

EDUCATION & P. HEALTH

Closed
157
Subt
(194⁹) Department.

MS. SERIES.

G.O. NO. 3421, EDUCATION,

3421

Dated

8TH NOVEMBER 1949.

[Despatch Abstract.]

COPYRIGHT - Poet Bharathi's translations of
Tagore's short stories - Purchase - Refused.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

C. No.


 Department.

Scott. II-74.

List of records put up

Number.	Date.	Department.	Signature of Clerk putting up the paper.	Signature of Clerk removing the paper.

(E.T.O.)

KAMALA NILAYAM
[Faint, mostly illegible text, possibly a letter or document header]

④
[Faint handwritten notes and markings]

of Secy
4/4

Dear ~~Mr. Viswanatha Aiyar~~
Memo No 23947/92/49-1 Edu. d 4/4/49
Bharathi's Works
— Copyright —

I am directed to
forward for your remarks a
A copy of a letter dated 23rd March
1949 and is enclosed. Sri Viswanatha Aiyar is
requested to say whether he is
aware of the the
translations of Tagore's short sto-
ries mentioned by the writer of
the

from Sri Lini
Vasacharya

47

the letter, and if so, ^{in the part of the Govt} ~~any~~ action is necessary ^{in regard to the copyright} ~~to~~ in these translations also —

1.4.49.

Sir C. Viswanatha Iyer,
Headmaster,
O.V.C. High School,
Rihal,
Manamadurai
(with a copy of a letter)

Ref: Memorandum No. 23947 G 2/49-1
of E.D. & Public Health Dept., Govt. of Madras
Sub: Bharati's Works - Copyright
From
To



28220

C. Viswanatha Iyer,
Headmaster, O.V.C. High School
Manamadurai.

The Joint Secretary to Government,
Department of Education and Public Health,
Government of Madras.

Sir,
With reference to the above Memorandum, I may state that what Mr. Srinivasachariar says in his letter to Government dated 23-3-1949 is true.

It is left to the Government to negotiate independently with Mr. Srinivasachariar if they care to purchase his right in Bharati's translation of these stories. For it will be clear from the said letter that Mr. Srinivasachariar had engaged Mr. Bharati to translate these stories for a consideration. So even Bharati had no right in the translation (vide section 5(b) of the Indian Copyright Act of 1914). Hence Mr. Srinivasachariar is justified when he writes in para 4 in his letter --- "to purchase my copy-right also".

So it is a matter for the Government to decide if it would be worth while purchasing Mr. Srinivasachariar's right also, because the translation happens to be Bharati's. It is also stated in para 2 of the above letter that we (Bharati Prachuralayam) have not included the ^{said} short stories in our publications. This is quite true. In this connection I invite your kind attention to Schedule I containing the list of Bharati's works in which I, the present proprietor of Bharati Prachuralayam, own copy-right, submitted along with my letter to the Secretary to the Government, Education Department, on 16-3-49. The partners of Bharati Prachuralayam purchased (1931) only the rights which were owned by the

6
1000
-2-
Poet in his lifetime and which were inherited after his death
by his heirs and legal representatives and for these alone, I,
the present owner of the Bharati Prachuralayam, am responsible.

As for the rest, the Govt will use their discretion.
Manamadurai }
8-4-49

Yours ever in service,

C. Thyagaratna

8

5-9-1948/5922

9

Letter 23947/232/49-2
Ref.

(1)

Ed. H. (G2)
Ed. d. 18.4.49

To

Pri P. Punivrasachaya,
3, Peyalwar Koil St,
Triplicane, Madras

Ms
Ans
18/4

P.

Blanathi's, Kamalah
of Tagore's Short Stories

18/4

With reference to your
letter of the 23rd March 1948
to the Honble the Minister.

2

for Education, I am directed to
request you to submit, for
Govt.'s perusal & return,
a copy each of the poet Bharathi's
translations of Tagore's short
stories referred to in your letter -
The question of acquiring the
copyright in these translations
will be considered after a perusal
of these publications -

Y. J. 18
1/4

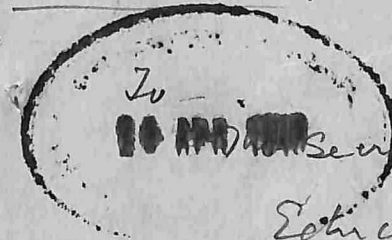
14.4.49

கமல நிலயம்
KAMALA NILAYAM

3. பெயர்வார் கோயில் தெரு,
திருவல்லிக்கேணி,

Sri Sri Acharya

Madras, 5.2.49 - 1949.



30239

Dear Sir,

With reference to your
letter dated 18th April 1949 I am
sending herewith 6 stories of Bharathi's
translation into Tamil of Rabindranath
short stories. The other two are out of
stock. If you have no objection,
I shall copy the same from a printed
book in the library and send you
the same.
Kindly let me know whether
that will can be done.

Awaiting an early reply,
Yours sincerely,
Srinivasachari

Memo 28947/eg2/49-3 Edu. d. 25/4/49

Copies of two publications
by Kamala Nilayam Triplicane
containing translations by the
late poet Subrahmanya Bharata
of a few short stories of
Rabindranath Tagore are forward-
ed to the D.P.J. The Director
is requested to state whether
it will be worth while to purchase

it will be worth while to state the various points of view known to the B. I. J. The following are known of a few short stories of late last winter, 1904, containing translations by the Honorable Mitsunori Tachibana. Copies of two publications

To ~~Dr~~ ^{Mr} ~~Wm~~ ^{Wm} ~~Wm~~ ^{Wm}
The D.P. 9
(with two
at (X) books to
be returned
with 24th)

Ref: -

ASST. SECRETARY

0 - JUL 1943

EDUCATION AND PUBLIC HEALTH DEPT.

3. Government may purchase the copy right of the Translations.

h. Sankuini 4 $\frac{7}{49}$

For Director of Public Instruction.

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

VLA.2.7 ~~and~~ n. n.

17. St. P. # (2)

Letter

Ref-

No. 23947-42/49-5 Ed. dt 4-8-49.

Arch
4/8

To ✓

Sri S. Srinivasa Charya,
Kamala Nilayam,
3, Peyalwar Koil St,
Triplicane

Addressee received in
person. Pl. see on the reverse.

8
5/8/49.

Sir,

Re: Bharathi's transla-
tion of Tagore's Short Stories.

In reply to your letter of the 23rd March
1949

Srinivasacharya

To

J.M.Lobo Prabhu, Esq, I.C.S.,

Secretary to the Government, Madras.

3. Peyalwar Koil Street
Triplicane, (Madras.5)

10th Aug 1949

Sir,

In replying to your Letter Ref.No. 23947 - G2 /49-5- Education
kindly allow me to place before you the following:

I was the Proprieter of the Tamil Weekly " INDIA " while Bharathi was editing it in Pondicherry in 1909. I had known him well very well while in Madras and gave him letters of introduction when he wanted to settle in Pondicherry. With the "India" Paper I followed him there. Noticing his genius I left him free to develop it by his writings in my paper and by publishing his poems. Without any boast I may say that I discovered Bharathi and gave him full scope for the expression of his genius.

When the Weekly "India" was ~~published~~ prohibited entry into India by the then British Indian Government I suffered a very heavy loss. Because I had to sell all the Printing Materials for their scrap value.

Just a few months after the Weekly had been stopped Sri Aurobindo and V.V.S.Iyer came there as political refugees. Naturally Bharathi and myself joined them and lived in close association with them. That I had been very intimate with Bharathi and that I was helping him from time to time in those dangerous and difficult days can be gathered from his biographies written by his wife and by his close friends. Sri Aurobindo may even testify to it if you write to him.

Close upon this heavy loss I incurred a terribly heavier loss in the failure of the Swadeshi Steam Navigation Company of V.O. Chidambaram Pillai of Tuticorn. It swept away almost all my property.

Such was the situation when I asked Bharathi to translate Tagore's stories into Tamil. To describe the Tamil style of Bharathi especially in these stories of great Tagore I can only quote the line of Valmiki:

" Ramaniyam Prasannambu San Manushya Manó Yathá "

It is so clear and transparent that these stories will be very useful especially to students. Bharathi has not written any short stories but he has shown his best in translating his great Ideal, Rabindranath Tagore.

1949 on the above subject and
to ask what amount you would
expect from the Govt. for the transfer
to them of the entire Copyright
and other proprietary rights in the
translations by Bharathi mentioned
in your letter.

Y. f.

Received Letter

5/8/49

Copy to

3.8.49

1/8-49

Now coming to the practical side of the question I hold the copyright of eight short stories/ of slightly varying lengths. All the eight put together will come to 10 formes Double Crown 16-mo.

I . Cost of Printing and Binding 3000 copies:

- (1)
- | | |
|--|--------------|
| To print 1000 copies at Rs 50 /- a forme | Rs 500-0-0. |
| The next 2000 copies will cost | Rs 500-0-0. |
| Binding 3000 copies will cost | Rs 300-0-0. |
| | Rs 1300-0-0. |
- (2) Cost of advertisement and trade discount Rs 1200-0-0.
- Rs 2500-0-0.

II (1) Each of the stories may be priced as follows:

- | | |
|------------------------------|-----------|
| a) Samapthi 30 pages | Rs 0-5-0 |
| b) Nashta Bhushanam 23 pages | Rs 0-4-0 |
| c) Asha Bhangam 22 pages | Rs 0-4-0 |
| d) Nalliraviley 19 pages | Rs 0-3-0 |
| e) Rajakkalam 18 pages | Rs 0-3-0 |
| f) Subha 18 pages | Rs 0-2-0 |
| g) Mana Bhangam 13 pages | Rs 0-2-0 |
| h) Pattiradhipar 10 pages | Rs 0-1-0 |
| Total cost of 8 books | Rs 1-8-6. |

All the stories in one volume may be charged Rs 1-5-6. each

- 2) And on the 3000 copies you may realize ----- Rs 4000-0-0.
- 3) Leaving ~~xxxxxxxxxxxx~~ a clear profit of Rs 1500-0-0.
- 4) Supposing it takes two years to sell them you will have Rs 750 /- a year on an investment of Rs 1300-0-0.

III

These stories are sure to be prescribed as class books by the Text Book Committee. Then they will sell in tens of thousands a year and will be giving you a large profits year by year.

Prinivius

So as a discoverer of Bharathi to India and as his helper and encourager and as being ruined in my ~~two~~ two great national undertakings mentioned above, it will not be much if I ask you Rs 10,000/- for giving you my copyright for these stories. For by investing these Rs 10,000/- at 5 or 6 % , I will be getting only Rs 40/- to Rs 50/- a month.

But you may ask me why I do not do it myself. My answer is that I am in my ripe old age nearing 75 and that our ~~National Government~~ National Government's recognition of Bharathi's merits is only a year and a half or so. ~~so old~~. I am now too old to compete with others.

If the Government purchases my copyright for this amount it will be a fitting recognition of my humble services to the liberation of our Motherland and to the development of our Mother tongue through this great genius with whom I had the honour to live in close contact during the last 12 years of his life, almost as members of a family.

Awaiting an early and favourable reply,

I have the honour to remain

Sir,

Yours Very Sincerely

Priniasacharya

dated 10th August 1917
Priniasacharya

(15) 25 9+14 (92)

Thurs 26/8
p. 15 of 21

Section

26/8

From the D.P. I No RC-
523 - D-49 - dated 29.6.49.

Mem. No. 23947-92/49-6. Edn. dated 26.8.49

Copyright - poet Bhana
his translation of Tagore's
short stories.

pages 19-23
of

A copy of the letter
dated 10th August 1949 from
Sri Srinivasa Charya is forwarded to
the D.P. I with reference to the
Director's letter cited above -
It may be observed that the
owner

268

2

owner of the Copyright expects.
 Rs 10000 for the transfer to Govt.
 his Copyright in the translations
 of eight short stories of Tagore -
 The Director is requested
 to offer his ^{further} remarks on the
 subject and especially on the
~~request~~ ^{request} of S. Srinivasa Acharya -

24/8/49
 24/8/49

25/8/49

26/8

To desptd with
 enclosure.
 21/8.

The D.P. 9

(With a
 copy of
 the letter)

18-23
 of

S. Srinivas Acharya

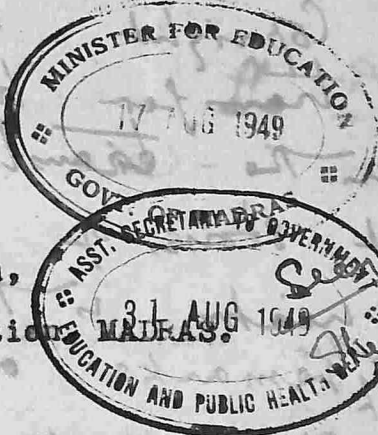
16 27

3, Peyalwar Keil St.
 Triplicane, (MADRAS-5)

16th Aug '1949.

To

Sri. K Madhava Menon,
 Minister for Education



Sir,

I am enclosing a copy of my reply to the Secretary of the Government asking me what amount I expect for the transfer of my copyright of Bharathi's Tamil Translation of Tagore's stories. This reply I handed over to your office on the 10th Instant.

I would like to have an interview with you before you come to a decision about my reply. As the matter is vital and urgent to me I request you to be good enough to find an early date and time for an interview before any decision is arrived at.

Awaiting an early reply,

I have the honour to be,
 Sir,
 Yours very sincerely,

S. Srinivas Acharya

You may see me
 in my office room
 Sect. on Tuesday
 30-10-49
 1 and 2 pm

S.2 S. Srinivas Acharya

29
3, Peyalwar Koil St,
Triplicane, Madras.
10th August 1949.

To

J.M.Lobo Prabhu, Esq, I.C.S.,

Secretary to the Government, Madras.

Sir,

In replying to your Letter Ref. No. 23947 -G2 /49-5- Education
kindly allow me to place before you the following:

I was the Proprietor of the Tamil Weekly "INDIA" while Bharathi was editing it in Pondicherry in 1909. I had known him very well, while in Madras and gave him letters of Introduction when he wanted to settle in Pondicherry. With the "INDIA" Paper I followed him there.

Noticing his genius I left him free to develop it by his writing in my paper and by publishing his poems. Without any boast I may say that I discovered Bharathi and gave him full scope for the expression of his genius.

When the Weekly "INDIA" was prohibited entry into India by the then British India Government I suffered a very heavy loss. Because I had to sell all the Printing Materials for their scrap value.

Just a few months after the Weekly had been stopped Sri Aurobindo and V.V.S. Iyer came there as political refugees. Naturally Bharathi and myself joined them and lived in close association with them. That I had been ~~intim~~ very intimate with Bharathi and that I was helping him from time to time in these dangerous and difficult days can be gathered from his biographies written by his wife and by his close friends. ~~XXXXXXXXXX~~ Sri Aurobindo may even testify to it if you write to him.

Close upon this heavy loss I incurred heavier loss in the failure of the Swadeshi Steam Navigation Company of V.O. Chidambaram Pillai of Tuticorin. It swept away almost all my property.

Such was the situation when I asked Bharathi to translate Tagore's stories into Tamil. To describe the Tamil style of Bharathi especially in these stories of great Tagore I can only quote the lines of Valmiki,

"RAMANIYAN PRASANNAMBU SAN MANUSHYA YAT MANO YATRA"

It is so clear and transparent that these stories will be very useful, especially to students. Bharathi has not written any short stories but he has shown his best in translating his Ideal Rabindranath Tagore.

Now coming to the practical side of the question I hold the copyright of eight stories of slightly varying lengths. All the eight stories put together will come to 10 forms Double Crown 16-mo.

I Cost of printing and binding 3000 copies :-

(1)	To print 1000 copies at Rs 50/- a forme	Rs 500-0-0	
	The next 2000 copies will cost	Rs 500-0-0	
	Binding 3000 copies will cost	Rs 300-0-0	Rs 1300-0-0
(2)	Cost of advertisement and trade discount		Rs 1200-0-0
			Rs 2500-0-0.

II (1) Each of the stories priced as follows:-

a) Samapthi	30 pages	Rs 0-5-0
b) Nasta Bhushanam	23 pages	Rs 0-4-0
c) Asha Bhangam	22 pages	Rs 0-4-0
d) Nalliraviley	19 pages	Rs 0-3-0
e) Rajakkalam	18 pages	Rs 0-3-0
f) Subha	15 pages	Rs 0-2-0
g) Mana Bhangam	13 pages	Rs 0-2-0
h) Pattirathipar	10 pages	Rs 0-1-6

Total cost of 8 copies Rs 1-8-6.

All ~~xxxxx~~ the stories in one volume may be charged Rs 1-5-6, i.e. less 12 1/2 %

- 2) And on the 3000 copies you may realize Rs 4000-0-0
- 3) Leaving a clear profit of Rs 1500-0-0.
- 4) Supposing it takes two years to sell them you will have Rs 750/- on an investment of Rs 1800-0-0.

III These stories are sure to be prescribed as class books by the Text Book Committee. Then they will sell in tens of thousands a year and will be giving you a large profits/9 of year by year.

So as the discoverer of Bharathi to India and his helper and encourager^{and} as being ruined in my two ~~undertakings~~ National undertakings mentioned above, it will not be much if I ask you Rs 10,000/- for giving you my copyright for these stories. For by investing these Rs 10,000/- at 5 or 6 %, I will be getting only Rs 40/- to Rs 50/- a month.

But you may ask me why I do not do it myself. My answer is that I am in my ripe old age nearing 75 and that our National Government's recognition of Bharathi's merits is only a year and half or so. ~~and~~ I am now too old to compete with others.

If the Government purchases my copyright for this amount it will be a fitting recognition of my humble services to the liberation of our motherland and ~~the~~ to the development of our Mother tongue, through this great genius with whom I had the honour to live in a close contact during the last 12 years of his life, almost as members of family.

Awaiting an early and favourable reply,

I have the honour to remain
Sir,

Yours Very Sincerely

(Sd) S.Srinivasa Acharya.

(2)

W. H. (92)

pages 25-26 Ref: Memo no. 23947- 42- 49-6
Edn dated 26. 8. 49.

bp Section
6/9

Memo. No. 23947-92/49-7 Edm. dated 6-9-49.

Copy Right — Poet
Bhattacharya's translation of
Tagore's short stories.
— acquisition

The D. P. is requested to expedite his reply to the memo cited above —

To the D. P. 9

5.9.48

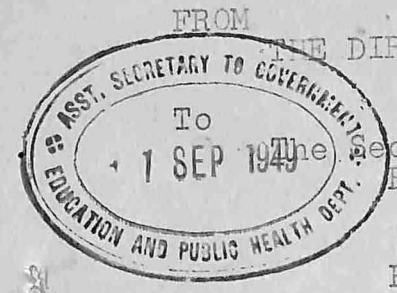
W. H. S.

[Faint handwritten notes in Tamil script, mostly illegible due to fading and bleed-through.]

PA

37 J. *gr*

EDUCATION DEPARTMENT



FROM THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS

To The Secretary to Government,
Education and Public Health Department,
Madras.

Roc.No.523 J/49 dated 10-9-49

Sir,

70215

Sub:--Copy right--Poet Bharathi's Translation of Tagore's short stories. *paper 25-26 ante*

Ref:--Govt. Memorandum No.23947 G2/49-7 Edn. dated 26-8-49 and 6-9-49 *p 35 ante*

p-13 cf.

I have made a reference to Sri S. Srinivasacharya, Triplicane. On his reply a report will be submitted to Government in due course. It is not clear whether the publications referred to in Government Memorandum No.23947 G2-49-3 Edn. dated 25-4-49 are different from the translation referred to in the Memorandum quoted above. The two publications may kindly be returned to this Office for perusal.

Yours faithfully,

[Handwritten signature]

For Director of Public Instruction

Clb10-9-49

* Remitted to Govt. library.

[Handwritten signature]

(2) 39 E.H.H. (92)

Memo. No. 23947-92/49-8 Edn. dated 13-9-49.

Sub:- Copyright - Poet Bharathi's Translations of Tagore's short stories.

Ref:- From the D.P.G., Rec. No. 523 J/49 dated 10-9-49.

With refce. to his letter cited above the D.P.G. is informed that the publications referred to in govt. Refce. Memo. No. 23947-92/49-3 Edn. dated 25-4-49 are the same as those referred to in govt. Memo. No. 23947-92/49-6 and -7 dated 26-8-49 and 6-9-49. The two publications by Kamala Nilayam, Triplicane, containing translations by the late Poet Subrahmanya Bharathi of the ~~few~~ short stories of Rabindranath Tagore are forwarded to the D.P.G., for reference and return, ~~with his reply~~.

p. 37 e.f.
D. P. G.
13/9.

pages 13-14 of

pages 25-26 of
p. 35 of

To
The D.P.G. (with encls.)
(in a cover to be refd. 12/9/49)
Two books kept in the cover below.
12/9/49
12.9.49.

13/9/49

Re.No.523 J/49

Office of the
Director of Public Instruction
Madras, dated, 15th Sep. 1949.



The Director of Public Instruction
Madras.

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

Sir,

Subject:- Copyright - Poet Bharathi's translations
of Tagore's short stories.

Reference:- Govt. Memo.No. 23947-G2/49-6 Edn.,
dated 26th Aug. 1949, and 13-9-1949.

I submit the following remarks:-

2. It is not likely that Government would print the books and selling them, as they have already been printed and were on sale in the market. A further edition of the books may not find a good sale.

3. In this connection I invite attention to G.O.No. 2467 Edn., dated 2nd August 1949 wherefrom, it is seen that for a sum of Rs.15,000/- Government have purchased the copy-right of the entire literary works and books of the late poet from Sri C.Viswanatha Iyer. Compared to this, the demand of Sri S. Srinivasacharya for a sum of Rs.10,000/- for copyright in a few translations of the stories of Rabindranath Tagore appears to be exorbitant.

4. If necessary the Bharathi Memorial Trust, may be consulted further.

5. The 2 books are resubmitted.

Yours faithfully

K. S. Srinivasacharya

For Director of Public Instruction.

5J/16/9.

20/10/49
Arise

கமல நிலயம்
KAMALA NILAYAM

3. பெயர்வார் கோயில் தெரு,
திருவல்லிக்கேணி,

194

S. Srinivas Acharya
3, Peyalwar Hoil Street,
Triplicane, Madras-5.
22nd September 1949.

74645
To
23947/49

Sri K. Madhava Menon
Minister For Education
Government of Madras, MADRAS.

Sir,

I am enclosing a cutting from "The Hindu"
of 19th Inst. containing a short account of the
proceedings of Bharathi Day Celebration opened
by the Premier Sri P.S. Kumaraswami Raja, to
confirm my statement of my close association
with Bharathi.

Expecting an early and favourable reply to
my letter,

I have the honour to remain
Sir,
Yours very Sincerely,

Srinivasacharya

Secretary, E. & P.H.

23947

20



Please see herewith a letter from Sri Srinivasacharya.
I do not know how certain books ^{of Bhaskar} got into the hands of this institute. The matter may be looked into. If there is any reference to this in the other documents that we are going to have, that may be put up.

TSA

25.3.49

H.M. Education.

x Re present
owner of
the Copyright
of Bhaskar's
work

No Reference is contained in the document to these translations of Tagore's stories. Mr Viswanatha Dyer may have a knowledge of these translations & he may be asked about them. If this is agreed to, the draft ^{letter} below is for approval.

14.4.49

14.4.49

Portion marked 'A' in the letter of Srinivasa Acharya appears to explain his claim to the copyright. The draft may issue as it will clarify the position.

H.M. (Edn)

TSA

3.4.49



14.3.49
14.5.49

(Issued as Memo. 23947/32/49-Edn d. 14.4.49)
(C.No. 28220/49. From Sri C. Viswanatha Dyer. d. 8/4/49)
- E.P.H. (Edn)

The letter from Sri C. Viswanatha Dyer on p 5-7 etc may be perused. It is

P.T.O.

It is ^{stated} ~~understood~~ that late poet Bharathi was engaged ^{by Mr. Srinivasachari} to translate the eight short stories of poet Tagore, for a consideration, and that these ~~stories~~ ^{translations} are not included in the publications of Bharathi Prachuracharyam. Sri. Srinivasachari is willing to offer his Copyright in these translated stories for a sum to the Govt.

As only the translation happens to be Bharathi's, it is for consideration whether Sri. Srinivasachari's right in these stories ~~may also be~~ ^{need be} purchased -

~~for others~~ These works cannot perhaps be treated on a level with the poet Bharathi's original works. Copyright in which the Govt. have decided to purchase - It is, however, likely that the translations, as such, may have merit and may be suitable for prescription as text books in schools. Mr. Srinivasachari may be asked to submit copies of these publications for receipt. They may be sent to the D.P.G. for remarks with reference to the question of purchase of the copyright in them.

A draft with reference to B above may be put up.

A draft letter is subd. 18/4

pp. 1004 (issued as let. 2394/49-1 Ed. 18.4.49.)
pp. 1104 (C. No. 30239/49. From Sri. Acharya. letter d. 20/4/49)

Please see the letter from Sri. Sri. Acharya on p. 1104. He has submitted 6 stories of Tagore translated by poet Bharathiya. They may now be forwarded to the D.P.G. for remarks.

The draft ^{memo} below is for approval. With ref. to Mr. Acharya's letter on p. 1104, it does not seem necessary to call for the remaining two stories - The books he has now sent seem to be sufficient for the present purpose -

22.4.49. 25/4/49

pp. 1374 c.f. p. 15 c.f. (Issued as memo. No. 23947-92/49-3 dated 25.4.49.)
(From the D.P.G., R.C. No. 523.J/49 dated 29.6.49.)

Sri S. Srinivasacharya of Triplicane who holds the Copyright in eight of Rabindranath Tagore's short stories translated into Tamil by the late C. Subrahmanya Bharathi, the Tamil poet asks Govt. whether the Govt. will purchase the Copyright in these translations - Six of these stories have been obtained from Mr. Acharya who states that the other two are out of stock. He states that he gave money to the poet for the

A copy of

4
The translation work, but what amount was given is not specified.

2. The D.P. I who was asked to state whether it would be worthwhile purchasing the copyright in the translations, has suggested the purchase of their copyright. The reason assigned by the Director for his suggestion is that the translations are suitable as text books for the high school classes and can also be used in libraries.

3. The considerations which led Govt. to acquire the copyright in the original works of Bharathi are that their literary merit is of a high order and that the poet's songs are songs of the freedom movement and their musical qualities are universally appreciated in Tamil Nad. The translations referred to do not satisfy the above test; and in any event, it does not seem to be necessary to purchase the copyright in the translations in order to prescribe them as text books in schools or to use them for libraries.

The best publications can always be put to use in this way to whomsoever the copyright in them may belong. This therefore for orders. Whether the reply to Sir P. Srinivasacharya may be that the Govt. do not propose

to
the
book
committee

to

p 15y

1-8-49

3/ to purchase his copyright in the translations in question -

30.7.49.

We may inquire what he expects to be paid. If the amount is inconsiderable, it may be ~~considerable~~ as well that we have the copyright of all the works of the poet. require

1/8

The draft letter below is for approval.

3.8.49

(Signed as letter No. 23947-92/49-5 Edn. of 4-8-49)

From P. S. Srinivasacharya, letter dated 10-8-49.

P. S. Srinivasacharya expects a consideration of Rs 10,000 for parting with his copyright in the English translations of the eight short stories of Tagore referred to by him. In the course of his letter he refers to the sacrifices made by him for the national cause. It does not seem to be necessary for Govt. to verify the

correctness

pp 17-18 c.f.

pp 19-23 c.f.

p 23 y.

correctness and the truth of all
 statements contained in the
 letter. It is sufficient if the
 question whether the Copyright
 in the 2 translations is worth
 Rs 10000 is considered in this
 file. It may be stated that
 the Copyright 25 original works of
 the poet of considerable value,
 the Govt. paid Rs 15000 to Sri
 C. Viswanatha Iyer, the Proprietor
 of the Bharathi Prachinatalayam.
 Though an arithmetical calcula-
 tion of the value of these works
 is not possible, yet it can be
 stated that Rs 10000, demanded
 by Sri Srinivasacharya seems
 to be a high figure. This
 for order whether the D.P. I
 may be consulted in the matter.

If so, the draft memo below
 is for approval.

LK 24.8.49 S 96/6

[Issued as Memo No. 23947-92/49-6 Edu. dt. 26-8-49] pp. 25-26 c.f.

from Sri P. Srinivasa Charya Letter D7 16.8.49.

Copy of His minute on p. 27 c.f.

The person met me and discussed
 with me. Let me see the papers.

K.M. 30.8.49.

Sri P. Srinivasacharya Rao

asked

asked for Rs 10000 from the Govt. for
 the transfer of his Copyright in
 the 25 translations in Tamil
 by the poet Bharathi of Eight
 short stories of Tagore -
 The D.P. I has been consulted
 in the matter.

The (Edn) may see the
 case in the meantime with reference
 to his minutes on page 27 c.f.

LK 29.49 S 3/29
 14.57 (C.L.)

Ask the D.P. to expedite reply.

A draft memo is subd.

LK 5.9.49

[Issued Memo No. 23947-92/49-7 Edu. dt. 6-9-49]

From the D.P.G., Rec. 523 J/49 dt. 10-9-49.

Please see the letter from the D.P.G. at
 p. 37 c.f. A draft Memo. to D.P.G. is submitted
 for approval.

LK 12.9.49 S 139/49
 12.9.49

p. 39 c.f. [Memo No. 23947-92/49-8 Edu. dt. 13-9-49]

8.

From the D.P.S., Re No. 523 J/49 dated 15-9-49 p. 41 C. f

The notes from the middle of page 3 and may be read -

The Director considers that price quoted by Sri S. Srinivasa Charya of Triplicane, which is Rs 10,000, for the copyright in the Poet Bharathi's Tamil translations of 8 short stories of Tagore is high when compared with the amount given to Sri C. Viswanatha Aiyer for the copyright in all the works of the Poet -

The amount given to the latter gentleman was Rs 15,000 -

He thinks that a further edition of the books may not find a good sale -

Fin. may see the case before circulation -

p41g

p41g

M.

23.9.49.

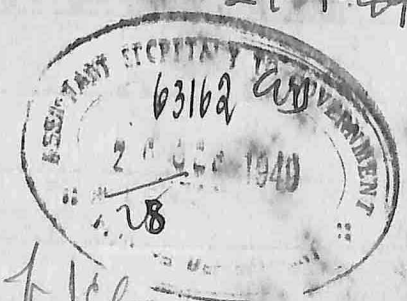
24.9.49

5/24/49 Fin

Order in circulation and note on p. 1-8 - E.P.H. No. 23947-24/49

above may be focused

Sri S. Srinivasa Charya of Triplicane who holds the copyright in eight of Rabindranath Tagore's short stories translated into Tamil by the late Poet Subrahmanya Bharathi has offered to transfer the copyright to the Provincial Govt. He expects a consideration of Rs 10,000 for parting with his copyright.



ff 25-26 of

p 41 C f

(Q)

How possible



not put up

Fin No

63162 EB/

4-10-49

9

(9)

The Director of Public Instruction, who was asked to offer his remarks, has stated that it is not likely that Govt. would print the books and sell them, as they have already been printed and were in the market and that a further edition of the books may not find a good sale. He has invited attention to the order in No. 2467 Edu D/2-8-1947 wherein the Govt. have purchased the copyright of the entire literary works and books of the late poet from Sri C. Viswanatha Aiyer for a sum of Rs. 15,000 and has stated that compared to that amount, the demand of Sri S. Srinivasa Charya for Rs. 10,000 for copyright in a few translations of the stories of Poet Rabindranath Tagore appears to be exorbitant. He has also suggested that if necessary, the Bharathi Memorial Trust may be consulted.

E.P.H. propose to circulate the case.

2. It seems Sri S. Srinivasa Charya is trying to make capital out of the Poet Bharathi's name and this Dept. may agree with the D.P.S. that the demand for Rs. 10,000 is exorbitant. E.P.H. may be requested to consult the Bharathi Memorial Trust as suggested by the D.P.S. The case may also be circulated to H.M. Finance also. Even if the Govt. decide to purchase the copyright for Rs. 10,000, the financial pressure is necessary (it is enough to) the H.M. incomes and H.M. Fin. - vide para 2 (B) (i) of Fin. no. 10.4.1940 B.G. 2 of 30.6.49.

Apart from Govt's policy based on sentiment, it does not seem worthwhile purchasing the copyright in this case.

4/10/49

30.9.49

4/10/49

E.P.H.

L + P. H (G2)

The case relates to the purchase from Sri S. Srinivasacharya of Triplicane of his copyrights in the Tamil translations by the Tamil Poet Subrahmanya Bharathi of eight short stories of Rabinchranath Tagore. The question of the purchase of this copyright has been considered in consultation with the D.P.D. The Director has stated that the translations are suitable as non-detailed text books in high school and secondary school classes, and that the Govt. may purchase the Copyright. Sri Srinivasacharya requires Rs 10000/- for the Copyright. The Director considers this a high figure for the Copyright in these eight short stories, when compared with the payment of Rs 15000 to Sri Viswanatha Iyer for the Copyright in as many as thirty original Tamil works of the Poet. Finance agree with the D.P.D.

The only person who could have offered any useful remarks on the subject is Sri C. Viswanatha Iyer the Poet's Cousin - He has already been consulted & his letter

p1 y

p15 y

p23 y

p41 y

pages 8-9 ante

is on pages 5-7 of. It does not seem to be necessary to consult the Bharathi Memorial Trust in this matter as it is a recently formed Society & their comments may not be helpful in arriving at a decision on the need for the purchase or the price offered.

This for consideration whether the Govt. should go in for this Copyright in view of the Director's statement that a new edition of the books may not find a good sale.

See - A above Sri Srinivasacharya may perhaps be informed that the Govt. do not propose to purchase the copyright in the eight books.

9.10.48



The demand of Rs 10,000 for copyright of translations is preposterous, and we may inform the owner that we are not prepared to offer more than Rs 1000/-

12.7 (E + L) 12.7 (Riy) I think we may pay a sum of Rs 2500/- and if it is agreeable

2/11/48

They are translations of Papan's stories. Nothing is lost by not acquiring the Copyright. The next step is to acquire the Copyright.

May be re-circulated to HM (EHL) with reference to the minutes of HM (EHL) meeting.

18/10/49 S/19
H.N. (E+L)

I am not particular. HPr. may see KM

new

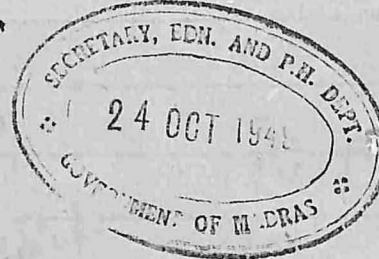
May be circulated to HPr.

24/11/49 S/24
H.N. Pr

Please see the orders in Circulation above. The draft order below is for approval.

7-11-49 S approved in draft

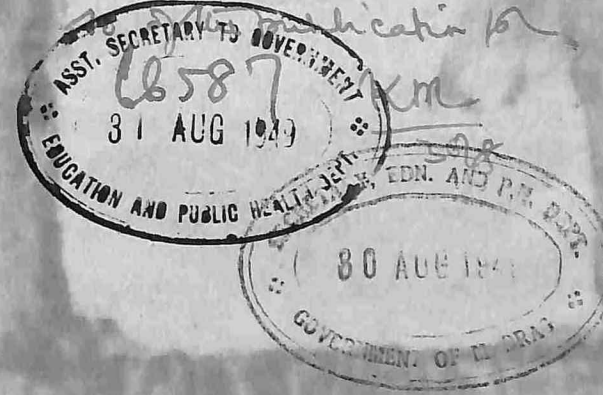
(Mined as 403421 Educ d 8/11/49)



CNO. 66587/49.

Legal copy

Is there a provision in the Copyright Act that the copyright after 30 years or



E. & P.H. (G2).

With reference to H.M.'s query above, the following note is submitted regarding the term of the Copyright of a publication as under the Copyright Law:

Under Section 3 of the Imperial Copyright Act, 1911, which is applicable to India, the term for which copyright shall subsist shall, except as otherwise expressly provided by the Act, be the life of the author and a period of 50 years after his death; provided that at any time after the expiration of 25 years or in the case of a work in which copyright subsists at the passing of this Act, 30 years from the death of the author of a published work, copyright in the work shall not be deemed to be infringed by the reproduction of the work for sale if the person reproducing the work proves that he has given prescribed notice in writing of his intention to reproduce the work and that he has paid in the prescribed manner to or for the benefit of the owner of the copyright royalties in respect of copies of the work sold by him.

xxx

468 of the unreflected Central Arch Vol VI - (Roman)

The above provisions stand modified by Section 4 (1) of the Indian Copyright Act, 1914, which provides that in the case of works first published in British India, copyright shall be subject to ~~the limitation~~ this limitation that the sole right to produce, reproduce, perform or publish translations of the works shall subsist only for a period of 10 years from the date of the first publication of the works:

Provided that if within the said period the author, or any person to whom he has granted permission so to do, publishes a translation of any such work in any language, copyright in such work as regards the sole right to produce, reproduce, perform or publish a translation in that language shall not be subject to the limitation prescribed in this sub-section.

It will be seen from the above provisions that the period of the copyright will be as under Section 3 of the Imperial Copyright Act (i.e. life of the author and a period of 50 years after his death) subject to the limitations under Section 4 (1) of the Indian Copyright Act referred to above. Legal may see and offer remarks.

LEGAL DEPARTMENT.

The legal position is as set out by E&PH in their note on pages 1--2 above.

The period of copyright is the lifetime of the author plus 50 years. But after 25 years from the death of the author (or 30 years in certain cases) the work may be republished after giving the necessary notice and making the necessary payment to the author of the copyright. It may also be noted that the term

p-461
R. Inseparable
Central Act
Vol VI

Spina
E&P. H. No 66581-49-1
7.9.49.

ADS 11469
ASSISTANT SECRETARY
8-SEP-1949
LEGAL DEPARTMENT

of copyright in a work prepared or published by or under the direction or control of Government, will be 50 years from the date of the first publication of the work--section 18 of the English Copyright Act as applied to India.

Any work may, however, be translated after 10 years, if a translation has not been published by, or under the authority of, the owner of the copyright within that period.

See Section 4 (1) of the
provisions of the
Indian Copyright Act.

Reg. No.
E&PH 11469/49-1
12.9.49.

12.9.49
12/9/49

EX PH (92)

ASST. SECRETARY TO GOVERNMENT
13 SEP 1949
70736
EDUCATION AND PUBLIC HEALTH DEPT.

HM (E&L) may
see the notes above
with reference to his query on
page 1 ante -

With a book.

13.9.49
H.7 (E&L)

5/14

SIC. TAY. TON. AND P.H. DEPT.
10 SEP 1949
GOVERNMENT OF INDIA

I asked this in
connection with the question
of the purchase of copyright
of the translation of the
Sularamania Bharati
of Tagore's stories.

Pl keep
this
for the
change.

HM
15/5

E.G.P.H

G.V.

No further action seems called
for & as this. The papers may now
be filed with the linked file above. (E.23947/49)

ch
5/11/49

part (243) 174
see the notes above
with reference to his query on
page 1 note -

13.8.49