

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2586 of 2021

Dr. Ranganathan Rajya Pustakalaya Samiti & Anr.

... .. Petitioners

Versus

The State of Bihar & Ors.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Navendu Kumar, Advocate Mr. Vivek Prasad, <i>Amicus Curiae</i>
For the State	:	Mr. Shashi Shekhar Tiwary, AC to AAG-15
For the Patna University	:	Md. Nadim Seraj, Advocate
For the BNMU	:	Md. Nadim Seraj, Advocate
For the TMBU Unv.	:	Mr. Ashhar Mustafa, Advocate
For the V.K.S. Unv.	:	Mr. Rajesh Prasad Choudhary, Advocate
For the MU, LNMU & BRABU	:	Mr. Siddhartha Prasad, Advocate
For Patliputra Unv., AU & NOU	:	Dr. Anand Kumar, Advocate
For the Munger University	:	Mr. Sanjay Kumart Ghosarvey, Advocate
For the Purnia University	:	Dr. Maurya Vijay Chandra, Advocate Ms. Preety Ranjan, Advocate
For the KSDSU, Darbhanga	:	Mr. Vindya Keshri Kumar, Sr. Advocate Mr. Binay Kumar Singh, Advocate
For the Jai Prakash University	:	Mr. Bajarangi Lal, Advocate
For VKSU, Ara	:	Mr. Rajesh Prasad Choudhary, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

30 15-05-2026

*“Google can bring you back 1,00,000 answers, a
librarian can bring you back the right one.”*

- Neil Gaiman

Libraries are a vibrant, central piece of every campus,
a library’s value and contributions extend to learning creativity,
retention, graduation, and skill development. Without librarians,
making these connections, students and faculty would be left



without navigators. The present case deals with such an issue.

2. In pursuance of the order of this Court dated 13.05.2026, the Vice-Chancellors of the different Universities, namely, Munger University, Munger; Patliputra University, Patna; Maulana Mazharul Haque Arabic & Persian University, Patna; Kameshwar Singh Darbhanga Sanskrit University, Darbhanga; Lalit Narayan Mithila University, Darbhanga; Tilka Manjhi Bhagalpur University, Bhagalpur; B.N. Mandal University, Madhepura; Purnea University, Purnea; Veer Kunwar Singh University, Ara; Magadh University, Bodh Gaya; Patna University, Patna; Jai Prakash University, Chapra; and Baba Saheb Bheem Rao Ambedkar University, Muzaffarpur; Aryabhatta Knowledge University, Patna as well as Nalanda Open University are connected through virtual mode in the proceeding.

Prof. Sanjoy Kumar, Vice-Chancellor of Munger University, Munger, has apprised this Court that out of total number of 17 sanctioned posts of Librarian as of today, all such posts of Librarians are lying vacant; the requisition for filling up such posts has already been sent to the Office of Director, Higher Education, Education Department, Government of Bihar (hereinafter referred to as 'Director, Higher Education').



The Vice-Chancellor, Patliputra University, Patna has informed this Court that as of today out of total 21 sanctioned posts of Librarian, all such posts are vacant. He further submits that necessary action is being taken in this regard and after roster clearance requisition shall be immediately sent to the Director, Higher Education.

Md. Alamgeer, the Vice-Chancellor, Maulana Mazharul Haque Arabic and Persian University, Patna has apprised this Court that only 01 post of Librarian is sanctioned, which is yet to be filled up. At present, no one is working on such post.

Prof. Dinesh Chandra Rai, Vice-Chancellor, Baba Saheb Bheem Rao Ambedkar University, Muzaffarpur has submitted that altogether 35 posts of Librarian, 42 posts of Assistant Librarian, 01 post of Deputy Librarian and 07 posts of Library Assistant have been sanctioned; out of which, 24 posts of Librarian and 37 posts of Assistant Librarian as well as 01 post of Deputy Librarian and 06 posts of Library Assistant are still lying vacant. He further submits that the necessary requisition, after getting roster clearance from the Divisional Commissioner, shall be sent to the Office of the Director, Higher Education within a short span of time.



Prof. Bimalendu Shekhar Jha, Vice-Chancellor, B.N. Mandal University, Madhepura has informed this Court that out of 15 sanctioned posts of Librarian, and as of now all the posts are lying vacant. He further submits that after roster clearance, the requisition has already been sent to the Secretary, Higher Education, Government of Bihar, on 07.02.2026; after roster clearance, the copy of which has also been sent to the Director, Higher Education.

Prof. Sanjay Kumar Choudhary, the Vice Chancellor, Lalit Narayan Mithila University, Darbhanga has apprised this Court that out of 38 sanctioned posts of Librarian, 37 posts of Librarian are yet to be filled up and no one is presently working on these posts. He further submits that process of roster clearance is going on and after completing the formalities, the requisition shall be immediately sent to the Director, Higher Education.

In absence of the Vice-Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur, the officiating Vice Chancellor virtually appeared and has informed that all the 11 sanctioned posts of Librarians are vacant. He further submits that on 06.11.2025, the necessary documents have been sent to the concerned Divisional Commissioner for roster clearance and



on receipt of the roster clearance, the necessary requisition shall be sent to the Director, Higher Education for the needful.

Prof. Sharad Kumar Yadav, Vice-Chancellor, Aryabhata Knowledge University, Patna, has informed this Court that he shall immediately send the requisition to the Director, Higher Education after completing the necessary formalities.

Similarly, Prof. Shashi Pratap Shahi, Vice-Chancellor of Magadh University, Bodh Gaya has informed this Court that the process of roster clearance has not been completed yet, on account, of which the requisition could not be sent. After roster clearance, he submits, the requisition shall be sent immediately to the Director, Higher Education. He further apprised this Court that, at present, 20 posts of Librarian, 07 posts of Assistant Librarian, 01 post of Deputy Librarian and 13 posts of Junior Assistant are vacant. Presently, only 01 Librarian is working.

Prof. Parmendra Kumar Bajpai, Vice Chancellor, Jai Prakash University, Chapra, has submitted that at present 58 posts of Librarian/Deputy Librarian and Library Assistant are sanctioned, out of which, 57 posts are lying vacant. It is submitted that the roster clearance of the aforesaid posts is in



process and after completion of the same, necessary requisition shall be sent to the Director, Higher Education immediately.

Prof. Vivekanand Singh, Vice-Chancellor, Purnea University, Purnea, has further apprised this Court that all the 14 sanctioned posts, are lying vacant and the requisition for filling up such posts of Librarian has already been sent to the Office of Director, Higher Education on 16.10.2025.

Mr. Ram Krishna Thakur, Registrar, Veer Kunwar Singh University, appeared in person and apprised this Court that out of 18 posts of Librarian/Assistant Librarian, 16 posts are still vacant. He further submits that the requisition for filling up the vacant posts of Librarian/Assistant Librarian has already been sent to the concerned department in the month of July, 2025 itself. However, he undertakes that a fresh requisition shall be sent to the office of Director, Higher Education for the needful and appropriate action.

Prof. Laxmi Niwas Pandey, Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga, has apprised this Court that there is only 01 sanctioned post of Librarian and in the absence of roster clearance, the requisition could not be sent. However, he submits that necessary action shall be taken for roster clearance and after completion of



formalities, the requisition shall be sent.

3. Mr. Vivek Prasad, learned *Amicus Curiae*, further informed this Court that in Bihar Animal Sciences University, Patna, altogether 11 posts have been sanctioned for Librarian-cum-Deputy Librarian/Assistant Librarian, out of which, only 03 posts are filled up and yet 08 of the sanctioned posts are still lying vacant. It is further urged that as per his instruction, the process is going on to send the requisition.

4. After having noticed the vacancy position, we are of the humble view that in all the aforementioned Universities, almost all of the posts of Librarian/Deputy Librarian and Assistant Librarian are vacant on date due to which, the proper functioning of the libraries across all the Universities in the State is completely come to a temporary halt and thus jeopardizing the future, prospect and career of the students, besides affecting academic environment of the College and Universities. We have been informed during this proceeding that in some of the Universities, roster clearance is under process and in some of the Universities, requisitions have been sent to the Director, Higher Education but till date, no action has been taken for filling up the vacancies of Librarian/Deputy Librarian/Assistant Librarian.



5. In order to resolve the dispute, and the acute scarcity of Librarians, as has been raised in the present Public Interest Litigation, we direct all the Vice-Chancellors of the Universities to ensure that where the roster clearance has not been done, they shall take all the requisite necessary actions to get the roster clearance done expeditiously and thereupon, send the requisition to the Director, Higher Education. Since the roster clearance is to be made at the level of the Divisional Commissioner, we further direct the Divisional Commissioner of all the Divisions, where the process of roster clearance is pending, to take up the matter forthwith and pass necessary order with regard to the roster clearance. It is made clear that in those Universities where the list of necessary vacancy position has not been sent for roster clearance, the concerned Vice-Chancellor of the said Universities must ensure and send the list of on date vacancies to the concerned Divisional Commissioner for roster clearance. In order to ensure that all the vacancies are filled up immediately, we will also provide the timeline to all the concerned authorities. In those cases, where vacancies position of the posts have not been sent up to the office of Divisional Commissioner, it must be sent within two weeks from today. The Divisional Commissioners of respective



division are directed to complete the formalities of roster clearance within a further period of two weeks. On receipt of the roster clearance, the Vice-Chancellor of different Universities shall ensure that requisition for filling up the vacancies must reach in the office of Director, Higher Education within a further period of two weeks. It is expected that all the authorities must adhere to the timeline, framed hereinabove.

6. The librarian is the custodian of the intellectual capital of a University. Their role is a hybrid of an academic researcher and an administrative manager. Therefore, a vacancy in this post is not a mere delay, it is a suspension of the University's primary duty to provide accessible knowledge. Modern University librarians are specialized information scientists. Their role is to ensure that research is both efficient and credible. There is a difference between search and research, and the librarians teach students how to distinguish between them, train them to evaluate the authority, bias, and peer-review status of sources.

In the eyes of the law, a vacant librarian post, especially in a University is not merely an administrative oversight; it is seen as a functional breakdown in the "administration of justice" and the "academic health" of an



institution. The vacancy of a librarian is not an administrative choice but a failure of the State's duty to provide the necessary infrastructure for education and justice.

In the absence of a Librarian, physical collection of books deteriorate without proper preservation protocols, reference services remain absent, institutional subscriptions to journals and databases are not procured, managed, or optimised, and no systematic weeding or collection takes place.

7. With the aforesaid direction and observation, the matter be listed on 06.07.2026.

8. This court places on record its appreciation to all the Vice-Chancellors and other officials of the aforementioned Universities who are connected virtually in the proceeding and extended their assistance to their Court.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

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