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[Despatch Abstract.]

University of Madras.

Approving with remarks the regulations framed by the Senate of the —, laying down the fee to be paid for entering names of graduates in the Register of graduates to be maintained by the University.

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ORIGINAL

G.O., No. 332, 19th May 1905.

MAY.

University of Madras.

Approving, with remarks, the amount of fees proposed by the Senate of the — for the registration of graduates under section 7 (2) and (3) of the Indian Universities Act.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper :—

From C. A. PATERSON, Esq., Registrar of the University of Madras, to the Secretary to Government, Educational Department, dated 18th April 1905, No. 1136.

With reference to section 25 (1) of the Indian Universities Act, 1904, I have the honour, by direction of the Syndicate, to submit for the sanction of His Excellency the Governor in Council the following regulations passed by the Senate under section 7, sub-sections (2) and (3), of the Act at its meeting held on the 3rd March last :—

Register of Graduates.—

(i) (a) That the initial fee payable for registration under section 7 (2) of the Act be Rs. 2 ;

(b) that when a graduate who is entitled to have his name on the register submits his application for registration after the expiry of the period prescribed in section 7 (2) he shall be required to pay in addition to the initial fee a sum of Rs. 2 for every completed year that may have elapsed since the expiry of the prescribed period, provided that in no such case shall a graduate be called upon to pay more than Rs. 10 in addition to the initial fee of Rs. 2.

(ii) That the annual fee payable under section 7 (3) of the Act be Rs. 5, but that a graduate whose name has been entered on the register may at any time compound for all subsequent payments by paying the sum of Rs. 10.

ORDER—No. 332, Educational, dated 19th May 1905.

The amounts of fees proposed are approved.

2. The following points arising out of the proposed regulations are not quite clear :—

(1) Is it intended that the annual fee should be payable simultaneously with the initial fee or does it become due only on the expiry of one year after registration in order to secure retention ?

(2) The payment of arrears on re-entry is not referred to in the proposed regulations. Is there to be any maximum to the amount of arrears payable ?

(3) Does the expression "a graduate whose name has been already entered on the register" in the proviso to section 7 (3) of the Indian Universities Act include the case of a graduate whose name has been entered and removed? If so, it would appear that the payment of a compounding fee would exempt such person from payment of arrears.

The Government desire that these points should be considered before the Senate submits for sanction the revised body of regulations under section 26 (1) of the Act.

(True Extract.)

H. D. TAYLOR,
Ag. Secretary to Government.

To the Syndicate of the University of Madras.
,, Director of Public Instruction.

NOTES CONNECTED WITH G.O., No. 332, EDUCATIONAL, DATED
19TH MAY 1905.

[SUBJECT.—Regulations laying down the fee to be paid for entering names of graduates
in the register of graduates maintained by the University.]

From the Registrar, Madras University, No. 1136, dated 18th April 1905.

Submitted that the Registrar's letter may be referred u.o. to the Director of
Public Instruction for remarks.

[The Regulations have been passed by the Senate under section 25 (2) (h) of the
Indian Universities Act, 1904, and not under section 7 (2) and (3).]

P. T. THARYAN—28-4-05.

A. GALLETI—28-4-05.

H. D. TAYLOR—5-5-05.

To the Director of Public Instruction for remarks.

As pointed out the regulations were passed under section 25 (2) (h) of the
Act in order to give effect to the provisions of section 7 (2) and (3).

2. Certain matters are not quite clear—

(i) Does the initial fee cover a year and an annual fee (or the compounding
fee) become due on the expiry of that year in order to secure retention?

This seems to be the intention of the Act.

(ii) The regulations do not refer to the payment of arrears on re-entry. Is
there to be any maximum to the amount of arrears payable?

The Act seems to allow of the fixing of a maximum penalty for delay in
application for original entry, but simply speaks of "all arrears" in the case of
re-entry.

(iii) The proviso which forms the second sentence of section 7 (3) was doubtless
intended to provide for a course alternative with the payment of an annual fee. As
it stands it seems to cover also cases of re-entry after removal in case of default and
the question is whether "a graduate whose name has been already entered" includes
the case where the name has been entered and then removed, in which case payment
of a compounding fee exempts from payment of arrears. It is unlikely that this was
the intention but is it the legal interpretation of the Act?

I have consulted the Vice-Chancellor and he agrees with me that these three
matters might be open to argument.

It might be well to obtain the opinion of the Advocate-General.

In the meantime, the amounts proposed might be accepted and attention be drawn
to the fact that the regulations have been submitted in the form of resolutions
of the Senate and not in the form of by-laws and that when the by-laws are
framed they should be clear in regard to all questions arising out of the Act and
be resubmitted for final sanction.

3. If the Advocate-General is consulted his opinion would, I presume, be com-
municated to the Syndicate or perhaps unofficially to me if he considers that the Act
is clear and that further action is unnecessary.

A. G. BOURNE—6-5-05.

arrears payable?

6

(3) Does the expression "a graduate whose name has been already entered on the register" in the proviso to Section 7(3) of the ^{Indian} Universities Act include the case of a graduate whose name has been entered and removed? If so, it would appear that the payment of a compounding fee would exempt such ~~a one~~ ^{person} from payment of arrears.

The Govt. desire that these points should be considered before the senate submit for sanction the revised body of regulations under section 26 (1) of the act.

7/12.
17.5.06

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19. 5. 06

To
Syndicate of the
The University of Madras.
S.P.I. ✓
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