

P. C. Bhatt, B.A.,  
LAWYER

PHONES { RESIDENCE : 23069  
OFFICE : 21214

M. R. Narayanaswamy,  
B.A., LL.B.,  
ADVOCATE, SUPREME COURT  
RESIDENCE : " DEEPAKMALA "  
1077, NARASARAJA ROAD, MYSORE-4

SAYYAJI RAO ROAD  
MYSORE-1

Ref. No. 504

12-12-1971.

To

Dr. V. Subrahmanyam,  
Research & Development  
Laboratory,  
Modern Rice Mill, Vijayapuram P.O.,  
TIRUWARUR. (Tamil Nadu).

Dear Sir,

Re: O.S.No. 74 of 1969.

Copy of the written statement of the  
6th defendant in the above case is sent  
herewith. Copy of 3rd defendant's written  
statement will be sent later.

Yours faithfully,

M. R. Narayanaswamy

IN THE COURT OF THE PRINCIPAL CIVIL JUDGE, MYSORE.

O.S.No.74 of 1969.

Plaintiff: M.R.Chandrashekara.

Vs.

Defendants: The Council of Scientific and  
Industrial Research, New Delhi &  
Others.

Under Or.VIII Rule 1 C.P.C. written  
statement filed by defendant No.6.

1. The address of defendant No.6 for purposes of service of processes of the Court is C/o M.R.Narasimha Murthy, B.A., B.L., Advocate, Railway Station Road, Chamaraajepuram, Mysore.
2. The averments in para 2 of the plaint are correct. This is in accordance with clause 2(c) of the Memorandum of Association of the first defendant.
3. The averments in para 3 of the plaint are correct.
4. The averments in para 4 of the plaint are correct. The distribution of Royalty is governed by the Policy decision of the governing body of the first defendant. (Office Memorandum No. 6/23/59/L- New Delhi - 22nd April 1963 of the first defendant).
5. It is true that the 40% of the Royalty has been allocated among the various investigators as stated in para 5 of the plaint.
6. The first defendant has recognised the right of to royalty as heritable and transferable as

is evident from the proceedings of the first defendant approving the proceedings of the Executive Council of the second defendant dated 1-9-1963 (vide communication No.5/15/63 CTE II New Delhi dated 19-10-1963 from the first defendant to the 2nd defendant).

6. The plaintiff, this defendant and other persons mentioned in enclosure I to the plaint were receiving the royalty amount for nearly four years. No recipient raised by any protest; on the other hand, all of them acquiesced in it.

7. It is true that the first defendant unilaterally purported to revise the earlier order as stated in para 7 of the plaint. The order embodied in enclosure II is neither legal nor just.

8. The order as per enclosure II dt.30-4-1969 refers to a recommendation dated 1-9-63 of the Executive Council of the 2nd defendant and purports to restore that order. It refers to the recommendation of Executive Council of the second defendant dated 28-11-64 which is alleged to be based on the recommendation of the succeeding Director (reference is obviously to this defendant) to the benefit of certain workers and to the detriment of certain others. As the order embodied in Enclosure I is based on the recommendation of the Executive Council, it is necessary to state the circumstances under which the said order came to be passed and to show the correctness thereof.

a) In the meeting held on 1-9-63 of the Executive Council the second defendant, the proposal of its then Director (present defendant No.4) for distribution of the royalty was accepted and it was approved by the first defendant (vide letter No.5/15/63 CTE II dt.19-10-63), but the recommendation was made on incorrect and incomplete data furnished by the 4th defendant who was then the

Director of the second defendant. He had not objectively assessed the contributions made by several persons for making the development and production of the Baby food commercially feasible and profitable. To the knowledge of this defendant there was no communication by the first defendant in this regard.

(b) The then Director (Defendant No.4) persuaded the plaintiff and defendant 3 to sign statement prepared by himself belittling the contribution made by this defendant. He was prejudiced against this defendant. Later the plaintiff and defendant No.3 gave another statement dated 21-4-64 of their own accord regarding the contributions made by different persons and explained that their earlier statements dated 8-5-1963 was prepared by the 4th defendant and got signed by them.

(c) Soon after the decision based upon the recommendation of the 4th defendant referred to above there were several representations by the concerned workers protesting against the inequitable distribution of the royalty and prejudiced and unjustified recommendation forming its basis. The representation made by this defendant to the 1st defendant council was much before he assumed charge of the Director of the Institute.

(d) Thereupon the Director-General of the first defendant referred the matter to the Executive Council of the 2nd defendant as it was on its recommendation dt.1-9-63, the first defendant had taken a decision so that the matter could be reviewed after taking into consideration the contribution made by the concerned persons and the representations made.

The first defendant through the Industrial Liaison and Extension Officer directed that the royalty to the investigators on Baby Food may not be distributed pending reconsi-

reconsideration of the issue by the Executive Council of the second defendant (vide letter No. 6/29/64-L dt. 5-3-1964 to the 2nd defendant by the Industrial Liaison and Extension Officer). This defendant as the Director of the second defendant had to obey it.

Further it is learnt that the requisite implementation direction was also not received by the 2nd defendant from the first defendant which was necessary for carrying out the direction of the first defendant.

Therefore, it is clear that it was not on the initiative of this defendant that it was placed before the Executive Council of the 2nd defendant again.

(e) The Chairman of the Executive Council constituted a sub-committee consisting of competent top-ranking scientists in the subject to go into the question. The sub-committee met on 27-11-64 and after examining all the relevant records arrived at a decision. This defendant who was a member of the Committee withdrew when the question of royalty on the Baby Food came up for consideration and did not participate in the discussion and the recommendation and this has been recorded in minutes of the sub-committee.

Then the matter was placed before the Executive Council of the 2nd defendant on 28-11-1964 with all the connected papers and the representations made by the several contributors. The Executive Council considered the minutes of the Sub-Committee and approved it. The Executive Council made a recommendation to the first defendant for approval. The Vice-President of the 1st defendant approved the recommendation of the Executive Council of the 2nd defendant. This is embodied in enclosure I. It is this decision that has been carried into effect for four years without anybody raising any protest or objection thereto.

The order embodied in Enclosure I is illegal and valid and it is binding on all the defendants. Further, it is

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PHONE : 21214

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MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date.....23-6-71.

4299

Dear Sri.V.Subrahmaniam,

Re: O.S.No.74/1969 before the Civil  
Judge, Mysore.

---

Mr.S.V.Subraniam, Advocate, Bangalore has asked me to appear for you in the above case and to send a vakalath to be signed by you and returned to me. I have accordingly sent the vakalath. I shall put in an appearance on the hearing date that is 6-7-1971 and I shall let you know the further date of hearing as also the date on which you will have to go over here for preparing the written statement.

Encl: One Vakalath.

Yours sincerely,

*M. R. Narayana Swamy*

OFFICE: SAYYAJI RAO ROAD  
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PHONE : 21214

RESIDENCE: 1077, 'DEEPAK'  
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CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 16-7-71

No. 4400

Dear Sri.Subrahmanyam,

Re: O.S.No.74/1969  
---

The above case was for hearing on 14-7-71  
and now stands adjourned to 6-8-1971 as the -  
Judge is on transfer.

I wish to have the note from you regard-  
ing the case that we ~~talk~~ talked about.

Yours sincerely,

*M. R. Narayana Swamy*

58-8-1011  
Mavara

To

Sri V. Subrahmanyam,  
Research and Development Laboratory,  
Modern Rice Mill, (P.O.)  
Tiruarur (S.Rly), Tamil Nadu.

Dear Sir,

Ref: C.S.No. 14 of 1955

The preparation of the written statement  
will take immediate effect as elaborate notes that  
you had prepared (which is helpful to me) has  
been forwarded to you in exact

अन्तर्देशीय पत्र कार्ड  
INLAND LETTER CARD



To

Sri. V. Subrahmanyam,  
Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruarur (S.Rly) Tamilnadu.

प्रेषक का नाम और पता :— Sender's name and address :—



इस पत्र के भीतर कुछ न रबिएँ NO ENCLOSURES ALLOWED

Mysore,  
22-8-1971.

4532

To

Sri.V.Subrahmanyam,  
Research and Development Laboratory,  
Modern Rice Mill, Vijayapuram P.O.,  
Tiruwarur (S.Rly), Tamil Nadu.

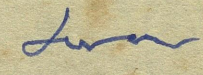
Dear Sir,

Re: O.S.No.74 of 1969 -  
---

The preparation of the written statement will take sometime as the elaborate notes that you have prepared (which is helpful to me) has to be condensed considerable to be in exact in answer to the ~~appi~~ averments in the plaint.

I am therefore taking further time from the 30th and I shall be intimate to you - accordingly,

Yours sincerely,

M. R. Narayana 

Sri. V. Subrahmanyam,  
Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruwarur (S.Rly), Tamil Nadu.

अन्तर्देशीय पत्र कार्ड  
INLAND LETTER CARD



To

Sri ~~NEELI~~ V. SUBRAHMANYAM,

Research & Development  
Laboratory,

Modern Rice Mill,

Vijayapuram P.O.,  
Tiruvapur (Southern Railway)  
TAMIL NADU.

तीसरा मोड़ Third fold

प्रेषक का नाम और पता :— Sender's name and address :—

*K. R. Narayana Swamy,*  
Advocate, &

*P. C. Dhal, Lawyer,*  
Sewal Rao Road, MYSORE.



इस पत्र के भीतर कुछ न रखिए NO ENCLOSURES ALLOWED

प्रेम श्री. गोपबन्धनम्,

मिसेस रेफर to my letter dated

22-8-51.

I shall intimate to you well before  
in hand if your presence is required in  
the case.

Yours sincerely,

To

Sri V. Subrahmanya V. V. V. V.

22-8-51.

WS 37

25-8-1971.

Dear Sri.Subrahmanyam,

your letter dd 21/8/71

Please refer to my letter dated  
22-8-1971.

I shall intimate to you well before  
in hand if your presence is required in  
the case.

Yours sincerely,

M. R. Narayana

To

Sri.V.Subrahmanyam,  
Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruarur (Southern Railway)  
Tamil Nadu.

TO

SRI. V. SUBRAHMANYAM,

Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruarur (Southern Railway)  
Tamil Nadu.



P. C. BHATT, B.A.,  
LAWYER

M. R. NARAYANASWAMY, B.A., LL.B.,  
ADVOCATE

Ref. No. 4560

Phones { Res.: 1069  
          Off.: 1214

SAYYAJI RAO ROAD  
MYSORE-1

31-8-1971.

Sri.V.Subrahmanyam,  
Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruwarur (S.Rly),  
TAMIL NADU.


Dear Sir,

Re: O.S.No. 74 of 1969.

In the above case, Dr.Parpia had appeared through Counsel. I have filed power for - Dr.Subrahmanyam and Dr.Bhatia. The case is - posted to 3-9-1971 for awaiting the summons of defendants 7, 11 and 14.

I am preparing the written statement on your behalf and send it to you for your signature, shortly.

Yours faithfully,

M. R. Narayanaswamy 

OFFICE: SAYYAJI RAO ROAD  
MYSORE-1  
PHONE : 21214

RESIDENCE: 1077, 'DEEPAK'  
NARASARAJA ROAD  
CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 4-9-71.

To

4585-

Sri. V. SUBRAHMANYAM,  
Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruvannamalai (S.Rly),  
TAMIL NADU.

Dear Sir,

Re: O.S.No.74 of 1969.

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The case is posted to 14-9-1971 for filing of the written statement. I shall be sending the written statement for your signature shortly and if they are not returned by the 14th, I shall be obtaining a further adjournment.

Yours faithfully,

*M. R. Narayana Swamy*

P. C. BHATT, B.A.,  
LAWYER

M. R. NARAYANASWAMY, B.A., LL.B.,  
ADVOCATE

Phones { Res.: 1069  
          { Off.: 1214

SAYYAJI RAO ROAD  
MYSORE - I

Ref. No. 4604

11-9-1971.

Dear Sri, Subrahmanyam,

I have herewith enclosed the draft of the written statement to be filed by you in the case.

It is based upon the note sent by you to me. If the draft approved by you, you may get it typed ~~x~~ out on thick paper and sign it and send it to me. If the written statement does not reach me by the 14th, I shall obtain some more time. In order that the paper that is required by the Court Rules may be made readily available to you, I have herewith enclosed such paper.

You have paid a sum of Rs.100/-. I shall suggest the fee to be paid later. In the meanwhile, you may send a sum of Rs.400/- in addition.

Yours sincerely,

*M. R. Narayana Swamy*

*X The small margin on left side and wider margin on the right side be maintained.*

P. C. BHATT, B.A.,  
LAWYER

M. R. NARAYANASWAMY, B.A., LL.B.,  
ADVOCATE

Ref. No. 4619

Phones { Res.: 1069  
          { Off.: 1214

SAYYAJI RAO ROAD  
MYSORE - I

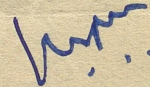
17-9-1971.

Dear Sri.Subrahmanyam,

Re: O.S.No.74/1969.  
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The above case adjourned to 1-10-1971.  
Please send the written statement in the mean-  
while.

Yours faithfully,



Research and Development Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruvarur (S.Ry),  
Tamil Nadu,  
21/9/71.

Shri M.R. Narayana Swamy,  
Advocate,  
Sayyaji Rao Road,  
M Y S O R E - 1.

Dear Shri Narayana Swamy,

Re : O.S.No.74/1969.

Ref: Your letter No.4604 dated  
11/9/71 with enclosed draft and  
your letter No.4612 dated  
17/9/71.

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The draft enclosed with your letter dated 11/9/71 was awaiting my return from Bombay and I could get the matter typed only yesterday. I am now hastening to send it by Registered Post and I hope that it will reach you in the course of this week.

I have made a few small changes in the text. I hope that they will be found to be in order. I will leave it to your discretion to make such further change as you may consider to be proper.

I note that the case has been adjourned to 1/10/71. I hope that my presence will not be required. In any case I expect to be busy with scientific work relating to the International Seminar on rice processing at least till 20/10/71.

As advised by you, I enclose herewith a cheque for Rs.400/- . I would thank you to kindly instruct your office to send a receipt for Rs.500/- which I have paid till this date.

Thanking you for necessary action and advice,

Yours sincerely,

  
(V. SUBRAHMANYAN)

P. C. BHATT, B.A.,  
LAWYER

M. R. NARAYANASWAMY, B.A., LL.B.,  
ADVOCATE

Ref. No. \_\_\_\_\_

6639

Phones { Res. : 1069  
          { Off. : 1214

SAYYAJI RAO ROAD  
MYSORE-1

3-10-1971

To

Dr. V. Subrahmanyam,  
Research & Development Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruvarur, Tamilnadu.

Dear Sir,

Re:- O.S.No.74 of 1969.

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The 6th defendant took time for filing  
the written statement and the case is posted  
to 19-10-1971. Your statement also will be  
filed on that date.

Yours faithfully,

M. R. Narayanaswamy

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CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date.....  
20-10-1971.

4727

Dear Sri.Subrahmanyam,

Re: O.S.No. 74 of 1969 -  
M.R.Chandrasekhar  
Vs.  
C.S.I.R.  
---

The written statements are not  
yet filed. The case now stands adjou-  
rned to 29-10-1971 for filing the -  
written statements.

Yours sincerely,

To

*M. R. Narayana Swamy*

Sri.V.Subrahmanyam,  
Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
BEUVARUR,  
Tamilnadu.

OFFICE: SAYYAJI RAO ROAD  
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PHONE : 21214

RESIDENCE: 1077, 'DEEPAK'  
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CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 30-10-1971

4770

To

Sri.V.Subrahmanyam,  
Research & Development Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruwarrur (S.Rly),  
Tamil Nadu.

Dear Sir,

I received your letter of 28th instant and noted the contents.

I am very glad to know about your coming over to Mysore. Kindly meet me on the 5th evening. Let your son-in-law contact me and fix up the appointment.

The case is posted to 12-11-1971.

Yours sincerely,

*M. R. Narayana Swamy*

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 16-11-71

OFFICE: SAYAJI RAO ROAD  
MYSORE-1  
PHONE : 21214

To

Sri.V.Subrahmanyam,  
Research and Dev.Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
TIRUWARUR.  
(Tamil Nadu).

4836

Dear Sir,

Re: O.S.No.74 of 1969 - M.R.Chandrasekhar  
Vs. - C.S.I.R.

---

In the above case, the statements of defendants 4, 5 and 6 was filed on 12-11-1971. In the meanwhile the 3rd defendant that is Dr.Swaminathan made an application to set aside the ex parte order against him and to allow him to file the written statement. The plaintiff submitted that he had no objection for this application and therefore the application stands allowed and the case now posted to 25-11-1971 for written statement of the 3rd - defendant and plaintiff's reply to the written statements of defendants 4, 5 and 6.

Yours faithfully,

*M. R. Narayana Swamy*

CC:

~~Sri~~.Dr.D.S.Bhatia,  
14-A, Nizam-Ud-Din West,  
NEW DELHI - 13.

RESIDENCE: 1077, 'DEEPAK'  
NARASARAJA ROAD  
CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

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PHONE : 21214

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CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 3-12-71

4895

Dear Sri. Subrahmanyam,

Re: O.S.No. 74 of 1969.

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The above case stands adjourned to  
7-12-1971 for the plaintiff's reply.

The 3rd defendant has not yet filed  
the written statement. Copy of the written  
statement of 6th defendant will be sent to  
you in due course.

Yours sincerely,

*M. R. Narayana Swamy*

*P. C. Bhatt*, B.A.,  
LAWYER

PHONES { RESIDENCE : 23069  
OFFICE : 21214

*M. R. Narayanaswamy*,  
B.A., LL.B.,  
ADVOCATE, SUPREME COURT  
RESIDENCE : "DEEPAKMALA"  
1077, NARASARAJA ROAD, MYSORE-4

SAYYAJI RAO ROAD  
MYSORE-1

Ref. No. *h 89a*

8-12-1971.

To

Sri .S.V.Subrahmanyam,  
Advocate,  
Prominade Road, Frazer Town,  
Dear Sir, Bangalore-5.

Re: O.S.No.74 of 1969.

The 3rd defendant has filed a written statement. I shall obtain a copy thereof and sent a copy to you along with a copy of the written statement of the 6th defendant. The case now stands posted to 3-1-1972 for plaintiff's reply.

Yours faithfully,

*M. R. Narayanaswamy*

Research and Development Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruvavarur (S.Ry),  
Tamil Nadu,  
17/I/72.

Shri M.R. Narayanaswamy, B.A., LL.B.,  
Advocate, Supreme Court,  
1077, Deepakmala, Narasaraja Road,  
Chamarajapuram, MYSORE-4.

Dear Sir,

Ref :- C.S. No.74 of 1969

Sub :- Your letter of 9/I/72 and the enclosed  
copies of 1) the statement of Defen-  
dant 3 (Dr. Swaminathan) and 2) Reply  
of the plaintiff to my statement.

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Both of the above are really intended to deal with my statement, though Defendant 3 does not make any reference to the fact that he had seen a copy of my statement. It has to be circumstantially inferred that his belated application for submission of a statement was primarily with the object of seeing my statement before preparing his own. I am not personally worried about it; but it would still be my submission that the Court should not have allowed it. He was in Mysore all the time and he had no excuse for not submitting a statement within the time first fixed by the court.

The statement of Defendant 3 is not truthful and can be easily proved to be at variance with facts. Defendant 6 (Dr. Parpia) was not a member of the staff of the Institute at the time when the scientific work and pilot studies were carried out. In spite of that, Defendant 3 states in a brazen manner

that "Defendant 6 collaborated in the studies, large scale trials and in the techno-economic aspects of the product." His other statements also follow the same pattern. It is obvious that his entire statement is intended to defend Defendant 6 (Dr. Parpia), who is now the Director.

The reply of the plaintiff to my statement is both mild and weak. He knows that my statements are correct and can be confirmed both by the records available with the Council and by other authorities like Seth Kasturbhai Lalbhai (then Chairman of the NRDC), Prof. Thacker (then Director-General) and Dr. Kurien (General Manager of the Kaira cooperative Union) who had to deal with the subject. Dr. Kurien had, in fact, confirmed my statement in respect of the development and application of the process; but I had made a promise not to utilise his letter. If any further evidence is required, the court can still call for a statement from Defendant 6 (Dr. Parpia) than himself. In doing so, he has also contradicted himself. Thus, in para 3, he says that he has no direct knowledge of the marketing aspects of the process. In para 4 he says that Defendant 6 was involved in the marketing aspect.

Starting from the late twenties when I had the privilege of guiding scientific research, it has been my practice to give prominence to the younger people who have been associated with me. Even now I am adopting the same procedure. When sending papers for the Kidwai award, I placed the name of the plaintiff first and mine the last. He was then the least paid amongst the group and I wanted him to benefit by a higher proportion of the prize money, if we got the award. When we got the award in 1960, I

did not even to go to Delhi to receive my share and the plaque.

I have no ill-will towards Defendant 6; but all evidence points to the fact that he was primarily responsible for all that happened in 1964 after he took over from me as the Director. He wanted a prestigious position as a senior investigator in the project and he also wanted to benefit through a larger share of the amount payable to the workers. He used the plaintiff and Defendant 3 to gain his ends and offered them some attractions. He could not do so in the case of Defendant 4 (Dr. Bhatia) who also was then in the Institute; so the latter was not even shown the second statement (21/4/64) prepared by the plaintiff and Defendant 3. Even now, the latter are serving under defendant 6 and they require his support for promotion in the case of the plaintiff and extension of term on some other help in the case Defendant 3, who is soon to retire from service.

I may further mention that the circumstances relating to this case have already been referred by the Sarkar Committee to the Director-General (Vigilance) of the CSIR. The latter ~~xxx~~ could not pursue the matter because certain aspects are now before the Mysore Court. Sooner or later, the Council of Scientific and Industrial Research will have to take note that Defendant 6 was responsible for unethical acts and misuse of power. The plaintiff and Defendant 3 served as his tools. The Vice-President's order of 30/4/69 and also my recent statement have virtually put them on defence and the only way in which they can escape is by alleging that their statement of 8/5/63 was inspired by me. They were then quite vehement against Defendant 6. If any one lenient towards the latter, it was myself and Defendant 3 (Dr. Swaminathan) who now gives a different version to build up a new image for Defendant 6 (Dr. Parpia). He

had pleaded for some consideration and I felt that he may be given some benefit by inclusion in the second category of persons who had assisted in the work. The final list was, however, prepared with the full concurrence of the plaintiff and Defendants 3 and 4, whom I consulted at every stage.

The implications of the above are all well known to you and to the Council's advocate. The latter has also all the factual materials as collected by the Council. I am hoping therefore that no further statement or other material will be required from me.

With my regards,

Yours faithfully,

(V. SUBRAHMANYAN)

OFFICE: SAYYAJI RAO ROAD  
MYSORE-1  
PHONE : 21214

RESIDENCE: 1077, 'DEEPAK'  
NARASARAJA ROAD  
CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date.....

27-1-1972.

To

Dr. V. Subrahmanyam,  
Research & Development Laboratory,  
Modern Rice Mill, Vijayapuram P.O.,  
TIRUWARUR. (Tamil Nadu).

Dear Sir,

C.S.No.74 of 1969 - M.R.Chandrasekhar -  
Vs. - C.S.I.R.

---

The above case is posted for framing  
of issues to 7-2-1972.

Yours faithfully,

*M. R. Narayana Swamy*

OFFICE: SAYYAJI RAO ROAD  
MYSORE-1  
PHONE : 21214

RESIDENCE: 1077, 'DEEPAK'  
NARASARAJA ROAD  
CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 18-2-72

158

Dear Shri. Subrahmanyam,

Re: O.S.No.74 of 1969 - Chandrasekhar  
- Vs. - C.S.I.R. and Others.

The above case stands adjourned

to 23-2-1972 to hear on the question of  
settlement of issues.

Yours faithfully,

*M. R. Narayana Swamy*

To

Dr. V. Subramanyam,  
Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
T I R U W A R U R  
(Tamil Nadu)

OFFICE: SAYYAJI RAO ROAD  
MYSORE-1  
PHONE : 21214

RESIDENCE: 1077, 'DEEPAK'  
NARASARAJA ROAD  
CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 23-2-72.

5176

Dear Sri. Subrahmanyam,

Re: O.S.No. 74 of 1969.

The Court did not find time to-day to take up this case for hearing on the settlement of issues. The case, therefore, stands posted to 21-3-1972.

Yours faithfully,



To

Sri.V.Subrahmanyam,  
Research & Dev.Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
TIRUWARUR. (Tamil Nadu)

OFFICE: SAYYAJI RAO ROAD  
MYSORE-1  
PHONE: 21214

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 22-3-72.

5233

Dear Sri, Subrahmanyam,

Re: O.S.No.74 of 1969. -  
M.R.Chendrasekhar - Vs. C.S.I.R.

The above case is adjourned to 25-5-1972,  
since the Judge was on leave on 21-3-1972.

Yours faithfully,

To

Dr.V.Subrahmanyam,  
Research & Development  
Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
TIRUWARUR.  
(Tamil Nadu).

RESIDENCE: 1077, 'DEEPAK'  
NARASARAJA ROAD  
CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

P. C. Bhatt, B.A.,  
LAWYER

PHONES { RESIDENCE : 23069  
OFFICE : 21214

M. R. Narayanaswamy,  
B.A., LL.B.,  
ADVOCATE, SUPREME COURT  
RESIDENCE : " DEEPAKMALA "  
1077, NARASARAJA ROAD, MYSORE-4

SAYYAJI RAO ROAD  
MYSORE-1

Ref. No. 5696

3-7-1972.

To

Sri. V. Subrahmanyam,  
Research & Dev. Laboratory,  
Modern Rice Mill, Vijayapuram P.O.,  
Tiruvannamalai, TAMIL NADU.

Dear Sir,

Re: L.S.No. 74 of 1969.

---

Arguments were concluded on the application filed by us to amend the issues. The case is posted to 8-7-1972 for arguments with application.

Yours faithfully,

*M. R. Narayanaswamy*

Copy to:

Dr. D. S. Bhatia,  
14-A, Nizam - Ud - Din West,  
New Delhi - 13.

Dr. V. SUBRAHMANYAN,  
Emeritus Scientist.

10th July, '72.

Shri M.R. Narayanaswamy,  
Advocate, Supreme Court,  
Deepakamala,  
1077, Narasaraja Road,  
M Y S O R E - 4.

Sub :- L.S. No.74 of 1969

Ref :- Your letter No.5696 dt.3/7/72

Dear Shri Narayanaswamy,

During a fair part of May and June, I was largely away on tours. Moreover there was not much to write to you about because the hearings were then being postponed.

Your letter under reference would show that there has been some progress. As I have no legal background, I could not fully understand the implications. Further hearing of arguments with application may also have been concluded on 8/7/72. I do not know whether this would mean that the Court could soon come to some decision.

Whatever be the implications, I may, in all probability, soon be visiting Mysore. I will try and take that opportunity to meet you if you are in station.

With my regards,

Yours sincerely,

(V. SUBRAHMANYAN)

P. C. Bhatt, B.A.,  
LAWYER

PHONES { RESIDENCE : 23069  
OFFICE : 21214

M. R. Narayanaswamy,  
B.A., LL.B.,  
ADVOCATE, SUPREME COURT  
RESIDENCE : " DEEPAKMALA "  
1077, NARASARAJA ROAD, MYSORE-4

SAYYAJI RAO ROAD  
MYSORE-1

Ref. No.

5716

11-7-1972.

To

Dr. V. Subrahmanyam,  
Research & Dev. Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
Tiruwarur, Tamil Nadu.

Dear Sir,

Re: O.S.No.74 of 1969.

---

Orders were pronounced on the application filed by us for amendment of issues. The Court is pleased to direct the framing of only one additional issues to the following effect:

"If the order of 30-4-1969 is upheld, would the recoveries directed to be made by the first defendant be barred by time".

Case is now posted to 21-7-1972 for filing of the witness list and documents.

Please let me know if any witness list and documents have to be filed on your behalf.

Yours faithfully,

M. R. Narayanaswamy

P. C. Bhatt, B.A.,  
LAWYER

PHONES { RESIDENCE : 23069  
OFFICE : 21214

M. R. Narayanaswamy,  
B.A., LL.B.,

ADVOCATE, SUPREME COURT

RESIDENCE : " DEEPAKMALA "  
1077, NARASARAJA ROAD, MYSORE-4

SAYYAJI RAO ROAD  
MYSORE-1

Ref. No.

5767

22-7-1972

To

30/2-5

Sri. V. Subrahmanyam,  
Research & Dev. Laboratory,  
Modern Rice Mill,  
Vijayapuram P.O.,  
TIRUWARUR, Tamil Nadu.

Dear Sir,

Re: O.S.No.74 of 1969.

---

The above case stands adjourned to  
4-8-1972 for filing the witness list and  
documents.

I am sure you are in receipt of  
my earlier letter asking you to inform me  
if you have any documents to file.

Yours faithfully,

M. R. Narayanaswamy

PADDY PROCESSING RESEARCH CENTRE.  
Modern Rice Mill,  
Vijayapuram (P.O.) Tiruvarur,  
Tamil Nadu.  
31/7/72.

Shri M.R. Narayanaswamy,  
Advocate, Supreme Court,  
Deepakmala,  
1077, Marasaraja Road,  
MYSORE-4.

Dear Sir,

Re :- O.S. No.74 of 1969

Ref :- Your letter No.5767 dt.22/7/72.

I have no document to file excepting the evidence of the scientific papers. Some time ago, I had sent to you a copy of the compilation listing all the papers. They will show that the very first publication, as also some of the later ones, bear mine as the first name. Some of the papers had been prepared before Dr. Parpia had joined the Institute as an Asst. Director; but they may have been published later. The whole project involved several years of work with extensive field trials.

The CSIR had gone fully into the question and had studied all the documents before the then Vice-President (Dr. V.K.R.V. Rao) took his decision conveyed in the order of 30/4/69. I am hoping that, as the representative of the first Defendant (CSIR) in the case, the Council's lawyer will submit all the related documents.

Mahatama; had repeatedly advised that the end will not justify the means. The court will also like to record this famous saying of the Father of the Nation. In the present case, questionable means had been adopted to gain a certain end. I do

not wish that any one should suffer or face hardship; but I would like that the truth should be brought to light. I have no doubt that the authorities of the CSIR would also like to have the decision of the Court in this respect. If unfair means are allowed to succeed, there will be no truth or justice in the World.

Several other such things had happened in the Mysore Institute and I was myself one of the victims; but here is at least one clear case where the facts can be brought to light. There has also been prevarication and perjury on the part of the plaintiff and one of the Defendants.

I do not wish to cite witnesses if I can help it. Some of the seniormost people connected with the CSIR and the National Research Development Corporation were concerned with the earlier discussions relating to the development of the process. We also had to deal with Dr. V. Kurien, General Manager of the Kaira Cooperative Union and now the head of the National Dairy Development Corporation.

If the plaintiff or any of the other Defendants wish to have certain witnesses called, I would cite the names of the following :-

- 1) Prof. M.S. Thacker, formerly, Director-General, CSIR who was associated with all the earlier negotiations and is familiar with all the facts relating to the case
- 2) Seth Kasturbhai Lalbhai, formerly Chairman of the National Research Development Corporation and whom Dr. Kurien and I had to meet in connection with assignment of the process

- 3) Dr. S.D. Mahant, then Secretary, or the present Secretary of the National Research Development Corporation which gave me the first advance for the pilot study and later assigned the rights to the Kaira Cooperative Union
- 4) Dr. V. Kurien, then General Manager, Kaira Cooperative Union.
- 5) Dr. Atma Ram, formerly Director-General, CSIR who had to deal with the subject after I submitted my representation during 1968
- 6) Shri K.G. Krishnamurthi, Secretary, Council of Scientific and Industrial Research who had to study the case in all aspects.
- 7) Shri R. Jayaraman, till recently Law Officer, CSIR
- 8) Shri V.K.R.V. Rao, M.P., formerly Vice-President of the CSIR who was responsible for the decision of 20/4/69 which led to the plaintiff filing the present case.

There are several other people, directly connected with the the work and many of whom are still employees of the CFTRI, Mysore. They could provide the related facts, but they may be reluctant to appear because of fear of victimisation.

It is not my desire to widen the scope of the case nor to drag in people of high standing as witnesses. If however the necessity arises, we will have no option but to cite their names.

Thanking you for the reference and necessary action,

Yours faithfully,

P.S.

(Dr. V. SUBRAHMANYAN)

I am not keen on appearing before the Court; but if the judge decides that I should do so, I will gladly appear in person and make a factual statement.

OFFICE: SAYAJI RAO ROAD  
MYSORE-1  
PHONE : 21214

*M. R. Narayana Swamy,*

ADVOCATE, SUPREME COURT

B.A., LL.B.

Date 30-9-72

5998

Dear Sri. ~~Subrahmanyam~~,

Re: O.S.No. 74 of 1969.

---

I am in receipt of your letter along with its enclosures.

I have filed the issues of the Magazine supplied to me by Mr. Natarajan. I have also filed the list of witnesses as desired by you. The case now stands posted to 9-11-1972 for evidence.

Yours sincerely,

*M. R. Narayana Swamy*

~~Copy to~~  
To

Dr. V. Subramanyam,  
Research & Development Laboratory,  
Modern Rice Mills, Vijayapuram P.O.,  
Tiruwawur, (Tamil Nadu).

RESIDENCE: 1077, 'DEEPAK'  
NARASARAJA ROAD  
CHAMARAJAPURAM  
MYSORE-4  
PHONE : 23069

P. C. Bhatt, B.A.,  
LAWYER

PHONES { RESIDENCE : 23069  
OFFICE : 21214

M. R. Narayanaswamy,  
B.A., LL.B.,  
ADVOCATE, SUPREME COURT  
RESIDENCE : " DEEPAKMALA "  
1077, NARASARAJA ROAD, MYSORE-4

SAYYAJI RAO ROAD  
MYSORE-1

Ref. No. 6130

9-11-1972.

To

Dr. V. Subramanyam,  
Research & Dev. Laboratory,  
Modern Rice Mills,  
Vijayapuram P.O.,  
TIRUWARUR (Tamil Nadu).

Dear Sir,

Re: O.S.No.74 of 1969 -  
M.R.Chandrasekhara.

---

The Plaintiff in the above case was  
not ready and the case now stands posted  
to 8-12-1972.

Yours sincerely,

M. R. Narayanaswamy

*P. C. Bhatt*, B.A.,  
LAWYER

PHONES { RESIDENCE : 23069  
OFFICE : 21214

*M. R. Narayanaswamy*,  
B.A., LL.B.,  
ADVOCATE, SUPREME COURT  
RESIDENCE : "DEEPAKMALA"  
1077, NARASARAJA ROAD, MYSORE-4

SAYYAJI RAO ROAD  
MYSORE-1

Ref. No. ....

16-2-1974. ....

To  
Sri. V. Subrahmanyam,  
Tiruwarur (Tamil Nadu).

Sir,

Re: O.S.No.74 of 1969 -  
M, R. Chandrasekhara.  
---

The above case is posted to  
14-3-1974 for evidence.

Yours faithfully,



Paddy Processing Research Centre,  
Vijayapuram,  
Tiruvarur,  
Tamil Nadu,  
13--4--74.

Shri M.R. Narayanaswamy,  
Advocate, Supreme Court,  
10 Deepakmala,  
1077, Narasaraja Road,  
MYSORE-4.

Dear Shri Narayanaswamy,

Sub :- O.S. No.74 of 1969

I am sorry I have been out of touch with you for a long time.

I was in Mysore for some days after 20/9/74 for the funeral ceremonies of my wife who passed away in Bombay. My next visit was a very hurried one on 10/4/74 with the committee members of the Food Corporation of India. I am sorry I could not meet you on either of those occasions.

As the Court case has already dragged on for some years, all concerned had expressed interest in having the matter settled out of court. The Director-General CSIR had proposed in 1972 that the issue may be settled through arbitration by an eminent Jurist. At that time, Shri Chandrasekhara, the Plaintiff in the above case agreed to it; but when the proposal was later circulated by the CSIR. Shri Chandrasekhara did not agree to the terms. Subsequently he indicated that he would be agreeable to a compromise formula which would make the Minister's order of 1969 applicable only from the date on which it was issued. The CSIR declined to take any further initiative, but had evidently no objection to the compromise formula provided Shri Chandrasekhara could take the initiative and the terms could be jointly drafted by you and his advocate.

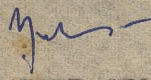
I enclose herewith copies of (1) a letter dated 28/3/74 addressed by the Chief (Adm.) of the CSIR to Shri Chandrasekhara and (2) a letter dt.30/3/74 addressed to me by the Director-General. I also enclose herewith a copy of my letter of even date as addressed to Shri Chandrasekhara.

After my wife passed away, I got tired of the various circumstances relating to the case and decided to give away whatever may be due to me for certain charitable causes; and wrote to that effect to the CSIR. My present interest in the case is only academic. I would like, however, to see the money released for the causes as quickly as possible.

I would thank you therefore to very kindly help of drafting the terms in such a manner as to avoid any further controversy or litigation. At the same time, I would like Shri Chandrasekhara to adhere to the terms which he had agreed it. His lawyer should also kindly cooperate in seeing that the right thing is done.

With my warm thanks and best regards,

Yours sincerely,

  
(V. SUBRAHMANYAN)

P. C. Bhatt, B.A.,  
LAWYER

PHONES { RESIDENCE : 23069  
OFFICE : 21214

M. R. Narayanaswamy,  
B.A., LL.B.,  
ADVOCATE, SUPREME COURT  
RESIDENCE : "DEEPAKMALA"  
1077, NARASARAJA ROAD, MYSORE-4

SAYYAJI RAO ROAD  
MYSORE-1

Ref. No. 565

28-4-1974.

To  
Dr. V. Subrahmanyam,  
Tiruwarur.

Dear Sir,

I am in receipt of your letter dated 13-4-1974 with its enclosures.

The compromise proposals are put through and the draft ~~a~~ compromise memo with the approval of the plaintiff's Advocate is sent to the C.S.I.R.

The proposal is that the rights of the parties up to the end of the year 1969 would be governed by the later order and that ~~from~~ from the year 1970 onwards by the 1963 order.

I am awaiting further developments and I shall write to you soon after the compromise proposals take material shape. As you know ~~that~~ this has to be agreed to by all the persons interested in the Royalty.

Yours sincerely,

M. R. Narayanaswamy

Paddy Processing Research Centre,  
Vijayapuram,  
Tiruvarur,  
Tamil Nadu,  
4-5-1974.

Shri M.R. Narayanaswamy,  
Advocate, Supreme Court,  
Deepakmala,  
1077, Narasaraja Road,  
MYSORE - 4.

Dear Shri Narayanaswamy,

I am thankful to you for your letter No.565 dt.28/4/74.

I enclose herewith a copy of a letter dt.29/4/74 addressed by Shri K.G. Krishnamurthi, Chief (Adm) of the CSIR to Shri M.R. Chandrasekhara. It is possible that you have also received a copy of that letter.

I would not have raised the issue but for Shri Chandrasekhara himself having agreed to certain terms at an earlier date. I had proposed that

- 1) the distribution of the royalty as made upto 30/4/1969 will be in accordance with the order dated 23/26-7-1965
- 2) all distributions made after 30/4/1969 will be in accordance with the recommendation of the Executive Council as made on 1/9/1963 coupled with the order dt.30/4/1969, and
- 3) all other matters relating to the issue of royalties will be treated as closed.

The above were, in substance, the terms which Shri Chandrasekhara had agreed to and it was only then that I forwarded them to the Council for consideration as a basis for compromise.

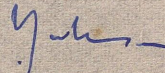
The terms which Shri Chandrasekhara had recently proposed are somewhat different. He obtained the signatures of eight people, who are resident in and around Mysore, to his terms and sent them to the Council. It was only at a later date that he wrote to me asking me to convey my concurrence.

I do not wish to prolong the controversy on the subject. I am as anxious as the others to reach a settlement, so that the money may be made available for some charitable causes.

I would thank you to kindly discuss the implications with Shri Chandrasekhara's lawyer. The issue is now only a matter of interpretation. I will gladly accept <sup>whether</sup> 'form of consent' you may both agree upon. I may at the same time venture to suggest that in addition to the form of consent there may be a brief preamble so as to explain why the proposal for arbitration is not being pursued. The form of consent is best circulated under the Joint signatures of yourself & Shri Chandrasekhar's lawyer rather than by any of the participants.

Thanking you for kind early action and advice, I remain, with my best regards,

Yours sincerely,

  
(V. SUBRAHMANYAN)

# PADDY PROCESSING RESEARCH CENTRE,

Modern Rice Mill,  
Vijayapuram (P. O) Tiruvarur - 610108  
Tamil Nadu, INDIA.

Date 24--6--74.

Shri M.R. Narayanaswamy,  
Advocate, Supreme Court,  
Deepakmala,  
1077, Narasaraja Road,  
MYSORE-4.

Dear Sir,

Ref :- Your letter No.672 dt.12/6/74

Sub :- O.S.No.74 of 1969 - My concurrence for settlement on the basis of the agreement jointly drafted by you and Shri Krishna Rao, Advocate for the plaintiff.

On 22/6/74 I received from Shri M.R. Chandrasekhara, a copy of the proposal for settlement as prepared jointly by you and the advocate for the plaintiff.

I have already agreed to accept any proposal made jointly by you and the plaintiff's advocate. I am accordingly signing the paper and sending it by today's post to the Chief of Administration, CSIR as suggested by Shri Chandrasekhara.

I expect that all the defendants who are now resident in India have already signed the paper as a taken of their concurrence. At least three of the defendants are now residing abroad and I am hoping that their concurrence could also obtained before 12/7/74.

I trust that both you and the plaintiff's advocate can report to the Court on 12/7/74 that the case is now being settled.

Thanking you for your kind interest and help,

Yours faithfully,

(V. SUBRAHMANYAN)

DRAFT OF CONSENT LETTER.

I,....., hereby agree  
that so far as the distribution of Royalties is concerned,  
all the parties interests therein shall be governed by the  
order dated 23/26.7.1965 up till this end of the year 1969  
and by the order dated 1.9.1963 coupled with the order  
dated 30.4.1969 from the year 1970 onwards.

---

M. R. NARAYANASWAMY, B.A., LL.B.

ADVOCATE

Residence:

"DEEPAK"

1077, NARASARAJA ROAD,  
CHAMARAJAPURAM, MYSORE - 4

Phone { Res. : 23069  
Office: 21214

Office:

SAYYAJI RAO ROAD, MYSORE - 1

30-9-1974.

Ref. No. 1283

Dr. V. Subrahmanyam,  
Tiruwawur.

Dear Sir,

Re: O.S.No. 74 of 1969 -  
M.R. Chandrasekhara.

As per the instructions of the parties,  
a compromise petition is filed in the case on  
27-9-1974. A copy of the same is enclosed  
herewith for your reference. If you need a  
certified copy of the compromise petition  
and the decree, please write to me. I shall  
thank you for remittance some more money  
towards the fees.

Yours sincerely,

M. R. Narayana Swamy

M. R. NARAYANASWAMY, B.A., LL.B.

ADVOCATE

Residence:

"DEEPAK"

1077, NARASARAJA ROAD,  
CHAMARAJAPURAM, MYSORE-4

Phone

Res. : 23069

Office : 21214

Office:

SAYYAJI RAO ROAD, MYSORE-1

18-1-1975.

Ref. No. 1669

Dr. V. Subrahmanyam,  
Project Head,  
M Paddy Processing Research Centre,  
Modern Rice Mill, Vijayapuram (P.O.),  
TIRUVARUR - 610108.

Dear Shri. Subrahmanyam,

I am sorry to note that you had fallen ill.  
I hope you have fully recovered.

I have herewith sent the certified copies  
that you require.

I have sent the certified copies to the  
C.S.I.R. long back and I imagine that they are  
taking action in pursuance of the settlement.

Wishing you well,

I remain,

Yours sincerely,

M. R. Narayana Swamy

Paddy Processing Research Centre,  
Vijayapuram,  
Tiruvavarur,  
Tamil Nadu,  
13-4-74.

Dr. M. Swaminathan,  
Scientist F (Retd),  
Central Food Technological Research  
Institute,  
MYSORE-13.

My dear Dr. Swaminathan,

Your letter of 5/4 had arrived during my absence and I saw it only after my return on the 12th morning. Shri Chandrasekhara's letter of 5/4 and the enclosed copy of the letter from Shri K.G. Krishnamurthi had also arrived during my absence.

I enclose herewith a copy of my reply to Shri Chandrasekhara. I do not know as to what proposals he had circulated and for which he got the signatures. So far as I am concerned, I have no objection to the compromise formula provided he adheres to the terms which he had previously agreed to and it is properly drafted by the lawyers as proposed by Shri Krishnamurthi.

The CSIR will not, of course, take any further initiative. It may not however object to a compromise formula if acceptable to all the people. Shri Krishnamurthi seems to have written his letter after consulting Dr. Nayudamma.

It is evident that Shri Chandrasekhara is hesitant about agreeing to arbitration. Though I still feel that arbitration would be the least open to objection, I do not wish to press for it. If the terms of the compromise are properly drawn up and the background suitably explained in clear terms, the participants, who are now abroad, may agree to it.

Your talk with Shri Chandrasekhara may still be useful. He will have to stick to his undertaking. In fact, I feel that the compromise formula will carry more weight if it is drafted and circulated jointly by the two lawyers. I do not know, however, whether they will agree among themselves or be prepared to address the compromise proposals so as to get the replies within a given period - say, within about a month.

It is beyond me to conjecture as to how the participants who are now abroad will react to the proposal for compromise. If even one of the participants objects to the compromise formula, we will then have no alternative but to request the D.G. take the necessary steps for arbitration. Shri Chandrasekhara should shed his diffidence and agree to the arbitration if the compromise formula is objected to by any of the participants.

With my best regards,

Yours sincerely,

(V. SUBRAHMANYAN)