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# Law Librarianship in India with Special Reference to the Judicial Library System

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## **Law Librarianship in India with Special Reference to the Judicial Library System**

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Law librarianship, especially the librarianship in judicial institutions, is different from librarianship in any other discipline. This aspect is more appropriately explained by Prof. Igor I. Kavass, when he says that “the reason for law libraries being different from other types of libraries is that they serve a profession which is literally unable to exercise its work without the use of books.”<sup>1</sup> While Librarians in other organizations may convince their users to give them some time for catering to their information requirements, a court librarian has to furnish the desired information at once because the case is being argued in the Court and desired information is needed in the course of the argument. So a law librarian has to provide the information instantly without any excuse. Because of this reason, a law librarian has to be a very alert professional and must develop his or her own tools and expertise to provide the desired information instantly.

### **1. Types of law libraries**

Law librarianship is a challenging profession and information requirements of the user in this field vary much. “The law library is truly a vital factor in the administration of justice, an institution of extra-ordinary social significance in a free society.”<sup>2</sup> Users of law libraries may be law students, teachers, practitioners, judges, civil servants, local government officials, legislators, jurists, or research scholars.

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\* Chief Librarian, Supreme Court of India, New Delhi. The author wishes to express his gratitude to the Honorable Chief Justice of India for granting me permission to present my paper in this International Conference. I am also grateful to the Secretary General of the Supreme Court of India for his encouragement and support.

<sup>1</sup> Kavass, Igor I. Law Libraries of United States Development & growth. International Journal of Law Libraries- 1975, 3 P 27-28.

<sup>2</sup> Frederic, D. Dollenny (ed.). The Law Library : A living truth. Proceeding of 6<sup>th</sup> Biennial, Institute of Law Librarians, June 28-July 2, 1963, Chicago, Illoliosis, 1964.

The information requirements also vary with the purpose of using the library and a law librarian has to develop his library collection in accordance with the needs of their users. On the basis of different type of users, law libraries could be categorized thus:

Type of Library	Cientele/Patrons
Academic Law Libraries	Law students, Research Scholars and teachers
Judicial Libraries attached to Courts	Judges, Jurist
Government departments Law Libraries	Civil servants and Government Officials
Legislative Libraries	Legislators
Bar Association Libraries	Legal Practitioners
Practitioner's Libraries	Practitioners

## 2. Manifestations of legal literature

“The theory of binding force of precedent is firmly established in England. A judge is bound to follow the decisions of any Court recognized as competent to bind him, and it becomes his duty to administer the law as declared by such a Court.”<sup>3</sup> The system of precedent has taken a powerful factor in the development of common law in England. As the Indian legal system had its roots in the British system, a similar theory has come to prevail in India, and the binding force of precedent is firmly established. Article 141 of the Constitution of India, adopted on 26<sup>th</sup> January, 1950 further strengthened the doctrine of precedent in India by providing that law declared by Supreme Court is binding on all courts within the territory of India. The theory of precedent brings in its wake the system of law reporting as its necessary concomitant. Publication of decisions is a condition precedent for the theory to operate. It is because of this reason that legal practitioners have come to depend on the *Law Reports* for identifying the opinions having similar issues with the case in hand. A law library, therefore, has to acquire all reliable and authentic reports of courts containing precise records of what they lay down and it is only then the doctrine of *stare decisis* can function meaningfully.

A law library contains highly specialized materials, and this requires special skills to handle. Basically, legal material consists of statutory law and

<sup>3</sup> Report of the Lord Chancellor's Committee on law reporting.

reports of decided cases. Both these types of legal materials relate to the “authority” and “precedent” respectively. The broader legal fraternity may need different types of information such as case laws, statutory provisions, rules framed under any Act, object and reasons of any Act, amendment of any Act, Notifications issued under any particular statute, debates in Parliament at the time of enactment of any particular Act, or academic articles on a given topic in different situations.

Legal literature manifests itself in many forms such as:

- a) Bare Acts
- b) Commentaries on specific Laws
- c) Manuals/ Local Acts
- d) Reports
  - Law Commission Report
  - Committee/ Commission Reports
  - Annual Reports
  - Parliamentary Committee Reports
    - Joint Committee
    - Select Committee
    - Standing Committee
- e) Gazettes
  - Central Government
  - State Government
- f) Parliamentary Debates
  - Constituent Assembly Debates
  - Lok Sabha Debates
  - Rajya Sabha Debates
- g) Parliamentary Bills
  - Lok Sabha Bills
  - Rajya Sabha Bills
  - State Legislative Bills
- h) Law Journals
  - Academic Journals (Containing only Articles)
  - Law Reports (Containing Full text of caselaws only)
  - Hybrid Journals, or those containing a combination of both articles and cases. Some of the journals also publish statutory material such as Acts, Amendments, Rules, and so on.
  - Journals containing only legislative materials such as Acts, Rules, Notifications, etcetera.
- i) Digests
- j) Legal Dictionaries

- k) Legal encyclopedias, such as American Jurisprudence, Corpus Juris Secundum, Halsbury's Law of England and Halsbury's Law of India

Different types of legal literature are to be consulted for different types of information needs. In order to develop an appropriate and proportionate collection, a law librarian has to acquire each type of legal literature in his or her library. Besides, acquiring legal literature of different types, a law librarian has to develop many indigenous tools to cope with the information requirements of library users, for example:

- Alphabetical Index to all Acts including details of amendments
- Topical alphabetical index to important landmark cases
- Topical bibliographies on important legal aspects
- Union catalogue of current periodicals
- In house Databases of case laws
- In house Databases of articles published in journals subscribed in the library
- Indexing of Government Gazettes

### **3. Use patterns of legal literature**

While discussing court libraries in India, patterns of usage of legal literature in court libraries should also be given due consideration. An analysis of about twenty-nine thousand citations cited by the advocates in the Supreme Court reveals that approximately 80% of the citations belong to journals and law reports. While journals and law reports are the most cited legal resources, Bare Acts are cited to the extent of 18.81%.<sup>4</sup> Commentaries on enactments containing case comments are cited only to the extent of 1.46%. Thus, a court library at the time of collection development must give more priority to journals and law reports, and budget allocations should also be made according to the use pattern.

#### **3.1 Dependence on foreign literature in Indian Courts**

The approach of Indian courts towards foreign case law as the interpretive tool has varied over the time. The abundance of English works evidence the dependence of the Indian legal system upon English precedent and authority even long after Indian independence. There has been a

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<sup>4</sup> Shrivastava, R.K., Vijay Kumar and Geeta Pai. Information use pattern in the field of law : An analysis of legal Literature cited by Advocates in the apex court. (communicated for publication).

preponderance of English works in the collection of Indian law libraries for decades after independence, but “Indians had a revolution in the development of its own jurisprudence since independence and the country is evolving its own legal system based on social justice.”<sup>5</sup>

The use of foreign literature in Indian courts is decreasing day by day. This is evidenced by the fact that while in famous Constitutional Bench Cases like Keswanand Bharti<sup>6</sup> and Golak Nath,<sup>7</sup> cases in the 70’s substantial amount of foreign literature and case laws were cited. On the other hand, more recently thirteen judges from the constitutional bench in the TMA Pai<sup>8</sup> case cited comparatively much less foreign literature. While in the Golaknath case and the Kesavanand Bharti case 41.66% and 59.34 % citations respectively were citations of foreign literature. In the most recent 13 Judges case, namely, TMA Pai, only 12.13% citations were from foreign literature.<sup>9</sup> An analysis of the literature cited by the lawyers in the Supreme Court of India through the list of documents to be cited given in the Supreme Court Judges Library also reflects that now-a-days dependence on foreign literature is too meager. Out of 11,753 documents cited by the Advocates in 43 working days, only 204 (1.73%) documents were foreign case laws.<sup>10</sup>

Among the foreign journals, the All England Law Reports have been cited to the maximum extent: 104 citations out of 204 (50.98%).<sup>11</sup> But, even after the decrease in the use of foreign literature by Indian advocates, a number of foreign journals, especially from common law countries, are still subscribed to by the court libraries. While the Supreme Court Judges Library subscribes to 48 foreign journals, High Court libraries are found to be subscribing to between 1 and 24 foreign journals [Table 1]. The *Union Catalogue of Current Periodicals in Court Libraries of India*<sup>12</sup> is compiled by Supreme Court Judges Library contains 75 foreign journals subscribed by court libraries in India.

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<sup>5</sup> Khodie, Dr. Narmada. In an interview by Mahr, Theodore A. An introduction to Law Library in India. *Law Library Journal*, 1991; 82 PP-91-128.

<sup>6</sup> 1973 Suppl. SCC 1.

<sup>7</sup> 1967 (2) SCR 762.

<sup>8</sup> 2002 (8) SCC 481.

<sup>9</sup> Shrivastava, R.K & Sharma, Poonam. Dependence on foreign Literature of Lawyers in India : An analysis of citation pattern in constitutional bench decisions. (communicated for publication).

<sup>10</sup> Shrivastava, R.K., Vijay Kumar and Geeta Pai. *op. cit.*

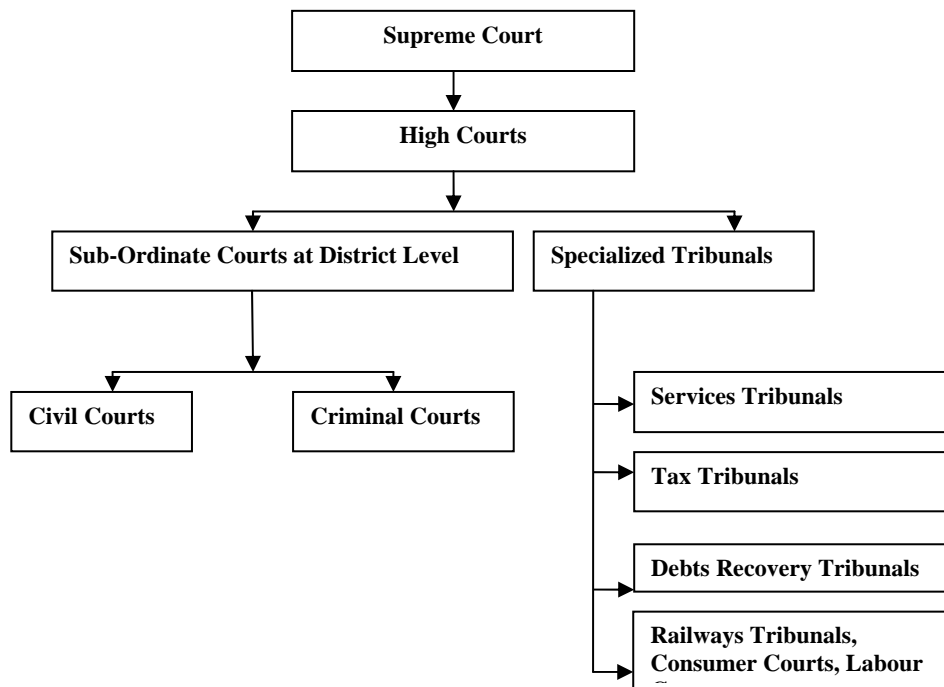
<sup>11</sup> *Ibid.*

<sup>12</sup> “Union catalogue of current periodicals in Supreme Court and High Court libraries in India”. Supreme Court Judges Libraries, New Delhi, 2005.

#### 4. Judicial Library System in India

Prior to discussing the Judicial Library System in India, it is necessary to know the framework within which India's judicial system is carried on in India through a multi-tier system. A quick reference to the structure of Courts in India is as follows:

##### HIERARCHY OF INDIAN JUDICIAL SYSTEM



India is a union of states. The Union and the State Legislatures enact laws in their respective fields which are clearly demarcated by the distinction of legislative powers between them. However, unlike the American model of Dual Court systems – Federal and State – India has a monolithic system. The same courts interpret and administer statutes enacted by the Union and by the State Legislatures.

Thus, a law library is necessary at each level of the judicial system. The judicial library system consists of libraries established by the court to serve the judges and officers of the court and bar associations' libraries for the practitioners in the court. Court libraries are funded by the state exchequer,

whereas bar associations libraries are managed by the fund available with the respective bar associations. In some of the high courts, there are good libraries in the office of the Advocate General of the State which caters to the information requirements of the state law officers and government counsel.

#### **4.1 Subordinate Court Libraries**

The Supreme Court and High Courts have good libraries with adequate budgets and well qualified staff to serve judges, but the situation in the subordinate courts is far from satisfactory. Most of the subordinate courts have a small, one-man library with a meager budget. The situation of the libraries in the subordinate judiciary may well be understood by observation of the honorable Justice P.B. Sawant in the decision of the Supreme Court, when he observes,

It is difficult to understand the attitude of the state governments towards the provisions of the facility of law books and journals to the judges when the judges whose duty consists of interpreting the law and applying it to the facts before them. It is like asking the artisans to work without their tools. The law books, not to speak of the other books, are the essential tools of the judges. The minimum that is expected of the State is to provide every court with the up-to-date texts of commentaries on the relevant statutes, and law journals which report decisions of the High Courts and the Supreme Court for the exclusive use of the judges. The Governments consistently failed to provide this primary facility to the courts.<sup>13</sup>

As there was no provision for the judges libraries in most of the court of the subordinate judiciary, the apex court was prompted to direct the government to give residence-cum-library allowance to every judicial officer until the provision of adequate library services is made by the state government for them. According to the recommendation of the Shetty Commission and the direction of the Supreme Court, every Judicial officer in the subordinate Judiciary is getting a handsome library allowance per month in cash, but there is no mechanism to ensure that this allowance is actually used for its intended purpose.

On the other hand, because of this library allowance to the judicial officers, authorities have become more unconcerned about the development and strengthening of existing court libraries in sub-ordinate judiciary.

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<sup>13</sup> All India Judge's Association Vs. Union of India reported in AIR 1993 SC O 2510.



#### **4.2 Bar Associations' Libraries**

Though there are bar association libraries of varying size in almost all the court but because of the financial constraint most of these libraries are manned by non-professionals without any training in librarianship. Collection of such bar libraries are also not up to the mark. Services to clientele are the most negligible aspect in these libraries. With the objective to assist the local bar associations in developing law libraries, the bar council of India created a charitable trust in 1974. Each year the trust gives a library grant to some selected bar associations for purchasing law books, law reports, and library equipment, but this grant is too meager to meet the requirements of the respective bar libraries.

#### **4.3 The Library and Information System of the Supreme Court of India**

The Supreme Court Judges Library was established in 1937, and was then known as the Federal Court Library. This library contains significant legal literature to support the need of Courts and Judges. It has a collection of about 250,000 legal documents which include books, monographs, commission reports, government publications, Center and State legislation and other legislative materials. It subscribes to about 200 Indian and foreign legal journals, both academic and reporting, magazines, newspapers and CD-ROM databases. The Library has a staff of 87, including 16 professional librarians.

The Supreme Court Judges Library is a network of libraries. In addition to the Central Library, it also maintains workable collections in 12 Bench libraries and 26 residential libraries of Judges. The Supreme Court Judges Library is essentially a reference and research wing of the Apex Court. It has to keep close watch over the multifarious literature requirements of Judges and Court functionaries. It functions as the beating heart of the Apex Court.

The Supreme Court Judges Library subscribes to many computerized legal databases, namely, SCC-ONLINE, MANUPATRA, ITR, ExCus, and All England Law Reports. Recently, the Library has acquired an international legal database, namely, "Westlaw International" containing case law, statutes and articles from foreign journals. Access to Westlaw, SCC-ONLINE and MANUPATRA legal databases has also been provided for the residential Libraries of Judges.

The Supreme Court Judges Library has also developed many useful reference tools for internal use, such as “Indexes to Central and State Acts,” “Union Catalogue of Legal Periodicals” of all the High Courts, and country-specific and subject-specific lists of periodicals subscribed in the.

For current awareness purposes, the library provides press clippings from leading national dailies. Selective dissemination of information on legal subjects is a regular Service for Judges. The library also brings out a quarterly publication, namely the *Accession List*, which consists of a list of books and legislative materials acquired by the library in a particular quarter. The Annual accumulation of this *Accession List* is also compiled and circulated under the title *Library Catalogue Supplement*.

The Supreme Court Judges Library has also developed many indigenous legal databases of case law, articles, books, legislative materials, law commission reports, joint or select committee reports and miscellaneous reports respectively to provide pinpointed, exhaustive and expeditious information service. Foreign case law and other legal information is readily provided through the Internet.

#### **4.31 Indigenous Database**

The library has developed three very important indigenous databases besides its OPAC, namely, SUPLIS, SUPLIB and LEGIS. Presently, these databases can be accessed only through an intranet, but very soon all three databases will be available on the website of the Court and can be accessed by anyone.

- SUPLIS (Database of case law): This case indexing database contains approximately 40,000 reported cases decided by the Supreme Court from 1950 onwards. Case law can be retrieved by *date of judgment, Party Name, Citation, Judge Name, Petition Number, Famous Case Name* and *Subject*. One may search cases by popular name, such as the Bhopal Gas Case, or the Mandal Commission Case. The ability to find all equivalent citations of a case is a unique feature of this database. This database could be accessed through the Internet.
- SUPLIB (Database of legal articles): This database contains more than 15,000 articles from more than 200 Indian and foreign journals subscribed in the library of the Supreme Court. Articles on a given

topic or subject can be retrieved instantly with the help of this database, available through the Internet.

- **LEGISLATION INFORMATION SYSTEM:** This database contains details of about 3,600 Central Acts or Amending Acts and other statutory materials, such as rules and bills. This database is very useful for tracing the complete legislative history of any particular central Act. Sources and citations of any act or amendment or rules framed under any particular enactment can be readily identified and retrieved. If the text of any particular central act is desired, a link to the India Code, a database of the Ministry of Law, is also provided to access the full text of the desired law.

## **5. Library Information System in High Courts**

The Libraries of the High Courts in India have been served with the help of a questionnaire. Data collected through the questionnaire has been tabulated and analyzed. Analysis of the data reflects the status of High Courts' Libraries in India.

### **5.1 Staffing Pattern in Court Libraries**

There is no uniformity and consistency in staffing patterns of court libraries in India. Designation, prescribed qualifications, staff strength and pay scales vary substantially from library to library. A degree in library science is a required qualification for the supervising librarian in all the libraries. But in some of the court libraries, a post-graduate degree in library science is essential for the post of librarian. Recognizing the relevance and usefulness of an appropriate subject background for a law librarian, in many High Courts and in the Supreme Court, a law degree is also an essential qualification for the higher posts in the court libraries. It is significant to note that many of the incumbents in the court libraries have been found to be having higher qualifications than the prescribed one such as M.L.I.S., M. Phil., LL.M., Ph.D. and Diploma in Cyber Law, Intellectual Property Law, and so on. For more information on librarian credentialing, see Table 2.

There is no consistency in staff strength in different court libraries. Staff strength varies from 6 (Agartala Bench) to 87 (Supreme Court). Strength of the professional staff also varies, from a staff of one professional librarian (Jharkhand High Court Library) to a staff of 18 professionals (Supreme court Judges Library). Among the High Courts, the Delhi High Court has the largest staff (58), followed by Kerala High Court (33), Punjab and Haryana (28) and

Madras (23). While professional staff strength is satisfactory in Delhi (6), Chattisgarh (7), Kerala (8), Punjab and Haryana (6), Allahabad (5), Madras (4) and Andhra Pradesh (4), in other High Courts the professional librarian staffs needs to be enhanced in order to provide adequate library and information services [Table 3].

## 5.2 Budget and collection

One problem faced by many law libraries in India has been finances. According to one law librarian, the library is the lowest priority at law schools throughout India. This is not unique to India, of course. In the United States, J. Myron Jacobstein of the Stanford Law Library once noted that “the law library is ... ‘the heart of the law school,’ ... [but] when the pressure is on, ... the library is treated more like an appendix and is the first item to be cut ...”<sup>14</sup> In India, the situation is even worse. Most of the law libraries in India are not adequately funded. This is true not only for academic law libraries, but even court libraries do not have adequate financial support.

Budget allocations of court libraries in India vary from 4.8 lakhs to 50 lakhs. It is interesting to note that the budget of some of the High Courts’ libraries – for example, Andhra Pradesh, Bilaspur, Delhi and Madras – exceeds to the budget of the Supreme Court Library. Thus, there is no consistency in the budget allocations of Court Libraries. While in some of the High Court Libraries’ annual budget allocations, amounts are not fixed, in some others there is no separate allocation for the library. Library expenses are often met through funds allocated for other, non-library related expenses.

The collections of different court libraries has also been found to vary substantially. It ranges from 10,000 documents (Sikkim) to 3 lakhs (Allahabad High Court) [Table 1].

## 5.3 Subscription of journals

Subscriptions to journals and law reports in court libraries is well up to the mark. Most of the court libraries are subscribing to a large number of journals and law reports. As per the Indian Journals listed in the Union Catalogue of current legal periodicals of India, there are 395 law journals and law reports being published in India.

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<sup>14</sup> Jacobstein. The role of the Law schools in the education of Law Librarians. *55 Law Library J.* 209-211 (1962).

Journals and law reports are one of the most used information sources in court libraries. A study carried out by the author of this paper reveals that out of the literature cited by the advocates in the Supreme Court, approximately 80% were to journals. As per this study, *SC Cases* is the most cited journal (58.83%), followed by the Journals *All India Reporter* (8.59%) and *Supreme Court Report* (5.82%). *SCALE* and *IT* are the other two journals that are cited to the extent of 1.63 % and 1.17%.<sup>15</sup> While the Supreme Court Library subscribes to approximately 178 current journals, five High Court Libraries subscribe to more than 90 journals and law reports. Five other court libraries subscribe to approximately 50 or more journals and law reports.

Most of the court libraries also subscribe to foreign law journals and law reports. While the Supreme Court Library subscribes to 48 foreign journals and law reports, Kerala and Andhra Pradesh High Courts are also subscribing to a substantial number of foreign journals. [Table 1].

#### 5.4 Computer Infrastructure

Computerization of library operations and development of indigenous databases may be very useful for law librarians to record, store, process and retrieve the huge amount of legal information scattered in a variety of sources. But application of information technology in law libraries for house-keeping activities is still not up to the mark.<sup>16</sup>

Though most court libraries have the necessary computer infrastructure for automation of their libraries' operations, the use of computers for house-keeping activities is yet a distant dream [Table 5]. One reason may be the lack of in-service training in computerization activities resulting in inadequate computer skills.

But it is gratifying to learn that most court libraries are using computers to provide legal information through CD-ROM databases and the Internet [Table 5]. But, it is shocking to note that the libraries for the High Courts of Jodhpur and Karnataka High are not using computers either for house-keeping activities or for providing information through CD-ROMs or online databases. It is more surprising how the Karnataka High Court, which has been designated as a State Legal Information Center, can cater to the

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<sup>15</sup> Shrivastava, R.K., Vijay Kumar and Geeta Pai. *op. cit.*

<sup>16</sup> Shrivastava, R.K Organising Law Librarianship in India : Role of the Professional forum. Paper presented in National Seminar of Perspective of Law Librarianship in India, Oct 14-15, 2006 at SNDT Women's University, Mumbai.

information requirements of the public at large with the use of computers in spite of the fact that e-initiatives in the Indian judiciary started from the Karnataka High Court.

### **5.5 Use of legal database**

Developments in the field of information technology and its application for information storage, processing, and retrieval have also resulted in the development of many useful information technology products. Many legal databases are also on-line legal portals. These resources have been developed and are being used by the law libraries in India. Some of the most-used legal databases by court libraries in India are SCC Online, AIR Online, and Manupatra.

In addition to these three databases, other databases used in the different Court libraries are Westlaw (3 libraries), Grand Jurix and ITR (2 libraries) and Lexis Nexis, All ER, Excus, STC, Law Pack, DLT Online, The Laws, BCR-CD and LS Soft are being used by one library only [Table 8].

### **5.6 Library and information services in Court Libraries**

It is evident by a glance through Table 7 that library lending, literature searches, newspaper clippings, information retrieval via the intranet, current awareness searches in one form or another, and case law retrieval by CD-ROM databases are provided by most of the Court libraries in India. However, many libraries also provide bibliographic compilations and inter-library loan services.

It is gratifying to note that most of the Court libraries are using computers for providing information to their users through various IT products such as CD-ROM databases and E-books. They are also using the Internet as an effective tool for providing the desired information to the users.

## **6. Computerization in the Indian Judiciary**

Due to the rapid expansion of legal literature, as early as 1988, the Law Commission of India felt the necessity of computerization in library and information centers in the courts. It recommended that "Computerization of the Library is a high priority necessity. The Court's time is wasted in

collecting judgments bearing on the same subject. A push button system should be available to make handy all judgments on the subjects".<sup>17</sup>

At the Chief Justice's Conference held in 1991, the justices decided to request the National Informatics Centre (NIC), a nation-wide satellite-based computer communication Network, to take up the project of computerization of the Supreme Court and High Courts and to inter-connect them through NIC-NET. Since then, the NIC has promoted and implemented the computerization of various activities in the Supreme Court and the High Courts. The two information systems in use by the courts, namely COURTNIC & JUDIS, were conceptualized by the NIC.

The Judgment Information System (JUDIS) consists of the judgments of the Supreme Court of India and several High Courts. In the case of the Supreme Court of India, it provides a free text-based retrieval system of the opinions from 1950 onwards. It provides retrieval through various fields such as a title, judge, time, act, and free text. It is a comprehensive online case law database that can be accessed through the website of the Supreme Court of India<sup>18</sup> or through the website for the Indian courts.<sup>19</sup>

Another important legal website developed by the NIC is Indian Courts.<sup>20</sup> Indian Courts is a collection of websites of the Supreme Court and all 21 High Courts and their benches in India. It provides a single point of access to information related to the Supreme Court and any High Court in India. The websites of the Supreme Court and High Courts provide litigant-centered, dynamic information like judgments, cause lists, case status, and so on, as well as static information such as history, jurisdiction, rules, and past and present judges. Indian Courts contains a great deal of important information:

- The cause lists of the Supreme Court and almost all High Courts are available on this site. Cause lists are the schedule of cases to be heard by the Courts on the following day. As the Supreme Court of India and all the 21 High Courts and their 10 benches are fully computerized, all these courts generate daily and weekly cause lists from the computer servers. As soon as they generate

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<sup>17</sup> 125<sup>th</sup> Law Commission Report (1988).

<sup>18</sup> <http://www.supremecourtfindia.nic.in>.

<sup>19</sup> <http://www.indiancourts.nic.in>.

<sup>20</sup> <http://www.indiancourts.nic.in>.

- the cause lists, they are immediately made available on this website.
- Daily orders of the Supreme Court of India and many High Courts can be accessed through this site. These orders are available as soon as the orders are signed by the Court.
  - The case status site provides the latest status of a case either pending or disposed by the Supreme Court or any other High Court in the India. The required information is derived from the databases of the concerned courts.
  - The India Code Information System contains all Central Acts of Parliament from 1834 onwards. Each Act includes: Short Title, Enactment Date, Sections, Schedule and Footnotes. Additionally, the Statement of Objects and Reasons (SOR), table of contents and status of an Act are also available in IndiaCode.

A recent comprehensive study carried out by the American Association of Law Libraries (AALL) found that, “state online primary legal resources are not sufficiently trustworthy and the public may reasonable doubt their authority and should approach such resources critically”.<sup>21</sup> The situation in India is not much different from that of the United States. Indian online state legal resources also could not claim to be authentic and reliable. Sometimes they are not up-to-date, sometimes they are not an accurate and trustworthy rendition of what was actually submitted. But, as the concept of an authentic legal resource in digital format is more suited to the public in the present electronic era and there is general acknowledgement that as technology has improved, professional researchers and the public have evolved from reliance on print sources to online sources to access legal documents and information, the reliability, integrity and trustworthiness of information and documents in online legal resources must be ensured.

Efforts are being made to make JUDIS more user friendly by incorporating new retrieval options so as to bring it up to par with other commercial legal databases. All the reportable judgments of the Supreme Court along with their headnotes published in the official Report of the Supreme Court (the *Supreme Court Reports*) since 1950, will be made available in JUDIS. This will certainly ensure the authenticity and reliability of JUDIS.

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<sup>21</sup> Quoted In. Dixon, Herbert B. Jr. The Lack of effort to ensure Integrity & Trustworthiness of Online Legal Information & documents. *Judges Journal*, Summer 2007, P 42-45.



## 7. Status of Law Librarianship in India

Law librarianship in India is still a new field and much needs to be done for the development of law libraries in a coordinated manner. Even though there are approximately 600 law schools, 430 subordinate courts, 22 high courts, along with their 14 benches, a supreme court, 19 national and state judicial academies and many legal research institutions and except subordinate courts, there is little coordination among them. There is no resource sharing initiatives among them, nor are there any consortia of law libraries. Though one attempt has been made to form a consortium of legal libraries by some law school librarians, these efforts are few and far between. Similarly, an attempt has also been made to form an Association of Law Librarians in the country and a conference of law librarians was also organized in Bombay for the year 2006, but the Association could not be registered has yet to be given a formal birth.

Unlike in the United States of America, where the American Bar Association (ABA) has formulated some standards for court libraries, no attempt has been made in India by any agency so far to formulate the standards for judicial and court libraries at different levels. The Bar Council of India has promulgated some standards for law school libraries for the purpose of accrediting law schools, but once the accreditation has been granted, there is no mechanism to check whether or not the law schools are adhering to prescribed norms.

Moreover, there is no national law library on the lines of the National Medical Library, the National Agriculture Library (ARIC). And there is no documentation center exclusively in the field of law as are in other fields such as the Defense Sciences (DESIDOC), Agriculture Sciences (ARIC), Natural Sciences (INSDOC, now NISCAIR), and Small Scale Industries (SENDOC). Though there is a Social Science Documentation Centre in the country (NASSDOC), it does not cover legal literature.

The major factors responsible for the state of under-development of law libraries and law librarianship in India are:

- the lack of any professional forum for law librarians,
- no effort to establish consortia for law libraries by the Ministry of Law and Justice, as has been done by the Ministry of Human Resource and Development for engineering college libraries in India,
- no provision for in-service training programs for law librarians,

- the lack of any specialized academic course in law librarianship, and
- the absence of a National Legal Information System supported by a network of law libraries in India.

## 8. Conclusions and Suggestions

Among the Court libraries surveyed in this study, there is no consistency and uniformity relating to staff strength, pay scales, and computer infrastructure. Computer applications for house-keeping activities are still a distant dream and no court library is yet fully automated. But, it is a healthy trend that except for few libraries, most of the court libraries are using computers and various types of IT products for providing information to their users, both in offline and online modes. Budget allocations, collections and journal subscriptions in most of the court libraries are up to the mark. Among the conventional libraries, information, services, lending, literature searches, newspaper clippings, current awareness services are also provided by most of the Court libraries; however, only a few libraries have developed their own indigenous legal databases.

Supreme Court Cases, AIR (SC) and SCR are the most used journals for finding out apex Court decisions and SCC Online, AIR Online, and Manupatra Legal Databases are the most used databases in court libraries.

Based on the forgoing description, it can be concluded that basic reasons for the relatively slow pace of development of law librarianship in India are:

- (i) Absence of a national law library and National Legal Information System;
- (ii) Lack of standards for court libraries;
- (iii) Lack of governmental action to strengthen the court library system in the country;
- (iv) Lack of an Indian law library consortia or other resource sharing initiatives;
- (v) No in-service training programs, specialized courses or any refresher courses in law librarianship;
- (vi) No consistency in qualifications, pay scales, budgets and staff strength among the various court libraries.

Some suggestions for strengthening law librarianship in India on the basis of the comments and suggestions of the librarians surveyed:

- (i) A national law library and a national legal information system consisting of a network of the Supreme Court Library, all High Courts' Libraries, libraries of the National Law Schools, libraries of the national and state judicial academies and libraries of the research institutions should be created by the Government of India to serve the information requirements of the legal fraternity in India.
- (ii) The Bar Council of India should revise its standards for law schools' libraries, and must ensure an effective implementation of such standards by the law schools in the country.
- (iii) Recently, the Registrar Generals' Conference adopted the acquisition policy of the Supreme Court of India. It is to be followed in the coming years in all the High Courts. This forum should also address the issue of formulating standards for court libraries in India for consistency and uniformity.
- (iv) The Indian Ministry of Law should take initiative to establish a consortium of law libraries for optimum utilization of funds in acquisition of library materials and e-resources and should also prescribe qualifications and pay scales for different levels of Court Libraries to ensure consistency and uniformity.
- (v) Librarians working in law libraries should come together and form an Association of Law Libraries in India so as to establish an effective forum for sharing and exchanging their experiences for their mutual benefit. This association should publish a law library journal and a newsletter and organize conferences and seminars regularly, and it should also organize refresher courses and training programs for law librarians in India.
- (vi) Efforts should be made to start a specialized course in law librarianship by any of the Indian law schools, or by any of the other universities.
- (vi) As reliability and authenticity of Governmental online legal resources is very important, the Ministry of Law and Justice, NIC and the Supreme Court of India should make efforts to ensure the authenticity and reliability of online legal resources.

**TABLE 1****Collection, Budget & Journal Subscription in Court Libraries**

Sl. NO.	Court Libraries	Collection	Annual Budget	Journals Subscribed		Total
				Indian	Foreign	
1.	Supreme Court	2,50,000	30,00,000	122	48	170
2.	Madras	2,00,000	30,00,000	71	1	72
3.	Gauhati	2,00,000	N.A.	24	6	30
4.	Delhi	1,30,000	40,00,000	82	23	105
5.	Jodhpur	1,20,000	10,00,000	102	-	102
6.	Allahabad	3,00,000	20,00,000	54	7	61
7.	Lucknow Bench	1,50,000	4,80,000	33	-	33
8.	Sikkim	10,00,000	Not Fixed	22	1	23
9.	Kerala	1,35,000	20,00,000	88	24	112
10.	Patna	1,00,000	13,00,000	55	9	64
11.	Agartala	24,000	No Separate Budget	18	1	19
12.	Chattisgarh	43,000	50,00,000	78	12	90
13.	Jharkhand	25,000	15,00,000	44	4	48
14.	Punjab & Haryana	1,50,000	20,00,000	65	5	70
15.	A.P.	2,01,580	50,00,000	72	20	92
16.	Uttrakhand	30,000	Not Fixed	36	2	38
17.	Bombay	1,19,000	20,00,000	53	13	66
18.	Karnataka	1,40,000	30,00,000	59	2	61

**TABLE 2**  
**Prescribed Qualifications, Pay Scales, and Designations of Librarian In-Charge**

Sl. NO.	Court Libraries	Designation	Pay Scale (in Rs.)	Degree in Library Science	P.G. in Library Science	Law Degree	Additional Qualifications of Present Incumbent
1.	Supreme Court	Director	14,300 - 18,300	✓	✓	✓	-
2.	Madras	Librarian	9100-14,050	✓		✓	-
3.	Gauhati	Librarian cum Research Officer	8100-12,000	✓		✓	M.A., M.Lib., M.Phil.
4.	Delhi	Assistant Registrar	12,000 - 16,500	✓		✓	M.Lib., M.L.
5.	Jodhpur	Senior Librarian	10,000 - 15,000	✓			M.A., M.Lib., LL.B.
6.	Allahabad	Librarian	8550-13,600	✓		✓	-
7.	Lucknow Bench	Librarian	8550-13,600	✓		✓	-
8.	Sikkim	Librarian	5500-9000	✓			M.Lib.
9.	Kerala	Chief Librarian	N.A.	✓		✓	M.Lib.
10.	Patna	Librarian	5500-9000	✓			M.Lib.
11.	Agartala	Senior Librarian cum Research Officer	N.A.	✓			LL.B.
12.	Bilaspur	Asstt. Registrar	8000-10,000	✓		✓	-
13.	Jharkhand	Asstt. Librarian	6500-10,500	✓			M.Lib.
14.	Punjab & Haryana	Librarian	10,025 - 15,100	✓	✓	Preferential	LL.M.
15.	A.P.	Dy. Registrar	16,925 - 30,965	✓	✓	✓	LL.M., PG Dip. In Cyber Law & IPR
16.	Uttarakhand	Librarian	10,000 - 15,200	✓		✓	M.Sc.

17.	Bombay	Chief Librarian	10,000 - 15,200	✓			M.A., LL.B.
18.	Karnataka	Chief Librarian	✓		✓		PGDLAN, M.Phil.

**TABLE 3****Staff Strength in Court Libraries in India**

Sl. No.	Court Libraries	Professional	Semi/Non Professional	Total
1.	Supreme Court	17	70	87
2.	Madras	4	18	22
3.	Gauhati	2	7	9
4.	Delhi	6	51	58
5.	Jodhpur	4	4	8
6.	Allahabad	5	15	20
7.	Lucknow Bench	2	5	7
8.	Sikkim	2	5	7
9.	Kerala	8	24	32
10.	Patna	2	12	14
11.	Agartala	2	4	6
12.	Chattisgarh	7	3	10
13.	Jharkhand	1	5	6
14.	Punjab & Haryana	6	22	28
15.	A.P.	4	12	16
16.	Uttarakhand	2	5	7
17.	Bombay	4	25	29
18.	Karnataka	4	16	20

**TABLE 4****Computer Infrastructure in Court Libraries in India**

Sl. NO.	Court Libraries	No. of Computers	Printers		Scanner	CD Writer
			Laser	Ink Jet		
1.	Supreme Court	13	1	2 & 9 Dot Metrix	✓	
2.	Madras	3		3		
3.	Gauhati	3 (P4)		1		
4.	Delhi	8	3		✓	✓
5.	Jodhpur	1		1 Dot Metrix		
6.	Allahabad	5 (2 P4), (3 P3)	1		✓	✓
7.	Lucknow Bench	1		1		
8.	Sikkim	1 (P3)	1			
9.	Kerala	2 (P4)	1	1		
10.	Patna	1		1		
11.	Agartala	1 (P4)	1			
12.	Chattisgarh	4		4		✓
13.	Jharkhand	1	1			✓
14.	Punjab & Haryana	12 (2 P4), (10 P3)	1	2		
15.	A.P.	7	2	3		✓
16.	Uttrakhand	3	2			
17.	Bombay	4	1	1	✓	✓
18.	Karnataka	4		1		

**TABLE 5****Computer Application in Court Libraries of India**

Sl. NO.	Court Libraries	Acqui-sition	Circu-lation	Cata-logging	Serial Con-trol	Inter-net Access	CD-ROM Data-bases	In-house Data-bases
1.	Supreme Court		✓	✓		✓	✓	✓
2.	Madras					✓		
3.	Gauhati							
4.	Delhi	✓	✓	✓	✓	✓	✓	✓
5.	Jodhpur							
6.	Allahabad	✓	✓	✓	✓	✓	✓	✓
7.	Lucknow Bench						✓	✓
8.	Sikkim						✓	✓
9.	Kerala						✓	✓
10.	Patna						✓	✓
11.	Agartala							
12.	Chattisgarh	✓	✓	✓	✓	✓	✓	✓
13.	Jharkhand						✓	✓
14.	Punjab & Haryana						✓	✓
15.	A.P.	✓	✓	✓	✓	✓	✓	✓
16.	Uttrakhand			✓		✓	✓	
17.	Bombay							
18.	Karnataka							



**TABLE 6****Use of Legal Databases in Court Libraries**

Sl. NO.	Court Libraries	SCC Online	AIR Online	Manupatra	Other Databases Used
1.	Supreme Court	✓		✓	Westlaw, All ER, ITR, Excus
2.	Madras	✓	✓	✓	
3.	Gauhati	✓			
4.	Delhi	✓	✓	✓	LexisNexis, ITR, STC, LawPack, DLT Online
5.	Jodhpur				
6.	Allahabad	✓	✓	✓	
7.	Lucknow Bench	✓	✓	✓	
8.	Sikkim	✓			
9.	Kerala	✓	✓	✓	
10.	Patna	✓			
11.	Agartala	✓			
12.	Chattisgarh	✓		✓	Grand Jurix
13.	Jharkhand	✓	✓	✓	Grand Jurix
14.	Punjab & Haryana	✓	✓		
15.	A.P.	✓	✓		West Law
16.	Uttrakhand	✓	✓		The Laws
17.	Bombay	✓			West Law, BCR CD, LJ Soft
18.	Karnataka				

**TABLE 7****Library & Information Services Provided by Court Libraries**

Sl. NO.	Court Libraries	Lending	Lit. Search	Bibliography Compilation	News Paper Clippings	Inter Library Loan	CAS	Case Law Retrieval by CD-ROM Databases	IR by Internet
1.	Supreme Court	✓	✓	✓	✓	✓	✓	✓	✓
2.	Madras	✓	✓					✓	✓
3.	Gauhati	✓	✓	✓	✓				✓
4.	Delhi	✓	✓	✓	✓	✓	✓	✓	✓
5.	Jodhpur	✓	✓	✓	✓	✓	✓		
6.	Allahabad	✓	✓	✓	✓	✓	✓	✓	✓
7.	Lucknow Bench	✓	✓			✓		✓	✓
8.	Sikkim	✓	✓		✓				
9.	Kerala	✓	✓		✓				✓
10.	Patna	✓	✓		✓		✓	✓	✓
11.	Agartala	✓	✓		✓				✓
12.	Chattisgarh	✓	✓	✓	✓		✓		✓
13.	Jharkhand	✓	✓	✓				✓	✓
14.	Punjab & Haryana	✓	✓			✓	✓	✓	✓
15.	A.P.	✓	✓		✓	✓	✓	✓	✓
16.	Uttarakhand	✓	✓		✓		✓	✓	✓
17.	Bombay	✓	✓	✓	✓	✓	✓	✓	✓
18.	Karnataka	✓	✓		✓	✓	✓		