

LIBRARIES

(Item - 20)

Library service is provided in the State by the Public Libraries Department created under the Tamil Nadu Public Libraries Act 1948. This enactment envisages "to provide for the establishment of Public libraries and organisation of a comprehensive rural and urban library service in the State". This Act provides for constitution of Local Library Authorities (LLA) one for the city of Chennai and one for each district. The Local Library Authorities are responsible for establishing Main and Branch Libraries within its jurisdiction. There are 19 District Central Libraries, 1545 Branch Libraries, 9 mobile libraries and 1069 Part time libraries in the State. Connemara Public Library has been declared as the State Central Library. There are 3440 persons working in the Libraries and Local Library Authorities. The Budget provision for Libraries for 1996-'97 is Rs.14.64 crores which includes a plan outlay of Rs.28.90 lakhs.

02. The said Act enables the local bodies to levy library cess in the form of a surcharge on the Property Tax or House Tax at the rate of 3% (The rate was revised to 5 per cent and had since been increased to 10%) The local bodies collect the cess and remit the collection to the District Local Library Authority. The Government also contributes grant equivalent to "a sum not less than the cess collected in the district". The LLA's maintain a Library Fund to which the cess and Government grant get pooled and from which all the expenses for providing Library services under the Act are met. The cess collection during 1994-'95 and 1995-96 was Rs.6.12 crores and Rs.7.82 crores, respectively. It is learnt that arrear of cess to be collected, as on September 1996, works out to Rs.23.51 crores. Besides, the District Decentralised Planning schemes provided Rs.110.28 lakhs and Rs.97.98 lakhs in 1994-95 and 1995-96 respectively for the construction of Library and reading rooms.

03. The Local Library Authority constituted under the Act is a broad based one and provide for representation of elected representatives, rural and urban local bodies. As per Section 5(3) of the said Act the LLA for each district consists of: (1) Ten members (5 School Headmasters / Principals and 3 office bearers of Libraries) nominated by the Director of Public Libraries, (2) One member elected by the district board, (3) One member per Taluk may be elected by the presidents of the panchayats in the district, (4) One or more members per Municipal Council as may be elected by the municipal council in the district and (5) Every Local Library Authority shall elect one of its members to be its Chairman.

04. The Seventy third Constitutional Amendment has enumerated 29 subjects (Eleventh Schedule) in respect of which certain powers may be entrusted to the Panchayat Raj Institution. Libraries is one of the items (item No.20). Vide Section 111(g) of the Tamilnadu Panchayat Act, 1994, 'the opening and maintenance of reading rooms' by the village Panchayats has been assigned. The following responsibilities are recommended to be entrusted to three tiers of Panchayat Raj Institutions. The State Planning Commission has taken note of the present arrangements and suggest that the status quo may continue without interruption. In the first phase, village panchayats may be empowered to open Libraries in the villages not covered/served by the Libraries of Local Library Authorities. Further, entrustment of powers to take over existing library networks by the Panchayats, from Village to District levels may be considered after a period of two years and in consultation with District Planning Committee.

I. VILLAGE PANCHAYAT

<i>ACTIVITY</i> (1)	<i>ENTRUSTMENT OF POWERS</i> (2)
1. Opening of Libraries	i) Open new Libraries in Panchayat Village.
2. Operation and Maintenance of Public Libraries	i) Construction of reading rooms and Library buildings by utilising funds under development schemes. ii) Take over the Libraries of LLA existing in the Panchayat Village. iii) Maintain and operate the Library with Library Cess and matching Government grant.

<i>(1)</i>	<i>(2)</i>
3. Library Cess collection and remittance	i) Collect Library Cess as prescribed by Government and remit the same to District Local Library Authority. ii) Receive Library Cess and matching grants from District Local Library Authorities for Library operation and maintenance.

II. PANCHAYAT UNION

<i>ACTIVITY</i> <i>(1)</i>	<i>ENTRUSTMENT OF POWERS</i> <i>(2)</i>
1. Opening of Libraries	i) Assist the LLA in preparing a comprehensive plan for establishing libraries in unserved villages. ii) Provide financial and technical assistance to village panchayats for construction of library building and reading rooms under appropriate development schemes.
2. Participation in District LLA	i) Elect one or more Village Panchayat Presidents in the in the Panchayat Union area to be member(s) of District Local Library Authority.

III. DISTRICT PANCHAYAT

<i>ACTIVITY</i> <i>(1)</i>	<i>ENTRUSTMENT OF POWERS</i> <i>(2)</i>
1. Promotion of Libraries in the district	i) Advise the District Local Library Authority in opening of new Libraries and implementing schemes for library services in the district. ii) Campaign for promoting reading habits and use of library among the people. iii) Elect one of the members of District Panchayat to be member in District Local Library Authorities. iv) Advise on the integration of Adult Literacy, Total literacy and Non-formal Education Programmes with Public Library works.
2. Review of Library Schemes	i) Facilitate the Panchayats to get Government grant for Library activities. ii) Take up review of Government schemes on (a) Opening of new Libraries, (b) Construction of reading rooms and Libraries, and (c) release of Government grant for Libraries.

Administrative implications

05. Upto 31st March 1982 the libraries coming under the Local Library Authorities were having their own staff whose salaries and emoluments were met out of District Local Library Authority funds. Government in G.O.Ms.No.820, Education & Science and Technology Department, dated 3.5.1982 provincialised the services of the employees of Local Library Authorities with effect from 1.4.1982. It is apt to note that Government have declared teachers in Education Department and certain health staff in the Health and Family Welfare Department who were employees of the local bodies as Government servants in the same year (1982). According to Section 108 and 109 of the Tamil Nadu Panchayat Act 1994 the teachers including Headmasters and basic servants in Panchayat Union Schools; and health assistants, auxillary nurses, midwives and maternity assistants in public health establishments of Panchayat Unions are treated as whole time Government servants and the rules regulating their service conditions will be those of the Government servants. The Tamil Nadu Panchayat Act has not given similar protection to the employees of the local library authorities. In this background, the State Planning Commission considers that libraries coming under the Local Library Authority located in the Panchayat can be best looked after and managed by the Village Panchayats. Therefore, staff provincialised in 1982 should be transferred to the Village Panchayats on deputation and their emoluments and service conditions may be regulated as envisaged in the G.O.Ms.No.802, Education, Science and Technology Department, dated 3.5.1982. As and when such employees retire the panchayats should have the option to employ their own staff to look after the libraries. In this regard, necessary Government guidelines can be issued. With regard to the District Local Library Authorities employees should continue to be under the control of the District Local Library Authorities coming under the control of Director of Public Libraries. In view of the fact that the service condition of provincialised employees working in the Libraries will be protected, their promotion/ transfers need also to be regulated as per the Government guidelines.

06. The Tamil Nadu Public Libraries Act 1948 and rules indicate constitution of the authority with various categories of members being elected and nominated. The number of members 'nominated' is larger than the number of 'elected' members. It would be appropriate that section 5 of the said Act need to undergo changes, a) to provide adequate membership to the democratically elected members from the rural and urban local bodies, b) to give adequate representation to the members of the District Panchayats and the District Head Quarters, Municipalities/Municipal Corporations for effective management of the District Local Library Authorities. By giving more representation to the rural and urban local bodies and the District Panchayats in the local library authorities, they can be effectively brought under the control of the Panchayat Raj Institutions and Urban Local Bodies. The State Planning Commission consider that the entrustment of functions in respect of libraries could be best accomplished in this manner.

07. The State Government has launched a massive total literacy campaign in the State. This is supplemented with adult and non-formal education. The formal education covers many students under welfare schemes to ensure nil dropout in the elementary education. These efforts need to be appropriately supported by public libraries in villages. In this background the Tamil Nadu Public Libraries Act needs to be thoroughly amended or a new Act enacted.

Financial implications

08. The said Act provides levy of Library Cess by the local bodies and pooling of the cess at the Distreit Local Library Authority for the promotion of library activities. The Government, as per the Act provides grants of amount not less than the library cess. It is appropriate that the cess collected by panchayats Pooled at the district level should be so apportioned amongst the Panchayats that the opening, and maintaining of public libraries in Panchayats will be useful. Further, Government grants for library promotion can be released by the District Local Library Authorities to the Panchayats on the basis of the information received from the Panchayats, through the District Panchayat which can act as a facilitator to recommend the eligible library grants for the Panchayats in the Districts.

Legal implications

09. Tamil Nadu Public Library Authorities Act is about 50 years old and need to undergo changes to meet the present requirements. The State Planning Commission recommends that either exhaustive amendments may be carried out or a new Act may be enacted for promotion of Public Libraries in the State keeping in view the emergence of Panchayat Raj Institutions, and promotion of total literacy in the State.