

of dozens of manuscript collections which I have personally inspected, and on twenty years of experience as a working curator of Indian manuscripts.

Due to various understandable constraints, the IGNCA has adopted a policy of filming only selected manuscripts from the major collections at which it establishes a filming team. While a large number of manuscripts are still being filmed, a large number are also not being filmed.

The managerial effort involved in establishing a filming team in the field should not be underestimated. It is extremely unlikely that any other organization will be able to make a similar effort for many years. It may even be that the very success of the IGNCA's programme will militate against the willingness of other organizations to undertake similar projects: many people will assume that the job has been completely done. But in reality, many manuscripts remain undocumented and unfilmed.

**Recommendation** In view of the gravity of the situation facing the Indian manuscript heritage in the middle to long term, I recommend that the IGNCA should reexamine its policy of selective filming, and if at all possible it should extend its programme to the full filming of all collections to which its filming teams are granted access.

Another reason for the filming of complete collections is to capture the meta-data relating to the collection as a whole. Many collections of manuscripts are the results of personal initiatives by individual scholars or patrons. Such collections reflect the interests and activities of their creators, and viewed as a whole have much to teach us about Indian intellectual and social history. By capturing a record of only a part of a collection, we abandon any future possibility of studying the holistic aspects of manuscript collecting traditions.

### 3.3 Data distribution and copyright

The IGNCA has built, and continues to enlarge, an astoundingly comprehensive cultural resource in the form of its microfilm library of Indic manuscripts, its slide collection, and its fine library.

The time has come for the IGNCA to go public in a more pro-active manner, and to take a strong initiative in informing scholars all over the India and the world of the resources which now exist under its curatorship.

One outstanding issue remains that of the copyright of the IGNCA's microfilms. Many libraries who have ultimately allowed their collections to be microfilmed by the IGNCA have been worried that in some sense the act of microfilming, and the retention of copies of these microfilms in Delhi, will

lower their prestige, or will divert scholars to Delhi rather than to the libraries themselves. These are very real concerns, and the manner in which IGNCA responds to them continues to bear strongly on the future willingness of other local librarians to allow their collections to be filmed.

The IGNCA signs Memoranda of Understanding with the libraries whose collections it films. Although the copyright of the microfilms would normally reside with the creator of the film, i.e., the IGNCA, these MoUs transfer the copyright of the microfilms to the local libraries. This has been an important element in convincing the libraries to participate in the IGNCA filming program, and has clearly been one of the reasons for the success of the program.

The negative side of the MoUs is that the IGNCA has its hands tied when scholars from outside Delhi ask for copies of resources from the IGNCA collection.

**Recommendation** If the IGNCA is to fulfil its national and international potential with respect to its outstanding microfilmed manuscript collections, it is clearly essential that it should be in a position to provide copies of its microfilmed material to serious scholars of Indian culture.

How can this be managed to the satisfaction of all parties?

I suggest that this issue be addressed in a series of steps, details of which are given in Appendix 3.3. However, these are only suggestions; other solutions may be possible and a knowledge of what is actually achievable through local institutions and mores will be important in solving this problem.

It should be stressed that the IGNCA is not alone in facing copyright restrictions of the type described. All institutions designed for the dissemination of knowledge face similar problems, and solutions are not always easy. Libraries in Britain and elsewhere also often find that obtaining copyright permissions for whole classes of material that they may wish to publish in one form or another often becomes one of the most challenging problem facing the library. Other institutions built around substantial microfilm collections (such as the Hill Monastic Manuscripts Library, Minnesota) will no doubt watch with interest the procedures that the IGNCA develops to address this issue.

### 3.4 Two cultures

It is noticeable to the outside visitor, especially one familiar with C. P. Snow's famous essay on "The Two Cultures," that to a certain extent there

## B Suggestions for handling copyright issues

1. In the first instance, I recommend that an information sheet should be prepared. This should be sent as part of a standard reply to all scholars who enquire at the IGNCA about manuscripts.

The information sheet should state clearly that the participant libraries have retained the copyright of the films deposited in the IGNCA collection, and that scholars need to get written copyright permission from the individual libraries.

The information sheet will include an up-to-date list of all the participant libraries *together with their current names, addresses, phone and FAX numbers*. The dissemination of this document will be an important aid to the scholars in contacting these institutions, which are located all over the world. It will be important to review this document periodically and keep it accurate and up-to-date.

In due course, this information sheet would be an ideal item to be mounted on the World Wide Web.<sup>5</sup>

In this way, two goals will be served. First, it will be made clear to scholars that the IGNCA cannot immediately provide the copies they request, and the reason for this will be made explicit. This will save much puzzlement and frustration on the part of scholars who may not have understood why they couldn't be given copies, since the films are available in IGNCA. Second, it will be made as easy as humanly possible for research scholars to apply for the permission they require in order to permit IGNCA to make a copy for them.

2. A possible second stage in streamlining copyright permissions would be for the IGNCA to ask individual participant libraries whether they wish to extend their copyright conditions to permit the IGNCA to make copies without scholars having to refer to the original libraries. This may or may not be a good idea. Some smaller libraries may feel that their rights are being eroded; on the other hand, some more secure libraries may be happy with this arrangement. For example, in conversation with Dr Soundarapandian at GOML, Madras, about two years ago, I asked for copies of some Caraka MSS. He replied that the MSS were filmed at IGNCA, and he had no filming facilities at that time, and that I could get copies from Delhi. He seemed

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<sup>5</sup>Until such time as the IGNCA sets up its own WWW server, I am willing to host such a document as part of the IGNCA area on the INDOLOGY web site in London.

perfectly happy with such an arrangement, and I can easily imagine GOML agreeing to allow IGNCA to provide copies of their films.

In order to make it absolutely clear that nothing is being done without the knowledge of the participating libraries, IGNCA should, as a matter of course, inform such libraries of any copies that are made of their MSS, and require research scholars to sign an agreement to provide a free copy of any publication which cites their manuscripts. A copy of this agreement should be sent to the participating library.

If a further incentive were required, the IGNCA could collect a copyright permission fee from the scholars, and forward it to the libraries whose materials are being copied.

3. A further stage in the evolution of this process is to establish a formal “copyright permissions” office, modelled on similar institutions in Europe and elsewhere. This should probably be forwarded as a proposal through the Indian Library Association.

The idea would be for an independent administrative office to be established for handling copyright permissions for manuscript libraries. The manuscript libraries would be invited to devolve the handling of their copyright matters to this office.

A scholar seeking a copy of a microfilmed manuscript would write to this office for permission. The office would grant permission and collect a copyright permission fee from the scholar. This fee, or part of it, would be forwarded to the original library. The office would inform IGNCA that permission had been negotiated, and that a microfilm of the requested MS could now be sent to the scholar.

By far the most efficient arrangement would be for the copyright office to be physically located in the IGNCA building. Then the various communications could take place efficiently, and the IGNCA could provide basic office services and support for the operation.

The beneficiaries of the full scheme would be

- the libraries: they would receive a fee for every MS copy sent out from IGNCA;
- the IGNCA: the Centre would be freed to serve the wider scholarly community, and to make its holdings available to those who need them;

- the scholars: the research community would receive the microfilms they need for fundamental research.