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Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

} 1911.

Enclosures

Spare copies

G.O., No. 550, 8th August 1911.

Proctor - C. S. J.

ORDER — 6

G.O. No. — 8

Total Page 2/550

Law College.

Appointing certain gentlemen to be members of the Law College Council, Madras, and to hold office for a period of five years.

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தமிழ்நாடு ஆவணக்காப்பகம்

பாதுகாப்பு (Pr1) பிரிவு

பணி எண்: 78/51

செப்பனிட்டவரின் பெயர்

ச. ரெண்டன்

ஆவணத்திலுள்ள மொத்த தாட்கள்

8

செப்பனிட்ட முடித்த நாள்

13.05.15

செப்பனிட்டவரின் கையொப்பம்

ச. ரெண்டன்

9/4/15

-- சரிபார்க்கப்பட்டது --

பணி வழங்கிய எழுத்தர்
(Issue Clerk)

19/5

பணி சரிபார்த்த எழுத்தர்
(Checking Clerk)

பிரிவுத் தலைவர்

GOVERNMENT OF MADRAS.
EDUCATIONAL DEPARTMENT.

Order—No. 550, Educational, dated 8th August 1911.

His Excellency the Governor in Council is pleased to appoint the undermentioned gentlemen to be members of the Law College Council, Madras, and to hold office for a period of five years:—

- (1) The Hon'ble Mr. Justice P. R. Sundara Aiyar, Judge, High Court.
- (2) The Hon'ble Mr. P. S. Sivaswami Aiyar, C.E., Advocate-General.
- (3) C. F. Napier, Esq., Government Pleader.
- (4) M.R.Ry. S. Srinivasa Aiyangar Avargal, Secretary, High Court Vakils' Association.

(True Extract.)

L. DAVIDSON,
Ag. Secretary to Government.

To the Director of Public Instruction.
" National Department.
" Accountant-General (for civil list).
" Editors' Table.

CONFIDENTIAL.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 550, EDUCATIONAL,
DATED 8TH AUGUST 1911.

[SUBJECT—The Madras Law College Council.]

It was brought to my notice during the course of my inspection of the Law College on behalf of the university that the Law College Council had dwindled in numbers, considerably by death and by resignation. The council itself does not appear to have met for some years. If there is any reason for the constitution of a council and its continuance, it ought to be maintained at its proper strength. Will the Secretary kindly put up a note and send it to me through the Honourable Member?

V. K. [RISHNASWAMI AIYAR]—3-4-11.

The Law College Council.—Under rule 2 of the rules regulating the constitution and working of the Law College, the general management of the Law College is vested, subject to the control of the Director of Public Instruction, in a council which shall consist of two or more Judges of the High Court, one of whom shall be President, the Principal, the junior professor, and such other members as may be appointed by Government.

2. The Law College Council was constituted originally in 1891 when the college was first established. Rule 2 of the original rules of the Law College provided that the government of the college should be vested in a Principal aided by a consultative council composed of the Principal, the professors and of any other members who might be appointed by Government. In the year 1900 when submitting proposals for making the college a permanent institution of the State, the Government proposed to abolish the council of the college on the ground that dual control over the college was undesirable. The Government of India objected to this proposal: they considered that it would be to the advantage of the institution to place it in direct contact with the Judges of the High Court and the legal profession and suggested that the council might be reconstituted and that the opinion of the Chief Justice and Mr. Justice Shephard, who was then Senior Puisne Judge and Vice-Chancellor of the Madras University might be obtained on the constitution of the college. The Chief Justice and Mr. Justice Shephard, who were consulted accordingly, objected to the abolition of the council but considered that it might be reconstituted so as to consist of two Judges of the High Court, two law officers, a leading vakil, and perhaps the Chief Judge of the Small Cause Court or the City Court Judge. They also stated that the Principal should be a member of the council but not the chairman.

3. The Government considered that it was undesirable to restrict the selection of members of the council too rigidly and recommended to the Government of India that the council should consist of two or more Judges of the High Court and of such other members, not being professors of

the college, as might be appointed by the Government. They also stated that the G.O., No. 518, Educational, dated 13th September 1901.

Government of India and of the Secretary of State.

4. The council was accordingly re-constituted in 1901—*vide* G.O., No. 681, Educational, dated 21st November 1901. After its re-constitution the council consisted of—

President.

The Hon'ble Sir C. Arnold White, Kt., Chief Justice.

Members.

The Hon'ble Mr. Justice R. S. Benson.
The Hon'ble Mr. Justice H. T. Boddam.
The Hon'ble Justice Sir V. Bhashyam Aiyangar.
The Hon'ble Mr. J. E. P. Wallis.
Mr. R. B. Michell.
Mr. R. A. Nelson (Principal).
Mr. C. E. Odgers (Junior Professor).
M.R.Ry. Diwan Bahadur C. Ramachandra Rao Sahib.
M.R.Ry. M. O. Parthasarathi Aiyangar.

5. In the year 1904 Mr. R. B. Michell retired from the service and left India, and the Government appointed Mr. J. G. Smith in his place—*vide* G.O., No. 628, Educational, dated 14th October 1904. In the year 1908 Messrs. J. G. Smith and H. T. Boddam and Sir V. Bhashyam Aiyangar died and in 1909 Diwan Bahadur C. Ramachandra Rao Sahib also died. In place of these persons no appointments have yet been made.

6. In consequence of these vacancies the Law College Council now consists of—

President.

The Hon'ble Sir C. Arnold White, Kt., Chief Justice.

Members.

The Hon'ble Mr. Justice R. S. Benson.
The Hon'ble Mr. Justice J. E. P. Wallis.
Mr. R. A. Nelson (Principal).
Mr. C. E. Odgers (Junior Professor).
M.R.Ry. M. O. Parthasarathi Aiyangar.

7. M.R.Ry. M. O. Parthasarathi Aiyangar, District and Sessions Judge, Góddavari, resides outside Madras: his place on the council may therefore be regarded as vacant. The members of the council who are resident in Madras thus consist of three Judges of the High Court and the Principal and the junior professor of the college.

8. *Meetings of the council*—Under rule 3 (b) of the Law College rules, the President shall call a meeting of the council at such times as he may deem fit or at any time on the requisition of any two members of the council. Originally the rules required that the council should meet at least once a quarter and at such other times as the President might deem fit. In 1903 no meeting of the college

Page 48 of the Law College Calendar for 1910. Rule 3 on page 3 of G.O., No. 483, Educational, dated 15th August 1902.

the year 1903 no meeting of the college G.O., No. 353, Educational, dated 8th June 1904.

at least once a quarter and requested the Director of Public Instruction to invite the attention of the President of the council to the matter. They also observed that even if there was no specific business for special consideration it was desirable that the council should meet to hear the report of the Principal on the state of affairs.

G.O., No. 263, Educational, dated 20th April 1905.

9. Thereupon the college council proposed that rule 3 of the college rules should be altered as follows:—

"3. (a) The Principal shall, at the end of each term, circulate a report to the members of the council on the state of affairs of the college.

"(b) The President shall call a meeting of the council at such times as he may deem fit."

The Government considered that the alteration proposed by the council put the power of calling a meeting entirely into the hands of the President, and after consulting the council altered the rule as follows:—

"3. (a) The Principal shall at the end of each term circulate a report to the members of the council on the state of affairs of the college.

"(b) The President shall call a meeting of the council at such times as he may deem fit, or at any time on the requisition of any two members of the council."

10. An examination of the college reports for the last ten years shows that after its re-constitution in 1901 the college council met only twice—once on the 9th January 1902 soon after its re-constitution, and again on the 9th November 1904 to consider the question of altering rule 3 of the college rules, which is referred to in the preceding paragraph. In the remaining years it is recorded that no matter necessitating a meeting of the council arose and that consequently no meeting was held. Please see paragraph 4 of reports on page 2 of G.O., No. 366, Educational, dated 25th May 1906, and page 2 of G.O., No. 341, Educational, dated 4th June 1907; paragraph 5 of reports on page 2 of G.O., No. 350, Educational, dated 8th May 1908; page 2 of G.O., No. 306, Educational, dated 21st May 1909; and page 2 of G.O., No. 277, Educational, dated 23rd May 1910.

T.K.—22-4-11.

11. The Director of Public Instruction should have reported to Government the vacancies on the college council as they occurred and should have also submitted proposals for filling them. It is for consideration whether he may now be called upon to submit proposals for filling the vacancies on the council.

K. RANGASWAMI AIYANGAR—25-4-11.

M. S. MASCARENHAS—26-4-11.

Did not Sir M. Hammick to-day return some notes in which Mr. Kristi-yami Aiyar indicated his views as to the proper constitution of the council? If so, please put up those notes as soon as the reference ordered therein has issued.

L. DAVIDSON—27-4-11.

* G.O., No. 519, Educational, dated 31st July 1911.

Please see linked file.* The reference ordered therein has issued.

K. RANGASWAMI AIYANGAR—28-4-11.

M. S. MASCARENHAS—1-5-11.

Await reply to it and then submit both files. They overlap.

L. DAVIDSON—2-5-11.

Mr. Parthasarathi Aiyangar may be asked to resign. In the other file I suggested some names and Sir M. Hammick has accepted. They may be appointed for five years. His Excellency may like to see.

V. K[ISHNASWAMI AIYAR]—7-6-11.

Extract from the Notes to G.O., No. 519, Educational, dated 31st July 1911.

"It is an attenuated council now. Let us first appoint the full number. The present strength is five, I believe. I would add Justice Sundara Aiyar, the Advocate-General, the Government Pleader and Mr. S. Srinivasa Aiyangar. The last I consider to be the best lawyer in Madras.

V. K[RISHNASWAMI AIYAR]."

The notes have been printed and the file is re-submitted.

K. RANGASWAMI AIYANGAR—17-6-11.

M. S. MASCARENHAS—19-6-11.

L. DAVIDSON—20-6-11.

I am quite ready that—

- (1) Mr. Justice Sundara Aiyar,
- (2) the Advocate-General,
- (3) the Government Pleader,

should be added to the council. As to Mr. S. Srinivasa Aiyangar, I don't know him and the only thing that struck me is that he is apparently only thirteen years' standing as a vakil. I see he seems to have been admitted to practise in the High Court in 1898. Is he not too young? I should almost think that the council should contain only lawyers of some seniority and age. They should be a weighty body. However, if my Honourable Colleague think S. Srinivasa Aiyangar so distinguished as a scholar as to justify his appointment and His Excellency agree, I will not object.

C.

M. H[AMMICK]—21-6-11.

I hardly know Mr. S. Srinivasa Aiyangar, as in the case dealt with in the linked file, I should like to hear what the Hon'ble Mr. Krishnaswami Aiyar has to say regarding Sir M. Hammick's comment on the proposal.

A. I[AWLEY]—10-7-11.

I noted on the 10th itself but by oversight on page 7 of the notes on the other file. I have nothing to add to that. If the notification refers to Mr. S. Srinivasa Aiyangar as Secretary, Vakils' Association, I don't expect any complaint at all. I would strongly recommend the appointment. But if His Excellency thinks it is wrong, I would urge the name of the Hon'ble Mr. L. A. Govindaraghava Aiyar, a man of sterling character.

V. K[RISHNASWAMI AIYAR]—12-7-11.

Extract from page 7 of the notes to G.O., No. 519, Educational, dated 31st July 1911.

"I have spoken to Sir M. Hammick. He is the Secretary to the Vakils' Association, an office held successively by me, the Hon'ble Mr. Sivaswami Aiyar and Mr. Justice Sundara Aiyar. He succeeded Mr. Sundara Aiyar. There may be some jealousy. But his pre-eminence as a lawyer recognized by the Syndicate in appointing him M.L. Examiner ought to count. He is a vakil, I believe, of twelve years' standing.

V. K[RISHNASWAMI AIYAR]."

I am sorry that I missed the note on page 7 of the other file.

I believe Mr. Srinivasa Aiyangar is regarded as a brilliant lawyer and he is Secretary of the Vakils' Association.

I agree that he may be invited to be on the council and also—

Mr. Justice Sundara Aiyar.
The Advocate-General.
The Government Pleader.

A. I[AWLEY]—12-7-11.

A draft demi-official to the gentlemen concerned is submitted for approval. The notes in the connected file are printing. In the meantime this demi-official may issue.

T.K.—16-7-11.

K. RANGASWAMI AIYANGAR—17-7-11.

Issue.

L. DAVIDSON—19-7-11.

Demi-official—from the Hon'ble Mr. L. DAVIDSON, I.C.S., Acting Secretary to Government, Educational Department.
to the Hon'ble Mr. Justice P. R. SUNDARA AIYAR, Judge, High Court.
to the Hon'ble Mr. P. S. SIVASWAMI AIYAR, C.I.E., Advocate-General.
C. F. NAPIER, Esq., Government Pleader.
M. RY. S. SRINIVASA AIYANGAR, Secretary, High Court Vakils' Association.
Dated—Ootacamund, the 19th July 1911.
No.—1750-1.

There are at present a few vacancies in the Law College Council caused by the death of former members, and the Governor in Council proposes, with your consent, to appoint you to one of those vacancies. Will you please let me know, for the information of Government, whether you would be willing to serve on the Council? The duties, as you will see from the accompanying rules, are not onerous.

This may go marked confidential. If it has already issued, it should be noted that in the order making the appointment the office held by each should be stated. It will indicate the ground of selection though we don't expressly say so.

2. I suggested that the appointment should be limited to five years. The demi-official does not say anything about it. If a person does not take much interest, such an arrangement enables us easily to get rid of him. For example, Mr. M. O. Parthasarathi Aiyangar appointed years ago and absent for years from Madras sticks on. I thought it was understood that he should be asked whether he would not resign.

Please re-circulate to the Hon'ble Sir M. Hammick.

V. K[RISHNASWAMI AIYAR]—25-7-11.

We can, I think, appoint for five years as proposed. I think there is no objection to that. I also think that M. O. Parthasarathi Aiyangar may be asked whether, as he cannot now conveniently attend to the college in Madras as he is in Giddiyari district, he does not think he had better resign. The letter should be as civilly worded as possible.

M. H[AMMICK]—25-7-11.

Demi-official—from C. F. NAPIER, Esq., Government Pleader, Madras.
To—the Secretary to Government, Educational Department.
Dated—Madras, the 21st July 1911.

I am obliged to you for yours of the 19th instant. I shall be very pleased to serve on the council of the Law College.

Demi-official—from the Hon'ble Mr. Justice P. R. SUNDARA AIYAR, Judge, High Court of Judicature at Madras.
To—the Secretary to Government, Educational Department.
Dated—Madras, the 21st July 1911.

In answer to your letter, dated 19th July 1911, demi-official No. 1750-1, I have the honour to state that I am willing to serve on the Law College Council.

Demi-official—from M.R. Ry. S. SRINIVASA AYYANGAR Ayyargal, Secretary, High Court
Vakils' Association.
To—the Secretary to Government, Educational Department.
Dated—Madras, the 22nd July 1911.

I am duly in receipt of your demi-official No. 1750-1, dated 19th instant. I am quite willing to be a member of the Law College Council. Allow me to express my thanks for your letter.

Demi-official—from the Hon'ble Mr. P. S. SIVASWAMI Aiyar, C.I.E., Advocate-General,
Madras.
To—the Secretary to Government, Educational Department.
Dated—Mylapore, the 23rd July 1911.

With reference to your demi-official No. 1750-1 of the 19th instant, I have to express my willingness to serve on the council of the Law College.

The four gentlemen who were consulted have signified their willingness to be appointed members of the Law College Council. A draft order is placed below for approval. A draft demi-official to Mr. M. O. Parthasarathi Aiyangar with reference to the Honourable Member's orders *supra* is also submitted.

K. RANGASWAMI AIYANGAR—28-7-11.

Judicial Department u.o. for acceptance of draft.

L. DAVIDSON—31-7-11.

JUDICIAL DEPARTMENT.

The draft may, it is submitted, be accepted in Judicial.

—3-8-11.

v.K.M.—3-8-11.

S. H. SLATER—5-8-11.

Educational Department u.o.

EDUCATIONAL DEPARTMENT.

Demi-official—from the Hon'ble Mr. L. DAVISON, I.C.S., Acting Secretary to Government, Educational Department.
To—M.R. Ry. Diwan Bahadur M. O. PATTASARATHI AYYANGAR Avargal, District Judge, Gódváral.
Dated—Ootacamund, the 14 August 1911.
No.—1799-2.

As you are now in the Góðavari district and cannot conveniently attend to the duties connected with your office as a member of the Laugavegur Council, I am directed to enquire whether you do not think it better to resign your membership on the said Council.

[G.O., No. 550, Educational, dated 8th August 1911.]

READ AGAIN G.O., No., dated

" " " " , "

19

READ ALSO:—

C. No., From the, No., dated 19.....

" ") " " , ") " 19

ORDER

No. 550, dated 8. 8. 1911

I presume it is not
necessary to have
a formal minute of
applicant passed & signed
by H.E. & Sec^y

His Excellency the Governor
in Council is pleased to appoint
the undermentioned gentlemen
to be members of the Law
College Council, and to hold
office for a period of five
years:—

Verify before ^{me} 1. The Hon^{ble} Mr. Justice P. P. Sundara ayyar
Judge High Court.

8
Y. 1" 2. " " Mr. P. S. Sivaswami aiyar, C.I.E.
Advocate General

3. C.F. Napier Esq., Government Pleader.

4. M.R.D. S. Srinivasa Ayyangar avangal
Secretary, High Court Vellore Association

To The D.P.O.
- Just left
- A.G. RD for civil list
387-11

$\frac{8}{24.7.11}$

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OOHY.

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Clerk.

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Supdt.

(b) Three copies of proof of all notes should be sent for approval, except when instructions are given to the contrary.

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