

(A)
 (Education) (1917) Department.

Ordinary SERIES.

G.O. No. 92

DATED 22-1-1917

INDEXED

[Despatch Abstract.]

University.

Declining to intervene with reference to the protests lodged by Messrs S.K. Ghosh and Sastri, G.A. Natesan and K.B. Ramakrishnan against a re-appointment of the same to the appointment and duties of Professors.

PAPERS PUT UP WITH CURRENT No.

Papers of the department to which the current belongs.

Number.	Date.	Original (=O) or spare copy (=S.C.).	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.
867	2.8.16	s/c		
467	30.4.16	s/c		
470	12.4.16	s/c		
121	5.2.16	s/c		
159M	22.1.16	s/c		
1154	21.10.15	O		
264	31.3.15	O		
1346	20.11.14	O		
778	4.7.14	O		
658	2.6.14	s/c		
557	14.5.14	s/a		
510	2.5.14	s/a		
448	25.4.14	O		
367	1.4.14	O		
278	11.3.14	s/c	Papers of other departments.	
264	5.3.14	O		
Department.	Number.	Date.	Original (=O) or spare copy (=S.C.).	Initials with date of (1) Referencer acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to the department concerned.
672	22.7.13	s/c		
5656	14.1.13	s/c		
394	1.5.13	s/c		
271	25.3.12	s/c		



University of Madras.

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18/7/16

V

No. 5473.

Enclosures.



SENATE HOUSE, 17 JUL 1916

FROM

Francis Dewsbury, Esq., B.A., LL.B.,
Registrar, University of Madras,

TO

The Secretary to Government,
Educational Department.

Sir,

At the meeting of the Senate held on the 3rd March 1916, the Syndicate presented to the Senate a body of Standing Orders adopted by it in connection with the University Professors and their duties; and on the motion of Mr. Mark Hunter, in behalf of the Syndicate, it was resolved that "the sanction of the Senate be accorded to the arrangements embodied in these Standing Orders". A copy of the Agenda for the meeting of the Senate together with a copy of the Minutes thereof is herewith enclosed for the information of Government.

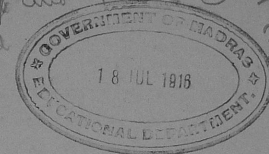
Under Regulation 64, M.R.Ry. S. Kuppuswami Sastri Avl, M.A. lodged a protest against this resolution of the Senate, and in accordance with the provisions of that Regulation, a memorandum of reply thereto has also been prepared by a Committee of three members of the Senate duly elected for the purpose. I have now the honour, by direction of the Syndicate, to submit the protest and the memorandum of reply for the consideration and orders of H.E. the Governor in Council.

I have the honour to be,
Sir,
Your most obedient servant,

Francis Dewsbury
Registrar.

Enclosure I

2/2
para IV on page 7 and pages 23 & 24
above need be read
in this Agenda.



University of Madras

MEETING OF THE SENATE

Friday, March 3, 1916, at 4.30 p.m.

(By Order)

SENATE HOUSE,
February 29, 1916.

FRANCIS DEWSBURY, B.A., LL.B.,
Registrar.

Agenda Paper showing all motions and amendments

I. The Syndicate recommends—

That the following newly appointed Ordinary Fellows
be assigned to the Faculties as under:—

FACULTY OF ARTS

1. Mr. T. Vijayaraghavacharya, M.A.
2. „ P. V. Seshu Aiyar, B.A., LL.T.
3. „ G. Venkataranga Rau, M.A.
4. „ R. Littlehailes, M.A.
5. „ B. Hanumantha Rau, B.A., I.S.O.
6. Nawab Imad-ul-Mulk Saiyid Husain Bilgrami
C.S.I., B.A.
7. Mr. J. L. Simonsen, D.Sc.
8. The Rev. W. C. Penn, M.A.
9. The Rev. W. W. Wallace, M.A.
10. Mr. Gilbert Stater, M.A., D.Sc.

FACULTY OF LAW

1. Mr. Vepa Ramesam Pantulu, B.A., B.L.
2. Dewan Bahadur L. A. Govindaraghava Aiyar,
B.A., B.L.
3. Sir V. C. Desikachariyar, Kt., B.A., B.L.
4. The Hon'ble Mr. Justice Abdur Rahim, M.A.,
Bar-at-Law.
5. Mr. Paul Appaswami, M.A., LL. B., *Bar-at-Law.*

FACULTY OF MEDICINE

Mr. J. R. Henderson, M.B., F.L.S.

To be moved by Mr. B. Hanumantha Rau.

II. The Syndicate recommends—

- (a) That, under section 19 of the Indian Universities
Act, 1904, the following students be granted
exemption from the production of the required
attendance certificates for Part II of the Inter-
mediate Examination of 1916 in the subjects
specified:—

- (1) A. R. Anantakrishna Aiyar, student, Kumba-
konam College, and E. H. Joseph, student,

2
Noble College, Masulipatam, in Malayalam Composition.

- (2) M. R. Dinkar Rau, student, Brennen College, Tellicherry, and S. H. Gopalaswami Naidu, student, Coimbatore College, in Kanarese Composition.
- (3) Miss Camilla Samuels, student, Maharani's College, Mysore, in French Translation.
- (b) That, under section 19 of the Indian Universities Act, 1904, the following students be granted exemption from the production of one year's attendance certificate for Part II of the Intermediate Examination of 1916, in the subjects and years specified :—
 - (1) B. E. D'Moss and M. H. Hesterlow, students, Central College, Bangalore, in French Translation for the *additional* year.
 - (2) G. Rachappa, student, Central College, Bangalore, in French Translation for the *second* year.
- (c) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss Shahzadi Begum and Miss Anna C. Joseph be granted exemption from the production of the required attendance certificates for the Intermediate Examination of 1916.
- (d) That, under section 19 of the Indian Universities Act, 1904, T. S. Sundaram, a former student, Madras Christian College, and T. S. Kuppuswami, a former student, Presidency College, be granted exemption from the production of the *additional* year's attendance certificate for the Intermediate Examination of 1916.
- (e) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss S. Selva Bhagyan, student, Madras College for Women, be granted exemption from the production of the *additional* year's attendance certificate for the Intermediate Examination of 1916.
- (f) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, the following students of the Madras College for Women be granted exemption from the production of the *second* year's attendance certificate for the Intermediate Examination of 1916 :—

Miss M. A. Dweltz.

" M. B. D'Sylva.

" A. Hardy.

" R. S. Swarnambal.

- (g) That, under section 19 of the Indian Universities Act, 1904, the following students be granted exemption from the production of the required attendance certificates for Part II of the Intermediate Examination of 1917, in the subjects

3
specified :—

- (1) A. R. Viswanathan, student, Coimbatore College, in Telugu Composition.
- (2) G. N. Venkata Rau, R. S. Krishna Moorthy, B. M. Srinivasa Moorthy, N. Subramania Aiyar, V. Puttiah, V. Ramiah Setty and H. Chandrasekariah, students, Coimbatore College, in Kanarese Composition.
- (3) B. Padmanabhan, student, Madras Christian College, and Misses A. D'Rozario and L. Burton, students, Government College, Mangalore, in French Translation.
- (h) That, under section 19 of the Indian Universities Act, 1904, P. Bhujangam, student, Madras Christian College, be granted exemption from the production of the *first* year's attendance certificate under Part II of the Intermediate Examination of 1917 in Telugu Composition.
- (i) That, under section 19 of the Indian Universities Act, the following students be granted exemption from the production of the required attendance certificates under Part III Group iii of the Intermediate Examination of 1917 in the subjects and years specified :—
 - (1) R. J. Horsley, student, Central College, Bangalore, in Latin for the *first* and *second* years.
 - (2) N. Appalachary, Ch. Indriah, G. A. Jagannadha Sastry, Bh. Kanakayya, M. Lakshminarayana, A. Mallikarjanudu, K. Nagabhusan, N. V. Neeladriraju, K. Pullayya, Tumu Rama Rau, S. V. Ramachandra Rau, Alapaty Satyanarayana, N. Satyanarayana, V. Satyanarayanamurthy, K. Satyanarayana Rau, B. S. Subrahmanyam, M. Suryanarayana, N. Ch. Venkatachari and U. Venkateswarlu, students, P.R. College, Cocanada, in Telugu for the *first* year.
 - (3) Vaddadi Appa Rau, A. Ramamurthy, Narasimhadwara Satyanarayana and Mangalampalli Suryanarayana, students, P.R. College, Cocanada, in Sanskrit for the *first* year.
- (j) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss E. M. Bower, Sub-Assistant Inspectress of Schools, and Miss L. M. Srinivasa, student, Women's Christian College, Madras, be granted exemption from the production, the former of the *first* and *second* years' attendance certificates, and the latter of the *first* year's attendance certificate, required for the Intermediate Examination of 1917.
- (k) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss Pakkiam Kanthimathy, student, Women's Christian College, Madras, be granted exemption from the production of the *additional* year's attendance

- certificate under Part I, English, of the B.A. Degree Examination of 1916.
- (l) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss Lucy D'Souza, be granted exemption from the production of the required attendance certificate under Part I, English, of the B.A. Degree Examination of 1916.
 - (m) That, under section 19 of the Indian Universities Act, 1904, T. S. Subbaraman, a former student, St. Joseph's College, Trichinopoly, be granted exemption from the production of the *additional* year's attendance certificate under Part II—Group (v)—History and Economics, for the B.A. Degree Examination of 1916.
 - (n) That, under section 19 of the Indian Universities Act, 1904, K. Vyasa Rau, Assistant Master, High School, Chickmagalore, be granted exemption from the production of the *additional* year's attendance certificate under Part I, English, of the B.A. Degree Examination of 1917.
 - (o) That, under section 19 of the Indian Universities Act, 1904, Mr. B. Sanjiva Rao, B.A., Demonstrator of Chemistry, Central College, Bangalore, be granted exemption from the production of the required two years' attendance certificate for the B.A. (Honours) Degree Examination of 1918 in Branch ii-B (Chemistry) with a view to qualifying for the M.A. Degree without Honours.
 - (p) That, under section 19 of the Indian Universities Act, 1904, Messrs. N. C. Vaidyanathaiyar, B.A., T. Mohan Lal, B.A., and C. Kariyappa, B.A., be granted exemption from the production of the required attendance certificates for the L.T. Degree Examination, and that the exemptions be permanent.
 - (q) That, under section 19 of the Indian Universities Act, 1904, Mr. K. Mahadeva Aiyar, B.A., be granted exemption from the production of the required certificate of attendance for the First Examination in Law of 1916 under the Old Regulations, and that the exemption be permanent.
 - (r) That, under section 19 of the Indian Universities Act, 1904, Mr. V. Srinivasagam be granted exemption from the production of the additional certificate after six months' study required by Regulation 296 for the Final M.B. & B.S. Degree Examination, and that the exemption be permanent.
 - (s) That, under section 19 of the Indian Universities Act, 1904, the following persons be granted exemption from the production of the required certificates of attendance for the Oriental Title Examination of 1916 in the subjects specified :—
 - (1) D. Padmanabhan Unni—Malayalam and Sanskrit.

- (2) T. M. Theyyunnai Nair—Malayalam and Sanskrit.
- (3) P. S. Harihara Aiyar—Malayalam and Sanskrit.
- (4) C. I. Gopala Pillai—Malayalam and Sanskrit.
- (5) C. P. Damodara Menon—Malayalam and Sanskrit.
- (6) A. G. Subrahmanyam—Tamil and Sanskrit.
- (7) K. V. Vedantachari—Telugu and Sanskrit.
- (8) A. M. Satagoparamanujacharya—Tamil and Sanskrit.
- (9) K. P. Sankara Pillai—Malayalam and Sanskrit.
- (10) T. Suryanarayana Rau—Telugu and Sanskrit.
- (11) V. Subba Rau—Telugu and Sanskrit.

To be moved by Mr. W. H. James.

III. The Syndicate reports to the Senate under Regulation 96 (vi)—

- (1) That the time-table for the B.A. Degree Examination under the Old By-laws in Branch V (History and Economics) has again been altered so as to allow of common papers being set in Indian History and Political Economy both for that examination and the B.A. Degree Examination under the New Regulations in Group (v)—History and Economics.
- (2) That the time-table for the B.A. Degree Examination under the New Regulations in Group (v)—History and Economics—has been altered so as to allow of a common paper in Language being set for both that Group and Group (vi)—Languages other than English.
- (3) That it has been arranged to antedate the B.L. (Old Regulations), the M.L. and the M.D. & M.S. Degree Examinations of 1916 and the Oriental Title Examination of 1916 so as to begin respectively on April 17, 15, 17 and 10, 1916, in order that all these examinations may be finished before the Easter Holidays commencing on April 20, 1916.
- (4) That it has been arranged to antedate Part I of the B.S.Sc. Degree Examination of 1916 so as to commence on March 27, 1916, instead of on April 4, 1916, the date fixed by the Regulations, in order that there may be a sufficiently long interval between Part I and Part II of the Examination.
- (5) That the time-table for the B.L. Degree Examination of 1916 (Old Regulations) has been slightly altered so that a common paper on 'Indian Constitutional Law' may be set for both that examination and the F.L. Examination (New Regulations).
- (6) That the time-tables of the Oriental Title Examination of 1916 have been altered so as to reduce the total number of question papers by

setting common papers in several subjects both for the Siromani and Vidwan Examinations with a view to economy.

- (7) That the time-table for the Second L.M.&S. or M.B. & B.S. Examination to be held in March, 1916, has been slightly altered so as to enable candidates taking General Biology and Organic Chemistry under the Transitory Regulations to appear for the examination in both the subjects.

IV. The Syndicate presents to the Senate for sanction, under Regulation 96 (iii), the Standing Orders printed as **Appendix A** (p. 22) relating to the appointment and duties of University Professors.

Mr. Hunter will move that the sanction of the Senate be accorded to the arrangements embodied in these Standing Orders.

Mr. K. B. Ramanathan has given notice of the following amendments:—

That in the Standing Orders submitted to the Senate, the following changes be made:—

- (i) In Appendix A, I—General, the following be added:—

‘10. That the University Professors be *ex-officio* Chairmen of the Boards of Studies of which they are members: that if there are more University Professors than one in any particular Board, the Senior Professor shall be the Chairman.’

- (ii) In II—Special—

A. Professor of Indian Economics.

Clause ‘4 (to undertake . . . in Economics)’ be omitted.

B. Professor of Comparative Philology

Clause ‘1 (The Professor . . . and Sinhalese)’ be omitted.

In clause 4, be added at the end, ‘if his proficiency in the languages qualifies him to be the *ex-officio* Chairman of the Boards of Studies in the Indian Languages that the University Lecturers and Readers pursue researches in.

In case of a Professor of Dravidian Philology being appointed, he shall supervise the work of University Lecturers and Readers in the Dravidian Languages.’

Clause ‘5 (The Professor . . . with this special subject)’ be omitted.

Clauses 1, 2, and 3, be renumbered.

C. Professor of Indian History and Archaeology

Clause ‘2 (to assist in providing . . . Honours Degree)’ be omitted.

Clauses 1 and 2 be re-numbered.

Mr. Ramanathan has given notice that in case of any difficulty in the Senate's accepting the modifications suggested above he will move that the Standing Orders be revised by the Syndicate as suggested above and be submitted at the next meeting of the Senate (Regulation 22-v).

V. The Syndicate recommends—

- (1) That the Readerships in Dravidian Philology be not renewed after the expiry of the term of office of the present Readers.
- (2) That M.R.Ry. K. V. Subbaya Avergal, M.A., L.T. be appointed a University Lecturer in Dravidian Philology for a term of two years on a salary of Rs. 300 per mensem.
- (3) That M.R.Ry. B. Seshagiri Rau Garu, M.A., and M.R.Ry. S. Anavarthavinsyakam Pillai Avergal, M.A., L.T., be appointed Assistant University Lecturers in Dravidian Philology for a term of two years on salaries of Rs. 250 per mensem.
- (4) That the work of the Lecturer and of the Assistant Lecturers in Dravidian Philology be under the supervision of the Professor of Comparative Philology.

To be moved by Mr. Mark Hunter.

Mr. C. Ramalinga Reddy has given notice of the following amendment:—

That in para. (1) the words ‘and the expenditure thus saved be utilised for promoting publications of modern interest in the Vernaculars’ be added after the words ‘present Readers’.

Mr. G. Venkataranga Rau has given notice of the following amendment:—

That in para. (1) at the end of the sentence the following words be added:—

‘and that such one of the holders thereof as, in the opinion of the Syndicate, has shown during the period of his Readership the greatest capacity for research work be sent to Europe to be trained with a view to the Professorship of Dravidian Philology’.

Mr. Venkataranga Rau has given notice that if the above be lost he will move the following amendment:—

That in para. (1) at the end of the sentence the following be added:—

‘and that in their place eight research scholarships, two for each of the Dravidian languages, be instituted at an average maximum salary of Rs. 125 per mensem’.

The Hon'ble Mr. V. S. Srinivasan has given notice of the following amendments:—

- (i) That in para. (1) for the word ‘not’ in the second line the word ‘provisionally’ be substituted, and after the word ‘renewal’ in the same line the words ‘for one year’ be inserted.

- (ii) That instead of paragraphs (2), (3) and (4) the following be substituted:—

‘That a Committee composed as follows be appointed to inquire fully into the work done by the Professor of Comparative Philology and by the Readers in Dravidian Philology working with him—

Dr. Mark Collins, the Hon'ble Mr. J. H. Stone, the Rev. E. M. Macphail, and Messrs, H. J.

Allen, S. Kuppaswami Sastriyar, K. B. Ramanathan, G. Venkataranga Rau, S. Krishnaswami Aiyangar, K. Ramanujachariar and V. S. Srinivasan.'

VI. The Syndicate recommends—
That the following alterations be made in the Regulations:—

That in Regulation 21, for the words 'if any member desire that this should be done', the words 'if any member request that this should be done and his request is supported by not less than fifteen other members' be substituted.

To be moved by the Rev. E. M. Macphail.

Mr. C. Ramalinga Reddy has given notice of the following amendment:—

(a) That the word 'five' be substituted for the word 'fifteen' in line 4.

And if the above is not carried,

(b) That the word 'ten' be substituted for the word 'fifteen' in the same line.

Mr. C. P. Ramaswami Aiyar has given notice of the following amendment:—

That in line 4 the word 'fifteen' be left out and the word 'three' be inserted.

VII. At the meeting of the Senate held on October 22, 1915, the Syndicate recommended for adoption the following alteration in the Regulations:—

That after Regulation 148 be added as a New Regulation,
"After fifteen years of approved service and the attainment of fifty years of age the Registrar shall be entitled to a pension calculated as in Regulation 148(b). The payment of this pension shall be made in accordance with the provisions of Article 934 of the Civil Service Regulations, Fifth Edition."

The Senate referred the proposition back to the Syndicate, under Regulation 22 (v), for reconsideration and report.

The Syndicate accordingly now recommends—

That the following alterations be made in the Regulations:—

(i) That in Regulation 146, at the end of the first paragraph the following be added:—

'The Registrar shall not continue to hold office after the completion of twenty-five years of service or the attainment of fifty-five years of age, whichever be the earlier event, unless on the recommendation of the Syndicate the Senate shall have extended his tenure of office for a specified period.'

(ii) That after Regulation 148 be added as a new Regulation,

'After fifteen years of approved service and the attainment of fifty years of age the Registrar shall be entitled to a pension calculated as in Regulation 148 (b). The payment of this pension shall be made in accordance with the provisions of Article 934 of the Civil Service Regulations, Fifth Edition.'

Note.—The Regulations relating to the Registrar as altered by the Senate at its meeting held on October 22, 1915, and sanctioned by the Government in G.O., No. 121, Educational, dated February 5th, 1916, are printed in Appendix B. (p.24.)

To be moved by Mr. M. Hunter.

Mr. K. B. Ramanathan has given notice of the following amendment:—

That in para. (ii) the clause following the words 'Regulation 148 (b) be omitted.

Or, that for the clause 'the payment of this pension'

... Fifth Edition' the following be substituted:—

'The payment of the pension shall be in rupees and the provisions of the Civil Service Regulations with regard to leave or pension allowances shall not apply.'

VIII. The Syndicate recommends—

That the following alterations be made in the Regulations:—

1. That in Regulation 181 for the words 'a certificate . . . affiliated college' the following words be substituted:—'certificates of having attended an affiliated college for at least three years'.

2. That in Regulation 191 for the words 'a certificate . . . additional year' the following be substituted 'certificates of having attended an affiliated college for at least three years'.

To be moved by Mr. K. Ramunni Menon.

Mr. K. B. Ramanathan has given notice of the following amendment:—

That in para. 1 after the words 'certificates . . . three years,' the following be added:—

'This change shall not prejudicially affect the resolution of the Senate passed at the last October meeting modifying the Regulation 182 so far as it applies to bona fide teachers.'

IX. The Syndicate recommends—

That the following alterations be made in the Regulations:—

(c) That in Regulation 196, for the existing time-table under Group (v)—History and Economics—the following be substituted:—

Days	Hours	Subjects	Marks
First day ...	10—1	Special Subjects or a Language.	80
	2—5	General Indian History ..	80
Second day ...	10—1	Constitutional History of Great Britain and Ireland.	80
	2—5	Outlines of European History.	80
Third day ...	10—1	Elements of Economics	80
		Total ...	400

To be moved by the Rev. E. M. Macphail.

X. The Syndicate recommends—

That the following alterations be made in the Regulations:—

- (i) (a) That in Regulation 195, under 'V. History and Economics' for the words 'Two Special Subjects or books to be prescribed by the Board of Studies from year to year' the words 'Political Science' be substituted.

Mr. Ferrand E. Corley has given notice of the following amendment:—

That after the words 'be substituted' the words 'and that the change take effect as from the B.A. Degree Examination in 1918' be added.

- (b) That in Regulation 196, in the Time-Table for Group (v) History and Economics, and in Regulation 197 for the words 'Special Subjects' the words 'Political Science' be substituted.
- (ii) (a) That in the Regulations for the B.A. (Honours) Degree Examination wherever the words 'v—History and Economics' occur the words 'v—History, Economics and Politics' be substituted.
- (b) That in Regulation 207 under 'V. History and Economics' for the existing paragraphs (A) and (B) the following paragraphs be substituted:—

'(A) Each of the following subjects:—

- (1) The History of India.
- (2) Constitutional History of Great Britain and Ireland.
- (3) Politics.
- (4) Economics.

(B) Two of the following subjects.

- (1) Economic History—a special subject.
- (2) Politics—a special subject.
- (3) History—a special subject.
- (4) History—a special subject.
- (5) Indian History—a special subject.

Mr. C. Ramalinga Reddy has given notice of the following amendment:—

That the following be added after '(5) Indian History—a special subject'—'(6) History of Oriental Nations—a prescribed subject'.

Mr. Ferrand E. Corley has given notice of the following amendment:—

That after the words '(5) Indian History—a special subject' the words 'and that the change take effect as from the B.A. (Honours) Degree Examination in 1919' be added.

(b) That in Regulation 208 for the time-table under Branch V, the following be substituted:—

BRANCH V

Days	Hours	Subjects	Marks
First day ...	10—1	Essay	200
	2—5	Indian History—General ...	200
Second day...	10—1	Indian History—Special Subject.	200
	2—5	Constitutional History of Great Britain and Ireland.	200
Third day ...	10—1	History—Special Subject ...	200
	2—5	Politics—General ...	200
Fourth day...	10—1	History—Special Subject ...	200
	2—5	Economics ...	200
Fifth day ...	10—1	Politics—Special Subject ...	200
	2—5	Economic History—Special Subject.	200
Total ...			1,400

To be moved by the Rev. E. M. Macphail.

XI. The Syndicate recommends—

That the following alterations be made in the Regulations:—

That in the Regulation for the M.A. Degree without Honours (Regulation 210) which as recently amended now reads—

- '1. Graduates in Arts of this University who desire to qualify for the M.A. Degree shall be required to pass the B.A. (Honours) Degree Examination. The Regulations for the B.A. (Honours) Degree Examination, other than Regulations 202 and 203, shall apply in all respects as if these graduates were candidates for the B.A. (Honours) Degree who had passed the B.A. Degree Examination.

Candidates for the M.A. Degree under this Regulation shall not be eligible for the University prizes that are awarded on the results of the B.A. (Honours) Examinations.

2. Graduates who have qualified for the M.A. Degree under the foregoing Regulation may, after a lapse of two years, proceed without further examination to the Degree of Master of Arts, on payment of a fee of Rs. 25'—

(i) at the end of the second sentence the following clause *be added* :—

'except that graduates who have at any time earned the certificates of having undergone a complete course of study under the Regulations for the B.A. (Honours) Degree Examination in any subject may appear for that examination as candidates for the M.A. Degree without Honours in the same subject without the necessity of producing further certificates.'

(ii) in the first sentence *for* the words 'B.A. (Honours) Degree Examination', the words 'the final examination as conducted in any year in accordance with the Regulations for the Degree of Bachelor of Arts (Honours)' *be substituted*.

(iii) at the end of the Regulation the following sentence *be added* as sub-paragraph 3 :—

'Graduates who have qualified for the M.A. Degree with or without Honours may at any time before proceeding to the Degree again present themselves for the Final Examination in Honours under this Regulation in order to qualify themselves in other subjects, provided that on each occasion they produce certificates of attendance at an affiliated college for two years in respect of each additional subject of examination.'

To be moved by the Rev. E. M. Macphail.

Mr. C. Ramalinga Reddy has given notice of the following amendment :—

That in line 6 of para. (iii) the clause beginning with 'provided' to the end of the sentence *be omitted*.

XII. The Syndicate recommends—

That the following alteration be made in the Regulations :—

That in Regulation 217, *for* the existing *first* paragraph the following *be substituted* :—

'Candidates who obtain not less than thirty-five per cent of the marks in each of the A.B.C. papers and forty per cent of the marks in these papers taken together, and thirty-five per cent of the marks in each of the D papers and forty per cent of the marks in these papers taken together shall be eligible to receive the Degree of Licentiate in Teaching. Of such candidates, those who obtain not less than sixty per cent of the marks in all the papers taken together shall be placed in the first class; those who obtain not less than fifty per cent of the marks in all the papers taken together shall be placed in the second class; the rest shall be placed in the third class.'

To be moved by the Hon'ble Mr. J. H. Stone.

XIII. The Syndicate recommends—

That the following alterations be made in the Regulations :—

(i) (a) That in Regulation 212, in the first paragraph, *after* the words 'shall have taken', the words 'or have qualified for' *be inserted*, and that *after* the words 'this University or' the words 'have taken' *be inserted*.

(b) That in the same Regulation, in the second paragraph, *for* the word 'graduation' the words 'having qualified for a degree' *be substituted*.

(ii) (a) That *for* revised Regulation 218 *be substituted* the following :—

'No candidate shall be eligible for the degree of Bachelor of Laws unless he has taken the degree of Bachelor of Arts in this University or a degree in some other University accepted by the Syndicate as equivalent thereto, and has also passed three Examinations in Law.'

(b) That in revised Regulation 221, *for* the words 'having taken the degree of Bachelor of Arts or other accepted degree' the words 'having taken or of having qualified for the degree of Bachelor of Arts or of having taken some other accepted degree' *be substituted*.

(iii) That in Regulations 303 (c) and 308 (c) *for* the words 'must produce with his medical diploma' the words 'must also produce' *be substituted*.

(iv) That in Regulation 416, *for* the word 'graduation', the words 'passing the qualifying examination or after graduating' *be substituted*.

To be moved by Mr. K. Ramunni Menon.

XIV. The Syndicate recommends—

That the terms of award of the Bowen Memorial Scholarship, which is awarded to a student in Engineering, be amended by altering the period for which the scholarship is tenable from 'three years' to 'four years' in view of the fact that the course for the B.E. Degree has under the revised Regulations been lengthened from three to four years.

To be moved by Mr. W. H. James.

XV. The Syndicate submits to the Senate, for sanction under Regulation 393, the following list of *Ordinary* University lectures proposed for the academic year 1916-17 :—

Name of Lecturer	Subject	Year of Honours Course	Duration of Course	Time of delivery
Mr. E. B. Ross, M.A.	Elements of the Theory of Functions of a Complex Variable.	2nd and 3rd years	20 Lectures	October to December, 1916
Mr. T. K. Venkataraman, M.A., L.T.	Celestial Mechanics.	2nd and 3rd years	20 Lectures	October to Dec., 1916
Mr. P. V. Seshu Aiyer, B.A., L.T.	Theory of Functions of a Real Variable.	2nd and 3rd years	20 Lectures	July to September, 1916
Mr. K. V. Rangasawmi Aiyangar, M.A.	Economic Theory and Practice in Ancient India.	2nd and 3rd years	20 Lectures	January to March, 1917
Mr. N. S. Subba Rao, M.A.	Distribution of wealth, with special reference to recent developments in Theory and Practice.	2nd and 3rd years	20 Lectures	October to December 1916 and January to March 1917
Mr. T. S. Subrahmanya Aiyar, M.A., L.T.	Co-operative movement in India and elsewhere.	2nd and 3rd years	20 Lectures	October to December, 1916
Mr. S. J. Crawford, B.A., B. Litt.	Philological evidence of the development of culture with special reference to the English Vocabulary.	1st, 2nd and 3rd years	20 Lectures	July to December, 1916
The Rev. A. Moffat, M.A., B.Sc., F.R.S.E.	Thermodynamics	2nd and 3rd years	20 Lectures	July to September, 1916
Mr. B. Venkatesachar, M.A.	Physical Optics	2nd and 3rd years	20 Lectures	October to December, 1916

To be moved by Rev. Dr. W. Skinner.

XVI. The Faculty of Medicine recommends—

That the following alterations be made in the Regulations:—

- i. That in Regulation 253, in line 2, between the words 'may' and 'proceed' the words 'on the first occasion on which they are referred' be inserted.
- ii. That in the third paragraph of each of the Regulations 261, 273, 285 and 296, for the words 'a period of six months,' the words 'the period of six months immediately preceding' be substituted.
- iii. That the last paragraph of Regulation 261 (and of Regulations 273, 285 and 296) be amended so as to read 'candidates who, having obtained their certificates in accordance with Regulation 259 (and Regulations 272, 283 and 294 respectively,) did not appear for the April examination may be admitted to the examination on the next occasion on which it is held without the production of any further certificates.'

To be moved by Major Miller, I.M.S.

XVII. The Faculty of Medicine recommends—

That the following alterations be made in the Regulations for the examinations for the Degrees of Doctor of Medicine and Master of Surgery:—

i. That the sub-title '(In Medicine and Midwifery)' immediately below the words '(i) Doctor of Medicine' and immediately above Regulation 303 be deleted.

ii. That in Regulations 303 (b) and 308 (b) the words 'in the form hereinafter prescribed' be deleted.

iii. That in Regulation 305, for the words beginning with 'Branch I—Medicine (including Mental Diseases and Pathology)—' and ending with '(d) A Clinical and Oral Examination with the examination of Tropical-Pathological specimens' the following be substituted:—
'Branch I—Medicine.

(a) Medicine—one paper.

(b) Medicine, including Mental Diseases and Pathology—two papers.

(c) A Clinical and Oral Examination, including an examination in Pathological specimens.

Branch II—Midwifery, including Diseases of Women and Children.

(a) Medicine—one paper.

(b) Midwifery and Diseases of Women and Children, including the Pathology of these subjects—two papers.

(c) A Clinical and Oral Examination in Midwifery and Diseases of Women and Children, including an examination in Pathological specimens.

Branch III—Pathology.

(a) Medicine—one paper.

(b) Pathology—two papers.

(c) A Practical and Oral Examination in Pathology.

Branch IV—Tropical Medicine.

(a) Medicine—one paper.

(b) Tropical Medicine, including the Pathology of Tropical Diseases—two papers.

(c) A Clinical and Oral Examination including the examination of Pathological specimens.

iv. That in Regulation 306, for the existing time-tables the following be substituted:—

BRANCH I

Days	Hours	Subjects
First day ...	10—1 2—5	Medicine. Medicine, including Mental Diseases and Pathology—first paper.
Second day	10—1	Medicine, including Mental Diseases and Pathology—second paper.
Third day ...	10—4	Clinical and Oral Examination.

BRANCH II

First day ...	10—1 2—5	Medicine. Midwifery and Diseases of Women and Children, including Pathology—first paper.
Second day	10—1	Midwifery and Diseases of Women and Children, including Pathology—second paper.
Third day ...	10—4	Clinical and Oral Examination.

BRANCH III

First day ...	10—1	Medicine.
Second day	10—1 2—5	Pathology—first paper. Do. —second paper.
Third day ...	10—4	Practical and Oral Examination.

BRANCH IV

First day ...	10—1 2—5	Medicine. Tropical Medicine, including the Pathology of Tropical Diseases—first paper.
Second day	10—1	Tropical Medicine, including the Pathology of Tropical Diseases—second paper.
Third day ...	10—4	Clinical and Oral Examination.

v. That in Regulation 310 (a)—

(a) In clause (1) the words 'one of which may be a subject for commentary' *be deleted*.

(b) In clause (5), first sentence, for the word 'with' the word 'including' *be substituted*.

To be moved by Major Miller, I.M.S.

XVIII. The Faculty of Medicine recommends—

That the following alterations be made in the Regulations for the Examination for the B.S.Sc. Degree:—

i. That in Regulation 313 for the words 'first Monday in April' *be substituted* the words 'last Monday in March'.

ii. That to the last sentence of Regulation 315 *be added* the words, 'provided that a candidate who has been registered in any year for both Parts of the Examination and is not permitted to appear for Part II, on account of failure to satisfy the Examiners in Part I, may be registered in a subsequent year as a candidate for Part II without payment of further fee.'

iii. That in Regulation 316 for the existing paragraph '(a)' the following *be substituted*:—

'(a) Attended in a college affiliated to the University an advanced course of lectures in (1) Minor Sanitary Engineering and (2) Public Health and Hygiene, Bacteriology, Parasitology and Tropical Diseases'.

iv. That in Regulation 317, under 'Part II', paragraph '(a)', in the twelfth line *between* the words 'infectious' and 'diseases', the words 'and tropical' *be inserted*.

v. (1) That in Regulation 318, in the time-table for Part I, the word 'Geology' *be added* to the subjects enumerated for the written examination on the first day, 10—1.

(2) That in the time-table for Part II,

(a) against 'First day' for '10—1, Medicine and General Hygiene (Written)' *be read* '10—1 General Hygiene and Medicine in relation to Public Health'; and for '2—4, Sanitary Law and Vital Statistics (Written)' *be read* '2—4, Sanitary Law, Vital Statistics and Vaccination (Written)'.

(b) against 'Third day' for the existing subjects under 'Oral' the following *be substituted*:—

'Oral { General Hygiene and Medicine in relation to Public Health.
Sanitary Law, Vital Statistics and Vaccination'.

To be moved by Major Miller, I.M.S.

XIX. Mr. A. Subramanya Aiyar has given notice of his intention to move the following proposition:—

That the Faculty of Law be requested to consider and report as to whether it is not expedient and desirable, by such reduction and readjustment of subjects for the Law course as may be deemed fit, to revert to the old scheme of a two years' course in Law instead of a three years' course, and whether each of the Law Examinations cannot be held twice a year; and to present to Senate in the form of amendments to the Regulations any alterations in the directions above indicated which may be agreed upon.

Mr. C. P. Ramaswami Aiyar has given notice of the following amendments:—

(i) That the words 'and whether each of the Law Examinations cannot be held twice a year' be omitted.

(ii) That the following words be added as a separate clause:—

'That each of the Law Examinations be held twice a year, and that for this purpose the Syndicate be requested to draft under Regulation 96 (viii) such regulations or consequential amendments thereof as may be necessary and submit them to the Senate for approval at the October meeting of the Senate.'

Mr. V. Ramesam has given notice of the following amendments:—

(i) That the words 'consider and report . . . re-adjustment of subjects for' be omitted, and the words 'so revise' be substituted:—

(ii) That the words 'as may be deemed fit' be omitted and the word 'as' be substituted.

(iii) That the words 'to report' be inserted between the words 'and' and 'whether'.

(iv) That the words 'which may be agreed upon' be omitted.

XX. Mr. C. P. Ramaswami Aiyar has given notice of his intention to move the following propositions:—

(i) That in place of Regulation No. 8 of the Regulations of the University of Madras, the following be substituted:—'Ordinary Meetings shall be held on or about the first Friday in March, the first Friday in July and the first Friday in November.'

(ii) That in place of the first clause in Regulation No. 6 the following be substituted:—'Any Member who wishes to propose a resolution at an Ordinary Meeting of the Senate shall forward the terms of the resolution to the Registrar so as to reach him not later than the 10th February if it is intended for discussion at the March Meeting, not later than the 10th June if it is intended for discussion at the July Meeting or not later than the 10th October if it is intended for discussion at the November Meeting.'

Mr. V. Ramesam has given notice of the following amendments:—

(i) That the word 'September' be substituted for the word 'July' and the word 'December' for the word 'November' wherever the words 'July' and 'November' occur.

(ii) That the word 'August' be substituted for 'June' and 'November' for 'October'.

(iii) That in Regulation No. 9, the word 'ten' be substituted for the word 'fifteen'.

(iv) That in Regulation No. 10, the word 'ten' be substituted for the word 'fifteen'.

If the above propositions are not accepted, I desire to move the following resolution in the alternative:—

'That for the first clause in Regulation No. 6, the following be substituted:—'Any Member who wishes to propose a resolution at an Ordinary Meeting of the Senate shall forward the terms of the resolution to the Registrar so as to reach him not later than twenty clear days before the day of the Meeting at which the discussion of the resolution is intended'.

XXI. Mr. G. A. Natesan has given notice of his intention to move the following proposition:—

(i) That in Regulation 87 for the word 'ten,' 'fifteen' be substituted.

Mr. P. V. Seshu Aiyar has given notice of the following amendment:—

That the word 'twelve' be substituted for 'fifteen'

(ii) That five members of the Syndicate shall be elected by the Faculties, two by Faculty of Arts, and one each by the Faculties of Law, Medicine and Engineering and that the necessary regulations fully providing for such election by the Faculties be made.

(iii) That the Syndicate be requested to furnish the members of the Senate before the 1st of August a full account of the work done by the University Professor of Comparative Philology and by the several Readers appointed by the Senate.

(iv) That it be a recommendation to the Syndicate to arrange for special courses of lectures under Regulation 390, by one or more of the following gentlemen:—

Dr. Jagadis Chandra Bose, B.Sc. (Cantab.), D.Sc. (Lond.), C.S.I., C.I.E.
Dr. Prafulla Chandra Ray, D.Sc. (Edin.), C.I.E.
The Hon'ble Prof. Raghunath Purushottam Paranjpe, B.Sc.

XXII. Mr. C. Ramalinga Reddy has given notice of his intention to move the following propositions:—

(i) That in Regulation 6, line 4, the words '15th February' be substituted for '1st February', and in line 5 '23rd September' be substituted for '1st September'.

(ii) That in Regulation 6A(1) (a), line 6, the word 'February' be substituted for 'January'; and in line 8, the words 'First Friday in October' be substituted for 'Third Friday in September'.

(iii) That the following Regulation be inserted between Regulations 9 and 10 and marked 9A. viz., 'Any

regulation governing the procedure in connection with Senate Meetings may be suspended to enable important matters being taken up for consideration by a vote of the majority present; but no such motion for suspension shall be moved except by a member of the Syndicate.

- (iv) That in Regulation 87, line 4, the word 'fifteen' be substituted for 'ten'.
- (v) That in Regulation 88, line 1, the word 'eight' be substituted for 'five'.

Mr. P. V. Seshu Aiyar has given notice of the following amendment:—

That the word 'six' be substituted for 'eight'.

- (vi) That in Regulation 124B, the word 'five' be substituted for 'ten'.
- (vii) That Regulation 181 be rescinded and the following regulation be substituted in its place:—
'A candidate who fails to pass the examination on the first occasion shall on the next occasion on which he presents himself for examination be allowed to sit only for those groups in which he has previously failed.'
- (viii) That Regulation 191 be rescinded.

XXIII. Mr. P. F. Fyson has given notice of his intention to move the following propositions:—

- (i) That to Regulation 187 be added, at the end, the words 'or Bachelor of Science Degree Examination or Bachelor of Science (Honours) Degree Examination'.

Mr. C. Ramalinga Reddi has given notice of the following amendment:—

That in para (i) the following words be added:—
'provided that the courses are so re-arranged as to afford scope for higher specialisation than is now possible in the Sciences, and for making it compulsory for candidates for the Degrees here mentioned, to show a working knowledge of a modern European language other than English'.

- (ii) If the above is passed, that the following consequential alterations be made in the Regulations:—
 1. After Regulation 187 on p. 144 for 'Bachelor of Arts Degree' be read 'Bachelor of Arts or Bachelor of Science Degrees'.
 2. In Regulation 188, after 'B.A.' be added 'or B.Sc.'; under Part II be added 'for the B.Sc. Degree', and before iv be added 'For the B.A. Degree', and Groups 'iv—vi' be renumbered as 'i—iii'.
 3. In Regulations 189, 190, 192, 196, 201, 204, 205, wherever 'Bachelor of Arts' or 'B.A.' occurs, be added 'or Bachelor of Science' or be added 'or B.Sc.' as the case may be.
 4. In Regulation 195, p. 147, after II be added 'A—For the B.Sc. Degree' and on page 160 before iv be added 'B—For the B.A. Degree' and the

Groups 'iv—vi' be renumbered as 'i—iii', and in Regulation 197 (p. 173) before Group i be added 'A—B.Sc. Degree' and in p. 174 before Group iv be added 'B—B.A. Degree' and the Groups be renumbered as 'i—iii'.

- 5. In Regulation 190 (2nd line) after 'Arts' be inserted 'or Science'.
- 6. On p. 175 under (IV) be added 'and Bachelor of Science Honours' and for 'Degree' be read 'Degrees'.
- 7. In Regulations 198, 199, 200, 201, 204, 205, 209, wherever 'Bachelor of Arts (Honours)' or 'B.A. (Honours)' occurs be added 'or Bachelor of Science (Honours)' or be added 'or B.Sc. (Honours)', as the case may be, and in Regulation 218 after 'Bachelor of Arts' be added 'or Bachelor of Science or Bachelor of Science (Honours)'.
- 8. In Regulations 188, under II above Branch i be inserted 'A—For the B.Sc. (Honours) Degree' and after 'iii' be inserted 'B—For the B.A. (Honours) Degree' and the branches 'iv—ix' be renumbered as 'i to vi'.
- 9. In Regulation 207 be inserted before 'i. Mathematics' 'A—For the B.Sc. (Honours) Degree' and on p. 186 before 'iv. Mental and Moral Science' be inserted 'B—for the B.A. (Honours) Degree' and on pp. 178 to 185 wherever 'B.A.' occurs be read 'B.Sc'.
- 10. In Regulation 209 before 'Branch i' be added 'A—B.Sc. (Honours)' and before iv on p. 201 be added 'B—B.A. (Honours)'.
- 11. In Regulation 210 before 'Honours' be added 'B.A.'
- 12. In Regulations 218, 222 after 'Bachelor of Arts' be inserted 'Bachelor of Science or Bachelor of Science Honours'.
- 13. In Regulation 251 for 'Arts' be read 'Science' in both cases.
- (iii) That in Regulation 99, for the word 'four' be read 'five' and after 'Arts' be inserted 'Science'.
- (iv) If the above is carried, the following:—
 - (a) in Regulation 71 after 'Arts' be added 'Science—by the President of the Faculty of Science.'
 - (b) in Regulation 106 after 'Arts' be added 'or Science'
 - (c) in Regulation 117 for 'four' 'two' be substituted and the words 'the next two by the Faculty of Science' be inserted.

APPENDIX A

Standing Orders adopted by the Syndicate in connection with University Professors and their duties

I. General

1. University Professors shall be appointed by the Syndicate, subject to the confirmation of the Senate, and of His Excellency the Governor in Council.
2. The tenure of the office of a University Professor shall be limited to five years, but the same individual shall be eligible for re-appointment.
3. It shall be in the power of the Syndicate to dispense with the services of a University Professor at any time before the expiration of five years on payment to him of six months' salary, and it may at any time discharge him from service without notice or compensation in the event of misconduct on his part or of a breach by him of any of the conditions on which he was engaged. In case a University Professor should wish to resign his office before the expiration of five years, he shall give six months' notice of his intention to resign.
4. A University Professor shall not engage in work other than that of his office without the express permission of the Syndicate.
5. Except with the express permission of the Syndicate a University Professor shall not be absent from Madras during term time, University terms being as defined in Regulation 396.
6. A University Professor may be required not only to engage in the work of research but also to deliver courses of lectures and conduct classes as the Syndicate may direct.
7. A University Professor may further be required to advise the Syndicate and other University authorities with regard to any University course or examination in a subject connected with his Chair.
8. Passage money may be paid to a University Professor on the understanding that in the event of his resigning his appointment before the completion of two years' service he may be called upon to refund it.
9. University Professors may be required to give advice and assistance of a special character to the authorities of the University Library, and the Professor of Comparative Philology may be required to render assistance to the Tamil Lexicon Committee.

Mr. K. B. Ramanathan proposes—

That the following be added:—

'10. That the University Professors be *ex-officio* Chairman of the Boards of Studies of which they are members: that if there are more University Professors than one in any particular Board, the Senior Professor shall be the Chairman.'

II. Special

A. Professor of Indian Economics

It shall be the duty of the Professor of Indian Economics

1. to enquire into actual economic conditions in the Madras Presidency and in the Native States within the territorial jurisdiction of the University;
2. to enquire into the economic history of the same area with special reference to the interpretation of present day facts and the forecasting of future tendencies;

3. to stimulate interest in economic studies and to enlist the help of Indian students in the above enquiries and to supervise their work;

4. to undertake the instruction of Honours students in some specific portion of the Honours course in Economics.

Mr. K. B. Ramanathan proposes—

That clause 4 'to undertake . . . in Economics' be omitted.

B. Professor of Comparative Philology

1. The Professor of Comparative Philology shall be *ex-officio* Chairman of the Board of Studies in Sanskrit, Uriya, Marathi, Burmese and Sinhalese.

2. The Chair of Comparative Philology shall have special but not exclusive reference to Sanskrit and the Sanskritic languages of Southern India including Urdu.

3. It shall be the duty of the Professor of Comparative Philology to supervise the work of all research students selecting subjects related to the subject of his Chair.

4. The work of all University Lecturers and Assistant Lecturers and Readers in Indian Languages shall be under the general control of the Professor of Comparative Philology.

5. The Professor may be required every year to deliver courses of lectures and hold classes, which will cover completely (a) the course in Honours Branch viii in the 'Principles of Comparative Philology' and the 'Elements of Indo-Germanic Comparative Grammar' as also the 'History of the Sanskrit language'; (b) the course in Branch vii Special Subject '6 Indo-Germanic Philology with special reference to Sanskrit' as also the course in the books set in connection with this special subject.

Mr. K. B. Ramanathan proposes—

That clause '1 (The Professor . . . and Sinhalese),' be omitted.

That in clause 4 be added at the end, 'if his proficiency in the languages qualifies him to be the *ex-officio* Chairman of the Boards of Studies in the Indian Languages that the University Lecturers and Readers pursue researches in.

In case of a Professor of Dravidian Philology being appointed, he shall supervise the work of University Lecturers and Readers in the Dravidian Languages.'

That clause '5 (The Professor . . . with this special subject)' be omitted.

That clauses 1, 2 and 3 be renumbered.

C. Professor of Indian History and Archaeology

It shall be the duty of the Professor of Indian History and Archaeology

1. to prosecute researches in Indian History and Archaeology and to give publicity to his results in the form of University lectures;
2. to assist in providing instruction to Honours students in the course of Indian History prescribed for the Honours Degree;
3. to deliver regular courses of Ordinary University lectures on selected subjects in Indian History and Archaeology.

Mr. K. B. Ramanathan proposes—

That clause '2 (to assist in providing . . . Honours Degree)' be omitted.

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APPENDIX B

IX—The Registrar

144. The Registrar shall be appointed by the Syndicate, subject to the confirmation of the Senate.

145. The tenure of the office of Registrar shall be limited to five years in the first instance, but the same individual shall be eligible for reappointment. In the event of his being reappointed his service from the date of his first appointment shall qualify for pension or gratuity.

146. It shall be in the power of the Syndicate to dispense with the services of the Registrar at any time on payment to him of six months' salary, and it may at any time discharge him from its service without notice or compensation in the event of misconduct on his part or of a breach by him of any of the conditions on which he was engaged. In case the Registrar should wish to resign his office, he shall give six months' notice of his intention to resign.

The salary of the Registrar shall be Rs. 600 per mensem, rising by annual increments of Rs. 50 per mensem to Rs. 800. If at the completion of his term of five years, a Registrar be re-engaged, his salary shall be Rs. 850 per mensem rising by annual increments of Rs. 50 per mensem to Rs. 1,000 per mensem. It shall be competent to the Syndicate to grant a Registrar who has reached the maximum salary (Rs. 1,000) and whose services are regarded as of special value a personal allowance; but in no case shall the salary of the Registrar, including personal allowance, exceed Rs. 1,250 per mensem.

The Registrar shall devote his whole time to the duties of his office, and shall not absent himself from his duties without the permission of the Syndicate.

The Syndicate may grant to the Registrar leave of absence for one month on full pay for each eleven months of completed service, or for an accumulated period not exceeding four months in five years. The Syndicate may also grant him leave of absence on half pay—to which may be added a period of accumulated leave on full pay not exceeding three months—for a period not exceeding eight months in five years. Such leave on half pay shall not, except in the case of leave on medical certificate, exceed one-and-a-half months for each completed year of service.

In respect of leave on full pay the provisions of chapter XII of the Civil Service Regulations, Fourth Edition, or of the corresponding chapter in subsequent editions shall otherwise, so far as may be, apply.

All periods of leave on full pay and half the amount of leave on half pay shall count as service for gratuity or pension.

147. It shall be the duty of the Registrar—

(a) to be the custodian of the records, library, common seal, and such other property of the University as the Syndicate shall commit to his charge;

(b) to act as Secretary to the Syndicate and to attend all meetings of the Senate, Faculties, Syndicate and any Committees appointed by the Senate, the Faculties, or the Syndicate, and to keep minutes thereof;

(c) to conduct the official correspondence of the Syndicate and the Senate;

(d) to issue all notices convening meetings of the Senate, Faculties, Syndicate, Boards of Studies, Boards of Examiners, and any Committees appointed by the Senate, the Faculties, the Syndicate, or any of the Boards;

(e) to perform such other work as may be from time to time prescribed by the Syndicate, and generally to render such assistance as may be desired by the Vice-Chancellor in the performance of his official duties.

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148. The Syndicate may grant to the Registrar a gratuity or pension regulated as follows:—

(a) After a service of less than ten years, a gratuity not exceeding one month's emoluments for each completed year of service.

(b) After a service of not less than ten years, up to twenty-five years, a pension not exceeding one-sixtieth of the average emoluments (i. e. the average calculated upon the last three years of service) multiplied by the number of years of completed service. The pension shall in no case exceed Rs. 5,000 per annum.

149. The Registrar shall, on application previously made for the purpose of fixing a convenient hour, arrange that any member of the Senate, of the Syndicate, or of a Faculty, shall have access to the proceedings of the Senate, Syndicate, or Faculty, respectively, and to any documents connected with such proceedings.

Enclosure II

(27)



University of Madras

THE following protest lodged by M.R.Ry. S. Kuppuswami Sastri Avl, M.A., under Regulation 64, against the resolution of the Senate passed at its meeting held on March 3, 1916, sanctioning the arrangements embodied in the Standing Orders relating to the appointment and duties of University Professors presented by the Syndicate is in accordance with the same Regulation, circulated to each member of the Senate who was present at the meeting with a request that he will record a vote for three members of the Senate to form a Committee to prepare a memorandum in support of the resolution. It is requested that the votes may be returned so as to be received by the Registrar not later than Monday April 17, 1916.

(By order)

SENATE HOUSE,
April 6, 1916.

FRANCIS DEWSBURY,
Registrar.

No. 36, NADU STREET,
MYLAPORE, MADRAS,
March 9, 1916.

FROM

S. KUPPUSWAMI SASTRI, Esq., M.A.,
Fellow of the University of Madras, [Professor of Sanskrit
and Comparative Philology, Presidency College, Madras].

TO

FRANCIS DEWSBURY, Esq., B.A., LL.B.,
Registrar, University of Madras.

SIR,

In accordance with the notice given by me on the 4th instant, I have the honour to lodge the following protest against the resolution of the Senate passed at its last meeting held on the 3rd instant—

“That, the sanction of the Senate be accorded to the arrangements embodied in the Standing Orders relating to the appointment and duties of University Professors (printed as Appendix A, page 31, in the Agenda paper of the last meeting of the Senate and presented by the Syndicate to the Senate for sanction, under Regulation 96-iii.)”

1. I will confine myself to *Clause 5 under B, in II-Special* of the Standing Orders, with which, as the holder of the *Chair of Sanskrit and Comparative Philology* at the *Presidency College*, I am directly concerned. It will be observed that, in *II-Special* of the Standing Orders, *Clause 4 under A, Clause 5 under B* and *Clause 2 under C* are cognate. In the course of the debate at the last meeting of the Senate in connection with this resolution, when attention was drawn to the variations in the wording of these three clauses, it was contended that all these three clauses were the same in spirit. This

contention seems to me to be unsustainable. *Clause 5 under B* in II-Special of the Standing Orders assigns to the *University Professors of Comparative Philology* one entire part of the Honours Course in Branch VIII in the 'Principles of Comparative Philology' and the 'Elements of Indo-Germanic Comparative Grammar' as also the 'History of Sanskrit Language' and another entire part of the Course in Branch VII-Special Subject relating to Sanskrit and Sanskrit Philology. The two corresponding *Clauses under A and C* in the Standing Orders are left indefinite, probably to be settled from time to time in accordance with the recommendations of the respective Boards of Studies. The question arises in this connection whether the Board of Studies in Sanskrit was confronted with a reference regarding the lectures referred to in *Clause 5 under B* in the Standing Orders. I am a member of that Board and do not remember.

2. Branch VIII—Sanskrit Honours is taught at present only in the Presidency College. The *Chair* which I have the honour to occupy has for nearly a quarter of a century been designated the '*Chair of Sanskrit and Comparative Philology*'. Even in the *Pre-Honours* days of the *Old Regulations*, Professor Seshagiri Sastriyar used to deliver lectures on Comparative Philology although they were not absolutely required for the University Courses adopted in the College. It is now five years since the Honours Course in Branch VIII was instituted at the Presidency College and the College undertook to provide efficient instruction in all the Honours Subjects including the philological subjects comprised in Branch VIII. During the first three years of this period Professor Rangachariyar and subsequently I have been delivering regular courses of lectures on all these philological subjects. My present course on these philological subjects, during the current academical year, comprises *seventy* lectures and I am prepared, if necessary, to submit a syllabus of these for the scrutiny of the University Board of Studies in Sanskrit. I have every hope that they will be found well-planned and quite adequate. To ask the University Professor of Comparative Philology to undertake a course of lectures on the identical philological subjects that are dealt with in the College Course would be practically to supersede the Professor of Sanskrit and Comparative Philology at the Presidency College in respect of an important branch of his work. To this I cannot consent. If there were need of it, either the Professor of Sanskrit and Comparative Philology at the Presidency College or the Principal of the College would have brought it to the notice of the Government on the one hand and of the University on the other. Should there be any student at the Presidency College, in the Honours Section for Branch VII (English), who may choose Sanskrit and Sanskrit Philology as his Special Subject, I have a right to expect that the Professor of English or the Principal of the Presidency College will be pleased to bring the fact duly to my notice and I could easily arrange to have the teaching work relating to that Special Subject done by myself. I cannot foresee any necessity for making a specific provision of the kind contemplated in *Clause 5 under B-II Special* of the Standing Orders. If it is considered expedient to take power for the Syndicate to ask the University Professor of Comparative Philology to supplement the Honours work of Branches VIII and VII at the Presidency College, this object is sufficiently attained by the provision contained in *Clause 6 under I General* of the Standing Orders.

3. The Hon'ble the Director of Public Instruction, while speaking on this subject at the last meeting of the Senate, drew attention to the pointed and excessive detail of this *Clause 5 under B-II Special* and sought to remove its invidiousness by desiring the Syndicate to give an undertaking that these Rules would not be put into operation until any real necessity might arise. I contend that the expressions '*Every year*' and '*which will cover completely*', occurring in this *Clause 5*, without similar expressions in the corresponding provisions under *A or C in II-Special*, imply a belief on the part of the Syndicate that Government have not made adequate provision for the teaching of the subjects relating to Sanskrit Philology comprised in the courses in Honours Branches VIII and VII, in the Presidency College. If the Professor of Sanskrit and Comparative

Philology at the Presidency College were to be relieved of his duties in connection with Comparative Philology, his *Chair* would sink in status and lose more than half its prestige. I am not prepared to affirm that this result is intended by anybody; but if the Syndicate takes action at any time under this *Clause 5 in II-Special-B* of the Standing Orders, it is difficult to see how it can be averted.

4. A strong feeling exists among a section of the Fellows as well as the Public that certain recent Regulations of the University have tended to reduce the importance of *Sanskrit and the Dravidian Languages* as subjects of higher study and to lower the status of those concerned in their teaching. I do not believe that this feeling is altogether justified. But its justification will be greatly increased if the only Government *Chair for Oriental Learning within the range of this University*, which now ranks, if not in emoluments, at least in dignity and status with other Professoriates, should be deprived of its importance by the imprimatur of Government being accorded to this resolution of the Senate. In conclusion, I may be permitted to submit that the strength of the feeling among a very large section of the Fellows against the provisions contained in the Standing Orders under reference could be easily gauged from the facts that Diwan Bahadur L. A. Govindaraghava Aiyar moved an amendment to refer the whole subject of these Standing Orders to a strong Committee and that this amendment was thrown out only by a very narrow majority, 37 voting against and 35 for.

H 15416 of
the University
containing the
minutes.

I have the honour to remain,

Sir,

Your most obedient servant,

S. KUPPUSWAMI SASTRI.

Memorandum prepared by the Committee of three members of the Senate elected under Regulation 64, in reply to the protest lodged by Mr. S. Kuppuswami Sastri against the resolution of the Senate passed at its meeting held on March 3, 1916, sanctioning the arrangements embodied in the Standing Orders of the Syndicate relating to the appointment and duties of University Professors.

There is some difficulty in replying in detail to Mr. Kuppuswami Sastri's protest as most of the points he urges have reference to matters personal to himself and really irrelevant to issues with which the Senate is concerned.

Under Regulation 96 (iii) the Syndicate has power to define the duties of University Professors, reporting any such proposed arrangements to the Senate for sanction. In accordance with this Regulation the Syndicate drew up Standing Orders setting forth generally the conditions under which University Professors hold their chairs, and defining the special duties attaching to each of the three chairs hitherto instituted.

If these three sets of special instructions be compared, it will be found that each Professor is required, or may be required to undertake teaching work in the Honours course or courses related to the subject of his chair. In formulating this rule the Syndicate, in our opinion, has merely given effect to a principle which, when the chairs were instituted, was generally accepted, viz., that, whatever functions a University Professor may be called upon to discharge, he should certainly be required to teach, and that some of the lectures and classes conducted by him should be adapted to the needs of the more advanced undergraduate students.

Mr. Kuppuswami Sastri, however, takes up a wholly different position. He contends in effect, that the University Professor shall not be required or permitted to deliver lectures or conduct classes in Philology in connection with the Honours course in Sanskrit (Branch viii) since, as he imagines, by the institution of such lectures and classes, a slight wound be cast on himself, and the college chair he occupies 'would sink in status and lose half its prestige'. He goes even further and finds a distinct grievance in the University providing, through its Professor of Comparative Philology, courses of lectures and classes relating to Sanskrit for undergraduate students for whom he is himself in no way responsible, viz., Honours students belonging to colleges affiliated in Branch vii, (The Madras Christian College, The Presidency College and The Maharajah's College, Trivandrum), who take Sanskrit Philology as a special subject in the Honours course in English Language and Literature.

Mr. Kuppuswami Sastri's plea appears to us wholly inadmissible. If it be neither expedient nor lawful for the University Professor of Comparative Philology to lecture to undergraduates on the subject of his chair because there is already a Professor of Sanskrit in the Presidency College, then it must be equally or even more improper for the University to require the Professors of Indian Economics and Indian History to lecture to undergraduates in these subjects, since there are several colleges affiliated in Honours in History and Economics, in which there are Professors of long standing and tried ability, who also it might be contended, though hitherto they have shown nothing of Mr. Kuppuswami's sensitiveness, and rather welcome than repel the advances of University Professors—have

a personal dignity to support and the prestige of their chairs to defend. But indeed, if University Professors are to work within the limits laid down by the Professor of Sanskrit in the Presidency College, they must necessarily be precluded from delivering any lectures specially designed for undergraduates, or which may be attended by undergraduates, on any subject with which any college Professor is concerned, that is to say, on any subject falling within the University curricula.

It is plain that, if University Professors are to teach undergraduates at all, they cannot avoid taking up some subjects formerly taught by college Professors. Nevertheless, it may be regarded as quite certain that the Syndicate in this matter seeks only harmonious co-operation between college and University Professors, and is very far from wishing that the latter should 'supersede' the former, or that the position of the college Professor should suffer in any way in dignity and importance. The aim of the Standing Orders, so far as they relate to Honours courses, is clearly to extend to colleges the help which they appear chiefly to need, and which the University Professors are best qualified to render. Much has been made of the variation in the wording of the clauses in which the duties of the three Professors respectively in relation to Honours courses are defined. It would, however, be at once simpler and more charitable to explain merely verbal differences as due to accident or the fact of collaboration than to presume a deliberate intention to create invidious distinctions. It is true, however, that the duties of the Professor of Comparative Philology are laid down more definitely and in greater detail than are the corresponding duties of the two other Professors. But this also admits of a very easy explanation. It is clearly undesirable, if not impossible, to attempt to define once for all what portion of the Honours course in History and Economics should be entrusted to the two University Professors concerned. This is a matter which must be arranged from year to year. But there is no such difficulty in the case of the Professor of Comparative Philology. There are certain distinct portions of the higher courses in Sanskrit which are purely philological and which in consequence must, so far as Honours courses are concerned, comprehend and limit the range of the Professor's activities. The Standing Order accordingly lays down that the Professor of Comparative Philology may be required to deliver lectures and hold classes so as to cover these particular portions of the Sanskrit courses. In other words the duties of the Professor in relation to the Honours courses in Sanskrit have been defined as having reference to all the philological parts of the courses, and, by implication, to no other parts.

It may very well be the intention of the Syndicate to require the University Professor in the current year, and during each of the next few years, to deliver lectures and conduct classes so as to cover completely the Philological portions of the Sanskrit courses; but it by no means follows that this arrangement must be permanent. The wording of the Standing Order is purely permissive, and there is nothing in it to preclude at any time such division of labour as may seem expedient between the University Professor and any college Professor or Professors who may possess the necessary qualification.

We think it probable that when the Standing Orders were drawn up the Syndicate was under the impression that no college Professor was adequately qualified to do the work now assigned to Professor Collins, and the Syndicate may still, in spite of Mr. Kuppuswami Sastri's counter claim, be of the same opinion. The qualifications in question, we take it, are (1) such practical knowledge of the Sanskrit Language and Literature as may be looked for in a scholar approaching the Language from a purely Philological point of view, (2) a knowledge of the form and structure of the 'Aryan' languages most closely allied to Sanskrit, e.g. the Prakrits, Pali, Old Persian and Zend, (3) a knowledge of some of the more important Non-Aryan Indo-Germanic Languages notably Latin and Greek, (4) familiarity with the principles and methods of Comparative Philology as set forth and illustrated in the most recent and authoritative 'literature of the subject,' and consequently (5) acquaintance with the modern European languages in which that 'literature

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rature' is written, (6) a thorough training in the methods of linguistic science and linguistic investigation.

It is to the possession of these qualifications that Dr. Collins owes his appointment as University Professor. Mr. Kuppaswami may possess, for anything we know to the contrary, the same qualifications in an equal degree. The Syndicate was probably quite unaware of it, and Mr. Kuppaswami's offer to submit his credentials to the judgment of the Board of Studies in Sanskrit does not help us forward very much, since of the colleagues to whom he appeals one only, unless we are much mistaken, has any claim to rank as a Philologist, namely, the University Professor himself. But the question of Mr. Kuppaswami's philological scholarship—which it should be noted was introduced by himself—is really quite beside the point. If Mr. Kuppaswami Sastri possesses the same qualifications as Professor Collins, then doubtless his pupils at the Presidency College have no particular need of the University Professor's services—unless indeed, as most people suppose, the scholar who is not only qualified but has ample opportunities for specialized work,—which is the happy lot of the University Professor—is at some considerable advantage as compared with the scholar who may have the capacity but is sadly restricted in the matter of opportunities—which is the plight of most college Professors.

Mr. Kuppaswami Sastri may be an exception; but even if he possesses all the qualifications and enjoys all the opportunities, the situation will not be materially altered. He is, after all, a college Professor and the privilege of attending his lectures is confined to a few Presidency College students. The University has now undertaken to provide for a much wider circle. Any course of University lectures, even though in the first place designed for undergraduates, is open to other students,* and, with regard to undergraduates, even though the Presidency College continues to be the only college affiliated in Branch viii, and the Presidency College declines to receive assistance towards the conduct of that Branch, account has still to be taken of 'Special Subject 6' in Branch vii, in which Branch not only the Presidency College but two other colleges are affiliated. We understand that the Professors of English Philology in the Madras Christian and Presidency Colleges particularly requested the Syndicate through their Principals that the University Professor should deliver lectures bearing on this special subject, and that it was in consequence of this request that provision for the special subject has been made in the Standing Order. Mr. Kuppaswami, it is true, considers that the Professor of English in the Presidency College had no right to make any such request. This, however, is a matter for the Principal of the College to decide; but there are, as we have said, other colleges concerned, and it is wholly inconceivable that Government will veto an arrangement which is obviously to the advantage of these colleges for the purely personal reasons urged in the protest.

And if Government sanction the arrangements made in the Standing Order for Special Subject 6 of Branch vii, all the arrangements contained in the Order will, as a necessary consequence, at the same time in effect be sanctioned, for Special Subject 6 of Branch vii, 'Indo-Germanic Philology with special reference to Sanskrit', is in substance identical with the purely philological portions of Branch viii, viz. 'The Principles of Comparative Philology', 'The Elements of Indo-Germanic Comparative Grammar', and 'The History of the Sanskrit Language'. The examinations are distinct but the subject matter of the courses is in every respect the same, and lectures and classes which are suitable and sufficient for one set of students will be, in the nature of the case, suitable and sufficient for the other. Whatever attitude the Presidency College authorities take up in the matter—and we do not anticipate that it will be altogether Mr. Kuppaswami's attitude—there will be this additional advantage in the simultaneous provision made for two distinct sets of students, that it may render it possible for Madras Colleges not as yet affiliated in Branch viii to seek affiliation in that Branch, and some real progress in Sanskrit studies in the University will be thereby facilitated.

* Regulation 897.

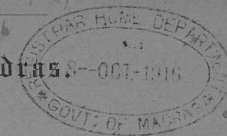
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Whether this follows as a consequence or not, we have no sort of doubt that Mr. Kuppaswami Sastri's demand that the University Professor of Comparative Philology shall not be permitted to lecture to undergraduates on the subject he has been specially appointed to teach—for this is what his protest amounts to—will appear as inadmissible to Government as it seems unreasonable to us.

July 10, 1916.

MARK HUNTER.
E. MONTEITH MACPHAIL.
FERRAND E. CORLEY.



University of Madras



No. 7885

SENATE HOUSE, 17 - OCT 1916

Enclosures. 6

FROM

FRANCIS DEWSBURY, Esq., M.A., LL.B.,

Registrar, University of Madras,

To

The Secretary to Government,

Home (Education) Department.

Sir,

With my letter No. 5473, dated the 17th July last, I submitted for the consideration and orders of the Government, under Regulation 64, a protest lodged by Mr. S. Kuppuswami Sastri against the resolution of the Senate, passed at its meeting held on the 3rd March 1916, sanctioning the arrangements embodied in the Standing Orders of the Syndicate relating to the appointment and duties of University Professors, and the memorandum of reply thereto prepared by a Committee elected for the purpose. Further protests against the same resolution of the Senate were submitted by Mr. G. A. Natesan, B.A., and Mr. K. B. Ramanathan, M.A., B.L., L.T. As these protests, however, contested the rulings of the Vice-Chancellor at the meeting of the Senate, the Syndicate returned the protests with a direction that, in view of Regulation 60, the references to the rulings of the Vice-Chancellor should be deleted, and further correspondence ensued. As the Syndicate finally refused to circulate the protest, unamended, Messrs Natesan and Ramanathan moved the High Court, Madras, for a Mandamus against the Syndicate. The Court gave judgment on 15th August 1916 against the Syndicate and issued orders directing that Body to proceed to deal with the

protests in conformity with the provisions of Regulation 64.
In compliance with these orders I am now instructed to submit
for the consideration and orders of H. E. the Governor-in-
Council the protests and a Memorandum of reply thereto prepared
by a Committee of three Members of the Senate duly elected for
the purpose, in accordance with Regulation 64.

I have the honour to be,

Sir,

Your most obedient servant,

Francis Dawson

Registrar.

No.
Dated

FROM

THE REGISTRAR OF THE
UNIVERSITY OF MADRAS,

To

Enclosures

SUBJECT,

University of Madras

THE following protests lodged by M.R.Ry. G. A. Natesan Avl., B.A. and M.R.Ry. K. B. Ramanathan Avl., M.A., B.L., L.T., under Regulation 64, against the resolution of the Senate passed at its meeting held on March 3, 1916, sanctioning the arrangements embodied in the Standing Orders presented by the Syndicate relating to the appointment and duties of University Professors are, by the direction of the Syndicate and in accordance with the same Regulation, circulated to each member of the Senate who was present at the meeting with a request that he will record a vote for three members of the Senate to form a Committee to prepare a memorandum in support of the resolution. It is requested that the votes may be returned so as to be received by the Registrar not later than Saturday, September 9, 1916.

(By order)

SENATE HOUSE,
August 30, 1916.

JOHN J. HENSMAN,
Manager-in-charge.

March 10, 1916.

To

THE REGISTRAR,
University of Madras.

SIR,

I send herewith my protest against the passing of the Fourth Resolution in the Agenda of the last Senate meeting. I submit—

1. That the Honourable the Vice-Chancellor was wrong in his ruling that no amendments could be moved to the *Standing Orders* referred to and that the only alternative left to the Senate was to approve or reject them *in toto*.

2. That the Vice-Chancellor was further wrong in allowing a part of the Standing Orders relating to the ex-officio Chairmanship of the Board of Studies in Sanskrit to be withdrawn, and the remaining clauses to be retained. The ruling of the Vice-Chancellor in this respect is inconsistent with the ruling given with regard to Mr. K. B. Ramanathan's amendment as out of order.

3. That, as pointed out by the Hon'ble Mr. Justice K. Srinivasa Iyengar Avl., the very Regulation 96 iii under which the resolution relating to the Standing Orders was moved is contravened by the provisions contained in the clauses requiring the University Professors to lecture on class subjects. That 96 iii should be construed in the light of Regulations 391, 392, 393 and 398 and that the Syndicate did not obtain the recommendations of the Boards of Studies concerned in respect of the lectures on Honours subjects.

4. That the Standing Orders, if approved of by the Government, will lead to the absurd result of placing the Dravidian Readers under the control of the University Professor of Comparative Philology who cannot lay claim to an adequate knowledge of any of the Dravidian languages; that Mr. Mark Hunter said at the meeting that the University Professor of Comparative Philology had undertaken the work 'under great difficulties', and that the Hon'ble Mr. Stone said in the course of the discussion on one of the amendments that, if a period of two years more were to elapse, the said University Professor of Comparative Philology, 'might make improvements in the study of the Dravidian languages.'

5. That the Indian Professor of Sanskrit and Comparative Philology at the Presidency College, who could reasonably be expected to be thoroughly conversant with the Sanskrit Language and Literature in their various stages and aspects of development and conversant to the required extent with the principles of linguistic science, is obviously competent to do the teaching work relative to Sanskrit and Sankritic Philology.

6. That, under the arrangements made, students in the colleges in the city of Madras will get an undue advantage and the interests of students in the mofussil colleges will be prejudicially affected. This aspect of the case was also pressed on the attention of the Senate by the Rev. Father Bertram of the St. Joseph's College, Trichinopoly, and by others representing the mofussil colleges.

7. That there is a great deal of unnecessary, uncalled for, and unjustifiable variation in language in the clauses 4, 5, and 2, under A, B and C respectively. That several members of the Senate protested against making invidious distinctions between University Professors in describing their functions and duties.

8. That it is understood (the statement is made subject to correction) that the Standing Orders in question were discussed at a meeting of the Syndicate at which the Hon'ble the Vice-Chancellor and the Hon'ble the Director were absent; and that the Standing Orders were approved by a very narrow majority, the two Indian members of the Syndicate voting against the same.

9. That in the Senate itself the proposals were approved by only 37 to 35; and that there was considerable feeling over the result that a further motion to refer the matter back to the Syndicate was immediately moved but with the same result.

G. A. NATESAN.

TRIPPLICANE,
March 8, 1916.

To

THE REGISTRAR,
University of Madras.

SIR,

I have the honour to forward to you the following protest against (1) the resolution of the Senate adopting the Standing Orders recommended by the Syndicate in the Agendum IV of the Agenda paper of the Senate meeting on March 3 last;

(1)

My reasons for urging a protest against the resolution as regards the Agendum IV are the following.

The mover of the resolution to adopt the Standing Orders as presented said the whole of the Standing Orders must be accepted or rejected. It was not for the Senate to adopt a part and reject the rest. It was in accordance with this view, the Vice-Chancellor ruled that the amendments proposed by me were not in order. Any how this is how I understood the words of the Vice-Chancellor and abstained from placing the amendments before the Senate. If this view was a mistake, the Vice-Chancellor ought to have called on me to place the amendments before the house. He did not.

My amendments having been brushed aside, the mover did precisely what he would not have any of the members of the Senate then assembled venturing to do. He dropped No. 1 of B. *Professor of Comparative Philology* (Appendix A); and presented only the rest of the Standing Orders for the acceptance of the Senate. The integrity of the Standing Orders was given up. As the Hon'ble Mr. Justice K. Srinivasa Aiyangar pointed out Mr. Hunter was moving the proposition only as a Fellow and therefore could not make this omission of a part of the resolution entrusted to him as though it were an omission he was duly authorized to make on behalf of the Syndicate. If I should not make any modification with regard to the Standing Orders, neither was Mr. Hunter any way entitled to alter the resolution he was entrusted with. The proper course was to remit the matter to the Syndicate so that the Standing Orders might be presented again in an unobjectionable form.

Again it was admitted by responsible and influential members of the Syndicate like the Rev. Mr. Macphail and Mr. Allen that the wording of the clauses (A. Professor of Indian Economics) 4; (B. Professor of Comparative Philology) 5; and (C. Professor of Indian History and Archaeology) 2; was far from happy and that an apparent difference of words meant an identity of meaning. As I pointed out the services of the University Professors for teaching the Honours students could be effectively enough secured under the clause 6 of General I Appendix without insisting on the special clauses which suggested differential treatment and needlessly irritated the feelings of the Professor of Sanskrit in the Presidency College, as also the feelings of the Professor of Indian History. I deprecate because of the above-mentioned reasons the acceptance by Government of the resolution of the Senate on Agendum IV.

(2)

I have the honour to be,
Sir,
Your most obedient servant,

K. B. RAMANATHAN.

Memorandum prepared by the Committee of three members of the Senate elected under Regulation 64 in reply to the protests lodged by Messrs. G.A. Natesan and K. B. Ramanathan against the resolution of the Senate passed at its meeting held on March 3, 1916, sanctioning the arrangements embodied in the Standing Orders of the Syndicate relating to the appointment and duties of University Professors.

The points raised in the protests appear to fall under two heads.—

1. Objection to the resolution on the ground of misruling by the Vice-Chancellor.
2. Objection based on the proposed Standing Orders themselves.

As regards the first it is obviously a case of statement against statement. Mr. Natesan states that the late Vice-Chancellor was wrong. The late Vice-Chancellor if consulted would doubtless say that he was right; while Regulation 60 when consulted says that 'The Chairman shall be the sole judge on any point of order.'

Mr. Ramanathan's complaint that Mr. Hunter was permitted by the Vice-Chancellor to do what Mr. Ramanathan himself was forbidden to do is based on a misunderstanding. Clause I of II-B was not withdrawn by Mr. Hunter save in so far as he announced that the clause was withdrawn by the Syndicate. This clause which had been transferred to the proposed Standing Orders from the Report of a Senate Committee adopted by the Senate in October, 1913, was at the last moment seen to be inconsistent with Regulation 140. Acting in anticipation of the Syndicate's sanction the Vice-Chancellor directed Mr. Hunter to withdraw it in the name of the Syndicate. His ruling in effect was that while it is competent for the Syndicate to withdraw one of its own orders no such order can be amended by any other body and still remain a Syndicate's order. In pathetic illustration of the futility of human effort it may be added that he was under the impression that the withdrawal would make for 'conciliation'!

To the proposed Standing Orders in themselves the objections are:

1. That they will lead to the absurd result of placing the Dravidian Readers under the control of the University Professor of Comparative Philology.

This absurd result, it may be remembered, has been by the express orders of the Senate in operation for two years, and has been by the Senate continued for an additional year, to the great advantage, there is good reason to believe, of the Readers. But if Mr. Natesan had any conception of the nature of philological studies he would be aware that there is no absurdity whatsoever in placing persons engaged in linguistic research under the guidance of a trained philologist even though the trained philologist should be at first unfamiliar with the particular languages under investigation. It was essential that the Readers, the majority of whom had little or no acquaintance with the principles and methods of Comparative Philology, should work under expert guidance, and in the circumstances the University Professor of Comparative Philology was not only the most fitting, but positively the only expert available.

2. That they are unnecessary in view of the existence of the Professor of Sanskrit and Comparative Philology at the Presidency College and that they will prejudicially affect the students of the mofussil colleges.

The inability to distinguish between a college or a University Professor has been more fully expressed in the protest of M.R. Ry. S. Kuppuswami Sastri already before Government, and in view of the previous Committee's reply it is unnecessary to deal with this

objection. As regards the prejudice suffered by mofussil colleges it is obvious that this objection if respected would destroy all University activity in the city where the University is supposed to be located. To those who remember the demand made a few years ago for 'a teaching University' and the immense advance that this function was supposed to portend it is instructive to find that as soon as University Professors have been appointed they are to be forbidden to teach.

3. That the terms of the Standing Orders draw offensive distinctions in the duties assigned to the different Professors.

In reply to this it may be pointed out that the Professors were themselves consulted as to the duties to be assigned to them and the difference in language is partly due to the fact of such separate treatment; nor can it be expected that in the case of such different subjects these duties can be brought under identical terms. This particular objection was very fully answered in the reply to Mr. Kuppuswami Sastri's protest. We may add that in the Senate two members of the Syndicate expressly repudiated the suggestion that the language employed in the orders was intended to create invidious distinctions. Apart from this definite disclaimer the wording by itself, we submit, cannot with any fairness be made to bear the interpretation which hyper-sensitive suspicion seeks to thrust upon it.

4. That the Standing Orders were approved by a narrow majority in the Syndicate and in the Senate.

As regards the vote in the Senate Mr. Natesan seems to have confused his facts. From the record of the proceedings it appears that the vote by which the motion was carried was not counted. The figures 37-35 were cast on a proposal to refer the matter to a Committee. On the general principle it may be pointed out that if it is once understood that the fact that a resolution of the Senate has been carried by a narrow majority is a sufficient ground for protest the submission of such protests, already on the increase, is likely to be extended considerably. Of the proceedings of the Syndicate Mr. Natesan's knowledge must be confined obviously to either gossip or confidential communications. The onus of explanation appears to lie not on this Committee but on the Fellow who tries to use such sources of information in official documents.

September 29, 1916.

E. MONTEITH MACPAIL.
MARK HUNTER.
H. J. ALLEN.



March 3, 1916

MEETING OF THE SENATE

PRESENT

1. The Hon'ble Sir John Wallis, Kt., M.A. *Bar-at-Law, Vice-Chancellor (in the Chair).*
2. The Hon'ble Mr. J. H. Stone, C.I.E., M.A., F.R.H.S.
3. Mr. J. R. Henderson, M.B., F.L.S.
4. Mr. R. Ll. Jones, M.A., F.R.A.S.
5. Rao Bahadur K. Ramanujachariyar, M.A., B.L.
6. The Rev. W. Skinner, M.A., D.D.
7. M.R.Ry. B. Hanumanta Rau Avl., B.A., I.S.O.
8. Muhammad Aziz-ud-din Husain Sahib Bahadur, Khan Bahadur, I.S.O.
9. Mr. Mark Hunter, M.A.
10. Mr. H. J. Allen, M.A., *Bar-at-Law.*
11. M.R.Ry. H. Rangappa Avl., B.A. M.B. & C.M.
12. Mr. J. G. Tait, M.A.
13. Mr. W. H. James, B.Sc.
14. Mr. R. Littlehailles, M.A.
15. M.R.Ry. K. B. Ramanathan Avl., M.A. B.L. L.T.
16. The Hon'ble the Rev. G. Pittendrigh, M.A.
17. The Rev. E. M. Macphail, M.A., B.D.
18. Mr. H. S. Duncan, M.A.
19. Mr. A. Chatterton, C.I.E., B.Sc., Ac.G.I., A.M.I.C.E., M.I.M.E.
20. Mr. P. F. Fyson, B.A., F.L.S.

21. M.R.Ry. K. R. Guruswami Aiyar Avl., B.A., B.L.
22. The Rev. A. Moffat, M.A., B.Sc., F.R.S.E.
23. The Rev. W. C. Penn, M.A.
24. Rao Sahib T. Ramakrishna Pillai, B.A., F.R.H.S.
25. Rao Bahadur A. C. Pranatartihara Aiyar, B.A., I.S.O.
26. M.R.Ry. G. A. Natesan Avl., B.A.
27. Mr. W. J. Prendergast, B. Litt. (Oxon.)
28. Lt.-Col. A. Miller, M.B., F.I.C., I.M.S.
29. The Rev. H. J. Quinn, S.J., D.D.
30. Lt.-Col. C. Donovan, B.A., M.D., I.M.S.
31. The Hon'ble Mr. Justice Abdur Rahim, M.A., *Bar-at-Law*.
32. The Hon'ble Mr. V. S. Srinivasan, B.A., L.T.
33. M.R.Ry. P. Lakshminarasu Nayudu Garu, B.A.
34. Dewan Bahadur L.A. Govindaraghava Aiyar, B.A., B.L.
35. The Rev. Allan F. Gardiner, M.A.
36. Khan Bahadur Shaikh Mirala Vapuchi Marai-kayar Usman Sahib Bahadur, B.A., B.L.
37. The Hon'ble Mr. T. M. Nair, M.D.
38. The Rev. F. Bertram, S.J., B.A., D.D.
39. M.R.Ry. G. Venkataranga Row Garu, M.A.
40. The Hon'ble Surg-Gen. W. B. Bannerman, C.S.I., M.D., I.M.S.
41. Mr. F. S. Davies, B.A.
42. Rao Bahadur R. Venkataratnam Nayudu, M.A.
43. The Hon'ble Mr. S. Srinivasa Aiyangar B.A., B.L.
44. M.R.Ry. K. Ramanujachariyar Avl., B.A.
45. M.R.Ry. C. P. Ramaswami Aiyar Avl., B.A., B.L.
46. M.R.Ry. K. Ramunni Menon Avl., M.A.

47. M.R.Ry. S. Krishnaswami Aiyangar Avl., M.A., M.R.A.S., F.R.H.S.
48. M.R.Ry. C. Ramalinga Reddy Garu, M.A.
49. M.R.Ry. K. V. Rangaswami Aiyangar Avl., M.A., F.R.H.S.
50. M.R.Ry. P. S. Chandrasekharam Avl., B.A., M.D.
51. Mr. Lionel Christopher Hodgson, M.A.
52. Mr. George Frank Clark, M.A., Ph.D.
53. Yakub Hasan Sahib Bahadur.
54. Mr. R. G. Grieve, M.A.
55. M.R.Ry. S. Swaminadhan Avl., M.A., LL.B., B.Sc., Ph.D., *Bar-at-Law*.
56. Major F. F. Elwes, C.I.E., M.D., I.M.S.
57. Mr. Ferrand E. Corley, M.A.
58. Mr. E. W. Green, M.A.
59. Lieut.-Col. W. J. Niblock, M.B., B.Ch., B.A.O., etc., I.M.S.
60. The Rev. P. Carty, S.J., B.Sc., D.D.
61. Mr. Henry Dodwell, M.A.
62. M.R.Ry. I. Srinivasa Aiyar Avl., B.A.
63. Mr. Arthur Davies, M.A., *Bar-at-Law*.
64. Mr. Mark Collins, B.A., Ph.D.
65. M.R.Ry. A. Subrahmanya Aiyar Avl., B.A., L.T.
66. The Hon'ble Mr. Justice K. Srinivasa Aiyangar, B.A., B.L.
67. Rao Bahadur T. Raghava Aiyar, B.A.
68. Mr. O. J. Couldrey, M.A.
69. Mr. R. M. Statham, M.A.
70. The Rev. C. J. Perazzi, S.J., D.D.
71. M.R.Ry. R. Krishnamachariar Avl., M.A.
72. M.R.Ry. S. Kuppuswami Sastryar Avl., M.A.
73. Rao Bahadur T. Vijayaraghavacharya, M.A.
74. M.R.Ry. Vepa Ramesam Pantulu Garu, B.A., B.L.
75. M.R.Ry. P. V. Seshu Aiyar Avl., B.A., L.T.
76. Mr. J. L. Simonsen, D.Sc.

77. The Rev. W. W. Wallace, M.A.
78. Mr. Paul Appaswami, M.A., LL.B., *Bar-at-Law*.
79. Mr. Gilbert Slater, M.A., D.Sc.

MINUTES OF THE MEETING

I. Mr. C. Ramalinga Reddi moved under Regulation 19 (ii)

“that clauses vii and viii of item No. XXII in the Agenda be taken up for consideration before item No. VIII”

Mr. C. P. Ramaswami Aiyar seconded the motion.

After Mr. K. Ramuni Menon had spoken, the motion was put to the meeting and carried.

II. Mr. B. Hanumanta Rau proposed
and

The Hon'ble Mr. J. H. Stone, seconded.

That the following newly appointed Ordinary Fellows be assigned to the Faculties as under :—

FACULTY OF ARTS

1. Rao Bahadur T. Vijayaraghavacharya, M.A.
2. Mr. P. V. Seshu Aiyar, B.A., L.T.
3. „ G. Venkataranga Rau, M.A.
4. „ R. Littlehailes, M.A.
5. „ B. Hanumanta Rau, B.A., I.S.O.
6. Nawab Imad-ul-Mulk Saiyid Husain Bilgrami, C.S.I., B.A.
7. Mr. J. L. Simonsen, D.Sc.
8. The Rev. W. C. Penn, M.A.
9. The Rev. W. W. Wallace, M.A.
10. Mr. Gilbert Slater, M.A., D.Sc.

FACULTY OF LAW

1. Mr. Vepa Ramesam Pantulu, B.A., B.L.
2. Dewan Bahadur L. A. Govindaraghava Aiyar, B.A., B.L.
3. Sir V. C. Desikachariyar, Kt., B.A., B.L.

4. The Hon'ble Mr. Justice Abdur Rahim, M.A., *Bar-at-Law*.
5. Mr. Paul Appaswami, M.A., LL.B., *Bar-at-Law*.
6. The Hon'ble Mr. Justice T. V. Seshagiri Aiyar, B.A., B.L.

FACULTY OF MEDICINE

Mr. J. R. Henderson, M.B., F.L.S.

Carried,

III. The Senate's permission having been asked and granted for the addition to the motion standing in his name of clause f (1) relating to exemption from the production of the first year's attendance certificate for the Intermediate Examination of 1916, in the cases of A. Gnanamuthu, M. Philipose and G. Savarirayan,

Mr. W. H. James proposed
and

Mr. B. Hanumanta Rau seconded.

(a) That, under section 19 of the Indian Universities Act, 1904, the following students be granted exemption from the production of the required attendance certificates for Part II of the Intermediate Examination of 1916 in the subjects specified :—

- (1) A. R. Anantakrishna Aiyar, student, Kumbakonam College, and E. H. Joseph, student, Noble College, Masulipatam, in Malayalam Composition.
- (2) M. R. Dinkar Rau, student, Brennen College, Tellicherry, and S. H. Gopalaswami Naidu, student, Coimbatore College, in Kanarese Composition.
- (3) Miss Camilla Samuels, student, Maharani's College, Mysore, in French Translation.

(b) That, under section 19 of the Indian Universities Act, 1904, the following students be granted exemption from the production of one year's attendance certificate for Part II of the Intermediate Examination of 1916, in the subjects and years specified :—

(1) B. E. D'Moss and M. H. Hesterlow, students, Central College, Bangalore, in French Translation for the *additional* year.

(2) G. Rachappa, student, Central College, Bangalore, in French Translation for the *second* year.

(c) That under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss Shahzadi Begum and Miss Anna C. Joseph be granted exemption from the production of the required attendance certificates for the Intermediate Examination of 1916.

(d) That, under section 19 of the Indian Universities Act, 1904, T. S. Sundaram, a former student, Madras Christian College, and T. S. Kuppuswami, a former student, Presidency College, be granted exemption from the production of the *additional* year's attendance certificates for the Intermediate Examination of 1916.

(e) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss S. Selva Bhagyam, student, Madras College for Women, be granted exemption from the production of the *additional* year's attendance certificate for the Intermediate Examination of 1916.

(f) (1) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, the following students of the Women's Christian College, Madras, be granted exemption from the production of the *first* year's attendance certificate for the Intermediate Examination of 1916:—

Miss A. Gnanamuthu.

„ M. Philipose.

„ G. Savavirayan.

(f) (2) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, the following students of the Madras College for Women be granted exemption from the production of the *second* year's attendance certificates for the Intermediate Examination of 1916:—

Miss M. A. Dweltz.

„ M. B. D'Sylva.

Miss A. Hardy

„ R. S. Swarnambal.

(g) That, under section 19 of the Indian Universities Act, 1904, the following students be granted exemption from the production of the required attendance certificates for Part II of the Intermediate Examination of 1917, in the subjects specified:—

(1) A. R. Viswanathan, student, Coimbatore College, in Telugu Composition.

(2) G. N. Venkata Rau, R. S. Krishna Moorthy, B. M. Srinivasa Moorthy, N. Subramania Aiyar, V. Puttiah, V. Ramiah Setty and H. Chandrasekariah, students, Coimbatore College, in Kanarese Composition.

(3) B. Padmanabhan, student, Madras Christian College, and Misses A. D'Rozario and L. Burton, students, Government College, Mangalore, in French Translation.

(h) That, under section 19 of the Indian Universities Act, 1904, P. Bhujangam, student, Madras Christian College, be granted exemption from the production of the *first* year's attendance certificate under Part II of the Intermediate Examination of 1917 in Telugu Composition.

(i) That, under section 19 of the Indian Universities Act, the following students be granted exemption from the production of the required attendance certificates under Part III Group iii of the Intermediate Examination of 1917 in the subjects and years specified:—

(1) R. J. Horsley, student, Central College, Bangalore, in Latin for the *first* and *second* years.

(2) N. Appalachary, Ch. Indriah, G. A. Jagannadha Sastry, Bh. Kanakayya, M. Lakshminarayana, A. Mallikarjanudu, K. Nagabhushanam, N. V. Neeladriraju, K. Pullayya, Tumu Rama Rau, S. V. Ramachandra Rau, Alapaty Satyanarayana, N. Satyanarayana, V. Satyanarayana-murty, K. Satyanarayana Rau, B. S. Subrah-

manyam, M. Suryanarayana, N. Ch. Venkatachari and U. Venkateswarlu, students, P. R. College, Cocanada, in Telugu for the *first* year.

- (3) Vaddadi Appa Rau, A. Ramamurty, Narasimhadwara Satyanarayana, and Mangalampalli Suryanarayana, students, P. R. College, Cocanada, in Sanskrit for the *first* year.

(j) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss E. M. Bower, Sub-Assistant Inspectress of Schools, and Miss L. M. Srinivasa, student, Women's Christian College, Madras, be granted exemption from the production, the former of the *first* and *second* years' attendance certificates, and the latter of the *first* year's attendance certificate, required for the Intermediate Examination of 1917.

(k) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 160, Miss Pakkiam Kanthimathy, student, Women's Christian College, Madras, be granted exemption from the production of the *additional* year's attendance certificate under Part I, English, of the B.A. Degree Examination of 1916.

(l) That, under section 19 of the Indian Universities Act, 1904, and under Regulation 150, Miss Lucy D'Souza, be granted exemption from the production of the required attendance certificate under Part I, English, of the B.A. Degree Examination of 1916.

(m) That, under section 19 of the Indian Universities Act, 1904, T. S. Subbaraman, a former student, St. Joseph's College, Trichinopoly, be granted exemption from the production of the *additional* year's attendance certificate under Part II—Group (v)—History and Economics, for the B.A. Degree Examination of 1916.

(n) That, under section 19 of the Indian Universities Act, 1904, K. Vyasa Rau, Assistant Master, High School, Chickmagalore, be granted exemption from the production of the *additional* year's attendance certificate under Part I, English, of the B.A. Degree Examination of 1917.

(o) That, under section 19 of the Indian Universities Act, 1904, Mr. B. Sanjiva Rao, B.A., Demonstrator of Chemistry, Central College, Bangalore, be granted exemption from the production of the required two years' attendance certificate for the B.A. (Honours) Degree Examination of 1918 in Branch ii-B (Chemistry) with a view to qualifying for the M.A. Degree without Honours.

(p) That, under section 19 of the Indian Universities Act, 1904, Messrs. N. C. Vaidyanathaiyar, B.A., T. Mohan Lal, B.A., and C. Kariyappa, B.A., be granted exemption from the production of the required attendance certificates for the L. T. Degree Examination, and that the exemptions be permanent.

(q) That, under section 19 of the Indian Universities Act, 1904, Mr. K. Mahadeva Aiyar, B.A., be granted exemption from the production of the required certificate of attendance for the First Examination in Law of 1916 under the Old Regulations, and that the exemption be permanent.

(r) That, under section 19 of the Indian Universities Act, 1904, Mr. V. Srinivasagam be granted exemption from the production of the additional certificate after six months' study required by Regulation 296 for the Final M.B. & B.S. Degree Examination, and that the exemption be permanent.

(s) That, under section 19 of the Indian Universities Act, 1904, the following persons be granted exemption from the production of the required certificates of attendance for the Oriental Title Examination of 1916 in the subjects specified :—

- (1) D. Padmanabhan Unni—Malayalam and Sanskrit.
- (2) T. M. Theyyunni Nair—Malayalam and Sanskrit.
- (3) P. S. Harihara Aiyar—Malayalam and Sanskrit.
- (4) C. I. Gopala Pillai—Malayalam and Sanskrit.
- (5) C. P. Damodara Menon—Malayalam and Sanskrit.
- (6) A. G. Subrahmanyam—Tamil and Sanskrit.
- (7) K. V. Vedantachari—Telugu and Sanskrit.
- (8) A. M. Satagoparamanujacharya—Tamil and Sanskrit.
- (9) K. P. Sankara Pillai—Malayalam and Sanskrit.

- (10) T. Suryanarayana Rau—Telugu and Sanskrit.
 (11) V. Subba Rau—Telugu and Sanskrit.

After the Hon'ble Mr. V. S. Srinivasan had spoken and Mr. W. H. James had replied, the proposition was put to the meeting and *carried*.

IV. The Syndicate reported to the Senate under Regulation 96 (vi)—

- (1) That the time-table for the B.A. Degree Examination under the Old By-laws in Branch V (History and Economics) has again been altered so as to allow of common papers being set in Indian History and Political Economy both for that examination and the B.A. Degree Examination under the New Regulations in Group (v)—History and Economics.
- (2) That the time-table for the B.A. Degree Examination under the New Regulations in Group (v)—History and Economics—has been altered so as to allow of a common paper in Language being set for both that Group and Group (vi)—Languages other than English.
- (3) That it has been arranged to antedate the B.L. (Old Regulations), the M.L. and the M.D. & M.S. Degree Examinations of 1916 and the Oriental Title Examination of 1916 so as to begin respectively on April 17, 15, 17 and 10, 1916, in order that all these examinations may be finished before the Easter Holidays commencing on April 20, 1916.
- (4) That it has been arranged to antedate Part I of the B.S.Sc. Degree Examination of 1916 so as to commence on March 27, 1916, instead of on April 4, 1916, the date fixed by the Regulations, in order that there may be a sufficiently long interval between Part I and Part II of the Examination.
- (5) That the time-table for the B.L. Degree Examination of 1916 (Old Regulations) has been slightly altered so that a common paper on

'Indian Constitutional Law' may be set for both that examination and the F.L. Examination (New Regulations).

- (6) That the time-tables of the Oriental Title Examination of 1916 have been altered so as to reduce the total number of question papers by setting common papers in several subjects both for the Siromani and Vidwan Examinations with a view to economy.
- (7) That the time-table for the Second L.M. & S. or M.B. & B.S. Examination to be held in March 1916, has been slightly altered so as to enable candidates taking General Biology and Organic Chemistry under the Transitory Regulations to appear for the examination in both the subjects.

Rao Bahadur K. Ramanuja Chariar made some inquiries to which the *Vice-Chancellor* replied.

V. The Syndicate presented to the Senate for sanction, under Regulation 96 (iii), the following Standing Orders relating to the appointment and duties of University Professors :—

Standing Orders adopted by the Syndicate in connection with University Professors and their duties.

I. GENERAL

1. University Professors shall be appointed by the Syndicate, subject to the confirmation of the Senate, and of His Excellency the Governor in Council.
2. The tenure of the office of a University Professor shall be limited to five years, but the same individual shall be eligible for re-appointment.
3. It shall be in the power of the Syndicate to dispense with the services of a University Professor at any time before the expiration of five years on payment to him of six months' salary, and it may at any time

discharge him from service without notice or compensation in the event of misconduct on his part or of a breach by him of any of the conditions on which he was engaged. In case a University Professor should wish to resign his office before the expiration of five years, he shall give six months' notice of his intention to resign.

4. A University Professor shall not engage in work other than that of his office without the express permission of the Syndicate.

5. Except with the express permission of the Syndicate a University Professor shall not be absent from Madras during term time, University terms being as defined in Regulation 396.

6. A University Professor may be required not only to engage in the work of research but also to deliver courses of lectures and conduct classes as the Syndicate may direct.

7. A University Professor may further be required to advise the Syndicate and other University authorities with regard to any University course or examination in a subject connected with his Chair.

8. Passage money may be paid to a University Professor on the understanding that in the event of his resigning his appointment before the completion of two years' service he may be called upon to refund it.

9. University Professors may be required to give advice and assistance of a special character to the authorities of the University Library, and the Professor of Comparative Philology may be required to render assistance to the Tamil Lexicon Committee.

II. SPECIAL

A. Professor of Indian Economics

It shall be the duty of the Professor of Indian Economics

1. to enquire into actual economic conditions in the Madras Presidency and in the Native States within the territorial jurisdiction of the University ;

2. to enquire into the economic history of the same area with special reference to the interpretation of present day facts and the forecasting of future tendencies ;

3. To stimulate interest in economic studies and to enlist the help of Indian students in the above enquiries and to supervise their work ;

4. To undertake the instruction of Honours students in some specific portion of the Honours course in Economics.

B. Professor of Comparative Philology

1. The Professor of Comparative Philology shall be *ex-officio* Chairman of the Board of Studies in Sanskrit, Uriya, Marathi, Burmese and Sinhalese.

2. The Chair of Comparative Philology shall have special but not exclusive reference to Sanskrit, and the Sanskritic languages of Southern India including Urdu.

3. It shall be the duty of the Professor of Comparative Philology to supervise the work of all research students selecting subjects related to the subject of his Chair.

4. The work of all University Lecturers and Assistant Lecturers and Readers in Indian Languages shall be under the general control of the Professor of Comparative Philology.

5. The Professor may be required every year to deliver courses of lectures and hold classes, which will cover completely (a) the course in Honours Branch viii in the 'Principles of Comparative Philology' and the 'Elements of Indo-Germanic Comparative Grammar' as also the 'History of the Sanskrit language'; (b) the course in Branch vii-Special Subject '6 Indo-Germanic Philology with special reference to Sanskrit' as also the course in the books set in connection with this special subject.

C. Professor of Indian History and Archaeology

It shall be the duty of the Professor of Indian History and Archaeology

This was omitted under page 15417 infra

This forms the subject of protest

1. To prosecute researches in Indian History and Archaeology and to give publicity to his results in the form of University lectures ;

2. To assist in providing instruction to Honours students in the course of Indian History prescribed for the Honours Degree ;

3. To deliver regular courses of Ordinary University lectures on selected subjects in Indian History and Archaeology.

Mr. Mark Hunter proposed

and

Mr. W. J. Prendergast seconded :

'That the sanction of the Senate be accorded to the arrangements embodied in these standing orders'.

After some remarks by the Hon'ble Dr. T. M. Nair, the Rev. F. Bertram, S.J., and the Hon'ble Mr. J. H. Stone, the Vice-Chancellor ruled that the following amendments, of which Mr. K. B. Ramathan had given notice, were out of order :—

That in the Standing Orders submitted to the Senate, the following changes *be made* :—

(i) General, the following *be added* :—

'10. That the University Professors *be ex-officio* Chairmen of the Boards of Studies of which they are members: that if there are more University Professors than one in any particular Board, the Senior Professor shall be the Chairman.'

(ii) In II—Special—

A. Professor of Indian Economics.

Clause '4 (to undertake . . . in Economics)' *be omitted*.

B. Professor of Comparative Philology

Clause '1 (The Professor . . . and Sinhalese)' *be omitted*.

In clause 4, *be added* at the end, 'if his proficiency in the languages qualifies him to be the *ex-officio* Chairman of the Boards of Studies in the Indian Languages that the University Lecturers and Readers pursue researches in.

In case of a Professor of Dravidian Philology being appointed, he shall supervise the work of University Lecturers and Readers in the Dravidian Languages.'

Clause '5 (The Professor . . . with this special subject)' *be omitted*.

Clauses 1, 2, and 3, *be re-numbered*.

C. Professor of Indian History and Archaeology

Clause '2 (to assist in providing . . . Honours Degree)' *be omitted*.

Clauses 1 and 2 *be re-numbered*.

The Vice-Chancellor at the same time added that standing order No. 1 under 'II Special B. Professor of Comparative Philology,' appeared to be inconsistent with the provisions of Regulation 140 and was withdrawn by the Syndicate.

In answer to the Hon'ble Mr. Justice K. Srinivasa Aiyangar the Vice-Chancellor ruled that it was open to the Syndicate to withdraw this proposal as it was severable from the other proposals relating to that Professorship.

The motion was then debated, and a discussion followed in which the Rev. H. J. Quinn, S.J. (Messrs) and G. A. Natesan, C. P. Ramaswami Aiyar, H. J. Allen, K. Ramanujachariar took part.

Dewan Bahadur L. A. Govindaraghava Aiyar then proposed

and

Mr. K. R. Guruswami Aiyar seconded :—

That under Regulation 22 (viii) the matter in item No. IV be referred for consideration to a committee consisting of

The Hon'ble Mr. J. H. Stone.
 " Mr. Justice Abdur Rahim.
 Dr. Mark Collins.
 Dr. Gilbert Slater.
 The Rev. E. M. Macphail.
 Mr. H. J. Allen.
 " S. Kuppuswami Sastriar.
 " K. B. Ramanathan.
 " G. Venkataranga Rau.
 " S. Krishnaswami Aiyangar.
 " K. Ramanuja Chariar.
 The Hon'ble Mr. V. S. Srinivasan.
 The Rev. F. Bertram, S.J.
 Mr. C. Ramalinga Reddi.
 " Mark Hunter.
 " K. V. Rangaswami Aiyangar

and

Dewan Bahadur L. A. Govindaraghava Aiyar (Con-
 vener)'.
 11

After a discussion in which Mr. Ferrand E. Corley, the Hon'ble Mr. S. Srinivasa Aiyangar, Mr. K. V. Rangaswami Aiyangar, Mr. G. A. Natesan, the Rev. F. Bertram, S. J., the Rev. E. M. Macphail and Mr. C. Ramalinga Reddi, took part, the proposition was put to the meeting and *lost*, 35 members voting for the proposition and 37 against it.

Mr. C. Ramalinga Reddi proposed

and

" G. A. Natesan seconded

'That under Regulation 22 (v) Agendum No (iv) be referred back to the Syndicate for reconsideration.'

After Mr. K. B. Ramanathan, the Rev. F. Bertram, the Hon'ble Mr. J. H. Stone, the Hon'ble Mr. S. Srinivasa Aiyangar, Mr. Mark Hunter, Mr.

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 Aziz-ud-din Husain, Mr. C. P. Ramaswami Aiyar, and Mr. K. V. Rangaswami Aiyangar had spoken, the motion was put to the meeting and *lost*.

Thereupon the substantive motion with the omission of No. 1 under 'II special B. Professor of Comparative Philology' was then put to the meeting and carried.

VI. Mr. Mark Hunter proposed

and

Mr. L. C. Hodgson seconded:—

- (1) That the Readerships in Dravidian Philology be not renewed after the expiry of the term of office of the present Readers.
- (2) That M.R.Ry. K. V. Subbayya Avergal, M.A., L.T. be appointed a University Lecturer in Dravidian Philology for a term of two years on a salary of Rs. 300 per mensem.
- (3) That M.R.Ry. B. Seshagiri Rau Garu, M.A., and M.R.Ry. S. Anavarathavinayakam Pillai Avergal, M.A., L.T., be appointed Assistant University Lecturers in Dravidian Philology for a term of two years on salaries of Rs. 250 per mensem.
- (4) That the work of the Lecturer and of the Assistant Lecturers in Dravidian Philology be under the supervision of the Professor of Comparative Philology.

Under Regulation 47, at the request of the Hon'ble Mr. V. S. Srinivasan the Vice-Chancellor allowed him to move first the amendments of which he had given notice.

Accordingly the Hon'ble Mr. V. S. Srinivasan moved, as amendments,

and

Rao Bahadur A. C. Pranatartihara Aiyar seconded.

- (i) That in para. (i) for the word 'not' in the second line the word 'provisionally' be substituted, and after the word 'renewed' in the same line the words 'for one year' be inserted.

(ii) That *instead* of paragraphs (2), (3) and (4) the following be *substituted* :—

‘That a Committee composed as follows be appointed to inquire fully into the work done by the Professor of Comparative Philology and by the Readers in Dravidian Philology working with him—

Dr. Mark Collins, the Hon’ble Mr. J. H. Stone, the Rev. E. M. Macphail, and Messrs. H. J. Allen. S. Kuppaswami Sastriyar, K. B. Ramanathan, G. Venkataranga Rau, S. Krishnaswami Aiyangar, K. Ramanujachariar and V. S. Srinivasan.’

After Mr. C. P. Ramaswami Aiyar had spoken, Mr. K. Ramunni Menon suggested that Rao Sahib T. Ramakrishna Pillai and Mr. Mark Hunter be added to the proposed Committee, and Mr. F. S. Davies suggested the addition also of Mr. K. Ramunni Menon.

After a discussion in which Mr. Aziz-ud-din Husain, Mr. G. A. Natesan, the Rev. E. M. Macphail and the Hon’ble Mr. J. H. Stone took part

Mr. R. Littlehales moved

and

„ W. J. Prendergast seconded :—

‘That the meeting be adjourned to Saturday March 4, 1916, at 4 p.m.’ Carried.

J. E. P. WALLIS,

Vice-Chancellor,

FRANCIS DEWSBURY,

Registrar.

SENATE HOUSE,

March 4, 1916.

1917.

Home DEPARTMENT.

(Ed.)

CUTTINGS FROM NEWSPAPERS.

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The Hindustan

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16 to 17 March 1917

UNIVERSITY PROFESSORS.

Regulation 96 (iii) gives power to the Syndicate "to nominate University Professors and Lecturers, to define their duties and fix their remuneration and to report any such proposed arrangements to the Senate for its sanction."

Mr. Mark Hunter moved for the deletion of Sub-Section (ii) and for the insertion of a new Section and Regulations before Section XVIII "University Lecturerships" on page 316 of the University Calendar for 1917. The proposed Regulations classified University Professors into General and Special. Under the head "University Professors special" there came (1) The Professorship of Indian Economics, (2) The Professorship of Indian History and Archaeology and (3) The Professorship of Comparative Philology. These regulations related to the appointment of University Professors, the tenure of office, the conditions of service and their duties.

Mr. K. V. Ramaswamy Aiyangar asked if the engagements already made with the University Professors would be contravened by those regulations.

Mr. Hunter replied that they would not be contravened.

The various parts of the recommendation were put to the meeting separately.

Mr. Mark Hunter moved that regulation 96 (iii) be deleted and the remaining subsections be renumbered.

Mr. C. P. Ramaswamy Aiyar seconded the motion which was put to the meeting and carried.

Mr. Mark Hunter then moved that the new Regulations relating to the University Professors (General and Special) be inserted with appropriate numbers immediately preceding Section XVIII "University Lecturerships."

Mr. K. R. Guruswami Aiyar seconded the motion.

The first Regulation under the head "University Professors General" was "University Professors shall be appointed by the Senate with such remuneration as it may determine, on the recommendation of the Syndicate."

Mr. Govindaraghava Aiyar moved to add the words "to be made in consultation with the Board of Studies in the branches of knowledge in respect of which the University Professors are to be appointed." In doing so he said that in the Syndicate there were gentlemen who might be experts in some branches of knowledge, but it was not a necessary condition that in the Syndicate, an administrative body, there must be persons who were experts of knowledge in respect of which University Professors were to be appointed. Boards of Studies who were the expert bodies were in a much better position than a few experts there might be in the Syndicate to suggest the most eligible persons for the University Professors. His amendment did not say that the Syndicate was bound to accept the recommendation of the Board of Studies. The Senate should be assured that the Syndicate in making any recommendation had had the advantage of consultation with the Board of Studies. Mr. Mark Hunter laid particular stress on the value of the services of Boards of Studies in other directions. If so, their services and suggestions must be equally valuable with respect to the distribution of persons by whom such lectures or discourses were to be delivered.

Mr. K. Ramaswami Chari seconded the amendment.

Mr. Hunter said that there was some misapprehension in regard to this matter. The Syndicate never dreamt of appointing a University Professor without referring the matter to a body of experts. After advertising in Indian and English newspapers, the Syndicate appointed two Committees one in India and another in England to consider the applications and to make a selection. It was perfectly impossible for the Board to make a selection

of the candidates, for the candidates should be seen by the advisers of the Syndicate. On the report of the body of experts the best candidates were selected. There could not be any reasonable doubt as to the qualification of the candidate selected. The Syndicate did not make the selection itself, but was only responsible for the selection.

Khan Bahadur Azimuddin Sahab in opposing the amendment said that on the Senate and on the Syndicate they had a sufficient number of experts to come to a satisfactory decision and it was unnecessary to lay a hard-and-fast rule to consult the Board of Studies. There would be no finality if they went on adding Body after Body to give advice to the Syndicate.

Mr. K. V. Ramaswamy Aiyangar in supporting the amendment said that before the Senate gave its sanction to the appointment of any Professor it should have the advantage of the opinion of constitutional authorities. No body wished to deprecate the appointment of small Committees to select people out of a number of candidates of whom opinion had already been expressed by the Boards of Studies. The amendment wanted that before the Syndicate came to the Senate, it should see that the opinion of the Boards of Studies had been taken. Such a provision was necessary and desirable. All possible precautions should be taken to secure the very best men. The Boards of Studies should be consulted at the beginning of the receipt of applications from candidates. The candidates should be men of standing in the world and should be men of general reputation.

Mr. Allen said that the use of the expression "in consultation with the Boards of Studies" would give the meaning that the Boards of Studies were to be a sort of co-ordinating body with the Syndicate in making the recommendations. The proper word would be "after" and not "in."

Mr. Govindaraghava Aiyar said that this expression as it was really conveyed the meaning. However, he was prepared to accept Mr. Allen's verbal amendment.

Mr. J. H. Stone in opposing the amendment said that if the amendment were carried, it would to a certain extent relieve the responsibility of the Syndicate. The Syndicate would take a narrower range of men than they ought to take. He also pointed out that the substitution of the word "after" for the word "in" was not a mere verbal alteration.

Mr. Govindaraghava Aiyar was not particular about the word "after" and would retain the word "in."

The amendment was put to the meeting and lost and the original proposition was carried.

The next recommendation of the Syndicate moved by Mr. Mark Hunter was also carried without opposition. It was this:—

The term of office of a University Professor shall ordinarily be for five years, but the same person may be re-appointed by the Senate on the like recommendation.

Mr. Mark Hunter then moved the following recommendation of the Syndicate:—

"Every appointment of a University Professor shall be subject to the following provisions, that is to say, the Senate may on the recommendation of the Syndicate dispense with the services of a University Professor at any time before the expiration of five years on payment to him of six months' salary, and it may on the like recommendation discharge him from service without notice or compensation in the event of neglect or refusal to perform his duties or of misconduct on his part or of a breach by him of any of the conditions on which he was engaged. The Syndicate shall have the power to accept from a University Professor the resignation of his office provided that he gives six months' notice of his intention to resign."

Mr. C. P. Ramaswamy Aiyar pointed out that the resolution as it was worded would mean that the Senate could dispense with the services of a University Professor only on the recommendation of the Syndicate. He wanted to have a ruling of the Vice-Chancellor on the matter.

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Mr. A. Rangaswami Aiyangar agreed with Mr. C. P. Ramaswamy Aiyar in that view and added that an inherent power could not be taken away from the Senate. The Syndicate took to itself any power by any rule by which the powers of the Senate were to be limited in dispensing with the services of a University Professor that rule was 'ultra vires.' Mr. Mark Hunter pointed out that no University Professor was appointed except on the recommendation of the Syndicate.

Mr. G. A. Natesan said that even if the proposition was passed by a majority of votes, the Senate had power to dismiss a University Professor on the motion of a member of the Senate. The freedom of appointment given to the Syndicate was most unfortunate. If on the recommendation of the Syndicate the Senate appointed a gentleman as a University Professor and if the Senate later on found that the choice had been unhappy, it should have the inherent power to terminate his services. The Syndicate might be unwilling to make a proposal to dispense with the services of a University Professor and the members of the Senate might hold the opposite view and might have considerable amount of information that a certain Professor should be no longer continued. In that case a member of the Senate should have the right to move a resolution to dispense with the services of that Professor.

The Vice-Chancellor said that so far as he was at present advised that the Senate could not, except on recommendations of the Syndicate, dispense with the services of a University Professor.

Mr. F. E. Corley said that it was remarked on a former occasion by the Director of Public Instruction that there was an atmosphere of suspicion in the Senate towards the Syndicate, the executive body of the Senate, and that it was entirely undesirable and unworthy of the Senate.

In the same spirit he would like to deal with the Senate now. The University Professor should not be at the mercy of any member of the Senate. That would make the position of the University Professor uncomfortable. He should not be a target for any member of the Senate. The Senate should have confidence in the Syndicate. The Regulation was perfectly reasonable.

Mr. K. V. Rangaswamy Aiyangar said that the Senate was much obliged to Mr. Corley for trying to preach the peace spirit. No Regulation should be passed limiting the scope of choice of the University. No Senator would bring a proposition for the removal of a University Professor without satisfying himself that there was sufficient charge against him. The point taken up by Mr. Corley was purely nebulous. It was not the intention of any body to threaten any University Professor. They were all anxious to preserve their academic rights. The powers of the Senate should not be limited. In a covenant between an employer and an employee there should always be a provision for invalidating him under certain conditions. Where was the condition in the case of a University Professor? What were they going to do if a Professor neglected his duty, or was guilty of misconduct, etc.

Hon'ble Mr. K. Sreenivasa Aiyangar in supporting the proposition said that there will be absolutely no occasion for that Regulation being put into effect. If unhappily such an occasion arose there should be a preliminary enquiry by a small body of persons who might keep their deliberations absolutely confidential. The matter should not be discussed in a *grand public* meeting like the Senate unless it reached a stage when a *prima facie* case had been made out.

Mr. K. R. Guruswamy Aiyar said that the resolution was unfortunately worded and would mean that only on the recommendation of the Syndicate the Senate may consider the question of dispensing with the services of a University Professor. In other words if the

Syndicate considered the matter and came to the conclusion that a Professor should not be dismissed, the Senate would have no opportunity and no voice to dispense with his services. On the same materials the Syndicate might form one opinion and the Senate might form a different opinion. If instead of the words "on the recommendation of the Syndicate" they had the words "on the report of the Syndicate" they could accept the proposition.

Mr. Govindraghava Aiyar suggested that the recommendation of the Syndicate might be remitted to a committee for further consideration (series of No. 1 No. 4). He sympathised with the view of the Hon'ble Mr. K. Srinivasa Aiyangar. There was also the view that every member of the Senate had a right to say that a person who was not desirable as a University Professor should be dismissed. Again there was the suggestion of Mr. K. V. Rangaswamy Aiyangar that there was no provision for a case where a University Professor might be invalidated. The resolution required modification to meet all the possibilities referred to. A small committee consisting of the Director of Public Instruction, Mr. Mark Hunter, Mr. Natesan and Mr. C. P. Ramaswamy Aiyar might be asked to review the language of the resolution so as to meet all the possibilities suggested.

Mr. K. V. Rangaswamy Aiyangar seconded this proposal.

Mr. J. H. Stone said it would be better if the Senate referred the matter back to the Syndicate.

Mr. Natesan seconded this proposal which was put to the meeting and carried.

Other minor recommendation of the Syndicate connected with University Professorships (General) were carried unopposed.

UNIVERSITY PROFESSORSHIPS (SPECIAL).

Mr. Hunter moved the following recommendation of the Syndicate connected with the Professorship of Indian Economics:-

Without prejudice to the terms of Regulation 6 it shall be the duty of the Professor of Indian Economics:-

(a) to enquire into actual economic conditions in the Madras Presidency and in the Native States within the territorial jurisdiction of the University;

(b) to enquire into the economic history of the same area;

(c) to stimulate interest in economic studies and to enlist the help of students in the above enquiries and to supervise their work.

Mr. B. Hanumantha Row seconded the resolution.

Rev. Macphail moved to omit the words "without prejudice. . . and to supervise their work" and to substitute the words "The Chair of Indian Economics shall have special but not exclusive reference to the economics of Southern India".

He said that the amendment merely aimed at bringing the duties of Professors of Indian Economics into line with the duties of other Professors.

Mr. A. Rangaswamy Aiyangar seconded the amendment which was put to the meeting and carried.

The following resolutions were also carried:-

"The Chair of Indian History and Archaeology shall have special but not exclusive reference to the History and Archaeology of Southern India."

"The Chair of Comparative Philology shall have special but not exclusive reference to Sanskrit."

"Without prejudice to the terms of Regulation 6 it shall be the duty of the Professor of Comparative Philology, when so directed by the Senate or the Syndicate, to supervise the work of Assistant Lecturers and Readers in Indian languages."

OTHER PROFESSORSHIPS.

The following propositions were then adopted on the motion of Mr. Mark Hunter :—

The Chair of Indian History & Archaeology shall have special but not exclusive reference to the History and Archaeology of Southern India.

The Chair of Comparative Philology shall have special but not exclusive reference to Sanskrit.

Without prejudice to terms of Regulation 6 it shall be the duty of the Professor of Comparative Philology, when so directed by the Senate or Syndicate, to supervise the work of Assistant Lecturers and Readers in Indian languages.

EXTENSION OF POST GRADUATE STUDY.

Mr. Mark Hunter moved that the following Regulations be substituted for the Regulations 391, 392 and 393 :—

1. With a view to assisting in giving instruction in the Honours Course and to making extended provision for post-graduate study and research, the Senate, on the recommendation of the Syndicate, may appoint persons other than those receiving salaries as University Professors, Lecturers or Readers to deliver courses of lectures in subjects included in the Honours Courses or in others not so included.

2. The Registrar shall request the Boards of Studies to submit to the Syndicate by the 31st November in each year such recommendations as they wish to make for courses of University lectures to be delivered during the following academical year by persons other than those receiving salaries as University Professors, Lecturers or Readers.

3. The Registrar shall request the Principals of Colleges affiliated in Honours to submit to the Syndicate for reference to the Boards of Studies concerned by the 30th October each year, a list of the courses of lectures which members of the college staff are prepared to deliver as University lecturers the following academical year.

4. Consolidated lists of lectures to be delivered by persons other than those receiving salaries as University Professors, Lecturers or Readers shall be placed by the Syndicate before the Senate for sanction.

Mr. L. A. Govindaraghava Aiyar then moved the following amendment to section No. 1:—

That in line 4, the words 'made in consultation with the Boards of Studies concerned' be inserted between the words of the Syndicate and the words 'may appoint'.

In doing so, Dewan Bahadur L. A. Govindaraghava Iyer said that it was stated that the responsibility of the Senate might to some extent be minimized by hedging their work with such work as the amendments referred to. It was difficult to understand that such a responsible body as the Senate would accept a resolution without the terms fully and clearly stated. They had been appealed to by Mr. Corley that it was a spirit of trust that should pervade the discussion of the Senate. He (speaker) heartily reciprocated that sentiment. But he might ask them not to suspect distrust where none had been made.

Mr. K. V. Rangaswami Iyengar seconded the amendment and said that he was unable to understand why any serious objections should be taken to it. It seemed to him that the words "in consultation" always meant "after consultation." If they had no objection to having the appointment of lectures

etc. in consultation with the Boards of Studies concerned, he could not understand why it could not be precisely and clearly stated in the regulation itself. All that he wanted was to impress upon the house was that the amendment was reasonable and harmless.

Mr. C. P. Rangaswami Iyer pointed out the terms of the resolutions 2 and 3 on the agenda following the one under discussion, and suggested that if the third was taken as second and the second as third, it would clear the mistrust and would indicate plainly the successive steps that should be taken in the appointment of Professors etc.

The suggestion was agreed to and then Mr. Hunter moved the above resolution in the order of 1, 3, 2 and 4 which were then carried.

The Madras Central Urban Bank.

A CONTRADICTION.

SIR V. C. DESIKA CHARAR, Kt., writes :—
In the report of the Proceedings of the Extraordinary Meeting of the Madras Central Urban Bank, Ltd., which appeared in your issue of Monday last I find it stated that when somebody asked who Mr. Shiva Row was I answered that he was not known even to South Canara men and that the Registrar has fathered the whole scheme upon him. I flatly contradict that I made any such statement, nor did I say anything about Mr. Shiva Row.

I heard the Bank people sent you a report which reached you too late on Monday and as you had published a report already you did not publish the official report. I request you to publish this in your issue of to-day, if possible, so that Mr. Shiva Row might not believe I made any such statement. As I am not acquainted with the gentleman, I am obliged to trouble you, or else, I should have written to him direct.

I have no quarrel with Mr. M. Jaganivas Row who in your issue of yesterday simply quotes from your report of Monday and makes his comments. I hope he will now see I never made any such statement. As for the gentleman who signed "Co-operator" and whose letter was marked III in your yesterday's issue I can only say I never answer persons who are ashamed to sign their own names below what they write.

Fort St. George Gazette.

Public Department.

LEAVE.

Mr. R. B. Wood, I.C.S., combined privilege leave and furlough without medical certificate for fourteen months from or after the 1st September 1916.

Mr. W. Wells, I.C.S., privilege leave for two months from or after the 15th August 1916.

(This cancels the privilege leave for one month granted to Mr. G. W. Wells, I.C.S., by the Board of Revenue).

Revenue Department.

LEAVE.

Mr. F. X. Mascarenhas, Special Veterinary Inspector of the Forest Department, is granted six weeks' privilege leave with effect from the 10th instant or the date of relief.

APPOINTMENT.

The following appointment of a deputy director is ordered in the Madras Agricultural Department:—

Mr. J. C. Ranga Raju Garu, assistant director of agriculture, central circle (temporary), to act as deputy director of agriculture and to continue to be in charge of the central circle.

POSTINGS.

The following postings of deputy collectors are ordered:—

B. Muhi-ud-din Khan Lodi Sahib Bahadur, on return from leave, to general duty, Trichinopoly.

Mr. M. Pichu Ayyar, from general duty, Trichinopoly, to general duty, North Arcot.

Mr. R. Nagasundaram Ayyar, on return from leave, to general duty, Coimbatore, for charge of the Kollegal division.

Mr. N. Ranganatha Achari from general duty, Coimbatore, to general duty, Ganjam.

PROMOTIONS.

The following promotion in the Forest Department is ordered:—

Mr. S. D. Devadoss Pillai, Special Veterinary Assistant Inspector of the Forest Department, to act as Special Veterinary Inspector during the absence on privilege leave of Mr. Mascarenhas or until further orders.

The following promotions in the Madras House are ordered:—

E. E. Greene, fifth-grade Appraiser, fourth-grade Appraiser, vice Mr. H. A. [unclear] leave or until further orders.

Daivasikhamani Nayakar, Superintendent, to act as fifth grade [unclear] Mr. E. E. Greene on other [unclear]

Promotions in the Salt, Abk [unclear]

Legal.

MADRAS HIGH COURT.

MR JUSTICE COUTTS TROTTER'S JUDGMENT.

Wednesday, 16th August 1916.

Mandamus to the Syndicate Granted.

The following are extracts from the Judgment of Mr. Justice Coutts Trotter who before dealing with the present applications set out the provisions of the Indian Universities Act relating to the constitution of the Syndicate and the Senate:—

The general scheme of the Universities Act and the Regulations to be framed would appear to be this; that the Senate should be the Legislative and the Syndicate the Executive Government of the University, the powers of the Senate being subject in certain matters to the control of the Government; that the Senate should pass general rules in the form of Regulations under Section 25 of the Act and that the Syndicate should deal with the administration of specific matters and the applications of Regulations to them. It is, I think, further clearly involved that the Syndicate should exercise its functions subject to and in conformity with the Regulations and from that I think too it necessarily follows that a proceeding of the Syndicate which is contrary to the Regulation would be invalid and that the Syndicate cannot adopt measures or pass resolutions or whatever else they may be termed which would be in conflict with or effect a modification of the existing Regulations or bring about a result such as by the Act is reserved to the Senate to effect by the passing of a Regulation.

After setting out the facts of the case and the details of the correspondence between the applicants and the Registrar of the University. His Lordship said:—

It was urged that Section 45 of the Specific Relief Act did not apply to this case as the Syndicate did not fulfil the character of persons holding a public office. It seems to me too plain for argument that where a statute appoints a body of persons to carry out purposes of public benefit, the persons constituting such a body "ipse facto" become holders of a public office within the meaning of the Section. It is not disputed that to hold otherwise would be to go contrary to a vast number of English decisions with regard to the writ of Mandamus and that it would also give the go-bye to the principle which if not expressly enunciated is underlying numerous decisions of the High Courts both of Bombay and Calcutta. I am therefore of opinion that the Syndicate is a body amenable to the jurisdiction of Section 45 of the Specific Relief Act if the other conditions for that relief are present. It is next argued by the Advocate General that even supposing that the obligation to perform this duty rested upon the Syndicate there is no specific right in the present petitioner to ask for the interference of the court. That the existence of such a right is a necessary qualification in the applicant is clear. The Advocate General sought to paraphrase that doctrine into a very different proposition namely, that the right must reside in the individual applicant and in no one else and that if every member of the Senate had an equal interest with the applicant to see that the Regulations were obeyed, the requirements of the Section were not fulfilled. That argument seems to me to be wholly fallacious. A right may be enjoyed with every subject of the Crown, but when it is infringed in the case of an individual subject, there at once arises in that individual a further right to seek the protection of the Court to enforce such right. I entertain no doubt that Mr. Natesan, as the author of the rejected protest, had a specific right to ask that his protest should be sent to its proper destination, and not the less so because any other member whose protest was rejected would have a similar right, or because the Senate as a whole may be said to have an interest in the maintenance of the rights of one of its members. It is argued by the Advocate-General that in order to render Regulation 64 which gives the right of protest to the applicant valid, it is necessary to construe the word "Resolution" in Regulation 64 as meaning a "Regulation" in the sense conveyed by Section 25 of the Act of 1904. He rests his contention on this ground that it is not competent for the Syndicate to introduce into a Regulation a power to Government to pass orders or to entertain appeals in matters other than those in regard to which powers are given to Government by statute. The rule with regard to judicial review is clearly enunciated in the case of Attorney-General vs. Sihen, 10 House of Lords cases 704, and I can see no distinction in principle between giving a right of appeal to an Executive and to a Judicial body. Nor can I see anything in the argument that the provision is saved by the fact that the body to which preference is to be made is Government. If the Regulation had said that the protest was to be laid before the Chamber of Commerce no one would contend that it was "intra vires," yet if the Senate has the power to refer matters to Government without the specific authorisation of the Act, I do not see why it should not refer them to any other body. I have therefore come to the conclusion that the word 'resolution' in Regulation 64 must be read as if 'Regulation' was substituted for it or what comes to the same thing that Regulation 64 if and in so far as it purports to extend the right of protest to a resolution other than a Regulation under Section 25 of the Act of 1904 or a resolution on any other matter requiring Government sanction is "ultra vires" the Statute. The matter does not end there, for Mr. Ramaswami Aiyar for the applicants contends that even if this view is accepted, what the Senate did on the 3rd March was in fact to pass Regulations within the meaning of Section 25 and it is with this contention that the main and closest part of the argument was concerned. There is no manner of doubt that the Syndicate did not imagine themselves to be framing Regulations for the approval of the Senate under Regulation 9; (8), when they aspired to propound regulations for the approval of the Senate they did so in terms. Numerous regulations were put before this very meeting as regulations and were set out in the agenda paper and described as regulations. But the Syndicate called these proposals 'standing orders' of the Syndicate be. Rules to govern the Syndicate in its own business. That the term 'standing orders' was a complete misnomer for proposals of this nature is obvious enough. They were concerned not with the proceedings at meetings of the Syndicate but with the general government and constitution of the University. Indeed the Syndicate themselves seem to have realised that the term was a misnomer for they



THE HINDU.

WEDNESDAY, AUGUST 16, 1916.

CASE AGAINST THE UNIVERSITY SYNDICATE.

JUDGMENT WAS DELIVERED TO-DAY in the High Court by Coutts Trotter and Kumarasami Sastri, J. J., in the applications for a writ of *mandamus* against the Syndicate of the Madras University which had been argued about three weeks ago. Their Lordships in two concurring Judgments directed *mandamus* to issue to the Syndicate. It would indeed have been surprising if the learned Judges had come to any other conclusion. As our readers may recollect, the Senate of the Madras University met at its meeting held in March last to consider and pass some draft Regulations framed by the Syndicate in respect of the duties of University Professors. Certain amendments proposed by some of the Fellows were ruled out of order by the Vice-Chancellor, Sir John Wallis, and the Regulations were passed by the Senate by a narrow majority. A protest was lodged with the Syndicate regarding the Resolutions of the Senate, in which objection was also taken to the ruling of the Vice-Chancellor. Number 64 of the University Regulations says that any member intending to protest against Resolution of the Senate shall give notice in writing of his intention to the Registrar within 48 hours from the date of the meeting at which the Resolution was passed and within one week from such date lodge his protest with the Registrar. This was done by two of the Fellows. The Regulation goes on to provide that the Syndicate shall thereupon cause the protest to be printed and circulated, &c., and the Syndicate shall submit the protest and Memorandum together with a copy of the Resolution, for the consideration and orders of the Governor-in-Council. In this case the Syndicate refused to submit the protest to the Government because, in its opinion, the objection taken in it to the ruling of the Vice-Chancellor was untenable. The Syndicate persisted in its refusal to forward the protest when asked by the Fellows concerned to reconsider the matter, and even after notice of motion in the High Court had been given, and even when a new Vice-Chancellor had in the meantime succeeded Sir John Wallis, who is understood to have advised the members to agree to submit the protest to the Government, the members of the Syndicate remained obdurate and resolved to resist the applications for the writ of *mandamus*. We cannot congratulate the members of the Syndicate on the course which they thought fit to adopt, and on the inglorious result which has followed their defiant disobedience of the Regulations. The original Resolution of the Senate was the subject of a long and animated discussion. It was opposed by the bulk of the Indian Fellows and was passed by a narrow majority of two or three, and the Draft Resolution was the handiwork of the Syndicate itself. Under these circumstances, it was common justice that an appeal provided by the Regulations against the opinion of the Syndicate and of the Resolution supported by a scratch majority of the Senate, should have been allowed to be preferred to the Government. And yet we find that the Syndicate composed of the Vice-Chancellor, who is also Chief Justice of the High Court, the Director of Public Instruction and several of the heads and Professors of First Grade Colleges, were so oblivious of what public interests required, and of the dictates of justice and common prudence

that they took up an attitude of frivolous obstructiveness and vexatious litigiousness. From persons of the station in life of the members of the Syndicate, a more becoming example was to have been expected of regard for the law, and for considerations of fair play and enlightened tolerance for difference of opinion. Our remarks may seem harsh, but it must be remembered that a writ of *mandamus* is issued in order, when the necessity arises to direct any person, corporation, &c., requiring them to do the particular thing specified which appertains to their office and duty, and which is consonant with right and justice. Rendering oneself liable to the writ is an irrefutable instance of failing to do one's duty and acting according to justice. The members of the Syndicate ought not to have lightly brought upon themselves the condemnation of their conduct involved in the issuing of the writ against them. The acting Advocate-General, the Hon'ble Mr. Srinivasa Iyengar exhausted the resources of his ingenuity in endeavouring to 'bolster up a case' for the Syndicate. In a matter in which public rights and interests are at stake, technical objections are the least worthy of consideration. In their defence the members of the Syndicate took up all conceivable points. Their line of defence is the most remarkable we have come across, considering that they they are supposed to be a representative body under the Indian Universities Act. In their counter-affidavit, it is claimed that the Senate has the entire management and superintendence over the affairs and concerns of the University and in all matters not expressly provided for the Senate has absolute discretion. It is no doubt in consequence of such an enlightened view of the scope of their powers and duties that the Syndicate acted in refusing to forward the protest to the Government. This attitude of possessing absolute discretion claimed by the Madras Syndicate composed as it is of eminent and worthy personages, reminds us of the observations of Edmund Burke in respect of a similar body that, "the very desire of that body to have such a trust contrary to law reposed in them, shows that they are not worthy of it. They certainly will abuse it because all men possessed of an uncontrolled discretionary power leading to the aggrandisement of their own body have always abused it, and I see no particular sanctity in our times, that is at all likely by a miraculous operation, to overrule the course of nature."

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~~Howe~~ DEPARTMENT.

(Educational)

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H. C. DEPARTMENT.

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(Continued from page 7.)

Mandamus to the Syndicate Granted.—(contd.)
 submitted these proposals for the approval of the Senate whereas the power to make their own standing order (Regulation 96 (IX)) is subject to no such obligation. Whatever confusion of nomenclature there may have been, it is, I think, incontrovertible that the Syndicate intended these proposals when sanctioned to be something binding upon the Syndicate and not upon the Senate or the University, to be, as it were, a by-law or a set of bye-laws of the Syndicate. I turn now to the Vice-Chancellor who presided at the meeting of the Senate, who it is impossible not to remember was an 'ex-officio' member of the Syndicate, and who, as such, could hardly have failed to be cognisant of what the Syndicate imagined to be the trend of its own proposals. The first ruling he gave—I am not concerned now to enquire whether it was correct or the reverse—was that it was incompetent to entertain amendments to the proposals but that they must be sanctioned or rejected in toto as they stood. No one has suggested or could suggest that it was incompetent to members of the Senate to move amendments to regulations proposed for its approval, and indeed at this very meeting amendments to Regulations were moved and discussed and voted upon. The ruling is only intelligible if regarded as a ruling that these were not Regulations of the Senate that were being considered, but were merely proceedings of a body other than the Senate, upon which it could set its seal or not as it chose. The Advocate-General lays stress upon this point, and it is no doubt of importance that the Chairman of the meeting ruling upon all points in the order of which by Regulation 96 he is the sole Judge, must be taken to have been ruling that the Senate was not then engaged in discussion or approving anything that was or could emanate in a Regulation within the meaning of Section 25 of the Act. The next ruling of the Chairman and once more I am not concerned to enquire whether it was right or wrong, makes the matter equally clear. He announced that the Syndicate withdrew one of the proposed standing orders, because it was in conflict with Regulation 140. Nobody contends that, when the Senate is making Regulations, it has not the fullest power to modify or rescind any of its existing Regulations, though in all its other transactions, its power would be bound by them. How the Syndicate managed the extraordinary feat of holding a meeting and coming to a determination during the actual progress of a Session of the Senate is not apparent but the point made is that the Chairman's ruling on this as well as on the other matter clearly involved the assumption and decision that the Senate was not engaged in its function of making Regulations.

Mr. Rameswami Aiyar's contention is this. He says that all these proposals of the Syndicate are matters which can only be brought about by Regulations under Section 25 of the Act. They are all general measures regulating the whole course of University business, laying down in the widest terms what shall be done not in regard to particular persons or particular things or particular situations but what shall be the general studies and duties of the holders of different chairs for the future. To make general dispositions of this nature is altogether outside the scope of Syndicate's power. These purposes, however, could be effected by means of Regulations approved by the Senate. What must be looked at, is the substance of what was done and not the mere terminology used and in any case, that construction if possible must be put upon that which was done which will validate on the principle, 'ut res magis valeat quam pereat'. What takes place where Regulations are passed? They are drafted by the Syndicate and submitted to

the Senate for approval (Regulation 96 (VIII)). What else was done here, and what does it matter that by purporting to act under Regulation 96 (III) a few words have to be changed for 'draft' you have defined for 'submit' you have reported for 'Regulation' you have 'arrangement' for 'approval' you have 'sanction'. The nature and substance of what was done is identically similar and the result is that the seal of the Senate was set upon a 'body of rules' to call them by a colourless term which are of such a nature as not only to be aptly expressed as 'Regulations' but of such a nature that any attempt to bring them into operation otherwise than as Regulation would be invalid and of no effect. In much of this argument there is undoubtedly great force. There is much to be said for the view that all of the so-called standing orders are of so general a nature as to be outside the province of the Syndicate and only competent to the legislative powers of the Senate to bring them into effect but it is not necessary to decide that. Still it does not follow that because as transactions of the Syndicate they would be in whole or in part invalid, they necessarily are to be regarded as valid transactions of some other body. On the other hand, there are cases in which the transaction though invalid as the proceedings of one body, may on adoption by another body become valid proceedings of that other body.

After citing a few cases His Lordship proceeded:—Guarding myself as best as I am from being misled by false analogies I think certain general principles can be extracted from the cases. The first is this:—If a particular act must be done at a particular kind of meeting convened in a particular way, no meeting can do that which is not meeting of that particular kind or has not been convened in that particular way. Another is that the members of the body must have notice of what it is proposed to do at the meeting or its proceedings will be invalid. Ordinarily, it will be sufficient if they have notice of the substance of what is proposed unless the statute in terms enacts that the notice must not only give the substance of what is proposed but must call it by its statutory name. Applying the principles of a few decisions? In the first place, there is no question here of a meeting of a particular kind, because the meetings of the Senate are all of one kind convened in the same way, whatever the nature of the proceedings. In the next place, and to my mind, this is the most important consideration of all, not only does the statute not say that the convening notice must describe what is to be proposed as a Regulation, it does not even define. The argument of the Advocate-General comes to this that no erroneous ruling of the Chairman can vitiate the proceeding of any meeting. When the proceedings of the Senate come up for confirmation by Government the matter is altogether on a different footing. It may be that if in any instance the Government thought the Chairman's ruling had prevented any topic from being adequately discussed that would be a reason for withholding confirmation. A discussion of the nature, and effect of the Chairman's rulings was a permissible and relevant matter of argument in the protest.

The matter is one of considerable public importance. The topics dealt with by the resolutions were of vital educational interest and the right of protest vested in the applicant was a right valuable to himself and to the University. I must confess myself utterly unable to follow the reasoning which seeks to say that you must not give effect to a just claim because you will encourage others to make unjust ones. The rule must be made absolute and the order decreed as prayed with fixed costs.

The rule in Mr. Ramanathan's application also must be made absolute.

1916.

Home DEPARTMENT.
(Education)

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu*
2. Published at— *Madras*
3. Dated— *16th Aug. 1916*

MR. JUSTICE KUMARASWAMI SASTRI'S
JUDGMENT.

After setting out the facts of the case His Lordship in the course of the Judgment said that the facts set out by Mr. Natesan in his affidavit have not been controverted but various legal objections have been taken in the affidavit of the Registrar of the University as to the maintainability of the application. His Lordship then detailed three grounds of objections. Before dealing with the objections His Lordship considered the provisions of the Universities Acts of 1857 and 1904 in so far as they relate to matters in controversy and came to the conclusion that the scheme of the Act is to vest in the Senate powers dealing with general matters and to leave it to the Syndicate to apply the general rules framed by the Senate to the facts and exigencies of each particular case. In some matters however Regulations 95 and 96 give the Syndicate exclusive powers uncontrolled by the Senate.

The first objection taken by the Advocate-General relates to the form of the application. It is contended that the Syndicate is not a body corporate although the Senate is one and that the petitioner should have proceeded if at all against the Senate. It is also contended that if he has any remedy against the Syndicate he must proceed against each of the members and serve them individually and not through the Registrar of the University. Section 15 of the Universities Act vests the Executive Government in a body of persons called the Syndicate. The whole body is to act under Regulation 64. Though in respect of a great many matters the Syndicate can only act under the orders and with the sanction of the Senate there are other matters in which they have independent powers or the sole right of initiative. Regulation 64 direct the duties to be done by the Syndicate and gives the Senate no powers. It cannot be said that as regards the latter class of cases the Syndicate is the agent of Senate, nor is there any cause of action against the Senate for the simple reason that it has no duty to perform under Regulation 64. There is, so far as I can see, nothing to prevent a mandamus being directed to the Syndicate as the executive body constituted under the Act. So far as authorities in India go, there are a number of cases where proceedings have been taken against a statutory body in its official name when the body was proceeded against by way of mandamus. In the present case appearance has been entered by the members of the Syndicate and it is not suggested that there has been any hardship or prejudice.

The objection is purely technical, and can, if necessary, be easily cured by a formal amendment. I do not think the objection is fatal to the application.

It is next contended that the members of the Syndicate of the Madras University are not 'persons holding public office' within the meaning of Sec 45 of the Specific Relief Act and that the remedy, if any, is against the Senate. There is no definition of the word 'Public servant' in the General Clauses Act. 'Public officer' I take it, means any office created by the legislative or other lawful authority for the purpose of discharging functions which affect the public generally or any particular section thereof. The Universities Act created a public body to carry out certain defined public objects. It created a corporation vested with powers to carry out various objects for which the University was created. As part of the machinery and for the better carrying out of the public objects contemplated by the statute it has by Section 15 constituted a body of persons called the Syndicate in whom is vested the Executive Government of the University. I find it difficult to see why members of a statutory body so constituted are not persons holding a public office. The word 'persons' in the General Clauses Act of 1893 which was in force at the date of the passing of

the Specific Relief Act is defined as including any company or association or body of individuals whether incorporated or not so that the word 'person holding public office' in Section 45 would also include a body of persons holding that office, even though that body has not been incorporated or constituted a body corporate.

It is argued by the Advocate-General that the definition in the Civil Procedure Code affords a valuable guide in construing Section 45 of the Specific Relief Act and that one important test would be whether the person holding a public office receive any emolument. The definition in 5 Bingham 95 is not exhaustive. Courts in England have issued a 'mandamus' against Poor Law Guardians, Town Councillors, churchwardens and other purely honorary public officers. There is nothing to prevent a person from undertaking public duties without receipt of emoluments. The test is the nature of the Acts to be performed. Neither the Civil Procedure Code nor the Indian Penal Code are 'in pari materia' with the Specific Relief Act and I do not think the definitions there given for certain specific purposes in connection with the provisions of those codes can be taken as a general and authoritative definition of the term 'public servant'.

As regards the argument that the Senate should be proceeded against and not the Syndicate, it is clear from Regulation 64 that it is the Syndicate and not the Senate which is to perform the functions specified in the Regulation. When a smaller body was constituted out of the members of a larger body and certain specific functions are allotted to it either by statute or by Regulations having the force of law, a party aggrieved by any act of the smaller body which act is within its special competence, cannot proceed against the larger body (*Bholaran Choudry v. The Corporation of Calcutta* 1 L. R. 36 Cal 671).

The next contention is that the present application is only to enforce a duty imposed by Regulation 64 and that the duty is not one under any law for the time being in force as required by Section 45 of the Specific Relief Act.

The question is whether the Regulations framed under the Universities Act can be said to be 'law for the time being in force' within the meaning of Section 45 of the Specific Relief Act. The Universities Act provides for regulation being made as to matters not specifically dealt

with by the Act. It sets out the objects for which the body corporate has been established by the legislature and Section 25 empowers the Senate with the sanction of the Government to make regulations consistent with the Acts of 1857 and 1904 to provide for all matters relating to the University. The regulations must be read as supplementary to the Act being of the nature of what has been called subordinate or delegated legislation. The rules or regulations made under statutory power have the same validity and binding force as the sections of the principal enactment.

As regards the contention that the protest of Mr. Natesan was only a protest against the ruling of the Vice-Chancellor and that the Syndicate had a discretion to withhold the protest or direct amendments. I am of opinion that the protest which has been set out in detail is both in form and substance a protest against the resolution of the Senate. Mr. Natesan no doubt calls in question the ruling of the Vice-Chancellor but the arguments by which he seeks to strengthen his contention cannot alter the nature of the document. There can be little doubt that he was acting under the provisions of Regulation 64, his object being not to get a reversal of the ruling of the Vice-Chancellor from the Government but to prevent the resolution of the Senate from receiving the sanction and thereby becoming a valid regulation. I find it difficult to see how the protest can be said to be a mere protest against the ruling of the Vice-Chancellor.

1916.

Home DEPARTMENT.

Educational

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper-- The Hindustan
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It has been argued that it is not open to any member who protests against a resolution of the Senate to strengthen his case by venturing to dissent from the ruling of the Chairman even though such ruling might have materially affected the decision of the matter in hand by withdrawing relevant and material questions from the consideration of the meeting. I can find no authority for the proposition that a resolution passed at a previous meeting cannot be set aside by the General Body which composed it, in a subsequent meeting on the ground that the ruling of the Chairman of the previous meeting was erroneous. Where sanction of the Executive Government is necessary for the purpose of giving validity to resolutions passed by a Corporation it is certainly competent to the Government to consider the allegations made by the dissenting members of the public body as to what took place at the meeting and to withhold assent if it should think that an erroneous decision was arrived at by the majority in consequence of relevant and material amendments being ruled out by the Chairman.

As regards the discretion of the Syndicate to withhold the protest or to demand its amendment I am of opinion that Regulation 64 gives no such discretion. It gives an absolute right to every Fellow of the Senate to protest against any resolution passed by the Senate. The duties of the Syndicate in the matter are purely executive. It is only a body which has to forward the protest to the Government with the memorandum representing the opposite point of view. It is difficult to see what right the Syndicate has to dictate to any Fellow what his protest should contain or what it should omit. There is no discretion vested by Regulation 64 in the Syndicate.

It is argued by the Advocate-General that the Syndicate has the inherent power of refusing to send up protests which contain blasphemous or highly defamatory matter. As there is not a scintilla of a suggestion in the present case that the protest sent in by Mr. Natesan contains any such matter, it is unnecessary to consider whether under Regulation 64 the Syndicate has even that power.

As regards the contention that Mr. Natesan has got other adequate legal remedy, I find it difficult to see what other adequate legal remedy he has. It is well settled by a series of decisions that where a corporation or a public body has a statutory duty of a public nature towards another person a mandamus will be to compel its performance at the suit of any person aggrieved by the refusal to perform the duty unless there is another remedy "equally convenient, speedy, beneficial and effectual" as the mandamus and that by remedy is meant not a remedy by act of the party but "remedial jurisdiction or some specific legal remedy for a legal right."

In the present case the alternative remedies suggested are (1) a petition to the Government direct, (2) a motion in the Senate to annul the decision of the Syndicate complained of or to rescind or modify the original resolution; or (3) an action to set aside the resolution if it were "ultra vires." As regards the first remedy, it is difficult to see how it can afford any adequate remedy. Reference was made by the Advocate-General to the remedy by way of petition of right as affording an analogy. But there is no analogy between a petition of right in England and a petition which every subject in India is, under the rules framed by the Government, permitted to present.

A motion in the Senate will not carry with it the necessary consequences of a reversal of the Syndicate's order, as it is open to the majority of the Senate to resolve not to act in any manner. The remedies are not legal remedies and no authority has been cited for the proposition that a mandamus will not lie, because it is open to the public body to change its mind on a petition by a party or in another meeting.

As regards the objection that Mr. Natesan has no personal interest which has been injured by the omission complained of Regulation 64 which confers on every member of the Senate a right of appeal against Resolutions passed by the Senate confers on the member, seeking to exercise the right, a special right which he can enforce. The rule of law that no person can institute proceedings in respect of wrongful acts of a public nature which do not specially affect himself does not apply to cases where there is a distinct private injury separable from the wrong to the public.

The next objection was that Regulation 64 though in terms applicable to all resolutions, should be confined only to resolutions of the Senate which require the sanction of the Government to become valid regulations, and that as the resolutions in question in substance merely record the sanction of the Senate under Regulation 59 (111) the arrangements proposed by the Syndicate do not require the sanction of the Government and so do not come within Regulation 64. It is clear from Section 25 that whenever a new Regulation has to be made or an existing regulation has to be altered, the sanction of the Government is a condition precedent to its validity. Although under the principal Act the Governor-in-Council has power of interference only in certain matters, Regulation 64 framed under the Act gives the Governor-in-Council power to pass orders in respect of every resolution of the Senate where any Fellow protests against the resolution.

Are the proceedings complained against by Mr. Natesan Regulations which require the sanction of Government. It is conceded that if any one of the matters dealt with by the resolution of the Senate protested against is a regulation or matter for which the sanction of the Government is necessary, Regulation 64 would in terms apply to it. When the Syndicate purports to act under clause (3) or (5) and the Senate gives its sanction to the Syndicate the real test for the purpose of seeing whether Regulation 64 is applicable is whether the act done in fact amounts to the making of a regulation irrespective of the form in which the sanction of the Senate is sought to be obtained. If in substance and in effect what is actually done is the making of rules of general applicability and not the mere application of such rules to any given set of facts Regulation 64 would apply as the Senate would be setting their approval to a matter in which the Government has a voice.

As regards the contention that the recommendations of the Syndicate were only proposals and not Regulations, what we have to see is the substance and not the form. Neither the Syndicate nor the Senate can by a change of form or procedure affect the right of Government to veto rules which amount to regulations. If appendix A are standing orders they do not require any sanction by the Senate. But why were they sent up to the Senate at all? It is clear on the face of the proposals that they are not standing orders within the meaning of Regulation 56 (9). The Syndicate was making new regulations for which it sought the approval of the Senate. I am of opinion that Mr. Natesan has a right under Regulation 64 to protest against the resolution of the Senate as it is set the sanction of the Senate to regulations.

The last point for decision is whether this is a case where the court should exercise its discretion and grant a mandamus. Though the granting of a writ of mandamus is at the discretion of the court, the discretion is not arbitrary but has to be guided by fixed legal principles. Where a person has a legal right to the performance of a public duty and having no other effective means of enforcing that right comes to the court "bonafide" within a reasonable time after performance of the duty has been refused, courts have always issued a mandamus. I can find no grounds for refusing relief in the present case. All that the Advocate-General was able to state on this part of the case was that the matter in dispute was not of sufficient importance and that

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1. Name of Paper— *The Hindu*
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3. Dated— *The 16th Aug 1916*

the granting of "Mandamus" would encourage applications for writ in all cases where a Fellow is dissatisfied with any resolution of the Senate. The questions in issue in this case are, in my opinion, of great public importance and I do not think that the Fellows of Madras University will be tempted to come to court oftener than is necessary should a mandamus in the present case be granted.

I order that the rule should be made absolute with taxed costs.

In the matter of the application of Mr. Ramanathan also His Lordship made the rule absolute with taxed costs.

20-8-16

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Educational DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

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3. *Legal.*
26 Feb 1916

THE MADRAS HIGH COURT.

(TROTTER AND KUMARASWAMI SASTRI J. J.)

Wednesday, 26th July, 1916.

The University of Madras.

APPLICATION FOR A MANDAMUS ON THE SYNDICATE.

The application of Mr. G. A. Natesan for a mandamus to be issued against the Syndicate compelling them to forward his protest against the order of the Vice-Chancellor refusing to allow certain amendments of his at the Senate Meeting of March last came on for hearing to-day before their Lordships.

Mr. G. P. Ramaswami Aiyar for Mr. G. A. Natesan in opening the case said that this application had been taken out under Section 45 of the Specific Relief Act in respect of a certain matter before the University.

Before he proceeded to deal with the affidavit and counter-affidavit, he would deal with certain Sections of the University Act which had bearing on the matter.

Mr. Justice Countt Trotter asked the Advocate-General if he had been instructed by the Government to appear or if he was appearing in a private capacity, to which he replied that he had no instructions from the Government but he had been instructed only by the Syndicate.

Mr. Ramaswami Aiyar referred to the Universities Act of 1857 and the Universities Act of 1864 regarding the powers of the Body Corporate which was the Senate. The Syndicate was a body constituted under the Statute itself to perform such functions as might be assigned to it under the Act, viz., to be in charge of the Executive Government of the University. The Senate was to do the talking and the Syndicate the acting. The Syndicate was vested with certain powers and authorities by the Statute, to appoint University Professors and define their duties and in regard to the proposed arrangements to report to the Senate for sanction. The Statute specified certain special powers under which regulations might be made. He then referred to Sections relating to the meetings of the Senate and regulations regarding the allocation of duties to the University Professor.

Kumaraswami Sastri J.—Are these regulations to be deemed to have the force of law?

Mr. Ramaswami Aiyar.—They are bye-laws having statutory force.

Countt Trotter J.—Except in cases where they are inconsistent with the Act.

Mr. Ramaswami Aiyar.—In this case the regulations were framed by the Government as the Senate did not send the Regulations in time.

He then referred to the Regulations relating to the procedure to be adopted by the Chairman at a meeting and the procedure to be adopted by a member of the Senate in case he wished to protest against a resolution of the Senate. The idea embodied in that regulation was that if a member of the Senate was dissatisfied with the resolution, he should take steps to get his protest in a kind of memorandum. The other side of the case was to be presented by the Syndicate taking certain steps to the matter. The Syndicate was simply to send up the protest and the memorandum prepared by the Committee of the Senate under Regulation for the final orders of the Governor in Council. The power of initiation lay with the Syndicate to make appointments of University Professors and define their duties. The trouble arose practically with reference to the duties of Professor of Comparative Philology. Professor Ramaswami Aiyar objected to the Professor of Comparative Philology being ex-officio Chairman of the Board of Studies in Sanskrit, Marathi, Singhalese &c, when the Professor of Indian Economics was not to be the Chairman of the Board of Studies. Mr. Ramaswami Aiyar stated that the Chairman of each of the Board of Studies should be elected by the respective Board of Studies and there ought to be no regulation for that. There was also an objection to the University Lecturer of Indian Economics, lecturing to Honours students, not merely superintending the work of Honours students.

Countt Trotter J.—His office was proposed to be changed from one of research to one of teaching.

The Advocate-General.—The University is a teaching University, not a merely examining University.

Mr. Ramaswami Aiyar continuing said the Professor of Comparative Philology who had no knowledge of Dravidian languages was recommended in the report of the Syndicate to have control over the Board of Studies for Dravidian languages, and to supervise the work of University lecturers and readers in the Dravidian language.

Countt Trotter J.—Is there anybody in the world who is expert in all the languages?

Mr. Ramaswami Aiyar said that there were more than one who were proficient in those languages. The Professor of Comparative Philology had nothing to do with the dialects spoken in this part of India.

Kumaraswami Sastri J.—You don't want the permanent evaluation of this gentleman to be ex-officio Chairman of lecturers on Dravidian Philology.

Mr. Ramaswami Aiyar.—Quite so.

Continuing he said that the other amendment was that the Professor of Indian Economics and of Comparative Philology should not be called upon to do what might be called examination work, by coaching up students for examinations. They should do only research work. The Syndicate's recommendation ought to have been accepted as a whole or rejected as a whole under Regulation 33 and the Senate could not modify it.

Countt Trotter J.—Certain amendments were for deletion and others for modification, I understand.

Mr. Ramaswami Aiyar replied in the affirmative and said as each amendment was moved separately the Vice-Chancellor ruled that neither his amendment for deletion nor for modification could be moved, although certain modifications were allowed to be accepted by the mover (Mr. Mark Hunter). The recommendations of the Syndicate subject to those modifications were passed.

The clause "The Professor of Comparative Philology to be ex-officio Chairman" was omitted.

The Advocate-General.—First para of the recommendation was inconsistent with the regulation of the Board of Studies and therefore the Syndicate itself withdrew it.

Kumaraswami Sastri J.—What has the Syndicate to do with the report at this Senate Meeting?

The Advocate-General.—All the members of the Syndicate were there. They could make up their minds.

Mr. Ramaswami Aiyar.—How do you know?

The Advocate-General wanted to read the minutes.

Mr. Ramaswami Aiyar said that as the record of the minutes was challenged and as the minutes were under consideration, their Lordships might look at the minutes.

However, their Lordships allowed the minutes to be read by the Advocate-General for their information.

Mr. Ramaswami Aiyar, continuing said that one portion of the agenda was withdrawn by the person moving the report on behalf of the Syndicate, although it was inconsistent with the ruling that the report must be sanctioned or vetoed as a whole. The whole of the standing orders recommended by the Syndicate was moved, seconded and discussed. It could not be said that it was never put before the Senate. If he did not put it before the Senate as it was framed by the Syndicate, he did not put the Syndicate's recommendation. The Syndicate's report became the Resolution of the Senate.

Countt Trotter J.—The Syndicate desired to pass rules in conformity with the regulations of the University.

Mr. Ramaswami Aiyar.—Not by introducing a state of things which does not exist. It is a condition precedent.

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1. Name of Paper—
2. Published at—
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Passing on to the correspondence between Mr. Natesan and the Registrar with reference to the protest he asked how the Syndicate could correct his letter of protest. The Syndicate apparently thought that it had the governance of protests against any decision and that those protests should not be unpleasant to its taste. It was clearly stated by Mr. Natesan in his reply that his protest was not with regard to the ruling of the Vice-Chancellor because he had authority to carry his ruling into effect.

Counts-Trotter J.—It is a protest against the resolution carried after discussion.

Mr. Ramaswami Aiyar continuing said that the Registrar representing the Syndicate would not do anything unless the words "the ruling of the Vice-Chancellor" were deleted from the protest. It was said that the Syndicate was not authorized to circulate the protest against the ruling of the Vice-Chancellor. It was an absurd attitude to take up. Mr. Natesan's letter clearly stated that he objected to the resolution and he did not protest against the ruling of the Vice-Chancellor. Finally the Registrar recorded the letter of protest and the correspondence relating thereto.

Mr. Ramaswami Aiyar then called attention to the fact that the Professor of Comparative Philology was proposed to be made the Chairman of the Board of Studies in Sanskrit Uriya, Canaresse, etc. Counsel pointed out that according to the rule one of the Fellows has to be appointed as the Chairman of the Board of Studies Regulation 140 as it stands unamended this particular matter could not come up. On this ground the complainant wanted his protest to go up before the Government. But this the Syndicate would not do because they did not want one or two remarks to go with it, and in doing so the Syndicate was taking to themselves powers which they had not.

Mr. Ramaswami Iyer then commented on the affidavit put in by the Syndicate and characterised it as a contempt in law called an affidavit. He read the affidavit commencing upon the statements therein and pointed out the statement that the Senate has the power to overrule any such resolution as Regulation 64 can be modified.

Counts-Trotter J.—Then it is no good giving you any relief because any relief given you can be set aside by the Senate the next day.

After reading the whole of the affidavit counsel pointed out that their Lordships would perceive that the facts in the application had not been advertised in the affidavit. These facts revealed are these. There was a resolution of the Senate which was passed. There was a protest against the resolution and he was entitled to have that dealt with under Section 64 and forwarded to Government for final orders and the only way in which the Syndicate could be asked to do that was under the Mandamus power. If authority was wanted to show this, there was authority.

Counsel then dealt with the question of local jurisdiction in that some of the members lived outside and the protest had to be posted. He contended that it was within the legal limits of the Court as the Syndicate is a body of persons holding a public office.

Counts-Trotter J.—How can you call the Syndicate a body corporate? The persons composing it are no doubt holding public offices. Must the writs be against A B C D and so on?

Mr. C. P. Ramaswami Iyer.—The Syndicate has made its appearance.

The Advocate General said that he appeared because their Lordships have issued notices.

Counts-Trotter J.—I understand that the writ is served on the Registrar or on the Syndicate.

Mr. Ramaswami Iyer pointed out that it was the duty of the Registrar to conduct official correspondence etc. and so they served the notice on the Registrar. He pointed out that a writ of Mandamus was issued on the Standing Committee of the Corporation of Calcutta. Quoting the Universities Act he pointed out that the executive government of the University was vested in the Syndicate. Therefore it was a statutory body. It may not be a body corporate, but that made no difference. That Mandamus so far as he could see could be served on the Registrar or the Standing Committee. Counsel then quoted several cases. 39

Calcutta suited their case well in which it was decided that notice need not be served on A. B. C. D. etc. composing the Committee but on the board. Counsel further quoted 3 Burrough, 1265 (37) English Reports and from Halsbury Vol. 10.

Continuing Counsel said that in this case a writ of mandamus was the proper legal remedy and there was no other adequate remedy. Counsel further quoted from various English decisions and said that the personal right was the foundation for writ of mandamus and in this case the matter was a question of personal right of the applicant to send his protest to Government.

Mr. C. P. Ramaswami Iyer finished his argument and at this stage the Court rose for lunch.

THE COUNTER-AFFIDAVIT.

The following is the counter-affidavit put in by the Registrar of the University in this application:—

(1) I am the Registrar of the University of Madras.

(2) I have read the affidavit of Mr. Natesan in connection with the above matter, copy of which was served upon me.

(3) I am advised that the Syndicate is not a corporation and that the application requiring the Syndicate to do an act under section 45 of the Specific Relief Act is not competent.

(4) I am advised that Regulation 64 of the University Regulations does not confer any absolute legal right but relates only to internal management of the affairs of the University, also that the applicant has no personal right which has been injured by the omission complained of.

(5) The application now made seeks to compel the Syndicate to circulate the protest to members of the Senate who were present at the meeting. Several members of the Senate who were there present are residents in the mofussil and are

outside the legal limits of the ordinary original civil jurisdiction of the High Court.

(6) I am advised that the applicant has several specific and adequate legal remedies; that the applicant is entitled to present a petition to the Government direct or to move the Senate to rescind or modify the original Resolution or to bring a motion to set aside the Resolution if it were "ultra vires".

(7) I am advised that the remedy which is now prayed for by the applicant will not be complete as the Senate has no power to overrule or modify Regulation 64 or to confirm the decision of the Syndicate which is under the control of the Senate.

(8) I am advised that the Syndicate has the right to decide and in the exercise of that right, decided that the protest was not a protest against the Resolution of the Senate but was a protest against the ruling of the Vice-Chancellor as Chairman of the meeting which passed the Resolution.

(9) I am advised that under Regulation 69 the ruling of the Chairman on the point of order was conclusive, and any objection to it cannot be received or considered either by the Syndicate or by the Government or by this Honourable Court.

(10) I am advised that the Syndicate was not bound to circulate any protest irrespective of its form and contents and without considering its responsibility for publication of all the matter contained in the protest whether admissible and defensible or not and that the Syndicate was further in this case justified in asking that the protest should not violate the provisions of Regulation 69 as it has the right to object to any matter which is extraneous to the Resolution, or is inadmissible under Regulations 60.

(11) I am advised that Regulation 64 applies only to any Resolution of the Senate which requires the sanction of Government to become the regulation.

(12) The Resolution in question in substance merely recorded the sanction accorded by the Senate under Regulation 96 (3) to the arrangement proposed by the Syndicate, and I am advised that it does not require any sanction of the Government.

(13) Under Acts 27 of 1857 and 8 of 1904, the Senate as the Body corporate has the entire management and superintendence over the affairs and concerns of the University and in all matters not expressly provided for the Senate has absolute discretion.

Educational DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu*
 2. Published at— *Madras*
 3. Dated— *the 27th July 1916.*

Legal.

-:00:-

MADRAS HIGH COURT.

BEFORE COUNTS-TROTTER AND KUMARASWAMY
SASTRI (J.J.)

Wednesday, 26th July 1916.

The University of Madras.

APPLICATION FOR A WRIT OF MANDAMUS ON
THE SYNDICATE.

When the Courts at again after luncheon interval, the argument in the case in which Mr. G. A. Natesan, a Fellow of the University, sought for a writ of Mandamus on the Syndicate was resumed before their Lordships.

The Advocate-General in arguing the case on behalf of the University, said that the application was made under section 45 of the Specific Relief Act, but more attention had been paid by his friend, who argued for the other side to English decisions than to the Specific Relief Act. In England if the duty is imposed by a custom even then a Mandamus would lie. The Specific Relief Act was different. The Advocate-General pointed out that in England the relief covered greater authorities and wider area. Here the jurisdiction was the same but there was circumscribed and referred to Clause B of the Act in which it was stated that it referred to doing or acting under "any law that was for the time being in force." According to the English rule it was "whether by any law or by custom or by statute." If a duty was imposed undoubtedly a writ of Mandamus would lie. The question was whether the legislature had imposed any such duty under any law, now being in force. The Advocate-General then read from various portions of the Act and said that the Indian Statute wanted to cover only a restricted area. The Act referred to the doing of an inferior Court or a Corporation. His learned friend admitted it was a statutory body, it was not a Court and it was not a Corporation.

Counts-Trotter J.—How can these statutory members be other than those holding public office? The Advocate-General explained that either they must be included as persons holding public offices such as the Secretary of State in Council, but the Syndicate comprises a number of people. The question was whether the holding of public offices did not mean an office with public duties in the sense of a Legal department. His point was that so far as the Syndicate was concerned it did not hold a public office.

Kumaraswamy Sastri J.—The name designates a body holding a public office. The Advocate-General said that the point was like the question as to whether a Board of Directors was a public office and in one case it was decided it was not proper to interfere always with the internal affairs of a private body. The General Committee of the Corporation of Calcutta was a public body.

Counts-Trotter J.—What about the Board of Examiners?

The Advocate-General said that that case was wrongly decided, and in reply to a query by Mr. Justice Kumaraswamy Sastri he said that might also be an intermediary body between a Corporation and a private body.

Dealing with the Act of 1904 the Advocate-General said that it would be found from the Act that the regulations were not admitted outsiders but only members of a Corporation to the internal management of the Corporation, and it was not intended for bringing the proceedings of that body into law Courts and said that the Syndicate was under the absolute control of the Senate. The Syndicate owed its duty to the Senate and not to any member of the public. Section 8 and section 3 of the Act showed that the Syndicate was concerned with the internal management, superintendence, etc. The Senate may owe its duties to the public. His

contention was that the Court should be loathe to interfere in the private management and that from the Act it was clear that the Senate had absolute control of the actions of the Syndicate.

Kumaraswamy Sastri J.—The Syndicate has expressive powers.

Advocate-General—Yes, but the expressive powers are under the control of the syndicate.

Kumaraswamy Sastri J.—What would the Senate do if the Syndicate does not do it?

Advocate-General—It is certainly within the competence of the Senate to compel the Syndicate to do it.

Counts-Trotter—Of course they can talk about it, but what can they do?

The Advocate-General said that they can take the necessary action to make them do so on which Mr. Justice-Counts-Trotter remarked "I do not suppose for a moment they would." The Advocate-General said that his point was that the Senate has got absolute powers.

Kumaraswamy Sastri J.—Has the Senate got the power to over rule the Syndicate—Under the Regulation they have power to over-rule it.

Mr. Justice Counts-Trotter, asked if any member sends a protest in which there might be some criticism of the action of the Syndicate whether they should not forward it. The Advocate-General said that the forwarding body had an inherent right to see that the memorandum was presented in form. It was not not right to say that anything written in the memorandum in the presence of a protest should go.

Counts-Trotter J.—If a public body is charged with the duty of forwarding a protest I suppose it ought to do it. If it is a protest what possible reason can you have for not forwarding it.

Advocate-General—They have to see whether it is *bona fide* protest or not. If it is only in substance a protest against the ruling of the Chair or contains words which are objectionable, the Syndicate must have the inherent right to expunge or rescind the words which are objectionable. My point is that in a case like this the matter must be regarded as a question of internal management.

Mr. Justice Counts-Trotter remarked that there was no discretion given and there was a mandate that the protest should be forwarded to which the Advocate-General replied that from the use of the word "shall" it did not always follow that it was a mandate.

The Advocate-General then continuing his arguments contended that this matter on the agenda was a matter under section 95 of the University Act, and it was only matters under section 25 that were liable to be taken to the Government. He pointed out that the section stated that the Syndicate shall have power to appoint, suspend, etc., Professors on behalf of the University and they should report the matter to the Senate. So the Syndicate has the initiative, and they have only to report the matter to the Senate. He contended

that this was an action of the Syndicate and not a Resolution of the Senate, although the result of the approval of the Senate might be treated as a Resolution of the Senate. And there was the ruling of the Vice Chancellor that it was in order.

Counts-Trotter J. asked whether the ruling of the Chair should be considered absolute even if it was against the Regulations.

The Advocate-General replied that the ruling of the Chairman in this matter could by no means be regarded as inconsistent with the Regulations and it is not a case where the Chairmen's ruling has been incorrect or erroneous.

The Advocate-General continuing said that under section 64 it was stated that only permanent Regulations required sanction of the Government. This regulation has been made under section 33 of the Act and it was made perfectly clear that the sanction of the Government was not necessary. This Resolution was not one which was liable to be vetoed by Government. That could be done only in the case of a Regulation which has been made under section 25. It was hardly likely that it could have been the intention of the legislature that

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3. Dated—

every act of the Senate should be taken to the Government for veto. Under section 95 (3) the syndicate had power to make standing orders.

Mr. Justice Coutts-Trotter remarked that if the Syndicate under Regulation 96 puts forward a motion concerning the appointment of Professors which has to be sanctioned by the Senate, the action of the Senate became a Resolution, and that Resolution came under section 25.

The Advocate-General said that the nomination and definition of the duties of the Professors are left with the Syndicate and that Regulation 25 was in respect of appointments. And in this particular matter the Senate only sanctions the arrangements made under Regulation 96.

Coutts-Trotter J.—When the Senate sanctions it, it becomes an act of the Senate.

The Advocate-General said that his construction of the Regulation was that section 25 (1) did not deal with the details, but the Senate only deals with the general Regulations.

Justice Coutts Trotter asked if that was so, how did the duties of the Professors of Comparative Philology and of History and Economics fall within that Section.

The Advocate-General said that the Syndicate had power to make standing orders and those were standing orders made by the Syndicate. The Syndicate had power to nominate Professors and make standing orders and then ask for sanction of the Senate.

Coutts-Trotter remarked that all that was said was about nomination of Professors and to report that for sanction. That did not mean delegation of powers.

The Advocate-General said that the sanctioning authority was not the person that makes the laws. It was the Syndicate that appointed undoubtedly.

Kumarawamy Sastri.—If the Syndicate makes all the appointments then the Senate is only to nod its head and say yes? Your argument is destructive.

The Advocate-General cited the example of the Revenue Board making bye-laws and asking for sanction of the Government.

Kumarawamy Sastri J. remarked that that did not mean that the Syndicate was authorized to make appointments and after some further discussion about it Coutts-Trotter J. remarked that "nomination was a nomination."

Dealing with the rule 95 (3) and 96 (9) the Advocate-General remarked that these were standing orders of the Syndicate and continuing observed: "Your Lordships know that there are rules called the Standing Orders of the Board of Revenue."

Coutts-Trotter J.—"I thank heaven I know nothing about them" and pointed out clause 8 of Regulation 96 that made it clear that it has to be sanctioned by the Senate and that becomes a Resolution of the Senate.

The Advocate-General said that this was not under section 96 (3) but under section 96 (5).

Coutts-Trotter J. asked whether it was the Senate Regulation or the Syndicate's Regulation and the Advocate-General replied that it undoubtedly was the Senate's Regulation. But he pointed out that certain actions of the Syndicate did not require the sanction of the Senate and said that that it was not moved as a Regulation and that it was not a regulation.

Kumarawamy Sastri J. asked what the legal effect of the action of the Senate was, and if it became a Resolution what objection there was in forwarding it.

The Advocate-General remarked that the question to be considered was whether this was a Regulation. Mr. Justice Coutts-Trotter observed that if this was not a regulation under section 25 this procedure had been hopelessly bad.

After some further discussion the Advocate-General said whether this was rightly moved or wrongly moved, this was moved under section 96 (3). It was moved and a protest has been lodged against that Resolution giving sanction under section 96 (3). Under section 45 one has to be strict.

The Advocate-General had not concluded his arguments when the Court rose for the day.

Educational DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu*
 2. Published at— *Madras*
 3. Dated— *Thurs 28th July 1916.*

Legal.

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THE MADRAS HIGH COURT.

(BEFORE COUNTS TROTTER AND KUMARASWAMY SASTRY J.J.)

Thursday, 27th July, 1916.

University of Madras.

APPLICATION FOR WRIT OF MANDAMUS AGAINST THE SYNDICATE.

Mr. C. P. Ramaswami Iyer in replying to the arguments of the Advocate-General pointed out that if it was contended that the agenda relating to the work of the Professor of Philology was brought forward as Standing Orders and if they are brought forward as Standing Orders then no power on earth could remove or alter these Standing Orders, *qua* Standing Orders, need not go up before the Senate if they are purported to be Standing Orders.

Turning to the Agenda paper he pointed out that the agenda was hopelessly illegal. They could not forget that the Syndicate could not bring forward standing orders to the Senate and so they invoked Sec. 96 (3). In the minutes it was stated that Mr. Mark Hunter proposed and Mr. Rendel-Clayton seconded that the sanction of the Senate be accorded to the proposals. Clause 1 of the Agenda, Index, was *in toto* 96 A. That has to be read along with 25 E and some other clauses. The appointing body was the Senate and referring to Section 25 E he said that his contention was that all general legislation was vested in the Senate and any special legislation with reference to particular cases of application in the Syndicate. He pointed out that even in the sanctioning of arrangements protests were sent and said that he understood that a protest sent along with the protest now in question had been forwarded to the Government.

The Advocate-General admitted that that protest with one from a Professor about his supersession had been sent.

Mr. Ramaswami Iyer said that matter had not been sent up as a regulation at all.

Taking up the Regulation 64 (3) and to say that the Syndicate can do that was to arrogate to themselves powers of the Senate. Having regard to the powers of the Syndicate that was either "ultra vires" or it was a Regulation. Having regard to the powers of the Senate and the powers of the Syndicate he asked their Lordships to consider what happened as a Regulation. It could not be other than a regulation.

Counts Trotter J.—The effect is that it is laid under 96 (3) and every other way, but that does not make it a good regulation.

Mr. Ramaswami Iyer said that their Lordships should consider whether that came under 96 (3) or not. Their Lordships should not be guided by the terminology; they should consider whether the effect of the rule was to make it a regulation or not.

Assuming that these clauses were placed before their Lordships their Lordships would not have the slightest hesitation in calling them regulations. The fact that other people called it something else could not change it.

At this stage the Court rose for lunch.

When the Court reassembled at 3 P.M. to-day Mr. C. P. Ramaswami Iyer resumed his arguments and said that Section 25 E gave the Senate the power to appoint and fix the duties of the Registrar and of officers and servants of the University and of Professors and Lecturers appointed by the University and that 96 (3) provided for the nomination of the University Professors and Lecturers by the Syndicate and gave that body power to define their duties and fix their remuneration and to report any such arrangements to the Senate for its sanction.

The Vakil pointed out that unfortunately the wording of some of the Regulations was loose and therefore he requested their Lordships not to lay much stress upon those sub-clauses.

The main point was that if the Senate approved or sanctioned any rule or rules they became Regulations, whatever they might be called. By Regulations it was meant rules framed for the guidance and policy of the University.

His argument was based on the basis that the Vice-Chancellor's ruling was wrong.

The Vakil further submitted that the so-called Standing Orders were the proceedings of the Senate. The question for decision was whether, when the Senate gave its approval to certain rules framed, they did not form Regulations of the University. His submission was they did become Regulations in terms of the Section 25 which gave the Senate the power to frame regulations with the sanction of the Government.

In answer to Mr. Justice Counts Trotter, Mr. Ramaswami Iyer said that the machinery for the framing of Regulations and the passing of Resolutions was the same. The result might be all important but the procedure was not different.

In conclusion Mr. Ramaswami Iyer said that his protest was admissible under Regulation 64 and there was no great purpose gained in attempting to strain its meaning.

Their Lordships expressed no desire to hear the arguments of Mr. Ramaswami Iyer in respect of other points raised by the learned Advocate-General.

Mr. P. R. Venkatarama Sastriar on behalf of Mr. K. B. Ramanatha Iyer, who also had applied for a mandamus under Section 46 of the Specific Relief Act, argued there were differentiating features on facts in his case from that of Mr. G. A. Natesan's application.

In deference to the wishes of the Syndicate to delete these portions of his protest that related to the ruling of the Vice Chancellor Mr. K. B. Ramanatha Iyer submitted that he would do so. He then desired that the remaining portion as altered might be sent along with the Resolution to the Government.

The Syndicate wanted that Mr. Ramanatha Iyer should delete certain other portions of the protest also. He submitted that the syndicate had misunderstood the nature of the protest and that his protest should be submitted in its original form as required by Regulation 64.

Mr. Justice Counts Trotter felt some difficulty as to the scope of the Regulation 64 with reference to this particular case and asked Mr. Sastriar if he could enlighten him on the matter.

Mr. Justice Counts Trotter said that Regulation 64 was applicable only to those cases which fell under Section 25 and which required the sanction of the Government.

Mr. Justice Counts Trotter desired to know whether, in matters which under the Act of Incorporation the Senate was given the power to decide for themselves, they could delegate to an outside body that power of decision.

Before Mr. Venkatarama Sastriar had concluded the explanation of the scope of the Regulation 64 the Court rose for the day.

1916.

Eds. DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper-- The Hindu
 2. Published at-- Madras
 3. Dated-- the 6th March 1916.

THE HINDU.

MONDAY, MARCH 6, 1916.

THE UNIVERSITY PROFESSORS.⁴

THE MEETINGS OF THE SENATE OF THE Madras University held on Friday and Saturday last seem to have been of a lively and animated character, though the quality of the business done was not of much practical merit. The proceedings were in effect the aftermath of the scheme formulated by the Senate for the utilisation of the grant of money placed by the Government of India at the disposal of the University in 1912. Indian public opinion was emphatically of opinion at the time when the Syndicate and the Senate of the University adopted the present scheme, that it was of a very unsatisfactory description and that it entirely failed to take note of the needs of the times in this country. It was pointed out in these columns that "excepting the provision made in regard to the temporary Professorship, of Indian Economics and of the Professorship of Indian History and Archaeology, the proposed utilisation of the grants is in a direction which leaves out of account the principal requirements of sound education at the present day. It is a matter of surprise to us that a scheme in which science has been altogether eliminated has found favour with Dr. BOURNE who, although he now holds the position of Director of Public Instruction, has taken high honors in science, and came out to this country and was for many years Professor of Natural Science in the Presidency College. Dr. BOURNE declared at the Meeting of the Senate that in his opinion the Madras University ought to aim at improving the study of the Oriental languages, that in fact the Dravidian languages ought to be encouraged even in preference to Sanskrit, as the Madras University is in the midst of the Dravidian country." That the people in the Madras Presidency should as it were 'stew in their own juice', was a doctrine which found favour with the majority of the European Fellows in the Senate and which led to the present scheme. It must be said to the credit of the Madras Government that they took a more discriminating and

sagacious view of the matter than the educational experts in the Syndicate and the Senate. The Government pointed out that the encouragement of Oriental learning which the scheme had in view was already receiving consideration in other ways and from other sources; and that "the Government of India have under contemplation the opening of a Central Research Institute for the pursuit of advanced Oriental studies on Western lines and have in that connection expressed their readiness to grant liberal financial assistance to any practical schemes for the better cultivation of the ancient languages of India and the promotion of original linguistic work." They, therefore, deprecated the establishment of professorships in Oriental languages and sanctioned the appointment of six Pandits or Readers of "proved scholarship". It was the Madras Government also that suggested the establishment of a Professorship of Indian Economics, as it would meet a genuine want, and "as it is unnecessary, to expatiate upon the relationship between the material development of the country and the dissemination of accurate and rational ideas regarding the economic problems which present themselves in India." In accordance with the final scheme sanctioned by the Government, University Professors of Indian Economics, of Comparative Philology and of Indian

History and Archaeology have been appointed. At the meeting of the Senate on Friday, the regulations defining the duties of these Professors were placed by the Syndicate for sanction by the Senate. Notice of amendments regarding the same had been given by some of the Fellows. Mr. MARK HUNTER proposed the adoption of the regulations. In doing so, he made a speech pointing out the reasons which undelay the framing of the regulations, one of which was that the Professors, besides undertaking research work and delivering courses of lectures, should give instruction to Honors students in some specific subjects relating to their course of study. On this last point there was considerable opposition among the Fellows. Mr. K. B. RAMANATHA AIIYAR had given notice of an amendment regarding the same. The Vice-Chancellor, Sir John WALLIS, overruled this amendment as well as others as out of order. We are wholly unable to understand his

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ruling and cannot but consider that it is a quixotic one. Sir John WALLIS gave no reasons for his ruling, but his action in allowing the mover of the proposition Mr. MARK HUNTER to withdraw a portion of the regulations, and in refusing to allow the other amendments to be moved was glaringly inconsistent. In his speech proposing the standing orders for the sanction of the Senate Mr. MARK HUNTER said with reference to the amendments that the Senate had submitted its standing orders for adoption, and it was not for the Senate to alter or amend them. Either they had to throw them out *in toto* or adopt them as a whole. This dogmatic assertion was converted into a ruling of his own by the Vice-Chancellor and it ought to have elicited from the Fellows present a much stronger protest than what appears to have been made. To what an absurd result the ruling of the Vice-Chancellor has led will be clear from the following circumstance. One of the standing orders says that "the work of all University Lecturers and Assistant Lecturers and Readers in Indian languages shall be under the general control of the Professor of Comparative Philology." To this Mr. K. B. RAMANATHA AIYAR had suggested an amendment that this shall be applicable only to those languages in which his proficiency qualifies him for the work. The amendment having been ruled out of order and the standing order referred to having been passed, it follows that the Professor of Comparative Philology can have supervision over even such work of the Lecturers and Readers as to which he is profoundly ignorant. What we have no hesitation in saying as the erroneous ruling of the Vice-Chancellor who, throughout the proceedings, would have done better to adopt a tolerant and constitutional attitude, led to the moving of a comprehensive amendment by Dewan Bahadur GOVINDARAGHAVAIYER that the whole subject of the standing orders be referred to a Committee. An animated debate followed upon this amendment. It was thrown out by a very narrow majority, the votes being 37 against 35 and the result showed a decisive moral defeat for the Syndicate. The establishment of University Professors must enure to the benefit of the students of the University in all the affiliated Colleges. We do not think that the standing order can be justified which gives the

benefit of the instruction by the University Professors to some students in the Madras Colleges alone. If University Professors devote adequate time to research work and deliver an advanced course of lectures in their own subject, there will be little left for them to do in the way of supplementing the tuition by College Professors in the city which as Fellows in the Senate the latter naturally welcome as relief work to themselves. Even the Vice-Chancellor seems dimly to have perceived this point when he declared that he felt more interested in the research part of the University Professor's work than in the teaching part, and that if the latter was to affect the former to any large extent, he would not vote for the proposition. He was too quickly and readily reassured on the point by Mr. MARK HUNTER who said that the teaching work of the Professors was only a small proportion of their work. The subject of the extension of the term of the Readerships in Dravidian philology next came up for consideration by the Senate. The Syndicate proposed the abolition of Readerships and the institution, in their place, of one lecturer and two assistant lecturers in Dravidian philology. Neither the Senate nor the public know anything about the work that the Professor and the Readers have been doing during the last 18 months and Mr. MARK HUNTER who moved the resolution and Messrs. STONE and MACPHAIL who supported Mr. HUNTER were not able to justify the new arrangements on any better ground than that the Syndicate was so advised by the expert in philology, Dr. COLLINS, whose authority, they seemed to imagine, could not be disputed in spite of his ignorance of the languages. The Hon'ble Mr. V. S. SRINIVASA SASTRI moved an amendment for retaining the readerships for a year and for the appointment of a Committee to report on the work done by the Professor and the Readers. He questioned the authority and capacity of Dr. COLLINS, who was a stranger to the Dravidian languages, to judge of the work done by the Readers and asked that a competent Committee composed of a majority of Indians who knew the languages of the country should be appointed to investigate into the work of the Professor and the Readers. At the adjourned meeting held on Saturday last, the debate was resumed, and Dr. NAIR made a well conceived, vigorous, speech condemning the attitude of the Syndicate and

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CUTTINGS FROM NEWSPAPERS.

1. *Name of Paper--*2. *Published at--*3. *Dated--*

ridiculing a certain Section of the Fellows who had set up Dr. COLLINS as an expert in Philology whose authority could not be disputed. Dr. COLLINS did not claim to any knowledge of the Indian languages. It was then preposterous and extremely silly for the Syndicate to have submitted itself to the opinion of such an expert. Dr. NAIR questioned further the statement freely indulged in that no one knew or could know anything about the science of Philology, wrapped up by its worshippers in a mysterious garb, and remarked that if such pretensions were set up for any science, he would characterise the science to be a fraud and the professor an impostor. The supporters of the Syndicate realised the ridiculous position in which they found themselves and the strength of feeling aroused. The Hon'ble Mr. J. H. STONE, who had, the previous day, been disposed to accept the opinion of Dr. COLLINS as gospel truth, was now so far persuaded as to the reasonableness of the demand for a Committee as to propose a committee himself, the difference between his motion and that of Mr. SRINIVASA SASTRI being supposed to be that the former did not cast any reflection upon the capacity of Dr. COLLINS. This fresh amendment of Mr. STONE was agreed to, and the Readerships will be continued for a year more. It must be abundantly clear to the public that the money that is being spent on the encouragement of the science of philology is a waste of funds which could, we reiterate, with far greater usefulness, be utilised for the promotion of scientific knowledge and research. We can only trust that the Committee will realise the stupendous mistake that the senate made in agreeing to the expenditure of large sums on philology and recommend the diversion of the funds for more practical purposes.

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Mylapore,

11th March 16

Dear Mr. Rajagopalachari,

If you receive any papers from the Registrar of the University with reference to the protest, which, I understand, have been lodged in connection with certain resolutions of the Senate regarding the University Professorship in Sanskrit and Comparative Philology, I should like to see the papers before disposal.

Yours sincerely,

Ministry sign

The Hon. Diwan Bahadur

P. Rajagopalachariar Avl., C.I.E.

E.A.V

Current No. 2644. From the Registrar, University of Madras, No.5473, dated 17th July 1916.

Subject.

Standing Orders accepted by the Senate to regulate the appointment and duties of University Professors.

Under the scheme for the allocation of the Imperial grants to the University (recurring Rs.65,000 and non-recurring 4 lakhs) the Syndicate, with the approval of the Government, have instituted the following Professorships:-
(Letter No.566 Ed1, dated the 14th June 1913, and G.O's No. 672 Ed1, dated the 22nd July 1913, and No.658 Ed1, dated the 2nd June 1914).

Designation of Professorship.	Name of the present incumbent.	G.O. sanctioning the appointment.
1. Professor of Indian Economics.	Dr.Gilbert Slater.	No.1154 Ed1, dated the 21st October 1915. (A)
2. Professor of Indian History and Archaeology.	M.R.Ry. S.Krishna-swami Ayyangar.	No.1172 Ed1, dated the 13th October 1914. (B)
3. Professor of Comparative - Philology	Mr.Mark Collins.	No.658 Ed1, dated the 2nd June 1914. (C)

2. The Syndicate submits for the orders of Government a copy of the Standing Orders relating to the appointment and duties of the above Professors which were adopted by the Senate at the meeting of the 3rd March last. *letter on the*

One of the important features in the proposed arrangement is that each Professor is required, or may be required, to undertake teaching work in the B.A. Honours Course or courses related to the subjects of his chair. This is justified in the following terms by the supporters of this arrangement:-

Vide page 4 of
enclosure II. C.F.

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"In formulating this rule the Syndicate, in our opinion, has merely given effect to a principle which, when the ~~"chairs"~~ were instituted, was generally accepted, viz., that "whatever functions a University Professor may be called upon to discharge, he should certainly be required to - teach and that some of the lectures and classes conducted by him should be adapted to the needs of the more advanced undergraduate students."

3. The position taken up in the extract ^{above} ~~extract~~ viz., that it was the original intention that University Professors should also devote a part of their time in the teaching of undergraduate students, is not altogether free from doubt. It may be observed that the opinion has been expressed both within and outside the Senate that the Senate's action in this direction not only contravenes the fundamental object of the institution of University chairs but also tends to prejudice collegiate teaching by conferring the benefit of the teaching only to a section of the 'Honors' students who are resident in the metropolis. It may be useful in this connection to examine the purpose for which India desired their grants to be utilised. In para 2 of the Hon'ble Mr. Sharp's letter No. 653, dated the 16th March 1912, announcing the grants, it was definitely stated that "the object of the grants is to enable the Universities to make a definite step forward towards the realization of the idea of a teaching University for higher work x x x"

In the discussions on the question of the utilization of the money placed at the disposal of this University, a good deal of emphasis was laid by this Government on the point ~~that~~ that the teaching functions of the University should be developed with as little overlapping as possible of existing collegiate teaching and that the University

P. Professor

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Professors should devote their main attention to research (work)
please see portions side-lined on pages 5,6,12,13,23,24,
(F) 27 and 28 of the notes with G.O.No.565 Edl., dated the 14th
June 1913, and para 10 of letter No.566 of the same date.

4. The acceptance of the Standing Orders mainly depends
therefore upon the attitude of the Government as to the
real functions of ^{the} University Professors, namely, whether
importance should be given to the research part of their
work or the teaching side.

pp 1-3 of Encl II of

5. As regards the protest lodged by M.R.Ry Kuppaswami
Sastriyar, who is also the Professor of Sanskrit and - -
Comparative Philology in the Presidency College, it will
be observed that, though he confines himself mainly to -
clause 5 under the sub-head 'B' in the section headed
'II-special' of the Standing Orders printed on pages 22
and 23 of enclosure I to the Registrar's letter, his - -
objections appear to be two-fold:-

(i) against the general principle of requiring
University Professors to undertake teaching work, and

(ii) against that portion of the ~~Minors~~ orders
which assigns teaching work in the Hon^{or}'s Course in - -
Comparative Philology almost exclusively to the University
Professor of Comparative Philology.

Item (i) has been dealt with in paras 2 and
3 ante. If the general principle is conceded, then it does
not appear that any action is called for on the protest
which only urges matters personal to M.R.Ry.Kuppaswami
Sastriyar, and these are sufficiently well met by the - -
reply memorandum on pages 4 to 7 of enclosure II in the c.f.
Submitted that the D.P.I. may be requested u.o. to offer
his remarks. (The Hon'ble Sir P.S.Sivaswami Ayyar,
K.C.S.I., C.I.E., has directed that the file should be -

Circulated

(12)

50

circulated to him before disposal. - ^{his} Vide D.O. flagged H.)
E.A.V.

JN
3.8.16

I have not other members
of the Society who prepared?
and is it not a fact that,
as the syndicate has not
copies their papers, they
have applied to the
High Ct for a specific
direction to the syndicate
to deal with their papers
and to submit them to
Court?

JN
4/8/16

Submitted yes; the consideration
of

EAV
4/8/16

E.A.V.

JN
3.8.16

Handwritten notes on the left page, mostly illegible due to bleed-through and fading. Some legible fragments include:
...the Court ...
...is not a fact that ...
...the syndicate has not ...
...copies their papers ...
...have applied to the ...
...High Ct for a specific ...
...direction to the syndicate ...
...to deal with their papers ...
...and to submit them to ...
...Court?

6-2644

59

of the applications presented to the High Court by Messrs G. A. Natesam and R. B. Ramnarayanan seems to be still pending with that court - vide Newspaper extracts at slip (R)

2 The power of interference legally vested in Govt in matters of this kind has been raised in the course of the trial. Perhaps the High Court's decision on the point may be awaited.

AM
11/8/16

R.
16.8.16

For Let the High Ch
disposes of the matter first.

10
11/8

Submitted that the

High Court has delivered judgment on the applications of Messrs G. A. Natesam and R. B. Ramnarayanan. Justice ^{Curtis} ~~Trotter~~ and Justice ~~Swaine~~ ^{Swaine} in two concurring judgments directed mandamus to issue to the Secretary directing ^{letter} ~~the~~ to submit to Govt the

leading from the 'Herald'
of the 16th inst. at (18)

Notes
Cg
11.8.16

NOTES.

Page 6

protests ^{lodged} ~~submitted~~ by Messrs
Nateson and Ramnathan against
the Standing Orders adopted by the
Senate. ^{Submitted that} ~~protests~~ these
protests may be awaited.

22-8-16

L.
25/8/16

CR
25/8/16

[Handwritten signature]
28/8/16

[Handwritten signature]

[Le. 3889 Ed.] from the Regt. Ministry
of Madras, No. 7885, dt. 17th Oct. 1916
pp 35 to 40.

The further protests
referred to above have been
received and take, with the
memorandum of reply, will be
found on pages 36 to 40 of the
current file.

The grounds of protest
appear to be two-fold, those
based upon the Vice-Chancellor's
ruling, and those condemning the
proposed Standing Orders as

3 Submitted that the record of the D. P. J. may be obtained w/o in the first instance.

Jan
13.10.16

J.H.
16.10.16

GA
18.10.26

The papers must of course go to the D.P.I. for an expression of his views before the Government deal with them finally. Before however making the reference to the D.P.I. I should like to make the file complete. Please call for a copy of the High Court judgment. The University has no doubt obtained a copy and the Registrar may be asked to send it. Also, it is necessary to ascertain whether, as alleged by Mr. Natesan in paragraph 3 of his protest, the Syndicate failed to obtain the recommendation of the Board of Studies in the matter under dispute. The Memorandum of Messrs. Macphail, Mark Hunter and Allen makes no reference to this particular contention. The point however can hardly be ignored, as ^{the} Regulations evidently contemplate action by the Syndicate in matters like these on the recommendations of the Boards of Studies. Regulation 390 under which the Syndicate may arrange for lectures (and which makes no mention of the Board of Studies) ~~then~~ refers only to special courses of ~~lectures~~ lectures by eminent persons. Ordinary lectures by University lecturers and also by members of the staffs of colleges have all to be arranged for by the Boards of Studies concerned. Please see Regulations 391 to 393. The reference to the University may go d.o.

Handwritten signature
21.10.16

is draft D.O. to Mr. Jewell

is Submitted for approval.

Handwritten signature
22.10.16
22.10.16

Handwritten signature
26.10.16

Handwritten signature
27/10

House Dept.
(Ed. 3)

Le. 3889.

Dec. 2644-1

27.10.16

~~Mr. J. S. D. D. D. D. D.~~

With reference

to the ~~order of the Senate~~
in your letter No.

7885, d/ the 7th Oct. 1916,

regarding ~~the proposed~~

standing orders relating to

the appointment and duties

of University professors

passed by the Senate at

its meeting held on the

2nd March 1916, I am to

request you to ~~forward~~

~~the order~~ for the

perusal of ^{the} Govt; a copy

of the High Court judgment

on the applications ^{made} ~~forward~~

~~by the~~ Messrs. S. A.

Natesan and J. B.

Ramawatham ^{(for a mandamus} ~~in connection~~

against the Syndicate.

~~order of the Govt.~~

2. I am also to

congratulate whatever, as

alleged by Mr. Natesan in

Issued

Mr. Natesan & J. B. Ramawatham

1st A. S.

Mr. Natesan & J. B. Ramawatham

1st A. S.

order

18

part 2 of his protest,
the Syndicate failed to
obtain the recommendation
of the Board of Studies
in the matter. ~~There~~
~~the~~ The memorandum
of the Revd. E. M. Macphail
and Messrs. M. K. Ramiah
and others, in which he
refers to this part
of the contention.

3. I am sorry for
the delay.

26.10.16
L
26.10.16
C
26.10.16

27/10/16

very sorry mff.

Recd to camp
mff.
29.10.16

To Francis Dunsbury Esq.,
R.A. to B.,
Regt., University of
Madras

62

3959

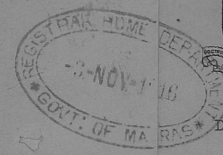
Recd 3.11.16



UNIVERSITY OF MADRAS

No. 5530

Senate House, 2 - NOV 1916



Dear Mr. Rajagopalachari,

In reply to your D.O. No. 2644-1, dated 27th October 1916, I have been directed by the Syndicate to obtain from the High Court a copy of the Court's judgment on the applications of Messrs. G.A. Natesan and K.B. Ram-nathan for Mandamus orders against the Syndicate. The copy of the judgment, when received, will be forwarded to the Government for perusal as requested.

2 The Syndicate will consider at its next meeting to be held on the 6th instant your enquiry as to "whether the Syndicate failed to obtain the recommendation of the Board of Studies in the matter" of the Standing Orders relating to the duties of University Professors and I will reply as soon as possible thereafter.

Yours sincerely,

Francis Dunsbury

The Hon'ble Diwan Bahadur
P. Rajagopalachari, C.I.E.,
M.A., B.L.

Home Dept.

I submitted that the receipt

of the High Court's judgment and the further communication furnished for part 2 above may be awaited. If these are not received by the 15th inst.

EW

NOTES.

Page 170

63

the Registrar may be reminded

3.11.16
3.11.16

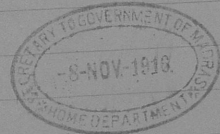
4.11.16

AE

In pencil.

6/11/16

7.11.16

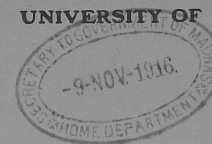


[P.T.]



UNIVERSITY OF MADRAS

No. 8687



SENATE HOUSE, 9 NOV 1916

Dear Mr. Rajagopalachari,

BT 9415 ~~sent~~ Your D.O. No. 2644-1, dated 27th October, has been considered by the Syndicate. With reference to your enquiry as "whether the Syndicate failed to obtain the recommendation of the Board of Studies", I am directed to point out that the words "failed to obtain" imply a breach of obligation and to direct your attention to the fact that there is no obligation upon the Syndicate to consult the Board of Studies, in the matter of the Standing Orders relating to the duties of University Professors, either directly expressed or implied in the Regulations. Neither the individual rules of the Standing Orders nor the particular duties defined therein are matters within the cognisance of any Board of Study and it was not the duty of the Syndicate to consult any Board of Study upon either. Consequently in no case can it be correct to say that the Syndicate omitted to do something which they ought to have done and the use of the word 'failed' in this connection is therefore inappropriate.

Regulations 391, 392, 393 and 398 referred to by Mr. Natesan in paragraph 3 of his protest to which you direct attention relate to the establishment of Ordinary University Lectures, which may, or may not, in particular instances be delivered by University Professors. The term 'Ordinary University lectures' is applied by the Regulations to such lectures as are recommended by the Boards of Studies to the Syndicate on their own initiative and placed before the Senate annually in March as a complete scheme for the year for approval or information according as the lecturers are, or are not, to be remunerated. While the services of the University Professors may be requisitioned for the delivery of such lec-

tures

in which case the initiative lies with the Board of Studies concerned, nowhere in the Regulations is it contemplated that their lecturing duties shall be confined to such proposals for the delivery of Ordinary University lectures. Arrangements have been made by the Syndicate for entirely different lectures by each one of the University Professors already appointed: such lectures have already been delivered under the express directions of the Syndicate differing widely in character from the Ordinary University lectures as generally understood. In no instance since the 30th March 1915 was any Board of Studies directly consulted, each course of lectures having been decided upon by the Syndicate on the recommendation of its Standing Committee appointed on that date to advise upon all matters relating to University Professors and their duties.

3 With reference to your request for a copy of the High Court's judgment on the applications by Messrs. Natesan and Ramanathan for a Mandamus order against the Syndicate, I am instructed to inform you that the Advocate-General states that the judgment is being published in 'The Madras Law Journal'. The Syndicate presumes that this publication ^{will} ~~would~~ be sufficient for the requirements of the Government.

Yours sincerely,

Francis Brook

The Hon'ble Diwan Bahadur P. Rajagopalachari, C.I.E., M.A., B.L.,
Secretary to Government, Home Department (Education)
Port St. George.

Please see the Secretary's note on page 8 above and the Registrar's D.O. at pages 13 & 14.

The Syndicate raise a technical plea that there is no obligation upon them to consult the Boards of Studies in the matter of the Standing Orders relating to the duties of University Professors and take objection to the use of the word "failed" in para 2 of the D.O. on page 10 ante, as implying a breach of obligation on their part. It is argued that the lectures by the University Lecturers cannot fall under "ordinary University Lectures" referred to in Regulation No. 391. It is clear that they cannot be brought under Regulation 390. The whole Chapter (XVI) however deals with "University Lectureships" and should therefore necessarily cover the lectureships like those now in question. "Ordinary University Lectures" would be the appropriate heading under which the lectures by the University Lecturers can be brought and Regulation will then be applicable. There seems to be no warrant for the position that the lectures arranged for by the Senate at the instance of the Boards of Studies at its March meetings are the only ones to be termed "Ordinary University Lectures". Even should it be considered that the Syndicate's contention is sound, on the point of view of analogy at least there seems to be every reason to expect the Syndicate to consult the Board of Studies.

2. Parts 16 and 17 of Volume XXXI of the Madras Law Journal which contain the High Court's judgment are submitted. *Please see portions marked off 409, 650 & 656.*

C.R.
22.11.66

68

Pyman

Has the D. P. I. not
yet seen this file and
looked upon it?

23.11.16.

Submitted no. Please see the opening
sentence of Ley's note on page above.

23.11.16.

D. P. I. No
23.11.16

2644-2
23.11.16

handwritten note

4-5338
21.11.16

Pyman

Has the D. P. I. not
yet seen this file and
looked upon it?

23.11.16.

Submitted no. Please see the opening
sentence of Ley's note on page above.

23.11.16.

D. P. I. No
23.11.16

23.11.16.

Under the Regulations resolutions of the Senate are not submitted for the approval of the Government unless they seek to enact regulations. The resolution in question merely approves certain standing orders of the Syndicate and it has consequently not been submitted for the sanction of Government. I do not see therefore that Government^{at} present in a position to pass any orders on the subject at all. They cannot refuse to sanction a resolution which has never been submitted to them for sanction.

2. Moreover it is very doubtful whether the Syndicate can be called upon to submit this resolution for sanction. High legal opinion considers Reg. 64 to be ultra vires of the University and Government under the Act of 1904. This act specifies the matter in which Government sanction is required, i.e., regulations and affiliation and disaffiliation of colleges. It would therefore seem as though Reg. 64 could only have proper reference to these matters and that Government would be going beyond the powers properly given to them under the Act of 1904 if they were to call upon the Syndicate to submit the resolution in question which does not purport to make regulations.

3. The acceptance of the contrary doctrine would place potentially the University completely under the control of Government. The Senate can only proceed by resolutions and Government could use the power of protest through, say, the Director of Public Instruction, to bring any resolution before it with a view to disallowing it. I do not think that in approving Reg. 64, which, by the bye, was adopted unchanged from the old by-laws, Government had any

intention of taking such power but merely meant to safeguard the rights of minorities in matters in which Government was by the act given the final voice. 69

4. This appears to me to be the formal aspect of the matter but I do not think that for Government merely to decline to pass orders would satisfactorily settle the matter. I think, notwithstanding the High Court view that the standing orders were really regulations, that the Vice-Chancellor was right in ruling as he did in the Senate and also that most of the objections to the standing orders are frivolous and captious. At the same time the standing orders are capable of improvement and the High Court's ruling that the Syndicate can only make Standing Orders as to its own work and that the Standing Orders relating to Professors' work are in effect regulations points to the desirability of getting these Standing Orders revised and placed before the Senate as regulations. At the same time it will be practically inconvenient if the work of Professors is made subject to the control of the Senate in any detailed way. This difficulty may be met by suitable modifications in the present Standing Orders when converted into regulations so that the Syndicate may be given precise functions in the control of Professors' work. Probably 96 (iii) had better go out or 'to define their duties' be omitted from it.

5. Probably Regs. 391 - 393 and 398 should also be modified so as to place lectures delivered by University Professors and their assistants in a different class from 'ordinary' University lectures and therefore in some respects subject to different rules.

70 19 (11)

Perhaps Government might be willing, while refusing to abrogate the Senate's resolution, to advise the Syndicate to take action as suggested above, considering in doing so the objections raised in the protests and the views of the judges on the points of law involved. The method to be adopted would probably be the appointment of a committee to 'revise the regulations'. This committee could also consider Reg. 64.

6. A practical reason for letting these Standing Orders remain operative is that they are the only rules at present in existence for the work of Professors ^{and} that since their defects are not really serious it is better to have these rules than none at all until better ones can be drawn up and sanctioned.



Home Dept.
(Edm.)

The Director's recommendation is to let the "Standing orders" remain unaffected either by a definite approval or rejection by Government and at the same time to advise the Syndicate to arrange for the revision of the standing orders and get them placed before the Senate in the form of regulations,

the opportunity being taken to revise Regulations.

54,96(111), 391 to 393 and 398.

The main and first question to be considered is whether the resolution of the Senate passing the standing orders should be considered as regulations or otherwise. The Syndicate seems to have regarded them as mere standing orders and have accordingly submitted a copy of the agenda ^{and} of the minutes of the Senate for the information of Government. The Director in his note above advises a similar treatment of the standing orders. The two concurring judgments of the High Court regard them as really "regulations". Notwithstanding the advice of the Director it may probably be awkward for ^EGovernment to set aside the findings in the judgments and treat the standing orders as if they were no regulations.

It should however ~~that~~ be noted that the D.P.I. does not consider them to be in proper form for acceptance as regulations, though he recommends the substance of those standing orders to be acceptable. With that flagrant defect it may not be desirable for Government to accept the standing orders and approve

of them as regulations, especially as they have not been originally meant to be regarded as such. In these circumstances and in view of the fact that the Director himself considers the course necessary, it seems better to remit the whole ^{question} ~~decision~~ to the Senate for consideration on the lines suggested by the D.P.I. This will save the Government from the necessity of committing themselves one way or ^{the} other. The work of these Professors ^{has} ~~is~~ got on so far without any accepted rules regulating it. The delay that will be caused by remitting the question for reconsideration would not be serious; for all practical purposes the standing orders, which are apparently still regarded as such by the Syndicate, will be followed in regulating the work of the Professors until definite regulations are framed and sanctioned.

CR
14.12.16
Le



D.O. No. 241

THE OLD COLLEGE,
Mungumbakam, 14-12-1916.

My Dear Diwan Bahadur,

With reference to my U.O. note on the protests against the Senate's Resolution submitted by Messrs. G.A. Natasan and K.B. Ramanathan I write to inform you that the Syndicate have appointed a strong committee to consider necessary revision of all the Regulations of the University except those relating to Courses of Study and Examinations.

Yours sincerely,

To

The Hon'ble Mr. Diwan Bahadur, F. Rajagopala Achariar

Avl, M.A., B.L., C.I.E.,

Secretary to Government Home Department,

Madras.

Page 16
c/s 22/10
24.9.17

Page 1 of c.f.

The pamphlet tagged
on to the end of
the current file.

pages 27--33 of c.f.

para. 2 on page 1 of
c.f.

pages 36 to 40, c.f.

HIS EXCELLENCY and

The Hon'ble Sir P.S. Sivaswami Ayyar.

With his letter dated the 17th July 1916 the Registrar submitted for the information of Government a copy of the minutes of the Senate passing a body of standing orders regulating the work of the University professors, and in the same communication he submitted the protest against those orders lodged by Mr. S. Kuppaswami Sastri, Professor of Sanskrit and Comparative Philology in the Presidency College, and the reply memorandum thereto of three members of the Senate duly elected for the purpose. The protest and the reply were submitted for the consideration and orders of the Government under Regulation 64. In continuation of that letter the Registrar submitted on the 7th October 1916, for the consideration and orders of Government, under the same Regulation, the protests of Messrs. G.A. Natesan and K.B. Ramanathan and the memorandum of reply thereto prepared by three members. Orders are due on the following papers:--

- (1) the resolution of the Senate passing the standing orders relating to the University professors,
- (2) the protests of Messrs. S. Kuppuswami Sastri, G.A. Natesan and K.B. Ramanathan, and
- (3) the reply memoranda.

It is contended by the Syndicate (and this contention is apparently supported by Mr. Stone) that, as the sanction of Government is not necessary to the resolution of the Senate approving the standing orders, no orders of Government are called for on that resolution. Please see portion of Mr. Stone's note marked 'K' at page 17 supra. The Syndicate however appear to agree that the orders of Government are necessary on the protests and the reply memoranda. I do not see how in passing orders the Government could confine themselves to the protests and memoranda and ignore the resolution protested against. Regulation 64 is worded comprehensively and empowers any member of the Senate to protest against any resolution and the duty is laid on the Syndicate to cause the protest to be printed and circulated, to have a reply in the form of a memorandum prepared, and to submit

for the consideration and orders of Government both the protest as well as the memorandum together with a copy of the resolution. But Mr. Stone thinks that notwithstanding Regulation 64 the Government would be going beyond their powers if they were to call on the Syndicate to submit resolutions which do not purport to make regulations. He points out that the acceptance of any other doctrine would place the University completely under Government control, as the Senate can only proceed by resolutions and the Government could use the power of protest, say, through the Director of Public Instruction, to bring any resolution before them with a view to disallowing it. Please see portions marked 'L' and 'M' in Mr. Stone's note at page 17. The Judges of the High Court who sanctioned the writ of mandamus have also held that "the word 'Resolution' in Regulation 64 must be read as if 'Regulation' was substituted for it, or what comes to the same thing, that Regulation 64 if and in so far as it purports to extend the right of protest to a resolution other than a regulation under S.25 of the Act of 1904, or a Resolution as any other matter requiring Government sanction, is ultra vires the

Please see page 654
of the Madras Law
Journal of Nov. 1916
Vol. XXXI - Part 17.
* cf. p. 676 also.

84

Senate."

Proceeding to the merits it will be observed that the Judges have definitely ruled that the so-called standing orders *mmmmmm* (the subject of the resolution of the Senate) were really regulations. I do not think that it is open to us to go behind this ruling. Nor is it expedient that we should go into the merits either of the arrangements made in the so-called standing orders or the objections raised to those arrangements or the replies to those objections. These are all matters which it is desirable that the University should settle for itself as far as possible. I agree with Mr. Stone that the so-called standing orders are capable of improvement and that the High Court's ruling on the subject points to the desirability of getting those orders revised and placed before the Senate as regulations. Please see portion marked 'N' in Mr. Stone's note at page 18.

The best course would therefore be for Government to pass no final orders just now, but to refer back the whole question (of the work of the University professors) to the Senate for further consideration with reference to the protests and

Jan 23 1916
187 # 187
- 187 # 187
- 187 # 187
- 187 # 187

Please see pages 659 and
182 of the Madras Law
Journal of Nov. 1916 -
Vol XXXI - Part 17.

187 # 187
- 187 # 187
- 187 # 187
- 187 # 187

187 # 187
- 187 # 187
- 187 # 187
- 187 # 187

NOTES.

Page 27

85

the judgment of the High Court. It will be seen from Mr. Stone's D.O. at page 22 that a committee has been appointed to consider the necessary revision of all the regulations of the University except those relating to courses of studies and examinations. The work of University professors would come within the purview of this committee. Whether this committee would deal with the question of the University professors or any other committee is however a matter of detail with which we need not concern ourselves. My point is that, as matters now stand, it is unnecessary for the Government to pass final orders either on the standing orders (interpreted by the High Court to be regulations) or the protests or the reply memoranda, and that the University must reconsider the whole question and submit revised proposals. Mr. Stone's view that the arrangements should be in the form of regulations may, if necessary, be commended to the University for consideration. I however doubt the wisdom of doing so. Mr. Stone is himself a member of the Senate and could put his suggestion before the University. It is hardly necessary that the Government should commit

NOTES.

Page 28

86

themselves to any details in the matter.

Draft for approval.

B
22/12

20

The exact legal position as to the University Professors and the rules by which their work and duties are at present regulated seems to be involved in some confusion and obscurity. The rules as they stand may be imperfect and incorrectly designated: but they are to be re-considered by the Syndicate, they cannot be revised at a moment's notice, and while there is nothing to take their place it would seem to be unwise for the Government to attempt independently to indicate the line of revision or to annul them.

Accordingly I would for the present, if this course is open to us, simply decline to intervene with reference to the protests and I would avoid raising other legal issues.

The language of the draft will hardly do, for it commits us to holding that the rules are 'standing orders' and issues directions to the Syndicate where at most we can but advise.

P
30.12.16.

I regret I am unable to agree with His Excellency. I do not think it is open to ^{to us} ^{me} simply decline to intervene with reference to the protests. Regulation 64 requires the Governor in Council to pass orders on the resolution and the protests. We must decide the question one way or

pages 659 & 682 of the
Maha. Law Journal
of Nov. 1916 - Vol XXXI
- Part 17.

the other and either uphold the protests if they are found valid and refuse to sanction the regulations or reject the protests if they are ill-founded and sanction the regulations. It is also open to us to remit the case to the University for further consideration before finally passing orders. That the rules sent up by the Syndicate are really regulations which require the sanction of Government is concluded by the decision of the High Court and it is not possible for us to go behind the ruling of the High Court and refuse to accept it. In as much as these rules are regulations requiring sanction, they come within the purview of Regulation 64 and the procedure by way of protests can be legitimately resorted to. If we are to go into the merits, it would not be possible to justify the action of Sir John Wallis in refusing to put the amendments before the Senate. A material irregularity of procedure like this must necessarily invalidate the resolutions.

Under the circumstances the draft order put up appears to me to be ^{the} safest disposal possible. Of course slight verbal changes may be made by substituting the word "advised" for "requested"

and

Box 16
date 9-1-17
reld 187.17

NOTES.

Page

317

and the word "rules" for "standing orders". But to refuse to form any opinion and pass orders will, I am afraid, be stultifying ourselves and laying ourselves open to the charge of shirking a duty cast on us by law.

I may add that there is no doubt as to the legal position of the Professor who was all day appointed (previous to these studies) with the approval of the Government & that the chief-idea does not seek to violate the laws of science on which the rules should be revised or to amend the rules.

[Signature]
9-1-17

AE
[Signature]
9-1-17

CP. 12-1-16

Recd 18
Dec 15.1.17
Retd 16.1.17

Page No. 270

Sir Sivaswami Aiyar has misunderstood the proposal contained in my note of 30th December 1916 which was to the effect that we should reject the protests not that we should refuse to form an opinion or to pass orders.

We are aware that the Syndicate is taking action to regularise the situation and it is unnecessary for us to call upon them to do so.

P
12.1.17.

Hubli Sir A. S. Sivaswami Aiyar
Res. S., C.E.,

15/1/17

I do not wish to pursue the matter further. The order may issue in the name of H. B. S. S.

16-1-17



Box 42
Dec 19.17
Repl 22.1.17

A draft order in
the sum of H. E.'s note and paper
29 cents is submitted.

Dr
17.1.17
Jul
17.1.17

Dr
18.1.17

HE

Draft on a/cpt.

Dr
19.1.17

21 JAN 1917

Dr
22.1.17

Home (Education).....DEPARTMENT.

Declining to intervene with reference to the protests lodged by Messrs. S.Kuppuswami Sastri, G.A.Natesan and K.B.Ramanathan against a resolution of the Senate to regulate the appointment and duties of ----- Professors.

READ AGAIN G.O. No....., dated.....19.....

” ” ” ” ” ” 19 .

READ ALSO :—

No. 2644/16 From the Registrar, University, No. 5473, dated the 17-7-19 16.
of Madras.

" " 3589/16 " " " 7885 " " the 7-10-1916.

[illegible]

ORDER.

Mis.

No. 92, dated the 22nd January 1917.

R e c o r d e d.

2. The Government do not think it necessary to intervene with reference to the protests submitted with the Registrar's letters read above.

E.A.V.
17-1-17.

T.K.
17-1-17.

C.R.
18-1-17.

T

The Registrar,
University of Madras.

copy to the D. A. G. with

Chlamydomonas

When given for copying
When copied
When examined
When signed

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