S. M. II-27—60,004—17-11-48

Edn. & P.H (1949) Department.

Ms. SERIES.

32

G.O. NO. 2727, Edn.

Dated 29th August 1949.

[Despatch Abstract.]

Poet Bharathi's compositions - use by All India Radio, Private publishers, etc. - Papers recorded.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
MS No	351	Educatn	12.2.1951				

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
GO Ms	1299	Public Gen. B.	18.4'55				

1

2

The Gramophone Company Ltd
(INCORPORATED IN ENGLAND)

HEAD OFFICE & FACTORY IN INDIA
33, JESSORE ROAD
DUM DUM

TELEGRAMS:
"JABBERMENT", CALCUTTA
TELEPHONE:
DUM DUM: 131, 132 & 133

"HIS MASTER'S VOICE"

TELEGRAMS & CABLES:
"JABBERMENT" MADRAS
TELEPHONE:
8335, MADRAS.

CATHEDRAL HOUSE
122, MOUNT ROAD
P. B. 705, CATHEDRAL
MADRAS (6)

IN YOUR REPLY PLEASE REFER TO: P/A.

HON'BLE THE PREMIER
16 MAR 1949
GOVERNMENT OF MADRAS

12th March 1949.

A · M · Education may see · and expediate to finish the agreement
G.P.R
15/3

The Private Secretary to
The Prime Minister,
Government of Madras,
MADRAS.

Dear Sir,

We gathered from this mornings 'Hindu' that Sri A. V. Meiyappan has made a gift of all his rights on the compositions of our National Poet, Sri Subrahmanya Bharathi, to the Government.

The restriction on the reproduction of these all-important National songs through gramophone records for the benefit of the public having been removed, it is our desire to popularize as many of these songs as possible through gramophone recording by eminent musicians. We shall be glad if you will let us know whether specific permission will be required to be taken before such recordings are carried out. It will assist us very much in carrying out the recording of some of the songs at least immediately if we can have a general permission from you on this account.

We shall appreciate your early advice regarding this,

We are, Yours faithfully,
THE GRAMOPHONE COMPANY LIMITED,

Manager.

AKS.

2

PPS C.No. 96/49-1
2/3

3

7

The Gramophone Company Ltd
(INCORPORATED IN ENGLAND)

HEAD OFFICE & FACTORY IN INDIA
33. JESSORE ROAD
DUM DUM

TELEGRAMS:
"JABBERMENT". CALCUTTA
TELEPHONE:
DUM DUM: 131. 132 & 133

"HIS MASTER'S VOICE"

TELEGRAMS & CABLES
"JABBERMENT" MADRAS
TELEPHONE:
8335. MADRAS.

CATHEDRAL HOUSE
122, MOUNT ROAD
P. B. 705. CATHEDRAL
MADRAS (6)

GV✓

21 MAR 1949

IN YOUR REPLY PLEASE REFER TO:
P/A.

17th March 1949.

Transferred to the E & P.H. Department who will please deal with this and send a suitable reply
20.3.49

2916

The Private Secretary to
The Prime Minister,
Government of Madras,
Madras.

Dear Sir,

Sri C. Subrahmania Bharathi's songs.

not put up.

—Further to our letter of the 12th instant, we have been advised by our artiste Sm. N. C. Vasanthakokilam that Mr. Meiyappan in his letter No. 417 dated 18th February 1949 addressed to Mr. C. K. Sachi has given permission for the songs:-

1. Ninnai Charanatainthen
2. Vellai Thamarai

to be sung for gramophone recording by Sm. Vasanthakokilam. In view of the recent press report of all rights on these compositions having been made over to the Government, we shall be glad to know if it will be in order for us to proceed with the recording of the above titles for which permission had been secured by the artiste previously. An early clarification of this will be greatly appreciated.

We are, Yours faithfully,
THE GRAMOPHONE COMPANY LIMITED,

Manager.

AKS.

Telephone No. 86435.
Telegrams :—
"AIRVOICE."

ALL INDIA RADIO.

No. PC/ 3576.

Dated Madras-8, the 15th March 1949.

Dear Mr. Avinashilingam Chettiar,

Sub: Bharati songs.

I understand from Press reports that reproduction and publication rights in the works of Subramania Bharathiar have now been acquired by the Government of Madras. Under an agreement with Mr. A.V. Meyappan, AIR Stations have so far had free permission to broadcast the songs of Subramania Bharathi in their programmes; the agreement was going to be renewed on a permanent basis with Mr. Meyappan when this announcement has appeared in the Press.

By arrangement with Bharathi Prachuralayam we have also taken permission to print in AIR programme journals, school broadcast pamphlets and allied publications, the text of Bharathi songs which were being taught in "Learn to Sing", Chorus singing for children and similar programme items, to facilitate listeners learning the songs with the text before them.

I write to request your consideration of the continuation of the present arrangements and if Government of Madras are pleased to approve publicity to Bharathiar's compositions as before from AIR Stations, this may be placed on record for our guidance. AIR being part of Government of India, Ministry of Information and Broadcasting and since no commercial use would be made by AIR of such compositions, it may perhaps be that no payment need be made to Government of Madras for such broadcasts or publication for use in connection with broadcasts; this may also be kindly confirmed.

With best regards,

Yours sincerely,
G.T. Sastri

The Hon. Mr. T.S. Avinashilingam Chettiar,
Minister for Education,
Government of Madras,
Fort St. George,
Madras 9.

6

Reg. Publisher No 4

The National Publishing Co.
6, KONDI CHETTY STREET, MADRAS 1.

ASST. SECRETARY TO GOVERNMENT
20 MAR 19
EDUCATION AND PUBLIC HEALTH

Gr

5

Madras,
18th March '49.

The SECRETARY, to Government,
Education Department,
Fort St.George,
Madras.

-22000

Sir,

COPYRIGHTS:

WE beg to request you to be good enough to kindly accord us permission to reproduce the following poems compiled by Bharathiar in our books entitled "THAMARAI VACHAKAMS BOOKS 1, 11, & 111" written by Vidwan . M.Rajamanikkam Pillai, M.O.L.,L.T., for the use of students studying in forms 1 to 111 and standards 6,& 7.

The publications stated above have been prepared according to the latest departmental syllabus of the re-organized secondary Education Course and the undermentioned poems are compulsorily to be included in the books.

Thanking you, Yours faithfully,

FOR THE NATIONAL PUBLISHING CO.

PROPRIETOR

Form.1.
அந்திப் பொழுது - 2 செய்யுள் - 16 lines
யாமறிந்த மொழிகளிலே - 1 செய்யுள் · 8 வரி.
Form 2.
கண்ணன்-என் வேலையாள் — 63 வரி
பெண்கள் விடுதலைக் கும்மி — 20 வரி
Form 3.
யாமறிந்த புலவரிலே - 1 செய்யுள் 8 வரி.
மாலை அழகு - 3 செய்யுள் · 24 வரி
நாட்டு [illegible] - 1 செய்யுள் - 8 வரி.
147 வரிகள்.

V. S. V. RAGHAVAN

15-A. East Mada St
Arumbakkam
Madras.

22859

MINISTER FOR EDUCATION
22 1949
GOVT. OF MADRAS

SECRETARIAT, EDU. AND P.H. DEPT.
22 MAR 1949
GOVERNMENT OF MADRAS

23 MAR 1949

To,

Sri T. S. Avinashilingam Chettiar
Educational Minister
Fort St. George Madras

Dear Sir,

I was one of the persons who felt extremely glad when Barathiar's songs were bought by Government as copyright.

I wish to bring a Tamil reader for class I, in which I desire to include the famous "[illegible]" of our Mahakavi Barathiar. I request you to kindly give me the permission to incorporate the same in my reader.

May God shower on you all Blessings.

Yours very faithfully

Draft I

Ett. II
(92)

Memo. 21988/92/49-3. Edu.d. 28/~~3~~4/49

Despatched 28/4

Bharathi's Songs - Recording

paper 1 & 3

With Reference to his letter of the 12th and 17th March 1949 on the above Subject the Manager, The Gramaphone Company Ltd is informed that Sri A.V. Meiyappa Chettiyar has intimated to Govt. in writing that he would transfer to the Govt. of Madras, his Rights in Respect of Bharathi's songs. Until the deed of agreement is signed by the parties, Sri A.V. Meiyappa Chettiyar will have the Rights. The Company may, for the present, proceed to take action in respect of the Recording of the songs, after obtaining permission from the above gentleman, as hitherto.

The Govt. will make a formal Announcement in the matter, in due Course.

24.3.49.

24-3-49

To
The Manager,
The Gramaphone Company Ltd
Cathedral House,
122, Mount Road Madras

Draft II

Draft II.

Letter Ref. 21988/G2/49-4. Edu. d. 28/4/49

Dft 28/4

To

The Station Director
All India Radio, Madras.

Sir,

Bharathi's Songs - Reproduction

psc

With reference to your letter No. P.C. - 3576 dated ~~on~~ the 15th March 1949 to the Hon'ble Minister for Edn. on the above subject, I am directed to state that Sri A.V. Meiyappa Chettiyar and Sri C. Viswanatha Iyer (Bharathi Prachuralayam) have intimated to the Govt. of Madras that they would transfer to the Govt. their rights in respect of Bharathi's Songs and other works. The Conveyance deeds effecting a formal transfer of the Rights have not yet been signed. Until this is done, you may continue to use ~~the~~ Bharathi's Songs, ~~other~~ ~~work~~ poems, etc. ~~with permission from ~~the two gentlemen~~ Sri A. Meiyappa Chettiyar, for the purposes of the All India Radio.~~

So far as Govt. are concerned, they have no objection to the All India Radio using the compositions of Bharathi's as hitherto

The Govt. expect to make an announcement in the matter in due course.

Y. f.

24-3-49

24/3/49

Draft III

8 13 (12)

Memo. 21988/G2/49-5. Edu. 28/4/49

Bharathi's Works - Rights -

Dft 28/4

14/4/49

With reference to his letter dated 18th March 1948 / Nil,

The Proprietor, The National Publishing Co. Sri V.S.V. Raghavan is informed that the Govt. have no objection to ~~your~~ his using the late Poet Bharathi's works for

14

4 =

for the purpose mentioned in the letter.

M
12.4.49

To
The Proprietor,
The National Publishing Co
6 Kondi Chetti St
G.T. Madras

Sri V.S.V. Raghavan
15A East Madha St,
Ramanjikani
Madras.

for
21/4

15

9

The Gramophone Company Ltd
(INCORPORATED IN ENGLAND)

HEAD OFFICE & FACTORY IN INDIA
33. JESSORE ROAD
DUM DUM.
TELEGRAMS:
"JABBERMENT", CALCUTTA
TELEPHONE:
DUM DUM: 131, 132 & 133

TELEGRAMS & CABLES
"JABBERMENT" MADRAS
TELEPHONE:
8335, MADRAS.

"HIS MASTER'S VOICE"

CATHEDRAL HOUSE
122, MOUNT ROAD
P. B. 705, CATHEDRAL
MADRAS (6)

JOINT SECRETARY TO GOVERNMENT
30 APR 1949
EDUCATION AND PUBLIC HEALTH DEPARTMENT

IN YOUR REPLY PLEASE REFER TO:
P/A.

2 MAY 1
EDUCATION AND PUBLIC HEALTH DEPT.

G

23rd April 1949.

Secy. E & P.H.
30/4

H.M. (Edn)

The Private Secretary to
The Prime Minister,
Government of Madras,
Madras.

Dear Sir,

23357

Sri C. Subrahamania Bharathi's Songs.

We are very eager to record some of the National songs of the above poet and shall be glad if you will advise us the procedure to be adopted in securing the recording rights for the same. In this connection we refer you to our letters to you dated 12th and 17th March 1949. — p 3 ante

Sent to H.M. (Edn)

Thanking you for your early reply,

We are, Yours faithfully,
THE GRAMOPHONE COMPANY LIMITED,

Manager.

AKS.

10 17

ASST. SECRETARY TO GOVERNMENT, EDUCATION AND PUBLIC HEALTH DEPT.
MAY 1949

Government of India
ALL INDIA RADIO

PC/ 9538
Madras, 2nd May '49.

The Secretary to Government,
Education and Public Health Department,
Government of Madras,
Fort St. George, Madras 9.

33701

Sir,

I have the honour to acknowledge with thanks your No.21988/G2/49-4, Edn. dated 28th April 1949 and to say that our Department already has the general permission of Mr. A.V. Meiyappa Chettiar for utilising the works of Bharati in our broadcasts. It is proposed, in the next school year 1949-50, to include the Bharathi songs in the 'Music Lessons' programmes for schools, in our Educational Broadcasts.

p 12 ante

A copy of Government's announcement mentioned by you, may kindly be endorsed to this office for record.

11 'M'

Your obedient servant,

S. T. Sastri

STATION DIRECTOR.

18

G2

19

11

ASST. SECRETARY EDUCATION AND PUBLIC HEALTH DEPT.
14 AUG 1949

Government of India
ALL INDIA RADIO

PC
Madras, 13-8-1949.

The Secretary to Government,
Education Department,
Government of Madras,
Fort St. George, Madras.

Sir,

Sub: Broadcast of Bharati's compositions.

G2403
p.12 ante
p.5 cf.
(H)

I have the honour to request reference to your No.21988/G2/49-4, Edn. dated 28-4-1949 and my letter No. PC/3576 dated 15-3-49 to the then Minister for Education to which it was in reply. The press note of 4th August issued by Government of Madras states that Government have no objection to broadcasting of these songs provided previous permission is obtained therefor. The circumstances relating to the use of the works of Subramania Bharati in broadcasts and in AIR publications had been detailed in my above letter of the 15th March. I have the honour to request that formal approval of Government may kindly be issued for the continuance of the present permission.

p.5 ante

Yours faithfully,

G. T. Sastri

STATION DIRECTOR.

91 Ext. H (92)

Letter

Ref. No. 21988-92/49-7 Edn. dt. 25/8/49

12

To
The Station Director
All India Radio
Madras

Dy Secty 25/8

Send Desp 25/8

Sir,

Broadcast of Bharathi's Compositions —

With reference to your letter of the 13th Aug 1949 on the above subject I am directed to state the

pg j

22

2

That the Govt. permit the use of the Poet Bharathi's compositions, for broadcasts and publications of, by the All India Radio, ~~and~~ for Madras-

24/8 Y. J.

22.8.49.

23/8/49

Copy to 2.9
1 s/c.

28/8

---

22 23 13

Government of India
ALL INDIA RADIO

ASST. SECRETARY TO GOVERNMENT
62764
3 SEP 1949
EDUCATION AND PUBLIC HEALTH DEPT.

PC
Madras, 2-9-1949.

The Secretary to Government,
Education Department,
Government of Madras,
Fort St. George, Madras.

Sir,

Sub: Bharathi's compositions.
Ref: No.21988 G2/49-7, Edn. dated 25-8-1949.

pp.21-22 of ② G.O. 2727 Edn. 29/8/49

I have the honour to request that the permission kindly given by Government may be for all broadcasts by and publications of AIR, and not only for AIR, Madras. It may be mentioned that the compositions are included in the broadcasts of Tiruchi and Vijayawada and other Stations besides being broadcast regularly in the External Services of AIR for the benefit of listeners overseas.

Yours faithfully,

G. J. Sastri

STATION DIRECTOR.

24

25 [illegible] (G2)

14

67764

Letter

Ref. No. 67764 G2/49-1 Edn. dated 12-9-49.

To

The Station Director
A.I.R.
Madras

Sir,

Bharathi's Compositions – use by the A.I.R. – permission.

With reference to your letter of the 2nd Septr. 1949 on the above

26

2

Subject I am directed to state that the Govt., in modification of Letter No. 21988-G2-49-7 Edn dated 25th Aug. 1949 permit the use of the Poet Bharathi's compositions for broadcasts by, and the publications of, the All India Radio.

Y. K.

9.9.49. 11-9-49

S

Z/21-22

Copy to the D.P.9

Note. There seems to be no objection to the use of Bharathi's works by ~~all~~ AIR stations at all centres - The draft above is for approval - After issue, the papers may be filed with (Z).

9.9.49. 11-9-49

12/9

27

ASSISTANT SECY 27 NOV 1954 HEALTH, EDUCATION & L.A. DEPT.

118746

ALL INDIA RADIO
GOVERNMENT

TELEGRAMS :—" AIRVOICE "
TELEPHONE No. 86435

~~Marshall Road, Egmore~~
MADRAS 4.

UNDER SECRETARY 7072 1 DEC 1954 PUBLIC DEPARTMENT

15

No. PC/ Dated the 26th Novr. 1954.

The Secretary to Government,
Education & Public Health Department,
Government of Madras,
MADRAS-9.

Sir,

Sub: Bharathi's compositions - Uses by All India Radio - Permission.

Lr 25-26 / 27-21 Edn / 29.8.49 (P)

Kind reference is invited to your letter No. 67764-G2/49-1 Edn. dated 12-9-1949 (copy enclosed for ready reference). It would be seen therefrom that AIR has your kind permission to broadcast and publish the works of the Poet Bharathi. As it sometimes happens, other broadcasting organisations request that programmes of the works of Bharathi may be relayed by them. In the absence of any specific permission from Government regarding this, we have so far not been able to accede to these requests. In view of the immense programme value of these broadcasts, we shall be grateful if Government could accord permission for our broadcasts of the works of Poet Bharathi being relayed by other broadcasting organisations outside India.

We shall be grateful for an early reply.

Yours faithfully,

Sankaran
for STATION DIRECTOR.

Encl.-1

Public (Genl B) Dept

HELA may be requested to put up the originals of letters No 21988-G2/49-7 dated 25/8-49 and No. 67764-G2/49-1, Edn. of 12/9/49.

9-12-54

See p 2 below and also p 2 of (M)

H.E.L.A.C.E.D

Public ~~(Genl)~~ U.O.

27/11/54

29.11.54

27.11.54

K.E.L. A.O.O.A.A

HE246E/54

30.11.54.

Copy of No.67764-G2/49-1 Edn. dated 12-9-1949 from the Secretary to Government, Education and Public Health Department, Govt. of Madras to the Station Director, All India Radio, Madras.

Sub: Bharathi's composition - Uses by AIR,
- Permission.

UNDER SECRETARY
1 DEC 1954

With reference to your letter of the 2nd September 1949 on the above subject I am directed to state that the Government in modification of letter No.21988-G2/49-7 Edn. dated 25-8-1949, permit the use of the Poet Bharathi's compositions for broadcasts by, and the publication of, the All India Radio.

30

please
[illegible]

Public (General B) Dept

Letter/Ref. No 7072/PC-1 d/10.12.54

CENTRAL DESPATCH BRANCH
V /
Date ______ 195 . Despatcher's Initials.

To

The Station Director, 17
All India Radio,
Madras 4.

Sir,

Sub: Bharathi's works - Use by All India Radio and other broadcasting organisations - Permission

Ref. Your letter No PC d 26-11-54

I am directed to acknowledge receipt of your letter cited and to say that the matter is receiving attention and that a further communication will follow.

9-12-54

10.12.54

10.12.54

Note: After issue of the draft above, this may be sent to HELA and they may be requested to put up the originals of the letters No. 21988-G2/49-7, Edn., dated 25-8-49 and No. 67764-G2/49-1, Edn., dated 12-9-49 as the Madras Record Office has

Please see p. 3 c.f.

p. 1 c.f.

stated that the personal registers containing the current Numbers have not been transferred to that office.

9-12-54

SRB
10/12/54

10/12/54

~~HELA (a~~

UNDER SECRETARY
2502
21 DEC 1954
PUBLIC DEPARTMENT

U.O. 7072/54-2
11.12.54

R.D. 25-12-54

H.E.L.A.(E5)

With ref. to their notes of Pub (Genl) above, they may be requested to call for the original of G.O. Ms. No. 2727 Edn dated 29.8.49 containing the memoranda in question.

This may be returned to Pub (Genl) U.O.

3
14/12/54

20/12/54

VB2
17.12.54

ASSISTANT SEC.
124666
24 DEC 1954
B2
HEALTH, EDUCATION & LOCAL

Public (Genl). BSp 20/12

H.E.L. A.U.O.No.
124666 E5/54-1
20.12.54

CENTRAL DESPATCH BRANCH

Despatched

Date 8/2/1955

Despatcher's Initials.

Public (General-B) Department.

LETTER No. 7072/54-4 Dated 7.2.55

18

To

The Secretary to the Govt. of India,
Ministry of Information & Broadcasting
New Delhi.
(With enclosure)

Sir,

Sub: BHARATHI's WORKS - Use by All India Radio - Relay by other broadcasting organisations outside ~~Outside~~ India.

Ref: Letter from the Station Director, All India Radio, Madras, No.PC/dated 26th November 1954

I am directed to enclose a copy of the letter cited and to say that copyright in ~~B~~ Bharathi's works ~~s~~ vests with this Government and that the All India Radio has been permitted to broadcast and publish Bharathi's works.

Letter No. 67764-G2/49-1, Edn dated 12-9-49 at pp. 25-26 c.f. G.O. Ms. No. 2727, Edn d. 29-8-49 (P)

This Government have no objection to the broadcasts of Bharathi's works being relayed by ~~the~~ other broadcasting organisations outside India. [As the matter is one ~~likely to~~ ~~involving~~ touching on ~~affect~~ the relationship of India with other countries] I am to enquire whether the Government of India have any objection to ~~(accord)~~ permission being accorded as requested

It is presumed that it is on account of this, the Govt. of India have to be consulted. [ ] for orders

by

35

by the Station Director, All India Radio,

Madras.

19

Yours faithfully,

2-2-55

5/2/55

Public (General B) Dept

Letter No 7072/54-5 d 15-4-55

To

The Secy. to the Govt. of India,
Ministry of Information and
Broadcasting
New Delhi.

R.D. 10-6-55

CENTRAL DESPATCH BRANCH
Despatched by ~~Van.~~ ~~Post.~~ Regd. Post. ~~Messenger.~~
Despatcher's Initials.
Date 15/4/55

Sir,

Sub: Bharathi's works - Use by All India Radio - Relay by other broadcasting organisations outside India.

Ref. This Govt. letter No 7072/54-4, Public (Genl B), d 7-2-55.

I am directed to invite attention to the letter cited and to enquire when a reply may be expected.

13-4-55

13-4-55

15-4-55

pp. 7-8 C/

P.T.O.

~~4~~ 36

37

R.D 10-6-55

Public (General B) Dept

Letter No 7072/54-5 d 15-4-55

To

The Secy. to the Govt. of India,
Ministry of Information and
Broadcasting
New Delhi.

R.D 10-6-55

CENTRAL DESPATCH BRANCH
Despatched by ~~Van.~~ ~~Post.~~ Regd. Post. ~~Messenger.~~
Date 15/4/55
Despatcher's Initials.

Sir,

Sub: Bharathi's works - Use by All India Radio - Relay by other broadcasting organisations outside India.

Ref. This Govt. letter No 7072/54-4, Public (Genl B), d 7-2-55.

I am directed to invite attention to the letter cited and to enquire when a reply may be expected.

13-4-55

13/4/55

15/4/55

Pt 7-8 Cf

P.T.O.

38

[illegible]

Public (General B) Dept

Letter No 7072/54-6 Dt 14.5.55

To

21

The Secy. to the Govt. of India,
Ministry of Information and
Broadcasting
New Delhi

RD 15-6-55

[illegible] BRANCH
Vern.
Local
Despatched by Regd. Post.
Messenger.
Date 16/5/55 195 . Despatcher's Initials.

Sir,

Sub: Bharathi's works. Use by All India Radio – Relay by other broadcasting organisations outside India.

Ref: This Govt. letters No. 7072/54-4, Dt 7-2-55 and No. 7072/54-5 Dt 15-4-55

I am directed to invite attention to the letters cited and to enquire when a reply to the letter Dt 7-2-55 may be expected. The receipt of this letter may kindly be acknowledged.

Dr 7-9 cf
p 11 cf

14-5-55

14-5-55

14-5-55

PTO

[illegible]

The Secy. to the Govt. of India,
Ministry of Information & Broadcasting,
New Delhi.

[illegible]

---

pub Jl-B

E5 4/

3848
8-6-55

22

DEPUTY DIRECTOR [illegible]
28 MAY 1955
4039

ASSISTANT SECRETARY TO GOVERNMENT
S 9786
30 MAY 1955
R
HEALTH, EDUCATION & LOCAL ADMN. DEPT.

ASSISTANT SECRETARY TO GOVERNMENT
5 JUN 1955
PUBLIC DEPARTMENT

No.21(11)/55-B(P)
Government of India
Ministry of Information & Broadcasting

New Delhi-2, the 27th May, 1955.

From

Sri S.L. Bhalla,
Under Secretary to the Govt. of India.

To

The Chief Secretary to the Govt. of Madras,
Madras.

Subject:- Bharathi's Works- Use by All India Radio.

Sir,

With reference to your letter No. 7072/54-6 dated the 14th May, 1955, I am directed to say that the matter is still under consideration and our final reply in the matter will be communicated to you shortly.

Yours faithfully,

S.L. Bhalla
(S.L. Bhalla)
Under Secretary to the Government of India.

P43 above

NRJ:
24.5.

Pub(D/P) Dept.

H.E.L.A / Pub (Jl-B)

28/5

28.5.

Pub(D/P) L.W.
4039 A/55-1
28/5/55

H.E.L.A. [illegible]

~~Keep the papers and~~
~~[illegible]~~ to Pub (Jl-B) v.o.

2/6/55

3/6

1/6/55
1.6.55

H.E.L.A. [illegible]
S 9786/E/55-1
2.6.55

P.T.O.

63 ~~17~~ ~~18~~

23

ASSISTANT SECRETARY'S DEPARTMENT
3 JUN 1955
3737
PUBLIC DEPARTMENT

No. 21(11)/55-BP.
Government of India
Ministry of Information & Broadcasting

New Delhi-2, the 1st June, 1955.

From

Sri S.L. Bhalla,
Under Secretary to the Government of India

To

The Chief Secretary,
Government of Madras,
Fort St. George,
Madras-9.

Subject:- BHARATHI's WORKS- Use by All India Radio - Relay by other broadcasting organisations outside India.

-.-.-.-.-.-

Sir,

p.p. 7-8 above

With reference to your letter No. 7072/54/4 ~~da~~ dated the 7th February, 1955, I am directed to say that the Government of India have no objection to Government of Madras permitting relay of Poet Bharathi's works by other broadcasting organisations outside India.

SECRETARY'S OFFICE,
2 JUN 1955
MADRAS PORT TRUST.

Yours faithfully,

S.L. Bhalla
(S.L. Bhalla)
Under Secretary to the Government of India.

Missent. Forwarded to the Chief Secretary, Government of Madras, Fort St. George, Madras.9.

Secretary,
Madras Port Trust.
2-6-1955

pcj/31/5/55.

~~6~~ 1844

GLB

V

Merge & file with (P)

43

Public (General-B) Department.

Letter No. 7072/54-7 Dated: 9.6.55

24

To

The Station Director,
All India Radio,
Madras.

Sir,

Sub: BHARATHIS WORKS - Use by All India Radio - Relay by other broadcasting organizations Outside India:

Ref: Your letter No.P.C.dated the 26th November, 1954:

...

I am directed to say that the Government of Madras permit the broadcasts of the Bharathi's works by the All India Radio being relayed by other broadcasting organizations outside India.

8-6-55.

9655

9.6.55

CENTRAL DESPATCH BRANCH

Despatched by
Van.
Post. ✓
Regd. Post.
Messenger.

Date 9/6/55 . Despatcher's Initials.

7 1 cf

Dod 9/6/55

Copy to the Secretary to the Government of India, Ministry of Information and Broadcasting, with reference to India's letter No.21 (11) /55B(P) dated the 1st June, 1955.

7 15 cf

Bharathi's Songs etc – Rights re –

SECRETARIAT, EDN. AND P.H. DEPT.
19 MAR 1949
GOVERNMENT OF MADRAS

21988
21 MAR 1949

Secretary, E.& P.H.

Please see herewith the letter from the All India Radio and the Gramophone Company Ltd., and the note of H.Pr. on it. I think now that we have acquired the right of Bharathi's songs, we may approve the proposal made by the Director of the All India Radio, Madras. Mr. Meiyappa Chettiar has agreed to convey his rights, but I don't know from which date the agreement should take effect. I hope it is from the date of the letter. If that is so, the AIR may be permitted. If it is not from the date of the letter but from the date of the agreement, the agreement may be expedited.

TSA
18.3.49

H.M. Education.

H.M.(Education) may see and expedite to finish the agreement.

O.P.R./15.3.49.

p.1 cf From the Gramophone Company Letter Dy 12.3.49.

p.5 cf From the All India Radio – No. P.C 3576 – Dated the 15.3.49.

p.7 cf From the National Publishing house – Letter Dy 18.3.49

p.9 cf " Sri V.S.V Raghavan, Arunjikarai of vol.

With regard to the minutes of HM (Edn) and HM Pr. above, it is submitted that Sri Meiyappa[x] Chettiyar has not yet sent certain documents which he promised to send – In the meantime the Legal Dept. have prepared a draft

x he is being reminded separately.

draft of the Deed of transfer in respect of Sri C. Viswanatha Iyer's gift of his rights in Bharathi's works to the Govt. for Rs 15000/- The draft has been sent to the Govt. Solicitor for scrutiny. The file has been dealt with as "Special".

There is provision in the ~~the~~ draft deed for the transfer of his rights from 12-3-49 to Govt.

There are letters from the Gramaphone Co, the All India Radio ~~and~~ the National Publishing Company etc in the c/- The Requests contained in these letters are made in view of the Recent announcement of the Govt. Regarding the Rights in respect of Bharathi's songs & other works. The present position is

pages 1-9 cf

(i) that the Rights of broadcasting & sound Recording of the songs & poems vest in Sri A.V. Meiyappa Chettiyar, and

(ii) that the other Rights in respect of the works vest in Sri C. Viswanatha Iyer, the brother of the late poet. Both these gentlemen have intimated Govt. in writing that they would transfer their Rights in Bharathi's works, but the actual transfer of Rights has not yet been effected as the Conveyance deed has not yet been signed by the parties. The deeds will be ready soon. The Rights therefore continue to vest in those two persons. The Govt's permission is not thus necessary for the use of the songs in any

A I am not sure that this is the position

26

any manner, by Gramaphone Companies, All India Radio, Publishing houses etc. Draft replies to the letters in the c/- are put up for approval.

Legal may see.

Anyway what the parties want is the permission of Govt. after the rights have formally passed to them, we may reply to them after that stage is reached.

M

24.3.49

24/3/49

S/Legal

Meanwhile, we [illegible] propose, & for dealing with the similar requests that may come in, we have to settle the general questions (1), (a) what kind of formal order is necessary under the Copyright Act in cases of this kind & (b) whether a general order may be issued which will enable anybody who wishes to do it to publish the works or record or broadcast the songs, without getting permission in each case, if it is decided that a general order should issue & (2) whether such a general order should issue.

I think it is the intention of Govt., when they purchased the copyright, that a general order should issue, & that no payment is to be stipulated. Orders will be taken in the Cabinet on this point.

Legal may advise on points 1(a) & (b) above & also on A at p. 2 ante.

24/3/49

Legal.

ASSISTANT SECRETARY
25 MAR 1949
LEGAL DEPARTMENT

E&P. H.U.D. No. 21988 G2/49-1 Edn
dated 24-3-49.

24/3

(5)

above) — EB 6 Gw

A General order & a Press Note as suggested may be issued, after the formal transfer of rights has been effected in both the cases —

Finance may see prior to circulation.

The main file is under circulation

12.4.49

5/18/4 Fin

Finance (Exp B)

E.P.H. U.O. No 21988/92/49.2 18/4/49

ADDITIONAL DEPUTY SECRETARY
25993
19 APR 1949
FINANCE DEPARTMENT

The drafts below may be perused and the case returned to E.P.H

Rs. 21.4.49

21.4.49

21.4.49

E.P.H.

AS1 EPH

Fin. U.O. No. 25993 Exp 1 21.4.49

E.P.H (92)

19 APR 1949
30889

The case relates to the use of the works of the late Poet Subrahmanya Bharathi for purpose of educational publications, gramaphone recording, All India Radio etc pending the execution of the documents for the transfer of the Rights in those works from the present owners - The Govt.

21988/92/49

(File sent to Sec Rev & Legal 22/4)

Payment to one of the daughters who is at Borneo, has not yet been made.
21/4/49

(The documents will be executed soon)

The Govt. have decided to acquire these Rights from the owner for a consideration of Rs 15000 & have also sanctioned a grant of Rs 5000 each to the wife of the late Poet and his two daughters. They also propose to accept the gift of Mr A.V. Meiyappa Chettiyar of his own rights in respect of the reproduction by sound producing devices in the Poet's songs.

In the meantime, permission of Govt. has been sought by certain concerns & the Station Director A.I.R for the use of the songs etc of the Poet as in the letters in the c.f (Gramaphone Recording, inclusion in publications, use in A.I.R programmes etc) - The draft replies below are in respect of the queries in those letters - They are for approval —

22.4.49

5/25/4

H.O. (Law)

H.D. (Edn)
27/4

JOINT SECRETARY TO GOVERNMENT
28 APR 1949
EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Issued as ~~Lr Ref.~~ Memo. 21988/92/49-3. Edn. d 28/4/49)

(Issued as Lett Ref. 21988/92/49-4. Edn. d ~~28~~/4/49)

(Issued as Memo. 21988/92/49-5. Edn. d. 28/4/49)

E.P.H (92)

Sub:- Copyright works. —

Sub: Bharathi ~~Songs~~ rights - recording, reproduction & inclusion in texts —
papers recorded.

No further action seems necessary on this. The papers may now be recorded for reference.

Order No. Edn. d.
Rs.

Recorded.

29/4/49 29.4.49

A letter has come from the Station Director, today.
3/5/49

LEGAL DEPARTMENT.

A on page 2 ante:-

Under Section 5(2) of the (Imperial) Copyright Act, 1911, no assignment or grant of a copyright shall be valid unless it is in writing signed by the owner of the right in respect of which the assignment or grant is made or by his duly authorized agent. Unless, therefore, such a writing is obtained, the Government will not become the legal owner of the copyright in Bharathi's works. The Government will, however, be the equitable assignees of the copyright if the legal owners have entered into agreements with them for the assignment of the copyright (vide I.L.R.1947 Madras 768 at pages 778, 779 and 786) and such equitable rights will prevail against all persons except purchasers for value without notice of the Government's rights.

Sri Meyyappa Chettiar has undertaken to transfer to the Government by way of gift all his rights in respect of the songs, poems and other compositions and works both in English and Tamil of the late Subramania Bharathi for sound producing or broad-casting devices. This undertaking is not enforceable in law as it is not supported by consideration. No rights, either legal or equitable, have therefore passed to the Government for soundproducing or broad-casting devices.

p 59 ⓒ in the main file in circulation

Sri C. Viswanatha Iyer has agreed to sell to the Government his copyright and other proprietory rights in the literary works and books of the poet except rights of reproduction by gramophone, broadcasting and other sound producing devices. The Government have become the equitable assignees in this respect.

A on p 12 9 ⓒ

1(a) and (b) on page 3 ante:- Under section 2 of the Imperial Copyright Act, 1911, there can be no infringement of a copyright where the copy is

---

92

made with the consent of the owner of the copyright. The consent may be oral or in writing. It may also be implied fromx circumstances. The consent may be in any form and acquiescene is tacit consent (vide Mittal & Jain's Law of copyright in India at pages 49, 95 and 178). There, therefore, appears to be **no** objection to a general permission being accorded. Probably, a G.O. followed by a Press Communique will suffice.

27

Bg 1.4.49

Legal no. 3682/49-1
2/4/49.

K.M. 2/4/49

~~ExPH~~

ExPH (92)

26286
4th APR 1949

Please see M in the Secy's note on ~~the previous~~ page 3 ante. It is for orders whether a reply may be sent to the letters in the cf. after the documents have been signed. This may take some time and it is likely that replies ~~are~~ may be required by the persons concerned, urgently. It is for consideration whether the drafts below ~~[illegible]~~ may not issue now. (Drafts II & III have been amended in the light of the Legal Dept's note

E & P.H
92

(Issued as Let. Ref. 21988/92/49-4. Edn. d. 28/4/49)

(C. No. 33701/49. From the Stn Director, A.I.R., P.C/9538 d 2/5/49)

Please see the letter from the Station Director, A.I.R., Madras at p 17 c.f. With reference to 'M' on p 17 c.f. it may be stated that a Govt. order and a Press note are proposed to be issued after the formal transfer of rights in Bharathi's works to Govt by the parties concerned. This may take some time. No separate action seems necessary on the letter of the Station Director, A.I.R. Madras. The papers may be recorded.

p 17 c.f

Lie over till 1-6-49.

4/5/49

4.5.49.

5/5/49

The main file regarding the acquisition of the copyright in Bharathi's works has gone to PW (H&P) & Legal and it is proposed ~~a~~ issue a general order on the subject in that file and then take further action on certain points which arise from the acquisition of those Rights. The return of that file may be awaited & this file may lie over till [illegible] 9.49.

25/7/49

24.7.49.

p 19 c f

[From the Station Director, A.I.R. dated 13-8-49.]

p 19 c f

The Station Director, All India Radio requests the formal approval of Govt. for the use of the Poet Bharathi's compositions by the All India Radio for their broadcasts and their publications. The Station Director has already been told, in reply to his letter of 2nd May, that the Govt. have no objections to the use of those compositions by the All India Radio. Now that the rights completely vest in the Govt., formal permission may be given to the A.I.R. The draft letter below is for approval.

p 5 c f

letter on p 12 c f

G.O. No. 2467 Edn 2/8/49 (H)

22.8.49.

23/8/49

S 24/8

H.M. (E & L)

2418

SECRETARIAT, EDN, AND P.H. DEPT.
25 AUG 1949
GOVERNMENT OF MADRAS

M Docket

Subject.

Poet Bharathi's compositions - ~~[illegible]~~ use by ~~publications of~~ All India Radio, ~~[illegible]~~ private publishers etc. -
Papers recorded.

[Issued Letter No. 21988-92/49-7 Edn. dt. 25-8-49]

These papers may now be recorded for future reference.

Order/Ms. No. 2727 Edn. dated 29-8-49

Recorded.

26/8/49

26.8.49

28/8/49

P.T.O.

11

Public (General-B) Department

LETTER No. Dated 30

Not to issue

To

The Station Director,
All India Radio, Madras-4.

Sir,

Sub: BHARATHI's WORKS - Use by All India Radio - Relay by other broadcasting organisations outside India.

Ref: Your letter No.PC./dated 26th November 1954.

I am directed to say that this Government have no objection to the Bharathi's works ~~bax~~ broadcast by the All India Radio being relayed by other broadcasting organisations outside India.

Yours faithfully,

28-12-56.

28.1.55

NOTE.-

12

NOTE.--In view of the general permission given to the All India Radio to broadcast and publish Bharathi's works in letter No.67764-G2/49-1, Education, dated 12th September 1949, there seems to be no objection to the broadcasts of Bharathi's works by the All India Radio being relayed by other broadcasting organisations outside India. The draft letter on page 1 above is for consideration. ~~For orders as to issue or circulation~~, before issue

Law may see for remarks prior to Cir. ~~acceptance~~ ~~of~~. They may also state the position regarding ~~on~~ relaying of ~~copyright~~ of Bharathi's works by Radio in other countries & the ~~appli~~ enforcement of the rights there.

28.12.54

SBS 28.12.54

30/12/54

30/12/54

A.S.IV

D.S.(E)

Pub. Genl (B) No 7072/54-3 30-12-54

D.S.(E) / Law Law

/A

Law Department

Under section 1(2) of the (Imperial) Copyright Act,1911, copyright in a work includes not only the sole right to produce but also to reproduce it. Relaying of the A.I.R's broadcast of Bharathi's works amounts to reproduction and hence permission of the Government in whom the copyright in Bharathi's works vests is necessary. This Department sees no objection to permission being granted, as proposed.

Law 19.1.55

19.1

ASSISTANT SECRETARY 31 DEC 1954 20332 LAW DEPARTMENT, MADRAS

ASSISTANT SECRETARY TO GOVERNMENT 20 JAN 1955 388 CHIEF SECRETARIAT

Public (Genl-B)

Law no. No 20332/54-1 19.1.55

13

31

388/55 9 27.1.55

11-25-26 c.f. of G.O. Ms No. 2727, Edn 29.8.49 (P)

P.1 c.f.

Public (General-B) Department.

In letter No.67764-G2/49-1, Education, dated 12th September 1949, permission has been given to the All India Radio to broadcast and publish Bharathi's works. The Station Director, All India Radio, Madras, has stated that other broadcasting organisations outside India frequently request that the broadcast of Bharathi's works may be relayed by them. He requests necessary permission for such relays. There seems to be no objection to accord permission as requested. Law have seen the case - see page 2 above. The draft on p.1 above provides for this. May perhaps be circulated to Chief Minister for orders.

Subrahmanyam 28.1.55

24-1-55 25

D.S.(E) We may recommend the proposal made by the Station Director, Madras to 'India'.

29.1.55 D.S.(E)

A.S. D.S.(E) C.M.

C. M.

31 1 55

DEPUTY SECRETARY TO GOVERNMENT 1 FEB 1955 PUBLIC (ELECTIONS) DEPARTMENT

A draft letter to India is submitted for approval. The phrase in square brackets in the draft is based on the presumption noted in pencil on the margin on p1 of draft & is for specific order.

2 2.2.55

2.2.55

SBS 2.2.55

4.2.55

Draft below approved please issue 5/2/55

D.S.(E)

x since inked. 5.2.55

A.S. D.S.(E)

[Issued as letter No. 7072/54-4 dated 7-2-55] N 7-9 c.f.

Letter from the Govt. of India, Ministry of
Information and Broadcasting,
No. 21(11)/55-B(B) dated 1-6-55

p. 17 c.f.

Please see the orders in circulation on p. 3 above. With reference to the letter on pp 7-9 ~~above~~ c.f., the Govt. of India have stated that they have no objection to the proposal of this Govt. to permit the relay of Poet Bharathi's works by other broadcasting organisations outside India. Necessary permission may be given to the All India Radio. A draft letter to the Station Director, A.I.R. Madras is submitted for approval. After issue, the papers may be filed with G.O. Ms. No. 2727, Education, dated 29-8-1949.

p. 17 c.f.

9/6

9.6.55

Ⓟ

8.6.55

9.6.55

8.6.55

9.6.55
DS(E)

A.S.
D.S.(E)