

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

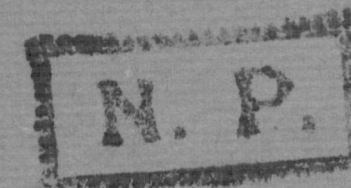
Regd.

1910.

Enclosures

Spare copies

G.O., No. 445, 28th July 1910.



University Regulations.

Shelly Directing that G.O., No. 302, Educational, dated 27th May 1910, regarding certain alterations in the — will come into force at once instead of from the commencement of the academic year 1911-1912.

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

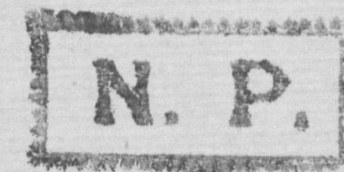
Regd.

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Enclosures

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G.O., No. 445, 28th July 1910.



University Regulations.

Directing that G.O., No. 302, Educational, dated 27th May 1910, regarding certain alterations in the — will come into force at once instead of from the commencement of the academic year 1911-1912.

GOVERNMENT OF MADRAS.
EDUCATIONAL DEPARTMENT.

READ—the following paper :—

G.O., No. 302, Educational, dated 27th May 1910.

ABSTRACT.—Sanctioning certain alterations in Regulations 178, 184, 185, 186, 189 and 199 of the University Regulations and directing that they shall come into operation from the commencement of the academic year 1911-1912 so as to affect the Intermediate Examination of 1913.

Order—No. 445, Educational, dated 28th July 1910.

On further consideration, the Government are pleased to cancel the last sentence of G.O., No. 302, Educational, dated 27th May 1910, which directed the postponement, until the commencement of the academic year 1911-1912, of the coming into operation of the alterations in University Regulations Nos. 178, 184, 185, 186, 189 and 199, which were approved in the said order. The above Regulations as amended will come into force at once.

(True Extract.)

L. M. WYNCH,
Ag. Secretary to Government.

To the Registrar, Madras University.
" Director of Public Instruction.
Editors' Table (order only).

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 445, EDUCATIONAL,
DATED 28TH JULY 1910.

[SUBJECT.—*University Regulations.*]

Mr. Justice Wallis was speaking to me yesterday evening about the recent Government Order regarding the amendment to the University Regulations regarding the courses of study for the intermediate examination.

He says the Government Order directs that the regulation should come into force from some future date, and that the Syndicate have been advised that this is *ultra vires* as being a modification of the regulation which was intended to come into force at once.

Please let me see the papers.

L. M. WYNCH—5-7-10.

G.O., No. 302, Educational, dated 27th May 1910, is submitted. Attention is invited to the last paragraph of the Director of Public Instruction's note on page 6 of the notes connected with the Government Order and to the Honourable Member's note on page 7 of the same.

T.K.—5-7-10.

S. H. SLATER—5-7-10.

I do not quite see how it was *ultra vires* of Government to fix a date for the coming into force of the new regulation, but as I understand a reference is on its way about the matter the office may as well look into it.

The difficulty apparently is as regards the students who entered college last January. They will have to take the Intermediate examination in 1912 under the old regulation I suppose.

L. M. WYNCH—5-7-10.

Demi-official—from A. Y. G. CAMPBELL, Esq., I.C.S., Private Secretary to His Excellency the Governor.

To—the Secretary to Government, Educational Department.

Dated—Ootacamund, the 19th July 1910.

With reference to the enclosed letter from the Vice-Chancellor, I am desired to enquire how matters stand at present.

ENCLOSURE.

Demi-official—from the Hon'ble Mr. J. P. WALLIS, Vice Chancellor, University of Madras.

To—the Private Secretary to His Excellency the Governor.

Dated—the 25th June 1910.

The Manager of the University has sent me G.O., No. 302, dated 27th May 1910, sanctioning certain amendments to the regulations, but *postponing* their coming into force until the commencement of the academic year 1911-1912. He also has sent

me a letter from Krishnaswami Aiyar, J., objecting that the postponement is *ultra vires* and will give rise to difficulties. I shall have to put the letter before the Syndicate, but think it better to mention it at once to His Excellency the Chancellor, so that Government may be in a position to consider whether the Government Order should not be modified and the regulations allowed to come into force at once.

I am inclined to agree with Krishnaswami that a postponement of regulations which as passed would come into force at once is a modification of the regulations which Government has no power now to make, and is not the sort of sanction contemplated by the Act.

The Government Order does not give the reasons for the postponement but Krishnaswami points out that the amendments are enabling only and will not impose any hardship if allowed to come into force at once, also that in case of postponement, candidates who pass the next intermediate under the unamended regulations in group IV will not find in the amended regulation 189, which will be in force when they go up for the B.A., any provision as to what B.A. groups having passed group IV of the intermediate qualifies them for, as the amended regulations as passed do away altogether with group IV (intermediate). I shall be obliged if you will mention this matter to His Excellency.

EDUCATIONAL DEPARTMENT.

Let me have the papers please. No date was mentioned by the Senate. The Director of Public Instruction said it was necessary to fix one and suggested July 1911, which was accordingly done in the Government Order.

L. M. WYNCH—19-7-10.

The papers are submitted—*vide* G.O., No. 302, Educational, dated 27th May 1910. In that order the Government sanctioned certain alterations in and additions to the University Regulations proposed by the Senate and, in doing so, they directed that the amended regulations shall come into force from the commencement of the academic year for 1911-1912 so as to affect the intermediate examination of 1913.

Vide Dr. Bourne's note on page 6 of the notes with G.O., No. 302, Educational, dated 27th May 1910. This date for the coming into force of the amended regulations was fixed at the instance of the Director of Public Instruction who said "before final approval a

"date should be fixed for the coming into operation of the amended regulations. "Students entering college in July 1911—many of them with school-leaving certificates—might well have the option of the various courses proposed and the new "regulations might be made to affect the intermediate examination of 1913"—*vide* the last paragraph of Dr. Bourne's note, dated 29th April 1910, on page 6 of the notes with G.O., No. 302, Educational, dated 27th May 1910.

2. In the Vice-Chancellor's letter to the Private Secretary to His Excellency the Governor, it is contended that the fixing of a date by Government for the coming into operation of the altered regulations or, in other words, the postponing of the coming into force of the altered regulations until the commencement of the academic year for 1911-1912 is *ultra vires* and that it will give rise to difficulties. It is urged that it is *ultra vires* because under the Act (section 25 (1) of the Indian Universities Act) the Government have no power to make any modification in the regulations framed by the Senate; and that it will give rise to difficulties, because candidates who pass the next intermediate examination in group IV under the unamended regulation 178, will not find

This seems a reasonable objection and I should like to know what the Director of Public Instruction says to this. M. H. [AMMICK]. in the amended regulation 189, which will be in force when they go up for the B.A. examination, any provision as to what B.A. group a pass in group IV of the Intermediate examination qualifies them for.

3. Under regulation 178 (unamended) there are four groups of optional subjects for the intermediate examination, and under regulation 189 (unamended) there are seven optional groups for the B.A. Degree examination, and it is laid down in the latter regulation for which of the groups of the B.A. each of the four groups of the intermediate will qualify. The amended regulation 178 does away with the fourth group of the intermediate examination and regulation 189 has also been amended correspondingly.

Page 23 of G.O., No. 841, Educational, dated 27th December 1906.

Pages 28 and 29 of G.O., No. 841, Educational, dated 27th December 1906.

Vide pages 10 and 15 of G.O., No. 302, Educational, dated 27th May 1910.

4. The first intermediate class was opened in January 1909 and the second class in January 1910. The candidates in the former class will appear for the intermediate examination in April 1911, and those in the latter in April 1912. The Government have directed that the amended regulations shall come into force in the academic year for 1911-1912, *i.e.*, in July 1911, so that they may affect only those candidates

* That is, the Intermediate course. who enter the college* in July 1911 and who will appear for the intermediate examination in April 1913. It is observed that the candidates who will pass the intermediate examination at the examinations of April 1911 and April 1912 will also be affected by the amended regulations, which will be in operation when they have to enter on their B.A. course; for, the amended regulations make no provision as to what group of the B.A. could be taken by such of the candidates as have passed in group IV at the intermediate examinations of 1911 and 1912. This is the difficulty pointed out in the Vice-Chancellor's letter. If immediate effect is given to the

Vide topmost paragraph on page 6 of G.O., No. 302, Educational, dated 27th May 1910. amended regulations, the 35 candidates who joined the intermediate class in January 1909 and who have taken up group IV for the intermediate examination will have to change their optional subject to group III, but this need not involve any change in the subjects. There appears therefore to be no objection to giving immediate effect to the amended regulations.

5. As regards the sanctioning power of Government in the matter of University Regulations, both the Vice-Chancellor and Mr. Justice Krishnaswami Aiyar seem to consider that section 25 (1) of the Indian Universities Act does not give the Government power to make any additions to, or alterations in, the draft regulations submitted by the Senate. There is no express provision in this section similar to that contained in section 26 (1) (b) of the same Act, although even under the latter section (the provisions of which have now been spent) the Government could make additions or alterations only after consulting the Senate. The Vice-Chancellor considers that the postponement of the coming into force of the regulations is an alteration of the regulations within the meaning of section 25 (1) of the Act. But it is submitted that the direction as regards postponement was conveyed only by an executive order of Government and not by an alteration of the draft regulations submitted by the Senate. Although therefore technically speaking there has been no alteration of the regulations, the direction in the Government Order has the effect of such an alteration, and in this view, the direction is *ultra vires*. It is therefore for consideration whether the last sentence of G.O., No. 302, Educational, dated 27th May 1910, may be cancelled.

K. RANGASWAMI AIYANGAR—19-7-10.

Submitted that the Government Order may be modified in view of the technical and practical objections now raised.

S. H. SLATER—20-7-10.

To the Director of Public Instruction for favour of remarks.

L. M. WYNCH—21-7-10.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

The lawyers may be right. I do not however think they could object to a refusal on the part of the Government to accept the proposed regulations.

A | The ground for the refusal being the undesirability of making such important changes without due notice may be stated, and an intimation of the least notice desirable added.

I should be disposed to adopt this course in the interests of discipline. I expect that a number of students (candidates for the next examination) have traded upon the possible change, as a result of newspaper reading, and have neglected their vernacular.

B | The specific difficulty raised by Mr. Justice Krishnaswami Aiyar with regard to postponement affecting certain candidates may be otherwise dealt with.

A. G. BOURNE—23-7-10.

EDUCATIONAL DEPARTMENT.

For orders whether the suggestions made by the Director of Public Instruction at **A** and **B** may be accepted.

L. M. WYNCH—25-7-10.

It will be noticed (page 5 of the notes to G.O., No. 302, dated 27th May 1910) that Mr. Galletti who probably consulted his Indian friends on the subject said—“The subject (*i.e.*, vernacular composition) is, I understand, not being taught in the colleges in spite of the regulation 178”!

This means that although the Senate and Government laid down a certain subject for examination, the masters and lecturers in the colleges have taken their own line and refused to teach it, meanwhile agitating members of the Senate—the Hon’ble Mr. Justice Krishnaswami—no doubt being one of them—to get the regulation repealed. This surely is not proper. Imagine the University of Oxford laying down a subject for “small” or “mods” as compulsory, and the college authorities urging their pupils *not* to study it and meanwhile doing all they could to get the regulation altered!

It is another symptom of the kind of discipline that exists in our colleges here! It is all on a par with the Matriculation agitation and the feeling that the University is to do nothing but make its scheme of examination acceptable to all the school boys who desire to get a degree!

Dr. Bourne spoke to me on the subject and in the interest of discipline he was anxious that, if possible, we should get over the difficulty in the way he suggests above. He has gone to Madras and I should like to speak to him again upon the subject when he returns to-morrow. He said that if he found there were serious difficulties in the way he would prefer to see the new regulation sanctioned at once. But he considered, if there were not serious difficulties, in the interests of discipline we should insist on the boys who have been reading or supposed to be reading according to the existing rule being examined under that rule.

The papers had better go to His Excellency who desires to see how matters stand and they can be returned to me, when I shall have seen Dr. Bourne and heard what he has to say after he has heard what passes at the meeting of the Syndicate to attend which he has gone to Madras.

M. H[AMMICK]—26-7-10.

I have discussed this matter with the Honourable Member and I agree with him that we may accept the proposal now made by the Director of Public Instruction to cancel the last sentence of G.O., No. 302, dated 27th May 1910.

A. L[AWLEY]—27-7-10.

Dr. Bourne who has come back from Madras says the Syndicate meeting without a dissentient vote resolved on asking Government to withdraw the condition and he thinks we should do so. We had better do it *at once* without waiting for a representation from the Senate. Will the Secretary kindly get the order issued, if possible, to-morrow?

M. H[AMMICK]—27-7-10.

Please draft.

L. M. WYNCH—28-7-10.

The draft is for approval.

K. RANGASWAMI AIYANGAR—28-7-10.

S. H. SLATER—28-7-10.

Issue.

L. M. WYNCH—28-7-10.

[G.O., No. 445, Educational, dated 28th July 1910.]

Abraham

19

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No. 445, dated 2.8.10

P

That one

S. C. W. 10/10

On further Consideration,
the Government are pleased to
Cancel the last sentence of G.O.
No. 302 Est. dated 27th May 1910,
which directed the
postponement, until the Commencement
of the academic year 1911-12, of the
Coming into operation of the
alterations in University
Regulations Nos. 178, 184, 185,
186, 189 and 199, which were
approved in the said order.
The above Regulations as amended
will come into force at once.

The Registrar, Madras University

D. P. 9. ✓

S.T. (order only)

Placed on E.T. 2/8/77/10.

Sum
28/-

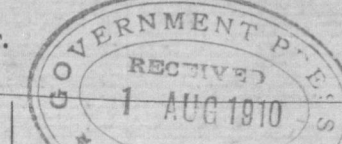
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28/7/60

ORDINARY.

PREFERENCE.

URGENT (a).

EDUCATIONAL DEPARTMENT.



Current No., dated 19 ..

G.O., No. 445, dated 28-7-1910.

(b)
Number of MS. pages sent { Correspondence including order or orders
(b¹)
Notes.....

Docket. *University Regulations*
Directing that 302 Old 27th 1910
replacing the alterations in certain
will come into force at once instead
of from the commencement of the
academic year 1911-12.

(c)
Number of copies required when struck off (not including
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correspondence
and orders. Notes

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OOTY.

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B

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at once.

C

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Type may be released after usual interval.

Clerk.

Clerk.

Clerk.

Supdt.

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