

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

The Secretary,
Council of Scientific and Industrial Research,
Rafi Marg,
New Delhi - 1.

Kind attention : Shri K.G. Krishnamurthi and
Law Officer.

Dear Sir,

Re : OS No.74/1969 before the Principal Civil
Judge, Mysore.

Sub: Case filed by Shri M.R. Chandrasekhara of
CFTRI, Mysore against the decision of the
Vice-President (dated 30/4/69) in respect
of the distribution of the portion of the
royalty payable to workers in respect of
the baby food process developed at the
CFTRI, Mysore.

The above case has been dragging on for the past two
years. More recently, both myself and a number of others have
become co-defendants with the CSIR.

I enclose herewith a copy of the statement which I have
submitted to the Court as a defendant. I do not have any suppor-
ting document; so, I have drawn mostly on my memory and have
replied to the various points raised by the plaintiff.

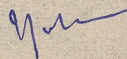
Fortunately, the relevent papers are all with the
Council. They would provide sufficient factual material to
justify the decision taken by the Vice-President. It will be
the responsibility of the legal authorities representing the
Council to bring out those facts and also other background
information which would be relevent to the case.

Before concluding, I may mention that I accepted the
role of a defendant primarily with the object of bringing out
the truth and assisting, in a small way, in facilitating the ends

of justice. At the same time, I am finding the process to be too costly for a person of my means. There have, so far, been only a series of adjournments and even these have cost me a fairly large sum of money in the form of preliminary expenses. On top of this, I have been advised that there is also to be a heavy lawyer's fee. I cannot afford to go on bearing such a heavy burden without any prospect of an early decision.

In the interests of truth and justice, I would earnestly plead that the authorities of the Council would kindly take the necessary steps to get a very early decision in the case.

Yours faithfully,



(Dr. V. SUBRAHMANYAN)

Emeritus Scientist
and formerly, Director, CFTRI, Mysore.

Research and Development Laboratory,

Modern Rice Mill,

Vijayapuram P.O.,

Tiruvarur (S.Ry),

Tamil Nadu,

25/10/71.

The Secretary,

Council of Scientific and Industrial Research,

NEW DELHI.

Kind attention : Shri K.G. Krishnamurthi
and
Shri C.L. Malhotra, Special
Officer (Courts)

Dear Sir,

Ref :- 1) Suit No.0.S.74 of 1969 in the Court of
the Principal Civil Judge at Mysore
2) Your endorsement No.8/16/69-Vig. dated
1/7/71 to the copy of your telegram of
same date

Sub :- Case filed by Shri M.R. Chandrasekhara in
the above court against the Vice President's
order of 30/4/1969.

I acted on the advice of the Council and engaged an advocate to defend the suit. Similarly, two other defendants (Dr. D.S. Bhatia and Dr. H.A.B. Parpia) have also engaged advocates. There have been a series of adjournments and as things stand, Dr. Parpia is expected to file his statement on 29/10/71. My statement will also be filed on the same day. As far as I am aware, none of the other defendants has entered the case. They are all present or past employees of the Institute and they may have decided to accept any decision which may be finally taken.

The Council is well acquainted with the background; so I need not reiterate it. Judging from the trends, however, I doubt very much whether there will be any early Court decision in respect of this case. Though we are classed as defendants, it is certain

that Dr. Bhatia and I will present the same type of material as the Council, while Dr. Parpia will support the statements made by the plaintiff (Shri Chandrasekhara) as he was a party to them.

This is the first court case in which I am directly involved. It has already cost me more money, by way of lawyer's fees, than I expected - and that only for a series of adjournments, without a single hearing in respect of the evidence. I am still hoping that there will be some hearing and that I may have to appear, at least once, in person. If, however, there is no early decision, I hope to contact you again, so that we may find some way of early settlement in some other manner.

Speaking in a detached manner, I am finding that people look upon court cases as media for gaining their ends rather than regarding them as temples of justice where only truth and correct ethics should prevail.

Yours faithfully,

(V. SUBRAHMANYAN.)

Research and Development Laboratory,
Modern Rice Mill,
Vijayapuram P.O.,
Tiruvarur (S.Ry),
Tamil Nadu,
10/11/71.

Shri K.G. Krishnamurthi,
Secretary & Joint Secretary to Govt of India,
Council of Scientific & Industrial Research,
Rafi Marg,
NEW DELHI - 1.

Dear Shri Krishnamurthi,

I had to proceed, recently, on tour to Bangalore, Mysore and other centres and hence the delay in acknowledging your kind D.O. No.8/16/69 - Vig. dated 30/10/71.

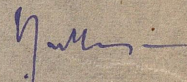
When I was in Mysore on 5/11/71, I took the opportunity to meet Shri M.R. Narayana Swamy, the Advocate who is representing me and Dr. Bhatia in the case. He expressed his firm opinion that Shri Chandrasekhara the Plaintiff has really no case; that what he has claimed as his rights were derived through the violation of the rights of others. The Vice-Presidents' order of 30/4/69 was based on just and legally sound grounds and the court should uphold it.

There have lately been three adjournments chiefly because of the advocate representing Defendant 6 (Dr. Parpia) asking for more time to submit his statement. There is evidently a desire to first see the statements submitted by Dr. Bhatia and myself. Consequently, our statements have not also been filed till this date. The next hearing is on 12/11/71 and I can only hope that there will

be no further request for adjournment.

Matters of conscience, truth and ethical standards do not seem to count much at the present time. At the same time it will not bode well for the future of applied science in India if certain proper guide lines are not laid down and if just and proper decisions taken by competent authorities are not regarded as final. Moreover, if the authorities concerned with Vigilance do not probe into the background and do not draw attention to irregularities and improper methods - including suppression of factual material - by persons in key positions, there will be perpetuation of such practices; and truth and justice will eventually disappear. The authorities of the Council were quick to take action in respect of National Botanic Gardens; but there has not, so far, been much evidence of follow-up in other cases.

Yours sincerely,



(V. SUBRAHMANYAN)



D.O.No.8/16/69-Vig.

वैज्ञानिक एवं औद्योगिक अनुसंधान परिषद्
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

नई दिल्ली-१

NEW DELHI-1 30th October

19 71.

Secretary, CSIR
and Joint Secretary
to the Govt. of India,
(Ex-Officio):

Dear Dr. Subrahmanyam,

Please refer to your letter dated 21.9.1971 regarding the case filed by Shri M.R. Chandrasekhara of CFTRI Mysore against CSIR in respect of distribution of royalty on process of Baby Food. We are taking all possible steps to get the case finalised early. In this context we have also made a special request to our Advocate to press for early hearings in the case. You would kindly appreciate that civil suits do take time in coming to an end. However, we will do our best for expeditious decision in the case.

Yours sincerely,

K. G. Krishnamurthi

(K.G. Krishnamurthi)

Dr. V. Subrahmanyam,
Emeritus Scientist,
Research & Development Laboratory,
Modern Rice Mill,
Vijayapuram P.O.,
Tiruvarur (S.Rly)..
Tamil Nadu.

COUNCIL OF SCIENTIFIC & INDUSTRIAL
RESEARCH

D.O.No.8/16/69-Vig.

NEW DELHI-1 28.3.1974.

Chief (Admn.) &
Jt. Secy. to the
Govt. of India,
(Ex-Officio):

Dear Shri Chandrasekhara,

Kindly refer to your letter dated 5th March, 1974 addressed to Dr. Y. Nayudamma, DGSIR, and a copy endorsed to me.

You would recall that when you last met me in my office in the presence of Law Officer, CSIR, you had agreed that -

- i) You would obtain separately written consent to the compromise formula suggested by you of all the parties in the suit and those who are not parties to the suit but otherwise recipients of the royalty arising out of Baby Food and
- ii) the form of consent be prepared by your Advocate and CSIR Advocate at Mysore.

You may, therefore, like to act as agreed to earlier by you in the manner indicated above.

It may be pointed out that you have changed your stand in this case on two occasions, namely (a) on an earlier occasion you wanted to settle this case by arbitration and it was in this context the CSIR took action to obtain consent of all the concerned persons for referring the matter in dispute to arbitration but later on you resiled from this position; (b) you had agreed to obtain consent of all the workers in this case and communicate to CSIR for further action whereas in your letter under reference you desire the CSIR to take this action. I have, therefore, been directed to inform you that in case it is not possible for you to act in the manner stated above, then CSIR would be left with no alternative but to allow the litigation to proceed.

With kind regards,

Yours sincerely,

Shri M.R. Chandrasekhara,
53, XIII Cross, Malleswaram,
BANGALORE-560003.

Sd/-
(K.G. Krishnamurthi)

---: (COPY) :---

Sd/-
(M.R. CHANDRASEKHARA)

---: (TRUE COPY) :---

D.O. No.8/16/69-Vig.

NEW DELHI-1 28.3.1974.

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With kind regards,

Yours sincerely,

sd/-
(K.G. Krishnamurthi)

Shri M.R. Chandrasekhara
53, XIII Cross,
Malleswaram,
Bangalore-560003.

COPY

M.R. Chandrasekhara

PADDY PROCESSING RESEARCH CENTRE,

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

Dr. V. SUBRAHMANYAN,
PROJECT HEAD.

Date 24--6--74.

The Chief of Administration,
Council of Scientific & Industrial Research,
Rafi Marg, NEW DELHI-1.

Attention: Shri K.G. Krishnamurthi
Shri A.S. Dhupia, Law Officer.

Dear Sir,

Ref :- D.O.No.8/16/69-Vig. dt.29/5/74 as addressed to me by the Law Officer and the enclosed copy of letter No. 8/16/69-Vig dt.1/5/74 as addressed to Shri M.R. Narayanaswamy, Advocate, Mysore.

Sub :- O.S.No.74 of 1969 before Mysore Civil Court - Signing of proposal for settlement as prepared jointly by the Council's lawyer and the lawyer of the plaintiff (Shri M.R. Chandrasekhara)

In compliance with the above, the two lawyers had jointly prepared a draft agreement for settlement. Prior to that, I had advised the Council's lawyer (who also represents me) that I would accept any proposal that he and the other lawyer may jointly prepare in compliance with the conditions prescribed by the Council.

On 12/6/74, the Council's lawyer wrote to me to advise that the case stands posted for settlement or evidence to 12/7/74.

On 22/6/74, I received the draft proposals through Shri Chandrasekhara. In order to avoid further delay, I am signing the paper and enclosing it herewith.

I would feel thankful if, after getting my acceptance and similar ones from others, you would advise me about the Council's decision regarding the procedure for making the payment. I am making this request as I have already conveyed to the Council my desire for donating my share for different charitable causes. Some of the prospective beneficiaries have indicated their desire for receiving the payment through me. I would like to receive the payment without deduction of tax.

Thanking you for kind, early advice,

Yours faithfully,

(V. SUBRAHMANYAN)

Dr. V. SUBRAHMANYAN,
Project Head.

Paddy Processing Research Centre,
Vijayapuram,
Tiruvarur,
Tamil Nadu,
24/6/74.

I, Dr. V. Subrahmanyan, hereby agree that so far as the distribution of royalties is concerned, all the parties interested therein shall be governed by the order dated 23-26/7/65 till the end of the year 1969 and by the order dated 1/9/63 coupled with the order dated 30/4/69 from the year 1970 onwards.

(Dr. V. SUBRAHMANYAN)
(formerly) Director, Central Food Technological
Research Institute, Mysore
and Defendant No.5 in No.O.S.No.74 of 1969 in
the Court of the principal Civil Judge at Mysore.

5-10-74.

REF: No.

Shri K.G. Krishnamurthi,
Chief of Administration,
Council of Scientific & Industrial Research,
Rafi Marg,
NEW DELHI-1.

Dear Shri Krishnamurthi,

Sub :- O.S.No.74 of 1969 in the Court of the Civil
Judge at Mysore - Action on the basis of settle-
ment reached between the parties in respect
of the royalties.

I have been advised by my lawyer, who also represents the
CSIR, that the Court has issued a decree accepting the terms of the
settlement.

As I wish to utilise the money for some charitable causes,
I would thank you and the Law Officer to kindly advise and help me.

- 1) The amounts payable to different individuals may please be
calculated in accordance with the terms of the decree
- 2) I may be advised about the amount which would be payable to me
and also whether it would be paid by your office or through the
office of the CPTRI as in the past.
- 3) If tax exemption is possible, I may be advised about the steps
to be taken. If that is not possible, the tax as in the case of
company dividends may be deducted at the source and the balance
paid to me. I will then distribute the money on a revised basis.
- 4) I have already decided to utilise a fair part of the money for the
benefit of the lower paid staff of the CPTRI. I do not know as to
what the amount will be. Whether it is, I am writing to enquire
whether the CSIR will also help by making a contribution.

I would feel thankful for your kind early advice in respect
of the above and any other related issue which I may not have antici-
pated.

With my appreciation of your courtesy and assistance,

Yours sincerely,

(V. SUBRAHMANYAN)

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

D.O.No.8/15/69-Vig.

NEW DELHI-1 29-4-1974

Chief (Adm.) &
Secretary to the Govt. of India,
(Ex-Officio):

Dear Sri Chandrasekhara,

Kindly refer to your D.O. letter dated 8th April, 1974, regarding distribution of royalty on Baby Food.

I hope you might have received my earlier letter dated 10th April, 1974, in regard to this case. I find that the consent form signed by 8 persons do not conform to the form evolved by CSIR Lawyer in consultation with your Lawyer, as received by us from our Advocate at Mysore, a copy of which I am forwarding herewith to you. Besides this, I find that term of compromise formula contained in the said consent letters that :-

- 1) No change will be made regarding the royalties paid upto 1969 end.
- 2) From 1970 January the royalties will be distributed according to the formula decided upon in the 1963 Executive Council meeting.
- 3) All other matters relating to the royalties will be considered closed;

are at variance with the views of Sri V. Subrahmanyan, according to whom the payment to be made after the Minister's order of 30-4-69 will have to be made according to the mode of distribution recommended by the Executive Council in 1963. In fact, I find that Sri Subrahmanyan in his letter dated 13th April, 1974, addressed to you, has also brought out his views in this regard. In order, therefore, to avoid unnecessary correspondence and delay in this case, you may like to first ascertain the views of all the persons concerned in this case in regard to compromise formula and then get written consent of all the parties on the form that may be evolved by your lawyer in consultation with CSIR lawyer. After this only it would be possible for CSIR to take further action in the matter.

With regards,

Yours sincerely,
Sd/-

(K.G. KRISHNAMURTHI)

Sri K.R. Chandrasekhara,
53, XIII Cross Road,
Malleswaram, Bangalore-3.

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

D.O.No.8/15/69-Vig.

NEW DELHI-1 29-4-1974

Chief (Admn.) &
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With regards,

Yours sincerely,

SM/-

(K.S. KRISHNAMURTHI)

Shri M.R. Chandrasekhara,
53, XIII Cross Road,
Malleswaram, Bangalore-3.

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

D.O.No.8/15/69-Viz.

NEW DELHI-1 29-4-1974

Chief (Admn.) &
Secretary to the Govt. of India,
(Ex-Officio):

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With regards,

Yours sincerely,

SA/-

(K.G. KRISHNAMURTHI)

Shri M.R. Chandrasekhara,
53, XIII Cross Road,
Malleswaram, Bangalore-3.