

# Putting the Public Back in Public Libraries

Restructuring the Governance of Public Libraries in Maharashtra

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## Executive Summary

Maharashtra has a rich history of public libraries run by the government as well as charitable institutions. The public libraries in the state are regulated under the Maharashtra Public Libraries Act, 1967 (“MPLA”). The working and maintenance of the public library system in Maharashtra is overseen by the Directorate of Libraries. The MPLA primarily deals with two types of public libraries: (i) government libraries; and (ii) grant-in-aid libraries. The government libraries are established at the state, divisional, and district level and are under the complete control of the state government. The grant-in-aid libraries are run by private, non-governmental and charitable institutions and given recognition by the Directorate of Libraries in accordance with the criteria laid down in the MPLA.

Due in part to the public library movement as well as the MPLA, Maharashtra, with 12,229 libraries, has the highest number of public libraries in India. However, public libraries in Maharashtra have been afflicted with various issues since 1967. By analysing the present state of the public library system in Maharashtra, we find that the MPLA requires updating to tackle the changing landscape of public libraries in the state.

With this report, we aim to contribute to the limited body of literature documenting the working of the public library system in Maharashtra. We analyse the government reports, state assembly debates, model library bills, and public library legislations enacted by other states to observe that the public libraries in Maharashtra are falling short of their goal of being vibrant community spaces within society.

We discuss the key reasons for the failure of the MPLA to adequately promote establishment and maintenance of public libraries across the state. Additionally, through our consultations with government officials and civil society organisations working in the public library space, we present certain recommendations for the MPLA with an intent of reforming public library legislation in Maharashtra and fostering further debate and deliberation on the importance of the public library system in general. In this report we discuss the salient aspects of the MPLA and other allied issues such as the role of library authorities, levy of membership fees, accessibility for the differently-abled, stocking of books, and providing community spaces, among others.

This report starts by presenting the contextual background and history of the public library system in Maharashtra. It then discusses the establishment of public libraries under the MPLA to suggest that the government must take on greater responsibility of establishing public libraries, especially in areas still underserved by libraries. The next part outlines the key authorities envisaged under the MPLA as well as their roles and responsibilities. It suggests decentralisation of important financial and administrative powers and involvement of Panchayats in the district library associations and councils. The report also

discusses the importance of funding for the operational efficiency of public libraries and suggests that the government should revise grants devolved to the states and also consider introducing cess as an alternate form of revenue source for financing public libraries. Relevant here is the role that public library employees play and how funding issues also affect staffing and thereby management and administration of public libraries.

The next part underscores the importance of adopting methods of publicity and marketing by libraries to reach out to their communities. The report emphasises the important role played by public libraries in the development of their communities and also as a community recreational space. It also discusses the need for public libraries to adapt to the rapidly developing information and communication technologies. The next part analyses the barriers faced by persons with disabilities in accessing library services and suggests amendments to the MPLA to foster universal access to knowledge and information. Finally, we conclude that the MPLA must be amended to equip public libraries to play a transformative role in providing educational and cultural development within their communities.

## कार्यकारी सारांश

सरकार तसेच सेवाभावी संस्थांमार्फत चालवल्या जाणाऱ्या सार्वजनिक ग्रंथालयांचा समृद्ध इतिहास महाराष्ट्राला आहे. राज्यातील सार्वजनिक ग्रंथालयांचे नियमन महाराष्ट्र सार्वजनिक ग्रंथालय अधिनियम, १९६७ ("MPLA") अन्वये केले जाते. महाराष्ट्रातील सार्वजनिक ग्रंथालय व्यवस्थेचे कामकाज व देखभाल ग्रंथालय संचालनालयामार्फत पर्यवेक्षित केली जाते. MPLA प्रामुख्याने दोन प्रकारच्या सार्वजनिक ग्रंथालयांशी संबंधित आहे: (i) सरकारी ग्रंथालये; आणि (ii) अनुदानित ग्रंथालये. शासकीय ग्रंथालये राज्य, विभागीय व जिल्हा पातळीवर स्थापन झालेली असून ती राज्य सरकारच्या संपूर्ण नियंत्रणाखाली असतात. अनुदानित ग्रंथालये खासगी, अशासकीय व सेवाभावी संस्थांमार्फत चालविली जातात व MPLA घालून दिलेल्या निकषांनुसार ग्रंथालय संचालनालयाकडून मान्यता दिली जाते.

सार्वजनिक ग्रंथालय चळवळ, तसेच MPLA च्या काही प्रमाणामुळे १२, २२९ ग्रंथालये असलेल्या महाराष्ट्रात, भारतात सर्वाधिक सार्वजनिक ग्रंथालये आहेत. मात्र, महाराष्ट्रातील सार्वजनिक ग्रंथालये १९६७ पासून विविध प्रश्नांनी ग्रस्त आहेत. महाराष्ट्रातील सार्वजनिक ग्रंथालय व्यवस्थेच्या सद्यःस्थितीचे विश्लेषण करून आपल्याला असे लक्षात येते की, राज्यातील सार्वजनिक ग्रंथालयांच्या बदलत्या परिस्थितीचा सामना करण्यासाठी MPLA ला अद्यावत करण्याची गरज आहे.

या अहवालाच्या माध्यमातून महाराष्ट्रातील सार्वजनिक ग्रंथालय प्रणालीच्या कामकाजाचे दस्तावेजीकरण करणाऱ्या साहित्याच्या मर्यादित संस्थेला हातभार लावण्याचे आमचे उद्दिष्ट आहे. महाराष्ट्रातील सार्वजनिक ग्रंथालये समाजातील चैतन्यशील समुदायाच्या जागा असण्याच्या त्यांच्या ध्येयापेक्षा कमी पडत आहेत, हे लक्षात घेण्यासाठी इतर राज्यांनी लागू केलेले सरकारी अहवाल, राज्य विधानसभा वादविवाद, आदर्श ग्रंथालय विधेयके आणि सार्वजनिक ग्रंथालय कायदे यांचे आम्ही विश्लेषण केले आहे.

राज्यभरातील सार्वजनिक ग्रंथालयांच्या स्थापनेस आणि देखभालीला पुरेसे प्रोत्साहन देण्यात MPLA अपयशी ठरल्याच्या मुख्य कारणांवर आम्ही चर्चा करतो. याव्यतिरिक्त, सार्वजनिक ग्रंथालयाच्या क्षेत्रात काम करणाऱ्या सरकारी अधिकारी आणि नागरी समाज संघटनांशी (CSO) आमच्या सल्लामसलतीद्वारे, आम्ही MPLA साठी काही शिफारसी सादर करतो, महाराष्ट्रातील सार्वजनिक ग्रंथालय कायद्यात सुधारणा करण्याच्या उद्देशाने आणि सर्वसाधारणपणे सार्वजनिक ग्रंथालय प्रणालीच्या महत्वावर अधिक चर्चा आणि विचार-विनिमय करण्यास उत्तेजित करण्याच्या उद्देशाने सादर करतो. या अहवालात आम्ही MPLA च्या महत्त्वाकांक्षी पैलूंवर चर्चा करतो आणि इतर संबंधित मुद्द्यांवर जसे की ग्रंथालय प्राधिकरणांची भूमिका, सदस्यता शुल्क आकारणे, दिव्यांगांसाठी सुलभता, पुस्तकांचा साठा करणे आणि समुदायाच्या जागा उपलब्ध करून देणे.

महाराष्ट्रातील सार्वजनिक ग्रंथालय व्यवस्थेची संदर्भात्मक पार्श्वभूमी व इतिहास मांडून या अहवालाची सुरुवात होते. त्यानंतर MPLA अंतर्गत सार्वजनिक ग्रंथालयांच्या स्थापनेबाबत चर्चा केली जाते, ज्यात असे सुचवले जाते की सरकारने सार्वजनिक ग्रंथालये स्थापन करण्याची अधिक जबाबदारी स्वीकारली पाहिजे, विशेषतः अजूनही ग्रंथालयांद्वारे सेवा दिली जात नसलेल्या क्षेत्रांमध्ये. पुढील भागात MPLA अंतर्गत कल्पना केलेल्या प्रमुख प्राधिकरणांची तसेच त्यांच्या भूमिका आणि जबाबदाऱ्यांची रूपरेषा दिली आहे. जे महत्त्वपूर्ण आर्थिक आणि प्रशासकीय अधिकारांचे विकेंद्रीकरण आणि जिल्हा ग्रंथालय संघ आणि परिषदांमध्ये पंचायतींचा सहभाग सूचित करते. या अहवालात सार्वजनिक ग्रंथालयांच्या कामकाजाच्या कार्यक्षमतेसाठी निधीचे महत्त्व देखील सांगण्यात आले आहे आणि असे सुचविण्यात आले आहे की सरकारने राज्यांना हस्तांतरित केलेल्या अनुदानात सुधारणा करावी आणि सार्वजनिक ग्रंथालयांना वित्तपुरवठा करण्यासाठी महसूल स्रोतांचा पर्याय म्हणून उपकर लागू करण्याचा विचार करावा. सार्वजनिक ग्रंथालयातील कर्मचारी काय भूमिका बजावतात आणि निधीच्या मुद्द्यांचा कर्मचार्यांवर कसा परिणाम होतो आणि त्याद्वारे सार्वजनिक ग्रंथालयांचे व्यवस्थापन आणि प्रशासन कसे होते हे येथे समर्पक आहे.

त्यांच्या समाजापर्यंत पोहोचण्यासाठी ग्रंथालयांनी प्रसिद्धी आणि विपणनाच्या पद्धतींचा अवलंब करण्याचे महत्त्व पुढील भागात अधोरेखित केले आहे. सार्वजनिक ग्रंथालयांनी त्यांच्या समुदायाच्या विकासात आणि सामुदायिक करमणुकीची जागा म्हणून बजावलेल्या महत्त्वपूर्ण भूमिकेवर या अहवालात भर देण्यात आला आहे. वेगाने विकसित होत असलेल्या माहिती आणि संप्रेषण तंत्रज्ञानाशी जुळवून घेण्यासाठी सार्वजनिक ग्रंथालयांच्या आवश्यकतेबद्दलही यात चर्चा केली गेली आहे. पुढील भागात अपंग व्यक्तींना ग्रंथालय सेवांमध्ये प्रवेश करण्यात येणाऱ्या अडथळांचे विश्लेषण केले आहे आणि ज्ञान आणि माहितीच्या सार्वत्रिक प्रवेशास उत्तेजन देण्यासाठी MPLA मध्ये सुधारणा सुचविल्या आहेत. शेवटी, आम्ही असा निष्कर्ष काढला आहे की MPLA मध्ये सुधारणा करणे आवश्यक आहे जेणेकरून सार्वजनिक ग्रंथालयांना त्यांच्या समुदायांमध्ये शैक्षणिक आणि सांस्कृतिक विकास प्रदान करण्यात परिवर्तनशील भूमिका बजावण्यासाठी सुसज्ज केले जाईल.

According to the International Federation of Library Associations and Institutions ("IFLA"), an international body seeking to improve library services around the world, a public library:

*"is an organisation established, supported and funded by the community, either through local, regional or national government or through some other form of community organisation. It provides access to knowledge, information, lifelong learning, and works of the imagination through a range of resources and services and is equally available to all members of the community regardless of race, nationality, age, gender, religion, language, disability, economic and employment status and educational attainment."*<sup>1</sup>

Maharashtra has a rich history of such public libraries. Since the 1800s, many public libraries have been opened by governments and charitable institutions. The legislation to provide for the 'establishment, maintenance, organisation and development of public libraries'<sup>2</sup> in Maharashtra called the 'The Maharashtra Public Libraries Act' ("MPLA") was enacted only in 1967. Maharashtra was the fourth state in post-independent India to pass a public library legislation. Currently nineteen states in India have enacted a public library legislation.

Under the aegis of the MPLA, the Maharashtra public library system currently has 12229 public libraries.<sup>3</sup> Recently, some initiatives have been taken by the state government and local authorities to create village libraries,<sup>4</sup> establish bigger libraries<sup>5</sup> as well as mobile libraries in cities<sup>6</sup> and inculcate reading habits in children.<sup>7</sup> However, public libraries in Maharashtra have been afflicted with various issues since 1967 and the MPLA requires updating to tackle the changing landscape of public libraries in the state.

This report analyses the present state of public library management and development in Maharashtra and suggests amendments to the MPLA accordingly.

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- 1 Christie Koontz and Barbara Gubbin, 'IFLA Public Library Service Guidelines' (IFLA, 2010) <<https://repository.ifla.org/bitstream/123456789/988/2/ifla-publication-series-147.pdf>> accessed 9 February 2022.
  - 2 Preamble, Maharashtra Public Libraries Act (1967).
  - 3 Conversation with officials at the Directorate of Libraries dated 15 February 2022. The information provided by them was dated 31 March 2021.
  - 4 Subhash Desai, 'Maharashtra To Have A Village Of Books In Every District Soon' (The New Indian Express, January 2022) <<https://www.newindianexpress.com/good-news/2022/jan/15/maharashtra-to-have-a-village-of-books-in-every-district-soon-2407104.html>> accessed 9 February 2022.
  - 5 Nadeem Inamdar, 'Ghole Road To House Mega-Library With At Least 50,000 Books And Digital Section With 40 Computers' (Hindustan Times, December 2021) <<https://www.hindustantimes.com/cities/pune-news/ghole-road-to-house-mega-library-with-at-least-50-000-books-and-digital-section-with-40-computers-101639327923350.html>> accessed 10 February 2022.
  - 6 Chaitanya Marpakwar, 'BMC: Mumbai: After No To Food Trucks, BMC To Distribute Mobile Libraries | Mumbai News - Times Of India' (The Times of India, November 2021) <<https://timesofindia.indiatimes.com/city/mumbai/mumbai-after-no-to-food-trucks-bmc-to-distribute-mobile-libraries/articleshow/87725044.cms>> accessed 9 February 2022.
  - 7 Swati Gole, 'Maharashtra Education Department Launches 100-Day Drive To Restore Reading Habit In Pupils | Pune News - Times Of India' (The Times of India, January 2022) <<https://timesofindia.indiatimes.com/city/pune/maharashtra-education-department-launches-100-day-drive-to-restore-reading-habit-in-pupils/articleshow/88677620.cms>> accessed 9 February 2022.

## Development of Public Libraries in Maharashtra (Pre-Independence)

One of the first steps towards developing public libraries in India was when the Literary Society of Bombay was established on 26 November 1804. It created its library in 1913. In 1947, this (which later became the Royal Asiatic Society of Bombay) was declared as the State Central Library. Thus, the first major library of Maharashtra was founded.<sup>8</sup> In 1994, the management of the library was transferred to the state government.<sup>9</sup>

By the middle of the 19th century, major cities such as Bombay, Calcutta and Madras had public libraries founded by the British. However, these libraries were not 'public', as their use was confined to a thin upper layer of the society and they were subscription based.<sup>10</sup> An example of libraries established by the British in the Bombay Presidency (reorganised into Maharashtra) is the Pune City General Library by Judge Henry Braun of Bombay in 1848.<sup>11</sup>

To encourage the spread of education, rulers of princely states and other noted personalities opened many regional libraries across Maharashtra. These libraries were called 'Vachan Mandir', simply translating to the temple of words. Some of these libraries are still surviving today as government libraries. One of these is the Karveer Nagar Vachan Mandir, a 157 year old library located in Kolhapur and established by the Maharaja of Kolhapur'.<sup>12</sup> Now, libraries in Maharashtra are referred to as 'Sarvajanik Granthalaya' or 'Sarvajanik Vachanalaya' (meaning public reading rooms).<sup>13</sup>

Prior to 1947, the Marathwada region of present-day Maharashtra was governed by the Kolhapur Public Libraries Act, 1945. Post 1965, after the reorganisation of states, which brought certain parts of Karnataka and Madhya Pradesh into Maharashtra, the MPLA was passed to govern public libraries for Maharashtra.

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<sup>8</sup> Satya Pandey, 'Public Library System in the State of Maharashtra and Marketing and Promotion of Public Library Services: A Futuristic Approach'(KLIBJLIS, 2018) <<http://www.klibjlis.com/5.1.7.pdf>> accessed 9 February 2022.

<sup>9</sup> 'Setup Of State Central Library | Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India' (Directorate of Libraries) <[https://dol.maharashtra.gov.in/en/setup\\_of\\_state\\_central\\_library](https://dol.maharashtra.gov.in/en/setup_of_state_central_library)> accessed 9 February 2022.

<sup>10</sup> Zahid Wani, 'Development of Public Libraries in India' (Library philosophy and practice e-journal, March 2008) <<https://digital-commons.unl.edu/cgi/viewcontent.cgi?article=1168&context=libphilprac>> accessed 9 February 2022.

<sup>11</sup> *ibid.*

<sup>12</sup> Amita Rao, 'Vachan Mandir - Oldest Native Libraries Of Maharashtra' (The Indian Quest Digital, January 2018) <<http://www.theindianquest.com/blog-details/Vachan-Mandir---Oldest-Native-Libraries-of-Maharashtra>> accessed 9 February 2022.

<sup>13</sup> Pandey (n 8) 76.

## Library Committees and their suggestions for public library reforms in Maharashtra

The erstwhile Government of Bombay appointed a Committee in 1939 under the chairmanship of Shri A. A. A. Fayzee to consider and report on library development in the Bombay Presidency. The Fayzee Committee submitted its report in 1940.<sup>14</sup>

It was the first report in British India that considered all aspects of a quality library and provided details about their organisation and management.<sup>15</sup> It put forth a scheme of developing libraries in the province in stages,<sup>16</sup> with a top-bottom approach where central and divisional libraries were to be established first and then the district and taluka libraries. The Fayzee Committee also recommended encouraging local initiatives by recognising private libraries and giving them grants as long as the library ensured free and non-discriminatory use of its services.<sup>17</sup>

Implementation of the recommendations of the Committee did not begin until after independence. The Fayzee Committee was followed by the Prabha Rao Committee (1973),<sup>18</sup> the V S Page Committee (1977),<sup>19</sup> the Patki Committee (2001)<sup>20</sup> and the Rathod Committee (2019).<sup>21</sup> However, the state government did not finalise these reports so their recommendations are not publicly available.<sup>22</sup>

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<sup>14</sup> P.M Joshi and S.L Kapadi, 'Report Of The Library Development Committee, Bombay, 1939 - 40' (INDIAN CULTURE, 1941).

<sup>15</sup> Pandey S.K. Sharma, *Public Libraries in India* (Ess Ess Publications 1985).

<sup>16</sup> Ministry of Education, Government of India, 'Report of Advisory Committee for Libraries' (1959) <<http://14.139.60.153/bitstream/123456789/8541/1/REPORT%20OF%20ADVISOR%20COMMITTEE%20FOR%20LIBRARIES-VB-CSL-IO02444.pdf>> accessed 1 January 2022.

<sup>17</sup> 'Public Library System In The State | Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India' (Directorate of Libraries) <[https://dol.maharashtra.gov.in/en/public\\_library\\_system\\_in\\_the\\_state](https://dol.maharashtra.gov.in/en/public_library_system_in_the_state)> accessed 9 February 2022.

<sup>18</sup> Pogula Giri Kumar, *Library Movement And Library Development In Maharashtra And Goa* (2008).

<sup>19</sup> Kolhapur Region Public Libraries Act (Shivaji University) <[http://ir.unishivaji.ac.in:8080/jspui/bitstream/123456789/3588/8/08\\_Chapter%203.pdf](http://ir.unishivaji.ac.in:8080/jspui/bitstream/123456789/3588/8/08_Chapter%203.pdf)> accessed 9 February 2022.

<sup>20</sup> Pogula Giri Kumar (n 18) 275.

<sup>21</sup> Maharashtra Government Resolution dated 3 March 2019 <<https://dol.maharashtra.gov.in/sites/default/files/GR%206%20March%202019.pdf>> accessed 9 February 2022.

<sup>22</sup> RTI Applications filed for copies of these reports were not responded to with the required information.

### Structure of The Maharashtra Public Libraries Act, 1967

The government of Maharashtra enacted the MPLA in 1967 to bring consistency to the public library system in the state. The preliminary chapter of the MPLA lays out the definitions that are applicable in this context. Important definitions, including the understanding of what is considered a book and what is recognised as a public library are part of section 2. Chapter II of the MPLA provides for the creation of a State Library Council to advise the state government on all matters relating to the development of the public library system in the state. The working and maintenance of the public library system under the MPLA is overseen by the Department of Libraries as created through Chapter III of the MPLA. The Director of Libraries is listed as the head of the Department (section 8) and is responsible for maintaining, organising, and developing public libraries in Maharashtra. This chapter also creates a State Library Service through section 10.

Chapter IV governs the establishment and maintenance of public libraries in the state. Section 11 establishes government libraries at the state and divisional level and section 12 allows for the State Library Council to advise on the functioning of public libraries. Chapter V envisions the creation of library committees at the district level. The chapter details the constitution, administrative and other functions of these committees (sections 13 to 17).

Provisions for funding are covered from sections 18 to 22 (Chapter VI), wherein the MPLA accounts for a library fund, contributions by the state government and recognises special grants by the state government also. The penultimate chapter (sections 23 to 25) of the MPLA mandates reports and inspections of public libraries in the state. The last section (section 26) grants powers to the state government to make rules in order to implement the purpose of the MPLA.

## Types of public libraries in Maharashtra

### Type of Public Library      About the Public Library

- 
- |   |   |
|---|---|
| <b><i>Government-run public libraries</i></b> | <ul style="list-style-type: none"><li>• Governed in accordance with the MPLA.</li><li>• Established and maintained entirely by the government (section 2(xi)(a) of the MPLA).</li><li>• Open to the public for free but charge a nominal membership fee for borrowing books.</li><li>• Managed by the Directorate of Libraries under the Higher and Technical Education Department, Maharashtra (section 8 of the MPLA).</li><li>• Receive money through grants from the state government and the Raja Ram Mohan Roy Library Foundation (section 18 of the MPLA ).</li><li>• Currently there are 43 government-run public libraries.<sup>23</sup> These libraries include: 1 State Central Library, 6 divisional libraries, 35 district libraries and 1 reference library (Dr. Babasheb Ambedkar Memorial Reference Library).<sup>24</sup></li><li>• The State Central Library in Maharashtra is one of the libraries in the state tasked with ensuring the safety of archaic manuscripts. It is also the depository library of the state that is responsible for receiving copies of books under The Delivery of Books and Newspapers (Public Libraries) Act, 1954 and Press and Registration Act, 1867.</li></ul> |
|---|---|

- 
- |   |   |
|---|---|
| <b><i>Government University Libraries</i></b> | <ul style="list-style-type: none"><li>• These libraries fall under the ambit of the Higher and Technical Education Department, Maharashtra but the Directorate of Libraries and the MPLA do not govern university libraries.</li><li>• However, some university libraries such as the University of Mumbai's Jawaharlal Nehru Library allow public access to view the library's books.<sup>25</sup></li></ul> |
|---|---|

- 
- |                                      |  |
|--------------------------------------|--|
| <b><i>Grant-in-aid Libraries</i></b> | <ul style="list-style-type: none"><li>• Governed in accordance with the MPLA.</li><li>• These public libraries are run by social organisations or trusts. They are recognised by the Directorate of Libraries and paid grants according to the Maharashtra Public Libraries (Recognition for Grant-in-Aid and Building and Equipment Grants) Rules, 1970 ("<b>1970 Rules</b>") framed under the provisions of the MPLA. Under the 1970 Rules, libraries can also apply for such recognition by the Directorate (section 2(xi)(b) of the MPLA).</li><li>• Open to the public for free but charge a membership fee (as decided by their management) for borrowing books.</li></ul> |
|--------------------------------------|--|

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<sup>23</sup> Conversation with officials at the Directorate of Libraries dated 15 February 2022. The information provided by them was dated 31 March 2021.

<sup>24</sup> Functions Of DOL | Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India! (Directorate of Libraries) <[https://dol.maharashtra.gov.in/en/functions\\_of\\_DOL](https://dol.maharashtra.gov.in/en/functions_of_DOL)> accessed 09 February 2022.

<sup>25</sup> 'Services And Facilities' (University of Mumbai) <[https://archive.mu.ac.in/service\\_library.html](https://archive.mu.ac.in/service_library.html)> accessed 9 February 2022.

- Managed by the Directorate of Libraries under the Higher and Technical Education Department, Maharashtra (section 8 of the MPLA).
- The libraries must be registered under the Public Trust Act, 1950 or Societies Registration Act, 1860 (rule 4(1) of the 1970 Rules).
- These libraries are classified into A, B, C, and D categories according to their book stock, periodicals and users, with A category libraries providing more services and D category libraries the least.
- Currently there are 12149 grant-in-aid public libraries in the state.<sup>26</sup>

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**Research or Academic Libraries**

- Governed in accordance with the MPLA.
- These are libraries of research institutions that conduct research in Marathi and libraries of literary institutions that promote Marathi literature. Through the Maharashtra Libraries (Libraries of Research & Literary Institutions Recognition for Grant-in-aid) Rules, 1974 they have been recognised by the state government as public libraries under the MPLA (section 2(xi)(c) of the MPLA).
- Managed by the Directorate of Libraries under the Higher and Technical Education Department, Maharashtra (section 8 of the MPLA).
- Open to the public for free. These are considered as 'reference libraries' with books that can be accessed by the public but not borrowed by them.
- Currently, there are 37 such libraries in the state.<sup>27</sup>

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**Public Libraries run by Trusts/ Social Organisations**

- These libraries do not come under the Directorate of Libraries and are not governed by the MPLA.
- They are public libraries run by private organisations that receive the entirety of their funding through trusts/donations/CSR activities and therefore do not apply for government recognition and grants. For example, community libraries set up in rural areas.<sup>28,29</sup>

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▲ Information on public libraries in the state

In this report we will address reforms required for government-run public libraries and government grant-in-aid libraries as mentioned under section 2(xi)(a) and (b) of the MPLA.<sup>30</sup> Unless specified, 'libraries' or 'public libraries' mentioned in the report refer to both these types of libraries.

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<sup>26</sup> Conversation with officials at the Directorate of Libraries dated 15 February 2022. The information provided by them was dated 31 March 2021.

<sup>27</sup> *ibid.*

<sup>28</sup> Swarnami Mondal, 'Himachal To Jharkhand, A Community Library Project Is Bridging Divides' (Business Standard, November 2019) <[https://www.business-standard.com/article/current-affairs/meet-the-group-trying-to-bridge-gaps-through-community-libraries-119112300623\\_1.html](https://www.business-standard.com/article/current-affairs/meet-the-group-trying-to-bridge-gaps-through-community-libraries-119112300623_1.html)> accessed 9 February 2022.

<sup>29</sup> 'Setting Up Libraries In Rural Maharashtra - Pratham Books' (Pratham Books, 2018) <<https://prathambooks.org/blog/setting-up-libraries-in-rura/>> accessed 9 February 2022.

<sup>30</sup> Public Library System In The State (n 17).

## Number of public libraries

As per the Raja Ram Mohan Roy Library Foundation (“RRRLF”), the nodal agency of the central government for library development in India, Maharashtra has the highest number of public libraries in the country with 12191 of India’s 46746 public libraries. Kerala and Karnataka have the second and third highest number of libraries with 8415 and 6798 libraries respectively.<sup>31</sup>

However, information on the number of libraries in Maharashtra varies across the RRRLF website<sup>32,33</sup> and Maharashtra’s Directorate of Libraries website.<sup>34,35</sup> (A lack of uniformity in maintaining records on public libraries in the country by the RRRLF and by respective state governments has been noted in a policy review on the Indian public library system.)<sup>36</sup>

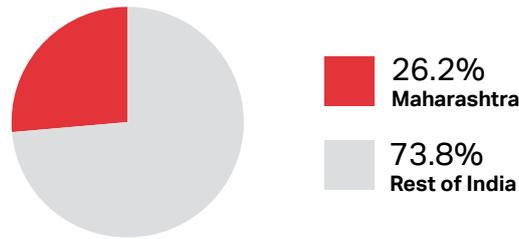
The total number of public libraries in Maharashtra, upon clarification by the Directorate of Libraries, is as follows:

<b>43</b>	<b>37</b>
<b>Government-run public libraries</b>	<b>Research or academic libraries</b>
<b>12149</b>	<b>12229<sup>37</sup></b>
<b>Grant-in-aid libraries</b>	<b>Total</b>

### ▲ Number of public libraries in Maharashtra

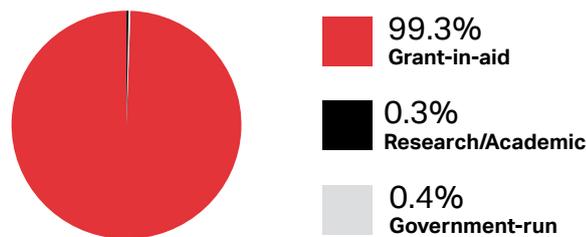
Inferring from multiple sources, it appears that Maharashtra encompasses almost one-fourth of the total public libraries in the country.

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- <sup>31</sup> (Raja Ram Mohan Roy Library Foundation) No. of public libraries in different States and Union Territories <[http://rrrlf.nic.in/Docs/pdf/PUBLIC\\_LIBRARY\\_DATA.pdf](http://rrrlf.nic.in/Docs/pdf/PUBLIC_LIBRARY_DATA.pdf)> accessed 9 February 2022.
- <sup>32</sup> *ibid.*
- <sup>33</sup> ‘Public Library Scenario in India’ (Raja Ram Mohan Roy Library Foundation) <[http://rrrlf.nic.in/StaticPages\\_PubLibSystem/PubLib-Scenario.aspx#:~:text=There%20are%2013%20zonal%20libraries,the%20matching%20assistant%20of%20RRRLF](http://rrrlf.nic.in/StaticPages_PubLibSystem/PubLib-Scenario.aspx#:~:text=There%20are%2013%20zonal%20libraries,the%20matching%20assistant%20of%20RRRLF)> accessed 9 February 2022.
- <sup>34</sup> ‘Functions Of DOL (n 24).
- <sup>35</sup> ‘Grant-In-Aid | Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India’ (Directorate of Libraries) <[https://dol.maharashtra.gov.in/en/grant\\_in\\_aid](https://dol.maharashtra.gov.in/en/grant_in_aid)> accessed 9 February 2022.
- <sup>36</sup> Preedip Balaji, M S Vinay, J S Mohan Raju, ‘A Policy Review Of Public Libraries In India’ (Indian Institute for Human Settlements, March 2018) <<https://iihs.co.in/knowledge-gateway/wp-content/uploads/2020/07/A-Policy-Review-of-Public-Libraries-in-India.pdf>> accessed 9 February 2022.
- <sup>37</sup> Conversation with officials at the Directorate of Libraries dated 15 February 2022. The information provided by them was dated 31 March 2021.



▲ Percentage of public libraries in Maharashtra compared to the rest of the country (using numbers provided by the Directorate of Libraries for public libraries in Maharashtra and the latest information on public libraries in the country reflected on the RRRLF website) <sup>38,39</sup>

Moreover, grant-in-aid libraries comprise nearly the entirety of the public libraries in the state.



▲ Percentage of the types of libraries in Maharashtra

In Maharashtra, the Aurangabad division records the highest number of grant-in-aid libraries and Mumbai the least.

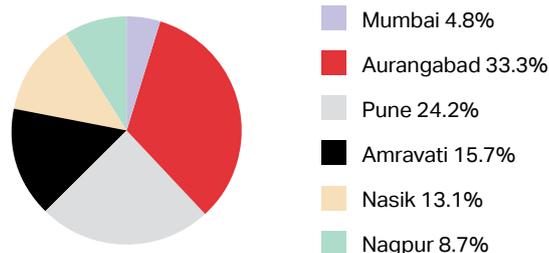
<b>4050</b>	<b>1587</b>	<b>1902</b>
<b>Aurangabad</b>	<b>Nasik</b>	<b>Amravati</b>
<b>2969</b>	<b>1055</b>	<b>586</b>
<b>Pune</b>	<b>Nagpur</b>	<b>Mumbai</b>

▲ Division wise break up of grant-in-aid libraries in Maharashtra<sup>40</sup>

<sup>38</sup> No. of public libraries in different States and Union Territories (n 31).

<sup>39</sup> Using RRRLF data for public libraries in Maharashtra instead of the data provided by the Directorate of Libraries results in a mere difference of 0.1%. Additionally, the result reflected in the image is an approximate percentage considering that the data on the final number of public libraries across the country may not be accurately reflected on the RRRLF website.

<sup>40</sup> Conversation with officials at the Directorate of Libraries dated 15 February 2022. The information provided by them was dated 31 March 2021.



▲ Percentage of grant-in-aid libraries in each division

### Establishment of public libraries

According to IFLA, there should be one library for 3,000 people.<sup>41</sup> While Maharashtra appears to fare better than other states in India,<sup>42</sup> it has a ratio of one library to 9,191 people,<sup>43</sup> which does not match the ratio provided by IFLA. Even while comparing major cities, Bengaluru has lesser libraries but maintains a better ratio of libraries to people than Mumbai.<sup>44</sup>

The MPLA stipulates that the state government may establish State Central and divisional public libraries. Additionally, it creates a supervisory responsibility on the state government for the establishment of village and taluka libraries. The burden of ensuring their establishment lies instead with the local authorities. The MPLA however, provides that the state may establish libraries in those areas where local authorities have failed to provide library services to the satisfaction of the public.

#### Section 11 of the MPLA:

- (1) The State Government may establish a State Central Library for the whole of the State, and a Divisional Library for every Division.
- (2) Where in any local area, provision for library service to the public is not made to the satisfaction of the Director by any local authority, or any society registered under the Societies Registration Act, 1860 or any trust registered under the Bombay Public Trusts Act, 1950 or where the State Government is of the opinion that any such local authority, society or trust is not willing or is incompetent to provide

<sup>41</sup> Library And Information Science (E-pathshala) <[https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp\\_content/S000021LI/P000211/M002124/ET/145259796716-Etext.pdf](https://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/S000021LI/P000211/M002124/ET/145259796716-Etext.pdf)> accessed 9 February 2022.

<sup>42</sup> 'In Madhya Pradesh, 'There Is One Public Library Per 17 Lakh People' (The Wire, August 2019) <<https://thewire.in/government/in-madhya-pradesh-there-is-one-public-library-per-17-lakh-people>> accessed 9 February 2022.

<sup>43</sup> Ratio taken using approximate numbers of 12,229:11,24,00,000 (libraries: number of people in Maharashtra as per Census 2011).

<sup>44</sup> Siddhant Kalra and others, 'Bengaluru's Library System: Long Way To Go' (Citizen Matters, Bengaluru, February 2020) <<https://bengaluru.citizenmatters.in/bengaluru-public-libraries-funding-cess-legislation-42532>> accessed 9 February 2022.

library service to the public to the satisfaction of the Director in any local area, the State Government may establish a library for the use of the public in that area:

Provided that, no such library shall be established without giving an opportunity to the local authority, society or, as the case may be, the trust to show cause why the State Government should not establish a library in the said local area.

Despite such a responsibility being placed on the state government, some areas such as the district of Palghar created in 2014 do not have a district library till date.<sup>45</sup> Moreover, Maharashtra only has around 12000 libraries despite having 42000 villages in the state.<sup>46</sup>

The Maharashtra legislative council was of the opinion that people's movements were the route through which public libraries could be created in the smaller districts and villages of the state.<sup>47</sup> To this end, the 1970 Rules were enacted and they detail how the state government can provide grants to the already established district and village libraries on the condition that they stock a minimum number of books, magazines and periodicals and have a minimum number of users. The 1970 Rules read with section 11(2) of the MPLA form the backbone of the 'Gaav tithe Granthalaya' slogan by the Directorate of Libraries which was created to show the government's intention to provide libraries in all 42000 villages in Maharashtra by establishing or recognising the libraries already established there.<sup>48</sup>

In 2017, 'Bhilar pustakancha gaav', India's first 'village of books' was inaugurated in Maharashtra's Bhilar village. Hay-on-Wye, a Welsh village with several bookshops known for its annual literary festival was the inspiration behind creating this village. The funding and management of this village was undertaken by the Marathi Language Department (not the Directorate of Libraries). The Department commissioned artists to paint several homes and community spaces around the village and provided many books to these places to create various well-stocked and decorated libraries.<sup>49</sup> The project now receives regular funding for its maintenance through a government scheme.<sup>50</sup>

45 'Office Of The District Library Officer | Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India' (Directorate of Libraries) <[https://dol.maharashtra.gov.in/en/Office\\_the\\_district\\_library\\_officer](https://dol.maharashtra.gov.in/en/Office_the_district_library_officer)> accessed 9 February 2022.

46 राज्य सरकारकडूनच 'गाव तिथे ग्रंथालय' योजना बासनात' (Lokmat, October 2017) <[https://www.lokmat.com/kolhapur/village-there-library-scheme-basna/?utm\\_source=Lokmat.com&utm\\_medium=InfiniteArticle-Desktop](https://www.lokmat.com/kolhapur/village-there-library-scheme-basna/?utm_source=Lokmat.com&utm_medium=InfiniteArticle-Desktop)> accessed 9 February 2022.

47 Sri R.J. Mantri, Maharashtra Legislative Council Debate (1967) 602.

48 राज्य सरकारकडूनच 'गाव तिथे ग्रंथालय' योजना बासनात' (n 46).

49 Panchali Dey, 'Bhilar, India's First 'Book Village', Welcomes You To Test Your Reading Skills' (Times of India Travel, June 2018) <<https://timesofindia.indiatimes.com/travel/destinations/bhilar-indias-first-book-village-welcomes-you-to-test-your-reading-skills/as64734558.cms>> accessed 9 February 2022.

50 Swatee Kher, 'Village Of Books' Project In The Sahyadris Now Government Scheme | Pune News - Times Of India' (The Times of India, September 2019) <<https://timesofindia.indiatimes.com/city/pune/village-of-books-project-in-the-sahyadris-now-a-govt-scheme/articleshow/70967726.cms>> accessed 9 February 2022.

Despite initiatives such as 'Gaav tithe Granthalaya' and 'Bhilar pustakancha gaav', the number of libraries in Maharashtra has been stagnating since 2012-2013. Around 2012, a survey was conducted by the state's revenue department to investigate the functioning of around 12000 libraries that were listed under the MPLA then. Since serious errors were found in nearly 600 libraries (in some cases no libraries were there and only a board was placed), recognition and provision of grants for new libraries was halted. Since then, the public library system has not been able to penetrate many parts of the state.<sup>51</sup>

Currently, as a consequence of the absence of government initiatives and a lack of political will to ensure that libraries are established throughout the state, many social organisations or philanthropists are taking up the role of establishing libraries across villages in Maharashtra.<sup>52</sup>

#### SUGGESTIONS

- Recognise the responsibility placed on the state government under section 11 of the MPLA and establish or recognise more libraries across the state.
- Create library villages in Maharashtra using the example of the 'Bhilar pustakancha gaav' project, with a focus on community collaboration.
- Ensure that data on the number and types of libraries is updated and easily available on the Directorate of Libraries website and audits are conducted every few years to keep a track of these libraries.

#### Definition of libraries or library services in the MPLA

While establishing sufficient libraries is a duty that the state government must strive to accomplish, the current provisions and services offered by the government-run libraries and grant-in-aid libraries must also be considered. In the past few years, newspapers have regularly published articles on the lack of

51 राज्य सरकारकडूनच 'गाव तिथे ग्रंथालय' योजना बासनात' (n 46).

52 'Elderly Man In Maharashtra On Mission To Inculcate Reading Habit Among People Through His 'Library On Bicycle' (Tribune India News Service, January 2022) <<https://www.tribuneindia.com/news/schools/elderly-man-in-maharashtra-on-mission-to-inculcate-reading-habit-among-people-through-his-library-on-bicycle-362903>> accessed 9 February 2022.

adequate provisions available to existing libraries for buying books,<sup>53 54</sup> maintaining archaic documents<sup>55,56</sup> and improving infrastructure.<sup>57</sup> As a consequence, the community's expectations from public libraries have not been met.

IFLA notes that services and functions of libraries should be mentioned either by the state government, local bodies or by the libraries themselves.<sup>58</sup> Some library legislations in India define or list 'library services'<sup>59</sup> or different kinds of services such as 'extension service'<sup>60</sup> or 'book services'<sup>61</sup> and 'reference services'.<sup>62</sup> Such delineation then places the responsibility on the government to provide adequate grants or supervise libraries to ensure that these services are met. These services range from inculcating reading habits, promoting production of literature, ensuring books for differently abled people, children, senior citizens and creating libraries as a community space or as a place for recreation.

Some legislations also specify the functions of different levels of libraries such as the State Central, district and village libraries.<sup>63</sup> This allows additional responsibilities and more stringent standards to be placed on State Central and divisional libraries which can then act as models for the remaining libraries in the state.

The MPLA provides which libraries would be 'public libraries' governed by the Act but does not provide a definition of 'library' or 'library service' or an indicative list of library services. It also does not make it compulsory for the government to ensure that such library services are provided. This creates a loophole in the legislation regarding the service or functions that the public is entitled to expect from public libraries. Such an absence of standards or lack of emphasis on the development of a library movement was also noted by a member of the opposition during the 1967 Maharashtra assembly debates who mentioned that the MPLA merely provided a bureaucratic set-up of the public library management system in the state.<sup>64</sup>

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53 Vitthal Copper, 'राज्यातील ग्रंथालय मोजताहेत शेवटची घटका' (eSakal - Marathi Newspaper, March 2020) <<https://www.esakal.com/maharashtra/library-issue-state-267440>> accessed 9 February 2022.

54 'मुंबई मराठी ग्रंथसंग्रहालय दात्यांच्या प्रतीक्षेत' (Loksatta, March 2021) <<https://www.loksatta.com/mumbai/mumbai-marathi-library-awaiting-for-donor-dd-70-2412334/>> accessed 9 February 2022.

55 Sanket Jain, 'In The Digital Age, A 120-Year-Old Library In Rural Maharashtra Shows That Books Aren'T Dead' (Scroll, July 2018) <<https://scroll.in/magazine/881275/in-the-digital-age-a-120-year-old-library-in-rural-maharashtra-shows-that-books-arent-dead>> accessed 9 February 2022.

56 Sudhir Suryavanshi, 'Maharashtra Floods Damage Prized Collection At 156-Year-Old Library' (The New Indian Express, August 2021). <<https://www.newindianexpress.com/nation/2021/aug/02/maharashtra-floods-damage-prized-collection-at-156-year-old-library-2338862.html>> accessed 9 February 2022.

57 Vitthal Copper, 'राज्यातील ग्रंथालय मोजताहेत शेवटची घटका' (eSakal - Marathi Newspaper, March 2020) <<https://www.esakal.com/maharashtra/library-issue-state-267440>> accessed 9 February 2022.

58 IFLA (n 1) 24.

59 Goa Public Libraries Act 1993, s 3; Gujarat Public Libraries Act 2001, s 2(j); Arunachal Pradesh Public Libraries Act 2009, s 3; Mizoram Public Libraries Act 1993, s 14; Rajasthan Public Libraries Act 2006, s 2(a),2(i), 2(j) and 2(k).

60 Gujarat Public Libraries Act 2001, s 2(h)

61 Goa Public Libraries Act 1993, s 2(e).

62 Goa Public Libraries Act 1993,s 2(i).

63 Kerala Public Libraries Act 1989, s 8, s 17 and s 25; Chattisgarh Public Libraries Act 2008, ss 9-11; Arunachal Pradesh Public Libraries Act 2009, s 14(3) and s 15(2); Uttar Pradesh Public Libraries Act 2006, ss 8-11; Goa Public Libraries Act 1993, s 9 and s12.

64 Sri B.K. Boman-Behram, Maharashtra Legislative Assembly Debate (1967) 176.

## Section 2(xi):

“public library” means,—

- (a) a library established and maintained by the State Government for the use of the public ;
- (b) a library recognised by the Director for the purposes of grant-in-aid from the Library Fund, and
- (c) any other library which the State Government by notification in The Official Gazette declares it to be a public library for the purposes of this Act.

Moreover, while section 12 of the MPLA read with section 26 (2)(vii) allows the state to create rules that delineate services and functions of libraries, the same have only been provided for grant-in-aid libraries under the 1970 Rules. These functions are also very limited and only require the libraries to ensure that they are open to the public for free without discrimination, are well lit, ventilated and furnished.<sup>65</sup> Additional library services that are briefly mentioned are the conduction of cultural programs in a year by grant-in-aid libraries<sup>66</sup> and the requirement for district and taluka libraries to promote reading habits within their area.<sup>67</sup>

## SUGGESTIONS

- Based on legislation from other states or on the guidelines provided by IFLA, create a baseline of uniform standards for all public libraries and types of library services. These can be provided in the MPLA or through rules created under section 26(2)(vii) of the MPLA.
- From this baseline, create additional standards for the State Central and divisional libraries to ensure that they act as model libraries for the remaining public libraries in the state.
- Amend section 11 of the MPLA to ensure that the government is responsible for not just establishing libraries but also providing library services.

## Other types of libraries

Other state legislations also provide for prison libraries,<sup>68</sup> children libraries,<sup>69</sup> hospital libraries, school libraries and mobile libraries.<sup>70</sup> These do not find mention within the MPLA. Although a speaker in the legislative assembly debate

<sup>65</sup> Rule 4 of the 1970 Rules.

<sup>66</sup> Chapter III of the 1970 Rules.

<sup>67</sup> Rule 18 of the 1970 Rules.

<sup>68</sup> Goa Public Libraries Act 1993, s 3(j).

<sup>69</sup> Kerala Public Libraries Act 1989, s 8(f)(g) and s 47; Goa Public Libraries Act 1993, s 3(k).

<sup>70</sup> Goa Public Libraries Act 1993, s 3(k).

had mentioned that the MPLA should emphasise on the development of children's libraries, his recommendation was not incorporated.<sup>71</sup> Chapter XIV of the Model Prison Manual, 2016 also provides the types of services that need to be offered in prison libraries, but such provisions or their reference does not find mention in the MPLA.<sup>72</sup>

The 1970 Rules as well only briefly mention providing grants to 'circulating libraries'.

#### Rule 15 of 1970 Rules:

**Circulating Library.** - A public library shall not be classified as a "Circulating Library" unless-

- (1) the public library makes available library service in one or more places in a locality where a stationery library service is not available;
- (2) the library sends sets of books to different places and exchanges them regularly or takes such sets of books and issues them to the public in different locality : Provided that the circulating library shall be either an independent library or a part of a library falling under " A " or " B " Class library.

While no circulating libraries are currently being provided money under the 1970 Rules,<sup>73</sup> the government has been providing a '4K scheme' in the past few years which includes creating mobile libraries for rural areas in Maharashtra. <sup>74</sup> However, this scheme has been paused due to the pandemic—at a time when mobile libraries are especially important because people cannot access or travel to avail library services. Mobile library services play a crucial role in bringing books to readers during the pandemic.<sup>75,76</sup> Therefore, there is a need to encourage the creation of such libraries through the MPLA.

It is important to note however that mobile libraries must only be introduced to supplement physical libraries wherever possible to ensure the continuity of mobile services during circumstances such as the pandemic or to serve people living in the remotest parts of the state. They should not serve as replacements for physical libraries which are essential.

<sup>71</sup> Sri Hanshu Advani, Maharashtra Legislative Assembly Debate (1967) 168-170.

<sup>72</sup> Ministry of Home Affairs Delhi, Government of India (2016) <<https://www.mha.gov.in/sites/default/files/PrisonManual2016.pdf>> accessed 9 January 2022.

<sup>73</sup> Conversation with officials at the Directorate of Libraries dated 16 February 2022. The information provided by them was dated 31 March 2021.

<sup>74</sup> Conversation with officials at the Directorate of Libraries dated 2 November 2021.

<sup>75</sup> 'Mobile Libraries On Camel Carts Providing Education To Children In Remote Villages Of Rajasthan' (ANI News, September 2021) <<https://www.aninews.in/news/national/general-news/mobile-libraries-on-camel-carts-providing-education-to-children-in-remote-villages-of-rajasthan20210903014645/>> accessed 9 February 2022.

<sup>76</sup> 'Taking Learning To Children's Doorsteps: Our Mobile Library In Bihar Reaches 6400 Children - Save The Children' (Save the Children, July 2021) <<https://www.savethechildren.in/news/our-mobile-library-ensures-learning-continuity-for-6400-children-in-32-villages-across-rural-bihar/>> accessed 9 February 2022.

Moreover, Karnataka's Department of Public Libraries has established 127 libraries for nomads and 100 libraries in slums areas.<sup>77</sup> Such libraries, that cater to specific communities, people and areas, can also be created for Maharashtra.

 **SUGGESTION**

 Amend the MPLA to include a section on the creation of different forms of libraries such as nomad libraries, WhatsApp libraries, prison libraries, hospital libraries, slum libraries and children libraries. The definition should be expandable to include all forms of libraries that might be viable in the future.

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<sup>77</sup> 'About Department' (Department of Public Libraries Karnataka) <<https://dpl.karnataka.gov.in/info-1/About+Department/en>> accessed 17 February 2022.

The ground implementation of the MPLA and its rules in the state shows that there is a lack of clarity on who is responsible for establishing new libraries, monitoring pre-existing libraries and guiding libraries. This was apparent when the COVID-19 pandemic and its lockdown affected the state.<sup>78</sup>

The absence of libraries and library services and the lack of supervision and guidance for libraries can be remedied by strengthening the administration of libraries in the state, easing unnecessary restrictions and empowering them with unambiguous responsibilities stipulated within the MPLA or its rules.

### Directorate of Libraries

In 1959, the Advisory Committee under the chairmanship of K. P. Sinha suggested the creation of a separate independent department for libraries in India considering the special skills required for managing libraries ("**1959 Advisory Committee Report**").<sup>79</sup> Its recommendations have been accepted by many states, including Maharashtra.

The MPLA has established a Directorate of Libraries headed by an independent Director of Libraries, who is an ex-officio member of the State Library Council ("SLC") and serves as its Secretary.<sup>80</sup> The Directorate is under the administrative control of the Higher and Technical Education Department of the government of Maharashtra. As per the provisions of the MPLA, the Directorate is responsible for maintaining, organising, and developing the public libraries in the state.<sup>81</sup> In addition, the Directorate has divisional and district library offices to oversee and regulate public library services at the divisional and district level. Presently, the Directorate has the following 50 library offices under its direct administration:

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<sup>78</sup> Shirish Khare, 'Public Libraries In Maharashtra Face Crisis During Covid Pandemic| Countercurrents' (Countercurrents, September 2021) <<https://countercurrents.org/2021/09/public-libraries-in-maharashtra-face-crisis-during-covid-pandemic/>> accessed 9 February 2022.

<sup>79</sup> 1959 Advisory Committee Report (n 16) 36.

<sup>80</sup> MPLA, s 8.

<sup>81</sup> MPLA, s 9.

<b>1</b>	<b>6</b>	<b>35</b>	
<b>Headquarters of the Directorate, Mumbai</b>	<b>Government Divisional Libraries</b>	<b>Government District Libraries</b>	
<b>1</b>	<b>1</b>	<b>6</b>	<b>50</b>
<b>State Central Library</b>	<b>Dr. Babasaheb Ambedkar Memorial Reference Library</b>	<b>Assistant Director offices</b>	<b>Total</b>

▲ Data provided by the Directorate of Libraries on the number of offices in the state<sup>82</sup>

The Directorate is entrusted with the responsibility of developing and maintaining the public library system in Maharashtra.<sup>83</sup> The most important responsibility of the Directorate under the scheme of the MPLA is granting recognition to public libraries and disbursing grants to them.<sup>84</sup>

The MPLA created a separate Directorate with the aim of minimising the political interference in the development of the public library system in the state.<sup>85</sup> The Directorate provides a pivotal function of coordinating between the state government and the public libraries in the state. Additionally, the Directorate is also tasked with promoting establishment of public libraries, maintaining accounts of library funds, annually publishing a bibliography of all books published in the state, preparing and submitting an annual report on working of public libraries to the state government, among others.

However, the requirement to regularly supervise, inspect and survey libraries is not clearly entrusted to the Director under the MPLA. It can only be said to be implied by the following provisions:

**Section 9(2) of the MPLA:**

In particular, and without prejudice to the generality of the foregoing provision, the Director shall-

- (a) be responsible for the planning, maintenance, organisation and development of public libraries and public library system;
- (b) superintend and direct all matters relating to public libraries;

...

- (e) maintain accounts of the Library Fund and ensure its proper utilisation:

<sup>82</sup> 'Functions Of DOL (n 24).

<sup>83</sup> MPLA, s 9.

<sup>84</sup> *ibid.*

<sup>85</sup> Sri M. D. Chaudhary, Maharashtra Legislative Council Debate (27 July 1967) 613-614.

...

(g) submit to the State Government every year, a report on the working of public libraries under this Act;

...

#### Section 24 of the MPLA:

The Director or any person authorised by him in this behalf shall have power to 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 carried out.

Even the 1970 Rules do not impose a requirement on the district and taluka libraries to supervise the libraries within their jurisdiction. It merely creates a generic responsibility on their part to 'guide' these libraries.<sup>86</sup> Additionally, Chapter VI of the 1970 Rules create a requirement on the management of the grant-in-aid libraries to ensure that they maintain proper records in the event that they are inspected. However, a specific requirement for inspecting these libraries is not provided in the MPLA or any of its rules.<sup>87</sup> From our conversations in the office of the Directorate these checks do occur<sup>88</sup> but as per our reading of the MPLA and the 1970 Rules they are not organised or mandated in a structured form.

#### SUGGESTION

 Amend section 9 of the MPLA and Chapter VI of the 1970 Rules to place a clear responsibility on the Director and district libraries respectively to supervise and ensure inspection of all public libraries in the state and regularly conduct audits and surveys.

### State Library Council and District Library Committees

Considering the role of libraries as a local community service, the planning and design of the public library system needs to take into account local interests. This implies devolution of some authority to the local governments.

Presently, the MPLA adopts a two-tiered library governance structure consisting of the State Library Council ("**SLC**") and District Library Committees ("**DLCs**"). The Maharashtra Public Libraries, State Library Council and District Library Committees (Transaction of Business Procedure) Rules, 1973 ("**1973 Rules**") prescribes the functions of the SLC and DLCs and the manner in which they will transact their respective business as well.

The SLC is entrusted with advising the state government in the following matters:

<sup>86</sup> Rule 18 of the 1970 Rules.

<sup>87</sup> Chapter VI of the 1970 Rules.

<sup>88</sup> Conversation with officials at the Directorate of Libraries dated 15 February 2022.

### Rule 9 of the 1973 Rules:

- a) functions of the Central Library, a Divisional Library and other public libraries in the state;
- b) employment of trained professional staff of different grades for public libraries in the state;
- c) publication of annual bibliography of all the books published in the state,
- d) promotion of standards for library buildings, fittings and furniture for library techniques;
- e) planning organisation and development of libraries for adults, children, and handicapped,
- f) preservation of old and rare books and manuscript and other documents;
- g) training of candidates in Library Science.

Its structure under the MPLA is envisioned as an all-inclusive body consisting of state ministers, people's representatives, state officers as well as people related to the field of library services.<sup>89</sup> The SLC is chaired by the Minister for Higher and Technical Education and comprises around 30 members. While abiding with the requirements prescribed under the MPLA, the state government and Directorate of Libraries decide on the members that form part of the SLC. Both, the SLC and DLCs have a term of three years.<sup>90</sup>

During the Maharashtra assembly debates, Mr. B K Boman Behram had described the SLC as a bureaucratic body because of its size and undue representation of elected representatives.<sup>91</sup> This statement is partially supported by the current position of the SLC in the public library system of the state.

The Maharashtra government has not been able to constitute an SLC since 2009.<sup>92</sup> As a body dependent on elected representatives for 50 percent of its composition, the membership of the SLC keeps changing due to numerous elections in the state that take place round the year. Moreover, even by the time the SLC is constituted by the Directorate, some of the members listed change as a consequence of these elections.<sup>93</sup> The problem created by these changes is further exacerbated by the fact that the quorum of the SLC as per the MPLA is about ten members without which no decision can be made.<sup>94</sup> Due to these issues, since the formation of the last SLC in 2006, no new SLC has been formed.

The lack of a functional SLC has significantly hampered the overall functioning of the public library system in Maharashtra, particularly with regards to upgradation of the library infrastructure, provision of adequate grants to

<sup>89</sup> MPLA, s 3.

<sup>90</sup> MPLA, s 5(1) and 14(1).

<sup>91</sup> Shri B. K. Boman Behram, Maharashtra Legislative Assembly Debate (14 November 1967) 176-177.

<sup>92</sup> Namita Dhuri, "राज्य ग्रंथालय परिषदे'अभावी ग्रंथालयांचे प्रश्न प्रलंबित' (Loksatta, February 2021) <<https://www.loksatta.com/mumbai/library-questions-pending-due-to-lack-of-state-library-council-abn-97-2397685/>> accessed 9 February 2022.

<sup>93</sup> Conversation with officials at the Directorate of Libraries dated 15 February 2022.

<sup>94</sup> MPLA, s 7(3).

libraries, and improvement of remuneration paid to various employees and staff and overall guidance as to the maintenance and functioning of public libraries. This situation was exacerbated with the onset of the COVID-19 pandemic as it was an unprecedented situation for libraries and with no protocol available in literature, legislations or at the central government level, libraries were left to deal with this health emergency without guidance or assistance.<sup>95</sup>

In comparison, the DLCs consist of local people's representatives and people knowledgeable in the field of library services.<sup>96</sup> The DLCs are headed by the Chairman of the Education Committee of the Zilla Parishad and comprise a maximum of ten members. Thus, to a large extent the composition of DLCs is concise and effectively represents the interests of the public libraries. During the various lockdowns, DLCs could have been empowered to decide how best public libraries can serve their communities during public emergencies. As COVID-19 spread at different rates across the state, each district could have made an independent assessment as to the role the public library could have played at this time. Along with empowering DLCs, the MPLA and/or municipal corporation legislations should account for the role of public libraries during health or other emergencies.

The 1973 Rules do not assign any specific functions and responsibilities to the DLCs except those already specified in section 16 of the MPLA. The section primarily enlists the following two functions for the DLCs:

#### Section 16 of the MPLA:

It shall be the function of a Committee,-

- (i) to advise the State Government on all matters relating to development of library service in the district on proper lines;
- (ii) to ensure that the prescribed function of the public libraries are performed by them satisfactorily

This shows that the structure of public library services in Maharashtra is largely centralised with a majority of powers and responsibilities vested with the SLC. Perforce, the onus is entirely on the SLC to ensure smooth functioning of the public library system in India.

The empowerment of DLCs under the MPLA can be compared to local library authorities in other states:

<sup>95</sup> 'ग्रंथालयांची टाळेबंदी वाचनवेड्यांना साहवेना' (Maharashtra Times, June 2020) <<https://maharashtratimes.com/maharashtra/mumbai-news/du-to-coronavirus-libraries-are-lockdown/articleshow/76497521.cms>> accessed 9 February 2020.

<sup>96</sup> MPLA, s 13.

**Tamil Nadu  
Public Libraries  
Act, 1948**

*“section 9: Powers of Library Authorities.—A Local Library Authority may—*  
*(a) provide suitable lands and buildings for public libraries and also the furniture, fittings, materials and conveniences requisite therefor;*  
*(b) stock such libraries with books, periodicals, newspapers, maps, works and specimens of art and science, lantern slides, cinema reels and any other thing suitable for their purpose;*  
*(c) employ from time to time such staff as it considers necessary, for such libraries;*  
*(d) with the previous sanction of the Government, close or discontinue any public library or change the site thereof;*  
*(e) accept, with the previous sanction of the Director or the Government, any gift of books, or, with the previous sanction of the Government, any other gift or endowment for any purpose connected with its activities;*  
*(f) provide for lectures and the holding of classes; and*  
*(g) in general, do everything necessary to carry out the provisions of this Act.”*

**Kerala Public  
Libraries Act,  
1989**

*“section 17: (1) Save as otherwise provided in this Act, every District Library Council shall have power-*  
*(a) to elect members to the State Library Council to the extent of one for each taluk in the district;*  
*(b) to establish new libraries within its jurisdiction with the previous sanction of the State Library Council;*  
*(c) to supervise, co-ordinate and control the library service under its jurisdiction in the district and to promote co-operation between libraries and cultural and educational institutions in the country;*  
*(d) to provide library service and mobile library service to the persons residing in the district;*  
*(e) to provide suitable lands and buildings for public libraries and furniture, fittings, equipment and other conveniences necessary for the purpose;*  
*(f) to provide such libraries with books, periodicals, newspapers, maps, radios, manuscripts, works and specimens of art and science, lantern slides, films, video films; cinema projectors, recorders, cassettes, television sets, charts, tape recorders, video cassette players, video cassette recorders and the like;*  
*(g) to shift, reorganise, or close or amalgamate any public library established or maintained or run directly by the District Library Council;*  
*(h) to appoint and control such officers and servants as may be necessary for the efficient performance of its duties and functions under this Act and the rules made thereunder;*  
*(i) to accept any endowment or gift for any purpose connected with its activities;*  
*(j) to provide for lectures, seminars, symposia, conferences and conduct study classes to strengthen the functioning of the Libraries and conduct other activities as may be conducive to the carrying out of the purposes of this Act*  
*(k) with the sanction of the State Library Council to do any other thing that may be conducive to the furtherance of the purposes of this Act; and*  
*(l) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act or the rules made thereunder.”;*

Therefore there is a need to shift the burden of responsibilities vested with the SLC onto the DLC, which till date does not have any specific functions provided under the MPLA or the 1973 Rules.

 **SUGGESTIONS**

-  The composition of the SLC should be made concise by reducing the number of members to optimal. Depending on the revised number of members, the quorum of the SLC should be reduced as well.
  
-  Amend section 5(1) and 14(1) of the MPLA to increase the term of the SLC and DLCs respectively, from three years to at least five years to ensure greater continuity.
  
-  Amend the MPLA to bestow the character of a body corporate on the SLC and DLCs. Presently, many states including Kerala and Tamil Nadu in their respective legislations have bestowed body corporate status on the state and district library authorities.<sup>97</sup> This ensures that the bodies do not dissolve while waiting for the state government or Directorate to appoint new members for them.
  
-  Amend the 1973 Rules to entrust the duty of establishing public libraries with the DLCs. This will ensure that the government does not need to depend upon non-governmental organisations to set up public libraries in rural areas. Instead, the DLCs should provide guidance to village Panchayats currently not being served by public libraries to establish new public libraries. Such decentralisation will require empowering the DLCs, both financially and administratively. Provisions of the Tamil Nadu and Kerala public library legislations can serve as an example for the same.
  
-  Provide for the role of public libraries during health or other emergencies, natural disasters and similar situations in the MPLA and/or its rules.

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<sup>97</sup> Tamil Nadu Public Libraries Act, 1948, s 6; Kerala Public Libraries Act, 1989, s 3 and s 10.

## Public Library Associations

Aside from the SLC and DLCs, the MPLA also envisages another body called Public Library Associations (“PLAs”). PLAs are different from the SLC and DLCs which include mostly elected representatives and government officials in the state or district. Instead, PLAs include librarians, library workers and persons interested in library development at the local level.

In this regard, the government has formulated the Maharashtra Public Library Association (Recognition of Grant-in-aid) Rules, 1971 (“1971 Rules”). These Rules provide for recognition of PLAs at state (State Library Association (“SLA”)), division (Divisional Library Association (“DSLAs”)), and district (District Library Association (“DLA”)) levels.

As the name suggests, a DLA is an association of public libraries in each district.<sup>98</sup> In order to be constituted, the DLA requires a minimum of hundred members, including a minimum of 25 members representing libraries, schools and other cultural institutions.<sup>99</sup> The DSLA then, is an association formed by members of the recognised DLAs<sup>100</sup> and accordingly, the SLA is made up of members of the DSLAs.<sup>101</sup>

The duties of DLAs include promoting development of library services in the district, providing technical guidance to libraries, establishing new public libraries, coordinating the activities of the public libraries, and cooperating with other DLAs in the state.<sup>102</sup> The duties of DSLAs and SLA have been formulated on similar lines to include promotion of library development at division and state levels, helping DLAs by giving technical guidance, promotion of research and publishing public periodicals on library science.<sup>103</sup>

It is interesting to note that under the MPLA, the responsibility of establishing new public libraries is entrusted exclusively on the DLAs. It is suggested that such onus on DLAs is attuned with the basic philosophy of the public libraries movement in Maharashtra, which is based on public libraries established by non-governmental organisations.<sup>104</sup> However, the reality suggests that the DLAs can do very little in terms of establishing new public libraries if they do not get the necessary financial support from the state government.<sup>105</sup>

The 1971 Rules provide for payment of an annual maintenance grant to DLAs on items of admissible expenditure such as allowances of staff, travelling expenditure, rent and taxes, expenditure on furniture, equipment, and books, among others.<sup>106</sup> Incidentally, the said Rules do not provide for payment of

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<sup>98</sup> Rule 2(d) of the 1971 Rules.

<sup>99</sup> Rule 5 of the 1971 Rules.

<sup>100</sup> Rule 2(d-A) of the 1971 Rules.

<sup>101</sup> Rule 2(g) of the 1971 Rules.

<sup>102</sup> Rule 12 of the 1971 Rules.

<sup>103</sup> Rule 12-A and Rule 13 of the 1971 Rules.

<sup>104</sup> 'Library Association | Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India' (Directorate of Libraries) <[https://dol.maharashtra.gov.in/en/library\\_association](https://dol.maharashtra.gov.in/en/library_association)> accessed 9 February 2022.

<sup>105</sup> Milind Tambe, 'ग्रंथालय अनुदानाला सरकारची कात्री! कर्मचाऱ्यांमध्ये संताप; व्यवस्थापन कोलमडण्याची भीती' (eSakal - Marathi Newspaper, November 2020) <<https://www.esakal.com/mumbai/library-grants-have-been-reduced-state-government-379318>> accessed 9 February 2022.

<sup>106</sup> Schedule II of the 1971 Rules.

grants for acquisition of land or construction of library buildings, expenditures which are more expensive and essential for the establishment of a public library.

Since SLA, DSLAs, and DLAs are representative bodies of public libraries in Maharashtra, their focus should remain largely on issues and problems of existing public libraries in the state rather than establishing new ones. That responsibility should be entrusted to the state government, the SLC and DLCs.

 **SUGGESTION**

 Responsibilities such as establishing libraries should be entrusted to the state government, SLCs and DLCs and the responsibility of the DLAs should be limited to ensuring the promotion of and guidance of libraries within their area.

### **Role of Panchayats**

The Constitution envisages devolution of powers and responsibilities to the Panchayats to enable them to function as institutions of self-government.<sup>107</sup> The Eleventh Schedule enlists 29 subjects, including 'Libraries', powers regarding which can be entrusted to the Panchayats. Accordingly, in Maharashtra the state government amended the Maharashtra Village Panchayats Act, 1959 entrusting the Panchayats to make reasonable provisions with respect to 'adult literacy centres, libraries and reading rooms'.<sup>108</sup> However, the MPLA has not been amended accordingly to involve the Panchayats in the effective and efficient management of the public libraries system in the state. It is suggested that to fully realise the government's 'Gaav tithe Granthalaya' slogan, Panchayats should be made an integral stakeholder in the public libraries system.

 **SUGGESTION**

 Panchayats should be involved directly by the DLC and DLAs for the promotion and establishment of public libraries in their community. A village Panchayat member could be made a representative of the DLC and DLAs.

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<sup>107</sup> Constitution of India 1950, Art 243G.

<sup>108</sup> Maharashtra Village Panchayats Act 1959, s 45 read with Schedule I.

Libraries require continuous funding to organise activities, programs and services. Additionally, the steadiness of funding needs to be ensured for long periods of time to allow libraries to build up a collection of literature and membership of people over many years.<sup>109</sup>

No permission for new libraries or upgradation of libraries has been provided in Maharashtra since 2012-2013.<sup>110</sup> There are also regular delays in providing honorariums to staff and disbursal of funds.<sup>111,112</sup>

News reports across Maharashtra indicate that public libraries have not adequately addressed the population's needs.<sup>113</sup> The limited financial budget does not permit the maintenance or creation of new infrastructure,<sup>114</sup> timely or sufficient payment to staff,<sup>115,116</sup> and the strengthening of book collections.<sup>117</sup> These libraries are in dire need of funding to maintain their present infrastructure and staffing,<sup>118,119</sup> let alone achieve goals that are laid out by model public libraries.

Moreover, the primary grant amount is divided into salaried and non-salaried income. The 1970 Rules provide that for recognised libraries, 50 percent of the grant money is to be spent on books.<sup>120</sup> However, it is becoming difficult for libraries to maintain this allocated expenditure for books. The salaried income is used to pay salaries to members of the Directorate of Libraries and librarians, along with honorariums for library staff. The non-salaried funds are further used to ensure the upkeep of the libraries and payment for miscellaneous items, leaving inadequate funds for the purchase of the books.<sup>121</sup>

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- 109 'Library Finance' (Journal of Critical Library and Information Studies, December 2014) <<http://brauss.mp.gov.in/Uploaded%20Document/Documents/OnlineLearning/PublicLibrarySystems2.pdf>> accessed 9 February 2022.
- 110 Pramod Chaudhary, 'सार्वजनिक ग्रंथालय चालकांच्या अडचणीत वाढ' (eSakal - Marathi Newspaper, October 2020) <<https://www.esakal.com/handed/increased-difficulty-public-library-operators-nanded-news-357033>> accessed 9 February 2022.
- 111 Amey Tirodkar, 'Without Subsidy Lockdown Employees in Public Libraries of Maharashtra Struggle' (Newsclick, August 2020) <<https://www.newsclick.in/Without-Subsidy-Lockdown-Employees-Public-Libraries-Maharashtra-Struggle>> accessed 9 February 2022.
- 112 Vilas Shinde 'Library staff salaries will be credited directly into their bank accounts' (e-Sakal - Marathi Newspaper, January 2021) <<https://www.esakal.com/marathwada/library-staff-salaries-will-be-credited-directly-their-bank-accounts-online-uday-samant>> accessed 9 February 2022.
- 113 Pramod Chaudhary, (n 110).
- 114 *ibid.*
- 115 Vilas Shinde, 'कोरोनाने सार्वजनिक ग्रंथालय कर्मचारी मरणासन्न अवस्थेत; ग्रंथालयांचे नियमित अनुदान नाही' (eSakal - Marathi Newspaper, May 2021) <<https://www.esakal.com/marathwada/corona-has-stopped-receiving-grants-to-public-library-staff>> accessed 9 February 2022.
- 116 Vilas Shinde, 'राज्यातील बारा हजार ग्रंथालय अनुदानाच्या प्रतीक्षेत' (eSakal - Marathi Newspaper, June 2021) <<https://www.esakal.com/marathwada/twelve-thousand-libraries-in-the-state-are-waiting-for-grants-parbhani-news>> accessed 9 February 2022
- 117 Vitthal Copper, 'राज्यातील ग्रंथालय मोजताहेत शेवटची घटका' (eSakal - Marathi Newspaper, March 2020) <<https://www.esakal.com/maharashtra/library-issue-state-267440>> accessed 9 February 2022.
- 118 Vilas Shinde (n 115).
- 119 'मुंबई मराठी ग्रंथसंग्रहालय दात्यांच्या प्रतीक्षेत' (Loksatta, March 2021) <<https://www.loksatta.com/mumbai/mumbai-marathi-library-awaiting-for-donor-dd-70-2412334/>> accessed 9 February 2022.
- 120 Form B of the 1970 Rules.
- 121 Vitthal Copper (n 117).

## Funding of libraries as per the MPLA

State funds support public libraries either through the creation of a designated fund (block grants from any level of the government) or through local taxation, such as by levying a surcharge on property tax. Additional sources include donations, special grants by the government for specific activities and in marginal quantities, user fees and penalties.<sup>122</sup>

The MPLA broadly adheres to this classification and creates a 'library fund' which receives money from the various sources provided below:

### Section 18 of the MPLA:

(1) The State Government shall constitute a fund called the Library Fund.

(2) The Library Fund shall consist of—

(a) contribution made by the State Government under section 20;

(b) any special grants given by the State Government under section 21;

(c) any grants given by the Government of India to the State Government for development of public libraries; and

(d) any contributions or gifts made by the public for development of public libraries.

## Contribution from State Government

Section 20 of the MPLA only assures a minimum grant of INR 25 lakh to the public libraries in the state. Additionally, the Maharashtra public libraries rely primarily on a block grant received from the state. There is no provision for cess.

### Section 20 of the MPLA:

The State Government shall, after due appropriation made by law on this behalf, contribute to the Library Fund every year, a sum not less than twenty-five lakhs of rupees.

In Maharashtra's legislative council debates in 1967, it was mentioned that the minimum amount of 25 lakhs should be revised at a later date.<sup>123</sup> However, the amount has still not been revised.

<sup>122</sup> IFLA (n 1) 18.

<sup>123</sup> Sri Hanshu Advani, Maharashtra Legislative Assembly Debate (1967) 167-170.

Moreover, funds for Maharashtra public libraries and grant-in-aid libraries haven't increased since 2012-2013.<sup>124,125</sup> Maharashtra has allocated a budget of approximately INR 140 crore for the development of public libraries in the year 2021-2022,<sup>126</sup> and this is similar to the grants offered in 2020-2021<sup>127</sup> and 2019-2020.<sup>128</sup> There are also consistent delays in disbursing the budgeted amount<sup>129</sup> and often the entire amount is not provided as well.<sup>130</sup> This has been further complicated by COVID-19 wherein it has become difficult for the Directorate to receive grants after the pandemic.<sup>131</sup> This problem can be attributed to section 20 of the MPLA which is now obsolete and serves no legislative backing to address the problem of infrastructure and funds that are affecting library services within Maharashtra today.

Aside from Maharashtra, another state specifies an amount or a portion of the budget that is to be used for libraries. The Goa Public Libraries Act, 1993, states that aside from having a cess, the government "*shall provide one per cent of the Education Budget for promoting the service of Public Libraries in the State.*"<sup>132</sup> Unlike section 20 of the MPLA, such a provision prevents the budget for libraries from being decreased due to inflation each year.

#### SUGGESTION

Amend section 20 of the MPLA to provide a percentage of the Higher and Technical Education Department's yearly budget for libraries. Accordingly, the disbursement of the amount will not fluctuate depending on external circumstances and the budget for libraries will remain updated with time. The Goa public library legislation can serve as an example for the same.

### Local taxation as a source of revenue

As mentioned above, the Goa Public Libraries Act, 1993, along with allocating a portion of its education department's budget, imposes a cess for financing of its libraries.

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- <sup>124</sup> 'New Policy On Libraries In Next Legislature Session: Maharashtra Government' (The Indian Express, March 2020) <<https://indianexpress.com/article/education/new-policy-on-libraries-in-next-legislature-session-maharashtra-government-6299012/>> accessed 9 February 2022.
- <sup>125</sup> Vilas Shinde, 'राज्यातील सार्वजनिक ग्रंथालय अनुदानात वाढ तर नाही उलट कपात; ग्रंथालयाचे भवितव्य धोक्यात' (eSakal - Marathi Newspaper, March 2021) <<https://www.esakal.com/marathwada/increase-public-library-grants-state-if-not-reverse-reduction-future-library-jeopardy>> accessed 9 February 2022.
- <sup>126</sup> Maharashtra Government Resolution dated 20 August 2021 <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/202108201647265508.pdf>> accessed 9 February 2022.
- <sup>127</sup> Maharashtra Government Resolution dated 14 January 2021 <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/202101141059435708.pdf>> accessed 9 February 2022.
- <sup>128</sup> Vilas Shinde, 'राज्यातील सार्वजनिक ग्रंथालय अनुदानात वाढ तर नाही उलट कपात; ग्रंथालयाचे भवितव्य धोक्यात' (eSakal - Marathi Newspaper, March 2021) <<https://www.esakal.com/marathwada/increase-public-library-grants-state-if-not-reverse-reduction-future-library-jeopardy>> accessed 9 February 2022.
- <sup>129</sup> Vilas Shinde, 'राज्यातील बारा हजार ग्रंथालय अनुदानाच्या प्रतिक्षेत' (eSakal - Marathi Newspaper, June 2021) <<https://www.esakal.com/marathwada/twelve-thousand-libraries-in-the-state-are-waiting-for-grants-parbhani-news>> accessed 9 February 2022.
- <sup>130</sup> Conversation with officials of Directorate of Libraries dated 15 February 2022.
- <sup>131</sup> *ibid.*
- <sup>132</sup> Goa Public Libraries Act 1993, s 19.

Professor Dr. S.R. Ranganathan had advocated for a cess as a primary source of revenue for libraries. His drafts of the Model Public Library Act,<sup>133</sup> and library legislations for Tamil Nadu and Kerala reflect this preference.<sup>134</sup>

While there was overwhelming support for cess by the 1959 Advisory Committee Report,<sup>135</sup> leaders of India's public library movement<sup>136</sup> and even the Maharashtra legislative council;<sup>137</sup> the Maharashtra legislative assembly debates in 1967 considered that revenue from cess would be too low to fund public libraries. To arrive at this conclusion, a comparison was made between the minimum grant of INR 25 lakh proposed by the government, to revenue from the highest cess imposed by a state then, i.e. Tamil Nadu. In the years preceding 1967, the cess collected by the Tamil Nadu government was approximately five lakhs, whereas the Maharashtra government was providing upwards of INR 30 lakhs. The yearly expenditure of Maharashtra public libraries in 1967 was not beyond INR eight lakhs and therefore it was assumed that by offering a minimum amount of INR 25 lakhs the state was providing a sufficient budget for the library system to expand and improve. Hence, the introduction of cess was debated but eventually rebutted with these factors.

Maharashtra was, at that time, the fourth state to legislate public libraries after Tamil Nadu, Kerala and Karnataka,<sup>138</sup> and was also the first state to not introduce cess in their public library legislation. Most of the library legislations that followed thereafter did not have provisions for cess and relied on state government funding.

Only seven states in India: Tamil Nadu, Andhra Pradesh, Telangana, Karnataka, Haryana, Kerala and Goa have mentioned library cess in their legislations:

State	Section of the Act	Rate of Cess (provided with other sources of funding)
<b>Tamil Nadu</b>	Section 12 of the Tamil Nadu Public Libraries Act, 1948	five paise per rupee on property tax  <i>"Every Local Library Authority shall levy in its area a library cess in the form of a surcharge on the property tax or house tax levied in such area"</i>  Revised in 1992 from five paise to ten paise

<sup>133</sup> (Egyankosh.ac.in) <<https://egyankosh.ac.in/bitstream/123456789/35239/5/Unit-5.pdf>> accessed 9 February 2022.

<sup>134</sup> Egyankosh (n 133) 9, 10.

<sup>135</sup> 1959 Advisory Committee Report (n 16) 102.

<sup>136</sup> IIHS (n 36) 18, 19.

<sup>137</sup> The Maharashtra legislative council had advocated for cess and had even considered the types of cess that could be imposed. An option proposed was that a portion of the education cess being charged then could be used for public library development. However, the introduction of a cess would make the draft MPLA a money bill, which the legislative council could not legislate on. Hence the Council could not insert a clause on cess in the MPLA.

<sup>138</sup> Egyankosh (n 133) 17.

<b>Andhra Pradesh</b>	Section 20 of the Andhra Pradesh Public Libraries Act, 1960	<p>Surcharge on house tax and property tax at the rate of eight paise per rupee</p> <p><i>" (a) Every ZGS shall levy in its area a library cess in the form of a surcharge on the property tax or house tax levied in such area under the relevant laws providing for the levy of such property tax or house tax, at the rate of four naye paise for every rupee in the property tax or house tax so levied ;</i></p> <p><i>(b)A ZGS may, with the previous sanction of the Government and shall if directed by them, increase the rate specified in clause (a) so as not to exceed EIGHT naya paise for every rupee."</i></p>
<b>Telangana</b>	Section 20 of the Telangana Public Libraries Act, 1960	<p>Surcharge on property tax or house tax, at the rate of eight paisa for every rupee</p> <p><i>"Every Zilla Grandhalaya Samstha shall levy in its area a Library Cess in the form of a surcharge on the property tax or house tax, levied in such area under the relevant laws providing for the levy of such property tax or house tax, at the rate of eight paisa for every rupee in the property tax or house tax so levied"</i></p>
<b>Karnataka</b>	Section 30 of the Karnataka Public Libraries Act, 1965	<p>Surcharge on tax on lands and buildings, entry of goods, vehicles, professions, trades at the rate of three paise per rupee</p> <p><i>"a library cess in the form of a surcharge on tax on lands and buildings shall be levied in the area within the jurisdiction of every District Library Authority, under the relevant laws relating to local authorities providing for the levy of such tax at the rate of three paise for every rupee of the tax so levied."</i></p>
<b>Haryana</b>	Section 20 of the Haryana Public Libraries Act , 1989	<p>Surcharge on house tax and property tax</p> <p><i>"Every local body in a district may levy in its area a library case in the form of surcharge on property tax and house tax at such rate as the Government may decide from time to time."</i></p>

<b>Kerala</b>	Section 48 of the Kerala Public Libraries Act, 1989	<p>Surcharge on house tax and property tax at the rate of five paise for a rupee</p> <p><i>"The State library Council shall levy a library cess in the form of a surcharge on the building tax levied under Municipality Act, 1994 (20 of 1994)] at the rate of five paise for the whole rupee in the building tax or property tax, as the case may be, so levied."</i></p>
<b>Goa</b>	Section 18 of the Goa Public Libraries Act, 1993	<p>Surcharge on excise duty on liquor at the rate of one rupee fifty paise per bulk litre</p> <p><i>"The Government shall levy a library cess in the form of a surcharge on the Excise Duty payable under Goa Excise Duty Act, 1964 at the rate of 0.50 (paise fifty only) per proof liter of the (I.M.F.L.) Indian Made Foreign Liquor and at the rate of Rs. 0.50 (paise fifty only) per bulk liter of beer."</i></p> <p>The Act also provides for one percent of the Education Budget.</p>

▲ Details of library cess in the public library legislations of India

### Arguments for cess

Over years, the cess amount adjusts to inflation as it is a percentage of the tax received. While the value of block grants, such as in Maharashtra, decreases each year.

This ensures a regular and increasing source of income, which is a must for all libraries.<sup>139</sup>

### Arguments against cess

In certain instances, such as the COVID-19 pandemic, tax reliefs were provided, reducing the amount available to spend on the libraries.

Additionally, cess comes from local tax, which differs between each municipality and district, creating an unequal investment in public libraries across the state.<sup>140,141</sup>

<sup>139</sup> Egyankosh (n 133) 9, 10.

<sup>140</sup> IIHS (n 16) 27.

<sup>141</sup> Avadaippan, N. (2015) 'Financing public libraries for the future: Tamil Nadu model' (2015) <<http://delnet.nic.in/Avadiappan%20FINANCING%20PUBLIC%20LIBRARIES%20FOR%20THE%20FUTURE.pptx>> accessed 9 February 2022.

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Cess is also levied to fulfil a particular state goal and cannot be used for other purposes. A library cess, therefore, empowers states to exclusively use the cess for library development.<sup>142</sup>

Cess is often created for purposes such as boosting specific sectors. They create an additional tax burden on the taxpayer. Therefore, cess is ordinarily levied as a temporary measure and should not serve a long term fund. Once the purpose is fulfilled, it is removed.<sup>143</sup>

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Studies have shown that states implementing library cess have an efficient and robust public library system.<sup>144</sup> They also have high school enrollment and literacy rates as opposed to states without a cess.<sup>145</sup>

Cess money needs to be transferred by the revenue authorities to the library; however, that does not always happen. Therefore, implementation of cess may not form the basis of the efficient public library system or improved literacy.

This can be seen in Bengaluru where nearly 300 crores are yet to be disbursed to the library authorities,<sup>146</sup> and cities such as Chennai,<sup>147</sup> Coimbatore,<sup>148</sup> Visakhapatnam<sup>149</sup> and Hyderabad,<sup>150</sup> to name a few.

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Cess has the advantage of providing an earmarked amount of money for library development in the state, therefore, keeping in mind its drawbacks it can be implemented in the state. Alternatively, if people are not willing to take on an additional tax burden, a portion of a pre-existing tax can be used for public libraries in the state.

## SUGGESTIONS

In addition to the portion of the Higher and Technical Education Department's budget,

■ A percentage of a pre-existing tax such as property tax (instead of creating a surcharge) can be earmarked for expenditure on libraries. This would be different from states that have imposed cess by

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<sup>142</sup> IIHS (n 36) 18, 19.

<sup>143</sup> 'What Is Cess?' (The Financial Express, June 2019) <<https://www.financialexpress.com/what-is/cess-meaning/1616176/>> accessed 9 February 2022.

<sup>144</sup> Ajit Pyati, 'View Of Public Library Revitalization In India: Hopes, Challenges, And New Visions | First Monday' (Journals.uic.edu, July 2009) <<https://journals.uic.edu/ojs/index.php/fm/article/view/2588/2237>> accessed 9 February 2022.

<sup>145</sup> IIHS (n 36) 15.

<sup>146</sup> Ranjani Govind, 'Since 2012, These Libraries Have Not Received Cess' (The Hindu, November 2015) <<https://www.thehindu.com/news/cities/bangalore/since-2012-these-libraries-have-not-received-cess/article7879214.ece>> accessed 9 February 2022.

<sup>147</sup> Ajitha Kathikeyan, 'Local Bodies Fail To Remit Library Cess | Chennai News - Times Of India' (The Times of India, September 2010) <<https://timesofindia.indiatimes.com/city/chennai/local-bodies-fail-to-remit-library-cess/articleshow/6639646.cms>> accessed 9 February 2022.

<sup>148</sup> Vishnu Swaroop, 'Corporation Has Backlog Of Rs 33 Crore To Pay Dist Library Commission | Coimbatore News - Times Of India' (The Times of India, May 2019) <<https://timesofindia.indiatimes.com/city/coimbatore/corpn-has-backlog-of-rs-33cr-to-pay-dist-library-commission/articleshow/69549760.cms>> accessed 9 February 2022.

<sup>149</sup> 'Zilla Grandhalaya Samstha Seeks Library Cess Dues From Civic Body' (The Hindu, July 2021) <<https://www.thehindu.com/news/cities/Visakhapatnam/zilla-grandhalaya-samstha-seeks-library-cess-dues-from-civic-body/article35149543.ece>> accessed 9 February 2022.

<sup>150</sup> Coreena Soares, 'GHMC Robs Library Cess' (Deccan Chronicle, November 2017) <<https://www.deccanchronicle.com/nation/current-affairs/031117/ghmc-robs-library-cess.html>> accessed 9 February 2022.

way of surcharge and would not create an additional burden on the taxpayer. (Karnataka, for example, in section 30 of its public library legislation provides for an annual grant to the district library authority by the government of an amount equal to three per cent of the district's land revenue collection).

Alternatively, if cess is imposed,

■ The MPLA can ensure that even when the cess is not transferred by the collecting authorities, a grant will be provided by the state government instead. The MPLA can provide for the transfer of such contingency funds.

■ A certain portion of the cess from each district can be set aside to assist other lesser developed districts. It has been seen in the case of states such as Tamil Nadu that to ensure equitable distribution of funds to all districts, 20 percent of the cess collected from each district is maintained in a general fund to assist any financially weaker library authority.<sup>151</sup> That solves the problem of inequitable funds from cess collection at the level of the local bodies.<sup>152</sup>

Funding should be revised every five years. The funding from the state's budget can be used for larger non-recurring expenses such as establishing libraries and the funding from cess can be used for recurring expenses such as payment of salaries to staff.

## Other sources of revenue

### *Grants from Government of India*

The Ministry of Culture, Government of India lends its support to the state governments for the development of public libraries and RRRLF acts as its nodal agency.<sup>153</sup>

The RRRLF runs a matching scheme with state governments through which it provides financial aid for conducting seminars, maintaining infrastructure and buying books, computers, photocopy machines and cupboards.<sup>154</sup> In 2021-22, the government allocated INR three crore as its contribution to the

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<sup>151</sup> Tamil Nadu Public Library Act 1948, s 14A.

<sup>152</sup> IIHS (n 36) 27.

<sup>153</sup> (Raja Ram Mohan Roy Library Foundation) About RRRLF <[http://rrrlf.nic.in/StaticPages\\_AboutUs/AboutRrrlf.aspx](http://rrrlf.nic.in/StaticPages_AboutUs/AboutRrrlf.aspx)> accessed 9 February 2022.

<sup>154</sup> R.R.R.L.F. Scheme | Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India | (Directorate of Libraries) <[https://dol.maharashtra.gov.in/en/r.r.r.l.f.\\_scheme](https://dol.maharashtra.gov.in/en/r.r.r.l.f._scheme)> accessed 9 February 2022.

matching scheme.<sup>155</sup> Maharashtra and RRRLF invest 50:50 in the matching scheme, and therefore RRRLF provides INR three crore as its portion under the scheme.<sup>156</sup>

A non-matching scheme is also provided by the RRRLF, where based on the proposals provided to it, it grants funds for development of children, citizen or senior citizen corners in libraries.<sup>157</sup> For approval of these proposals, a State Library Planning Committee ("**SLPC**") is established every three years. This committee also ensures that RRRLF grants provided through the matching scheme are used judiciously by the Directorate of Libraries. The latest SLPC was established on 2 December 2021.<sup>158</sup>

It has been seen however that not enough proposals are sent to the RRRLF and its SLPCs and therefore funds are underutilised by states.<sup>159</sup> Therefore, there is a need to ensure that libraries in Maharashtra avail these funds for improving services offered by them.

#### SUGGESTION

The Directorate of Libraries along with the DLCs and DLAs must encourage the utilisation of RRRLF schemes by libraries in the state. The implementation of these schemes can assist libraries in ensuring that the standards created under the MPLA will be maintained.

#### *Grants from endowments and charitable institutions*

All public library legislations in India include donations as a source of revenue for their library funds as during the 1950s to 1970s, there was a people's movement for libraries in India.<sup>160</sup> Members of the state legislative assembly anticipated that on account of this movement, considerable donations would be made to the library fund.

Presently, donations are not made to the library fund itself, however they are made individually to the public libraries.<sup>161</sup> Local organisations and members directly offer donations to public libraries within their vicinity. This has been noted recently, when libraries were damaged due to floods in July 2021.<sup>162</sup>

#### SUGGESTION

Donations to the library fund must be encouraged by the Directorate of Libraries.

<sup>155</sup> 'Maharashtra Government Resolution dated 3 October 2021 <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/202110061215023708.pdf>> accessed 9 February 2022.

<sup>156</sup> RRRLF scheme (n 154).

<sup>157</sup> *ibid.*

<sup>158</sup> Maharashtra Government Resolution dated 2 December 2021 <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/202112021755151408.pdf>> accessed 9 February 2022.

<sup>159</sup> Saket Suman, 'India's 70,000+ Public Libraries And Its Untapped Potential: A Study In Contrast' (Business Standard, May 2017) <[https://www.business-standard.com/article/news-ians/india-s-70-000-public-libraries-and-its-untapped-potential-a-study-in-contrast-117053100538\\_1.html](https://www.business-standard.com/article/news-ians/india-s-70-000-public-libraries-and-its-untapped-potential-a-study-in-contrast-117053100538_1.html)> accessed 9 February 2022.

<sup>160</sup> Sri M. D. Chaudhari, Maharashtra Legislative Assembly Debate (1967) 161-163.

<sup>161</sup> Conversation with District Library Officer Pune dated 26 October 2021.

<sup>162</sup> Ajay Jadhav, 'Damaged By Floods In Sangli, Library's Mission To Save 75,000 Books: Staff, Students, 6 Hair Dryers' (The Indian Express, September 2019) <<https://indianexpress.com/article/india/damaged-by-floods-in-sangli-librarys-mission-to-save-75000-books-staff-students-6-hair-dryers-5970550/>> accessed 9 February 2022.

*Fees, subscriptions and membership deposits taken by the library (ad hoc, non-recurring and meant for specific purposes with restrictions on allocation and use)*

Public libraries are not revenue earning institutions. This is because making membership fees a primary revenue source for the library makes the ability to pay the fees a criterion in using the library. This in turn, reduces access, rendering ineffective the purpose of having public libraries.<sup>163</sup> The 1959 Advisory Committee Report also supported the inadvisability of considering subscription as a source of revenue.<sup>164</sup>

Some states, as detailed below, make reference to the imposition of a membership fee or deposit:

<b>Uttarakhand Public Library Act, 2005</b>	<i>"section 2(f): "Library Fee" means the library fee levied, as prescribed by the Government;"</i> <i>"section 20(1): The State Government shall impose fee for the purposes of libraries."</i>
<b>Arunachal Pradesh Public Libraries Act, 2009</b>	<i>"section 2(3): "Public Library" means a Library which permits members of the public to use it for reference or borrowing reading materials with or without charging nominal fees;"</i>
<b>Goa Public Libraries Membership Rules, 1999</b>	<i>"Rule 5: The members shall pay the membership deposit (refundable) as shown below:—</i> <i>i. For State &amp; District Library : Membership deposit of Rs. 200/- (for adults) and Rs. 50/- (for children)</i> <i>ii. For Taluka Library : Membership deposit of Rs. 50/- (for adults) and Rs. 25/- (for children)</i> <i>iii. For Village Library : Membership deposit of Rs. 25/- (for adults) and Rs. 10/- (for children)</i> <i>The membership deposit is subject to revision from time to time."</i>
<b>Haryana Public Libraries Act, 1989</b>	<i>"section 2(3): "Public Library" means a Library which permits members of the public to use it for reference or borrowing without charging fee or subscription;"</i> <i>While the Haryana Public Libraries Act, 1989 implies that no membership fees must be charged, some libraries in Haryana impose a membership fee.<sup>165</sup></i>

▲ **References to membership fees and security deposits in public library legislations**

<sup>163</sup> IFLA (n 1) 19.

<sup>164</sup> 1959 Advisory Committee Report (n 16) 34.

<sup>165</sup> District Library Panipat (e-Granthkosh Haryana) <<https://www.districtlibrarypanipat.ac.in/>> accessed 9 February 2022.

In Maharashtra, the membership fee for government run public libraries is INR 100 for two years with INR 500 as a security deposit.<sup>166</sup> The library rooms and reading of books within the premises can be used free of charge and the fee is only for borrowing books. The membership fee for the Asiatic Library which serves as the State Central Library is different.<sup>167</sup>

Additionally, for all government-aided libraries which receive funds from the Higher and Technical Education (“HTE”) Department, the government-aided library’s managing committee has the discretion to impose membership fees. However, to continue to receive grants from the HTE Department, they need to follow all the rules and standards prescribed for the grading of these libraries. Presently, under the 1970 Rules, free and open access to libraries (but not free membership) is the condition to be recognised as a public library for receiving grants.

While in some countries<sup>168</sup> a nominal fee is charged not for the purpose of serving as a source of revenue but to heighten the appreciation of library services, delays in receiving funds from the government require libraries in Maharashtra to rely on membership fees as a source of revenue.<sup>169</sup> This was seen through the inability of public libraries in Maharashtra to sustain themselves during the pandemic when membership fees were reduced during the lockdown.<sup>170</sup>

It is also important to note that the imposition of any membership fees or deposit can create barriers to access public libraries and automatically eliminate a certain group of people for whom access is immediately denied on the basis of cost. The average urban Indian spends INR 90 on fruits and nuts per month.<sup>171</sup> If you take this example it provides perspective to understand that the fees and deposits imposed by the public libraries would be unaffordable to most. Therefore, a membership fee of any kind has to be understood as disenfranchisement and exclusion at the first instance. This in turn discourages membership and reading, resulting in a loss to society.

## SUGGESTIONS

- The funding for public libraries in Maharashtra should be increased to the extent that they do not rely on membership fees and deposits as a source of revenue.
- To the extent possible, membership fees and deposits should be removed as a requirement for borrowing books from libraries.

<sup>166</sup> Maharashtra Government Resolution dated 22 February 2018 <[https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/20180222155812\\_108.pdf](https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/20180222155812_108.pdf)> accessed 9 February 2022.

<sup>167</sup> Conversation with the Directorate of Libraries dated 2 November 2021.

<sup>168</sup> ‘Public Libraries And User Fees’ [ May 1993] The Australian Library Journal.

<sup>169</sup> Rajiv Joshi, ‘अबोल पुस्तके, सुन्न ग्रंथालये!’ (Maharashtra Times, October 2020) <<https://maharashtratimes.com/editorial/samwad/rajiv-joshi-article-on-lockdown-and-public-library/articleshow/78593284.cms>> accessed 9 February 2022.

<sup>170</sup> *ibid.*

<sup>171</sup> Rukmini S., *Whole Numbers and Half Truths: What Data Can and Cannot Tell Us about Modern India* (Context, 2021) 127.

Public libraries across the country face difficulties in staffing a sufficient number of people with the necessary qualifications.<sup>172</sup> In Punjab, for example, around 75 percent of the libraries are running without the required manpower as 74 out of the 96 sanctioned posts of librarians in 62 libraries are lying vacant. A library in Hoshiarpur was even shut down after the only worker, a class IV employee, retired.<sup>173</sup>

Library staff in Maharashtra have regularly faced delayed payments. While the state government recently made changes such as direct salary payments to prevent any delays<sup>174</sup> to the approximately 22,000 library staff,<sup>175</sup> there are other problems as well which affect the library staff.

In Maharashtra, over the last 45 years, the pay scale of public library staff has not been pegged to the Minimum Wages Act, 1948. Aside from the already low expenditure on library staff, grants from the government and membership fees from readers were reduced during the pandemic further constricting other sources of revenue that help pay the library staff. Consequently, since the last two years library staff in the state have been struggling due to the irregular library subsidies and rising inflation caused by the pandemic.<sup>176</sup>

As per the Supreme Court of India, government employees must be paid as per the Minimum Wages Act, 1948 on an hourly basis, however this has not been followed by nearly half the libraries in the state.<sup>177</sup> There can be two reasons for this, (i) there are no qualifications specifically required for library staff and therefore (ii) the posts in public libraries have not been regularised by the government.

Under the MPLA, there are provisions to regularise members of the 'Maharashtra State Library Service' and create rules for them.

<sup>172</sup> IIHS (n 36) 25, 28.

<sup>173</sup> Navrajdeep Singh 'Punjab libraries cry for attention, most on verge of closure' (Hindustan Times, June 2017) <<https://www.hindustantimes.com/punjab/punjab-libraries-cry-for-attention-most-on-verge-of-closure/story-unFy6BuJCYSDj3eiEf0enJ.html#:~:text=across%20the%20state.,The%2062%20libraries%20in%20the%20state%2C%20including%2014%20district%20libraries,for%20the%20past%20many%20years>> accessed 17 February 2022.

<sup>174</sup> Library staff salaries will be credited directly into their bank accounts (n 112).

<sup>175</sup> Conversation with officials at the Directorate of Libraries dated 15 February 2022. The information provided by them was dated 31 March 2021. The number of staff provided was 21615 for grant-in-aid libraries. An approximate number of 22000 has been taken to account for staff from other public libraries in Maharashtra as well.

<sup>176</sup> कोरोनाने सार्वजनिक ग्रंथालय कर्मचारी मरणासन्न अवस्थेत (n 115).

<sup>177</sup> *ibid.*

#### Section 10 of the MPLA:

(1) The State Government shall establish a Maharashtra State Library Service, and appoint persons thereto.

(2) The Maharashtra State Library Service shall consist of such classes and categories of posts as the State Government may from time to time determine. All members of the said service shall be Government servants and their recruitment and conditions of service shall be regulated by such rules as may be made by the State Government from time to time.

(3) The salaries, allowances, gratuity, pension and other emoluments of the members of the Maharashtra State Library Service, shall be paid from the Consolidated Fund of the State.

#### Section 26 of the MPLA:

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

(vi) under sub-section (2) of section 10, the requirement and conditions of service of members of the Maharashtra State Library Service;

Such rules however have not been provided. The Karnataka Public Libraries Act, 1965, which is similar to the MPLA, provides that:

#### Section 15 of the Karnataka Public Libraries Act, 1965:

(1) Notwithstanding anything contained in any other law, all posts in the Department of Public Libraries, the State Central Library and every Local Library Authority shall be filled by appointment of persons belonging to the [Karnataka State Library Service].

(2) The [Karnataka State Library Service] shall consist of the [Director of Public Libraries], Chief Librarians of Cities and Districts, Librarians and such other classes and categories of posts as the State Government may from time to time determine. All members of the said service shall be Government servants, and their recruitment and conditions of service shall, subject to the provisions of Article 309 of the Constitution, be regulated by such rules as may be prescribed.

(3) The salary, allowances, gratuity, pension and other benefits of the members of the [Karnataka State Library Service] shall be met from the Consolidated Fund of the State.

Although Article 309 of the Constitution of India, which finds reference in the Karnataka legislation is not mentioned in the MPLA, it is the constitutional provision from which the Maharashtra government derives the power to regulate the conditions for posts in public services.

Article 309 and its jurisprudence requires that the state government lay down specific rules and conditions for these posts concerning the employees' promotion, transfer and remuneration. Such provisions, however, have not been provided for under the MPLA.<sup>178</sup>

 **SUGGESTIONS**

-  Create rules under section 10 read with 26(2)(vi) the MPLA to provide for conditions of service, salaries and other benefits to employees under the Maharashtra State Library Service.
  
-  Ensure that the salaries provided to the library staff are raised to match the salaries under the Minimum Wages Act, 1948.

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<sup>178</sup> 'CHAPTER XVIII: PROMOTION' (Department of Personnel and Training, Government of India) <<https://dopt.gov.in/sites/default/files/ch-18.pdf>> accessed 9 February 2022.

### Publicity and marketing

Professor Ranganathan stated that public libraries should necessarily indulge in publicity activities to fulfil the Third Law of Library Science which says that 'an appropriate reader should be found for every book'.<sup>179</sup> As per Professor Ranganathan, every public library has the duty "of converting every person in its neighbourhood into a habitual goer and reader of books."<sup>180</sup> In light of this view, it becomes a necessity for libraries to adopt methods of publicity to involve the general public in the public library system.

**Professor Ranganathan** stated the need for public libraries to engage in publicity and marketing activities in the following words:

For some, the library is still mediaeval, to others it is principally a purveyor of entertaining novels. Surprise is continually expressed when the public discovers the width of its service and catholicity of its interests. "I didn't know that you had music books?" "Are you open on holidays? I didn't know that." "I didn't know that your catalogue is so analytic." Such expressions as these, no doubt, interest and please librarians; but they are also a disquieting indication that a knowledge of the service he offers has not yet spread over the entire public. They make it evident that well considered publicity is as necessary for the public library, as for a commercial firm, in order that the public may know of its existence and of the varied services that it offers.<sup>181</sup>

He also suggested that libraries should adopt various modes of publicity and marketing such as publication of recent additions to libraries in local newspapers, articles in newspapers recounting the library services and resources; conducting exhibitions and distributing leaflets by libraries, and organisation of library talks and story hours to stimulate the interest of public in the services and resources of libraries.<sup>182</sup> To execute the aforesaid activities, he suggested that each library should have its own publicity program manned by specialised full-time officers in the library—publicity officers—after analysing the needs of the community they serve.

<sup>179</sup> S R Ranganathan, *The Five Laws of Library Science* (Madras Library Association, 1931) 315.

<sup>180</sup> S R Ranganathan, *Library Administration* (Madras Library Association, 1935) 468.

<sup>181</sup> *The Five Laws of Library Science* (n 179) 316.

<sup>182</sup> *ibid* 464-466.

The basic purpose behind publicising and marketing in the context of public libraries is to educate the community about the various library services and resources and also to upkeep their knowledge by providing them the required information.<sup>183</sup> Since the words 'marketing' and 'publicity' are generally associated with for-profit organisations and corporations, they have negative connotations in the context of public libraries, which are inherently perceived as social organisations. However, research has shown that in recent years libraries are more willing to adopt marketing principles to identify and meet information needs of the readers.<sup>184</sup>

The Maharashtra government has started few initiatives to inculcate the importance of reading and public libraries. In this regard, the government has declared 15 October as 'Vachan Prerna Divas' to commemorate the birth anniversary of Dr. APJ Abdul Kalam.<sup>185,186</sup> On this occasion, the government has tasked the Director of Libraries and public libraries across the state to organise programs and exhibitions to inspire and cultivate reading habits among the members of the society. Further, the government also awards the Dr. Babasaheb Ambedkar Utkarsh Granthalaya Award<sup>187,188</sup> and Dr. S R Ranganathan Granthamitra Award<sup>189</sup> to the best performing public library and librarian respectively. Such initiatives keep the public informed about the services provided by public libraries in the state.

## SUGGESTIONS

In the present digital age, public libraries have to make creative use of the internet and social media to market their services and resources. Libraries should start by creating their own website with all the relevant information and cataloguing its books and services to inform and educate the users.

Public libraries should also use interactive social media to articulate the library services and resources within a community. Libraries can also create groups for their users on various social media platforms to regularly update them about various library activities as well as available books. This will inevitably lead to word of mouth publicity and attract more users from the community.

<sup>183</sup> S K Patil and Pranita Pradhan, 'Library promotion practices and marketing of Library services: A role of Library professionals' (2014) 133 *Procedia – Social and Behavioral Sciences* 249, 250.

<sup>184</sup> Rajesh Singh, 'Does your library have an attitude problem towards 'marketing'? Revealing inter-relationship between marketing attitudes and behaviour' (2009) 35(1) *The Journal of Academic Librarianship* 25-32.

<sup>185</sup> Maharashtra Government Resolution, dated 1 October 2015 <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/201510091626179408.pdf>> accessed 18 February 2022.

<sup>186</sup> 'Vachan Prerna Divas 'On Oct 15: 'Promote Book Reading On Dr Kalam'S Birth Anniversary' (The Indian Express, October 2017) <<https://indianexpress.com/article/india/vachan-prerna-divas-on-oct-15-promote-book-reading-on-dr-kalams-birth-anniversary-4881303/>> accessed 9 February 2022.

<sup>187</sup> Maharashtra Government Resolution dated 27 August 2015 <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/201508271533119708.pdf>> accessed 9 February 2022.

<sup>188</sup> Dr. Babasaheb Ambedkar Utkarsh Granthalaya Award, Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India' (Directorate of Libraries) <[https://dol.maharashtra.gov.in/en/dr\\_babasaheb\\_ambekar\\_utkrush-ta\\_sarvajanik\\_granthalaya\\_puraskar](https://dol.maharashtra.gov.in/en/dr_babasaheb_ambekar_utkrush-ta_sarvajanik_granthalaya_puraskar)> accessed 9 February 2022.

<sup>189</sup> Dr. S R Ranganathan Granthamitra Award, Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India' (Directorate of Libraries) <[https://dol.maharashtra.gov.in/dr\\_s.r.\\_ranganathan\\_grantha\\_mitra\\_award](https://dol.maharashtra.gov.in/dr_s.r._ranganathan_grantha_mitra_award)> accessed 17 February 2022.

Libraries should also have community outreach programs and create reading and book discussions for people within the vicinity of the library.

## Books

Professor Ranganathan opined that selection of books should be left to the libraries, who should be aided by external experts.<sup>190</sup> The public library system in Maharashtra follows a similar approach, where the Directorate of Libraries issues a book list on the recommendation of an independent book selection committee.<sup>191</sup>

However, it is a fact that public libraries in Maharashtra are often paid commissions by publishers to stock their books.<sup>192</sup> As a result, libraries do not stock books by other publishers. This leads to a situation where readers are discouraged from visiting libraries as they cannot find the books they want to read.

As per the 1970 Rules, public libraries in Maharashtra have to spend not less than 50 percent of the grant-in-aid on books, out of which not less than 25 percent must be spent on purchase of books from the lists issued by the Directorate.<sup>193</sup> While there is already a shortage of funds for purchasing books, with libraries being left with less than 50 percent of the money, the requirement of purchasing 25 percent of the books by the Directorate may stifle their capacity to purchase books suggested by readers in their community. Thus, under the MPLA, financial and administrative control of book purchases in libraries must be reduced.

Special emphasis can be created by public libraries on purchasing books for children. Children are especially interested in picture books.<sup>194</sup> Studies have shown that picture books impact children's learning and development in a positive manner.<sup>195</sup> Therefore, to cater to the needs of such children, public libraries must keep a considerable stock of children's books, viz. illustrated books, interactive books, in addition to other useful reference books to attract children to public libraries. Picture books also make reading a happy and pleasurable experience for children; a formative experience necessary to foster life-long relationships with books.

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<sup>190</sup> Library Administration (n 180) 93.

<sup>191</sup> Maharashtra Government Resolution dated 20 January 2021 <<https://maharashtra.gov.in/Site/Upload/Government%20Resolutions/Marathi/202101201624323808.pdf>> accessed 17 February 2022.

<sup>192</sup> 'वाचवू या पुस्तकांची घरे!' (Maharashtra Times, January 2019) <<https://maharashtratimes.com/maharashtra/mumbai-news/save-these-books/articleshow/67605283.cms>> accessed 9 February 2022.

<sup>193</sup> Schedule I, Form B of the 1970 Rules.

<sup>194</sup> Uma Dasgupta, 'Local Initiatives Are Spreading The Magic Of Public Libraries Across Rural Karnataka' (The Hindu, September 2021) <<https://www.thehindu.com/society/local-initiatives-are-spreading-the-magic-of-public-libraries-across-rural-karnataka/article36644280.ece>> accessed 9 February 2022.

<sup>195</sup> Gabrielle A Strouse, Angela Nyhout, and Patricia Ganea, 'The role of book features in young children's transfer of information from picture books to real world contexts' (2018) 9(50) *Frontiers in Psychology* 1, 6.

 **SUGGESTIONS**

-  Rules under the MPLA should require that libraries provide a suggestion box in their premises to ensure that readers can request for the books they wish to read.
-  Special emphasis should be given for purchasing picture books for children.
-  Grants provided for libraries should be increased such that money provided for books is not spent on other more pressing expenditures.

Each community needs certain spaces where the public is free to mingle and interact. Such spaces take the form of streets, public parks, schools, museums, shopping malls, among others. Apart from schools and museums, public libraries are a few public spaces where the individual can engage in a range of social and intellectual activities. In doing so, public libraries increase equality in access to the material conditions to live a flourishing life.<sup>196</sup>

Traditionally, public libraries have been providing services such as lending books, maps, information, and photocopying equipment, among others. It is true that not all members in a particular community may use the public library for all or any of the aforesaid services. Yet, public libraries have a social impact in terms of sustaining local communities and developing informed societies. An informed society is a prerequisite of citizenship and forms the foundation of a vibrant democracy.<sup>197</sup> Thus, public libraries play an essential role in the community by providing a sense of space and vital information resources.<sup>198</sup>

In recent years, however, the perception of public libraries has undergone dramatic changes largely attributed to changing socio-economic and technological environments. Apart from their aforementioned traditional services, libraries today provide community services that people cannot get elsewhere.<sup>199</sup> Thus, the greater challenge for the public libraries is to remodel their buildings and infrastructure to effectively present an alternative community space.

### Public Libraries as community centres

While introducing the MPLA before the Maharashtra Legislative Assembly, M D Chaudhary, the then Education Minister, expressed that the public library movement in Maharashtra should be driven by the people at the grass-roots level.<sup>200</sup> However, the reality suggests that in today's age, where technology and digital gadgets are ubiquitous, people have low priority for libraries. A public library is a dynamic institution and should evolve according to the needs of the community.

The IFLA/UNESCO Public Library Manifesto, 1994 defined a public library as "*the local centre of information, making all kinds of knowledge and information readily available to its users.*" Public libraries can serve as an effective

<sup>196</sup> Erik Olin Wright, 'Transforming capitalism through real utopias' (2013) 21(2) *Irish Journal of Sociology* 6, 18.

<sup>197</sup> Alan Bundy, 'Growing the Community of the Informed: Information Literacy - A Global Issue' (2002) 33(3) *Australian Academic & Research Libraries* 125, 129.

<sup>198</sup> Ajit K Pyati and Ahmed Kamal, 'Rethinking community and public space from the margins: a study of community libraries in Bangalore's slums' (Wiley Online Library, 2012).

<sup>199</sup> Rachel Scott, 'The Role of Public Libraries in Community Building' (*Public Library Quarterly*, 2011) <<https://www.tandfonline.com/doi/abs/10.1080/01616846.2011.599283>> accessed 9 February 2022.

<sup>200</sup> Sri M.D. Chaudhary, Maharashtra Legislative Assembly Debate (1967) 160-165.

medium of community information. Therefore, to become a true resource centre for the community, the public libraries must first make efforts to assess and understand the information needs of the community.

However, it has been highlighted that public libraries in India cannot properly conduct assessment of their community's information needs because of a lack of human resource capacity and financial constraints.<sup>201</sup> Therefore, there is a need to ensure that public libraries in the state are adequately staffed and provided with sufficient financial incentives to conduct assessment needs of their community.

In order to become effective community information centres, public libraries should initiate community information activities based on the demographic needs of the community. For instance, across towns and rural areas in Maharashtra, students, especially aspirants for competitive examinations, need space and resources to study for long hours.<sup>202</sup>

Additionally, many older adults and senior-citizens face social isolation because of limited socialisation options. Public libraries have a special role to play in the community with regards to reducing this form of isolation. The spaces provided by public libraries can help the elderly and senior citizens in maintaining their social connections and promote community involvement.

In a community, public libraries can provide community information services either directly or in association with other community agencies. For example, during the Covid-19 pandemic, many libraries across India carried out relief campaigns by conducting health awareness, setting up randomised testing facilities, and also serving as sites for vaccine registration.<sup>203</sup> Further, a few libraries in Uttar Pradesh partnered with Accredited Social Health Activist ("ASHA") and anganwadi workers to set up relief works in the community.<sup>204</sup>

### **Community engagement and outreach by libraries: Buguri Community Libraries, Karnataka**

Hasiru Dala is a social impact organisation working with waste collectors in Karnataka.<sup>205</sup> In order to create and nurture spaces for children of waste collectors, Hasiru Dala started Buguri Community Libraries ("BCL") in Bangalore, Mysuru, and Tumkura near the localities where

<sup>201</sup> Manohar Lamani, Anil Talawar, and BD Kumbhar, 'Rejuvenate the Public Library as Community Information Center: A Case Study of District Central Library, Dharwad' (International Journal of Information and Dissemination, 2014) <[https://www.researchgate.net/publication/301889717\\_Rejuvenate\\_the\\_Public\\_Library\\_as\\_Community\\_Information\\_Centre\\_A\\_Case\\_Study\\_of\\_District\\_Central\\_Library\\_Dharwad](https://www.researchgate.net/publication/301889717_Rejuvenate_the_Public_Library_as_Community_Information_Centre_A_Case_Study_of_District_Central_Library_Dharwad)> accessed 9 February 2022.

<sup>202</sup> 'CBD Library A Big Hit, Footfall Rising Steadily | Nashik News - Times Of India' (The Times of India, October 2019) <<https://timesofindia.indiatimes.com/city/nashik/cbd-library-a-big-hit-footfall-rising-steadily/articleshow/71668349.cms>> accessed 9 February 2022.

<sup>203</sup> Satviki Sanjay, 'How Public Libraries Have Evolved To Sustain Low-Income Communities Amid Pandemic' (The Indian Express, June 2021) <<https://indianexpress.com/article/lifestyle/life-style/public-libraries-sustained-low-income-communities-second-wave-pandemic-7348144/>> accessed 9 February 2022.

<sup>204</sup> Kushal Choudhary, 'How A Village's Community Library Continues To Brave COVID-19 Crisis In UP | NewsClick' (NewsClick, June 2021) <<https://www.newsclick.in/how-village-community-library-continues-brave-COVID-19-crisis-UP>> accessed 9 February 2022.

<sup>205</sup> 'Our Story' (Hasiru Dala) <<https://hasirudala.in/about/our-story/>> accessed 17 February 2022.

the waste pickers reside. During the COVID-19 induced lockdowns, the BCL decided to harness technology to reconnect children with libraries. During the lockdown, the libraries contacted the children's parents and created WhatsApp groups, through which they shared books with the children.<sup>206</sup> The BCL also tried to keep the children engaged through activities such as Q&A sessions, book reading, drawing, music, and similar activities. The BCL also started radio and podcast shows broadcasting outreach programs for children.

During the COVID-19 pandemic it was highlighted that nearly 50 per cent of students in Maharashtra have limited or no access to online education because of poor internet connectivity.<sup>207</sup> Therefore, in the changing socio-economic environment, public libraries should have adapted new methods and approaches to become effective community spaces. Such methods and approaches could have included provision for accessibility, learning information technology ("IT") skills, information and communication technology ("ICT") services, digital cataloguing, digitisation of manuscripts, e-book resources, and staff motivational programs.<sup>208</sup>

However, when lockdowns were announced, public libraries across Maharashtra closed to the public at a time when they were needed the most. Therefore, it is incumbent upon the public libraries to adapt to the changing scenarios to continue their engagements with the community.

Additionally, public libraries can be developed as community centres that promote events like seminars, discussions, roundtables, talk shows, cultural celebrations, be used as an event space and any other such activities based on the community assessment and requirements.

## SUGGESTIONS

-  Surveys can be conducted by managements of libraries to assess satisfaction of library users and determine the kind of services required by their community. Suggestions can also be provided by the authorities under the MPLA, such as the DLAs and the DLCs, to help them improve their services.
-  Staffing and funding of public libraries should take into consideration the ability of the libraries to not just maintain books and resources but also play a role as community information centres and places for community engagement.

<sup>206</sup> Chaitra Acharya, 'The Library Is Present | Torchlight' (Torchlight: A Journal of Libraries and Bookish Love, June 2020) <<https://journal.bookwormgoa.in/the-library-is-present/>> accessed 9 February 2022.

<sup>207</sup> Ankita Bhatkhande, 'Only 57% Maharashtra Students Have Internet Connectivity' (Hindustan Times, July 2020) <<https://www.hindustantimes.com/mumbai-news/only-57-maha-students-have-internet-connectivity/story-r1hrSeDyVuR5XMjE72tzDJ.html>> accessed 9 February 2022.

<sup>208</sup> Osama Manzar, 'Technology And Public Libraries' (LiveMint, January 2015) <<https://www.livemint.com/Opinion/fEhj3roPRIYIb-naUk0Vyil/Technology-and-public-libraries.html>> accessed 9 February 2022.

- The needs of the community, such as providing material for competitive exams, providing access to ICT, functioning as information centres in time such as pandemics can be included within the MPLA or its rules as part of the baseline of standards that libraries must adhere to.
- Librarians can engage with local civic and business community organisations such as Rotary International and Lions Club, which participate in community building and charitable activities across districts in Maharashtra.<sup>209</sup> Such partnerships will allow the librarians to gain a greater insight into their communities, which then can be used to design collaborative programmes and other such community engagement services. Building partnerships with the local community organisation could also help in garnering monetary support for the library.
- Library leaders, volunteers and interns can be recruited from within each community to facilitate the functioning of public libraries. Community volunteering programs like that for ASHA workers can be created to make a formalised and paid role for community members within the library system.

### Forging partnerships with local schools

It has been suggested that creating linkages between schools and public libraries is mutually beneficial in the following two ways: first, it allows the students access to books and exposes them to their community; and second, it allows the public library to interact with the community and increase their patrons.<sup>210</sup> Recently, the government of Tamil Nadu had also proposed linking public libraries to schools to nurture reading habits among school students.<sup>211</sup> As part of this scheme, every student automatically gains membership of a public library, which they can access remotely by means of their school.

In Maharashtra, it is the case that many schools lack proper library facilities.<sup>212</sup> Hence, many public libraries have understood the acute need to link schools with public libraries to inculcate positive reading habits in children. For example, in Solapur District the District Public Library has initiated the 'Shala Tethe Granthalaya' (Library for Each School) scheme.<sup>213</sup> Such schemes should

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<sup>209</sup> Jeffrey Hancks, 'Rural Public Libraries' Role in Community Economic Development' (2012) 31 Public Library Quarterly 220, 227.  
<sup>210</sup> D Jackson Maxwell, 'Forging Partnerships: Schools, School Libraries, and Communities' (1999) 26(4) Teacher Education Quarterly 101.  
<sup>211</sup> Amrutha Varshinii, 'TN Govt To Link Major Public Libraries, Schools By Next Year | Chennai News - Times Of India' (The Times of India, October 2017) <<https://timesofindia.indiatimes.com/city/chennai/tn-govt-to-link-major-public-libraries-schools-by-next-year/articleshow/61111430.cms>> accessed 9 February 2022.  
<sup>212</sup> Tanushree Podar, 'Half of the state schools have no libraries' (DNA, April 2016) <<https://www.dnaindia.com/mumbai/report-half-of-the-state-schools-have-no-library-2199326>> accessed 14 February 2022.  
<sup>213</sup> 'शाळा तेथे ग्रंथालय'चा सोलापूर पॅटर्न तयार करणार' (eSakal - Marathi Newspaper, December 2016) <<https://www.esakal.com/paschim-maharashtra/shala-tethe-granthalaya-solapur-pattern-22561>> accessed 09 February 2022.

be implemented across all districts in Maharashtra, requiring all the public libraries to adopt local schools and thereby reach out to all the students in their community.

 **SUGGESTION**

 Create schemes linking schools to libraries as undertaken by Solapur's 'Shala Tethe Granthalaya' (Library for Each School) scheme.

In developing countries, public libraries can act 'as an information safety net for the information have-nots'. The inability to access internet technologies creates a possibility of social exclusion from technological advancements. As information providing institutions, public libraries are best placed to bridge this gap.<sup>214</sup> By providing access to computers, the internet and imparting education on how to use these digital means, libraries could greatly benefit people who do not have access to the same.

The other aspect of libraries and ICT services comprises creating digital libraries with digitised content such as e-books and online subscriptions. However, current investment in public libraries is first needed to maximise resources to help people in 'desperate need of learning'.<sup>215</sup>

### Initiatives taken by the central government

- The National Mission on Libraries, 2014 is an initiative by the central government that seeks to modernise, digitise and increase access to public libraries.<sup>216</sup> One of the components of the National Mission on Libraries ("NML") is the National Virtual Library of India ("NVL") which aims to digitise reading materials in different languages.<sup>217</sup> The reading materials would encompass information about India and information created in India.<sup>218</sup> It intends to target not only students, researchers, doctors and professionals but also the educationally, socially, economically and physically disadvantaged groups.<sup>219</sup> Through this it aims to ensure equal access to information for all. Despite the stated goal, the initiative appears to only empower digitally literate people with ready access to the internet. This does not remedy the problem of the digital divide.
- One of the other goals of the NML is to build the capacity of libraries and library staff to eradicate information poverty and train library personnel but little information on proceeding with such steps has been provided.<sup>220,221</sup>

<sup>214</sup> K.G. Saur, The Public Library Service (IFLA, 2001) <<https://www.ifla.org/wp-content/uploads/2019/05/assets/hq/publications/archive/the-public-library-service/publ97.pdf>> accessed 9 February 2022.

<sup>215</sup> Chitralakha, 'Which Way for Public Libraries in India?' (August 2014) Vol. 49, No. 31 EPW 25.

<sup>216</sup> 'National Mission On Libraries Launched By President Shri Pranab Mukherjee' (PIB, February 2014) <<https://pib.gov.in/newsite/PrintRelease.aspx?relid=102951>> accessed 9 February 2022.

<sup>217</sup> 'Creation Of National Virtual Library Of India As One Of The Components Of National Mission On Libraries' (PIB, February 2019) <<https://pib.gov.in/Pressreleaseshare.aspx?PRID=1562603>> accessed 9 February 2022.

<sup>218</sup> 'Librarians To Be Trained In e-Granthalaya | Goa News - Times Of India' (The Times of India, October 2018) <<https://timesofindia.indiatimes.com/city/goa/librarians-to-be-trained-in-e-granthalaya/articleshow/66369851.cms>> accessed 9 February 2022.

<sup>219</sup> National Mission On Libraries Launched By President Shri Pranab Mukherjee (n 216).

<sup>220</sup> 'Work Undertaken Under National Mission On Libraries' (PIB, March 2021) <<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1706998>> accessed 9 February 2022.

<sup>221</sup> '41 Proposals From 22 States/Uts For Have Been Sanctioned With Budget Of Rs 42.42 Cr To Set Up Model Libraries Under NML' (PIB, March 2018) <<https://pib.gov.in/PressReleasePage.aspx?PRID=1526705>> accessed 9 February 2022.

- E-granthalaya is an online automation system created by the National Informatics Centre that is in the process of creating an online record of books available in libraries. It updates information online about which books are available in which libraries and keeps up to date information on public library clusters<sup>222</sup> in India. It is part of an initiative by Digital India.<sup>223</sup> The e-granthalaya software has over six lakh titles from Maharashtra as part of its digital catalogue.<sup>224</sup> Only automation and record updation of some libraries in Maharashtra is remaining.<sup>225</sup>

### Initiatives taken by other states

- The Kerala Government has demonstrated a strong will to ensure digitisation of libraries and access to ICT. A digital literacy program led by the PN Panicker Foundation along with the Indian Public Library Movement (“IPLM”) is setting up ICT infrastructure and providing digital literacy programs across Kerala.<sup>226</sup>
- NetWork, an initiative backed by various elected representatives in Kerala ensures access to devices and training for digital literacy. To ensure that the essence of a library, that is learning through social development is maintained in the process, this measure is provided along with physical visits to the libraries where internet is provided.<sup>227</sup>
- Karnataka created its digital library application (which provides e-books and other digitised reading content) online in 2020 which has till date been accessed by lakhs of people.<sup>228</sup>
- Andhra Pradesh has created a new project to establish ‘digital libraries’ (libraries that provide access to devices and the internet even in remote areas). However it appears to be aimed at helping people that are working from home and students studying for UPSC exams.<sup>229</sup> The government has proposed to establish 4,314 digital libraries across the state and wants the Collectors to ensure that the internet is available to all households that require it.<sup>230</sup>
- Some states have even included such measures or the necessity for them in their public library legislations:

<sup>222</sup> As per our conversation with the Directorate of Libraries dated 15 February 2022, information on public library clusters includes compiling information on the date of establishment of libraries, their addresses, the number of members registered with them and the number of books they have.

<sup>223</sup> e-Granthalaya <<https://egranthalaya.nic.in/>> accessed 9 February 2022.

<sup>224</sup> Conversation with the Directorate of Libraries dated 2 November 2021.

<sup>225</sup> *ibid.*

<sup>226</sup> ‘Kerala To Get Four Digital Libraries’ (Elets eGov, October 2016) <<https://egov.eletsonline.com/2016/10/kerala-to-get-four-digital-libraries/>> accessed 9 February 2022.

<sup>227</sup> Parvathi Benu, ‘How This Kerala MP Is Using Public Libraries To Help Rural, Tribal Children Get Access To Education’ (Edex Live, October 2021) <<https://www.edexlive.com/news/2021/oct/03/how-this-kerala-mp-is-using-public-libraries-to-help-rural-tribal-children-get-access-to-education-24510.html>> accessed 9 February 2022.

<sup>228</sup> ‘Karnataka Digital Library Stands First Among Other Libraries In The World - Star Of Mysore’ (Star of Mysore, August 2021) <<https://starofmysore.com/karnataka-digital-library-stands-first-among-other-libraries-in-the-world/>> accessed 9 February 2022.

<sup>229</sup> Gopi Dara, ‘Work Kicks Off On 13,000 Digital Libraries Across Andhra Pradesh | Vijayawada News - Times Of India’ (The Times of India, October 2021) <<https://timesofindia.indiatimes.com/city/vijayawada/work-kicks-off-on-13k-digital-libraries/article-show/87377189.cms>> accessed 9 February 2022.

<sup>230</sup> Gopi Dara, ‘Jagan: Accelerate Construction Of Clinics, Digital Libraries: Andhra Pradesh CM Y S Jagan Mohan Reddy | Vijayawada News - Times Of India’ (The Times of India, October 2021) <<https://timesofindia.indiatimes.com/city/vijayawada/accelerate-construction-of-clinics-digital-libraries-jagan/articleshow/87192562.cms>> accessed 9 February 2022.

<b>Goa</b>	<i>"section 3(2)(k): The Government shall establish, maintain and develop Library Service in the State. For carrying out the purpose - the Government promote mobile libraries, audio libraries for blind and special libraries for hearing impaired, text-book library, children library computerization, microfilming of rare documents."</i>
<b>Gujarat</b>	<i>"section 2(a) (v): 'Book' includes - computer output in any form and computer programmes"</i>
<b>Chattisgarh</b>	<i>"section 9(k): The functions of the State Central Library shall be to promote computerization in public libraries of the state and organize training programs for the benefit of the professionals working in public libraries."</i>
<b>Arunachal Pradesh</b>	<i>"section 3(7): The Government shall establish , maintain and develop Library Service in the State for carrying out the following purpose- Promote mobile libraries, audio visual Libraries for children, audio libraries for blind and special libraries for hearing impaired, text book library, children library, computerization, Microfilming or rare documents."</i>
<b>Orissa</b>	<i>"section 2(m): "Library services" means the services provided by a public Library in relation to lending of Hooks and references, abstracts, bibliographies and indexes of books and access to information recorded by electronic media;9(k): The functions of the State Central Library shall be (k) to promote computerisation in libraries of the state and organise training programs for the benefit of professionals working in public libraries."</i>
<b>Uttarakhand</b>	<i>"section 14 (b): A District Library Authority may stock such libraries with books, periodicals, newspapers, manuscripts, maps, works and specimens of art and science lantern slides, films, cinema projectors, recorders, CD-ROMs audio-visual material, digital documents and the like within available resources or forward proposals or demand to State Library Committee."</i>
<b>Rajasthan</b>	<i>"section 2(a)(v): book includes computer output in any form and computer programmes"</i>
<b>Uttar Pradesh</b>	<i>"section 9(k): The functions of the State Central Library shall be (k) to promote computerisation in libraries of the state and organise training programs for the benefit of professionals working in public libraries."</i>

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## Kerala

*“section 8 (i)(viii): Provide in the Trivandrum Public Library or in such other State Libraries, books, periodicals, newspapers, maps, radios, manuscripts, works and specimens of art and science, lantern slides, films, cinema projectors, recorders, television sets, charts, video cassette players, video cassette recorders and computer and the like”*

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### ▲ References to digitisation of libraries and access to ICT in public library legislations

## Initiatives taken by the Maharashtra government

The MPLA makes no mention of e-books, digitisation of libraries or provisions for access to ICT. The closest the MPLA comes to making a reference to digital technologies is the definition of books under section 2(i) which includes mention of ‘discs or tapes used for audio-visual information’. Further, the 2012 amendment to rule 20 of the 1970 Rules provides that ‘computerization of library services’ and ‘provisions for buying computers’ will be included as admissible expenditure for the purpose of providing grants to the recognised libraries. However, it appears that these provisions apply to purchasing computers for library staff rather than providing ICT services to library users.

The legislative assembly debates had discussed the requirement for libraries to be kept up to date with the latest technologies and the requirement for providing training to library staff for such technologies.<sup>231</sup> However, the MPLA does not reflect the intention of the state legislative assembly. Moreover, there are also no provisions for providing ICT access or training on digital literacy to staff and users of the library.

Since 2017, the Directorate of Libraries has taken note of upgrading library services.<sup>232</sup>

- Steps have been taken to digitise Marathi literature and make them available on the Directorate of Libraries website or on Wikimedia Commons.<sup>233,234</sup>
- A new e-library website is now being set up by the Directorate where members, (after paying a small fee) could access all e-books and e-resources available on the website. Books in Marathi, English and Hindi will be made available on the website.<sup>235</sup>

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<sup>231</sup> Sri M.D. Chaudhary, Maharashtra Legislative Council Debates (1967) 617.

<sup>232</sup> ‘सरकारचे पुढचे पाऊल “ई-ग्रंथालय” (eSakal - Marathi Newspaper, August 2017) <<https://www.esakal.com/pune/pune-news-e-library-67451>> accessed 9 February 2022.

<sup>233</sup> ‘Marathi Digitize/PDF Format Books - Total – 1636 | Government Of Maharashtra, Higher And Technical Education Department Directorate Of Library, India’ (Directorate of Libraries) <<https://dol.maharashtra.gov.in/en/digilib>> accessed 9 February 2022.

<sup>234</sup> ‘Rare Collection Of 24 Marathi Books Published Between 1832 & 1900 Digitised’ (The Indian Express, October 2020) <<https://indianexpress.com/article/india/rare-collection-of-24-marathi-books-published-between-1832-1900-digitised-6790851/>> accessed 9 February 2022.

<sup>235</sup> Maharashtra Government Resolution dated 21 June 2021 <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/202106211738218708.pdf>> accessed 9 February 2022.

- Apart from the initiatives mentioned above, the Directorate of Libraries plans to digitise all books and manuscripts which are over 100 years old and make them available on the new e-library website. This process has begun in the State Central Library.<sup>236,237</sup>
- Three ICT centres have been inaugurated in Jalna, Nanded and Andheri (Mumbai).

## ► SUGGESTIONS

■ If Maharashtra were to focus on ensuring accessibility to digital information, large scale strategic planning will be required. First the following alterations may be made within the MPLA:

(i) Definition of 'books' amended to include e-books and other digitised information.

(ii) Definition of 'library services' created to include providing digital literacy, access to computers and internet connectivity.

■ If digital initiatives, whether by providing access to ICT or providing digital content are initiated, they must be incorporated in tandem with the physical public libraries to ensure that the community development and social aspect of libraries is maintained.

<sup>236</sup> Karishma Hingorani, 'Over 1 Lakh Rare Books, 2,500 Manuscripts Set To Be Digitised' (The Hindu, March 2016) <<https://www.thehindu.com/news/cities/mumbai/over-1-lakh-rare-books-2500-manuscripts-set-to-be-digitised/article7519164.ece>> accessed 9 February 2022.

<sup>237</sup> Maharashtra Government Resolution dated 27 May 2021 <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/202105271459342608.pdf?>> accessed 9 February 2022.

## Accessibility of Public Library Services to Persons With Disabilities

Persons with disabilities (“**PwDs**”) face significant barriers in accessing knowledge. Particularly, research has shown that people with disabilities find it difficult to seek and search information.<sup>238</sup> Public libraries have the unique role and responsibility of equalising access to information and resources to people who might not otherwise have access.<sup>239</sup> Therefore, ensuring accessibility to everyone in the community, and especially persons with disability, should be fundamental to the very concept of a public library.

For persons with disabilities, public libraries could ideally serve as a space to be part of their community. Public libraries should also provide opportunities for persons with disabilities to engage in community activities. Such engagements are crucial for PwDs to overcome the disability induced social isolation.<sup>240,241</sup> However, public libraries often fail to meet these accessibility needs, and therefore can be intimidating and uncomfortable spaces for them. There are many studies which highlight the barriers faced by persons with disabilities in accessing library resources in India.<sup>242</sup> In most instances, public libraries are unable to fulfil their obligations as set out under the Rights of Persons with Disabilities Act, 2016 (“**PWD Act**”).<sup>243</sup>

### Guidelines under the PWD Act

The PWD Act is a landmark legislation enacted by the central government enshrining the rights of persons with disabilities. The PWD Act mandatorily requires the government to make all the public buildings and infrastructure accessible to PwDs.<sup>244</sup> Accordingly, the Rights of Persons with Disabilities Rules, 2017 (“**2017 Rules**”) states that the accessibility standards for public buildings should adhere to the Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disabilities and Elderly Persons (“**Harmonised Guidelines**”) issued by the Ministry of Urban Development.<sup>245</sup>

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- <sup>238</sup> Gerd Berget and Andrew MacFarlane, 'What is known about the impact of impairments on information seeking and searching?' (2020) 71(5) *Journal of the Association for Information Science and Technology* 596-611.
- <sup>239</sup> Russell SE and Huang J, "Libraries' Role in Equalizing Access to Information" (*Library Management*, January 2009) <<https://www.emerald.com/insight/content/doi/10.1108/01435120910927538/full/html>> accessed February 09, 2022
- <sup>240</sup> Joanne Kaeding, 'Opening Access To Public Libraries For Children With Special Needs & Their Families' (2015) <<https://apo.org.au/sites/default/files/resource-files/2015-10/apo-nid60694.pdf>> accessed 9 February 2022.
- <sup>241</sup> Suresh Solanki and Shishir Mandaliya, 'Enhancing Library Resources Access for Different Abled Persons Through ICT' (2016) 6(1/2) *International Journal of Information Science and Techniques* 257.
- <sup>242</sup> KP Singh and Easther Moirangthem, 'Are Indian Libraries VIP-Friendly? Information Use and Information Seeking Behaviour of Visually Impaired People in Delhi Libraries' (2010) 374 *Library Philosophy and Practice* 1-14.
- <sup>243</sup> 'Case Registered Against Thiruvananthapuram Public Library For Not Making Building Disabled-Friendly' (*The New Indian Express*, December 2021) <<https://www.newindianexpress.com/cities/thiruvananthapuram/2021/dec/08/case-registered-against-thiruvananthapuram-public-library-for-not-makingbuilding-disabled-friendly-2392917.html>> accessed 9 February 2022.
- <sup>244</sup> Rights of Persons With Disability Act, s 40 and s 45.
- <sup>245</sup> Rights of Persons with Disability Rules 2017, rule 15.

The Harmonised Guidelines lay down standards with regard to the design, planning, and construction of accessible spaces and buildings to optimise independent access to PwDs.<sup>246</sup> With regards to libraries the Harmonised Guidelines provide the following three suggestions:

1. All open book stacks should be accessible
2. All library facilities and equipment should be accessible
3. A special room should be provided for people with hearing and vision impairment who need assistance while reading.<sup>247</sup>

A bare perusal of the above suggestions laid down in the Harmonised Guidelines shows that the central government has conceptualised access to public libraries for persons with disabilities in a generic sense. Particularly, the government has failed to lay down the specific ways and means by which public libraries could be made accessible to persons with disabilities not just physically, but also virtually, intellectually, sensorily, emotionally, and psychologically.<sup>248</sup> Therefore, even if the public libraries fail to design disabled friendly libraries, the law is not robust enough to hold them accountable.

#### Case study on accessibility: The Sweden Library Act, 2013

In 2013, Sweden enacted the Public Libraries Act ("**Swedish Act**") to establish a framework for regulating its public library system. The Swedish Act was enacted with an overarching aim of promoting the 'development of democratic society by contributing to the transfer of knowledge and the free formation of opinions.'<sup>249</sup> In pursuance of this aim, the Swedish Act considers universal access to knowledge and information as an essential precondition for the development of democratic society.<sup>250</sup> In this light, the Swedish Act has incorporated certain provisions to prioritise the needs of PwDs, particularly section 4 which states as follow:

'The libraries in the public library system shall devote particular attention to persons with disabilities, including by offering, based on the varying needs and prerequisites of such persons, literature and assistive technology so that they are able to gain access to information.'<sup>251</sup>

<sup>246</sup> Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disability and Elderly Persons, February (2016) <<https://cpwd.gov.in/publication/harmonisedguidelinesreleasedon23rdmarch2016.pdf>> accessed 9 February 2022.

<sup>247</sup> *ibid* 16.

<sup>248</sup> Kaeding (n 240).

<sup>249</sup> The Sweden Public Libraries Act 2014, s 2.

<sup>250</sup> Promoting the development of democratic society: The Swedish library act according to the legislator (2015, Swedish Library Association) available at: <<https://naple.eu/?mdocs-file=90>> accessed 17 February 2022.

<sup>251</sup> The Sweden Public Libraries Act 2014, s 4.

## Re-designing the Maharashtra Public Libraries Act, 1967

As things currently stand, Maharashtra does not account for PwDs as one of the important stakeholders in the public library system in the state. This is largely evident in the MPLA as well as the 2017 Rules framed thereunder. In comparison, many other states like Goa have enacted public libraries legislation with a specified aim to promote and develop library services for the PwDs in the state.<sup>252</sup>

The MPLA and the 1970 Rules would need to be amended to make recognition of public libraries conditional upon the accessibility of their buildings, services, and materials. This would provide an added financial incentive to the libraries to make their infrastructure accessible to be eligible for various government grants. Public libraries already recognised under the MPLA should be assessed for existing levels of accessibility, and should be provided with a time-frame to meet the accessibility needs to keep their recognition valid. However, in their endeavour to become accessible, the public libraries across the state would require significant financial support from the government.

### SUGGESTIONS

Expand the definition of 'books' under the MPLA to include documents in all accessible formats such as braille, large prints, audio recordings, and electronic formats.

Obligate the Directorate of Libraries under section 9 of the MPLA to ensure that all the public libraries in the state are planned and designed to become accessible.

Amend the MPLA and the 1970 Rules to make recognition of public libraries conditional upon the accessibility of their buildings, services, and materials. For this, additional funding should be provided to the libraries.

In addition to amending the MPLA, the government may consider the following:

### SUGGESTIONS

#### Web accessibility and maintenance

In Maharashtra, the State Central Library as well as most district libraries maintain online websites providing information about the history of the library, book collection, photo and video gallery, as well as an online public access catalogue ("**OPAC**"). However, the websites are not accessible for PwDs as per the standards laid down by World Wide Web Consortium's ("**W3C**") Web Content Accessibility ("**WCA**") Guidelines.<sup>253</sup> Therefore, to make the website

<sup>252</sup> Goa Public Libraries Act 1993, s 3; Arunachal Pradesh Public Libraries Act 2009, s 3.

<sup>253</sup> W3C (WAI), 'WCAG 2 Overview' (Web Accessibility Initiative (WAI)) <<https://www.w3.org/WAI/standards-guidelines/wcag/>> accessed 9 February 2022.

accessible, the government of Maharashtra must ensure that all the state library and district library websites, including the OPAC databases, are in compliance with the WCA Guidelines.

### Staff awareness

Librarians and staff members in public libraries across Maharashtra must be given proper training to respectfully and appropriately interact with PwD users. In this regard, the government should prescribe a set of guidelines for librarians and staff members on properly interacting with PwDs and sensitise them about the accessibility needs of the PwDs. Understanding of the PWD Act as well as the basic characteristics of the disabilities will help the library staff respond appropriately to the needs of the PwD users. Hiring persons with disabilities as well as providing scholarships to PwDs to pursue degrees in library science will ensure inclusivity within library staff as well.

### Physical environment of the library

The physical environment, that is the infrastructure and furniture, in the public libraries must be designed and developed considering the accessibility needs of the PwDs. This includes improvements such as ramps for wheelchairs both for entering and within the library, non-slip surfaces, adequate lighting, indicative braille signages, adjustable desks and chairs, among others. The IFLA has already laid down detailed guidelines aimed at making public libraries accessible to PwDs.<sup>254</sup> It is suggested that the Maharashtra government should also issue similar binding guidelines on accessibility to all the public libraries in the state.

### Library offerings and services

In light of the PWD Act, it is incumbent upon the public libraries to put considerable effort into development of a technological learning environment for PwD users and patrons. Information and communication technology has transformed the nature of library services across the globe. However, it has been observed that the PwDs are at a severe disadvantage in terms of accessing these technologies at public libraries.<sup>255</sup>

Public libraries should make provision of assistive technologies such as electronic text and image magnifiers, screen readers, personal reading machines, closed-circuit television enhancers, assistive listening systems, and braille translation softwares. These

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<sup>254</sup> Birgitta Irvall and Gyda Skat Nielsen, 'Access To Libraries For Persons With Disabilities - CHECKLIS' (International Federation of Library Associations and Institutions) <<https://archive.ifla.org/VII/s9/nd1/iflapr-89e.pdf>> accessed 9 February 2022.

<sup>255</sup> V O Ekwelem, 'Library services to the disabled students in the digital era: Challenges for outcome assessment' (2013) 970 *Library Philosophy and Practice* 4.

assistive technologies should be in addition to other basic assistive technologies, viz. large print books, audio books, audio newspapers, audio magazines, braille books, descriptive DVDs, and similar assistive tools.

#### Marketing materials

Marketing of the library services, especially the accessible services, is necessary if public libraries want to expand their services to PwDs. Most PwDs in India are unaware about the assistive technologies adopted by public libraries, and therefore, do not visit the local public libraries. Public libraries should make utmost efforts to inform the general public as well the PwDs through marketing campaigns about accessible services offered by them. Further, such information should also be prominently displayed on library websites and through newspaper advertisements and brochures.

The MPLA provides the structure for the governance of public libraries in Maharashtra but does not envision the transformative role that public libraries can play as community spaces providing educational, literary, cultural and overall societal development.

Many states, such as Tamil Nadu and Punjab have constituted public library committees to suggest amendments or create modern public library legislations.<sup>256,257</sup> The Maharashtra government also constituted the Rathod Committee in 2019 which provided a report to the government (not available publicly) but no amendments suggested by the Rathod Committee were introduced in the MPLA. It is evident from news reports and our reading of the Act and its rules that there are still considerable changes required to be introduced in the MPLA.

To summarise, our main suggestions are as follows:

- As a priority, the creation of a baseline of public library service standards for existing libraries under the MPLA.
- Library services created should include web-based and physical accessibility provisions for disabled people, the promotion of reading habits, literature production, and provisions of books for all ages. Furthermore, considering the present digital age, libraries should also offer programs on basic digital literacy and access to ICT services (computers and internet connection).
- Libraries should not just be considered storehouses of books but also act as a community space for attending plays, meetings, and cultural celebrations.
- Libraries can conduct surveys of their members or engage with projects within their community to better understand the expectations that the community has from libraries in the present day.
- Public libraries can also play an important role during this (or any future) pandemic. Traditional libraries can provide their books to mobile libraries to be distributed across the community. Additionally, to those who cannot directly access resources, libraries

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<sup>256</sup> T. Ramakrishnan, 'Public Libraries Act, Rules to be revisited' (The Hindu, January 2022) <<https://www.thehindu.com/news/national/tamil-nadu/public-libraries-act-rules-to-be-revisited/article38326409.ece>> accessed 9 February 2022.

<sup>257</sup> Navrajdeep Singh (n 173).

can double as information resource centres that impart important information on government initiatives and also provide assistance to connect to any resources, if required.

Achieving this goal would require addressing the shortage of qualified staff and lack of adequate funding. This can be addressed through:

- Creating rules under the MPLA that detail the qualifications of all staff, service requirements and remuneration offered to them.
- Incentivising library professionals to become part of the public library system in the state by increasing salaries and regularising staff such that they are government employees as per the 'Maharashtra State Library Service'.
- Increasing funds for public libraries in Maharashtra in a two-fold manner, first, by allocating a percentage of the Higher and Technical Education Department's Budget for public libraries and second, allocating a percentage of a pre-existing tax such as revenue or property tax for library development. Additionally, cess as a surcharge can also be imposed on revenue or property tax.
- Ensuring that additional sources of revenue, such as sending proposals to RRRLF for the establishment of children, citizens and senior citizen corners are tapped into for improving public library services. The Directorate should also encourage donations to the Library Fund.

Functioning of the public library authorities in the state also require amendments:

- Reducing the number of members who are part of the SLC to improve its functioning and efficiency.
- Empowering DLCs to ensure the establishment of libraries in the state.
- Providing the Directorate and the district libraries with clear provisions to conduct regular inspections, surveys and audits of public libraries in the state.
- Ensuring interaction between Panchayat members and public library authorities by including them as members of the DLCs in their district.

Therefore, substantial changes will be required under the MPLA to recreate a community service or space of relevance for the public today.

*Way  
Forward*

A survey and audit of all libraries, including a survey of the employees and users of public libraries in Maharashtra can be conducted on the basis of the recommendations laid down in this report. A subsequent detailed policy document can be created based on the findings of these surveys.

*Annexe of the  
Maharashtra  
Public Libraries  
Act, 1967*

# MAHARASHTRA ACT No. XXXIV OF 1967<sup>1</sup>

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[THE MAHARASHTRA PUBLIC LIBRARIES ACT, 1967]

[20<sup>th</sup> December 1967]

Amended by Mah. 11 of 1998.

„ „ Mah. 27 of 2005.

## **An Act to provide for the establishment, maintenance, organisation and development of public libraries in the State of Maharashtra.**

WHEREAS, it is expedient to provide for the establishment, maintenance, organisation and development of public libraries, in the State of Maharashtra and for purposes connected with the matters aforesaid; It is hereby enacted in the Eighteenth Year of the Republic of India as follows :—

### CHAPTER I

#### PRELIMINARY

1. (1) This Act may be called the Maharashtra Public Libraries Act, 1967. Short title, extent and commencement.  
(2) It extends to the whole of the State of Maharashtra.  
(3) It shall come into force on such date<sup>2</sup> as the State Government may, by notification in the *Official Gazette*, appoint in that behalf; and different dates may be appointed for bringing this Act into force in different areas of this State.

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

Definitions.

(i) “book” includes every volume, part or division of a volume and pamphlet in any language, and every sheet of music, map, chart or plan separately printed or lithographed, newspapers, periodicals, paintings, films, slides, discs or tapes used for audio-visual information and such other materials ;

(ii) “Committee” means a Library Committee appointed under section 13 ;

(iii) “compensatory allowance” means the travelling allowance, the daily allowance or such other allowance which is paid to the members of the Council or Committee for the purpose of meeting the personal expenditure incurred by them in attending the meetings of such Council or Committee or in performing any other functions as such members for the purposes of this Act ;

(iv) “Council” means the State Library Council constituted under section 3 ;

(v) “Director” means the Director of Libraries appointed under section 8 ;

(vi) “district” means a revenue district ;

<sup>3</sup>[(vii) “Division” means a revenue division specified under clause (i) of sub-section (1) of section 4 of the Maharashtra Land Revenue Code, 1966 ;]

(viii) “municipal corporation” means a municipal corporation constituted under the <sup>4</sup>[Mumbai] Municipal Corporation Act or the \*Bombay Provincial Municipal Corporations Act, 1949 or the † City of Nagpur Corporation Act, 1948 ;

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<sup>1</sup> For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1967, Part V, Extra, Page 144.

<sup>2</sup> 1<sup>st</sup> day of May 1968 (in the whole State)-(vide G. N., E. & S. W. D., No. LIB-2567-A, dated 27<sup>th</sup> April 1968).

<sup>3</sup> Clause (vii) was substituted by Mah. 11 of 1998, s. 2 (a).

<sup>4</sup> This word was substituted for the word “Bombay”, *ibid*, s. 2 (b).

\* The short title of this Act was amended as “the Maharashtra Municipal Corporation Act” by Mah. 23 of 2012, s. 4.

† This Act was repealed, *ibid*, s. 7.

<sup>2</sup>[(ix) "Municipal Council" means a Municipal Council constituted or deemed to be constituted under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 ;]

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(x) "prescribed" means prescribed by rules made under this Act ;

(xi) "public library" means,—

(a) a library established and maintained by the State Government for the use of the public ;

(b) a library recognised by the Director for the purposes of grant-in-aid from the Library Fund; and

(c) any other library which the State Government by notification in the *Official Gazette* declares to be a public library for the purposes of this Act;

(xii) "year " means the financial year.

## CHAPTER II

### STATE LIBRARY COUNCIL

Constitution of State Library Council. **3.** (1) As soon as may be, after the commencement of this Act, the State Government shall, by notification in the *Official Gazette*, constitute for the purposes of this Act a Council to be called the State Library Council.

(2) The Council shall consist of the following members, that is to say,—

(i) the Minister for <sup>2</sup>[Higher and Technical Education,] who shall be *ex-officio* President of the Council;

(ii) the <sup>3</sup>[Minister of State for Higher and Technical Education,] who shall be *ex-officio* Vice-President of the Council;

<sup>4</sup>[(iii) the Principal Secretary or Secretary to the Government of Maharashtra, Higher and Technical Education Department ;]

(iv) the Charity Commissioner or his nominee not below the rank of Assistant Charity Commissioner;

(v) <sup>5</sup>[ the Director of Higher Education,] Maharashtra State for the time being in office;

<sup>6</sup>[(vi) two members of the Maharashtra Legislative Assembly nominated by the Speaker of the Maharashtra Legislative Assembly;

(vii) one member of the Maharashtra Legislative Council nominated by the Chairman of the Maharashtra Legislative Council;]

(viii) one person nominated by the State Government to represent Municipal Corporations functioning in the State of Maharashtra;

(ix) one person nominated by the State Government to represent <sup>7</sup>[Municipal Councils] functioning in each of the Divisions;

<sup>1</sup> This clause was substituted by Mah. 11 of 1998, s. 2 (c).

<sup>2</sup> These words were substituted for the words "the Minister for Education of the State," *ibid.*, s. 3(a).

<sup>3</sup> These words were substituted for the words "the Deputy Minister for Education of the State," *ibid.*, s. 3(b).

<sup>4</sup> This clause was substituted, *ibid.*, s. 3(c).

<sup>5</sup> These words were substituted for the words "the Director of Education," *ibid.*, s. 3 (d).

<sup>6</sup> These clauses were substituted by Mah. 27 of 2005.

<sup>7</sup> These words were substituted for the word " Municipalities" by Mah.11 of 1998, s.3 (e).

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(x) one member from each Division nominated by the State Government to represent the *Zilla Parishads* functioning in that Division;

(xi) the President of the body known as the *Maharashtra Rajya Granthalaya Sangha*;

(xii) one member nominated by the said *Maharashtra Rajya Granthalaya Sangha* from each Division to represent that Division;

(xiii) the Chairman of the body known as the *Sahitya Mahamandal*, a Society registered under the \*Bombay Public Trusts Act, 1950;

(xiv) four members nominated by the State Government from amongst persons who, in its opinion, have special knowledge or interest or practical experience in matters connected with library service;

(xv) the Director of Libraries who shall also be the Secretary of the Council.

(3) A person so elected under paragraphs (vi) and (vii) of sub-section (2) shall cease to be a member of the Council if he cease to be a member of the Maharashtra Legislative Assembly or the Maharashtra Legislative Council.

4. It shall be the function of the Council to advise the State Government on all matters connected with the administration of this Act. Function of Council.

5. (1) Save as otherwise provided in this Act, at the members of the Council, not being members *ex-officio*, shall hold office for a term of three years commencing on the date on which the first meeting of the Council is held after the nomination of the members under sub-section (2) of section 3. Term of office of, and allowances to members of Council.

(2) The members of the Council shall be entitled to such compensatory allowances and at such rates as may be prescribed.

6. A vacancy in the office of a nominated or elected member of the Council occurring otherwise than by efflux of time shall be filled by nomination or election, as the case may be, and the person nominated or elected to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated or elected. Casual vacancies in Council.

7. (1) The Council shall meet not less than twice in every year, on such dates and at such hours as may be fixed by the President; and six months shall not intervene between two successive meetings. Meetings of Council.

(2) The President of the Council may, whenever he thinks fit, and shall, upon the written request of not less than one-third of the total number of members of the Council, and on a date not later than thirty days after the receipt of such request, call a special meeting of the Council.

(3) One-third of the total number of members of the Council shall form the quorum.

(4) The Council shall transact business in such manner and in accordance with such procedure as may be prescribed.

### CHAPTER III.

#### DEPARTMENT OF LIBRARIES.

8. (1) For the purposes of this Act, a Department of Libraries shall be constituted by the State Government with a Director of Libraries as its head and with such other officers and servants as the State Government may think fit. Department of Libraries.

(2) The State Government shall appoint a whole-time officer having the prescribed qualifications to be the Director of Libraries.

\* The short title of the Act was amended as "the Maharashtra Public Trust Act" by Mah. 24 of 2012 entry 43, w.e.f. 1-5-1960.

Functions  
of Director.

**9.** (1) Subject to the superintendence, direction and control of the State Government, the Director shall be responsible for the administration of this Act.

(2) In particular, and without prejudice to the generality of the foregoing provision, the Director shall—

(a) be responsible for the planning, maintenance, organisation and development of public libraries and public library system;

(b) superintend and direct all matters relating to public libraries;

(c) promote the establishment of public libraries to achieve the purposes of this Act;

(d) recognise, in accordance with the rules made under this Act, public libraries and State, Divisional and other public library associations for the purposes of grant-in-aid from the Library Fund and sanction and disburse grants to them ;

(e) maintain accounts of the Library Fund and ensure its proper utilisation;

(f) publish annually a bibliography of all the books published in the State;

(g) submit to the State Government every year, a report on the working of public libraries under this Act;

(h) collect and preserve old and rare books, periodicals, manuscripts and other documents of educative value in public libraries;

(i) organise programme for training candidates in library science and conduct examinations for the candidates of recognised library training courses; and

(j) exercise such other powers and perform such other duties as may be conferred or imposed on him by rules made under this Act.

State Library  
Service.

**10.** (1) The State Government shall establish a Maharashtra State Library Service, and appoint persons thereto.

(2) The Maharashtra State Library Service shall consist of such classes and categories of posts as the State Government may from time to time determine. All members of the said service shall be Government servants and their recruitment and conditions of service shall be regulated by such rules as may be made by the State Government from time to time.

(3) The salaries, allowances, gratuity, pension and other emoluments of the members of the Maharashtra State Library Service, shall be paid from the Consolidated Fund of the State.

#### CHAPTER IV.

##### PUBLIC LIBRARIES.

Establish-  
ment and  
maintenance  
of public  
libraries.

**11.** (1) The State Government may establish a State Central Library for the whole of the State, and a Divisional Library for every Division.

(2) Where in any local area, provision for library service to the public is not made to the satisfaction of the Director by any local authority, or any society registered under the Societies Registration Act, 1860 or any trust registered under the \* Bombay Public Trusts Act, 1950 or where the State Government is of the opinion that any such local authority, society or trust is not willing or is incompetent to provide library service to the public to the satisfaction of the Director in any local area, the State Government may establish a library for the use of the public in that area:

Provided that, no such library shall be established without giving an opportunity to the local authority, society or, as the case may be, the trust to show cause why the State Government should not establish a library in the said local area.

XXI  
of  
1860.  
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XXIX  
of  
1950.

\* The short title of the Act was amended as "the Maharashtra Public Trust Act" by Mah. 24 of 2012, Sch., entry 43, w.e.f. 1-5-1960.

(3) All libraries established under this section shall be maintained, organised and developed by the State Government through the Department of Libraries.

**12.** The functions of the public libraries shall be such as may, on the advice of the Council, be prescribed.

Functions of public libraries.

#### CHAPTER V.

##### LIBRARY COMMITTEES.

**13.** (1) For every district, the State Government shall appoint a District Library Committee.

Constitution of Library Committees.

(2) The Committee shall consist of the following members, that is to say,—

(i) The Chairman for the time being of the Education Committee of a *Zilla Parishad* functioning in the district, who shall be *ex-officio* President of the Committee;

(ii) the President of the District Library Association of the district (if any);

(iii) one of the Chairmen of the Managing Committees of recognised public libraries functioning in each taluka of the district nominated by the State Government;

(iv) five persons nominated by the State Government, one of whom shall be a librarian possessing the prescribed qualifications and two shall be persons representing libraries in the areas within the limits of a <sup>1</sup>[Municipal Council] or municipal corporation in the district;

(v) one of the Presidents of the municipalities in the district nominated by the State Government;

(vi) the Education Officer for the time being of the *Zilla Parishad* functioning in the district, who shall also be *ex-officio* Secretary of the Committee.

(3) The State Government shall appoint a Library Committee for <sup>2</sup>[Brihan Mumbai] consisting of —

(i) the Chairman for the time being of the Education Committee of the municipal corporation of <sup>2</sup>[Brihan Mumbai] who shall be the *ex-officio* President of the Committee;

(ii) five persons nominated by the State Government one of whom shall be a librarian possessing the prescribed qualifications and two shall be persons representing libraries in <sup>2</sup>[Brihan Mumbai];

(iii) Education Officer for the time being of the municipal corporation of <sup>2</sup>[Brihan Mumbai];

(iv) Educational Inspector, <sup>2</sup>[Brihan Mumbai], who shall also be the *ex-officio* Secretary of the Committee.

**14.** (1) Save as otherwise provided in this Act, the nominated members of the Committee shall hold office for a term of three years commencing on the date on which the first meeting of the Committee is held after their nomination.

Term of office and allowances to members of Committee.

(2) The members of the Committee shall be entitled to such compensatory allowances and at such rates as may be prescribed.

<sup>1</sup>. These words were substituted for the word "Municipality" by Mah. 11 of 1998, s. 4(a).

<sup>2</sup>. These words were substituted for the words "Greater Bombay", *ibid.*, s. 4(b).

Casual vacancies in Committee. **15.** A vacancy in the office of a nominated member of the Committee occurring otherwise than by efflux of time shall be filled by nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated.

Functions of Committee. **16.** It shall be the function of a Committee,—  
 (i) to advise the State Government on all matters relating to development of library service in the district or, as the case may be, <sup>1</sup>[Brihan Mumbai] on proper lines;  
 (ii) to ensure that the prescribed function of the public libraries are performed by them satisfactorily; and  
 (iii) to perform such other duties as may be prescribed.

Manner of transaction of business by Committee. **17.** The Committee shall transact business in such manner, and in accordance with such procedure, as may be prescribed.

## CHAPTER VI.

### FINANCE and ACCOUNTS

Library Fund. **18.** (1) The State Government shall constitute a fund called the Library Fund.  
 (2) The Library Fund shall consist of—  
 (a) contribution made by the State Government under section 20;  
 (b) any special grants given by the State Government under section 21;  
 (c) any grants given by the Government of India to State Government for development of public libraries; and  
 (d) any contributions or gifts made by the public for development of public libraries.

Application of Library Fund. **19.** (1) The moneys in the Library Fund shall be utilized by the State Government for carrying out the purposes of this Act.  
 (2) Without prejudice to the generality of sub-section (1), the moneys in the Library Fund may be utilized by the State Government to defray expenditure on the following :—  
 (a) establishment, maintenance and development of public libraries;  
 (b) compensatory allowances payable to members of the Council and of the Committee ;  
 (c) grants-in-aid to public libraries and library associations recognised for the purpose by the Director of Libraries.

Contribution by State Government. **20.** The State Government shall, after due appropriation made by law in this behalf, contribute to the Library Fund every year, a sum not less than twenty-five lakhs of rupees.

Special grants by State Government. **21.** The State Government may make special grants to the Library Fund.

<sup>1</sup> These words were substituted for the words " Greater Bombay ", by Mah. 11 of 1998, s. 5.

22. All property, movable and immovable, acquired or held for the purpose of any public library maintained by the State Government shall vest in the State Government.

Vesting of properties held for purpose of Government public libraries.

## CHAPTER VII.

### REPORTS AND INSPECTION.

23. Every person who is in charge of the management of a public library shall submit such reports and returns and furnish such information as the Director may from time to time require, to the Director or any person authorised by him in this behalf.

Reports and returns.

24. The Director or any person authorised by him in this behalf shall have power to 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 carried out.

Inspection of public libraries.

25. Within six months from the end of every year, the Director shall prepare an annual report on the progress made by public libraries in that year and submit it to the State Government together with such information and particulars as may be prescribed :

Submission of annual report by Director.

Provided that, no such report shall be submitted to the State Government unless it is approved by the Council.

## CHAPTER VIII.

### MISCELLANEOUS.

26. (1) The State Government may, by notification in the *Official Gazette*, and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

Rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(i) under sub-section (2) of section 5 and sub-section (2) of section 14, the compensatory allowances payable to members of the Council and of the Committees and the rates at which such allowances shall be payable;

(ii) under sub-section (4) of section 7 and section 17, the manner in which and the procedure in accordance with which the Council and a Committee shall transact their business;

(iii) under sub-section (2) of section 8, the qualifications required for being appointed as the Director;

(iv) under clause (d) of sub-section (2) of section 9, rules in accordance with which the Director shall recognize public libraries and State, Divisional and other public library associations for the purposes of grant-in-aid from the Library Fund;

(v) under clause (i) of sub-section (2) of section 9, the other powers and duties which the Director may exercise or perform;

(vi) under sub-section (2) of section 10, the requirement and conditions of service of members of the Maharashtra State Library Service;

(vii) under section 12, the functions of public libraries;

(viii) under section 13, the qualifications of a librarian to be nominated on a Committee;

(ix) under section 25, the information and particulars to be submitted to the State Government.

(3) Every rule made under this section shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session, in which, it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the *Official Gazette*, the rule shall, from the date of publication of such notification, have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

<sup>1</sup>[ \* \* \* ]

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<sup>1</sup> Schedule was deleted by Mah. 11 of 1998, s. 6.

