



Library, Tagore and Copyright

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Abstract

Library is an institution, which collects, stocks, processes, organizes and disseminates knowledge to readers. In other words, it is the knowledge hub of the society. Rabindranath Tagore wrote only two articles on Library: "Library (1908)" and "Function of a Library (1928)". Library in the words of Tagore was a repository of knowledge that had to be properly organized. Tagore believed that Librarian should always invite its readers to the library and should introduce readers on library books or collection. Rabindranath always admitted that the library has a vital role in case of education and for that he built the Library with the very establishment of the Brahma Vidyalaya at Santiniketan. Thus the subject "Library" also received his great touch. Rabindranath was a book lover and keenly interested to study different subjects and after reading these books, he presented all books to the library for the use of teachers and students. Many of these books having marked with marginal notes and comments were preserved at Rabindra Bhavana Library, Santiniketan.

The Tagores are considered to be the most successful Bengali family from the state of Bengal in India in the last 300 years. The Tagores, who were progressive, open minded and widely travelled family, gave birth to many artists, poets, musicians, philosophers as well as businessmen, social-, cultural- and religious reformers of international repute. It is well known that the concept of the "Library" had received generation-wise support by the family of Gurudev Rabindranath Tagore. Tagore family provided sincere patronage to the development of "Library Movement" in India for 3-generations continuing more than 100 years from 1835 to 1941 – the year of Rabindranath Tagore's death. Copyright also stands for Tagore family in India for the first time.

The Copyrights stand for the legal rights exclusively given for a definite period of time to the authors (or creators) of intellectual work such as a publication, or an artistic or a literary work for sale or any other use. Copyright provides the creators (like writers, poets, composers, etc) of literary or artistic works rights of ownership on their works and legal protection against unlawful reproduction of such works. Copyright subsists through the total of the lifetime of the author and a term (varies from country to country) after the death of the author. In India the copyright extends a total of the lifetime of the author and a term of 60 years after the death of the author. The law relating to copyright in works in India is governed by the Copyright Act 1957 which has been amended in 1983, 1984, 1992, 1994, 1995 and the last being in 1999 and finally the Copyright Act came into effect on January 15, 2000.

(A) Library :

Library is an institution, which collects, stocks, processes, organizes and disseminates knowledge to readers. In other words, it is the knowledge hub of the society. Gerald Johnson writes, "The quickest and the easiest access to the world's best thought is through public library". There is no gain saying the fact that a library houses the greatest thoughts of the world for, books - a constituent of the library are said to be the greatest creation of the humans, who is the greatest creation of the God. Thus, the library - a place where the greatest creation of the greatest creation is housed in an organized way for the use of one and all.

"To carry knowledge free to the doors of the ignorant, to educate them in the righteous path, nothing can be equal to that form of charity; even to give away the whole world can never come to its level" are the words of Manu. This is relevant to the objectives and functions of a Public Library at anytime and anywhere. To achieve this mission, a "People's University" like a Public Library needs support and encouragement from the people's Government. This can be ensured only under legal obligations and implementation.

A Public Library is one that serves the entire population of a community. Everyone in the community regardless of nationality, race, colour, creed, age, sex, status, educational attainment, language or any such considerations has a claim to its services as a matter of right. It is generally established and maintained out of Public funds under the mandate of legislation. The basic condition that a library should be required to satisfy, in order to be accepted as a public library, irrespective of whether it is supported by public funds or not or whether its service is free or not, is that it should be open for use to all the people in its area without any distinction whatsoever. Public Libraries are those libraries, which serve the population of a community or region free of charge or for a nominal fee.

The main functions of the public libraries are:

1. to develop reading habits;
2. to promote education;
3. to foster culture;
4. to disseminate information; and
5. to provide recreation.

Needless to mention that "Library is a growing organism" and it is evident from the fact that the National Library started its journey with the opening of the Calcutta Public Library in March 1836 and designated as Imperial Library by Lord Curzon on January 30, 1903. In his address on the opening, Lord Curzon remarked: *"It is intended that it should be a library of reference, a working place for students, and a repository of material for the future historians of India, in which, so far as possible, every work written about India at any time can be seen and read"*.

After Independence it was designated as India's National Library in 1948. The aim of establishing the National Library, Kolkata was voiced by the then Education Minister of India, Maulana Abul Kalam Azad at its opening ceremony of the National Library at its new home at Belvedere, once the Viceregal Lodge, on 1st February, 1953: *"Old residents of*

Calcutta will, I have no doubt, welcome the transformation of what was a citadel of power into an abode of learning. Formerly this palace was the preserve of State dignitaries and bureaucrats. Today, it is a temple of learning for whatever seeks to worship at its altar. Formerly it was a place, which imposed decisions on the people regardless of what they wishes or needed. Today it is a storehouse from which the information-seeking people can derive its intellectual sustenance in accordance with its wishes and needs. The noble building and grounds which formerly catered for the proud rulers of the land will henceforth be the resort of even the humblest seeker of knowledge and truth".

India is the World's largest democracy with the parliamentary system of government. The diversity of the country is reflected in the multiplicity of religions, languages, the rich-poor and urban-rural divide. A major barrier to any uniform communication in India is the multiplicity of languages and literacy levels sharing 18 major and 844 dialects. India with many languages including English as a language of administration, education and research emerged as one of the ten largest book producing countries of the world. According to Federation of Publishers and Book Sellers Association in India (FPBA) about 60,000 titles are published annually in the country in all the major Indian languages including English, which takes the maximum share. To have bibliographic control over these publications at the national level requires two operations viz. (1) Production and publication of Current National Bibliography on a regular and continuous basis, and (2) Preparation of Retrospective Bibliographies. With a view to have bibliographical control over current publications many countries in the world have enacted legal deposit legislation and established national bibliographical agencies to bring out Current National Bibliographies. UNESCO and IFLA have played a prominent role in the spread of the concept of Universal and National Bibliographic Control and assisted the member countries especially developing countries by providing expertise and material assistance.

Legal deposit in India had its genesis with the passing of the Delivery of Books (Public Libraries) Act, 1954: No. 27 of 1954, and as amended in 1956; No. 99 of 1956 to institutionalize the system that helps the preservation of Country's cultural and intellectual heritage embodied in documents. The purpose of the Act is to ensure total coverage through compulsory deposit of a copy of every publication published within the country to the National Library in Kolkata and three designated depository libraries i.e. (a) Connemera Public Library, Madras, (b) State Central Library, Bombay, and Delhi Public Library, Delhi. This enabled the National Library and the three designated libraries to receive publications from the publishers free of cost and contributed to the legal deposit in our country. This activity is fully depended on the cooperation of publishers, and especially author publishers, book sellers, LIS professionals, law implementing agencies, bureaucrats who are at the helm of affairs and above all the Department of Culture, Government of India, which is the apex body under which the National Library and the Central Reference Library function.

The libraries all over the world are in the midst of a sort of transition resulting from the digitization of information. The latest developments in information and communication technologies led to a quantum jump in the digital information resources. The libraries are forced to rethink the document delivery services in the changed digital environment. Many

institutions, most notably those related to cultural and archival information, are contemplating digitization of collections for various reasons. The digital resources help in teaching, e-learning, research, scholarship, and public accountability. The digital resources open up new modes of use, enable wider potential audience, and provide a new means of viewing the rich cultural heritage.

(B) The Tagores:

The **Tagores** are considered to be the most successful Bengali family from the state of Bengal in India in the last 300 years. The Tagores, who were progressive, open minded and widely travelled family, gave birth to many artists, poets, musicians, philosophers as well as businessmen, social-, cultural- and religious reformers of international repute. It is well known that the concept of the "Library" had received generation-wise support by the family of Gurudev Rabindranath Tagore. Tagore family provided sincere patronage to the development of "Library Movement" in India for 3-generations continuing more than 100 years from 1835 to 1941 – the year of Rabindranath Tagore's death. Copyright also stands for Tagore family in India for the first time.

Prince Dwarakanath Tagore, the grand father of Rabindranath, had a great contribution to establish the Calcutta Public Library. The proposal of establishment of a public library in Calcutta was placed before a public meeting in August 1835, presided by Sir John Peter Grant, one of the Judges of the Supreme Court and the said meeting passed the resolution:

"That it is expedient and necessary to establish in Calcutta a public library of reform and circulation that shall be open to all ranks and classes without distinction, and sufficiently extensive to supply the wants of the entire community in every department of literature".

To accomplish the resolution, one Provisional Committee of 24 members was constituted which included two Indians: Baboo Rasik Krishna Mallik and Baboo Rasamay data. The committee decided in its meeting that fund would be generated from the public to establish the Calcutta Public Library. The committee also came to a decision that any person subscribing Rs.300/- at a time or Rs.100/- at a time and rest in two instalments within one year be considered as Proprietor of the Library. Prince Dwarakanath Tagore, as a real library lover, subscribed Rs.300/- at a time for the Calcutta Public Library. It is on record that Prince Dwarakanath Tagore became the first Proprietor of the Calcutta Public Library. In grateful remembrance of his patronage the citizens of Calcutta installed his marble bust in the premises of Calcutta Public Library, which still adorns in the entrance of the National Library at Belvedere.

Maharshi Debendranath Tagore, father of Rabindranath, once came at Bolpur by way of his journeys and selected for a particular place for his prayer and meditation and finally purchased 20 bighas of land from Lord Sinha family in 1863 and built a two-storied house in 1864 and named it "Santiniketan or Abode of Peace". Maharshi was very interested to establish here one Prayer house, one Library and one Ashram Vidyalaya. He executed a Trust Deed in 1888, endowing it with an annuity of Rs.6000/- for the use of everyone who wished to meditate on God, free from all antagonisms of creed and sect. Although mention is made in the trust Deed of a Library and a Brahma-Vidyalaya, no such institutions actually

came into existence until 1901, when a beginning was made by Rabindranath Tagore with the permission and approval of his father.

Rabindranath Tagore, one of India's greatest sons, internationally acclaimed poet, playwright, song writer, novelist, educator, painter, philosopher and humanist, became the **first Asian to win the Nobel Prize in 1913 for his book "Gitanjali" (first non-european to receive Nobel in literature)**. He is the only poet to have composed the national anthems of two countries: "Amar Sonar Bangla" for Bangladesh and "Jana Gana Mana" for India. As an educationist, he emphasized the notion of complete and holistic education and established the Visva-Bharati in Santiniketan as an Institution where "the illusion of geographical barriers disappear from at least one place of India".

Rabindranath wrote only two articles on Library: "Library (1908)" and "Function of a Library (1928)". Library in the words of Tagore was a repository of knowledge that had to be properly organized. Tagore believed that Librarian should always invite its readers to the library and should introduce readers on library books or collection. Rabindranath always admitted that the library has a vital role in case of education and for that he built the Library with the very establishment of the Brahma Vidyalaya at Santiniketan. Thus the subject "Library" also received his great touch. Rabindranath was a book lover and keenly interested to study different subjects and after reading these books, he presented all books to the library for the use of teachers and students. Many of these books having marked with marginal notes and comments were preserved at Rabindra Bhavana Library, Santiniketan.

Tagore's educational philosophy is based on three forceful components : **Man, Nature and Education**. He emphasized on three types of relationship among those : (a) between – man and nature; (b) man and his social environment, and (c) then man and the "universal man". For the first, we can imagine two trends of thoughts : One taking nature as a machine. Science & Technology, absorbing and exploiting the trains of nature, take nature as a machine. When this is applied to our process of education, the latter becomes as mechanical as a machine. A machine – which is a lifeless process, is hard and uninteresting. The other trend is what the great poet had thought of is that a man can widen his universal love through nature. He rationalized the unbounded happiness of a child in mother's lap and applied this spontaneous interaction between man and nature to develop personality of children in a natural way.

Tagore also used nature's relation with man for developing rural science. He did use the mechanics of science to remove many superstitions and to set free many minds. The then rural scenario, he used the scientific knowledge to remove the poverty of the local people. Thus he founded the Institute of Rural Reconstruction at Sriniketan (Perhaps, not many people know now that Tagore was the pioneer of the Co-operative movement and Rural Banking in India. He also founded the Loka Siksha Parishad – India's first Distant Education programme).

The third is the relationship between man and the universal man. Tagore's educational thought speaks about man's infinite relation with national and international communities. He brought several eminent personalities from Europe, America, China and Japan to his Santiniketan – *Yatra Visvam Bhavatyekanidam (Where the world makes its home in a*

single nest) – That is the motto of Visva-Bharati. Therefore, it is essential to understand the universality of man for the fulfillment of Tagore’s ideal of education.

Tagore’s thought about the library was unique in those days and not only limited to his educational institute, but also extended for society education. He was the pioneer for planning his “Rural Reconstruction Programme” and enrichment of Community Education through “Circulating Library” or “Chalantika Library”. He had established a system of Community Education through Library at Sriniketan, which may be accepted as model of “Community Development Process” and the “Mass Literacy Movement”.

(C) Copyrights:

In today’s Information and Communication Technology-enabled globalized environment, knowledge is constantly advancing and evolving. The recent advance in IT has transformed many traditional procedures, practices and techniques of the libraries. Application of information technology in the organization and services of libraries has brought a tremendous change in the functioning of libraries in the last two/three decades through out the world. The digital information has greatly enhanced the quality and range of services provided in a library. The growing electronic publications including e-books, e-journals and the billions of web pages and Peta bytes of information on Internet have a profound impact on the knowledge society. The CD-ROM technology became a popular storage and retrieval mechanism.

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The object of copyright law is to encourage authors, composers, artists and designers to create original works by rewarding them with an exclusive right for a limited period. Such exclusive rights are permitted for literary, dramatic, musical, artistic, cinematograph film and sound recordings. Licensing the right to publishers, film producers and music record manufacturers permits the economic exploitation. The law also aims at preventing anyone from reproducing or exploiting another person’s work without authorization. Copyright has two kinds of rights : (a) the *economic right* that takes care of the economic interests of the author, and (b) the *moral rights* i.e. the rights that concern the status, respect and dignity of the author. The economic rights deal with issues like permission to publication or reproduction of the work or their adaptation or translation and the right to assign or license the copyright. The moral rights include the right to claim and be recognized as the author of your intellectual creation, and have your name mentioned as the author

whenever your work is used; similarly the author has the right to object to the use of the work in a manner or in a context that would compromise his honour and reputation.

Copyright-related aspects include printing, paper, advertising, newspaper, etc. In totality, the copyright related industry is contributing significantly to the gross-national product (GNP) and to the economic of nations. Book publishing is a multibillion-dollar industry dominated by the developed countries like US, UK, Germany and France that among them account for more than 50 % of the book exports. The contribution of the book publishing industry to the GNP ranges from 3.2 % (Australia) to 5.8 % (USA) and it is 5.06 % in India. India is the biggest producer of films, third in the publication of books in English (after USA and UK), fifth in terms of volume of music recorded and is among the top 10 countries in Computer software production. The annual loss world over from piracy of books, music, films and software runs into billions of dollars. In tune with the fast changing technological developments, countries like USA (Digital Millennium Copyright Act), Australia (Digital Agenda Act), India (Information Technology Act and Communications Convergence Act), Japan, European Union, Malaysia, Singapore, etc. have taken steps to strengthen the existing copyright legislations to protect Intellectual Property Rights (IPRs).

The Intellectual Property is the main factor in the world's competitive advantage in 21st century. The Copyright law, which was framed in the printing era is by and large being forced on the existing electronic/digital environment. So there is a need to modify IPR. Currently, the issue of copyright in the networked digital environment is being debated all over the world. In a number of developed nations, including Canada, the United Kingdom, other members of the European Union (EU) and the United States, copyright is a form of protection provided by law to the authors of original works of authorship. Appropriate copyright laws have been framed in these countries to provide protection to IPR in digital environment. Computer programs and databases are also considered literary works and hence are protected by copyright even in India. Storing a work in electronic form by anyone other than the rights owner is infringement. It is not permitted under the copyright law of India even for research purposes or private use. Works which are "published" in electronic format such as materials on CD ROM, online databases, floppy disks, OCR, etc. are protected in the same way as their printed equivalents.

Global change is propelling most areas of public policy and most governing institutions. IPR has clearly not escaped this overall set of pressures and indeed has been elevated to a new prominence by them. The emergence of a knowledge economy has brought changing conceptions of science and technology policies and activities as well as trade, industrial and innovation policy. The digital technologies have changed both the economy and society. IPR takes a centre stage in the evolution of techno-societies. The future belongs to effective knowledge networks in global pursuit of excellence which would translate innovations into affordable products to service the ever-increasing demand of a growing population. ●