
AGREEMENT BETWEEN THE GOVERNMENT OF INDIA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY REGARDING THE ESTABLISHMENT OF AN INSTITUTE OF TECHNOLOGY IN INDIA [1958] INTSer 9

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Bonn, 7 August 1958

The Government of India and the Government of the Federal Republic of Germany, desiring to advance and consolidate the economic development as well as the economic and technical cooperation of their countries, have agreed as follows :

Article 1

The Government of the Federal Republic of Germany shall cooperate with the Government of India in the establishment of a Technological Institute to be called "Indian Institute of Technology, (Madras)"-hereinafter referred to as the "Institute". The Institute shall be located in Madras. The participation of the Government of the Federal Republic of Germany shall be as set forth in Article 3 to 8 of the present Agreement.

Article 2

It shall be the function of the Institute to provide for instruction and research in such branches of engineering and technology, applied sciences and applied arts as the Institute may think fit, and for the advancement of learning and the dissemination of knowledge in such branches.

The Government of India shall authorize the Institute to confer degrees, diplomas and other academic distinctions or titles in the manner to be laid down for the purpose.

Article 3

The Government of the Federal Republic of Germany shall, in accordance with special arrangements, provide the following at its own expense:

(a) laboratory equipment, workshop equipment, auxiliary equipment and a library, the total value of these not to exceed DM 15 million c.i.f. ;

(b) a number of German teachers and auxiliary staff for specified periods.

The Government of the Federal Republic of Germany shall ensure the articles supplied until their arrival at their place of installation.

The articles supplied by the Government of the Federal Republic of Germany shall be handed over to the Government of India at the Institute site and shall thereby become the latter Government's property.

It shall be incumbent on the Government of India to procure the necessary import licences, to attend to the customs formalities, to arrange for the transport from the port of disembarkation to the place of installation of

the articles supplied and to carry out such installation of the articles supplied as is possible with local means. The Government of India shall also ensure their proper maintenance.

The Government of the Federal Republic of Germany shall arrange for twenty Indian engineers intended as teachers at the Institute, to be trained in the Federal Republic of Germany in accordance with the special arrangements.

Article 4

The Government of India shall, in accordance with special arrangements, provide the following at its own expense :

- (a) all the land, buildings and appurtenances necessary for the running of the Institute;
- (b) suitable accommodation for the German staff;
- (c) a number of Indian teachers, administrative and auxiliary staff.

The Government of India shall also undertake the running expenses for the operation and maintenance of the Institute.

Article 5

The Institute shall be organized and operated in accordance with plans to be prepared by the Government of India in consultation with the Government of the Federal Republic of Germany.

Adequate consideration shall be given to the advice of the German teachers as regards the direction of the Institute and the planning of teaching.

In respect of the fulfilment of their obligations the German teachers and auxiliary staff shall be immediately subordinate to a member of the German teaching staff, said member to be designated by the Government of the Federal Republic of Germany, the overall control resting with the Director.

Article 6

Unless exceptional circumstances so require, the German teachers and auxiliary staff shall not be required during Institute vacations to do any work not connected with their functions at the Institute.

The Government of India shall ensure that the German teachers and auxiliary staff to be despatched to India under this Agreement, are granted privileges and concessions in respect of taxes, customs duties, etc., in accordance with special arrangements.

The German teachers and auxiliary staff shall not be required to undertake any work not connected with their functions at the Institute.

Article 7

The Government of the Federal Republic of Germany shall endeavour in agreement with the Government of India to promote scientific and cultural cooperation between the Institute and German institutions of higher learning.

Article 8

The present Agreement shall come into force on the day of its signature. It shall terminate after a period of five years, but may be extended for such further period as may be mutually agreed between the Government of India and the Government of the Federal Republic of Germany.

DONE at Bonn, this seventh day of August, one thousand nine hundred and fifty-eight, in duplicate in the English and German languages, each text being equally authentic.

For the Government of India

Sd/- (B.F.H. TYABJI)

For the Government of the Federal Republic of Germany:

Sd/- H. VAN SCHERPENBERG

SPECIAL ARRANGEMENT

Supplementary to the Agreement of the 7th August, 1958 between the Government of India and the Government of the Federal Republic of Germany regarding the Establishment of an Institute of Technology in India. Ad Article 3

(a) German contributions shall The Government of the Federal Republic of Germany shall provide at its own expense for the departments to be established by it and which remain to be specified :

(1) the laboratory equipment required for the training of students, advanced work and research,

(2) the technical equipment, required for the practical training of students, of

a carpentry with saw-mill, including patternshop,

an iron and metal foundry,

a welding shop (gas and electrical),

a fitting shop,

a machine tool shop,

a smithy and small hardening shop, an electrical workshop, a general machine shop, an instrument maker's shop,

(3) the following equipment required in the departments for teaching and operational purposes :

epidiascopes and a projector for standard and small films,

apparatus and appliances for a photographic shop, machinery and appliances for typing and drawing offices, an offset printing and duplicating machine as well as a heliographic workshop,

(4) German books and periodicals for the period ending with the return of the German teachers appointed by the German Federal Government.

The list of supplies shall be settled by the German Government in consultation with the Government of India.

(b) German teachers and auxiliary staff

The Government of the Federal Republic of Germany shall make available at its expense a number of German teachers for the departments to be established by it. As far as possible, twenty specialists with teaching or industrial experience should be selected for this purpose and appointed according to their qualifications and subject to the mutual agreement of the two Governments or of such agencies or persons as these Governments may respectively designate. Such of the teachers as have been found suitable will, as a rule, be placed in charge of Departments of the Institute.

The Government of the Federal Republic of Germany shall furthermore at its expense make available, if possible, four German foremen for the workshops.

The German teachers should arrive at the Institute approximately six months before taking up their teaching duties in order, without prejudice to the provisions of Article 7, to prepare their work; they should remain there until degrees have been awarded for the first time, and during such further periods as may be agreed upon in each case.

The foremen should arrive at the Institute before the work of equipping the workshops has started; they should remain in charge of these workshops during a period of not less than two years. The overall direction of all the workshops and of the practical training of students shall be entrusted to a German teacher by the Director of the Institute.

The German teachers and auxiliary staff shall not be allowed to undertake industrial consultative work or any other extraneous occupation except with the consent of the Director. Any remuneration to be paid for any such activity! shall be fixed according to Indian Government regulations.

The German teachers and auxiliary staff shall enjoy the same conditions of service as Grade I Officers of the Government of India.

(c) Special instruction for Indian teachers

(1) The Government of the Federal Republic of Germany shall enable twenty Indian engineers, intended as future teachers at the Institute, to have two years of special instruction at German institutions of higher learning, as well as practical training in German industry during the academic holidays. For this purpose the said Government shall grant :

(a) free travel by boat in tourist or equivalent class, and free railway travel, second class, in Europe to the placing of training, as well as a like return trip to the port of disembarkation in India;

(b) a scholarship of DM 450,-per month, to begin on the day of arrival in the Federal Republic of Germany and to end on the day of departure from the Federal Republic of Germany;

(c) a study subsidy of DM 250,-per annum;

(d) payment of the study fees at German institutions of higher learning.

(2) The two years' instruction shall include a course in the German language.

(3) The fields of study and the programme of instruction shall be settled in consultation between the two Governments or between such agencies or persons as these Governments may respectively designate. The place of instruction shall be determined by the Government of the Federal Republic of Germany.

(4) At the end of the instruction period, which shall not lead to the award of an academic degree, there shall be examinations for the purpose of assessing the results achieved.

(5) In the case of unsatisfactory behaviour or unsatisfactory progress, the Government of the Federal Republic of Germany shall inform the Government of India accordingly, who shall thereupon at its own expense repatriate the scholarship holder concerned, should that course become necessary.

(6) The Government of India shall ensure that the scholarship holder sign a bond to return to India without delay upon completing their instruction period and to assume their functions, as contemplated, at the Institute.

(7) The Government of India shall select the persons to be so instructed and shall send to the Federal Republic of Germany between six and ten of them in 1958, and the remaining persons in July 1959.

11. Ad Article 4, paragraph 1 :

(a) Indian contributions to the Institute

The Government of India undertakes :

(1) to establish and maintain, for teaching, laboratory and workshop purposes, suitable buildings with adequate lecture rooms, drawing offices, workrooms for teachers and auxiliary staff as well as all requisite auxiliary rooms;

(2) to provide all these rooms respectively with such necessary interior equipment as does not fall under German contributions, and to ensure adequate supplies of lighting and fans, electric power and water;

(3) to arrange for the installation of appliances and machines in the laboratories and workshops;

(4) to supply the appliances, tools and materials required, in addition to the German contributions for the installation of the equipment and the current needs of the Institute;

(5) to establish a library and equip it with such necessary books and periodicals as do not fall under German contributions;

(6) to take effective measures to protect articles of equipment from loss or damage.

(b) Accommodation for the German personnel

The Government of India undertakes :

(1) to make available and maintain for the German personnel, at the said Government's expense and in good time, modern homes with kitchen, sanitary installations and garage, of the same quality and size as are inhabited by comparable personnel at other institutes;

(2) to supply these homes adequately with electrical current for lighting and power (rotary current 220/380 V, 50 Hz), as well as with water, fans and window shutters;

- (3) to provide separately accommodation for two man-servants and their families for each German teacher;
- (4) to furnish the homes on the scale laid down by the said Government for Indian Officers Class I and without expense to their occupants, and to maintain such furniture;
- (5) to render assistance in the installation and maintenance of such electric household appliances and air-conditioning equipment, used by the German teachers and auxiliary staff, as may be connected with the facilities available at the Institute. The cost of such services rendered shall be borne by the German teachers and auxiliary staff members.

(c) Indian teaching, administrative and auxiliary staff

The Government of India undertakes :

- (1) to make available, in accordance with the directives applying in comparable Indian institutes, all such teaching and auxiliary staff for teaching, laboratory and workshop purposes as may be required in addition to the German personnel;
- (2) to make provision for other staff members to take over the work of the German teachers when they leave. Any German teacher may, subject to the consent of the Director, select one of the Indian staff members and act as his mentor and adviser.

III. Ad Article 5, paragraph I

(a) Period of studies

The study period leading to the award of the degree of Bachelor of Technology shall be of five years' duration. A sufficient part of the first year should be devoted to practical training in the Institute workshops.

(b) Departments of the Institute

The number of Institute departments shall be determined by the Government of India. German participation may preferably be limited to technological departments, to be agreed upon by mutual consultation.

(c) Curricula

The curriculum for the study period in those departments in whose establishment the Government of the Federal Republic of Germany participates, shall be drawn up in the first instance by that Government and submitted for comment to the Government of India. The curriculum shall be finally established by the Academic Council of the Institute.

IV. Ad Article 6, paragraph 2 :

The Government of India shall accord to the German teachers

and auxiliary staff the following privileges :

- (1) Exemption from payment of Indian income tax and other public charges,
- (2) Duty-free concessions available under the normal baggage rules,
- (3) Duty-free import of the following articles
 - (a) one personal automobile or motor cycle, (b) one refrigerator and/or homefreezer,
 - (c) one radio or radio-gramophone,
 - (d) minor electrical appliances and accessories, (e) air-conditioners,
 - (f) professional equipment and gadgets, on condition that those articles shall be exported again when the teachers or auxiliary staff members leave India on the completion of their assignments, and that, if any of these articles are disposed of in India, customs duty, at the rate leviable, shall be paid by the teachers or auxiliary staff members concerned;
- (4) Free medical care as under the Colombo Plan.

DONE at Bonn, this seventh day of August, one thousand nine hundred and fifty-eight, in duplicate in the English and German languages, each text being equally authentic.

For the Government of India

Sd/- B.F.H. TYABII

For the Government the of Federal Republic of Germany

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