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***PUBLIC LIBRARIES AND LEGISLATION:
FOOTPRINTS IN THE KNOWLEDGE SOCIETY***

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Abstract

The topic of Public Libraries and Public Library Legislation, since decades has received increased attention in the field of Library and Information Science around the world. In the present knowledge society Public Libraries are facing a threat of extension due to declining budgets, technological changes and the expectations of new generation of users. There has been a pressing need for revitalizing these important components of society and enactment of comprehensive Legislation can prove to be a boon. The purpose of this paper is to describe how Public Libraries play an important role in the Socio-Economic development of the community and how Public Library Legislation enacted in different states has proven to be an instrument in shaping these libraries for the benefit of the society. In this article, an attempt has been made to provide the overview of Public Library System and Public Library Legislation in Indian Context. Library Legislation and Its importance in the proper development of Public libraries has been discussed.

Keywords: *Public Libraries, Library Legislation, Knowledge Revolution,*

Introduction

Public library is largely regarded as the People's University. A Public library is a social institution charged with the most enviable function of preserving and disseminating the cultural heritage and civilization to next generation. They take the knowledge of the past and present, and lay it down for the future. They exist to serve communities. The UNESCO Public Library Manifesto defines the public library as the local gate way to knowledge and provides a basic condition for lifelong learning, independent decision making and cultural development of the individual and social groups. William Ewart has rightly pointed out that a public library is 'founded by the people, supported by the people and established by law and maintained at public expenses out of local rates and sometimes by state taxes'.

Public library has a special role to play in our developing Indian society. Right to information is there, but proper means to have information is poor, as many states have yet to adopt library legislation. Public library network does not exist in many states. Under the patronage of aristocracy, the public library system in India has developed at slow pace. People in remote and rural areas do not have access to right information. Public libraries cannot survive and fulfill their mandate on continuous basis with the support of compulsory library law.

According to the constitution of India, Public library is state responsibility. So, all states are vested with the power to establish libraries at various levels in the state (Venkatapaiah, 2005). Unfortunately, till today only 19 states have enacted public library law in India. All these acts have a few common essential factors of library legislation, but each act has its own pros and cons.

Public library legislation

Public libraries are a community agency providing access at local level to a range of knowledge and information for the benefit of the individual and society as a whole. In order to maintain the level of service required to fulfill their functions public libraries should be supported by legislation and sustained funding which assures their continuance and their place in the government structure.

The library legislation is concerned with the development of the public library system. It is legislation enacted and enforced by state for running & maintaining public library services within its territorial jurisdiction. It is an instrument for development of public libraries in a planned manner.

Genesis & current Indian Scenario

Great Britain

Edward Edwards 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, 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. There after many countries have enacted public library legislation either at national or at regional level. Because governmental structures vary so much in different countries the form and detail of public library legislation is also likely to vary significantly.

India

Several attempts are being made by individuals and library associations to provide public libraries under law. Dr. S.R. Ranganathan regarded as the pioneer of library legislation in India. Apart from Dr. S.R. Ranganathan, a number of individuals spent their time and energy to put on the statute book public library laws. Notable among them are Kumar Munindra Deb Rai Mahasai of Bengal, K.V. Krishna Swamy Iyer, T.R. Venkataraman Sastry, Basheer Ahmed Sayeed of Madras, M.V. Donde of Bombay, K.M. Ujalambkar of Hyderabad and P.N. Kaula of Delhi. It is only after India's independence that, Dr. Ranganathan's dream of public Library Act enactment was fulfilled. Through the good offices of the then Minister for Education, Avinaslingam Chettiar, and a modified Bill was introduced in the state legislature which was passed as the Madras Public Libraries Act in 1948. Even before Independence, Kolhapur Princely State, in the Western India passed Public Libraries Act in 1945. Since then during the last six decades, the following nineteen States have enacted library acts for their respective states:

1. Tamil Nadu (then called Madras Public Libraries Act, 1948);
2. Andhra Pradesh (Hyderabad Public Libraries Act, 1955; then Andhra Pradesh Public Libraries Act, 1960);
3. Maharashtra (Kolhapur Public Libraries Act, 1945; then Maharashtra Public
4. Libraries Act, 1967);
5. West Bengal (West Bengal Public Libraries Act, 1979);
6. Manipur (Manipur Public Libraries Act, 1988);
7. Kerala (Kerala Public Libraries Act, 1989);

8. Haryana (Haryana Public Libraries Act, 1989);
9. Mizoram (Mizoram Public Libraries Act, 1993);
10. Goa (Goa Public Libraries Act, 1994)
11. Orissa (Orissa Public Libraries Act, 2001);
12. Gujarat (Gujarat Public Libraries Act, 2001);
13. Uttaranchal (Uttaranchal Public Libraries Act, 2005);
14. Uttar Pradesh (Uttaranchal Public Libraries Act, 2005);
15. Rajasthan (Rajasthan Public Libraries Act, 2006);
16. Bihar (Bihar Public Libraries Act, 2008);
17. Chhattisgarh (Chhattisgarh Public Libraries Act, 2008);
18. Pondicherry (Pondicherry Public Libraries Act, 2008);
19. Arunachal Pradesh (Arunachal Pradesh Public Libraries Act, 2009*);

Under the Government of India (Allocation of Business) Rules, the work pertaining to the Central Libraries of national importance, the Delivery of Books Act and publication of rare manuscripts is assigned to the Department of Culture. The Central Government is not a law maker for a library system of the country as the subject "Libraries" is included in the State list. However, the Central Government takes initiative to secure the voluntary cooperation of the State Governments and to promote coordinated development of national, and State Library system. Though some beginning has made by a few, States by introducing Public Library Acts, it is still every far from the target. The Raja Rammohun Roy Library Foundation, Indian Library Association, Indian Association of Special Libraries and Information Centre's, etc., are some of the professional bodies where library are given support and encouragement.

Why Library Legislation?

The library legislation is concerned with the development of the public library system. The UNESCO / IFLA public library manifesto also states that it is primary responsibility of the Govt. of the area to provide the facility of public library services to the public. It may be the national Govt. or state Govt. or a local Govt.

UNESCO/IFLA and several other high authorities in the field of library and information science have strongly recommended the need for library legislation for organized establishment and functioning of the public library system. The main reasons behind the public library legislation are as follows:

1. It provides the guidelines for the structure of the public library system that is appropriate for the area and concerned authorities.
2. It saves the public libraries from any type of interference of bureaucracy and politics and thus the system functions effectively and smoothly.
3. It ensures the perennial and adequate finance for the development of the public libraries through introducing the concept of the library cess, Govt. Grants, library fund, etc.
4. Library legislation provides the opportunity to the representative of the public for participating in the functioning of the public libraries at all levels.
5. It defines the responsibility of the Govt. For the development of the public library system.
6. It represents the constitution and functions of the library authorities at various levels like national, state, district, panchayat levels etc.

Functions:

The Advisory committee for Libraries 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.
 - A special library cess; and
 - Reservation of a certain percentage of the education budget.
4. Legislation should lay down the structure of the public library system.
5. Legislation should provide for participation of the representative of the public, in the work of the public libraries at all levels.

Provisions (Salient Features) of Public Libraries Acts:

All the state public library acts have a few common but essential factors with its own pros and cons. The provisions have been made to suit the regional requirements. Following are the important provisions made in the respective state public libraries acts:

- This Act facilitates establishment of Public Libraries in the State. (Tamil Nadu,).
- Constitution of State Library Committee for the purpose of advising the government on such matters relating to libraries. (Tamil Nadu, Manipur,).
- Provision for appointment of Director of Public Libraries to control, direct and supervise public libraries. (Tamil Nadu, Haryana, West Bengal, Andhra Pradesh).
- Provision for creating an independent department of Public libraries with state librarian as its head. (Karnataka, Maharashtra, Manipur, Mizoram, Goa, Gujarat)
- Provision for the establishment of State Central Library at the apex of public library system in the state. (Karnataka, Maharashtra, Haryana, Mizoram, Goa, Orissa)
- Provision for a state Library Authority in the form of a corporate body with Minister-in-Charge of education as Chairman. The members are drawn from different sections of the Society. (Karnataka, Haryana,)
- Constitution of Local Library Authorities, one for the City of Madras and one for each district. (Tamil Nadu, Karnataka, Maharashtra, Manipur, Haryana, Mizoram, Goa, West Bengal, Andhra Pradesh, Orissa, Gujarat).
- Every Local Library Authority shall levy in the area a library cess in the form of a surcharge on property tax or house tax at the rate of six paise per rupee. (Tamil Nadu, Karnataka, Kerala, Haryana, Goa, Andhra Pradesh).
- The Government shall contribute Library Fund to each of the Local Library Authority, except the City of Madras, to the amount of library cess collected. (Tamil Nadu,).
- The Act amended Sec.9 of the Press and Registration of Books Act, 1867, Central Act XXV of 1867 to the effect that every printer shall deliver five copies of each book to the State Government out of which four will be deposited in the State Central Library, Madras.
- Establishment of the State Library Council to advise Government on all matters related to the Library Development. (Maharashtra, Kerala, Mizoram, Goa, west Bengal, Gujarat).

- No provision of library cess. (Maharashtra, Mizoram, West Bengal).
- Government is responsible for providing an amount of not less than Rs. 25 lakhs every year for the development of public libraries. The administrative expenditure is in addition to the above amount. (Maharashtra).
- Constitution of Library fund formed mainly with the contribution of the State Government. (Manipur, Kerala, Haryana, Mizoram, West Bengal, Gujarat)
- The employees of the department are treated on par with the employees of the other government departments and specific qualifications and rules for the requirement etc. are mentioned in the act. (Haryana, Andhra Pradesh)
- Grant-in-aid to provide libraries by Government and city (Andhra Pradesh, Mizoram, Maharashtra, Gujarat)

Conclusion and suggestions:

Public libraries have always been the door to learning for a great majority of the populations that they serve. They are knowledge centres and contribute to lifelong learning. The Indian Public system which is highly underdeveloped and poorly funded needs revitalization. The public library system is unable to cope up with the proliferating quick changing ICT. To overcome these lacunas, there is a requirement for designing a long-range planning and financial allocations. Only sound and solid public library legislation in each and every state with regular amendments to match the present trends will help to build a strong public library network across the length and breadth of the nation.

“Bringing in robust public library legislation, combined with concerted efforts to put legislative framework into practice, is needed urgently in states that lack a state legislation. The states, which have legislation, need to get it reviewed and see how it could be revamped to take care of changing knowledge needs and priorities of people,” says Sharma of IPLM. Corporates are also being asked to take up library funding as part of their CSR projects. It’s time to turn over a new page

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