

# Role of Law in Library and Information Centres

Mohammad Yusuf

Assistant Librarian, Maulana Azad Library, Aligarh Muslim University  
Aligarh - 202002, U.P.

The paper highlights role of 'Law' in general with particular reference to Indian Library and Information Centres. It describes concept, purpose and objectives, types of Law and their application in various areas of in Library and Information Centres. It also point out several barriers in application of Law in Libraries and finally suggest application of Law in scientific manners in Library and Information Centres to achieve their objectives in a better way.

## Key Terms

Law, Library, Information Centers, India

## Introduction

Law has a wide role in the universe which functions on certain principles. Each entity of the universe is governed by Law directly or indirectly. Law has wide impact on all walks of life. It is needed to function the offices, home, army, playground, factory, institutions, organizations, including Library and Information Centres. The knowledge of Law is necessary for all categories of persons such as engineers, managers, teachers, students, politicians, farmers, sci-

entists, librarians, technologists, children, women, and even ordinary person irrespective of caste, creed, color, sex and geographical boundaries. The context of law may differ person to person in different circumstances. In fact, knowledge of law is essential for all categories of people on account of changes i.e. social, cultural, economical, political, geographical, technological etc. taking place which are affecting life style of people in terms of human needs. Maslow (1943)<sup>1</sup> identified five categories of human needs hierarchical order which are affecting human needs.

These needs are

1. Physiological needs: Life support material
2. Safety needs: Security protection stability
3. Social needs: Love affection, friendly contracts
4. Esteem or Ego needs: Prestige, self respect, recognition
5. Self actualization needs: Developing one own potential to the highest level

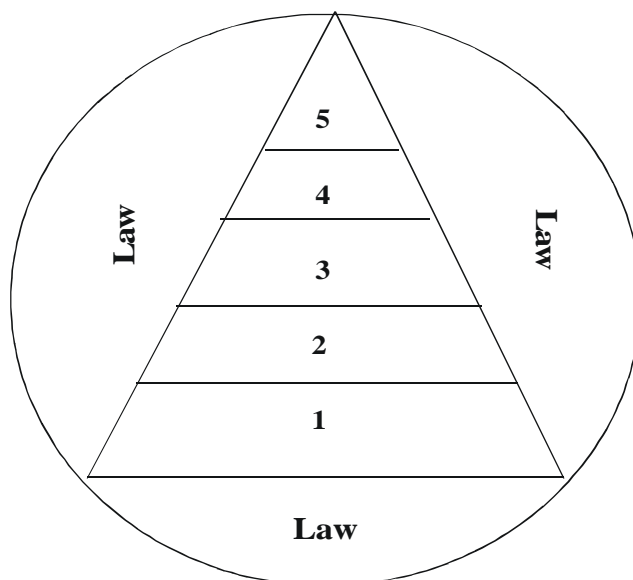


Fig. 1. Role of Law in Human Needs.

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## Reprint requests: Mohammad Yusuf

Assistant Librarian, Maulana Azad Library  
Aligarh Muslim University, Aligarh - 202002, U.P.

These needs of the people are fulfilled in a hierarchical order from physiological to self actualization needs. Law plays an important role in fulfilling these needs in the best possible manner.

## 2. Concept of Law

Soanes and Stevenson (2007)<sup>2</sup> define law (i) A system of rules recognized by country or community for regulating the actions of its members and are enforced by the imposition of penalties. (ii) A rule defining correct procedure or behavior in a sport. (iii) A statement of fact deduced from observation, to the effect that particular natural scientific phenomenon are always occur if certain conditions are present. (iv) The body of divine commandments as expressed in the Bible and other religious text.

Biswas (1982)<sup>3</sup> define law as a synthesis of

order and justice. Under article 13 of the Constitution of India, law requires any ordinance, order, bye-law, rule, regulation, notification, custom, or usage having in the territory of India the force of law. As per the Constitution of India article 13 (3), a law includes an ordinance issued by President or Governor. In wide context, law includes rules, principles, statutes, ordinances, acts, standards, policies, guidelines, canon, code, traditions and customs, recommendations of the committees/commissions, professional associations, etc. In short, any systematic study for justice is law.

## 3. Types of Law

It has been observed that there are several categories of law. Therefore it is categorized on the basis of certain attributes, such as area, period, content, institutions, and discipline.

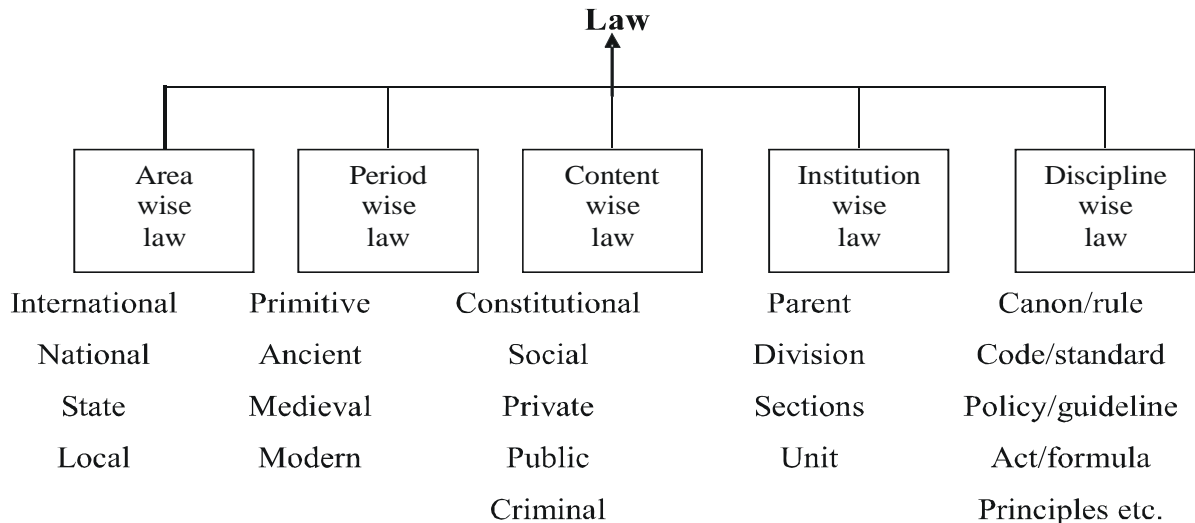


Fig. 2. Types of Law

## 4. Purpose and Objectives of Law

The main purpose of law is to provide justice to the people and the organization. The purpose of law in Library and Information Centers is to provide justice to library staff, users, collections, systems etc. It has the following objectives:

- \* Proper organization and management of library
- \* Scientific utilization resources of the library
- \* Maintain law and order in libraries
- \* Acquisition of library material in a balance way

- \* Provide better services to the users of the library
- \* Liaison among the library authorities, staff, and users.
- \* Protect the rights of the users, staff and authorities
- \* Doing justice with library users, staff, authorities and system

## 5. Impact of Law on Library and Information Centres

It has been observed that there is a wide impact of different forms of law on libraries directly

or indirectly. These are as follows:

- \* Fundamental Laws: Ranganathan (1988)<sup>4</sup> propounded Five Laws of Library Science i.e. (1) Books are for use (2) Every reader his/her book (3) Every book its reader (4) Save the time of reader (5) Library is a growing organism. These laws are applicable in the entire field of librarianship.
- \* Rules: Anglo-American Cataloging Rules (AACR) for cataloging of documents.
- \* Code: Classified Catalogue Code (CCC) for cataloging of documents.
- \* Canon: Canon of Cataloging used for cataloging principles.
- \* Formula: Staff formula introduced by Dr. S.R. Ranganathan and University Grant Commission formula for assessing staff position in libraries.
- \* Principles: Henry Foyal's fourteen principles of managements applicable in the management of libraries.
- \* Standards: International Standard Bibliographic Description (ISBD).
- \* Policy: National Policy on University Libraries, Collection Development Policy for Libraries.
- \* Minutes: Library committee with regard to purchase, finance, and grievances; academic; executive committee etc.
- \* Acts: Information Technology Act 2000, Copy Right Act 1954, Right to Information Act 2005, Library Legislation Acts etc.
- \* Scheme of Classification: Dewey Decimal Classification Scheme (DDC), Colon Classification (CC) etc for classification of documents.
- \* Recommendations of Committees/Commissions/Professional Associations: Dr. S.R. Ranganathan Committee 1957, Radhakrishnan Education Commission 1948, Kothari Education Commission 1964. The National Knowledge Commission 2006, Pay Commissions setup by government of India, Indian Association of Special Libraries and Information Centres (IASLIC), Indian Library Association (ILA) etc. for growth and development of Libraries and Information

Centres.

- \* Miscellaneous: Fundamental rights of the citizens, Basu (1993)<sup>5</sup> as mentioned in the Constitution of India under Article 19, are (i) Right to equality (ii) Right to particular freedom (iii) Right to against exploitation (iv) Right to freedom of religion (v) Cultural and education rights and (vi) Right to constitutional remedies.
- (ii) Tradition and Customs of the Nations/Institutions: Holidays on birthday or foundation day of the Institutions etc.
- (iii) General orders (GO) of the Ministries such as Ministry of Human Resources Development.
- (iv) Service Manuals: Swamy's Handbook for Central Government Employees. Nabhi's Reference for Central Government Employees.
- (v) Ethics: Professional ethics

## **6. Legal Sources of Information for the Libraries**

There is a long list of legal sources of information which may useful for the libraries directly or indirectly. The important legal sources of information are listed below:

### **Acts**

Library Legislation Act, Technology Act, Copyright Act, Right to Information Act, Parent Institutions Act,

### **Recommendations**

Education/Pay/Knowledge Commission, Professional Associations, Workshop/Seminar/Conferences on libraries.

### **Minutes**

Academic/Executive Council, Purchase/Finance/Adhoc/ Enquiry / Disciplinary Action Committee etc.

### **Disciplines**

Law, Rule, Principles, Canon, Formula, Standard, Code of classification and cataloging, Policy/Guidelines, Methods and Techniques, Professional ethics etc.

### **Decision of the Courts**

Lower/Higher/Supreme Court of the Country.

**Fundamental Rights and Duties of the Citizens**

As mentioned in the Constitution of India.

**Literature**

Published/Printed/Non-printed material in the form of books and journals, reports, CDs, DVDs, and Web Resources available on internet.

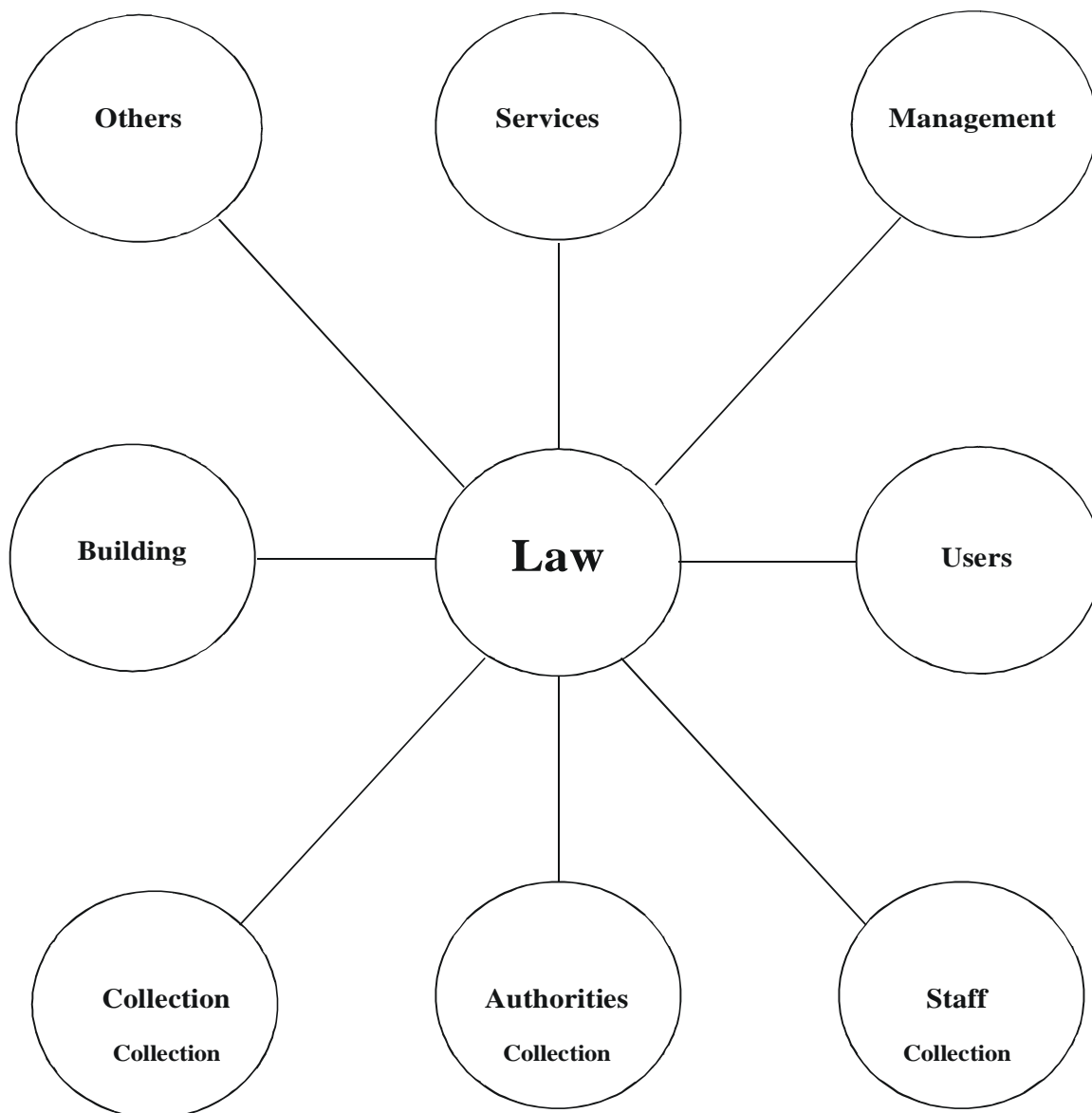
**Miscellaneous**

Traditions and customs of the Institutions/

Nations, general orders of the Ministries of the State/Central Government etc.

**7. Areas for Application of Law in Libraries**

There is a wide application of law in the entire field of the libraries. These areas may be grouped in following categories i.e. library building, fittings and furniture, document collection, staff, users, services, management and other remaining areas.



**Fig. 3 Areas for Application of Law in Library and Information Centre.**

### 7.1 Library Building, Fittings and Furniture

- Construction of building, in terms of reading room, stack area, area for public catalogue, room for library staff, computer lab etc.
- Fitting of fans, air conditioners, lift, computers etc.
- Chairs, tables, display racks, file cabinet, catalogue cabinet etc.
- Safety and security of library buildings, fittings and furniture,

### 7.2 Library Document Collection

- Acquisition of printed/non printed material
- Preservation, conservation, repackage, binding of the material etc.
- Legal binding of publishers/suppliers for the quality and quantity of the document.

### 7.3 Library Staff

- Appointment, promotion, transfer, demotion, deputation, and retirement of the staff.
- Facilities i.e. leave, education, conveyance, medical, accommodation, extra duty and other allowances etc.
- Professional development, in terms of attending conferences, workshop, seminar, refresher courses, writing articles etc.
- Rights and duties of library staff towards staff, users, authorities, and systems.

### 7.4 Library Users

- Physical facilities i.e. reading seats, light, air and congenial atmosphere of the library.
- Enrollment of users, education to the users regarding utilization of resources of the library.
- Number of document issued/return, fine in case of loss of books and over due charges, disciplinary action in case of violating library rules.
- Rights and duties of library users towards authorities, building, collection, institution etc.

### 7.5 Library Authorities

- Rights and duties of the Vice-Chancellor/Registrar/Finance officer, Proctor, Librarian/Director/Chief Information Officer etc.

on every aspect of library and information centres

- Formation of committees in respect of purchase, finance, utilization, disciplinary action, grievances, enquiry, library etc.
- Assessment of performance of staff of the library for promotion
- Liaison with staff, students, users, authorities of the libraries for better functioning of the library

### 7.6 Library Services

- Technical services: Translation, indexing, classification, cataloguing, abstracting, reprographic etc.
- Reader services: Circulation, reference, current awareness, selective dissemination of information, bibliographical, consultation, inter library loan etc.
- Delivery of document/piece of information manually/electronically
- Extension services: Organization of exhibition of books and photographs and conducting lectures etc.

### 7.7 Library Management

- Management of financial resources: Income and expenditure on various items such as books, journals, computer, and staff salary.
- Management of personnel resources: Recruitment of personnel, division of work, performance report, training in I.T. etc.
- Management of document resources: Acquisition, processing, storage, dissemination of information
- Direction of higher authorities to the subordinate staff and highlighting the problems of the division/sections to the higher authorities for smooth functioning of the library.

### 7.8 Other Aspects

- Proper maintenance of the statistics on usage, finance, staff, collection and other material of the libraries.
- Auditing of library in terms of income and expenditure on various aspects such as books, journals, computer, furniture, and staff.

- Publicity of the library in terms of collection, services and achievements in the society
- Maintenance services such as cleanness of the library, proper light, air, water, sanitation in the library
- Opening hours/number of working days of the library during the year etc.

## 8. Barriers/Limitations in Application of Law in Libraries

It has observed that each organization wish to implement law to the spirit of law but sometimes in certain circumstances it is very difficult to implement the law in toto. These conditions are as follows:

- Controversial document which hurts the feeling of other community i.e. 'Satanic Verses' by Salman Rushdi and 'Lajja' by Taslima Nasrin, these documents hurted the Muslim community;
- On one hand, Fundamental Rights of the people such as Right to Information Act and on the other, rights of the authors such as Copy Right Act, Intellectual Property Right Act;
- Unawareness of the law among the people which become the hurdle to get justice in the organization in terms of better collection, services, facilities of the libraries;
- Misinterpretation of law (Misuse of law) by the peoples of organization in their own interest which causes injustice for the deserving candidates;
- 'Lack of will power'. Sometimes due to psychological weakness of the officer, the law is not implemented in the libraries to the spirit of law. Ultimately this is harmful for the organization in terms of justice to the users, staff, and services in the library;
- Involvement of the nasty politics in organization is also harmful in many respect in the libraries in terms of appointment, promotion, and demotion of the staff, delegation of powers by the Head of the division/sections, purchasing of library materials and services provided to the users etc.

## 9. Conclusion

India is a sovereign, socialist, secular and democratic republic country. The constitution of India ensures its citizen justice - social, economic and political; liberty of thought, expression, belief, faith and worship; equality of status and of opportunity; and fraternity assuring the dignity of the individual and unity and integrity of the nation.

Library and Information Centres are playing a crucial role in the growth and development of nation directly/indirectly by providing better services to the members of the society. Law is powerful weapon in providing justice in any system/organization. In fact in absence of proper implementation of law, the Library and Information Centres can not function in proper manner. Therefore the following strategies may be adopted to execute law in the Library and Information Centres to achieve their objectives in a better way.

- Rules for libraries should be framed either keeping in view of human behaviour or natural law (Justice).
- Creating awareness about law among libraries, staff, users, and authorities; organization of meetings; and bringing out news letters/bulletin.
- Permission for consultation of controversial document only to academic/research purpose not to general readers.
- Maintaining the balance in the fundamental right of the people and rights of the authors by providing a photocopy/microfilm/CD of the rare book/manuscripts and other documents to the users keeping in view the interest of the organization.
- Preparing a comprehensive staff manual in terms of acquisition of document collection, services, staff, buildings, users etc. for smooth function of library
- Either appointment of legal advisor in the library or giving a preference in appointment of library staff having legal background keeping in view immense role of law in libraries

(vii) Execution of law in library to the spirit of law with strong willpower and discourage the nasty politics in the libraries

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