

Law (1921) Department.
(Education)

Ordinary SERIES.

G.O. No. 980

DATED 30-6-1921

Indexed

[Despatch Abstract.]

Legislative Council meeting--March 1921.

Question--appointment of professors in the Law College,
Madras--recorded.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

NOTES.



N4

ES-C. No. 1387 A
22-3-21
KAB
For

QUESTION.—No. 648 for the meeting of the Legislative Council to be held on the *in March* 1921.

SUBMITTED that two copies of this Question may be forwarded to the *Law (Education)* Department with reference to Nos. (1) and (4) of the rules regulating Secretariat procedure in dealing with these Questions in the Legislative Council. ~~Orders regarding admission will be communicated in due course~~ *The question has been admitted.*

22/3

L.D.S.
22/3/21

U.O. No. 1234-3, dated 28-3-21.

To
The *Law (Education)* Department.

QUESTION.

Rao Sahib U. Rama Rao.

The Law (Education) Department.

648 Q.—To ask the Hon'ble the Minister for Education to state—

- (a) what principle governs the appointment of professors in the Law College, Madras;
- (b) whether the bar of seniority applies to the said appointments;
- (c) if it is fact (i) that every time there arises a vacancy in the Law College, there is a call for applications by advertisement,
 - (ii) that there was an advertisement inviting applications for the vacancy that arose on the appointment of Mr. Madhava Nayar, B.A., Bar.-at-Law, as Government Pleader,
 - (iii) that there was no advertisement of the recent vacancy occasioned by the appointment of Mr. Mir Zain-ud-din as the Third Judge of Small Cause Court,
 - (iv) that the members of the staff of the Law College, barring the Principal, are entitled to no pension,
 - (v) that there is every three years a revision of appointments in the Law College, and
 - (vi) that the appointment as professors of Mr. Paul Appaswamy, M.A., Bar.-at-Law, Chief Judge, Small Cause Court, Mr. Lakshmana Rao, B.A., B.L., Professor, Law College, and Mr. Mir Zain-ud-din, Third Judge, Small Cause Court, has been made without reference to the principle of seniority;
- (d) on what principle appointments of professors have been recently made to fill the recent vacancy occasioned by the appointment of Mr. Mir Zain-ud-din as Third Judge, Small Cause Court; and
- (e) if it is a fact that a memorial, that Mr. K. Subrahmanya Pillai, M.A., M.L., Tagore Professor, should be appointed to the said recent vacancy, was sent to the Minister in charge of Education by the students of the Law College, Madras.

Law College,
Madras.

Hamel Concept

(a) No definite principle seems to have been laid down for the appointment of Professors in the Law College, Madras.

Prior to 1946 there was a rule ~~in~~ in the Law College Rules that the Junior Professor and Asst. Professors should be ~~or~~ either Barristers at law of not less than three years' standing or Vakils of the High Court of Madras of not less than five years' standing - vide rule 10 in column A on page 11 of G.O. 1424, of 12-15. When the rules were revised in ~~1946~~ 1946 the prescription as to the length of service at the bar for appointment as Professor or Asst. Professor was omitted - vide rule 11

(B) on page 3 of G.O. 310, of 22-3-46.

(b) There seems to be no rule that appointments of Professors from among the Asst. Professors should be made only with reference to strict seniority. Appointments are made by Govt. on the recommendation of the D.S.D., who consults the Principal and the College Council before submitting his recommendations.

(c) (i), (ii) & (iii) The D.S.D. may be requested to furnish the information.

(c)(iv). The members of the Staff, except the

Cm-1387A

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The Principal, are ~~not~~ only part-time officers, who are allowed private practice, and they are not, therefore, entitled to any pension.

(c)(v) The staff as a whole is not revised every three years. Appointment of a Professor or Asst. Professor is made for a period of three years at a time but officers once appointed will be eligible for re-appointment. Vide

(c) para 3 of G.O. 224, D. 15.3.13.

(c)(vi). The D.P.O. may be requested to furnish the information.

(d). In the vacancy caused by the appointment of Mr. Lyn-ud-din Schit as Asst. Judge, Court of Small Causes, Madras, C. Kunkhiraman, who is on leave in England and who has put in a service of over 10 years as ~~Asst.~~ Asst. Professor, has been appointed and till his return from leave, Mr. S. Ramaswami Ayyar who is senior to Mr. Asst. Professor, has been appointed to act as Professor. Vide G.O. 298, D. 1-3.21 and the notes thereto.

(e). It is not known whether any memorial for the appointment of ~~Mr.~~ Mr. K. Subrahmanyam Pillai was ~~sent~~ received by the Hon'ble the Minister for the Students

of the Law College. No such memorial was received ~~in~~ here. Mr. Subrahmanya Pillai himself submitted a memorial to Govt. direct ~~and it~~ ^{and it} was transferred to the D.P.D., just before the latter submitted his recommendations for filling the vacancy caused by the appointment of Mr. Kyn-udhin Sahib as Ag. Judge, Court of Small Causes.

2 The file may, it is said, be sent to the D.P.D. no. for remarks and for suggesting ~~answers~~ suitable answers.

Q
26.3.21 J. P. I. no

Edno. 1387 A-1
26-3-21

2A.
26-3-21
NB
26/3/21

D.P.I.'s U.O. No. 190 of 21
dated 30 March 21

The following answers are suggested:-

X (a) and (b) Appointments to the Law College are made by Government after considering the recommendations of the Director of Public Instruction who invariably consults the Principal and the Law College Council. Appointments to Professorship are ordinarily made by selection from the Assistant Professors and seniority is

8 6
taken into consideration when making such selections with due regard to efficiency and standing at the bar. But there is no rule that Assistant Professors have any priority of claim, and appointments to Professorships may be made direct from persons not already on the staff.

(c) (i) Not always. ~~When two vacancies occur at short intervals there is generally no second advertisement for filling the later vacancy.~~

(ii) The answer is in the ~~affirmative~~ negative.

(iii) There was no advertisement, as the acting vacancy in the Professoriate was filled by the senior among the Assistant Professors, pro tem until the return of Mr. Kunhi Raman and was then to be filled by the appointment of Mr. C. Kunhi Raman on his return.

(iv) The members of the teaching staff, except the Principal, are only part-time officers who are allowed private practice. They are therefore not entitled to pension.

(v) Appointments are for a term of 3 years but it does not follow that a revision of appointments is made in respect of the staff as a whole at the end of each triennium.

(vi) The answer is in the affirmative in the case of Mr. Paul Appaswami and in the negative in the cases of Messrs. K.P. Lakshmana Rau and Mir Zynuddin.



on 1678 A
31.3.21.



Answer to Leg
25th
14.4

(d) The member's attention is invited to answers to (a) and (b), and (c) (iii) above.

11/4
30/3/21

For approval.

As for clause (e), please see note on page 4 & 5 above

Ca
31.3.21

The Minister has not sent me any such memorial. So the answer is in the negative.

(e) The answer is in the negative

my
31/3/21

Answers (a) to (d) approved.

(e) - a memorial was received after the appointment was settled.

23/3

Rao Sahib U. Rama Rao.

Law College,
Madras.

574 Q.—To ask the Hon'ble the Minister for Education to state—

- (a) what principle governs the appointment of professors in the Law College, Madras;
- (b) whether the bar of seniority applies to the said appointments;
- (c) if it is a fact (i) that every time there arises a vacancy in the Law College there is a call for applications by advertisement, (ii) that there was an advertisement inviting applications for the vacancy that arose on the appointment of Mr. Madhava Nayar, B.A., Bar-at-Law, as Government Pleader, (iii) that there was no advertisement of the recent vacancy occasioned by the appointment of Mr. Mir Zain-ud-din as Third Judge of Small Cause Court, (iv) that the members of the staff of the Law College, barring the Principal, are entitled to no pension, (v) that there is every three years a revision of appointments in the Law College, and (vi) that the appointment as professors of Mr. Paul Appaswami, M.A., Bar-at-Law, Chief Judge, Small Cause Court, Mr. Lakshmana Rao, B.A., B.L., Professor, Law College, and Mr. Mir Zain-ud-din, Third Judge, Small Cause Court, was made without reference to the principle of seniority;
- (d) on what principle appointments of professors have been recently made to fill the recent vacancy occasioned by the appointment of Mr. Mir Zain-ud-din as Third Judge, Small Cause Court; and
- (e) if it is a fact that a memorial, that Mr. K. Subrahmanya Pillai, M.A., M.L., Tagore Professor, should be appointed to the said recent vacancy, was sent to the Minister in charge of Education by the students of the Law College, Madras.

574 A.—(a) & (b) Appointments to the Law College are made by Government after considering the recommendations of the Director of Public Instruction, who invariably consults the Principal and the Law College Council. Appointments to professorships are ordinarily made by selection from the Assistant Professors and seniority is taken into consideration when making such selections with due regard to efficiency and standing at the bar. But there is no rule that Assistant Professors have any priority of claim, and appointments to professorships may be made direct from persons not already on the staff.

- (c) (i) Not always.
- (ii) The answer is in the negative.
- (iii) There was no advertisement as the acting vacancy in the professoriate was filled by the senior among the Assistant Professors *pro tem.* until the return of Mr. Kunhi Raman and was then to be filled by the appointment of Mr. C. Kunhi Raman on his return.
- (iv) The members of the teaching staff, except the Principal, are only part-time officers who are allowed private practice. They are therefore not entitled to pension.

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(v) Appointments are for a term of three years, but it does not follow that a revision of appointments is made in respect of the staff as a whole at the end of each triennium.

(vi) The answer is in the affirmative in the case of Mr. Paul Appaswami and in the negative in the cases of Messrs. K. P. Lakshmana Rao and Mir Zain-ud-din.

(d) The member's attention is invited to answers to (a) & (b) and (c) (iii) above.

(e) A memorial was received after the appointment was filled up.



Order
mis 980 830.6.21.

Recorded

25.6.21

L.C. meeting, March 1921.

Question - Appointment
of professors in Law
College Madras -
Recorded

DISPATCHED
5 JUL 1921

Copy to be sent to Mr. (to)

22/6/21

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192 .

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
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N.B.—

- A = Copy in full.
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