

Law (Edn.) (1926) Department.

Ordy. SERIES.

G.O. No. 419

DATED 22/3/26.

12

[Despatch Abstract.]

College

Law - Rule 9 - Amendments suggested
by the Law College Council —
~~Not accepted~~ order 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.

C. 452c
17.2.26

(2)

Copy of letter No. R.O.C. 676-A/24 dated 27-1-1926 from the Director of Public Instruction, Madras to the Secretary to Government, Law (Education) Department.

I have the honour to submit herewith copies of letters No.R.C.196/23 dated the 9th November 1925 and R.C.52/25 dated the 29th November 1925 from the Principal, Law College, Madras together with the opinions of the members of the College Council thereon. It seems to me that there is much force in the views of the College Council. I would accordingly advise their acceptance unless Government for financial reasons are unable to do so.

related to
Vice-Principal
Post - separate
file

2
3
Copy of letter R.O.C. No. 52/25, dated the 9th November 1925
From the Principal, Law College, Madras, to the Director of
Public Instruction, Madras:--

(F)
p. 2 of the letter
(F)
"With reference to your proceedings R.O.C. No. 672-A/24,
dated the 10th October 1925 communicating G.O. No. 1608, Law
(Education), dated the 15th September 1925, under which --
Revised Rules for the Law College were approved, I have the
honour to state that at a meeting of the College Council held
on the 6th November 1925, all the members being present except
the Advocate-General, it was resolved that the attention of
Government should be drawn to Rule 9 of the said Rules with
a view to the consideration of certain amendments now proposed.

"According to the 2nd sentence of this Rule the selection
of Assistant Lecturers is to be made from Junior legal Prac-
titioners of not more than six years' standing. The Council
are very strongly of opinion that there should be no such age
limitations to the discretion of the Council in recommending
or to that of the Government in appointing lecturers. Some-
times the right man is to be found among those who are just -
entitled-sometimes he may be of quite senior standing. The
Council therefore recommend the deletion from this sentence
of the word 'junior' and of the phrase 'of more than six ---
years' standing at the Bar'.

(F)
p. 2 of the letter
(F)
"The Council also recommended the deletion of the last
two sentences in this Rule viz. "The Syllabus of special --
lectures should be approved by the College Council and the -
detailed tuition given by the assistant lecturers should be
co-ordinated with this syllabus. The Assistant Lecturers -
should be attached to the respective special lecturers and
carry on their day-to-day work in detail as outlined in the
syllabus for special lecturers under the constant supervision
of the lecturers.

"The reasons for this recommendations are as follows:--

"The reorganisation Committee (see sections 5, 7 & 8 of
their Report) contemplated that routine instruction, the ---
ground work of general principles should be given by the regular
staff of Principal and Assistant Lecturers and that lectures

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lectures should also be given by lecturers eminent in the profession on 'selected' topics in which they have acquired special proficiency. These were to be outside the scope of ordinary college work but yet not to be considered a mere supplement but an integral part of the scheme. The idea embodied in the last two sentences of Rule 9 seems to be an almost exact contradiction of what the Reorganisation Committee recommended, for the idea in those sentences -- appears to be that the subject as a whole in accordance with an approved syllabus should be treated by the special lecturers and under their constant supervision-the Principal is not mentioned at all-the Assistant Lecturers are to carry on detailed day-to-day work in co-ordination with the specialist syllabus.

"The plan in the rule as it stands at present seems to the Council quite unworkable, for, to take one sufficient point alone, no leading member of the profession can afford to give time for 'constant supervision' and the only --- possible scheme is that already approved by the Council when it approved generally the Report of the Reorganisation -- Committee i.e. that routine work should be in the hands of the Principal and his regular staff, while special topics or special treatment of ordinary topics should be taken by experts. Co-ordination would be attained by a very occasional consultation between special lecturers and assistant lecturers and by the general constant supervision of the Principal-and being a matter of course requires no special provision in the Rules".

4

Remarks of the members of the College Council.

I notified my approval of the drafts while I was ill and gave orders to my servants to send it on. Apparently this -- has not been done, and I apologize.

If there is no dissentient send them on at once.

(Sd) Chief Justice.

I don't agree with what is stated in para 2 page 4 of the draft. (R.C.C. No. 52/25, dated 9th November 1925.). I am in favour of having assistant professorships being reserved for young men of less than 6 years standing. With this dissent I agree with the 2 drafts.

(Sd) C. Krishnan.
14-12-25.

I agree with the drafts as they stand. If Krishnan's objection finds any favour, I would suggest a limit of 10 years standing but I am in favour of no limit at all.

(Sd) C.E. Odgers.
15-12-25.

I do not object to the first draft, although I must say, that while I am against creating the post suggested by the Government I am not in favour of the alternative proposal, the creation of the post of Vice-Principal. I believe that undue prominence is given to the latter proposal in the draft. But if the majority approve of it as it stands, I do not mind its being sent on. I entirely approve of the second draft.

(Sd) M. Venkatesubba Rao.
18-12-25.

I approve of both the drafts.

(Sd) C. Madhavan Nayar.
18-12-25.

I also agree with the drafts.

(Sd) C.V. Anantakrishna Ayyar.
18-12-25.

I approve of both of the drafts entirely. I am of --- opinion that no age limit should be prescribed for the post of Assistant Lecturers.

(Sd) Muhammad Ibrahim.
19-12-25.

5
I approve of the draft except for a doubt as to the --
necessity for a viceprincipal. If the principal thinks that
a viceprincipal is necessary, I raise no objection.

(Sd) T.R. Venkatarama Sastri.
21-12-25.

I approve of both the drafts without any alternatives.

(Sd) K.V. Reddi.
22-12-25.

(True copy)

S. S. S.
For Director of Public Instruction.

S.S.S. 28/1

R.O. No. 576-A/2, dated 27-1-
Subject: - Rules relating to the constitution
working of the college.

2 of 6
1608 (F)
15.9.25
Rule 9 of the rules relating to the constitution
and working of the Law College runs as follows: --

"9. The staff shall consist of a Principal and
"twelve assistant lecturers who will be appointed by
"the Government. The selection of assistant lecturer
"shall be made from among junior legal practitioners
"of not more than six years' standing at the bar.
"Assistant Lecturers will ordinarily hold office for
"three years and they will be eligible for reappoint-
"ment at the end of the period. Special lecturers will
"be selected by the College Council from among the
"Judges of the High Court and leading members of the
"profession who have established a reputation for
"scholarship in particular branches of legal study. The
"special lecturers shall deliver special courses of
"lectures in any of the subjects of instruction under
"the supervision of the College Council. The syllabus
"of special lectures should be approved by the College
"Council and the detailed tuition given by the assis-
"tant lecturers should be coordinated with this sylla-
"bus. The assistant lecturers should be attached to
"the respective special lecturers and carry on their
"day-to-day work in detail as outlined in the syllabus
"for special lectures under the constant supervision
"of the lecturers".

The Law College Council recommends

1. 2 of
1. 1 of
- (i) that the words 'junior' and 'of not more than
six years' standing' occurring in the second sentence
of the rule should be deleted;
and
(ii) that the last two sentences in the rule should be
deleted. // The Director of Public Instruction agrees to

the second sentence in rule 9.

The reason urged in support of this amendment is that the discretion of the Council in selecting Assistant Lecturers and that of Government in approving of the selection should not be fettered by the limitation as to the number of years of service in the Bar, laid down in the rule, as, sometimes, the right man is to be found among seniors.

The Law College Reorganisation Committee recommended that the Assistant lecturers should be selected from among competent juniors. With reference to this recommendation the Hon'ble the Minister suggested that the Assistant Lecturers should be recruited ~~from~~ among junior practitioners who were not of more than four years' standing at the Bar. The Hon'ble the Law Member to whom the file was circulated noted that, though the assistant lecturers might be junior practitioners, he would not make a definite rule that they should not have been more than four years at the Bar.

When the draft ^{order} was circulated to M-2, he noted as follows: --

"2. Assistant lecturers would be junior practitioners and so they should be defined clearly to which class they should belong, hence their standing at the Bar may not be more than five years. There should be definiteness in this matter. Therefore junior legal practitioners who shall not be of more than five or six years." In the Secretary's draft "ordinarily" in pencil may be omitted.

The Government accordingly directed that Assistant Lecturers should be nominated from among junior legal practitioners of not more than six years' standing at the Bar.

The second sentence of rule 9 is based on this order.

p. 2 of

para 5, p. 1 of Govt. 1702 (R) 5.11.24

para 6, p. 6 of the Govt. (R)

p. 75 ibid.

para 2 m p. 78-79 of 1702 5.11.24

p. 83 of (R)

p. 1 of Govt. 1702 (R) 5.11.24
p. 27 of (R)

p. 2 supra

was to clamped 8 of Govt. 538 (B) 21.4.25

41 of slip (X)

Behar m p. 1 anti

p. 3 of

para 5, 7 & 8 of supra - p. 1-2 of Govt. 1702 (R) 5.11.24

As the Committee recommended that the selection should be from among junior practitioners, it does not seem desirable to delete the word 'junior' from the rule. The Council approved of the Committee's report and apparently approved of any senior is to be selected in preference to the junior, the Government may treat it as an exception to the rule. Perhaps to admit of seniors also when a suitable senior is available, the word "ordinarily" may be inserted.

With reference to the Hon'ble the Minister's note extracted above, it is for orders whether the words 'of not more than six years' standing' will be deleted from the rule.

In this connection it may be noted that, in reply to a question asked by Mr. Satyamurti at the meeting of the Legislative Council held in ^{February} March 1925 as to why juniors of more than six years' standing were excluded from the field of selection for Assistant Lectureships, the Government stated that the policy was to appoint as Assistant Lecturers junior practitioners who could give sufficient time and attention to the work of the college. ~~Reveals the word "ordinarily" may cause the difficulty before the Law College Reorganisation Committee~~

In his written evidence Mr. K. Krishna Menon, High Court Vakil, stated that a man who had left his student life ~~may~~ away behind him in the distance would scarcely realise the ordinary difficulties of the student who was fresh to the subjects.

~~Deletion of the word "ordinarily" is therefore necessary~~

3. Second amendment - Deletion of the last two sentences in rule 9.

The Law College Council states that the idea in these two sentences is an almost exact contradiction of what the Committee recommended.

The Council points out that, according to the scheme contemplated by the Committee, routine instruction, the ground work of general principles, ^{was to} should be given by the regular staff of Principal and Assistant lecturers and that the special lectures on selected topics to be delivered by lecturers eminent in the profession.

para 7 m.
p. 2 of G.O. No.
1702
5.11.24 (R)

to be they were/considered an integral part of the scheme; while, according to the orders of Government, the detailed tuition given by the assistant lecturers should be coordinated with the syllabus of special lectures and the assistant lectures have to carry on their day-to-day work under the constant supervision of the special lecturers.

It is ^{also stated} ~~pointed out~~ that it will not be possible for any leading member of the profession to devote time for 'constant supervision' and that an occasional consultation between the assistant lecturers and the special lecturers and the general constant supervision of the Principal would quite do.

Attention is solicited to the notes on the question of the respective functions of the special lecturers and the assistant lecturers, by the Hon'ble the Law Member and the Hon'ble the Minister, extracts from which are given below: --

[Note by the Hon'ble the Law Member]

"In addition to the work of stimulation of "interest in the Law which may well be produced by "the leading members of the Bar, there must, in order "to secure the professional training already referred "to, be a fairly thorough tutorial system the tutors "being attached to the various Professors and working "more or less under their constant supervision."

[Note by the Hon'ble the Minister]

"The leading lawyers will take up special work in "special branches of legal study which will enable "the students to receive the best information and "practical knowledge, while the assistant professors "or tutors will carry on day to day work in detail "as outlined in the special lecture. The assistant "lecturer will also be in close association with the "lecturer whose syllabus of lectures will receive "the approval of the College Council."

* * * * *

"The detailed tuition work by the assistant should be in co-ordination with the syllabus

p. 3 of

p. 61 of
G.O. No 1702
5.11.24 (R)

p. 64 ibid

p. 67 ibid

It is not also alleged that the rule is not practicable in working. The scheme has been in force for two terms and now, we may wait longer. It all depends upon the selection. Even now some of the lectures are popular and attendance which is optional is large at times. There are others which scarcely attract students.

The last two sentences of rule 9 are based on the above orders. ^{No arguments have been advanced against the proposition in the permit of sentence regarding the approval of the Council for the syllabus} As the special lectures form an integral part of the scheme, co-ordination of the ordinary lectures with the special lectures is ^{also} apparently necessary. As constant supervision by special lecturers does not seem practicable, ^{even words of the last} the last sentence of rule 9, ~~alone~~ ^{alone} may perhaps be omitted and the ~~penultimate~~ ^{penultimate} rest of sentence ~~in that case~~ retained.

For orders.

17.2.26.

18.2.26

I think the first proposal should not be accepted. It goes against the recommendation of the Committee. It is inadvisable to appoint men of more than a certain standing at the Bar as "tutors". By relaxing the age limit prescribed, we shall be making the Law College an asylum for men who have failed to in the profession, ~~who will~~ and the temptation will be to keep these men on for long periods. The aim is to have a succession of ~~able men to~~ appoint ~~very~~ young men with excellent academic distinctions, who ~~are~~ will be in touch with students & their difficulties. If a relaxation is required, we may allow ~~one~~ ~~re~~ reappointment for a single period of three years of an assistant professor already in service, though ~~he may have exceeded~~ this limit may

This has been the case in the past

be exceeded in his case. Farther than this it is undesirable to go in the public interests.

I think co-ordination between special lectures & the class work is necessary. But if the Council thinks this is not necessary, we need not object to the deletion of these sentences. On a purely academic question like this the Council's decision should stand.

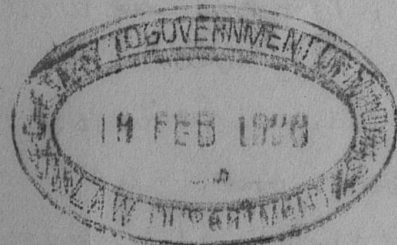
V.T.K.
19. 2

I am entering my protest to the proposal at a second meeting. The draft was sent prepared by the Principal & circulated. The rule was in effect but the Council in the report.

M 2

The new scheme was introduced

very recently & the changes are based on the recommendations of the Committee which sat for the examination of the whole question. I agree that the first suggestion for all sorts of the period is not sound and opposed to the spirit of the whole proposal. As regards the second, the Principal desires to have some power of co-ordination of work is very essential and as such the Principal must



be at least 9 long continue for three years & if am unable to after expenditure any headmaster agree with the to required, then we may consider.

I 8

A draft order is submitted for approval.

25.2.26

22.2.26. Give notice to D.P.I. I do not know if he holds any strong views on these points.

Draft no note is submitted

Pl. dep. no note
& return file
no. note
DEC 25 FEB 1926
am

24.2.26.

24/2

8

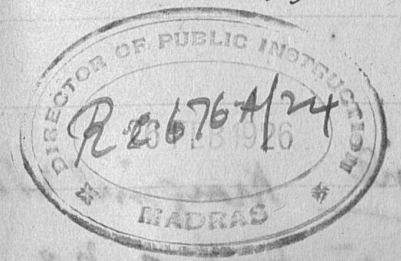
Law (ad) sept.

h. o. note.

Amendments to rule 9 of the rules
relating to the Constitution and working
of the Law College. - letter from the
D.P. I R.O. 676-4/24 & 27.1.26

With reference
to his letter read above the Director
of Public Instruction may be
informed that it is proposed to
veto the ^{suggestions} ~~recommendations~~ of the
Law College Council for the
amendment of rule 9 of the
College rules. This information is
given to enable the Director of
Public Instruction, if he thinks
fit, to lay his view personally
before the Minister in charge of
His Excellency the Governor.

Law E Dr no 4520-1
25.2.26



26.2.26.

by
mt

24/2

J.D.D.

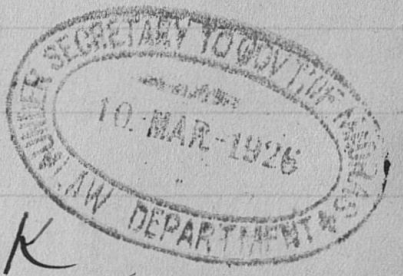
9

U.O. Reply No. 676-A/249 9-3-26 SS 88

I discussed this question with the Hon. the Minister this afternoon.

I do not press for the deletion of that portion of rule 9 which restricts the selection of assistant lecturers from among junior legal practitioners of not more than six years' standing at the bar.

The Hon. the Minister informed me that he was prepared to reconsider or had already reconsidered the academic question which is covered by the last sentences of rule 9. I have therefore no further remarks to make.



K
H. 246C
10/3/26

Law (Edw) Sept

The two proposals are:-

- (i) the deletion of the words: 'junior' and 'of not more than ~~six~~ years' standing at the bar in rule 9;
- and
- (ii) the deletion of the last two sentences in the same rule.

The Hon. the Minister has not agreed to either of the proposals. With reference to 'K' above the file may be submitted to M2.



V.T.K.
12.3
M2

line Marginal note in p. 6 & no other B. B. with M

p. 2 of

p. 2 of Giorro
1608 (F)
15.9.25

p. 6 ante

10

Apparently the Honorable the Minister has no objection to the deletion of the last two sentences in rule 9.

A revised draft order is submitted

16.3.26
by Brown

19.2.26

V.T.K.
19.3

M2

W2



Angels with good academic

Initials.

When despatched

by the Law College Council - ~~Not accepted~~

~~2~~ orders passed.

” ” ” ” ” 192

C. No. 452 C From the D.P.I. R.O.C., No. 676-A/24 dated 27-1 1926

[illegible]

” ” ” ” ” ” ” 192

No. 419, dated 22 . 3 . 1926 .

2. The first amendment suggested by the Council is that the word 'junior' and the words 'of not more than six years' standing in the 6ar' occurring in the second sentence of the rule should be deleted. This suggestion is opposed to the spirit of the recommendation contained in paragraph 5 of the Law College Reorganisation Committee's report - that assistant lecturers should be selected from among competent juniors. The aim is to appoint as assistant lecturers junior lawyers with good

p. 2 of Po no.

$$\frac{1608}{15.9.25} \text{ (F)}$$

from: $\frac{1702}{511.24}$ (R)

2
academic qualifications, who will be in close touch with students and the Government are ^{afraid} informed that the removal of the limit prescribed in the rule is likely to defeat the end in view.

3 The second amendment proposed is that the last two sentences in the rule should be deleted. The Government accept the proposal. 4 The following amendment is made in rule 9 of the rules relating to the constitution and working of the Law College, Madras.

Amendment
"Delete the last two sentences of the rule."

To

The D.P.I., Madras. ✓

The Superintendent, Print Press.
(para 4 only)
(for publication in the Gazette)

DESPATCHED

24 MAR 1926

When given for copying
When copied
When examined
When signed

192

READ AGAIN G.O. No.
192

DATED

CURRENT No.

ENCLOSURES 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.—

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