among the members of the Samstha. However, the concerned Librarian is the ex-officio Secretary of the Samstha. The term of office of the elected or nominated members is 5 years.
Every Zilla Grandholaya Samstha is empowered to collect a Library cess at the rate of 4 paise (It has been increased to 6 paise) per rupee as surcharge from taxable property and house tax from the area of jurisdiction. Every Zilla Grandholaya Samstha maintains a Library Fund. All the Grants received by the Authority are credited to the fund and expenses are also met from the Fund. The Director of Public Libraries has the power to decide as to what libraries Government grants are to be given.

The Act amended Section 9 of the Press and Registration of Books Act, 1867 to the effect that every printer shall deliver within a calendar month of printing three copies of each publications to the Government. Out of which one copy shall be sent to the State Central Library while the remaining two shall be disposed of in such a manner as the Government decides from time to time.

6.3.4 Mysore (the present Karnataka) Public Libraries Act

Karnataka created another history of library legislation in India. "The new state of Mysore (now Karnataka) came into being in 1973 comprising the former Bombay Karnataka, the Hyderabad Karnataka, the Madras Karnataka, Coorg and old Mysore. In the Madras and Hyderabad Karnataka areas library laws of the respective state were in force. In Bombay Karnataka there was a regional library at Dharwad and a few recognised and aided libraries. In old Mysore there were libraries established during Visveswaraya’s regime. There were therefore a need to integrate all these
diverse arrangements into one unified whole. Yalikuntla Balliga, the then Law minister and President of the Mysore Library Association and Dr. S.R. Ranganathan successfully made efforts in this direction and the Mysore (now Karnataka) Public Libraries Act was passed in 1965.\textsuperscript{14}

Mysore Public Libraries Act has several advantages over the earlier Public Libraries Acts of India. This was due to the appointment of Dr. S.R. Ranganathan as the Chairman of the Drafting Committee of the Act. As a Chairman, he removed all the useless clauses and added some new clauses which were not provided in the earlier Acts.

The Mysore Public Libraries Act, 1965 received the assent of the President on 22nd April, 1965 and first published in the Mysore Gazette on 13th May, 1965.

6.3.4.1 Salient features of the Act

The State Library Authority is the highest advisory body in the Act. The Minister in-charge of Education is the Ex-officio Chairman of the Authority and the State Librarian who is the head of the State Department of Public Libraries is the ex-officio secretary of the Authority. The other members are the representatives of the Mysore (Now Karnataka) Legislative Assembly, Mysore (Now Karnataka) Legislative Council, Universities, Mysore Library Association, City Library Authorities, District Library Authorities, Secretary of Education, Director of Public Instruction and
three library science experts nominated by the Government. The total
members is 18. The term of office of the non-official members is three
years. The State Librarian who is a professional Librarian wields all the
powers of a Director of Public Libraries.

The Act categorically mentioned that all the staff members
of the library service shall be government servants and their salaries shall
be met from the state exchequer.

For the purposes of organising and administering public libraries
in the state the library system is divided into rural and urban. An urban
area having a population of more than one lakh has a City Library Author-
ity; and for each revenue district excluding the area for which a City
Authority is constituted, has a District Library Authority. The Mayor
or the President of the city shall be the ex-officio Chairman of the City
Library Authority and the Chief Librarian of the City Library shall be
the ex-officio Secretary of the City Library Authority. The Deputy Com-
missioner of the district is the ex-officio Chairman and the Chief Librarian
of the district library is the ex-officio Secretary of the District Library
Authority. The term of office of the members of a Local Library Authority,
other than ex-officio members is three years. The Local Library Authorities
can exercise different powers concerning with the development of public
libraries in their own jurisdictions. The Local Library Authorities can
also prepare Local Library Development Plan of their own and the sanction
of the government is obtained before implementation of the plan. Every
Local Library Authority collect library cess at the rate of 3 paise per rupee as surcharge on:

(i) tax on lands and buildings (property tax);  
(ii) tax on entry of goods into the local area for consumption, use or sale etc. (Octroi);  
(iii) tax on vehicles; and  
(iv) tax on professionals, trades and employments.

An increase in the cess can be made with the sanction of the State Government. The State Government granted to every District Library Authority of an amount equal to three per cent of the land revenue collected in the concerned district. All the Library Authorities maintain a Library Fund of their own. All the grants received by the Authority are credited to the funds and the payments are also met from the funds. Another striking feature of the Act is that the State Central Library in addition to a general library consist of the following sections, namely:

(i) a State Bureau of Copyright collections;  
(ii) a State Library for the Blind;  
(iii) a State Bureau of Inter-Library-Loans;  
(iv) a State Bibliographical Bureau;  
(v) a State Bureau of Technical Service; and  
(vi) such other sections as may be prescribed.
The state Librarian or any person authorised by him in this behalf may inspect the working of the public libraries in the state and may report to the government.

The State Government may, after previous publication, by notification, make rules to carry out the purposes of this Act.

The Act amends the Press and Registration of Books Act, 1867 (Central Act XXV of 1867) in its application to the State of Karnataka that every printer shall deliver within one calendar month of printing three copies of each publication to the Government. Out of which one copy shall be sent to the State Central Library, Bangalore and the remaining two copies shall be disposed of in such manner as the State Government may, from time to time determine.

6.3.5 Maharashtra Public Libraries Act

As early as in 1936 Rao Bahadur Bole, a nominated non-official member of the Bombay Legislative Council introduced the Bombay Presidency Public Libraries Bill. But the Bill was not considered by the legislature. Appointment of a Library Development Committee under the Chairmanship of A.A.A. Fysee by the Congress Ministry of Bombay in the year 1939 is a landmark in the history of library movement in Maharashtra. The report was submitted in 1940. Major recommendations of the committee were:
(i) establishment of Central Library in Bombay and 3 Regional Libraries in Ahmedabad (Gujarat), Pune (Maharashtra), Dharwad (Karnataka);

(ii) establishment of one library in each district and taluka; and

(iii) encouragement to local initiative by the government by recognising private libraries for giving financial assistance subject to the condition that these libraries will allow free use of books etc. to all and sundry.

The Government accepted and implemented the recommendations of Fyzee Committee and appointed a Curator of libraries to look after service in the state.16

Soon after the appointment of the Curator, Shri R.S. Parakh with the support of professional organisations tried to implement the Library Developmental Plan which was prepared by Dr.S.R. Ranganathan for the then composite Bombay state now forming Maharashtra and Gujarat state but nothing took place. In 1957 the Maharashtra Granthalaya Sangha (Maharashtra Library Association) drafted a Library Bill for the state and circulated throughout the state. The Bill was revised in 1965 and again circulated very widely but not fruitful. Ultimately in 1967 the Maharashtra Government through its Director of Libraries Shri K.D. Puranik drafted a Public Libraries Bill based on earlier Bills of Dr.S.R. Ranganathan. The same Bill was passed in Nagpur Session of the Legislative Assembly on 11th November, 1967. The Maharashtra Public Libraries Act (Act No. XXXIV of 1967) came into force with effect from 1st May, 1968.
6.3.5.1 Salient features of the Act

The State Library Council is the highest advisory body in the Act. The Minister of Education is the ex-officio Chairman of the Council and the Director of Public Libraries who is the head of the State Department of Public Libraries is the ex-officio Secretary of the Council. The number of total members of the Council is 18. The term of office excluding the ex-officios is 3 years.

The Act stipulates that every district shall have a District Library Committee with the President of the concerned Zilla Parishad as the ex-officio Chairman and the Education Officer of the Zilla Parishad as the ex-officio Secretary of the Committee. The term of office of the committee is 3 years.

There is no provision of Library Cess in the Act. The necessary grants are to be given by the State Government. The Act in this regard mentions that the State Government grant is to be not less than 25 lakhs.

The State Government under this Act maintains a Library Fund which is made up of amounts received from Government and other sources.

The Act does not make any significant amendment in the Press and Registration of Books Act, 1867 (Central Act XXV of 1867).
In many other respects the Maharashtra Act resembles with the Karnataka Act.

6.3.6. West Bengal Public Libraries Act

The state of West Bengal has a rich tradition of library movement. The Bengal Library Association which is the sole agency of the movement was formed on 20th December, 1925. Kumar Muniya Dev Rai Mohasai who was the President of the Association and a member of the Bengal Legislative Assembly was impressed by the Model Bill, 1930 of Dr. S.R. Ranganathan. He made the Bill drafted by Dr. S.R. Ranganathan amended to suit the conditions of Bengal. In 1932 he sought permission of the then Governor General to introduce the Bill in the Bengal Legislature. But as the Bill contained compulsory financial clauses, the Governor General of India did not permit to introduce the Bill in the Bengal Legislature. In 1958 Dr. Ranganathan prepared another Library Bill for Bengal, but that was not considered. In 1966 another attempt was made by the Bengal Library Association. But that was also in vain.

Knowing the public interest the Left Front Party when they fought the West Bengal Legislative Assembly election in 1977 manifested that a public library system will be developed only through library legislation. The manifesto was so much effective that the party could get absolute majority in the election. "This is for the first time, not only in the history of West Bengal but may be in the entire Indo-Pak Sub-continent
that library development was made an issue in a political battle like election. Soon after assuming power the Left Front Government constituted an expert committee to draft a Public Library Bill of the state. The committee consists of active members of the Bengal Library Association and some persons who are dedicated for the cause of library movement in the state. The draft Bill after certain modifications was passed in the State Legislative Assembly on the 12th September, 1979. The Bill was accepted and signed by the President of India as West Bengal Public Libraries Act XXXIX of 1979 and published in the Calcutta Gazette, extra-ordinary on the 7th January 1980. Thus West Bengal became the 5th State of India to enact Libraries Act. "The Act was further amended in 1982 and 1985."

6.3.6.1 Salient features of the Act

Besides the general definitions of a public library the Act defines another three categories of libraries as Aided, Private and Recognised.

The State Library Council is the highest advisory body on the management of public library services in the state. The Minister in-charge of library services is the Chairman of the Council and the Director of Libraries is the ex-officio Member-Secretary of the Council. The Council consists of 27 members. Out of which 9 are elected, 10 are nominated and 8 are officials. The term of office of the non-ex-officio members is 3 years.
There is a separate Directorate of Libraries. The Director has the power to maintain the public library system throughout the state. He guides, controls, supervises all the public libraries in the state and looks after the Central Library directly.

In every district there is a Local Library Authority. The District Magistrate of the concerned district is the ex-officio Chairman of the Authority and the District Library Officer is the ex-officio Member-Secretary of the Authority. Each Local Library Authority consists of 20 members. Out of which 16 are nominated and 4 are officials. The term of office of a non-official member is 3 years. A Local Library Authority can exercise various powers concerning with the concerned District Library. The Authority can even employ the staff for the library. With the previous approval of the Government Local Library Authority can make several regulations. However, the Government can cancel or modify such regulations. Every Local Library Authority is liable to prepare schemes for spreading library service in the district. However, the Director may suo-motu the scheme by modification or cancellation. In every district there is a District Librarian. The District Librarian under the control of the Local Library Authority has to manage the District Library.

Every Local Library Authority maintain a library fund out of which payments under this Act shall be made. The following sums are to be credited to the library fund:
(i) Contributions, gifts and income from endowments;
(ii) grants which the Government may make for the general maintenance or for any specific purpose connected with libraries or social education; and
(iii) any amount collected by the Local Library Authority under any rules or regulations made under this Act.

The account is audited and the report is submitted to the Government annually.

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

For carrying out the purpose of this Act, the Government may make rules by notification.

In application of the Press and Registration of Books Act, 1867 (25 of 1867) to the State of West Bengal is amended as follows:

"(a) In any case, within one calendar month after the day on which any book shall first be delivered out of the press, three such copies; and

(b) Out of the three copies delivered pursuant to Clause (a) of the first paragraph of section 9 of this Act, one copy shall be sent to the Central Library, and the remaining copies shall be disposed of in such manner as the Government may from time to time determine."
6.3.7 Kerala Public Libraries Act

At the request of Sir C.P. Ramaswamy Iyer, the then Diwan of Travancore and Shri Panampilly Govind Menon, the then Education Minister of Cochin State, Dr. S.R. Ranganathan drafted two bills and tried to introduce in the two princely states, but both were unsuccessful.

After the new Kerala State was formed in 1956. Dr. S.R. Ranganathan at the invitation of E.M.S. Namboodripad, the then Chief Minister of Kerala, presented a Public Libraries Bill with a development plan in 1959. "At the time the atmosphere was favourable. But, the Kerala Granthakshaya Sangham opposed the bill for the reason that the bill restricted the powers of the Sangham. The Sangham submitted another draft bill for consideration of the Government in 1960. There was no action on these bills, because the issue was wrought with controversy. Meanwhile the Ministry was also dissolved. Again the Union Government circulated the Model Public Libraries Bill for consideration in 1964. Gradually it also went in the way of other bills."19

The Left Democratic Front Government showed keen interest in enacting the library bill. Recently the Chief Minister gave assurance to the Legislative Assembly that a new library bill will be presented in the next session of the Assembly. Accordingly the Kerala Public Libraries Bill placed in the Assembly on 23rd February 1989, and after much debate and large number of amendments, the Bill was passed.20
6.3.7.1 Salient features of the Act

At the outset the Act has the provision for constituting a three tier system of administration in the State as: (i) State Library Council (SLC), (ii) District Library Council (DLC) and (iii) Taluk Library Unions (TLU). All the three bodies are corporate, having perpetual succession and common seal with power. The term of these bodies is 3 years. The Presidents, Vice-Presidents, Secretaries and Joint Secretaries of all the three bodies are to be elected. In all the three bodies there shall be at least one woman and one person from scheduled caste or tribe.

The State Library Council shall be the highest Advisory Body in the state. There shall be an Executive Committee for the State Library Council. The Committee shall consist of 25 members of whom 15 shall be elected members of the State Library Council, 5 non-official members nominated by the Government and the remaining 5 will be the Secretaries of Higher Education, General Education, Finance, Cultural affairs and Local Administration Department. The office bearers are also to be elected from amongst the elected members.

In every district there shall be a District Library Council and each Council shall constitute an Executive Committee of 11 members. The Council will exercise the powers concerning with the management of public libraries in their own jurisdiction.
In every Taluk there shall be a Taluk Library Union. Every Union shall elect an Executive Committee consisting of nine members including office bearers. The Union is responsible for the management of public libraries in the Taluk.

For wide coverage of the library facilities throughout the state establishment of aided libraries by the voluntary organisations are encouraged by giving affiliation and grant-in-aid.

The State Library Council shall maintain a state Library Fund, from which all expenses of the State Library Council, District Library Councils and Taluk Library Unions shall be met. For this purpose all the funds received by the Government in connection with the public libraries are to be credited to the State Library Fund. The main sources of funds are:

(i) grants from the State and Central Governments;
(ii) contribution of gifts;
(iii) assets of the Kerala Granthasala Sangham; and
(iv) library cess collected in the state as surcharge on building tax or property tax. The rate of tax is only 5 paise per rupee.

6.3.8 Haryana Public Libraries Act

From the sustained efforts of the Haryana Library Association the state has passed the Public Libraries Bill in 1989. The Association in collaboration with the Indian Library Association and with the assistance
of the RRRLF organised the XIIth annual seminar at Kurukshetra during July 5-6, 1989. The topic of the seminar was Library Legislation in Haryana. The Seminar was inaugurated by Smt. Sushma Swaraj, the then Education Minister of Haryana, who successfully piloted the Bill prepared by the Haryana Library Association in the Vidhan Sabha (Legislative Assembly) on 13th September, 1989 and declared to have passed.21

6.3.3.1 Salient features of the Act

The State Library Authority shall be the highest advisory body in the Act. The Minister in-charge of libraries and the Director of Libraries will be the Chairman and the Secretary respectively of the State Library Authority. The Authority shall have an Advisory Committee consisting of 11 members of which 8 members will be nominated by the Chairman from amongst the Authority, the remaining 3 will be ex-officio members and they are the Secretary of Department of Libraries, Director of State Libraries Directorate and the State Librarian.

There shall be a State Central Library and the State Librarian will be the Head of the library. He will advise the State Authority on all technical matters. The State Central Library will have at least two sections viz : State Reference Section and a State Lending Section. Besides the normal functions of a state central library and library will function as a repository of all books and reports, and also maintain union catalogue, promote library service for children and organise extension services, and also act as the centre of book exchange and inter library loan within and outside the state.
There shall be a District Library Committee for each district. There shall be a City Library Committee for each city having a population of more than one lakh and a Town Library Committee for a Municipal town having a population less than one lakh. There shall also be a Block Library Committee for each Block Library. The Committee will exercise their powers in their own jurisdictions. There shall be the following funds:

(i) State Library Fund;
(ii) District Library Fund; and
(iii) City or Town or Block or Village Library Fund.

Every Local Body may levy in its area a library cess in the form of a surcharge on property tax and house at the rate decided by the Government from time to time. The State Government shall contribute grant not less than the amount collected from the area under jurisdiction whether it may be District, City, Town or Block. The State Library Fund is however provided by the State Government, Central Government and from other sources.

The State Government shall create a separate cadre for public library employees and shall appoint according to prescribe qualifications.

6.3.9 Other States and Union Territories

The remaining states and union territories of India are trying their best to have a library legislation of their own. In support of the
efforts RRRLF and ILA call upon the states and union territories which have not yet enacted public library law and to adopt legislation by 1992 the birth centenary year of Dr. S.R. Ranganathan, a great champion of library movement in the country. The call was given at a National Seminar on Model Public Library Act held under the joint auspices of RRRLF and ILA in New Delhi on February 14, 1990.

6.3.10 Manipur Public Libraries Bill

The Manipur Library Association (MALA) was formed on 24th May 1987. Immediately the Association took up many steps concerning with the library movement in the state. Among other activities the members of the Association were able to apprise the Education Minister that free library services, which is costly, will be possible only through a library system supported by library legislation. Library legislation provides stable finance, enables library planning, eliminates the political dangers and also makes efficient of the authority responsible for staffing, administration and management of the Public library system.22

"The Hon'ble Minister was made aware of the system not only for efficient working but also for coordinate of library services throughout the state, which could be ensured by legislation. It goes without saying that the Minister was convinced and shouldered the responsibility of providing the free public library services in the state."23

In the meantime the Manipur Library Association formed a Library Bill drafting committee consisting of Prof. M.R. Kumbhar, Mr. N. Giridhori Singh, Mr. K. Chaboo Singh and Mr. Th. Khomdon Singh.
The Chief Librarian Mr. P. Achouba Singh from the department side and the members of the MALA from the people's side contacted people who are concerning with the passing of the Bill. The draft bill was handed over to the Education Minister.

Shri Y. Erobot Singh, the then Education Minister introduced the Manipur Public Libraries Bill in the Manipur Legislative Assembly Session on 28th July, 1988. After giving 3 days time to the members of the legislature for study of the Bill, the Minister moved the House to pass the Bill. Thus the Manipur Public Libraries Bill was thoroughly discussed in the Legislative Assembly on 1st August, 1988 and declared passed as Manipur Bill 14 of 1988.

However, the Governor of Manipur kept the Bill reserved for consideration of the President of India. As a result of this, the regular correspondence is going on between the State Government and concerned Central Government Authorities.
REFERENCES


3. DAS GUPTA (S). Library development of India. Lib Her. 3; 1960; 7-8.


16. Ibid.

18. **Ibid.**


20. **Ibid**
