

[Shri K Lakkappa]

the member whose name is there can ask the question. But will you kindly sit in judgment over a wrong information given by the Minister to the House?

MR SPEAKER There are other procedures for that.

SHRI K LAKKAPPA What is the procedure?

MR SPEAKER You see the rules.

SHRI K LAKKAPPA That is why, I say 'you pull up the Minister'.

12 25 hrs

# STATEMENT RE NATIONAL LIBRARY OF INDIA ACT 1976

THE MINISTER OF EDUCATION SOCIAL WELFARE AND CULTURE (DR FRATAP CHANDRA CHUNDER) Sir during 1976 both Houses of Parliament passed the National Library of India Act 1976 which envisaged an autonomous Board for the National Library Calcutta which at present is a subordinate office under the Department of Culture. This Act was to come into force from the date it was notified in the Gazette. The Govt of India has not so far brought the Act into force and the National Library continues to be a subordinate office of the Department of Culture.

A Committee under the Chairmanship of Prof V S Jha was set up by the Government of India in May 1968 to review the working of the National Library Calcutta and to suggest measures for its efficient functioning and further development. The Committee *inter alia* recommended that the then Advisory Council should be replaced by a Governing Council exercising real authority. In other words the Governing Council should be vested with complete autonomy—delegated autonomy and not statutory. The Government agreed in principle to give the largest measure of autonomy to the Library as envisaged in the Jha Committee report. On examination in consultation with the Ministry of Law and Justice it was found that the type of autonomy envisaged by the Jha Committee could

not be given by Resolution of the Govt. Such a resolution would not accord juridical personality to the National Library, Calcutta. The Department of Culture was advised that autonomous status could be given to the National Library Calcutta, in one of the three following ways:

- (i) by registering it as a society under the West Bengal Societies Act,
- (ii) by registering it as a company under the Companies Act,
- (iii) by an act of Parliament.

After considering the various aspects of these alternatives, the Government decided upon enacting a legislative measure and making the National Library a statutory autonomous body. Accordingly, the National Library Bill was moved in the Lok Sabha on 18-12-72.

On a motion by the then Education Minister the Bill was referred to the Joint Committee of both Houses of Parliament. The Committee invited memoranda on the Bill from various individuals/organisations/associations etc. It also held its sittings in Calcutta, New Delhi and Bombay and received oral evidence. More than half of the individuals/representatives of the associations/cultural organisations who submitted memoranda on the Bill or appeared for oral evidence belonged to West Bengal. They were generally opposed to the very idea of autonomous status for the National Library as envisaged in the Bill. The Joint Committee of Parliament took into consideration the various objections raised by the individuals/organisations etc and modified the draft Bill to meet these objections. The Committee presented the revised Bill along with its report on 26th July 1974.

The following members of the Joint Committee recorded minutes of dissent:

- (1) Shri Saroj Mukherjee
- (2) Shri H N Mukherjee  
Shri Sanat Kumar Raha
- (3) Shri Samar Guha  
Shri Virendra Agarwala  
Shyamal Gupta

#### 4. Shri Niren Ghosh.

The minutes of dissent recorded by Shri Saroj Mukherjee, Shri Samar Guha, Shri Virendra Agarwala, Shri Shyamal Gupta and Shri Niren Ghosh pleaded rejection of the Bill as it had been opposed by the intellectual community of Bengal and other parts of the country.

The question of bringing the Act into force has been reconsidered. A large number of representations from the National Library Association, Bengal Library Association and a Joint Convention on the National Library of India Act, 1976 have been received. The representations reiterate that the Bill at its formulation stage was opposed by the Members of Parliament and other prominent members of the Public and intelligentsia, that the Jha Committee had recommended a delegated autonomy and not statutory autonomy, and the Act would lower the image of the National Library.

The National Library is at present a subordinate office under the Department of Culture and the Director enjoys the Financial and administrative powers as are delegated to an Head of the Department, while the Act envisages a three tier arrangement with an autonomous Board, an Executive Council and the Director. It is now felt that such diffusion of authority will not be conducive to the efficient functioning of the Library. Keeping this in view and the opposition to the Act from the various quarters when the Act was formulated it has now been decided that the National Library of India Act, 1976 may not be brought into force and the Library may continue to function as a subordinate office under the Department of Culture.

The Government of India is also considering whether or not it is necessary to legislate on the subject of libraries in general or the National Library in particular. The question of repeal of the National Library of

India Act, 1976, would, therefore be considered in this context.

SHRI O. V ALAGESAN (Arkonam): Sir, it has been urged on the floor of the House that there is a library of national importance in Tanjavur. It was a collection, a library, set up by Maharaja Sarfoji. It contains very valuable and very rare manuscripts in all languages—Tamil, Telugu, Marathi, Sanskrit, etc.

I raised the question on the floor of the House and taking into consideration the importance that this library enjoys in the cultural and educational field, I urged upon the Government that it should be declared as a library of national importance. The then Minister agreed to it and he agreed to bring forward a legislation on this matter.

Now, from the statement that the hon. Minister has made, it appears that the Government are going against that policy and do not want any legislation in respect of any library. I would like to have a clarification from the hon. Minister whether he takes the view that there is no need for any legislation even to protect libraries of this sort, namely, the Tanjavur Saraswati Mahal Library. I want to have that clarification from the hon. Minister.

DR. PRATAP CHANDRA CHUNDER: Sir, this is with regard to a particular library for which I require notice. It does not come within the purview of the present system. But I have already stated that the Government is considering whether or not it is necessary to undertake legislation on the subject of libraries in general. That is under our consideration.

12.33 hrs.

Papers laid on the Table—contd.

SHRI C. SUBRAMANIAM (Palani): Sir, I crave your indulgence to remove a misunderstanding that has