

Law (Education) (1925) Department.

Ordinary SERIES.

G.O. No. 1866

DATED 28-10-1925

[Despatch Abstract.]

University - Madras -

The Reverend Dr. E. M. Macphail, late Vice Chancellor - *Bonus* ~~Gratuity~~ -

Orders passed.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
lgo	2174	W.E.A.	22-12-31				

It is requested that all communications should be addressed to The Registrar, University of Madras, Senate House, Triplicane P.O., Madras, and not to any person by name.



UNIVERSITY OF MADRAS.

No. 7181

SENATE HOUSE.

18.7.25

Enclosures.

FROM

THE REGISTRAR,

University of Madras.



A. Rd 2114 C
20/7/25

To

The Secretary to Government,

Law (Education) Department,

Fort St. George, Madras.

Sir,

I have the honour, by direction of the Syndicate, to forward herewith for the favourable consideration of the Government a letter dated the 19th May last from the Rev. Dr. E.M. Macphail, C.I.E., C.B.E., M.A., D.D., the late Vice-Chancellor, stating that by Statute No. 14 passed by the Senate on the 18th March 1925 and approved by His Excellency the Chancellor (copy enclosed for ready reference) he was entitled to two months' leave on full pay, that he proposed to take those two months as from the 21st May 1925, and requesting that the necessary arrangements be made for the payment of his leave allowances.

The Syndicate considered this letter at its meeting held on the 11th instant, and it regrets that it has no power to grant the leave and leave allowances asked for by Dr. Macphail. Dr. Macphail assumed the duties of Vice-Chancellor on the morning of 21st May 1923 and continued to hold the office for the full two years' tenure of appointment, (i.e.) until the evening of the 20th May 1925. In the opinion, therefore, of the Syndicate he is not entitled to any leave when he is no longer in the service of the University since an officer can obtain leave of absence only for a part of the period of his service. In the second place, the Syndicate is seriously doubtful whether the Statutes can apply retrospectively to the service put in by Dr. Macphail.

The Syndicate, therefore, in appreciation of the services

h 2 4
So. No 816 (W)
11-6-25

rendered by him as the first Vice-Chancellor of the University as constituted under the Act of 1923, when the arduous duties of reconstitution of the University under the new Act permitted of little relaxation on his part during his two years' tenure of office, feels that though no mention was made in the contract of service of the late Vice-Chancellor as to leave or other privileges, his letter should be placed before the Local Government for favourable consideration.

I have the honour to be,

Sir,

Your most obedient servant,

William McLean
REGISTRAR.



No.

UNIVERSITY OF MADRAS

SENATE HOUSE, 19th May 1925

From

Rev. D. E. M. Macphail C. J. E., C. B. E.
Vice Chancellor of the University of Madras

To

William McLean Esq., M. A. L. B.
Registrar of the University of Madras.

Sir,

I have the honour to point out that on the 21st May 1925 I shall have completed two years service as Vice-Chancellor of the University of Madras, and that by a Statute^(No 14) passed by the Senate on March 18th and approved of by His Excellency the Chancellor I am entitled to two months leave on full pay. I propose to take these two months as from 21st May 1925 and I shall be obliged if you will make the necessary arrangements for the payment of my leave allowance.

I have the honour to be,

Sir

Your most obedient servant
D. Monteith Macphail

	Initials.	Date.
Received in Fair-copying Section.		
Copied	..	14/8
Examined	..	14/8
Signed	..	14/8
Despatched	..	

4 (4)
C-214/c

Law (Education) Dept

Memo. No. 2114 C-1 D 14-8-25.

The Government have received an application from the Rev. Dr. E.M. Macphail, the late Vice-Chancellor of the University of Madras asking that he may be granted leave ^{with allowance} for two months with effect from the 21st May 1925. It is considered equitable that the leave or ~~its~~ ^{the} equivalent of the leave allowance should be sanctioned. The Examiner of Local Fund ~~Fund~~ Accounts is requested to advise the Government as to the form which the proposed concession should take.

2. ~~The~~ Letter No. 7181, dated the 18th July 1925, received from the Registrar of the University on the subject together with enclosure is/for warded to the Examiner for reference and return.

DESPATCHED

14 AUG 1925

To The Examiner of Local Fund Accounts.

(with c.f. in reply to be ret'd: with reply)

5-8-25
A
5-8
V.K.
6-8

R. a fortnight after issue.
At

Received on 14-8-25

Local Audit DEPARTMENT.



Received 192 Registered 27/7/25 192

3/9/25

Subject.

ENCLOSURES.

No.

Spare copies

47 No. 4755

Station Fort St. George, Dated the 3rd September 1925.

From (Name) J.M. Hooper Esquire,
(Designation) Examiner of Local Fund Accounts.

To The Secretary to the Government of Madras,
Law (Education) Department.

Sir.

In returning herewith the enclosures received with Memorandum No. 2114 C-1, dated the 14th August 1925, regarding the allowance that may be paid to the late Vice-Chancellor of the University of Madras, I have the honour to state as follows

As the first Vice-Chancellor was appointed under section 47 of the University Act, 1923, by the Chancellor on such conditions as he thought fit, the Senate has no locus standi so far as that appointment is concerned. Further there can be no question of granting him leave after he vacated his office, since the term "leave" implies authorised absence from duty of an officer, who has a lien on his appointment. The question of pa

of leave allowances does not therefore arise.

If it is considered necessary that a concession, in lieu of leave allowances, should be granted to the late Vice-Chancellor, the Chancellor may, under section 47 of the Act, sanction a gratuity or bonus. The incidence of the cost—that is—as to whether the charge should fall on Provincial funds or on the University funds—is one to be settled in consultation with the Finance Department. If it is decided that the cost should be met by a contribution from Provincial, there appears to be no audit objection so far as this department is concerned; on the other hand there will be no audit objection to the expenditure being met from the University funds.

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

[Signature]
Examiner of Local Fund Accts.

P.M.B.

[Signature]
1.9.25

It is requested that all communications should be addressed to The Registrar, University of Madras, Senate House, Triplicane P.O., Madras, and not to any person by name.



UNIVERSITY OF MADRAS.

No. 9117

SENATE HOUSE,

7 SEP. 1925

L-Eu 2793C
8/9/25

Enclosures.

FROM

THE REGISTRAR,

University of Madras.



Secretary to Government,

Law (Education) Department,

Fort St. George, Madras.

Sir,

I have the honour to invite your attention to my letter No. 7181 dated the 18th July 1925, forwarding for the favourable consideration of the Government a letter dated the 19th May 1925 from the Rev. E.M. Macphail, C.I.E., C.B.E., M.A., D.D., the late Vice-Chancellor, stating that, under the Laws of the University, he was entitled to two months' leave on full pay, that he proposed to take those two months as from the 21st May 1925 and requesting that the necessary arrangements be made for the payment of his leave allowances, and to request the favour of early orders of the Government thereon.

I have the honour to be,

Sir,

Your most obedient servant,

[Signature]
REGISTRAR.

(C.No. 2114 C) From the Registrar, University of Madras, No. 7181, dated 18-7-1925.

Subject : - Grant of leave and leave allowance to ex-Vice Chancellor. - the Rev.Dr.E.M.Macphail.

The Rev. Dr. Macphail held office of Vice-Chancellor of the University of Madras from the 21st May 1923 to the 21st May 1925. The syndicate forwards for the ^{consideration} of Govt. his application dated 19th May 1925 asking that he may be granted leave for two months from the 21st May 1925 on which date his tenure of office as Vice Chancellor expired.

2. The authority relied on is Statute No. 14 of the Statutes relating to the election and conditions of appointment of the Vice-Chancellor passed by the Senate on the 18th March 1925 and approved by His Excellency the Chancellor subsequently. The Syndicate recognizes that ~~it~~ has not power to sanction the leave and the leave allowances ~~asked~~ for by Dr. Macphail and adds that ~~he~~ is not entitled to any leave when he is no longer in the service of the University since ^{and} ~~the~~ officer can obtain leave of absence ^{only} for part of the period of his service. The Senate also seriously doubts whether the Statutes can apply retrospectively to the service put in by Dr. Macphail. / These are important considerations. The Syndicate, however, feels that in appreciation of the services rendered by the ^{former} ~~vice~~-Chancellor on the reconstituted University during an arduous period his application should be placed before the Government for the latter's favourable consideration.

3. It may be pointed out that leave privileges did not form part of the contract. In fact there was no contract between the Govt. and the ~~xxxx~~ vice-Chancellor. He was appointed for a period of two

2
years on a salary of Rs. 2,500, a month. The order of appointment did not embody any further conditions.

If an analogy is drawn ^{to be} between Dr. Macphail's case with the case of officers engaged by Government on contract, his case will apparently have to be governed by the conditions in G.O. No. 861 Finance, dated 2nd December 1924. One of the conditions mentioned in this Government Order is that leave may be granted after the expiry of contract only ~~whether~~ it was applied for during the period of contract and refused owing to the exigencies of the public service. In the present instance it has not ~~obviously~~ been the case

that Dr. Macphail applied for leave during his tenure of office as Vice Chancellor and that such ~~such~~ leave was refused. *Prima facie there seems to be no case for the claim put forward. Ordinary leave not applied for & pressure of it is denied. In the present case, even the latter is in doubt.*

4. If the leave is to be granted it will entail an extra expenditure of Rs. 5,000 by way of leave allowances for two months. This expenditure will apparently have to be made good by the Govt. Another point for consideration is whether the statutes framed by the Senate, supposing that they can be given retrospective effect, contemplate extra expenditure whenever ^a ~~an~~ Vice-Chancellor goes on leave. Statute No. 15 runs as follows: --

"The Syndicate shall have power subject to the approval of the Chancellor to make such arrangements as may be necessary for carrying on the duty of the Vice-Chancellor during his absence".

The Statute does not specifically say that an acting Vice Chancellor may be appointed and extra expenditure incurred.

20.269 (R) E.
(W) 14.5.23

(V)

Ship (N)

Apart from technical questions, Dr. Macphail served the University for

13
two years and is in equity eligible for two months' leave. It was obviously inadvisable for him to take it during his period of two years, as it would have dislocated the work.

I think two months' leave may be granted and the leave allowance included in the grant for the Vice Chancellor's salary.

Law Cdn no 2114C-1
23.7.25



Please see the Cf. and the Law Dept. note supra.

2. The Syndicate holds that Mr. Macphail is not entitled to any leave when he is no longer in service ^{seriously} and doubt whether the Statutes passed by the Senate can apply retrospectively to the service put in by him. Law state that leave privilege did not form part of the contract and that in fact there was no contract between the Govt & Mr. Macphail. In these circumstances it does not appear that there is a strong case for the grant of the leave asked for, which, if granted, will cost Govt Rs 5000

Cue. CRS
24/7/25 24.7.25

There can be no question of the grant of

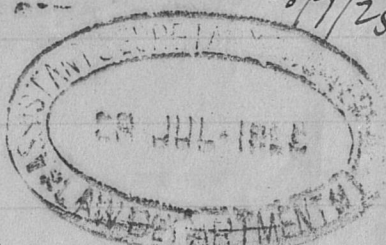
leave because Dr. Macphail was no longer
Vice-Chancellor. The question is whether Dr. Macphail
should be granted a bonus & Rs 500/- on
leaving down office. The answer to that question
must, I think, be in the negative.

[Signature]
25-7-25

Law (Edn)

L. En 2227C

28/7/25



Fin no. 26029-1CSR.

28-7-25

[Signature]
Put up balance
with Finance
V.K. 9/11/25

[Signature] Bunderloch
Kodaikanal

27-JUL 1925

22nd July 1925

Dear Sir Parasurama Das Patra

L. En 2227C
28/7/25

A couple of months ago,

just before I ceased to be Vice-Chancellor,
I wrote to the Syndicate stating that under
the rules passed at the March meeting of
the Senate I was entitled to two months
leave on full pay, and that I proposed to
take it from May 21st. I have now received
a reply stating that the Syndicate regrets
that the leave and leave allowances asked
for by me cannot be granted under the
Lays. The letter goes on to say - "The Syndicate,
however, recognises the unique nature of
the contract between you - as first paid Vice-
Chancellor of the University - and the Govern-
ment, and has resolved to forward your
letter to Government requesting that favour-
able consideration may be shown by the local

Government to the application of the first
Vice-Chancellor under the Act of 1923.

I presume that the Syndicate has come
to its decision because nothing was said
when I was appointed of any provision for
leave and leave allowances, and holds
the view that the rule passed in March,
which gives the Vice-Chancellor a month's
leave on full pay for each completed
year of service, does not apply to me as
first Vice-Chancellor. I suppose that I should
have raised the question of leave and leave
allowances before I accepted the appoint-
ment, especially in view of the fact that
my acceptance entailed the loss of furlough
allowance and passage money for
Mr. Macphail and myself from the College.
I did not do so, but I do not believe
that it was the intention of either the
Chancellor or the Minister that I should
serve for two years without anything
of the nature of leave. You may remember,

174 10
however, that soon after I was appointed I
raised the question of my travelling allow-
ances. I was told ^{that} that should be fixed by
the University, and I presumed that the
same was true of leave rules. Owing to the
necessity of putting other things through, the
rules relating to the Vice-Chancellor's leave
and travelling allowances were not dealt
with by the Senate till last March. I am
surprised now to find that apparently
the rule about ^{leave} is supposed not to be ap-
plicable to me. It seems to me that it
would be strange to exclude the first
Vice-Chancellor from the benefit to be
granted to other Vice-Chancellors.

It may perhaps be the case that
the position has been taken up that
as I did not take leave during my
term of office I cannot do so now
as it has lapsed. The rules, however,
referring to the Vice-Chancellor's leave are
not governed by the C.S.R., but are rules

made by the Senate and approved of by the Chancellor. I doubt whether I could have taken leave at all during my term of office without injury to my work, for it should be remembered that for nearly a whole year I had to do most of the work of the Registrar in addition to my own duties - a thing I never expected to have to do.

As the Syndicate has forwarded my letter to Government for favourable consideration I have thought it well to write and lay my views before you, as you are most familiar both with the circumstances of my appointment, with the work I have had to do, and the conditions under which it had to be done.

Yours sincerely,

E. Monteith Macphail

19
Law (Edin.)

Finances has noted at pp 3 and 4 ante. A D.O. received from Dr. Macphail has been added to the file (pp 5 to 8 ante). For orders as to circulation.

28.7.25
There is an equitable case I think.
M2
C4

It is true there was no condition in the terms of agreement about leave, but Dr Macphail asked hard during the period and it was any leave which if he wanted would have involved an additional expenditure. In Equity, even the "bonus" if necessary, may be a compensation for the leave allowance.

29/7.25



It seems clear that leave is inadvisable but if my Hon. Coll. wishes to press this on the grounds of equity I shall not

10/11

R-33.77

object to the equivalent
being read here Dr Hayphill
in such form as the A.G. may
advise. But I think that
the concurrence of the Secretary
the Chancellor should be
sought.

Left
30/7/25

Submitted. V.T.K.
30.7

M 2

30/7.25

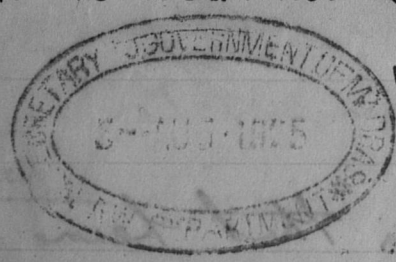
H.E.

I certainly think that Dr Hayphill, after
his distinguished services, should have leave,
or the Secretary should. The A.G. may be
asked the question it is to take.

3. viii. 25.

A draft Memo is submitted.

As the accounts of the University are
audited by the Examiner
of Local Fund Accounts
the Memo is addressed
to him.



5.8.25 V.T.K.
6.8



Fin U.O. for
all 27495 CBR
6.8.25



Fin no. 27495-1 CBR
12.8.25

L. to 243/C
12/8/25

[Please see page 9-10 ante] Finance (C.M.)
The draft Memo will may
be perused and the file returned
to Law
Cbr. C.R.S.
10/8/1925 Law (C.M.)

Law (C.M.)

The draft Memo may also be
12-8-25 13/8

Issued as Memo No. 2114 C-1 of 14-8-25
C. No. 2717 C] From the Examiner of
Local Fund Accounts, L.F. No. 4755 of
3-9-25

The Examiner of Local Fund Accounts
summarises the position thus:-

(1) The question of payment of leave
allowances to the Ex-Vice-Chancellor does
not arise, as he is not entitled to leave
after he vacated his office;

PP 5 & 6, C.T.

(2) The Chancellor may sanction
a gratuity or bonus to the late V.C.

(Copy put up)

under section 47 of the University Act and
the question
(3) Whether the charge should fall on
Provincial or University funds is
to be settled in consultation with Finance.

(3) is for consideration.

8.9.25

At the first Section 47 of the
Act says "that the first Vice-Chancellor

CSK G.P.

shall be appointed by the Chancellor
 on a salary to be fixed by him
 for a period not exceeding
 three years and on such other
 conditions as he thinks fit

It is open to the Chancellor to
 sanction the payment of a gratuity
 equivalent to two months' pay (Rs. 5,000).

As against this, there are ascertained
 savings to the extent of Rs 4,678
 in the provision in the current year's
 budget for the Vice-Chancellor's
 pay. It might be possible to find
 the balance of Rs 323 from the
 provision for grants to the university
 for the Economics Dept.

A draft order is submitted. It
 may go to Finance before circulation.

4.9.25
 A 5/9/25
 V.T.K.
 7.9
 Fin U.O

Finance

In the draft order it is proposed to disburse
 a sum of Rs.5,000 direct to the Rev.Dr.Macphail as
 gratuity and to debit the expenditure to "31.Educa-
 tion". It is doubtful whether the proposed gra-
 tuity could be debited to the head "31.Education".
 The preferable course seems to be to make a grant
 to

31396

21424



13

to the University with a request to the University
 to pay the amount to Mr.Macphail. If this is
 approved, para 1 of the draft order will require
 revision. Subject to the above, the draft order
 may be accepted.

2. If, however, it is considered unnecessary
 to modify the draft as now put up, the Accountant
 General may be asked if the debit of the gratuity
 in question to "31.Education" is in order.

Send us note to
 A.G.
 12/9/25

KRC.

This is (G.P.)
 10.9.25
 10.9.25
 B. S. P. C. R. S.
 11.9.25

4/9/25

A draft u.s. note to A.G.
 is sent below for approval.
 Send clean copy of note

Aug.
 14/9/25 4/9/25

7.9.25

U. a. note no. 31396-16 SR 16/9/25

cd
all.
sed
Molting

Grant of gratuity to the Res.
Dr. E.M. Macphail, late Vice Chancellor
of the Madras University.

The Vice Chancellor of the ~~Madras~~
University of Madras is now entitled to one
month's leave on full pay for each
year of service under statute no 14
passed by the Senate on 18/2/25 and
affirmed by His Excellency the Chancellor.
The Rev. Dr. E.M. Macphail did not
take any leave during his two years
tenure^(of office) as Vice Chancellor (from 21/5/23
to 20/5/1925). ~~On the account of~~
it is proposed to pay him, under Sec. 47
of the Madras University Act, 1923, a
lump sum of Rs 5000, the equivalent
of his pay for two months. The A.G. is
requested to state whether there is any
anxious objection to this sum being treated
as a gratuity or bonus and debited
to "31 A. a. Education - University - Transferred
grants to University - voted". If there is
any ~~objection~~ ^{said}, he is requested to state
whether the amount ~~may~~ ^{should} ^{actually} be paid to the

University ^{grant} ~~with~~ ^{and the University}
requested to ~~the~~ ^{that} ~~the~~ ^{the} amount ~~may be paid~~
to the Rev. Dr. E.M. Macphail.

14/9/25

To

The AG.

C.B.

A clear copy of this should be

typed & despatched ~~followed~~

15/9/25

DISPATCHED

18-9-1925

Office of the Accountant General, Madras,
Fort St. George, the 25th September 1925.

U.O. No. 395

Reference Finance Department U.O. Note No.

31396-1 C.S.R., dated the 16th September 1925.

Subject - Grant of gratuity to the Rev. Dr. E.M. Macphail, late Vice-Chancellor of the Madras University.

There is no audit objection to Government's making a special grant of Rs 5,000 to the University under Section 44(2)(b) of the Madras University Act on what conditions it thinks fit. I suggest that Government should not state that it is to pay a bonus or gratuity to the Reverend Doctor E.M. Macphail "in lieu of leave", as this is a practice not recognised by Government and might prove a difficult precedent. The debit would go against the head indicated if funds permit. I can find no rule under which Government could make a payment direct to the Reverend Doctor and such a payment would be objected to in audit under Financial canon 4 unless the Council specifically voted the money. There still remains the question whether the University may make the payment under its constitution. I informally recorded the following opinion previously.-

"Under the present Statute, leave cannot be granted to the late Vice Chancellor. But there is nothing to prevent the Senate making a fresh Statute specifically for the grant of two months' leave to the late Vice Chancellor and obtaining the Chancellor's assent to it. This Statute should also provide for an extension of the late Vice Chancellor's tenure of office by the period required to cover the leave."

These papers
are not in the
file -

The Examiner, Local Fund Accounts, stated that he could not accept the view in audit. Possibly he could accept the payment under Section 47 of the Act, but his opinion should first be sought by Government.

W. M. A. M. A.
Accountant General.

To

The Secretary to the Government of Madras,
Finance Department. U.O.

A.G.U.O.
T.M. No. 23-3278 dated 25-9-1925.

Finance (C.S.R.)

Please see "A" above. The Examiner of Local Fund Accounts was already consulted and his opinion is in pages 5 and 6 C.F. The conjoint effect of the A.G.'s and Examiner's opinions appears to be:--

The bonus of Rs5000 may be made by the University under its constitution, and Government may make a contribution on conditions it may deem fit but it should not be stated that it is to pay the bonus to the Rev. Doctor. It may be paid from University Funds, under Section 47 of the Act. It should not be paid from Provincial Funds to the Revd. Doctor unless the Council specifically voted the money.

U.O.

2. The file may be sent to the Examiner again so that he may see the A.G.'s reply and say whether he accepts the position stated at X. If so the grant of Rs.5000 may be made as a contribution without any conditions and the debit could go against the head indicated at the bottom of page 14 supra.

Fin. C. No 33923 CSN
28.9.25

pp 12 & 13 above
B 526 C.F.

X

Exam. No. 478
6.10.25



pp 12-13 above

G. and P.
Expre 24
Budget
C.R.S.

Fin. No 33923-1 CSR
6.10.25

Exam. No. 478-1
12.10.25



Fin. C. No 36668 CSR
12.10.25

Fin. No. 36068-1 CSR
15.10.25

Ex. No. 3295C
15/10/25



Law. No. 214C-5
19.10.25

Fin. No 36968 CSN



18 25
Accept the position as stated at "X" on the previous page. (18)

Fin. 12/10/25

Finance (C.S.R.)

The file may now be referred to Law (Edn), and they may be requested to revise their draft in accordance with the Finance note on p17 supra.

13/10/25

Law (Edn.)

Law (Edn.)

The Accountant General

and the Secy of L.F. Accounts hold different views. An endorsement has been made in the draft submitted below to reconcile the two points of view.

17-10-25 Does Finance agree to the draft as revised?

V.T.K.
19.10

Fin. U.O.

V. Tk
19.10.

28
James
18/3/25 (16)

UNIVERSITY OF MADRAS.

STATUTES RELATING TO THE ELECTION AND CONDITIONS OF APPOINTMENT OF THE VICE-CHANCELLOR.

1. When a vacancy occurs or is about to occur in the office of Vice-Chancellor, the Registrar shall, under the direction of the Syndicate, cause a notification of the fact to be published in the Gazette, and a copy of the said notification shall be sent to each member of the Senate.
2. Each member of the Senate shall have the right to nominate not more than five persons to be recommended by the Senate to the Chancellor. Every nomination shall be in writing and shall be seconded by another member of the Senate, and the proposer shall state on the nomination paper that the nominee has consented to be nominated. Every nomination must reach the Registrar not later than ten days after the publication of the notice in the Gazette.
3. If the number of nominees does not exceed five, the Registrar shall, under the direction of the Syndicate, communicate the names of the nominees to the Chancellor who shall appoint one of them as Vice-Chancellor.
4. If the number of nominees exceeds five, the Registrar shall forward to each member of the Senate a voting paper which shall bear on it the date of posting together with a notice stating the date of the election, the hour of the closing of the ballot and the day and hour for the scrutiny and counting of votes.
5. The voting papers when filled up in accordance with the instructions thereon shall be returned to the Registrar by registered post or may be deposited in the ballot box at the Senate House on the day and between the hours fixed for the election. All voting papers not sent by registered post or not deposited in the ballot box between the hours fixed, and all voting papers arriving after the hour fixed for the closing of the ballot box shall be treated as invalid.
6. The number of nominees for whom each elector may vote may be less but shall not be more than five, and any voting paper which contains votes for a number of nominees in excess of five shall be treated as invalid.
7. Voting papers on which there has been placed any mark by which the voter may be identified, e.g., initials or writing of any-kind, shall be rejected as invalid.
8. The scrutiny of the nomination papers and the scrutiny and counting of votes shall be conducted by three members of the Senate, who are not themselves nominees, appointed by the Syndicate. The Committee shall have power to decide the validity or invalidity of each nomination and of each vote recorded.
9. Every member of the Senate and every nominee shall be entitled to be present at the scrutiny and counting of votes.
10. The Registrar shall, under the direction of the Syndicate, report to the Chancellor the names of the five persons who receive the highest number of votes as the five persons recommended by the Senate and the Chancellor shall appoint one of them to be Vice-Chancellor. In the event of two or more nominees obtaining an equal number of votes for the fifth place the final selection of the fifth nominee shall be made by the drawing of lots in such manner as the Committee may determine.
11. In the list submitted to the Chancellor the names of the nominees shall be arranged according to the number of votes received by them.
12. The Vice-Chancellor shall be paid a salary of Rs. 2,000 *per mensem*.
13. The Vice-Chancellor when travelling on University business shall be entitled to travelling allowance on the scale laid down in the Civil Service Regulations as payable to first class officers.
14. The Vice-Chancellor shall be entitled to one month's leave on full pay for each year of service.
15. The Syndicate shall have power subject to the approval of the Chancellor to make such arrangements as may be necessary for carrying on the duties of the Vice-Chancellor during his absence.



GOVERNMENT HOUSE.

Madras

29th October 1925

Dear Mr. Krishnamachariar

Please see the enclosed from Dr. Macphail. Could you kindly let me know, for His Excellency's information, how the matter stands? His Excellency agrees with Sir Patro, if his view is correctly represented, that the recommendation of the Syndicate is reasonable. I am to ask you kindly to do what you can to expedite matters.

Yours sincerely,

M. R. Ry Rao Bahadur
V. T. Krishnamachariar Avl.

Secretary to Government, Law Dept.,
Fort St. George, Madras.

20/10/25 College Road
Madras

24th Oct. 1925

My dear Conran Smith,

I am leaving Madras
early next week for some time, and
before I go I wish to bring to the notice
of His Excellency the Chancellor a
matter which concerns me as the late
Vice-Chancellor.

When I was appointed Vice-Chan-
cellor by H.E. Lord Willingdon in May
1923 nothing was said about leave or
about leave and travelling allowances.
Possibly I ought to have raised
the question at the time, especially
in view of the fact that by resigning
my position in the Christian College
I gave up my claim to the fur-
lough and furlough allowance due
to me, as well as to passage money
to England both for Mrs Macphail
and myself. I did not do so but soon
after I had taken over charge I asked
Government to fix my travelling
allowance at that usually allowed

31 (2) 2

to Government servants of my status. I was informed that that was a matter for the University to settle, and from that reply I gathered that my travelling and leave allowances would be settled by laws passed by the Senate. I was too busy at first with the organisation of the new authorities and with the work devolving upon me as possessing the powers both of the Syndicate and the Senate to think either of touring or of leave, and after Duwbury left in December 1923 I had for nearly a year to discharge not only the duties of the Registrar in addition to those of the Vice-Chancellor - a thing I had never expected to have to do. Leave was out of the question and even when I was at Simla last summer I had the office work coming up to me all the time and had no real vacation.

After the new Registrar arrived in November 1924 I took up the laws dealing with the Vice-Chancellor and drafted rules dealing amongst

32

other things with the Vice-Chancellor's ²²allowances, leave, leave and travelling ^{the Senate in March} These rules were placed before my draft rule about salary and salary. My draft rule about salary was not moved by me as the Senate had already passed a resolution fixing the salary of the Vice-Chancellor who was to be elected at Rs 2000 per mensum, but the rules referring to leave, and travelling and leave allowances, were passed by the Senate and confirmed by His Excellency the Chancellor. The rule for leave and leave allowance is as follows: "The Vice-Chancellor shall be entitled to one month's leave on full pay for each year of service." On the assumption that this rule applied to me I wrote to the Syndicate shortly before I ceased to be Vice-Chancellor, informing them that I proposed to take the two months leave due to me and asking them to arrange for the payment of my leave allowance. I could not have taken leave sooner as there was a great deal of work to be attended to in April and May. I understand that the Syndicate were in favour of granting my request.

33
but that an audit objection⁴ was raised. I was informed in July - "The Syndicate regrets that the leave and leave allowance asked for by you cannot be granted under the Laws. The Syndicate however recognises the unique nature of the contract between you - as first paid Vice-Chancellor of the University - and the Government, and has resolved to forward your letter to Government requesting that favourable consideration may be shown by the Local Government to the application of the first Vice-Chancellor under the Act of 1923".

I presume that the objection is that as there was no mention of leave or leave allowances in the G.O. appointing me I am not entitled to the benefits which other Vice-Chancellors will enjoy, and which were promised to the Vice-Chancellor while I still held that office. This seems to me inconsistent with what Government informed me about travelling allowances. In any case I can hardly believe that His Excellency the Chancellor intended that I should have two years work without either

leave or vacation. ²⁴ 34

When the Syndicate wrote to me in July and I learnt that the matter had gone up to Government I wrote to Sri Parasuramadas Patil placing my views before him. He replied that the recommendation of the Syndicate seemed reasonable. As, however I have heard nothing more about the matter though three months have elapsed since then, and as I am leaving Madras shortly for some months, I am venturing to call His Excellency's attention to the matter.

Yours sincerely
E. Monteith Macphail

25/35

Law (Edn)

Rev: Dr. Macphail's application

for leave ~~at his request~~ was

disposed of in G.O. No. 1886 Ed, dt

the 28th October 1925. The file may
be forwarded to the P.S. G. for in-
formation.

31.10.25

21/11

V.T.K.
2.11

P.S.Guo

Thank-you.

25.
2. 11 25

Law (Edn) sept.

A.S.

(E)

The papers may be stitched with G.O. No.
1886 Law Edn, dated 28. 10. 1925.

P.V.K.
4.11.25

21/11



When given for copying _____
 When copied _____
 When examined _____
 When signed _____

192

READ AGAIN G.O. No. _____
 192

DATED

CURRENT No.

REFERS TO G. No.

ORDER OF GOVERNMENT ...

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED OF, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.

