

# Educational (1900) Department.

ORDINARY MS. 2

G.O., No. 384-385

DATED 23-8-00 ✓

INDEXED. 9

[Despatch Abstract.]

Informing the Govt of India that the Govt has no objection to the issue of general instructions on the lines indicated by Messrs Macmillan & Co, in regard to the <sup>interference of the</sup> ~~advice of the~~ Education Dept with the <sup>of</sup> prices &c of books published by any person.

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
| 70   | 272 | of 01       |       |      |     |             |       |

[ Ed. 6 ]

100-4-5-99.

Enclosure 50 P. 15 no 7701  
4-8-00  
Educational (189 ) Department.  
1900

CURRENT No. 828



From The Govt of India

N/  
Order. No. 206, dt 29 6 00.

Referred to the Director  
of Public Instruction for ~~report~~  
(By Order)

No. 194

M. V. S. S. S.  
Asst. Secy.

25/6/00

Dated 13<sup>th</sup> June 1900

Received

Registered 22-6-00

Enclosures 1

Spare copies 7

## SUBJECT.

Inquiring, in connection with a certain  
representation from Messrs. Macmillan  
& Co., what the practice is in the  
presidency with regard to the translation  
of books which have been adopted  
as text books, & whether the Govt  
has any objection to the issue  
of certain general instructions, regarding  
translations & prices of books published  
there

25/6

# BACK PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

3

Dated St. Martin's Street, London, the 5th April 1900.

From—MESSRS. MACMILLAN & CO.,

To—The Secretary to the Government of India, Home Department.

We are anxious to submit, for the consideration of the Governor General in Council, the following matters:—

I. We have just received from the Secretary to the Provincial Text-Book Committee of one of the leading Provinces in India a letter which runs as follows:—

Has the honour to inform them that the prices of their books named on the reverse have been reduced as noted against each of them and the reduction has been confirmed by the Director of . . . . . Authors or publishers are not allowed to alter the price of the book thus fixed or the quality of the paper and printing without reference to the Committee.

We have omitted names as we do not ask for the intervention of the Government of India in this particular case, but wish to raise the general question.

We submit that, while it is open to the Departments of Education and to all our customers to regard any work as unsuitable or too expensive for the purpose, it is only fair that we should be consulted before a reduction of price is confirmed by the head of the Education Department and a notice served upon us of the character just described. It is our interest to make our books suitable as to matter, publication and price, for the market, and we are at all times anxious to consider and give effect to any representations made to us. In some of the books referred to in the notice received by us there were miscalculations and omissions on the part of our critics which we should have pointed out, and which would, no doubt, have modified their judgment.

We would therefore enquire whether the Government of India would favourably consider the expediency of making a rule which would give a Publishing Firm an opportunity of stating the facts and expressing its views before a final verdict is passed *ex parte* by a Director of Public Instruction.

II. The second matter to which we invite attention is the following:—We find that in two cases covered by the correspondence unauthorized translations of books published by us have been made without authority by us or by the author, and that these piratical reprints have been recommended for use in schools by a Provincial Text-Book Committee. We submit that such a recommendation constitutes an official recognition of an illegal act, and that in the interests of the public as well as of authors and publishers the Departments of Public Instruction and Text-Book Committees should be enjoined to avoid sanctioning or recommending the use of any book which encroaches upon copyright.

CURRENT No. 828 A

No. 194

FROM

H. LUSON, Esq.,

Deputy Secretary to the Government of India,

To

The Secy. to the Govt. of Madras,  
Education Department.

Home Department.  
Education.

Simla, the 13<sup>th</sup> June 1900.

SIR,

I AM directed to forward, for the information of the Governor in Council,  
a copy of a letter\* from Messrs. Macmillan & Co., in which that firm represent

\* Dated the 5th April 1900.

(1) that the prices of certain educational books published by them have been reduced under the authority of the Educational Department without reference to them, and (2) that unauthorized translations made of books published by them have been recommended for use in schools by a Provincial Text-Book Committee.

2. If the facts as stated by Messrs. Macmillan & Co. are correct, the action of the educational authorities in changing the published price of a book seem to the Government of India to be wrong and the objections of Messrs. Macmillan & Co. appear to be reasonable. In the case of translations there is no copyright, but the Governor General in Council considers that it is not proper for Local Governments to approve of works being translated without first referring to the publishers of the original work.

3. The views of the Government of India as regards the position and duties of Text-Book Committees are set forth in the recent Resolution of the 8th February 1900 and action is no doubt being taken by the Government of Madras on the lines indicated. But in connection with the present representation I am to inquire what the practice is in the Madras Presidency with regard to the translation of books which have been adopted as text-books; and whether the Governor in Council sees any objection to the issue of general instructions on the lines indicated by Messrs. Macmillan & Co.

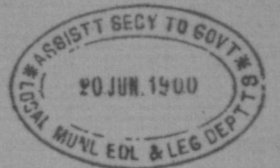
I have the honour to be,

SIR,

Your most obedient Servant,

H. Lusson.

Deputy Secy. to the Govt. of India.



C 280.96  
1-3-00

Encl. 1

5  
Educational (189<sup>1900</sup>) Department.

CURRENT No. 1071 /

mem. 206/60



From

The Director of Public Instruction,  
Madras.

No. 7701

*4*  
Dated 4 August 1900.

Received 6 AUG. 1900

Registered 7-8-00

Enclosures *one*

Spare copies

SUBJECT.

Stating that there is no objection to the issue of general instructions on the lines indicated by Messrs. Macmillan & Co. regarding the translations and prices of educational books published by them.

# BACK PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

CURRENT NO. 1071

OFFICE OF THE DIRECTOR OF

PUBLIC INSTRUCTION,

Madras, 4 August 1900.

No. 7701

From

THE HON'BLE MR. G. H. STUART, M.A., Barrister-at-Law,

DIRECTOR OF PUBLIC INSTRUCTION,

Madras,

To

THE SECRETARY TO GOVERNMENT,

Educational DEPARTMENT,

Fort St. George.

SIR,

In returning the papers received with endorsement No 206, Educational, dated 29th June last, I have the honour to state that I see no objection to the issue of general instructions on the lines indicated by Messrs. Macmillan & Co. As regards the matter of translations referred to in paragraph II of their letter, the Madras Text Book Committee has never had to deal with such translations.

I have the honour to be,

Sir,

Your most obedient servant,

G. H. Stuart

Director of Public Instruction.

Note for the A.S.

The D.P.I. does not say what the practice is in this presidency with regard to the translation of books which have been adopted as text books. He simply states that the text book committee have never had to deal with such translations. But suppose an unauthorized translation came before them; what would they have done? Is the procedure in such cases fixed by any rule? These are apparently the points on which the Government of India desire to have information. It is submitted that the D.P.I. may be asked U.O. about them.

(JmP) P.T.T.  
10-3-22

The Govt. of India may be told that there is no objection to the issue of the general instructions proposed. With regard to the first enquiry in Mr. Dusan's third paragraph, I don't think what the G. of I. want to know is "what action has the Madras Text book Committee taken, or what action would it take if a pirated translation came before it;" but I am doubtful what is meant. As worded, the enquiry appears to have nothing to do with the matter.

They probably don't know what they would have done  $\frac{10.00}{10.00}$

Apparently not - for know the rules which have guided the text book Committee -  $\frac{10.00}{10.00}$

the second of the two represents  
 a translation of Jellac Millan & Co.,  
 & apparently it is to  
 be connected with the remark made  
 in the second part of M<sup>r</sup> Dusan's  
 second paragraph.

But in that case, how can  
 there be any "practice" in the  
 matter?

Say,  
 if book, has been adopted,  
 by the Education as a text  
 book, & then some private person  
 translates it; Gauth. cannot  
 prevent his doing so, nor can  
 the author, or proprietor of  
 copyright in the original  
 book, because, as stated, there  
 is no copyright in a translation.

perhaps there is a misprint,  
 & the word "translation" should  
 have been "translations"; but  
 then the words "which have  
 been adopted" & "the" should  
 not precede "translations", alone:  
 and M<sup>r</sup> Dusan is very accurate.

3. Whatever it is meant, there seems  
 to be no reason for troubling  
 the Director again, & the  
 answer on the point may be  
 that Gauth. are not entitled  
 to object to the book, but  
 saying that that  
 no cases of the kind have  
 come before this Government.

The Gauth. of India  
 have just sent  
 one of their reports  
 [unclear] 14.8.1900

It seems sufficient to say that the  
 Director refers that Mr. T. H. Comer has never had  
 deal with such translations & that there is no  
 line of orders as suggested

[ E. & L. ]  
 1  
 500-10-11-08.

3 8  
 Educat. DEPARTMENT.

Papers to be read in Proceedings :-

|                 |               |        |
|-----------------|---------------|--------|
| Again G.O., No. | , dated       | 189    |
| Again G.O., No. | , dated       | 189    |
| Current No.     | of 189, dated | , from |
| " "             | " 189, "      | " "    |
| " "             | " 189, "      | " "    |

MA

ORDER. No 384 d/ 23.8.00

MA  
 21.8.00

The G. of I. will be  
 addressed.  
 Letter: No 385 d/ 23.8.00  
 To the Secy. to G. of I.  
 Same dept.

Desp'd  
 23/8

In reply to M<sup>r</sup> Dusan's  
 letter of the 13<sup>th</sup> June last,  
 No. 194, Education, I am directed  
 to state that the Madras  
 Gauth. has no objection to  
 the issue of the general  
 instructions on the lines  
 indicated by Messrs. Mac-  
 millan & Co. in their com-  
 munication of the 5<sup>th</sup> April.  
 2. With regard to the enquiry  
 respecting the practice in  
 this presidency, I am to

MA  
 15.8.00  
 MA  
 18.00

inform that State that  
according to a report received  
from the Director of Public  
Instruction, the Madras  
Text Book Committee has never  
had to deal with such  
translations.

16.8.1900

16.8.1900  
21.8.1900

When given for copying \_\_\_\_\_  
When copied \_\_\_\_\_  
When examined \_\_\_\_\_  
When signed \_\_\_\_\_

190 .

READ AGAIN G.O., No.  
190 .

, DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT .. ..

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL.

N.B.—

A = Copy in full.  
B = Not to be copied.  
P = Copy abstract only.  
Q = Copy heading only.