B.]
1900—19-1-06.

Educational (1906) Department.

ORDINARY PRINTED.

G.O., No. 221

DATED 27-3-06

N. P.

208

[Despatch Abstract.]

University Regulations. Inviting the attention of the Senate to certain points connected with those portions of the body of ——— which were submitted by the Senate on December 1905 and calling for their remarks on the suggestions made by Govt. in respect of them.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government of Madras.

EDUCATIONAL DEPARTMENT.

Reed. }
Regd. } 1906.

Enclosures

Spare copies

G.O., No. 221, 27th March 1906.

N. R.

University Regulations.

Inviting the attention of the Senate to certain points connected with those portions of the body of — which were submitted by the Senate in December 1905 and calling for their remarks on the suggestions made by Government in respect of them.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

Read—the following papers :—

I

G.O., No. 854, Educational, dated 29th December 1905.

Abstract.—Extending up to 31st March 1906 the period within which the Senate of the University of Madras should prepare and submit for the sanction of Government, a revised body of regulations.

II

Memorandum No. 100, Educational, dated 1st March 1906.

In the new regulations framed by the Senate of the Madras University under section 26 (1) of the Indian Universities Act, 1904 (copy enclosed), provision has been made for the filling by election of vacancies among the Fellows elected by "registered" graduates under section 6 (1) (*a*) of the Act—"registered" graduates being graduates who fulfil certain conditions and whose names are entered in a register kept by the Syndicate for the purpose. Proposed regulation 137 runs as follows :—

"137. On the day and on the expiry of the time notified in accordance with regulation 131 the members of the Senate appointed in accordance with regulation 132 shall open the ballot-box, scrutinize the voting papers, rejecting those which do not fulfil the conditions of regulations 134, 135 and 136, and shall count the votes recorded. They shall thereupon communicate the results of their scrutiny and count to the Syndicate for submission to the Chancellor."

2. As will be seen, the regulation provides that on the day and on the expiry of the term fixed for the election the two members of the Senate appointed by the Syndicate to co-operate with the Registrar of the University in the supervision of the election shall scrutinize the voting papers, reject such as do not fulfil certain conditions, count the valid votes and communicate the results to the Syndicate for submission to the Chancellor who has under section 6 (3) of the Act to approve the election. No further regulation has been submitted by the Senate as to the Chancellor's action thereupon.

3. The question has arisen whether when there is a tie between two or more candidates, the Act itself sufficiently provides for the matter or whether a further regulation is needed or would be legitimate. By virtue of section 6 (3) the Chancellor may approve or disapprove, and if he can approve one of the tied candidates for the vacancy nothing more seems required. To provide by regulation for a second election, which moreover might equally result in a tie and lead practically to delay, would apparently prejudice the Chancellor's statutory rights, or enable him to evade his responsibility. It is therefore a question whether a regulation could be made giving the Chancellor free discretion to direct that there should be a second election.

4. If the Chancellor (*a*) in the case of tied candidates is unable to approve any of them or (*b*) where there is no tie is unable to approve the single candidate standing at the head of the poll, would it be open to the Chancellor to select the candidate standing next on the poll; apparently not, and if so, a regulation seems required authorizing the Chancellor to declare that a fresh election shall in such cases be held until a candidate is chosen whom the Chancellor can accept? Would such a regulation exclude from the renewed contest the candidates whom on the first election the Chancellor was unable to approve.

5. The Honourable the Advocate-General is requested to be so good as to advise Government on the foregoing points and if a regulation should be framed he is requested to advise as to the limits within which it can legally be made.

6. A copy of Part VII of the draft regulations (131–137) bearing on the subject is herewith forwarded.

(By Order.)

C. A. Souter,
Ag. Asst. Secretary to Government.

To the Honourable the Advocate-General (through the Government Solicitor, with copy of the Indian Universities Act, 1904, and copy of Part VII of the University Regulations).

III

Letter—from Sutherland Orr, Esq., Government Solicitor, Madras.
To—the Secretary to Government, Educational Department.
Dated—the 12th March 1906.
No.—220.

Abstract.—Forwarding the following opinion of the Advocate-General, Madras, dated 12th March 1906 :—

Opinion.

Section 6 (3) in my opinion empowers the Chancellor to approve or disapprove of an election which has taken place. Where there is a tie there cannot be said to have been an election and the time for the exercise of the powers conferred by section 6 (3) has not arisen. This provision therefore will not help and a new regulation appears necessary to deal with the case of a tie arising. It would be possible to deal with the cases (1) of a tie arising and (2) of the Chancellor refusing to approve an election under section 6 (3) by providing that in either case a new election should be ordered. At such an election there is no power to prevent the registered graduates from voting again for a person whose election the Chancellor has refused to approve. If he should be re-elected the Chancellor might again refuse to approve the election.

J. P. Wallis,
Advocate-General.

Order—No. 221, Educational, dated 27th March 1906.

With regard to those portions of the body of regulations under the Indian Universities Act, which were submitted by the Senate with its letter of the 22nd December 1905, No. 3305, the Government desire to invite the attention of the Senate to certain points in those regulations and they would be glad to have its remarks on the suggestions that are made in respect of them—

(1) *Regulation* 3.—It is suggested that it would be a convenience if the March meeting of the Senate were held upon the day preceding the day fixed for the convocation for conferring degrees.

(2) *Regulation* 95.—This regulation would sanction a procedure which might be used as a handle for fomenting faction as it would afford a prescribed mode of raising votes of censure upon the Syndicate on a general issue and not necessarily on a specific charge. Without denying that in certain circumstances such a regulation might prove useful it seems a question whether the lesser evil would not be to await the removal of members under the operation of the other rules, the period being shortened if deemed desirable.

(3) *Regulation* 107.—This regulation empowers any three members of a Faculty to make a written request to convene a meeting of the Faculty. But the strength of the different Faculties varies greatly; and it would seem more convenient that the number competent to send a requisition should be fixed with some relation to the strength of the Faculty.

(4) *Regulation* 117.—The Government are advised, upon the interpretation of section 6 (2) (*b*) of the Act read with section 9, that there is no right of election of Fellows by each of the Faculties separately and that the election should be held by the Faculties jointly: the election being however held subject to such directions as the Chancellor, under section 9 (2), may give with the view of securing that in such an election the interests of each Faculty are duly represented. This construction may not be altogether free from doubt, but the Governor in Council is disposed to accept it and considers that regulation 117 should be modified accordingly, any consequential amendments that may be rendered necessary in the other regulations being also introduced.

(5) *Regulation* 137.—This regulation does not provide for the action to be taken in the event (1) of a tie between two or more candidates, or (2) of the Chancellor's refusing to approve under section 6, sub-section (3), of the Act, the single candidate standing at the head of a poll. Section 6, sub-section (3), of the Act empowers the Chancellor to approve or disapprove of an election which has taken place, but where there is a tie the Government are advised that there cannot be said to be an election and that the time for the exercise of the powers conferred by section 6, sub-section (3), has not arisen. A new regulation should therefore be framed to provide for the case of a tie.

In the case of the Chancellor's refusing to approve an election where there is no tie, a fresh election must apparently be held and the Senate might consider whether by a regulation they can or should disallow votes given for the candidate whose election has been disapproved on the first election; otherwise the same name may be repeatedly submitted only to be disapproved with the result that a deadlock would ensue.

(6) *Regulation* 157.—The Government are inclined to think that this regulation is undesirable if not *ultra vires* and would suggest its omission.

(True Extract.)

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

To the Registrar of the Madras University.

Educational Department.

NOTES CONNECTED WITH G.O., No. 221, EDUCATIONAL, DATED 27th MARCH 1906.

[Subject.—*Revised body of regulations proposed by the Senate of the Madras University under section* 26 *of the Indian Universities Act,* 1904.]

From the Registrar, Madras University, dated 22nd December 1905, *No.* 3305.

Early.

2. The present time allowed expires on 31st instant?

H. D. Taylor—23-12-05.

Submitted that in G.O., No. 637, Educational, dated 21st September 1905, the 31st of December 1905 was fixed as the date within which the Senate as constituted under the Indian Universities Act, 1904, should submit a revised body of regulations for the sanction of Government. A draft order extending the period to the 31st of March 1906 is submitted for approval.

2. Meanwhile the regulations now submitted by the Registrar will be examined and submitted for orders as soon as possible.

N.L.R.—23-12-05.

P. T. Tharyan—23-12-05.

Submitted to His Excellency the Governor direct for approval in the absence of the Honourable Member.

H. D. Taylor—23-12-05.

Approved.

A[mpthill]—27-12-05.

Issue.

H. D. Taylor—29-12-05.

[G.O., No. 854, Educational, dated 29th December 1905.]

The regulations have been examined. They are for the most part reprints of existing by-laws or amplifications of them.

2. They have been reproduced below and are submitted for orders. Such remarks as they seem to call for have been entered below them.

3. Regulation 1 is as follows:—

1. The members of the Senate shall rank in the following order:—the Chancellor, the Vice-Chancellor, the *ex-officio* Fellows in the order in which their respective offices are named in the first schedule to the Indian Universities Act, 1904, the Ordinary Fellows according to the date and order of the first publication of their names as Ordinary Fellows in the *Fort St. George Gazette.*

This leaves some doubt as to whether a Fellow whose original term has expired, and who is not *immediately* re-nominated or re-elected, but is so re-nominated or re-elected *after a break* should reckon his seniority from the date of his *first* appointment. Under the regulation they would do so.

H. D. Taylor—13-2-06.

Yes.

C. A. Souter—3-1-06.

A. G. Bourne—7-1-06.

H. D. Taylor—13-2-06.

The Government are not making the rules: only approving them? But omit "either" as misprint and mention among the misprints.

G. S. F[orbes].

There was much discussion as to these dates. I was concerned only to see that the meetings should be held at times when most European Fellows would be likely to be in Madras. It might be suggested that the first meeting should be held upon the day preceding Convocation—it could, if necessary, be adjourned to following day or days. This would probably attain my object.

There would seem no objection.
C. A. Souter—20-1-06.

A. G. Bourne—7-1-06.

This suggestion may be approved.

H. D. Taylor—13-2-06.

Very well, let the suggestion be made. The rule need not be altered.

G. S. F[orbes].

C. A. Souter—3-1-06.

H. D. Taylor—13-2-06.

4. This is a new regulation altogether, framed under section 25, sub-section (1), of the Indian Universities Act, 1904, and rendered necessary by the provision in section 4, sub-section (2), of the Act, that the Ordinary Fellows shall hold office for five years. When an Ordinary Fellow vacates office and is re-nominated or re-elected he will rank according to the date and order of the first publication of his name as an Ordinary Fellow. The seniority of most of the Fellows now holding office has already been determined by section 12, clause (*i*).

5. Regulation 2 is as follows:—

2. Meetings of the Senate shall be either ordinary, special, or extraordinary meetings.

6. This is an amplification of part of existing by-law 1 on page 41 of the University Calendar for 1905–1906, volume I. The word "either" should apparently be omitted.

7. Regulation 3 is as follows:—

3. Ordinary meetings shall be held on or about the first Friday in March and the third Friday in October of each year.

8. Under existing by-law 1, there is only one ordinary meeting in a year and in the month of August.

The Convocation of the University for the grant of degrees is usually held about the end of March. It seems a pity that it is not proposed to hold the first ordinary meeting of the future about the same time. There would then be less dislocation of work—but perhaps the Senate knows better.

9. Regulation 4 is as follows:—

4. Special meetings of the Senate shall be such as are convened at the request of the Syndicate by the Vice-Chancellor, or by the Chairman of a meeting of the Syndicate, for the disposal of urgent business to be laid before the Senate by the Syndicate.

10. This is an amplification of part of existing by-law 1.

I thought that a larger number, say, 20 should join in the requisition. Such meetings would only be called for the purposes of a "row" and the agitation should be strongly supported before Fellows are summoned from all parts of the Presidency.

If the Syndicate wants a meeting it calls a *special* meeting. Extraordinary meetings would doubtless be disapproved by the Syndicate and be directed against its authority. However we may try 10 and a proposal may be made to raise the number if trouble occurs.

C. A. Souter—27-1-06.
H. D. Taylor—13-2-06.

Very well.

G. S. F[orbes]—21-2-06.

A. G. Bourne—7-1-06.

11. Regulation 5 is as follows:—

5. Extraordinary meetings of the Senate shall be convened by the Vice-Chancellor on the written request of any ten members.

12. This is based on existing by-law 2. At present six Fellows have the power of sending in a requisition for a meeting. This number it is proposed to raise to ten. The proposal seems to be in the right direction.

13. Regulation 6 is as follows:—

6. 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 1st February if it is intended for discussion at the March meeting, or not later than 1st September if it is intended for discussion at the October meeting. When any ten members forward a written request to the Vice-Chancellor to convene an extraordinary meeting of the Senate they shall at the same time forward the terms of the resolution or resolutions which it is intended to propose and also the name of the proposer of each resolution.

14. This is an amplification of existing by-law 3.

C. A. Souter—3-1-06.

H. D. Taylor—13-2-06.

G. S. F[orbes].

15. Regulation 7 is as follows:—

7. The Syndicate shall consider each such resolution of which notice has been given in accordance with the foregoing regulation and shall cause it to be placed on the agenda paper of the meeting at which its discussion is intended by the proposer: provided that the Syndicate may exclude from the agenda paper any proposed resolution which deals in whole or in part with any decision of the Senate adverse to its terms which has been arrived at in any meeting of the Senate held within one year previous to that at which its discussion was intended.

The Registrar shall inform the proposer in each such case of exclusion, and the Syndicate shall report the fact of exclusion at the meeting at which the discussion of the resolution was intended, or, if there be no other business at that meeting, at the next meeting of the Senate.

The note seems incorrect; the regulation merely gives the Syndicate power to exclude—which is advisable.

C. A. SOUTER—27-1-06.

A. G. BOURNE—7-1-06.

The words within the square brackets were inadvertently omitted from the office-note of the 28th December.

P. T. THARYAN—12-1-06.

The rule may be accepted.

H. D. TAYLOR—13-2-06.

G. S. F[ORBES].

C. A. SOUTER—27-1-06.

H. D. TAYLOR—13-2-06.

G. S. F[ORBES].

C. A. SOUTER—27-1-06.

H. D. TAYLOR—13-2-06.

G. S. F[ORBES].

I think the regulation is suitable. It is not likely that it will ever come into operation but such a provision is necessary.

A. G. BOURNE—7-1-06.

16. This is an amplification of existing by-law 3. Under the proposed regulation no resolution of the Senate can be reconsidered [without the consent of the Syndicate] within a year of its passing. It seems doubtful whether this is altogether advisable. A better course may perhaps be to fix a majority of votes, say, two-thirds or three-fourths of the strength of the Senate to render a reconsidered resolution valid.

17. Regulation 8 is as follows:—

8. No resolution, proposal, or other matter of business which has not been submitted to the Syndicate shall be brought before the Senate at any meeting, except as provided for in regulations 12, 14, 22 and 40.

18. This regulation also is in amplification of existing by-law 3.

19. Regulation 9 is as follows:—

9. The Registrar shall, not less than fifteen days previous to each ordinary or extraordinary meeting of the Senate, issue to each member a notice stating the time and place of meeting, and this notice shall be accompanied by an agenda paper showing the business to be brought before the meeting, and except as provided for in regulations 12, 14, 22 and 40, no resolution, proposal, or other matter of business which is not entered on the agenda paper shall be brought before the meeting: provided that the Syndicate may, for reasons of urgency, bring any business before any meeting of the Senate without notice being given in the agenda paper.

20. This is based on existing by-law 4.

21. Regulation 10 is as follows:—

10. If there be no business to be brought before an ordinary meeting of the Senate, the Registrar shall issue a notice to that effect to each member not less than fifteen days before the date of such ordinary meeting.

22. This regulation also is based on existing by-law 4. Its wording, however, does not seem to be quite happy. Instead of the words "not less than fifteen days — meeting" the words "on or about the 15th of February or the 1st of October as the case may be" may perhaps be substituted. As the regulation stands the fixing of a date for the meeting as well as the subsequent intimation that there is no business is implied. Whether or not there is likely to be business should be known three or four weeks beforehand and if there is not likely to be any meeting the fixing of a date is unnecessary.

Submitted that the regulation is necessary but the question for consideration is how to word it.

P. T. THARYAN—12-1-06.

The dates of the ordinary meetings are fixed: fifteen days would seem ample.

C. A. SOUTER—20-1-06.

Under regulation 6 notice of resolutions must be received by 1st February or 1st September for the March and October meetings, respectively.

The wording of regulation 10 follows that of regulation 9, and I see no objection to its acceptance.

H. D. TAYLOR—13-2-06.

None whatever.

G. S. F[ORBES].

H. D. TAYLOR—13-2-06.

G. S. F[ORBES].

May be approved.

H. D. TAYLOR—13-2-06.

G. S. F[ORBES].

May be approved.

H. D. TAYLOR—13-2-06.

G. S. F[ORBES].

23. Regulation 11 is as follows:—

11. In the case of special meetings, the Registrar shall give such previous notice of the time and place of meeting as the circumstances in each case may permit, but except in regard to this particular, the provisions of regulation 9 shall apply to such meetings.

24. This regulation also is based on existing by-law 4.

25. Regulation 12 is as follows:—

12. Any member wishing to propose an amendment to a resolution on the agenda paper of any ordinary or extraordinary meeting of the Senate shall forward the same to the Registrar so as to reach him not less than five clear days before the day of the meeting at which the discussion of the resolution is intended. The expression "five clear days" shall be held to mean five days exclusive of the day on which the notice of amendment reaches the Registrar and of the day of the meeting. No amendment of which notice has not thus been given shall be considered at any ordinary or extraordinary meeting of the Senate, except as provided for in regulation 40.

26. This regulation forms part of existing by-law 4.

27. Regulation 13 is as follows:—

13. The Registrar shall, not less than three days before each ordinary or extraordinary meeting of the Senate, issue to each member an amended agenda paper, shewing all the resolutions as in the original agenda paper issued in accordance with regulation 9 and also shewing all amendments of which notice has been given in accordance with regulation 12, provided that if no notice has been received under regulation 12 of any amendment, no such amended agenda paper need be issued.

28. This regulation also forms part of existing by-law 4, but the time allowed has been raised from two to three days.

May be approved.

H. D. Taylor—13-2-06.

G. S. F[orbes].

May be approved.

H. D. Taylor—13-2-06.

G. S. F[orbes].

A large quorum is very desirable for Senate meetings.

A. G. Bourne—7-1-06.

May be approved. As grants in aid of travelling allowances are now given, a sufficient number of Fellows will be likely to attend.

H. D. Taylor—13-2-06.

G. S. F[orbes].

There is rather more in this than meets the eye. I dislike the prevalent idea that University business is public business like that of the Corporation for instance and I originally intended to propose the exclusion of all strangers, even the press, and have an official report of the proceedings.

Yes. In this country.
G. S. F[orbes].

It was obvious that such a proposal would be very unpopular. I modified it and made provision for motions to admit or exclude (if previously admitted) strangers. These were lost but it was felt that it should never be allowed to become the custom for students, etc., to attend at the meetings and the above regulation was suggested by some one as conveying the assumption that strangers were not ordinarily admitted without provoking opposition by a rule to that effect.

There is no objection to Honorary Fellows being present; they may indeed be assumed to be rightly interested. If there is a regulation like this about them it is as well to emphasize the fact that they cannot take part in the business. They can take part in the election of a member of the Legislative Council and Government might at some time frame regulations that this election should take place at a meeting. The regulations provide elsewhere that Honorary Fellows may take

29. Regulation 14 is as follows:—

14. At any special meeting of the Senate any member may bring forward any amendment without previous notice being given.

30. This is more or less a new regulation — but it follows from proposed regulation 12.

31. Regulation 15 is as follows:—

15. The Vice-Chancellor shall, in the absence of the Chancellor, preside at all meetings of the Senate, but if the Vice-Chancellor be not present, the members present shall elect a Chairman from among themselves.

32. This is part of existing by-law 6.

33. Regulation 16 is as follows:—

16. Twenty-five members shall constitute a quorum for any meeting of the Senate other than a Convocation for conferring degrees.

34. It is based on existing by-law 5. The present quorum is 9. Twenty-five is about a fourth of the maximum strength of the Senate under the new Act.

35. Regulation 17 is as follows:—

17. Honorary Fellows are permitted to be present at any meeting of the Senate but are not permitted to take part in the business of any meeting except as otherwise provided by the Indian Universities Act, 1904, or by the regulations.

36. It is a new regulation altogether. Under section 13, sub-section (3), of the Indian Universities Act, 1904, Honorary Fellows can take part in the selection of a candidate for nomination to the Legislative Council. They have no other function under the Act.

part in the ceremonial of convocation. This does not contravene any provision of the Act in the spirit at any rate and is some recognition of their position.

A. G. Bourne—7-1-06.

This regulation has to be read with section 13, sub-section (3), of the Act and regulations 69 and 81 *infra*. The question is whether a regulation authorizing Honorary Fellows to take part in the convocation can be legally framed.

P. T. Thabyan—12-1-06.

The admission of Honorary Fellows to meetings seems without objection. Under section 13 (3) of the Act they can take part in the election of a member of the Legislative Council or *of any local authority* if before the passing of this Act they had such privileges. It seems doubtful whether they can under the wording of the section take part in the convocation ceremony, but I submit that there seems little against their doing so, at least so far as the spirit of the Act goes. This privilege cannot confer any *power* on them, but would merely add to their dignity. But I think that it could not under the Act be done by a regulation.

C. A. Souter—27-1-06.

I see no objection to this regulation which may be approved. It is framed rather to keep out others than to confer any special right or privileges on Honorary Fellows.

H. D. Taylor—13-2-06.

No objection whatever.

G. S. F[orbes].

37. Regulation 18 is as follows:—

18. At the time fixed for a meeting of the Senate the Chairman shall take the chair and shall ascertain whether a quorum be present or not. If a quorum be present, he shall declare the meeting constituted and shall proceed with the business of the meeting. If a quorum be not present, he shall, if it be necessary, wait until fifteen minutes after the time fixed for the meeting, and if no quorum be then present he shall thereupon declare the meeting dissolved and shall leave the chair. If at any time during the progress of business any member shall call attention to the number of members present, the Chairman shall within a reasonable time count the number of the members present, and, if a quorum be not present, he shall declare the meeting dissolved and shall leave the chair. All such dissolutions shall be recorded by the Registrar and the record shall be signed by the Chairman.

May be approved.

H. D. Taylor—13-2-06.

G. S. F[orbes].

38. It is an amplification of existing by-law 7.

39. Regulation 19 is as follows:—

19. At every meeting of the Senate the following shall be the order of business, after the election, if it be necessary, of the Chairman:—

(i) Any motion for a change in the order of business as stated in the agenda paper.
(ii) The election, if such be part of the agenda, of any official of the University.
(iii) Business brought forward by the Syndicate.
(iv) Business brought forward by the Faculties, taken in the following order:—Arts, Law, Medicine, Engineering.
(v) Proposals brought forward by members of the Senate which have not been excluded by the Syndicate under regulation 7.

40. This corresponds to existing by-law 8. It may perhaps be desirable to insert the words "unless the meeting otherwise determine" between "shall" and "be the order of business".

Good gracious! Why?
G. S. F[ORBES].

I think the intention is clear. The alteration proposed is undesirable as a motion under sub-clause (i) should only be made at the beginning of a meeting and for definite reasons—it might otherwise be used for purposes of obstruction.

A. G. BOURNE—7-1-06.

Then the best plan would be to insert the words "in regard to clauses (ii) to (v)" after the word "determine" in the amendment proposed in the office-note of the 29th December 1905.

P. T. THARYAN—12-1-06.

I would leave the regulation as it stands. The agenda paper will prescribe the order of business, and any alteration therein may be suggested at the beginning of the meeting.

C. A. SOUTER—27-1-06.

Under section 14, it is open to the Senate to constitute a new Faculty. It is not improbable that a Faculty of Science may be constituted in the near future.

It may be better to add after "Engineering" in 19 (iv) the words "all other Faculties which may hereafter be constituted, in the order of their constitution".

H. D. TAYLOR—13-2-06.

No: leave it. If there is a new Faculty many other alterations will be required probably.

G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

41. Regulation 20 is as follows:—

20. All questions considered at meetings of the Senate shall be decided by a majority of the votes of the members present. If the votes, including that of the Chairman, be equally divided, the Chairman shall have a casting vote.

42. This regulation forms part of existing by-laws 5 and 6.

43. Regulation 21 is as follows:—

21. On any motion or amendment being put to the vote, the Senate shall divide and the vote of each member voting shall be recorded, if any member desire that this should be done. In that case the names of members abstaining from voting shall also be recorded. The manner in which a division shall be effected shall be left to the discretion and direction of the Chairman.

44. It is based on existing by-laws 46, 47 and 48.

45. Regulation 22 is as follows:—

22. In addition to motions of which notice has been given and which satisfy the conditions of regulations 6 and 7, the following are the only motions which may be proposed at meetings of the Senate, and of these previous notice is not necessary:—

(i) A motion for a change in the order of business as stated in the agenda paper.
(ii) A motion for the adjournment of the meeting or debate.
(iii) A motion that the meeting pass to the next business on the agenda paper.
(iv) A motion that the meeting be dissolved.
(v) A motion directing the Syndicate to review its decision and to report at a subsequent meeting of the Senate.
(vi) A motion directing a Faculty to review or amend its recommendation in any matter brought before the Senate by that Faculty.
(vii) A motion that the Senate do resolve itself into Committee.
(viii) A motion for the appointment of a Committee to enquire into and report on any matter before the Senate at the time.
(ix) A motion remitting any matter before the Senate at the time to a Faculty or to a Board of Studies for its views or recommendations and report.

46. This regulation forms in the main a part of existing by-law 4. Clauses (vi) and (ix) are new, while clauses (vii) and (viii) are taken from existing by-law 50.

47. Regulation 23 is as follows:—

23. Every motion shall be affirmative in form and shall begin with the word "that".

48. It is existing by-law 9.

49. Regulation 24 is as follows:—

24. Every motion at a meeting must be seconded, otherwise it shall drop. Any member may second a motion by saying "I second the

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

motion" and may reserve his speech. When a motion has been made and seconded, it shall be stated from the Chair, unless it be ruled out of order by the Chairman.

50. This is existing by-laws 10 and 11 with the word "Fellow" substituted by "member" in line 2.

51. Regulation 25 is as follows:—

25. When a motion has been stated from the Chair, it may be discussed as a question to be resolved in the affirmative or negative or as proposed to be changed by amendment brought forward under regulations 12, 14 and 40.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

52. This is based on existing by-law 12.

53. Regulation 26 is as follows:—

26. Not more than one motion and one amendment thereto shall be placed before a meeting at the same time.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

54. It is existing by-law 13 with the word "motion" substituted for "proposal".

55. Regulation 27 is as follows:—

27. A motion once brought forward shall not be proposed a second time at the same meeting or at any adjournment thereof. A motion or amendment substantially identical in part with one already brought forward at a meeting may be brought forward at the same meeting with the omission of such part.

56. This corresponds to existing by-law 14.

The words "motion" and "motion or amendment" respectively have been substituted for "proposal".

57. Regulation 28 is as follows:—

28. A motion for the adjournment of a meeting or of a debate on any particular question may be made at any time but shall not be made so as to interrupt a speech. If a motion for the adjournment of the meeting be carried, the meeting shall thereupon adjourn to the time specified in the motion. If a motion for the adjournment of the debate be carried, the debate shall thereupon be adjourned to the time specified in the motion. The meeting shall thereupon pass to the next business, if any, on the agenda paper. If either of such motions be negatived, the business of the meeting or the debate as the case may be shall be resumed.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

58. It is based on existing by-laws 28 and 29.

59. Regulation 29 is as follows:—

29. A motion for the adjournment of a meeting shall be in the form "That this meeting do now adjourn to," followed by words indicating the day and hour proposed for the adjourned meeting. A motion for the adjournment of a debate shall be in the form "That the debate on this question be now adjourned to," followed by words indicating the day and

May be approved.
The word "ordinarily" will cover special cases in which owing to the

necessity for religious or ceremonial observances any particular class is unable to attend.

H. D. Taylor—13-2-06.
G. S. F[orbes].

May be accepted.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be accepted.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be accepted.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be accepted.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

hour. Ordianrily, a meeting or debate shall only be adjourned to the day following the meeting, Sunday being a *dies non*.

60. It is based on existing by-laws 28 and 29.

61. Regulation 30 is as follows:—

30. No amendment shall be moved to a motion for adjournment of a meeting or debate except one substituting a different day or hour.

62. It corresponds to existing by-law 30.

63. Regulation 31 is as follows:—

31. A meeting or debate renewed after adjournment shall be deemed one with that which preceded the adjournment.

64. It corresponds to existing by-law 31.

65. Regulation 32 is as follows:—

32. A motion to pass to the next business shall be in the form "That the meeting do now pass to the next business on the agenda paper" and may be moved at any time but not so as to interrupt a speech. If the motion be carried, the motion under discussion together with any amendments to it shall drop.

66. It corresponds to existing by-law 32.

67. Regulation 33 is as follows:—

33. A motion for the dissolution of a meeting shall be in the form "That this meeting do now dissolve," and may be made at any time but not so as to interrupt a speech. If such a motion be carried, the business still before the meeting shall drop, and the Chairman shall declare the meeting dissolved.

68. It is based on existing by-law 28.

69. Regulation 34 is as follows:—

34. No motion under regulation 22, ii, iii, iv, vii shall be made or seconded by any member who, during the discussion of any particular item of business, has already made or seconded any one of such motions.

70. It is based on existing by-law 33.

71. Regulation 35 is as follows:—

35. Any motion made under regulation 22, ii, iii, iv, vii shall take precedence of any question that may be before the meeting, and, if not withdrawn, must be disposed of before such question.

72. It is based on existing by-law 33.

73. Regulation 36 is as follows:—

36. When any motion under regulation 22, ii, iii, iv, vii has been brought forward and has been negatived, no other motion of the same kind shall be again brought forward until after the lapse of what the Chairman shall deem a reasonable time: nor shall any debate or discussion be allowed on such second or subsequent motion brought forward during a debate on the same question.

May be approved.

H. D. Taylor—13-2-06.

G. S. F[orbes].

Why not? They can't have a roving commission!

G. S. F[orbes].

This is of course most important; in the absence of reasons to the contrary I need not dwell upon the matter.

A. G. Bourne—7-1-06.

The only doubt is when the items of business are specified will the Committee be able to consider other matters connected therewith?

P. T. Tharyan—12-1-06.

Of course; no use wasting time on superfluous criticism.
G. S F[orbes].

It certainly seems necessary that when the Senate resolves itself into Committee, it should do so on some particular item or items of business. The Committee cannot discuss matters which have not been formally laid before the Senate. It will be for the Chairman of Committee to decide whether any point raised is in order or not, and in such matters his decision must be final.

C. A. Souter—27-1-06.

I agree.

The regulation may be approved.

H. D. Taylor.—13-2-06.

Certainly.

G. S. F[orbes].

74. It is existing by-law 34.

75. Regulation 37 is as follows:—

37. A motion directing the Syndicate or a Faculty to review or reconsider its decision or recommendation may be made at any time during the discussion on any such decision or recommendation, but shall not be made so as to interrupt a speech. The motion shall clearly specify the matter thus referred back to the Syndicate or the Faculty for review or reconsideration and may also indicate generally the sense or direction in which the mover desires alteration in such decision or recommendation. The motion may also include an instruction that the Syndicate or the Faculty shall report at the next or at some other meeting of the Senate.

76. This is a new regulation, but follows regulation 22, v and vi, and regulations 28, 32 and 33.

77. Regulation 38 is as follows:—

38. A motion that the Senate do resolve itself into Committee shall specify the item or items of business to be considered in Committee.

78. This is a new regulation following regulation 22, vii. Should the Senate when it goes into Committee be tied down, as proposed, to the items of business specified?

79. Regulation 39 is as follows:—

39. A motion for the appointment of a Committee to consider any question before the Senate at the time shall state the purpose for which the Committee is to be constituted and the names of its members.

80. It is a new regulation, but seems to be based on existing by-law 49. The words underlined seem to be superfluous. No Fellow is likely to bring forward a motion for the appointment of a Committee without stating the purpose for which the Committee is to be constituted.

Not at all improbable. Indeed I think there have been instances in which a Committee was proposed when the proposer could not state *definitely* the purposes.

G. S. F[orbes].

C. A. Souter—27-1-06.
H. D. Taylor.
G. S. F[orbes].

The words are necessary or something to similar effect. The Committee may discuss the whole question or a part of it or some collateral question. Amendments enlarging or restricting, etc. (section 40, v), may be made.

The exact purpose of a Committee is frequently the subject of dispute. Reference to a Committee is of course a favourite method of trying to shelve a question.

G. S. F[orbes].

A. G. Bourne—7-1-06.

May be approved.

H. D. Taylor—13-2-06.

G. S. F[orbes].

81. Regulation 40 is as follows:—

40. In addition to amendments of which notice has been given in accordance with regulation 12, and subject to the provision of regulation 14, the following are the only amendments which may be made to any motion brought forward at a meeting of the Senate, and of these notice need not be given:—

i. amendments of a purely verbal or formal kind which, in the opinion of the Chairman, do not affect the sense or import of the motion to which they refer.

ii. amendments to a motion for a change in the order of business as stated in the agenda paper, substituting an order different from that in the motion.

iii. amendments to a motion for adjournment of the meeting or debate, substituting a time different from that in the motion.

iv. amendments to a motion directing the Syndicate or a Faculty to review or reconsider their decision or recommendation.

v. amendments to a motion for the appointment of a Committee, whether for enlarging or restricting its purposes or the questions remitted to it, or for adding to or omitting the names of members proposed to form it.

vi. amendments to a motion remitting any matter to a Faculty or to a Board of Studies.

May be approved.
H. D. Taylor—13 2-06.
G. S. F[orbes].

82. This follows proposed regulation 22 and is partly provided for by existing by-law 4.

83. Regulation 41 is as follows :—

41. Any motion before a meeting of the Senate may be amended—

i. by leaving out a word or words.

ii. by leaving out a word or words in order to insert some other word or words.

iii. by adding or inserting a word or words.

May be accepted.
H. D. Taylor—13-2-06.
G. S. F[orbes].

84. It corresponds to existing by-law 15.

85. Regulation 42 is as follows :—

42. When the amendment is of the first kind, the form in which it is proposed and handed to the Chair shall be "That the words (*mentioning them*) be left out of the motion." When the amendment is of the second kind the form shall be "That the words (*mentioning them*) be left out of the motion and that the words (*mentioning them*) be added or inserted." When the amendment is of the third kind, the form shall be "That the words (*mentioning them*) be added or inserted" and there shall then follow words specifying the place in which the words mentioned are to be added or inserted.

May be accepted.
H. D. Taylor—13-2-06.
G. S. F[orbes].

86. It corresponds to existing by-law 16.

87. Regulation 43 is as follows :—

43. No amendment shall be proposed which would reduce a motion to its negative or opposite form, or which would alter the first word.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

88. It corresponds to existing by-law 17.

89. Regulation 44 is as follows :—

44. Every amendment must be relevant to the motion to which it refers and must be framed so as to form therewith an intelligible and consistent sentence.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

90. It corresponds to existing by-law 18.

91. Regulation 45 is as follows :—

45. No amendment shall be proposed which substantially raises a question already disposed of by the meeting or is inconsistent with or adverse to any resolution already passed by the meeting.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

92. It corresponds to existing by-law 19.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

93. Regulation 46 is as follows :—

46. An amendment, the substance of which has been disposed of in part, may be modified by its proposer so as to retain only the part not so disposed of.

May be accepted.
H. D. Taylor—13-2-06.
G. S. F[orbes].

94. It is existing by-law 20.

95. Regulation 47 is as follows :—

47. The order in which amendments to a motion are to be brought forward shall be determined by the Chairman.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

96. It is existing by-law 21 with the word "motion" substituted for "proposal".

97. Regulation 48 is as follows :—

48. An amendment must be seconded in the same way as a motion: otherwise it shall drop.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

98. It is existing by-law 22.

99. Regulation 49 is as follows :—

49. When an amendment has been moved and seconded, it shall, unless ruled out of order, be stated from the Chair, and the debate may then proceed on the motion and amendment together.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

100. It corresponds to existing by-law 23.

101. Regulation 50 is as follows :—

50. When, on a motion to which there is no amendment, the debate is concluded, or if there be no debate, the Chairman shall put the question to the vote by saying "The question is," followed by the words of the motion, and the Senate shall then divide, unless the Chairman ascertain that the question is carried affirmatively by a unanimous vote. If there be an amendment, he shall say "It has been moved," followed by the words of the motion: then he shall say "Since which it has been moved by way of amendment" followed by the words of the amendment: and then, if the amendment be one of the first kind, he shall put the question by saying "Shall the words or word proposed to be left out be left out?" If the amendment be of the second kind he shall put the question by saying, "Shall the following words or word. . . . . be left out in order to add or insert the following words or word . . . . . ?" If the amendment be of the third kind, he shall put the question by saying, "Shall these words be there added or inserted." If an amendment be negatived, the original motion shall be again stated from the Chair, and, subject to the foregoing regulations, any other amendment which is in order shall then be proposed thereto. If an amendment be carried, the motion as amended shall be stated from the Chair, and may then be debated as a substantive motion, to which the further amendments to the original motion may, subject to the foregoing regulations, be proposed, and such further amendments shall be disposed of in the same manner as the first or original amendment.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

102. This corresponds to existing by-laws 24, 25 and 26.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

"Competition" seems hardly the correct word to use, but it is in the existing regulation and may stand.
H. D. Taylor—13-2-06.
Yes: let it stand.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

103. Regulation 51 is as follows:—

51. No motion or amendment shall be withdrawn from the decision of the meeting without its unanimous consent: but this consent shall be presumed if the mover state his wish to withdraw the motion or amendment and the Chairman, after an interval during which no dissent is expressed, announce that it is withdrawn.

104. It corresponds to existing by-law 27.

105. Regulation 52 is as follows:—

52. Any motion or amendment standing in the name of a member who is absent from the meeting, or who declines to move it, may be moved by any other member.

106. This corresponds to existing by-law 44.

107. Regulation 53 is as follows:—

53. The member who first rises to speak at the conclusion of a speech has the right to be heard. In cases of competition, the Chairman shall decide who is in possession of the meeting.

108. This corresponds to existing by-law 35.

109. Regulation 54 is as follows:—

54. Except as hereinafter provided, a member having spoken to a motion or amendment, is not at liberty to speak again to such motion or amendment.

110. This corresponds to existing by-law 36.

111. Regulation 55 is as follows:—

55. In so far as the question raised by an amendment is one on which he has not previously spoken, any member may speak to that question, though he has spoken to the original question or to a previous amendment.

112. This corresponds to existing by-law 37.

113. Regulation 56 is as follows:—

56. When the Chairman has ascertained that no other member entitled to address the meeting desires to speak, the mover of the original motion may reply upon the whole debate. But the mover of an amendment or of any motion under regulation 22, i, ii, iii, iv has no right of reply. No member shall speak to a question after the mover has entered on his reply.

114. This corresponds to existing by-laws 38 and 39.

115. Regulation 57 is as follows:—

57. The Chairman has the same right of moving or seconding or speaking to a motion or amendment as any other member, but he shall vacate the Chair while so engaged, and the Chair shall during such time be taken by a member nominated by the Chairman. Without leaving the Chair, the Chairman may, however, at his discretion or at the request of any member, explain to the meeting the scope of any motion or amendment.

116. This corresponds to existing by-law 40.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

117. Regulation 58 is as follows:—

58. Any member may, even whilst another is speaking, rise to explain any misconception of expressions used by him, but he shall confine himself strictly to such explanation.

118. This corresponds to existing by-law 41.

119. Regulation 59 is as follows:—

59. Any member may call the Chairman's attention to a point of order even whilst another member is speaking, but no speech shall be made on such point of order.

120. This corresponds to existing by-law 42.

121. Regulation 60 is as follows:—

60. The Chairman shall be the sole judge on any point of order, and may call any member to order, and shall have power to take such action as may be necessary to enforce his decision.

122. This corresponds to existing by-law 43.

123. Regulation 61 is as follows:—

61. At meetings of the Senate in Committee the proceedings shall be governed by the foregoing regulations for debate except that no notice need be given of motions or amendments, that no motion or amendment need be seconded and that every member may speak on any question as often as he chooses.

124. This corresponds to existing by-law 63.

125. Regulation 62 is as follows:—

62. The resolutions passed at meetings of the Senate in Committee shall be embodied in a report by the Registrar to be laid before the Senate at a subsequent meeting, but shall not become final unless they are confirmed by the Senate.

126. This corresponds to existing by-law 54.

127. Regulation 63 is as follows:—

63. Within three weeks after a meeting of the Senate, the Registrar shall, under the direction of the Syndicate, post a printed copy of the minutes of such meeting attested by the Chairman to the address of each member.

In the event of no exception being taken by any member who was present at the meeting to the correctness of the minutes within ten days of the posting by the Registrar, they shall be deemed to be correct.

If such exception be taken within the time aforesaid, the minutes shall be brought forward by the Syndicate at the next meeting of the Senate for confirmation by such of the members as were present when the business was transacted to which the minutes refer.

128. This corresponds to existing by-law 59.

129. Regulation 64 is as follows:—

64. Any member intending to protest against a resolution of the Senate shall give notice of his intention to the Registrar within

forty-eight 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. The Syndicate shall thereupon cause the protest to be printed and circulated to each member 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. The three members receiving the largest number of votes including the casting vote or votes of the Vice-Chancellor if such be necessary, and who are willing to act shall frame the memorandum accordingly, 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.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

130. This corresponds to existing by-law 60. The words underlined have been newly inserted.

131. Part II consisting of regulations 65—86 relates to Convocation for conferring Degrees of which regulation 65 is as follows :—

65. A convocation for the purpose of conferring degrees shall be held annually in the month of March, and at such other time as the Chancellor shall direct.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

132. This is existing by-law 61.

133. Regulation 66 is as follows :—

66. Candidates for degrees must, five clear days before the day fixed for convocation, inform the Registrar in writing of their intention to be present. No person shall be admitted to convocation who has not thus sent in his name to the Registrar.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

134. This is existing by-law 62.

135. Regulation 67 is as follows :—

67. Any person who, having sent in his name to the Registrar as a candidate for a degree at convocation, fails to appear, shall, when he next applies for his degree, be charged a fee of rupees ten, unless he can furnish to the Syndicate a sufficient reason for his non-appearance.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

136. This is existing by-law 63.

137. Regulation 68 is as follows :—

68. A candidate for a degree, who is not resident within the territorial limits of the University at the time, or who is precluded from appearing in public, may, with the permission of the Syndicate and on payment of a fee of rupees ten, be admitted *in absentia* to that degree at the annual convocation in March.

The usual cases of non-residence are those of Medical students who have gone to Europe. Exemptions should not be given to Ceylon candidates; those from South Canara, Hyderabad or any other distant place would set up a claim.

C. A. Souter—27-1-06.
H. D. Taylor—13-2-06.
Exactly.
G. S. F[orbes].

A. G. Bourne—7-1-06.
May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

138. This is a new regulation. It will help Hindu and Muhammadan lady candidates, if any, and candidates outside the territorial limits but not the Ceylon candidates. Should any exemption be rendered possible for these latter?

The omission is intentional—see my note to 17.

A. G. Bourne—7-1-06.

Can Honorary Fellows take part or not?

C. A. Souter—27-1-06.

Vide also regulations 81 and 17. I can see no objection to allowing Honorary Fellows the privilege of attendance, but they should be assigned specific seats apart from the rest.

Let them manage their own business. The Government can't regulate sittings like a pew opener.
G. S. F[orbes].

H. D. Taylor—13-2-06.
Regulation approved.
G. S. F[orbes].

I would add—

"Any other Faculty—By the President of that Faculty"

so as to provide for the possible case of Faculties which may be newly constituted.

H. D. Taylor—13-2-06.

I would leave the regulation—see *ante*.

G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

139. Regulation 69 is as follows :—

69. The Chancellor, Vice-Chancellor and Fellows shall assemble in the Senate room at the appointed hour.

140. This is existing by-law 64. Should not the words the "ex-officio and ordinary" be inserted before "Fellows"? Attention is solicited to proposed regulation 17 and the remarks thereunder.

141. Regulation 70 is as follows :—

70. The Registrar then shall read the reports of the examiners, unless it is agreed to take them as read. The reports shall be in the following form :—

We, the examiners appointed by the Senate of the University of Madras to conduct the examination for the degree of . . . ., do hereby certify that we have examined the persons whose names are hereinafter set down, and that we do adjudge them to be worthy of the degree of . . . . , and do recommend them accordingly to be admitted to the same.

Witness our hands, etc.

142. This corresponds to existing by-law 65.

143. Regulation 71 is as follows :—

71. The graces of the Senate on behalf of the candidates for admission to the several degrees will be supplicated in the following order :

Law—by the President of the Faculty of Law.

Medicine—by the President of the Faculty of Medicine.

Engineering—by the President of the Faculty of Engineering.

Arts—by the President of the Faculty of Arts.

144. This is existing by-law 66.

145. Regulation 72 is as follows :—

72. The formula to be used for each grace shall, *mutatis mutandis*, be as follows :—

. . . . Chancellor, I move that a grace of the Senate be passed that those persons whom the examiners have certified to be qualified for the degree of . . . . be admitted to that degree.

146. This is existing by-law 67.

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved unless it be deemed desirable to specify special seats for Honorary Fellows.
H. D. TAYLOR—13-2-06.
Approved.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

147. Regulation 73 is as follows :—

73. Whereupon the Chancellor shall put the question "*Doth it please you that this grace be passed?*" and the Senate assenting, the Chancellor shall say "*This grace is passed.*"

148. This is existing by-law 68.

149. Regulation 74 is as follows :—

74. When all the graces have been passed, the Chancellor, Vice-Chancellor and Fellows shall proceed in procession to the hall in which the degrees are to be conferred.

150. This is existing by-law 69.

151. Regulation 75 is as follows :—

75. The hall shall be so arranged that the Chancellor's chair may be somewhat in advance; the chairs assigned to the Vice-Chancellor and Fellows being placed in a half circle, so as to leave full space for the presentation of the candidates.

152. This is existing by-law 70.

153. Regulation 76 is as follows :—

76. The candidates shall wear the gowns and hoods pertaining to their respective degrees, and shall be arranged opposite to the Chancellor.

154. This is existing by-law 71.

155. Regulation 77 is as follows :—

77. On the procession entering the hall, the candidates shall rise and remain standing until the Chancellor, Vice-Chancellor, and Fellows have taken their seats.

156. This is existing by-law 72.

157. Regulation 78 is as follows :—

78. The Chancellor, Vice-Chancellor and Fellows having taken their places, the Chancellor shall say :—

This convocation of the Senate of the University of Madras has been called to confer degrees upon the candidates who, in the examinations recently held for that purpose, have been certified to be worthy of the same. Let the candidates stand forward.

158. This is existing by-law 73.

159. Regulation 79 is as follows :—

79. Then the candidates standing, the Chancellor shall put to them the following questions :—

QUESTION.—*Do you sincerely promise and declare that, if admitted to the degrees for which you are severally candidates, and for which you have been recommended, you will in your daily life and conversation conduct yourselves as becomes members of this University?*

ANSWER.—I do promise.

QUESTION.—*Do you promise that to the utmost of your opportunity and ability you will support and promote the cause of morality and sound learning?*

ANSWER.—I do promise.

QUESTION.—*Do you promise that you will, as far as in you lies, uphold and advance social order and the well-being of your fellowmen?*

ANSWER.—I do promise.

In the case of candidates for professional degrees, the following addition shall be made :—

QUESTION.—*Do you promise that you will faithfully and carefully fulfil the duties of the legal, medical and engineering professions, that you will on all occasions maintain their purity and reputation, and that you will never deviate from the straight path of their honourable exercise by making your knowledge subservient to unworthy ends?*

ANSWER.—I do promise.

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

No objection at all.
G. S. F[ORBES].

I see no reason why they should not be invited to take part in the ceremonial. They could not claim it as a right.

A. G. BOURNE—7-1-06.

I can see no legal objection.

There are at present 86 Honorary Fellows, but the number will be gradually reduced.

H. D. TAYLOR—13-2-06.

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

160. This is existing by-law 74.

161. Regulation 80 is as follows :—

80. Then the Chancellor shall say :

Let the candidates be now presented.

162. This is existing by-law 75.

163. Regulation 81 is as follows :—

81. Then the candidates shall be presented to the Chancellor by the heads of their respective colleges, being members of the Senate or Honorary Fellows of the University, or by other members of the Senate or Honorary Fellows of the University, the candidates having first received their diplomas from the Registrar.

164. This corresponds to existing by-law 76. The privilege of presenting candidates is, however, proposed to be conferred on Honorary Fellows, but if the Act had contemplated their taking part in the convocation, it would have specially conferred this power on them in section 13. Please see remarks under proposed regulations 17 and 69.

165. Regulation 82 is as follows :—

82. When all the candidates for the same degree have been presented, the Chancellor shall say to the candidates, who shall remain standing :—

By virtue of the authority vested in me as Chancellor of the University of Madras, I admit you to the degree of . . . . . in this University, and in token thereof you have been presented with these diplomas, and I authorise you to wear the hood ordained, as the insignia of your degree.

166. This is existing by-law 77.

167. Regulation 83 is as follows :—

83. When all the candidates have been presented, the Registrar shall lay the record of the degrees that have been conferred, before the Chancellor, who shall sign the same.

May be approved.

H. D. Taylor—13-2-06.
G. S. F[orbes].

168. This corresponds to existing by-law 78.

169. Regulation 84 is as follows:—

84. Then an address shall be made to the candidates by a member of the Senate, appointed by the Chancellor, exhorting them to conduct themselves suitably unto the position to which, by the degree conferred upon them, they have attained.

170. This is existing by-law 79.

171. Regulation 85 is as follows:—

85. The address being ended, the Chancellor, Vice-Chancellor, and Fellows shall rise up, and the Chancellor shall say:

I dissolve this convocation.

May be approved.

H. D. Taylor—13-2-06.
G. S. F[orbes].

172. This is existing by-law 80.

173. Regulation 86 is as follows:—

86. Then the Chancellor, Vice-Chancellor, and Fellows shall retire in procession to the Senate room, the graduates standing.

May be approved.

H. D. Taylor—13-2-06.
G. S. F[orbes].

174. This is existing by-law 81.

175. Part III consisting of regulations 87 to 99 relates to the Syndicate of which regulation 87 is as follows:—

87. The Syndicate under section 15 of the Indian Universities Act, 1904, shall consist of the Vice-Chancellor as Chairman, the Director of Public Instruction and ten elected members.

May be approved.

Section 15 (*c*) provides for not less than seven and not more than fifteen elected members.

H. D. Taylor—13-2-06.
G. S. F[orbes].

176. This is the first of the regulations submitted with the Registrar's letter in G.O., No. 634, Educational, dated 21st September 1905, but altered as suggested in clause (1) of the Government Order.

177. Regulation 88 is as follows:—

88. At least five of the elected members shall be Heads of, or Professors in, Colleges affiliated to the University.

May be approved.

H. D. Taylor—13-2-06.
G. S. F[orbes].

178. This is the third of the regulations submitted with the Registrar's letter in G.O., No. 634, Educational, dated 21st September 1905. No alteration was suggested herein by Government.

179. Regulation 89 is as follows:—

89. As soon as conveniently may be after the passing of this regulation an election of ent members of the Syndicate shall be held in the manner hereinafter prescribed.

The Registrar, under the direction of the Syndicate, shall publish a notice thereof in the *Fort St. George Gazette*, and shall, on or before the date of such publication, post to each member of the Senate a notice of the election. The notice shall draw attention to the requirement of the regulation that at least five of the members to be elected shall be Heads of, or Professors in, Colleges affiliated to the University.

The Syndicate as a body and each member of the Senate shall be at liberty to nominate any number of ex-officio or Ordinary Fellows, not exceeding ten, for election.

Every nomination shall be in writing and must reach the Registrar not later than eight days after the publication of the notice in the Gazette.

The Registrar shall post to each member of the Senate a list of the nominees, with the names of their respective nominators, together with a voting paper which shall bear on it the date of posting.

Every member of the Senate shall be at liberty to vote for any number of the nominees not exceeding ten.

Any paper in which the number voted for exceeds ten shall be treated as invalid.

The voting paper when filled up shall be returned to the Registrar in such manner as the Syndicate may direct with a view to secure the secrecy of the ballot and so as to reach the Registrar not later than ten days after the date of posting by him.

A Committee of two members of the Senate shall be appointed by the Vice-Chancellor for the scrutiny of the voting papers at a time and place to be fixed by him, and the Registrar shall post to each member of the Senate a notice thereof eight days before the date fixed for the scrutiny.

Every member of the Senate shall be at liberty to be present at the scrutiny.

The result of the scrutiny shall be certified to the Syndicate.

If any two or more nominees receive an equal number of votes the Vice-Chancellor shall have a second or casting vote in regard to each of such nominees.

The Registrar, under the direction of the Syndicate, shall post to every member of the Senate a notice stating the names of the ten nominees who have received the largest number of votes.

Should any six members of the Senate within eight days of the posting of the notice lodge with the Registrar an objection that the list of the ten nominees does not include five Heads of, or Professors in, Colleges affiliated to the University, a special meeting of the Senate shall be called to decide how far the objection is valid and which, if any, of the ten nominees is or are in consequence not eligible for election.

If the objection be allowed the Senate shall forthwith proceed to fill up the vacancy or vacancies by selecting one or more of the nominees as may be necessary in the order of the number of votes recorded for him or them who in the opinion of the majority of the Senate then voting may be qualified as a Head of, or Professor in, a College affiliated to the University.

If no objection be taken in the manner above provided, or if the objection taken be disallowed, the ten nominees who have received the largest number of votes shall be elected.

I see no special object in the addition.

G. S. F[ORBES].

I see no objection to the verbal alterations proposed but doubt whether they are necessary.

They are clearer.
C. A. SOUTER.
I see no need for them.
G. S. F[ORBES].

As to Colonel Love's contention the Vice-Chancellor and, I think, all the lawyers hold that there is nothing illegal in giving up Faculty representation. Government have already approved or at any rate no objection was taken when the Syndicate regulations were submitted before. I presume that I need not therefore defend the present regulations now. I gave my reasons at some length at the Senate meeting.

Vide "Madras Mail" of the 9th September 1905. There was apparently no speech from Dr. Bourne at the special meeting of the Senate on the 14th October 1905.
P.T.T.

It seems a curious procedure and a bad precedent that an officer of the department should demi-officially, *i.e.*, as an officer of the department, address Government direct. Colonel Love as a Fellow should I think have addressed the Vice-Chancellor.

H. D. TAYLOR.

This regulation 89 was drafted by and accepted at the instance of the Vice-Chancellor.

A. G. BOURNE—7-1-06.

I submit that Colonel Love is wrong in his contention. There is nothing obligatory in section 25, and section 15 (*c*) gives an alternative. There would therefore seem to be nothing illegal in adopting

If an objection be allowed, the nominees against whom no objection has been allowed and the nominee or nominees selected by the Senate, as provided above, shall be elected.

If any question arise as to the procedure to be adopted in order to give effect to this regulation it shall be determined by the Vice-Chancellor.

The result of the election shall be announced in the *Fort St. George Gazette* and the election shall take effect from the date of announcement.

180. The regulations for the election of the Syndicate as originally submitted with the Registrar's letter in G.O., No. 634, Educational, dated 21st September 1905, did not provide for a first election. The omission has now been supplied by this regulation.

181. It may perhaps be better to insert at the commencement of the fifth paragraph the words "on the 9th day after the "publication of the notice in the Gazette "or as soon after as possible."

The words "by him" at the end of the eighth paragraph do not seem to be very clear. Is it necessary to substitute the words "on which such voting paper had been posted by him," for the words "of posting by him." Ten days may perhaps be a little too short a period.

182. It will be noticed that this regulation and subsequent regulation 93 do away with Faculty representation on the Syndicate. Colonel Love considers that this is illegal—please see his demi-official of the 16th October last (No. 84 R.) and the extract from his speech forwarded therewith. It does not appear, however, that Colonel Love is right in his conclusions. Section 15, sub-section (1), clause (*c*), of the Indian Universities Act, 1904, says that the Syndicate shall consist of ". . . . not less than seven or more than "fifteen *ex-officio* or Ordinary Fellows "elected *by the Senate* or *by the Faculties* in "such manner as may be provided by the "regulations . . . . ." Under section 25, sub-section (2), clause (*b*), the regulations framed by the Senate "*may* "provide for . . . . the proportion in which the members, other than "the *ex-officio* members, of the Syndicate "shall be elected to represent the various "Faculties . . . ."

Under section 15 then the ordinary members of the Syndicate may be elected by the Senate or by the Faculties and the election shall be in the manner provided by the regulations. If the regulations provide only for election by the Senate, there seems

one method to the exclusion of the other. Colonel Love's fear that his college will not be represented is perhaps exaggerated.

C. A. SOUTER—30-1-06.

I agree the regulation may be accepted with the verbal alterations proposed in the office-note.

H. D. TAYLOR—13-2-06.

I am quite averse from making verbal alterations in the regulations to improve the mere drafting. The regulations are made by the Senate and Government only approve: of course we can do as we like. The proposed alteration in paragraph 5 makes no essential difference. The Registrar is only a servant.

And the slight alteration in paragraph 8 is not necessary: the phrasing of the paragraph is perhaps rough, but what does it matter?

If we are to correct their English it might be endless, *e.g.*, "with a view to" in the same paragraph. Let it stand.

G. S. F[ORBES].

May be approved.
C. A. SOUTER—30-1-06.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
C. A. SOUTER—30-1-06.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

May be approved.
C. A. SOUTER—30-1-06.
H. D. TAYLOR—13-2-06.
G. S. F[ORBES].

to be nothing illegal in the thing as the regulations may or may not provide for election by Faculties. Colonel Love's contention does not thus appear to be correct.

183. Regulation 90 is as follows:—

90. Any elected member who has held office continuously for two years shall vacate his seat but shall be eligible for re-election in the manner hereinafter provided.

184. This is the fourth of the regulations submitted with the Registrar's letter in G.O., No. 634, Educational, dated 21st September 1905. No alteration was suggested herein by Government.

185. Regulation 91 is as follows:—

91. Any elected member who intends or expects to be absent from the meetings of the Syndicate for more than three consecutive months shall for that reason be under obligation to resign his seat.

186. This is the fifth of the regulations submitted with the Registrar's letter in G.O., No. 634, Educational, dated 21st September 1905, as proposed by Government to be altered.

187. Regulation 92 is as follows:—

92. Any elected member who has been absent from three consecutive meetings may be declared by the Syndicate to have vacated his seat but he shall be eligible for re-election.

188. This is the sixth of the regulations submitted with the Registrar's letter in G.O., No. 634, Educational, dated 21st September 1905. No alteration was suggested herein by Government.

With regard to the non-provision for filling up more than one vacancy at a time it was held that the singular included the plural. To word the regulation otherwise was found to lead to several complications.

As to the remark in the note that the regulation "does not provide for the invalidation of voting papers containing more than one nomination," directions on the voting paper will guide the voter and the scrutiny provides a check. I doubt whether alteration is necessary. The language of regulations 121, 122 and 123 might be adopted if it is considered necessary.

A. G. Bourne—7-1-06.

I think it would be better to make the method more explicit.

C. A. Souter—30-1-06.

I would hardly read the regulation as it stands as entitling a Fellow to vote for more than one member on the same slip. If there is more than one vacancy, the vacancies should all be filled up on a single voting paper, or the same Fellow might be nominated by different Fellows in different vacancies and a candidate obtaining 40 votes out of a maximum of 70 votes might not

Why detail? G.S.F.

189. Regulation 93 is as follows:—

93. Whenever a vacancy occurs among the elected members, the Registrar under the direction of the Syndicate shall publish a notice thereof in the *Fort St. George Gazette* and shall on or before the date of such publication post to each member of the Senate a notice of the vacancy.

The Syndicate as a body and each member of the Senate shall be at liberty to nominate a member of the Senate to fill the vacancy.

Every nomination shall be in writing and must reach the Registrar not later than ten days after the publication of the notice in the Gazette.

The Registrar shall post a list of the nominations to each member of the Senate together with a voting paper which shall bear on it the date of posting. The voting paper when filled up shall be returned to the Registrar in such manner as the Syndicate may direct with a view to secure the secrecy of the ballot and so as to reach the Registrar not later than ten days after the date of posting by him. A Committee of two members of the Senate shall be appointed by the Vice-Chancellor for the scrutiny of the voting papers at a time and place to be fixed by him, and the Registrar shall post to each member of the Senate a notice thereof, ten days before the date fixed for the scrutiny. Every member of the Senate shall be at liberty to be present at the scrutiny. The nominee who receives the largest number of votes shall be elected. If any two or more nominees receive an equal number of votes the Vice-Chancellor shall in each such case, where necessary, have a second or casting vote The result of the election shall be announced in the *Fort St. George Gazette.*

190. This is the seventh of the regulations submitted with the Registrar's letter in G.O., No. 634, Educational, dated 21st September 1905. The time allowed for the nominations to reach the Registrar has been raised from eight to ten days.

191. The regulation seems deficient in two respects—

(1) It does not provide for the invalidation of voting papers containing more than one nomination.

(2) It does not provide for the filling up of more than one vacancy at a time.

In other respects please see the remarks under regulation 89.

be elected at all, if they were split up, 20 in each vacancy.

But in case of dispute as to validity or invalidity of a vote, if the instructions are not complied with, who is to decide? This must be provided for.

Is scrutiny included under this? G.S.F.

H. D. Taylor—13-2-06.

I have carefully considered this and I see no sufficient reason to alter the language without producing complications in the drafting.

If there is more than one vacancy at the time the instructions which the notice issued must give will make it clear.

G. S. F[orbes]—24-2-06.

No. H. D. Taylor

No. G. S. F[orbes].

No. G. S. F[orbes].

I think the time is long enough. These various intervals here and elsewhere were made as short as possible to minimize wire-pulling.

C. A. Souter. G. S. F[orbes].

A. G. Bourne—7-1-06.

H. D. Taylor—13-2-06.

192. Regulation 94 is as follows:—

94. Should it appear to the Syndicate to be necessary in accordance with regulation 88 that any vacancy should be filled by a Head of, or a Professor in, a College affiliated to the University, the Registrar shall draw attention to the matter in the notices of the vacancy and should any six members of the Senate within ten days of the announcement of the result of such election raise the question as to whether the person elected is eligible as aforesaid the Registrar shall post to each member of the Senate resident at the time within the territorial limits of the University a notice of the objection and a voting paper to enable him to vote on the question raised. The voting paper shall bear on it the date of posting and when filled up shall be returned so as to reach the Registrar not later than ten days after the date of posting by him. The result of such voting shall be scrutinized and declared by a committee of two members of the Senate appointed for the purpose by the Vice-Chancellor. In the event of the question being determined in the negative by a majority of the votes received or in case of equality of votes by the casting vote of the Vice-Chancellor, a fresh election from among the other nominees shall take place in a manner similar to that of the original election.

193. This is the eighth of the regulations submitted with the Registrar's letter in G.O., No. 634, Educational, dated 21st September 1905, modified with reference to G.Os., No. 634, Educational, dated 21st September 1905, and No. 733, Educational, dated 11th November 1905.

194. Should the words "of posting by him" be altered as suggested in the note under regulation 89, and should the time allowed for the return of the voting papers be raised?

I did not propose this but thought it politic to accept it.

A. G. Bourne—7-1-06.

It might be used to work great harm in stirring up endless discussions on votes of confidence. The less evil is to leave the Syndicate to its natural demise?

G. S. F[orbes].

There seems little harm in it.

C. A. Souter—30-1-06.

I would accept it, but modify the majority into three-fourths.

H. D. Taylor—13-2-06.

I think it is a dangerous provision as it stands. Has any similar provision been adopted elsewhere? I should like to speak to Dr. Bourne about this?

G. S. F[orbes]—24-2-06.

195. Regulation 95 is as follows:—

95. The elected members of the Syndicate shall vacate their seats in a body when by a two-thirds majority of those present and voting the following motion has been carried in an extraordinary meeting of the Senate—"That the Syndicate no longer possesses the confidence of the Senate." In this event the election of a new Syndicate shall take place according to the procedure laid down in regulation 89.

196. This is a new regulation.

197. Regulation 96 is as follows:—

96. It shall be the duty of the Syndicate—

(i) to administer the property of the University on behalf of, and subject to the control of, the Senate:

(ii) to keep the accounts of the University and to submit them to such inspection and audit as the Government may direct:

(iii) to correspond on the business of the University with the Government and with all other authorities and persons:

(iv) to appoint examiners, and to cancel any such appointment, and to define their duties and powers and to fix their remuneration:

(v) to notify and make arrangements in accordance with the regulations of the University for the election of Ordinary Fellows by the Faculties or by registered graduates, and for the election of the Syndicate:

(vi) to recommend to the Senate the assignment to a Faculty of any *ex-officio* Fellow or of any Ordinary Fellow recently elected or nominated:

(vii) to make due provision for examinations being conducted in accordance with the regulations of the University, and for the supervision of such examinations, and to fix the remuneration of superintendents.

198. This is based on existing by-law 99.

May be approved.

H. D. Taylor—13-2-06.

G. S. F[orbes].

199. Regulation 97 is as follows:—

97. The Syndicate shall have power—

(i) to appoint, suspend, punish, or dismiss any servant of the University:

(ii) to appoint Fellows and others to be members of Boards of Studies and to appoint the Chairman of each Board:

(iii) 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:

(iv) to recommend to the Senate that any person shall be admitted as a candidate to any University examination without the certificate or certificates required by the regulations for admission to that examination:

(v) to dispense with a strict compliance with the regulations of the University in so far as relates to the time, place, and manner of examinations, or to the time and manner of conducting any election: provided that any resolution of the Syndicate passed in reference to such departure from recognized procedure shall be reported to the Senate at its next meeting, together with a full statement of the special grounds upon which the Syndicate acted:

(vi) to refer any matter to a Faculty or Board of Studies for consideration and to call upon the Faculty or Board for a report thereon:

(vii) to draft such regulations as may, from time to time, be necessary, and to submit them to the Senate for approval:

(viii) to make its own standing orders and, subject to the regulations of the University, to regulate the disposal of its own business.

200. This corresponds to existing by-laws 101, 102 and 104.

201. Regulation 98 is as follows:—

98. Any Faculty or member of the Senate shall be at liberty to submit any question to the Syndicate for its consideration and subsequently to bring before the Senate the decision of the Syndicate thereon, with a view to its modification or annulment.

202. This is existing by-law 103.

203. Regulation 99 is as follows:—

99. The Syndicate shall prepare annually a report on its work and shall submit the same to the Senate at its meeting in the month of October.

204. This is a new regulation, but as there is at present an annual report it simply supplies an omission.

205. No quorum has been fixed for a meeting of the Syndicate.

May be approved.

H. D. Taylor—13-2-06.

G. S. F[orbes].

A quorum seemed undesirable; business may be very urgent and the members present must decide what responsibility they will accept.

I agree.

G. S. F[orbes].

A. G. Bourne—7-1-06.

What the Director of Public Instruction says is true enough, but some of the members might be inclined to accept more responsibility than might be justified. I would fix at least a small quorum.

C. A. Souter—30-1-06.

I would suggest a quorum of three.

I would like to speak to Dr. Bourne about this, too.

G. S. F[orbes]—21-2-06.

H. D. Taylor—13-2-06.

The only point for consideration is whether a Faculty of Science should be constituted. The Senate can do this at any time, should it consider this course desirable, and the present regulation may be accepted.

Sections 14 and 25 (*b*).

H. D. Taylor—13-2-06.

We must legislate for things as they stand. When and if a new Faculty is instituted, several modifications will doubtless be necessary which probably will best be introduced by an omnibus regulation applying the body of regulations (with such exceptions as may be called for) to the new Faculty.

G. S. F[orbes]—21-2-06.

I would add.—" Any Faculty that may be newly created will take precedence next after the Faculties named in regulation 100 in the order of time in which they may be constituted."

H. D. Taylor—13-2-06.

We can't legislate for the unknown. A Faculty, *e.g.*, of Divinity would naturally take precedence of some if not all the others.

G. S. F[orbes]—21-2-06.

The arrangement prevents the Faculty of Arts being swamped by lawyers: all Faculty business comes finally to the Senate.

A. G. Bourne—7-1-06.

C. A. Souter—2-2-06.

May be accepted.

H. D. Taylor—13-2-06.

Yes.

G. S. F[orbes].

206. Part IV consisting of regulations 100 to 116 relates to Faculties of which regulation 100 is as follows:—

100. The Senate shall be divided into four Faculties, namely, Arts, Law, Medicine, Engineering.

207. This is part of existing by-law 82. At present also there are only four Faculties.

208. Regulation 101 is as follows:—

101. The Faculties shall have precedence among themselves in the order named in the foregoing regulation.

209. This is a new regulation.

210. Regulation 102 is as follows:—

102. Every *ex-officio* and Ordinary Fellow shall be assigned by order of the Senate to one or other of the Faculties at the meeting of the Senate next after his becoming a Fellow.

211. This corresponds to existing by-law 83.

It is noticeable, however, that under the proposed regulation a Fellow can be assigned to only one Faculty at a time, whereas under existing by-law 82, he can be assigned to more than one Faculty. The proposed regulation may be accepted.

212. Regulation 103 is as follows:—

103. Each Faculty shall elect one of its members to be President of the Faculty. Within one month after the occurrence of a vacancy in the office of President of a Faculty, the Registrar shall send to each member of the Faculty an intimation of the vacancy and also a voting paper. The voting paper shall be returned by the member so as to reach the Registrar not later than the fourteenth day after the date of posting the intimation. Two

Fellows appointed for the purpose by the Vice-Chancellor shall scrutinize and count the votes, and communicate the result of their scrutiny and count to the Vice-Chancellor. The Vice-Chancellor shall thereupon declare the member who has the highest number of votes to be the President. In the event of an equality of votes the Vice-Chancellor shall have a casting vote. The Registrar shall communicate the result of the election to the members of the Faculty.

Under the old by-laws the election had to take place at a meeting. Under the proposed arrangement it seems unnecessary to provide for the contingency of non election.

A. G. Bourne—7-1-06.

C. A. Souter—2-2-06.

H. D. Taylor—13-2-06.

Approved.

G. S. F[orbes].

213. This corresponds to existing by-laws 84 and 85. Under these by-laws, however, a Faculty elects its President at the annual meeting in August and thereafter within a month of the vacancy. If it fails, the Vice-Chancellor makes the appointment. This power it is now proposed to take away from the Vice-Chancellor. The proposed regulation may be accepted.

214. Regulation 104 is as follows:—

104. The President of a Faculty shall, if he remain qualified to do so, hold office for three years, on the expiry of which he shall vacate office but shall be eligible for re-election.

H. D. Taylor—13-2-06.

G. S. F[orbes].

215. This is a new regulation and seems unobjectionable.

216. Regulation 105 is as follows:—

105. During the temporary absence of the President of a Faculty, or in the interval between the vacating of office by a President and the election of his successor, the Vice-Chancellor shall nominate a member of the Faculty who shall for the time being and so far as may be necessary act as President of the Faculty.

H. D. Taylor—13-2-06.

G. S. F[orbes].

217. This is a new regulation and seems unobjectionable.

218. Regulation 106 is as follows:—

106. A Faculty shall have power—

(i) to consider and report on any matter referred to it by the Senate or Syndicate:

(ii) to draft regulations in regard to courses of study and examinations prescribed by the University and to lay such regulations before the Syndicate in order that they may be brought before the Senate:

(iii) to remit any matter to a Board of Studies comprised within the Faculty for consideration and report:

(iv) to consider any report or recommendation of any Board of Studies;

(v) to appoint a committee of the Faculty for any purpose within the cognizance or powers of the Faculty:

(iv) to hold meetings of the Faculty or a committee of the Faculty along with any other Faculty or a committee thereof, for the discussion of any matter of common interest.

H. D. Taylor—13-2-06.

G. S. F[orbes].

219. This is a new regulation and seems unobjectionable.

Each Faculty will consist of about 18 fellows, if they are equally divided. Three seems rather a low number. I would place it at five, or else at one-third of the members.

H. D. Taylor—13-2-06.

I am inclined to agree : but I would like to speak to Dr. Bourne.

G. S. F[orbes]—21-2-06.

220. Regulation 107 is as follows :—

107. Meetings of a Faculty shall be convened by the President of the Faculty at such times as may be necessary or on the written request of any three members of the Faculty.

221 This corresponds to a part of the existing by-law 84. The power conferred on three members to send in a requisition for a meeting is new.

H. D. Taylor—13-2-06.
G. S. F[orbes].

222. Regulation 108 is as follows :—

108. Any member of a Faculty may bring before any meeting of the Faculty any matter within its cognizance by giving notice to the President, who shall, subject to the provisions of regulation 106, instruct the Registrar to include such matter in the agenda paper of the next meeting of the Faculty.

223. This is a new regulation and seems unobjectionable.

224. Regulation 109 is as follows :—

109. The President of a Faculty shall, not less than fifteen days previous to a meeting of the Faculty, cause a notice to be issued to each member of the Faculty stating the time and place of the meeting, and shewing all the business to be brought before the meeting. No matter of business which is not entered on the agenda paper of a meeting of a Faculty shall be considered at the meeting : provided that the President may, for reasons of urgency, bring any matter before any meeting without notice being given in the agenda paper : and provided that any member may, with the permission of a majority of the members present at a meeting, bring any matter before that meeting without notice.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

225. This is an amplification of existing by-law 86. The time for the notice has been extended from 3 to 15 days.

226. Regulation 110 is as follows :—

110. Subject to the foregoing regulations the procedure at meetings of Faculties shall be in general accordance with the regulations in regard to the procedure at meetings of the Senate. With regard to any point of order or matter of procedure the decision of the Chairman shall be final.

H. D. Taylor—13-2-06.
G. S. F[orbes].

227. This is a new regulation ; a useful one.

228. Regulation 111 is as follows :—

111. The President of a Faculty shall preside at all meetings of the Faculty, but in his absence, the members present shall elect a Chairman from among themselves.

H. D. Taylor—13-2-06.
G. S. F[orbes].

229. This corresponds to existing by-law 87.

H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

∧ the | ∧ as the case may be
G. S. F[orbes].

I think it is all right. The President of a Faculty holds a responsible position and should use his discretion as to calling a meeting of the Faculty which as travelling expenses are paid may be a great expense to the University. The Senate or Syndicate can always insist upon the opinion of the Faculty.

A. G. Eourne—7-1-06.

The only arguments in favour of Dr. Bourne's view seem to me to be the possible expense and cases of a very urgent nature. With a President who chooses to run things himself, the Faculty may never have a say in any matter unless the Senate or Syndicate insists on it. As to expense, it is at least probable that a quorum of each Faculty will be found in Madras. I would allow the President himself to dispose of urgent matters, but in this case I would have him give his reasons for so doing.

C. A. Souter—2-2-06.

It is difficult to draw the line between urgent and other business. I would let the rule stand, but require the President to report his action to the next meeting of the Faculty for confirmation.

H. D. Taylor—13-2-06.

I do not see how Government can raise any objection to a time-saving regulation of this sort which the Senate themselves have adopted. I see no harm in it.

G. S. F[orbes]—21-2-06.

230. Regulation 112 is as follows :—

112. The quorum for a meeting of a Faculty shall be one-third of the members of the Faculty

231. This corresponds to existing by-law 88, but the quorum has been altered from 7 in the case of the Faculty of Arts and 3 in that of each of the other Faculties to one-third of the members in each case. This seems better.

232. Regulation 113 is as follows :—

113. When a Faculty remits any matter to a Board or Boards of Studies, it may empower the Board or Boards to communicate its or their report or decision directly to the Syndicate.

233. This is a new regulation.

234. Regulation 114 is as follows :—

114. The President of a Faculty may, in his discretion, remit any matter referred to the Faculty by the Senate or the Syndicate to a Board or Boards of Studies without laying it before a meeting of the Faculty, and may transmit the report or decision of the Board or Boards to the Senate or ~~the~~ ∧ Syndicate ∧ ~~as the case may be~~, without laying it before a meeting of the Faculty.

235. This is a new regulation. It facilitates work, but seems to be of doubtful advisability. When a question is referred to a Faculty it should apparently be returned with the opinion of the Faculty which may or may not coincide with that of the Board of Studies concerned.

But it is "*business*" to save time where it can be saved.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

H. D. Taylor—13-2-06.
G. S. F[orbes].

The outcome of much discussion. It is, I think, satisfactory.
A. G. Bourne—7-1-06.
C. A. Souter—2-2-06.
May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

Is there not a legal opinion of the Advocate-General, Bengal, bearing on this part?

Director of Public Instruction tells me the Chancellor sent an opinion—about a fortnight ago.
G. S. F[orbes].

A temporary regulation based upon a consideration of impending needs.
A. G. Bourne—7-1-06.
H. D. Taylor—13-2-06.
G. S. F[orbes].

Yes.
G. S. F[orbes].

Sufficient. Minimizes wire pulling.
A. G. Bourne—7-1-06.
H. D. Taylor—13-2-06.

236. Regulation 115 is as follows:—

115. The Syndicate may refer back to a Faculty, for reconsideration, any resolution passed by the Faculty: otherwise, where the nature of the resolution calls for it, the Syndicate shall lay the resolution before the Senate at its next meeting.

237. This is a new regulation.

238. Regulation 116 is as follows:—

116. The proceedings at each meeting of a Faculty shall be communicated by the Registrar to the Syndicate.

239. Existing by-law 89 provides for the maintenance of the minutes of proceedings of the meetings of Faculties. The proposed regulation provides for their communication to the Syndicate. This seems better.

240. Part V. Consisting of Regulations 117 to 123 relates to Election of Ordinary Fellows by Faculties of which Regulation 117 is as follows:—

117. Subject to the provision of section 6 (4) of the Indian Universities Act, 1904, and to any directions of the Chancellor in accordance with section 9 (2) of the said Act, the Faculties of Arts, Law, Medicine and Engineering shall be entitled to elect four, two, two and two persons respectively as Fellows of the University.

241. This is a new regulation. Under section 6, sub-section (1), clause (*b*), of the Act, the total number of Ordinary Fellows whom the Faculties are entitled to elect is 10.

242. Regulation 118 is as follows:—

118. In the event of vacancies among Fellows elected under section 12 (*c*) of the Indian Universities Act, 1904, the first two shall be filled up by the Faculty of Medicine, the next two by the Faculty of Engineering, the next four by the Faculty of Arts and the last two by the Faculty of Law.

243. This is a new regulation.

244. Regulation 119 is as follows:—

119. If in any year any vacancy occur among the Fellows elected by Faculties, the Syndicate shall cause a notification of the fact to be published in the *Fort St. George Gazette*, and shall, at the same time, announce the day appointed by the Chancellor for the election, the hour up to which votes may be received, and, in the event of there being more than one, the number of such vacancies in each Faculty. The date of the notification shall be not less than fourteen days previous to the date so appointed.

245. This is a new regulation. Fourteen days' notice may perhaps be insufficient.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

Is it not for the Chancellor to direct how his approval shall be notified just as it is for him to decide how his nominations shall be announced? The University cannot order publication in the *Gazette*.

Quite so.
C. A. Souter—2-2-06.
H. D. Taylor—13-2-06.

A. G. Bourne—7-1-06.
May be approved.
H. D. Taylor—13-2-06.
Yes.
G. S. F[orbes]—21-2-06.

246. Regulation 120 is as follows:—

120. The Registrar shall, not later than the date of the publication of the notification made in accordance with regulation 119, forward to each member of each Faculty which is required to elect a Fellow or Fellows a voting paper, together with a notice stating the number of vacancies and the date of the election. Should it be necessary to secure that the vacancy (or one or more of them if there be more vacancies than one) be filled by a person following the profession of education, or should the Chancellor have given any directions in accordance with section 9 (2) of the Indian Universities Act, 1904, the notice shall draw attention to the fact.

247. This is a new regulation.

248. Regulation 121 is as follows:—

121. The number of persons for whom each member of a Faculty may vote may be less but shall not be more than the number of vacancies notified in the Faculty and any voting paper which contains votes for any number of persons in excess of the number of vacancies shall be treated as invalid.

249. This is a new regulation.

250. Regulation 122 is as follows:—

122. The Syndicate shall appoint two members of the Senate to co-operate with the Registrar in the supervision of the election.

251. This is a new regulation.

252. Regulation 123 is as follows:—

123. The voting papers when filled up shall be returned to the Registrar in such manner as the Syndicate may direct with a view to secure the secrecy of the ballot and so as to reach the Registrar not later than the time announced. The two members of the Senate appointed in accordance with regulation 122 shall scrutinize the voting papers, rejecting those which do not fulfil the condition laid down in regulation 121 and shall count the votes recorded. Every member of the Senate shall be at liberty to be present at the scrutiny. If any two or more persons receive an equal number of votes the President of the Faculty in each case where necessary shall have a second or casting vote. The result of the election shall be communicated to the Syndicate for submission to the Chancellor.

253. This is a new regulation.

There is no provision for gazetting the names of the elected Fellows.

Why? The Senate consider them necessary even if they do overlap.

G. S. F[ORBES].

Regulations 124–130.—Surely regulations in regard to the register have been before Government already. I remember noting upon the matter but the papers do not seem to be in the file.

The Act is by no means clear in regard to certain points and an attempt has been made to set forth the whole matter as clearly as possible at the risk even of repeating the Act.

A. G. BOURNE.

Please see G.O., No. 332, Educational, dated 19th May 1905.

P. T. THARYAN—13-1-06.

The regulation may stand.

H. D. TAYLOR—13-2-06.

Yes.

G. S. F[ORBES].

254. Part VI consisting of regulations 124 to 130 relates to registration of graduates of which regulation 124 is as follows :—

124. The Syndicate shall maintain a register on which any graduate who has

(*a*) taken the degree of Master or Doctor in any Faculty, or

(*b*) graduated in any Faculty not less than ten years before registration,

shall be entitled to have his name entered and retained, subject to the regulations following.

255. The greater portion of this regulation is a mere repetition of the first part of sub-section (2) of section 7 of the Indian Universities Act, 1904. The regulation may perhaps be omitted altogether.

256. Regulation 125 is as follows:—

125. Any graduate satisfying the conditions of regulation 124, who wishes to have his name entered on the register shall fill up a form of application, obtainable from the Registrar, and shall forward the same to the Registrar along with the initial fee of rupees five and either the first annual fee of two rupees or a composition fee of rupees ten. The Syndicate shall thereupon cause his name to be entered on the register if he be qualified to have his name so entered: provided that his application form and fees have been received by the Registrar on or before the ninth day of September 1907 or not more than one year from the date on which he becomes entitled to registration under regulation 124, whichever is the later date. The date on which a graduate has taken a degree or graduated in any Faculty shall be the date on which the degree was conferred upon him in Convocation.

257. All that is required is a regulation supplementing sub-section (2) of section 7 of the Act. The regulation may, therefore, run somewhat as follows :—

"The initial fee payable by graduates "for registration under section 7, sub-section "(2), of the Indian Universities Act, 1904, shall "be Rs. 5, the annual fee payable under sub-"section (3) shall be Rs. 2 and the composition "fee payable under the proviso to sub-section (3) "shall be Rs. 10. Any graduate who is entitled "and who wishes . . . . . along "with the initial fee and either the first annual "fee or the composition fee. The Syndicate "shall thereupon . . . . . entitled to "registration under section 7, sub-section (2), "whichever is the later date . . . in "Convocation."

I see no objection to the regulation as it stands.

H. D. TAYLOR—13-2-05.

None.

G. S. F[ORBES].

The initial fee appears to be simply for the entry of the name. For retention even for a day after entry the annual or composition fee should apparently be paid.

258. The 9th of September 1907 is the commencement of the 4th year from date of introduction of Act—G.O., No. 593, Educational, dated 26th September 1904, page 4. Old graduates can register themselves within three years of the commencement of the Act—section 7, sub-section (2).

259. Regulation 126 is as follows :—

126. Any graduate who is entitled to registration under regulation 124, but who fails to apply for the same before the expiry of the period specified in regulation 125, shall, in order that his name may be entered upon the register, pay, in addition to the fees prescribed in regulation 125, all arrears of annual fees reckoned from the 9th September 1907 or from the expiry of one year after the date on which he became entitled to registration under regulation 124, whichever be the later date.

It may stand.

H. D. TAYLOR—13-2-06.

Yes.

G. S. F[ORBES].

260. If the suggestions in respect of regulations 124 and 125 are approved a few verbal alterations will be necessary here.

The references to regulation 124 should be changed into section 7, sub-section (2), and the number of section 125 altered into 124.

The senate thinks it necessary. Such verbal criticisms waste time.

G. S. F[ORBES].

No harm in saying so.

H. D. TAYLOR—13-2-06.

G. S. F[ORBES].

261. Regulation 127 is as follows :—

127. Any graduate whose name has been entered on the register under regulation 125 or 126, and who has paid the composition fee of rupees ten, shall not be liable for any further payments in order that his name may be retained on the register for life.

262. This follows from the proviso to sub-section (3), section 7 of the Act. When once the composition fee is fixed it seems unnecessary to say that no further fee will be payable.

263. Regulation 128 is as follows :—

128. Any graduate whose name has been entered on the register under regulation 125 or 126, but who has not paid the composition fee

May be approved.

H. D. Taylor—13-2-06.

G. S. F[orbes].

No harm in reproducing this for the sake of clearness.

H. D. Taylor—13-2-06.

Approved.

G. S. F[orbes].

I see no need to regulate as in 124—130. There seems nothing very uncertain in section 7 of the Act. All that is needed is a regulation fixing the amounts under section 7 (2), (3) and the date on which the amounts become due, and a means of letting graduates know what they have to do to be registered. In that case instead of the present seven regulations only one or at most two would be necessary.

C. A. Souter—2-2-06.

These regulations are more or less surplusage, as they deal with matters specifically provided for in the Act. But there is no harm in leaving them in. Graduates may have copies of the regulations, but not of the Act for reference. I would not object.

H. D. Taylor—13-2-06.

It is not for us to reject such regulations though we might have drafted otherwise. The regulations are those of the Senate.

G. S. F[orbes].

of rupees ten, shall have his name retained on the register until the 1st September following the date of registration. Subsequent retention of his name shall depend on the payment of two rupees on or before the 1st September following the date of registration and in each succeeding year the payment of two rupees on or before 1st September in each year. Should any such registered graduate fail to pay the annual fee on or before the prescribed date, his name shall be removed from the register, but it may be re-entered thereon on payment of all arrears of annual fees.

264. Regulation 129 is as follows:—

129. Any graduate, at any time while his name is on the register, shall become entitled to the retention of his name on the register for life by the payment to the Registrar of a composition fee of rupees ten.

265. This again is a repetition of the proviso to sub-section (3), section 7, of the Act and seems unnecessary.

266. Regulation 130 is as follows:—

130. The Registrar shall send to each graduate qualified under clause (*a*) or clause (*b*) of regulation 124, as soon as convenient after he qualifies himself, a copy of the regulations relating to the registration of graduates.

267. The reference to regulation 124 may be altered into section 7, sub-section (2) of the Act.

268. Part VII, consisting of regulations 131 to 137, relates to election of Ordinary Fellows by registered graduates of which regulation 131 is as follows:—

131. If in any year any vacancy occur among the Fellows elected by registered graduates, the Syndicate shall cause a notification of the fact to be published in the *Fort St. George Gazette*, and shall, at the same time, announce the day appointed by the Chancellor for the

I think it ought to be enough.

A. G. Bourne—7-1-06.

C. A. Souter—4-2-06.

H. D. Taylor—13-2-06.

Yes.

G. S. F[orbes]—20-2-06.

H. D. Taylor—13-2-06.

H. D. Taylor—13-2-06.

H.D.T. | It makes the intention of the Act quite clear—the matter was discussed—the name being on the register at the date of the notification should prevent the securing eligibility by payment of arrears.

A. G. Bourne—7-1-06.

The first sentence is explanatory of section 7 (4), "at the date of the notification" making it clear that only those who have paid up their fees can be eligible. There seems nothing wrong in this.

C. A. Souter—4-2-06.

H. D. Taylor—13-2-06.

G. S. F[orbes]—20-2-06.

election, the hours between which votes may be recorded, and, in the event of there being more than one, the number of such vacancies. The date of the notification shall be not less than fourteen days previous to the date so appointed.

269. This follows regulation 119—election by Faculties. Fourteen days' notice may perhaps be insufficient.

270. Regulation 132 is as follows:—

132. The Syndicate shall appoint two members of the Senate to co-operate with the Registrar in the supervision of the election.

271. Please see regulation 122 *supra*.

272. Regulation 133 is as follows:—

133. The Registrar shall, not later than the date of the publication of the notification made in accordance with regulation 131, forward to each registered graduate a voting paper, together with a notice stating the number of vacancies and the date of the election.

273. Please see regulation 120 *supra*.

274. Regulation 133 is as follows:—

134. The only persons eligible for election are graduates whose names are on the register at the date of the notification published in accordance with regulation 131. The number of persons for whom each registered graduate may vote may be less but shall not be more than the number of vacancies notified and any voting paper which contains votes for a number of persons in excess of the number of such vacancies shall be treated as invalid.

275. The first sentence is a repetition of section 7, sub-section (4), and may be omitted.

276. Regulation 135 is as follows:—

135. Voters resident in the City of Madras shall fill in and sign their voting papers at the Senate House on the day and within the hours notified in accordance with regulation 131, and in the presence of one of the two members of the Senate appointed by the Syndicate in accordance with regulation 132, and shall thereafter deposit them in the ballot-box provided for the purpose. No such voting paper shall be deposited in the ballot-box after the expiry of the time notified in regulation 131.

277. The second sentence may perhaps run—"The deposit of any such voting "paper in the ballot-box shall not be "allowed after—131."

It will be for the agents to prevent the deposit.

A. G. Bourne—7-1-06.

C. A. Souter.

H. D. Taylor—13-2-06.

G. S. F[orbes]—20-2-06.

It is submitted that in this matter the Senate should control the action of its agents—the members appointed to supervise the election—and not of the graduates.

278. Regulation 136 is as follows:—

136. Voters not resident in the city of Madras shall fill in and sign their voting papers in the presence of a Magistrate (not being a Village Magistrate), District or Sub-Registrar, District Munsif, or Judge, who shall authenticate the voting paper with his signature and designation. The voter shall thereupon forward the voting paper in a registered cover addressed to the Registrar so as to reach him not later than the day and hour notified for the closing of the ballot in accordance with regulation 131. The Registrar shall, as soon as possible after the receipt of such registered covers, deposit them in the ballot-box. Any such voting paper received later than the closing of the ballot and any paper received unsigned or otherwise than by registered post shall be regarded as invalid for the purposes of the election.

H. D. Taylor—13-2-06.

G. S. F[orbes].

279. Regulation 137 is as follows:—

137. On the day and on the expiry of the time notified in accordance with regulation 131, the members of the Senate appointed in accordance with regulation 132 shall open the ballot-box, scrutinize the voting papers, rejecting those which do not fulfil the conditions of regulations 134, 135 and 136 and shall count the votes recorded. They shall thereupon communicate the results of their scrutiny and count to the Syndicate for submission to the Chancellor.

I have noted on a similar case. I think it would be better for the Chancellor to approve or otherwise before the result is declared. The case of a tie and that of a non-approved election require consideration. The original result might be repeated again and again. Can these cases be covered by the Chancellor's approval? In the one case choosing, in the other approving the Graduate who secured the next largest number of votes. I see no other way of securing finality.

Is this function in either case of the Chancellor?

A. G. Bourne—7-1-06.

Perhaps in the case of a tie, if both candidates are suitable, a fresh election between those who have equal votes might be advisable. But the suitability of a candidate must be determined beforehand, and by the method suggested by the regulation no fresh election should be necessary as the Chancellor can decide at once. This decision seems as much the function of the Chancellor as of any one.

C. A Souter—4-2-06.

280. There is no provision herein for a declaration of the results of the election, nor for the action to be taken in the event of a tie between two or more candidates. Under section 6, sub-section (3), the election is subject to the approval of the Chancellor; but this does not seem to mean that the Chancellor should declare the results. The graduates or the Syndicate on their behalf should, it is submitted, declare the results and the Chancellor should then approve the persons elected.

If he does not approve an election should again be held and there should apparently be provision for this also.

281. Provision may also be made for gazetting the names of the persons elected.

I recollect that there was a good deal of soreness at the time of the first elections, because the Registrar did not declare the result. Put up those papers please if in office.

H. D. Taylor—13-2-06.

Please see page 47 *infra*.

P. T. Tharyan.

If there is a tie, the Chancellor in virtue of his right to approve or disapprove, can approve one and disapprove the other. I think this is his function. Repeated elections might go on resulting in ties. But we cannot provide dogmatically for a new election in the case of a tie, as that would prejudice the Chancellor's statutory rights: though a regulation might provide for a fresh election if the Chancellor so determined, but it would be a question whether such a regulation could be legally made. If there is a tie, I would therefore leave the Chancellor the right to select his man; in other words, to approve one and disapprove the other. If he disapproves both, or, which covers the same case, disapproves the candidate with the greatest number of votes where there is no tie, what is the legal position? Can the Chancellor on such disapproval select the man standing second on the poll? Or must there be a fresh election until a candidate is chosen whom the Chancellor does approve? And in the latter case can the rejected candidates be excluded by a regulation from the subsequent polls? On this question the Advocate-General should be consulted as to the limits within which a regulation can legally be made. Please put up draft.

G. S. F[orbes]—21-2-06.

282. Part VIII consisting of regulations 138 to 142 relates to Boards of Studies. Regulation 138 is as follows:—

138. There shall be Boards of Studies in the following branches of knowledge:—

(i) English.
(ii) Sanskrit, Uriya, Marathi, Burmese and Sinhalese.
(iii) Greek, Latin, French and German.
(iv) Hebrew, Arabic, Persian, and Hindustani.
(v) The Dravidian Languages.
(vi) Mathematics.
(vii) Physical Science.
(viii) Natural Science.
(ix) Mental and Moral Science.
(x) History and Economics.
(xi) Teaching.
(xii) Law.
(xiii) Medicine.
(xiv) Engineering.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

283. This is existing by-law 105. Sinhalese has been added in item (ii) and Economics in item (x). Natural Philosophy has been omitted from item (vi).

284. Regulation 139 is as follows:—

139. The members of the respective Boards shall be appointed by the Syndicate and shall consist of Fellows, and other persons possessing special knowledge of the subjects dealt with by the Boards to which they are appointed. The Syndicate shall also appoint a Chairman for each Board who shall ordinarily be a Fellow. They shall severally hold office for three years from the date of appointment, and shall be eligible for reappointment. A member who has been absent from India for a period exceeding six months may be declared by the Syndicate to have vacated his seat, and his place may be filled up. No Board shall consist of fewer than three or more than twelve members.

The Syndicate has appointed in the past—see by-law 107 (University Calendar 1904-1905)—and should of course continue to do so. By-law 107 was annulled as a temporary measure to allow of non-fellows being members.
A. G. Bourne—7-1-06.
C. A. Souter—4-2-06.
H. D. Taylor—13-2-06.
G. S. F[orbes].

285. This regulation vests the power of appointing members of the Boards of Studies in the Syndicate. The power to appoint has already been taken in regulation 97. It is not clear by whom appointments of members are now made, but apparently the Syndicate will be able to make them better than the Senate. The former is a much smaller body than the latter. The Chairman is now appointed by the Syndicate.—Existing regulation 109.

The last sentence is existing by-law 108.

286. Regulation 140 is as follows:—

140. It shall be the duty of each Board of Studies to consider and report on any matter referred to it by the Senate, Syndicate, or the Faculty, or President of the Faculty concerned with the subjects with which it deals.

H. D. Taylor—13-2-06.
G. S. F[orbes].

287. Regulation 141 is as follows:—

141. Each Board shall have power to submit for the consideration of the Syndicate nominations of examiners in the subjects with which it deals; to recommend nominations of persons other than Fellows of the University to be members of the Board; to recommend text-books when necessary; to consult specialists who are not members of the Board; and to make recommendations in regard to courses of study in the subjects with which it deals; and to lay such recommendations before the Faculty concerned, or, when so requested, before the Syndicate.

H. D. Taylor—13-2-06.
G. S. F[orbes].

288. This is an amplification of existing regulation 106.

289. Regulation 142 is as follows:—

142. Meetings of a Board of Studies shall be convened by the Chairman of the Board at such times as may be necessary or on the written request of any two members of the Board.

A quorum is unnecessary and undesirable. There is no finality about the decision of a Board.
A. G. Bourne—7-1-06.
H. D. Taylor—13-2-06.
G. S. F[orbes].

290. No quorum has been fixed for meetings of Boards of Studies. Please see section 25, sub-section (2), clause (*d*), of the Act.

H. D. Taylor—13-2-06.
G. S. F[orbes].

291. Part IX consisting of Regulations 143 to 148 relates to the Registrar. Regulation 143 is as follows:—

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

H. D. Taylor—13-2-06.
G. S. F[orbes].

292. This is existing by-law 110.

293. Regulation 144 is as follows:—

144. The tenure of the office of Registrar shall be limited to five years, but the same individual shall be eligible for reappointment.

H. D. Taylor—13-2-06.
G. S. F[orbes].

294. This is existing by-law 111.

295. Regulation 145 is as follows:—

145. It shall be in the power of the Syndicate to dispense with the services of the Registrar 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 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 before the expiration of five years, 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 continue to be Rs 800 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.

H. D. Taylor—13-2-06.
G. S. F[orbes].

296. This is existing by-law 112.

297. Regulation 146 is as follows:—

146. The Registrar shall be the custodian of the records, library, common seal, and such other property of the University as the Syndicate shall commit to his charge.

H. D. Taylor—13-2-06.
G. S. F[orbes].

298. This is existing by-law 113.

299. Regulation 147 is as follows:—

147. The Registrar shall conduct the duties of his office under the instructions of the Syndicate.

H. D. Taylor—13-2-06.
G. S. F[orbes].

300. This is existing by-law 114.

301. Regulation 148 is as follows:—

148. It shall be the duty of the Registrar to give notice of meetings of the Senate, Syndicate and Faculties, to the respective members thereof, and to keep a record of the proceedings of all such meetings. He shall also, 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.

H. D. Taylor—13-2-06.
G. S. F[orbes].

302. This is existing by-law 115.

303. Part X consisting of regulations 149 to 151 relates to the Assistant Registrar. Regulation 149 is as follows :—

149. The appointment of the Assistant Registrar by the Syndicate, shall be subject to the confirmation of the Senate.

May be approved.
H. D. Taylor—13-2-06.
G. S. F[orbes].

304. This is existing by-law 116 with the omission of the words "in accordance with by-law 99" between "Syndicate" and "shall be".

305. Regulation 150 is as follows :—

150. The office shall be tenable for a period of five years, but the same individual may be re-appointed, and in that case his service shall, for the purpose of determining his salary, be deemed to have continued for the full number of years he has served.

H. D. Taylor—13-2-06.
G. S. F[orbes].

306. This is existing by-law 117.

307. Regulation 151 is as follows :—

151. The duties of the Assistant Registrar shall be from time to time defined by the Syndicate.

308. This is existing by-law 118

309. The regulations fix the pay of the Registrar but not of the Assistant Registrar. So long as the appointment of the latter is specially mentioned should not the pay also be fixed? It has been taken out of the category of subordinate appointments. There is no Assistant Registrar at present. Nor has there been any for a very long time.

The by-laws were retained to allow of an Assistant Registrar being appointed if necessary. His pay may be fixed if ever the appointment is made. It would depend upon the duties to be assigned to him. I think the regulation may stand but if anything is done 149—151 may be omitted until the appointment is required.

A. G. Bourne—7-1-06.

There seems no harm in letting these regulations stand. They would be useful if and when an assistant is thought necessary.

C. A. Souter—4-2-06.
H. D. Taylor—13-2-06.
Let it stand.
G. S. F[orbes].

310. Part XI consisting of regulations 152 to 155 relates to Examination Boards. Regulation 152 is as follows :—

152. There shall be Examination Boards for the following subjects or groups of subjects :—

(i) English.
(ii) Greek and Latin.
(iii) French.
(iv) German.
(v) Sanskrit.
(vi) Marathi.
(vii) Uriya.
(viii) Burmese.
(ix) Sinhalese.
(x) Hebrew.
(xi) Arabic, Persian, Hindustani.
(xii) Tamil.

(xiii) Telugu.
(xiv) Canarese.
(xv) Malayalam.
(xvi) Mathematics.
(xvii) Physical Science.
(xviii) Natural Science.
(xix) Mental and Moral Science.
(xx) History and Economics.
(xxi) Teaching.
(xxii) Law.
(xxiii) Medicine.
(xxiv) Sanitary Science.
(xxv) Engineering.

311. This is based on existing by-laws 123, 124 and 126.

312. Regulation 153 is as follows :—

153. The Chairman of each Board of Studies shall forward to the Syndicate the names of any persons who may have been nominated by the Board as fit and proper persons to act as examiners and assistant examiners in the subjects dealt with by the Board. The Syndicate shall consider the nominations so made.

H. D. Taylor—13-2-06.
G. S. F[orbes].

It is much better to leave it as a vague privilege, this will cause less trouble if the nominations are rejected. A systematic nomination is not to be desired.

A. G. Bourne—7-1-06.
C. A. Souter—4-2-06.
H. D. Taylor—13-2-06.
Certainly.
G. S. F[orbes].

313. Under regulation 96, (iv), the power of appointing examiners is vested in the Syndicate. The present regulation will help that body in making appointments, but it may perhaps be better if it provides when or how often nominations may be made. The examiners hold office only for one year—regulation 154.

314. Regulation 154 is as follows :—

154. Each examiner shall hold office for one year but shall be eligible for re-appointment. The Syndicate may, however, at any time, cancel the appointment of an examiner.

H. D. Taylor—13-2-06.
G. S. F[orbes].

315. Regulation 155 is as follows :—

155. The duties of examiners shall be laid down from time to time by the Syndicate.

316. Please see existing by-laws 121 and 122. The present regulation may be accepted instead.

H. D. Taylor—13-2-06.
G. S. F[orbes].

317. Part XII consisting of regulations 156 and 157 relates to general matters. Regulation 156 is as follows :—

156. No question shall be put at any University examination calling for a declaration of religious belief on the part of the candidate, and no answer or translation given by any candidate shall be objected to on the ground of its expressing any peculiarity of religious belief.

H. D. Taylor—13-2-06.
G. S. F[orbes].

318. This is existing by-law 127.

319. Regulation 157 is as follows :—

157. It shall be competent to any member of the Senate to bring to the notice of the Syndicate any instances of undue or improper canvassing by or on behalf of any candidate for election

Undesirable.

G. S. F[ORBES].

A very wholesome regulation in theory, but when it is remembered how fond candidates are in this country of raising objections often of the most trivial nature, the value of the regulation may perhaps not be undisputed.

C. A. SOUTER—4-2-06.

It may stand.

H. D. TAYLOR—13-2-06.

I should like to mention this to Dr. Bourne.

I think it would have been better omitted. I presume it would be difficult to prevent a member of the Senate from doing what the regulation proposes to declare he is competent to do; but with the regulation they will be bound to hear and consider the objector instead of promptly squashing him as they might otherwise do if the case was on the face of it frivolous.

G. S. F[ORBES].

Will Director of Public Instruction please note on the various sections?

C. A. SOUTER—5-1-06.

I have noted wherever it seemed necessary.

A. G. BOURNE—8-1-06.

Resubmitted.

P. T. THARYAN—14-1-06.

There is comparatively little to cavil at in the proposed regulations. I have noted shortly here and there.

C. A. SOUTER—4-2-06.

Please draft for approval a fresh regulation to replace 93 and also put up the papers called for *re* 137, if available.

Please note in order the regulations in regard to which any special orders are required or in regard to which there is any controversy.

H. D. TAYLOR—13-2-06.

The following draft of a fresh regulation to replace regulation 93 is submitted for approval:—

93. When a vacancy occurs or when vacancies occur among the elected members, the Registrar under the direction of the Syndicate shall publish a notice thereof in the *Fort St. George Gazette* and shall on or before the date of such publication post to each member of the Senate a notice of the vacancy or vacancies.

to the Senate or Syndicate or to any Faculty or Board or for appointment to any examinership or other office connected with the University.

320. This is a new regulation. It seems desirable to have a regulation like this—please see G.O., No. 134, Educational, dated 10th March 1899.

P. T. THARYAN—3-1-06.

"Any" is the wrong phrase.

G. S. F[ORBES].

This will do, I think.

C. A. SOUTER—17-2-06.

Yes. It seems complete.

H. D. TAYLOR—18-2-6.

For the reasons I have given under the Regulation 93, I think amendment is unnecessary. The regulation was carefully drafted and considered by the Senate, and whether it might be made a little clearer is not the question, but whether it is misleading. Practically it is certainly not, because if there are more vacancies than one the papers sent to the voters will make it clear. The regulation defines clearly a voter's right in respect of each vacancy.

G. S. F[ORBES]—22-2-06.

But surely such *extracts* are kept with the relevant files: should be at any rate in every well-regulated Secretariat.

G. S. F[ORBES].

Not necessary.

H. D. TAYLOR—18-2-06.

Yes, but it is of no importance. All other papers on this subject are, I think, with the Private Secretary to His Excellency the Governor.

H. D. TAYLOR—18-2-06.

The Syndicate as a body and each member of the Senate shall be at liberty to nominate for election any number of *ex-officio* or Ordinary Fellows not exceeding the number to be elected. Any nomination paper containing names of candidates in excess of the number to be elected shall be treated as invalid.

Every nomination shall be in writing and must reach the Registrar not later than ten days after the publication of the notice in the Gazette. On the eleventh day after the publication of the notice in the Gazette or as soon after as possible, the Registrar shall post a list of the nominations with the names of their respective nominators to each member of the Senate together with a voting paper which shall bear on it the date of posting. Every member of the Senate shall be at liberty to vote for any number of the nominees not exceeding the number to be elected. Any paper in which the number voted for exceeds the number to be elected shall be treated as invalid. The voting paper when filled up shall be returned to the Registrar in such manner as the Syndicate may direct with a view to secure the secrecy of the ballot and so as to reach the Registrar not later than ten days after the date on which such voting paper had been posted by him. A committee of two members of the Senate shall be appointed by the Vice-Chancellor for the scrutiny of the voting papers at a time and place to be fixed by him, and the Registrar shall post to each member of the Senate a notice thereof ten days before the date fixed for the scrutiny. Every member of the Senate shall be at liberty to be present at the scrutiny. The nominee who receives the largest number of votes shall be elected. If any two or more nominees receive an equal number of votes, the Vice-Chancellor shall in each such case, where necessary, have a second or casting vote. The result of the election shall be announced in the *Fort St. George Gazette*.

2. As regards Regulation 137, at the time of the first elections there were complaints in the newspapers because the Registrar did not publish the results. There are however no copies of these papers in any of the Secretariat departments in the Fort. The Chief Secretariat have sent their copies to be bound up. Local and Municipal have sold theirs and Revenue seem to have done the same. May copies be purchased?

There was also a memorial to the Viceroy against the action of the Chancellor in preferring one of two candidates who had an equal number of votes to the other. Please see docket of G.O., No. 62, Educational, dated 2nd February 1905. The original seems to be with the Secretary.

No "controversy" at all with reference to any but a very few.

G. S. F[ORBES].

3. The regulations in regard to which special orders are required or in regard to which there is any controversy are the following:—

1, 2, 3, 5, 10, 16, 17, 19, 38, 39, 53, 68, 69, 71, 75, 81, 39, 93, 94, 95, 99, 100, 101, 102, 107, 114, 123, 124 to 130, 134, 137, 151 and 157.

P. T. THARYAN—17-2-06.

There always must be some bother at elections. I would let the regulations stand.

C. A. SOUTER—17-2-06.

Under section 6 (3) of the Universities Act the election of any Ordinary Fellow is subject to the approval of the Chancellor. Under Regulation 137, therefore, the question arises as to whether the result of the ballot is to be declared as soon as the scrutiny is completed, or whether it is to be kept confidential until the Chancellor announces his decision.

I should say *yes*. Why satisfy prurient and ill-regulated curiosity.

G. S. [FORBES].

2. In the case of a tie, can the Chancellor decide between two candidates with equal votes, or can the Chancellor decline to approve the election of the candidate with the greatest number of votes, and select the next in order, or, in event of disapproval, should a fresh election be held. The rule, as it stands, keeps the ballot confidential up to the time that it reaches the Chancellor, and seems to give absolute discretion to the Chancellor.

See my note.

G. S. F[ORBES].

H. D. TAYLOR—18-2-06.

The file should not have gone to the Director of Public Instruction before the Secretary or Under Secretary had examined the office comments. The great bulk of these were altogether unsubstantial and wasted the Director of Public Instruction's, and subsequently the Secretaries', time in discussing them. It is quite wrong that the Director of Public Instruction should be asked to meet the criticisms of a clerk or assistant, even if they were better founded than in the present case, unless and until these have been endorsed *after examination* by the Under Secretary or Secretary, either as objections or as points requiring further elucidation.

95, 99, 107, 157.

II. I have noted on the margin. There are a few, very few regulations, which I should like to discuss with the Director of Public Instruction. Please write him demi-officially mentioning the points and asking when it would be convenient to

talk them over with me. If he is not in Madras, let me know first when he proposes to return.

Regulation 137.

On one question the Advocate-General is to be consulted; please draft a reference to him on my note.

G. S. F[ORBES]—21-2-06.

Please draft accordingly.

H. D. TAYLOR—22-2-06.

A draft demi-official to Dr. Bourne and a draft reference to the Advocate-General are submitted for approval.

Dr. Bourne has not returned to Madras as yet and his office is unable to say when he intends returning.

P. T. THARYAN—23-2-06.

In a demi-official since received, Dr. Bourne says he will be here on Tuesday.

P. T. THARYAN—26-2-06.

C. A. SOUTER—26-2-06.

Dr. Bourne is expected to return to-morrow (Tuesday). A demi-official is issuing to him. He leaves on Wednesday for Bombay.

2. Draft reference to the Advocate-General is submitted for approval with reference to Honourable Member's order above.

H. D. TAYLOR—26-2-06.

I have redrafted the reference to the Advocate-General. Please make a fair copy for file and then issue.

G. S. F[ORBES]—27-2-06.

I have seen Dr. Bourne this morning.

I. Regulation 95.—With regard to Regulation 95, Dr. Bourne would let it stand. He thinks it will do no harm. The objection which would be taken to its disallowance by Government would be the cry of official interference more than a defence of its utility, so far as I can gather.

The Syndicate is now appointed for three years and except resignations and casualties the body is fairly continuous. Formerly the Syndicate was appointed annually; and the regulation was passed as a supplement to the extension of the term.

I can't help believing that it is a dangerous and unnecessary procedure to institute a mode of passing or attempting to pass votes of censure on the Syndicate on a general issue, often without any specific charge. Such a power might be used for factious purposes. I would suggest when the Regulations go back that the Senate should reconsider the regulation and advisability of omitting it.

II. Regulation 99.—What is for consideration is not Regulation 99 but omission of regulation fixing a quorum for Syndicate meetings. After discussion with Dr. Bourne I agree that the regulation may stand. In important matters, the Syndicate may as sensible persons be trusted to adjourn if a sufficient number of members are not present.

III. Regulation 107.—I pointed out that the same number, three, were empowered to call a meeting whether the Faculty were a small Faculty like Engineering or Medicine of five or six members, or a large Faculty of 50 or so members as in Arts. The number competent to send a requisition should have some relation to the strength of the Faculty. We may ask Senate to reconsider in this light.

IV. Regulations 117 *et seq. in Part V.*—Dr. Bourne tells me these will require to be modified with reference to a legal opinion obtained in Bengal, a copy of which was sent to him by the Chancellor through Private Secretary to His Excellency the Governor about a fortnight ago. Please see what this is.

I do not recollect seeing this. If we have not the reference Private Secretary to His Excellency the Governor will be asked.

H. D. Taylor—1-3-06.

V. Regulation 157.—I took exception to this in my former note. Dr. Bourne has little to say about it except that it is mere advice. I rather think however that it is *ultra vires*. What section of the Act covers it? If not clearly covered we may suggest to Senate the omission of it.

G. S. F[orbes]—28-2-06.

Z Please type fair and issue reference to Advocate-General. Then have the entire papers printed sharp (half margin) and meanwhile look up the various points raised by the Honourable Member.

H. D. Taylor—1-3-06.

Two fair copies, one for despatch and the other to serve as a clean office copy, are submitted for approval and signature.

With reference to paragraph 1 a copy of the Indian Universities Act, 1904, will be sent with the file.

The blank in paragraph 6 has however to be filled in and the office finds some difficulty in doing so as the whole of the regulations 131—137 form Part VII.

P. T. Tharyan—1-3-06.

Issue memorandum.

C. A. Souter—1-3-06.

[Memorandum No. 100, dated 1st March 1906.]

From the Government Solicitor, dated 12th March 1906, *No.* 220.

The opinion of the Advocate-General placed below is circulated for perusal and favour of return.

The file relating to the Regulations is in the Press, being printed up.

H. D. Taylor—13-3-06.

In the draft to go to the Senate suggestions may be included based on the Advocate-General's opinion.

G. S. F[orbes]—13-3-06.

With reference to the Secretary's note at **Z** on page 50 *supra*, it is submitted that the following are the points raised by the Honourable Member and which have to be entered in the draft:—

Regulation 2. [*Page* 2.]—Omission of the word "either" in regulation 2 to be suggested as a misprint.

Regulation 3. [*Page* 2.]—Alteration of regulation 3 to be suggested.

Regulation 95. [*Page* 27.]—The Honourable Member asks whether any regulation similar to regulation 95 has been adopted elsewhere. Submitted that we have no information on this point. Subsequently, however, on page 49 the Honourable Member has ordered that the Senate should be requested to reconsider the regulation and the advisability of omitting it.

Regulation 114. [*Page* 32.]—The Honourable Member has made a verbal correction in regulation 114.

Regulation 117. [*Page* 33.]—The Honourable Member asks whether there is not a legal opinion of the Advocate-General, Bengal, bearing on part V—regulations 117 to 123. Again on page 49 the Honourable Member wants the Secretary to see what this is. The papers on the subject have been obtained from the Private Secretary to His Excellency the Governor and are with the Secretary.

Please see confidential cover attached.

H. D. Taylor—20-3-06.

Regulation 137. [*Page* 39.]—The Honourable Member ordered a reference to be made to the Advocate-General regarding regulation 137. This was made in Memorandum No. 100, dated 1st March 1906. The Advocate-General's reply will be found next to this memorandum. The Honourable Member wanted the opinion to be included in the draft reference to the Senate—*vide supra*.

Yes: but the draft rather misses one of the points.

G. S. F[orbes].

Regulation 157. [*Page* 45.]—The Honourable Member takes exception to regulation 157. He asks what section of the Act covers it. Submitted that section 25 (1) empowers the Senate to make regulations "to provide for all matters relating to the University". This is a very general provision, but beyond that there does not seem to be any provision of law under which the regulation can be made. The Honourable Member, however, considers (page 49) that the regulation is *ultra vires*.

Regulation 107. [*Page* 49.]—The Honourable Member directs that the Senate should be asked to reconsider regulation 107 so that the number of members of a Faculty competent to send a requisition for convening a meeting of the Faculty should have some relation to the strength of the Faculty.

2. The draft placed below is submitted for approval.

3. An addition has to be made with reference to section IV of Honourable Member's orders on page 49. The papers are with the Secretary.

P. T. Tharyan—19-3-06.

221 Edl.—1é

I would omit paragraph 2 (6). In the altered state of matters, it is Government who will frame the regulations, and they can do so in their own language.

H. D. TAYLOR.

C. A. SOUTER—20-3-06.

For approval.

Should not this be circulated to His Excellency the Governor in his capacity as Chancellor before the draft issues ?

Please see the confidential cover.

H. D. TAYLOR—20-3-06.

There is no need of paragraph 1 of the draft. No formal modification of Government Order, dated 5th March, is needed: we have already told the University that we cannot deal piecemeal with the regulations and the wording of the Government Order, dated 5th March, is literally correct. The question of misprints and mere drafting we can deal with in passing final orders.

I have revised the rest of the draft.

This may go to His Excellency before issue.

G. S. F[ORBES]—21-3-06.

I don't think Your Excellency will find it necessary to go through all the regulations.

The reference being made now deals only with certain regulations and it may be enough to see if the proposals made on those particular suggestions are unobjectionable.

I have discussed all points on which I found difficulty with Dr. Bourne.

The final passing of the regulations will come up when we get the whole body of them before us. This has been already explained to the University.

G. S. F[ORBES]—21-3-06.

I have been through these papers and have no remarks to make except that I would not like to have to determine what is a valid vote under the regulations. I see no objection to the proposed reference as revised by the Hon'ble Mr. Forbes, but I suppose that regulation 117 and the following regulations will have to be revised in the light of the remarks in the papers in the confidential cover. Should not the Senate be asked to do so ?

G. S[TOKES]—25-3-06.

Please type fair the draft as revised—at once.

H. D. TAYLOR—26-3-06.

Two copies are submitted—one for despatch after signature and the other to serve as a clean office copy.

P. T. THARYAN—26-3-06.

The draft should have been typed half margin. It has of course to go to Honourable Member again after His Excellency's remarks.

2. For orders whether the draft may issue as it stands, or whether any reference should be made to regulation 117 with reference to the confidential papers in the cover attached.

H. D. TAYLOR—26-3-06.

I see from my note on regulation 117 (page 33 *supra*) that I contemplated the revision of the regulation in conformity with the legal opinion of the Advocate-General of Bengal. The omission should have been specially noticed in submitting the original draft.

We may now insert in the draft—

"*Regulation* 117.—The Government are advised upon the interpretation of "section 6 (2) (*b*) of the Act read with section 9 that there is no right of election of "Fellows by each of the Faculties separately and that the election should be held by

"the Faculties jointly: the election being, however, held subject to such directions as "the Chancellor, under section 9 (2), may give with the view of securing that in such "an election the interests of each Faculty are duly represented. This construction "may not be altogether free from doubt, but the Governor in Council is disposed to "accept it and considers that regulation 117 should be modified accordingly, any "consequential amendments, that may be rendered necessary in the other regulations "being also introduced."

G. S. F[ORBES]—27-3-06.

Now please retype the draft for issue with the additional paragraph as drafted above by Honourable Member.

H. D. TAYLOR—27-3-06.

Retyped and submitted.

P. T. THARYAN—27-3-06.

Issue.

H. D. TAYLOR—27-3-06.

[G.O., No. 221, Educational, dated 27th March 1906.]

Marginasudual.

dated 7th February 1906.

EDUCATIONAL DEPARTMENT.

Memorandum No. 100.

In the new regulations framed by the Senate of the Madras University under section 26 (1) of the Indian Universities Act, 1904, (copy enclosed), provision has been made for the filling by election of vacancies among the Fellows elected by "registered" graduates under section 6 (1) (*a*) of the Act—"registered" graduates being graduates who fulfil certain conditions and whose names are entered in a register kept by the Syndicate for the purpose. Proposed regulation 137 runs as follows:—

"137. On the day and on the expiry of the time notified in accordance with regulation 131 the members of the Senate appointed in accordance with regulation 132 shall open the ballot-box, scrutinize the voting papers, rejecting those which do not fulfil the conditions of regulations 134, 135 and 136, and shall count the votes recorded. They shall thereupon communicate the results of their scrutiny and count to the Syndicate for submission to the Chancellor."

2. As will be seen, the regulation provides that on the day and on the expiry of the term fixed for the election the two members of the Senate appointed by the Syndicate to co-operate with the Registrar of the University in the supervision of the election shall scrutinize the voting papers, reject such as do not fulfil certain conditions, count the valid votes and communicate the results to the Syndicate for submission to the Chancellor who has under section 6 (3) of the Act to approve the election. No further regulation has been submitted by the Senate as to the Chancellor's action thereupon.

3. The question has arisen whether when there is a tie between two or more candidates, the Act itself sufficiently provides for the matter or whether a further regulation is needed or would be legitimate. By virtue of section 6 (3) the Chancellor may approve or disapprove, and if he can approve one of the tied candidates for the vacancy nothing more seems required. To provide by regulation

for a second election, which moreover might equally result in a tie and lead practically to delay, would apparently prejudice the Chancellor's statutory rights, or enable him to evade his responsibility. It is therefore a question whether a regulation could be made giving the Chancellor free discretion to direct that there should be a second election.

4. If the Chancellor (*a*) in the case of tied candidates is unable to approve any of them or (*b*) where there is no tie is unable to approve the single candidate standing at the head of the poll, would it be open to the Chancellor to select the candidate standing next on the poll; apparently not, and if so, a regulation seems required authorizing the Chancellor to declare that a fresh election shall in such cases be held until a candidate is chosen whom the Chancellor can accept? Would such a regulation exclude from the renewed contest the candidates whom on the first election the Chancellor was unable to approve.

5. The Honourable the Advocate-General is requested to be so good as to advise Government on the foregoing points and if a regulation should be framed he is requested to advise as to the limits within which it can legally be made.

6. A copy of Part VII in the draft regulations, 131–137, bearing on the subject, are herewith forwarded.

(By Order).

C. A. SOUTER,
Ag. Asst. Secretary to Government.

FORT ST. GEORGE,
1*st March* 1906.

To the Honourable the Advocate-General (through the Government Solicitor,
with copy of the Indian Universities Act, 1904, and copy of Part VII of the University Regulations.

Cho 410 27

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15 P

4

OPINION

S. 6(3) in my opinion empowers the Chancellor to approve or disapprove of an election which has taken place. Where -- there is a tie there cannot be said to have been an election and the time for the exercise of the powers conferred by s.6 (3) has not arisen. This provision therefore will not help and a new regulation appears necessary to deal with the case of a tie arising. It would be possible to deal with the cases (1) of a tie arising and (2) of the Chancellor refusing to approve an election under s.6 (3) by providing that in either case a new election should be ordered. At such an election there is no power to prevent the registered graduates from voting again for a person whose election the Chancellor has refused to approve. If he should be re-elected the Chancellor might again refuse to approve the election.

J. P. Wallis,

Advocate General.

MADRAS)
12th March 1906)

(True Copy)

Government Solicitor.

Please print this as paper
no IV below f/. no 854
dtd 24th Decr. 1906
memo. no 100 dtd 1st March
1906 - new in type - returned
for revised proof this morning.

1/3/06

(1906) Department

From.
Sutherland Orr
Government Solicitor
Madras

To.
The Secretary to Government
Educational Department
Madras

No 220.

Dated, 12th March 1906
Recd

Encls:

Forwarded with enclosures with reference to the Memorandum of Government No 100 dated 1st March 1906. Educational

Sutherland Orr
Government Solicitor

NOTES.

1500—3-12-04

Note connected with d/ 27-3-1906

LEGISLATIVE DEPARTMENT
10 NOV 1906
SECRETARIAT.

EDUCATIONAL DEPARTMENT.

C. No. 2207. From the Registrar, Madras University, No. 3305, dated 12-12-1905.

SUBJECT. Proposed by the Senate of the Madras University

Revised body of regulations under Section 26 of the Indian Universities Act, 1904.

Notes connected with G.O. No. 854 Edl. dt. 29-12-05

Early.

2. The present time allowed expires on 31st instant?

H.D.T.
23-12-05.

Submitted that under G.O. No. 637 Educational, dated 21st September 1905, the 31st of December 1905 was fixed as the date within which the Senate as constituted under the Indian Universities Act, 1904, should submit for the sanction of Govt. (a revised body of regulations) the draft order extending the period to the 31st of March 1906 is submitted for approval.

2. Meanwhile the regulations now submitted by the ~~University~~ Registrar will be examined & submitted for orders as soon as possible.

H.S.R.
23/12/05

P.H.
23/12/5

Submitted to His Excellency the Governor. direct for approval - in the absence of the Hon'ble Member

H.D.J.
23.12.05-

Approved

27-12-05

Issue H.D.J.
29/12/05

G.O. No. 854 Edl. dt. 29-12-05

1-0

12 B properly whom? incomplete?

G

D

854 Bell

Rec'd 5/1/06

402-1908 221/27-3-6

2

The regulations have been examined. They are for the most part reprints of existing bylaws or amplifications of them.

2. They have been pasted up on separate sheets and are submitted for orders. Such remarks as they seem to call for have been entered on the sheets.

Will D.P.I. please note on the various sections?

Cdl
5/1/06
D.P.I.C.O.

Educational
U.O. No. 10 D
Dated 6 — 1 — 1906

I have noted wherever it seemed necessary

AEH 8.1.6

Salient page 179.

3.

1. The members of the Senate shall rank in the followin order:—the Chancellor, the Vice-Chancellor, the *ex-officio* Fellow in the order in which their respective offices are named in the First Schedule to the Indian Universities Act, 1904, the Ordinary Fellows according to the date and order of the first publication of their names as Ordinary Fellows in the *Fort Saint George Gazette*.

Page 20 of the Act.

Page 5 — do —

1904, and

This is a new regulation altogether, framed under section 25, sub-section (1) of the Indian Universities Act, rendered necessary by the provision in section 4, sub-section (2), of the ~~Indian Universities Act, 1904~~ Act, that the ordinary Fellows shall hold office for five years. When an ordinary Fellow vacates office and is re-nominated or re-elected he will rank according to the date and order of the first publication of his name as an Ordinary Fellow. The seniority of most of the ~~existing~~ Fellows now holding office has already been determined by Section 12, clause (i).

Page 10 — do —

In printing these Rules the Select notes in Margin that Office note was M. Shaw Mr. Proof S/7

This leaves some doubt as to whether Fellows whose original term has expired, and who is not immediately re-nominated or re-elected, but is so re-nominated or re-elected after a break should reckon his seniority from the date of his first appointment. Under the regulation they would do so

Rec 5/10/06

5

4-

2. Meetings of the Senate shall be either ordinary, special, or extraordinary meetings.

Amplification of part of existing Bylaw 1 on page 41 of the University Calendar for 05-06 - Vol. I. The word "either" should apparently be omitted.

Pfj 28/12/05

Glo
Chs
3/1/06

Agd 7-1-6

402
13.2.06

The Registrar
Making the rules
as approved
them? But omit either as
misprint
and
typing mistake

5-0

Read 1.2.06

3. Ordinary meetings shall be held on or about the first Friday in March and the third Friday in October of each year.

Page 41 of the University Calendar for 1905-06 - Vol I.

Existing Bylaw 61 on page 50 of the University Calendar for 1905-06 - Vol I

Under existing Bylaw 1, there is only one ordinary meeting in a year and in the month of August.

The Convocation of the University for the Grant of degrees is usually held about the end of March. It seems a pity that it is not proposed to hold the first ordinary meeting of the future about the same time. There would then (would) be less dislocation of work - but perhaps the Senate knows better.

PM
28/1/06

Chd
3/1/06

Suggestion of the Director of Public Instruction

There has much discussion as to these Dates - I was concerned only to see that the meetings should be held at times when most European fellows would be likely to be in Madras.

It might be suggested that the first meeting should be held upon the day preceding Convocation - it could if necessary be adjourned to

These would seem no objection
Chd
28/1/06

Read 1824

7

6-0

following day or days - This
would probably reassure
obtain my object

A.H. 7.1.6

Very well let
the suggestion
be made. Neale
Record headed 87787

The suggestion may be approved

A.H.
13.2.6

4. Special meetings of the Senate shall be such as are convened at the request of the Syndicate by the Vice-Chancellor, or by the Chairman of a meeting of the Syndicate, for the disposal of urgent business to be laid before the Senate by the Syndicate.

Page 41 of the University Calendar for 1905-06 - Vol. I.

Amplification of para 4 existing Bylaw

1.

Pty 28/12/05 Cus 3/1/06 Pty 10/2/06.

8-00

5. Extraordinary meetings of the Senate shall be convened by the Vice-Chancellor on the written request of any ten members.

Page 41 of the University Calendar for 1905-06 - Vol. I.

Based on Existing Bylaw 2. At present six Fellows have the power of sending in a requisition for a meeting. The number it is proposed to raise to ten. The proposal seems to be in the right direction.

PH
28/12/05

Ces
3/1/06

I thought that a larger number say 20 should join in the requisition. Such meetings would only be called for the purposes of a 'row' and the agitation should be strongly supported before Fellows are summoned from all parts of the Presidency.

If the Syndicate hears a meeting it calls a Special Meeting. Extraordinary meetings would doubtless be disapproved by the Syndicate and be directed against its authority. However we may try to and a proposal may be made to raise the number if trouble occurs

Very well
7/1

Ces
7/1/06

AHS
7.1.6

9-0

6. 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 1st February if it is intended for discussion at the March meeting, or not later than 1st September if it is intended for discussion at the October meeting. When any ten members forward a written request to the Vice-Chancellor to convene an extraordinary meeting of the Senate they shall at the same time forward the terms of the resolution or resolutions which it is intended to propose and also the name of the proposer of each resolution.

Page 41 of the University Calendar for 1905-06 – Vol-I.

Amplification of Existing Bye-law 3.

PH 28/12/05

Ches 3/1/06

HMS 13/2/06

10-0

7. The Syndicate shall consider each such resolution of which notice has been given in accordance with the foregoing regulation and shall cause it to be placed on the agenda paper of the meeting at which its discussion is intended by the proposer: provided that the Syndicate may exclude from the agenda paper any proposed resolution which deals in whole or in part with any decision of the Senate adverse to its terms which has been arrived at in any meeting of the Senate held within one year previous to that at which its discussion was intended.

The Registrar shall inform the proposer in each such case of exclusion, and the Syndicate shall report the fact of exclusion at the meeting at which the discussion of the resolution was intended, or, if there be no other business at that meeting, at the next meeting of the Senate.

Page 41 of the University Calendar for 1905-06 - Vol. I

Amplification of existing Bylaw 3.

Under the proposed Regulation no resolution of the Senate can be re considered (without the consent of the Syndicate) within a year of its passing. It seems doubtful whether this is altogether ~~less~~ advisable. A better course may perhaps be to fix a majority (votes of) say, two-thirds or three-fourths of the strength of the Senate to render a reconsidered resolution valid.

PH
28/12/15

The note seems incorrect the Regulation merely gives the Syndicate power to exclude which is advisable

CH
27/1/16

AGH 7.1.6

The words underlined in pencil were inadvertently omitted from the official copy of the 28th December.

PH 19/1/16

The rule may be accepted

8.2.16

11-0

607104

Pages 18, 20, 29 & 48 infra

8. No resolution, proposal, or other matter of business which has not been submitted to the Syndicate shall be brought before the Senate at any meeting, except as provided for in regulations 12, 14, 22 and 40.

Page 41 of the University Calendar for 1905-06-VII I.

This regulation also is in amplification of existing Bye-laws 3.

28/12/15

11/1/16

13/2/16

12-00

9. The Registrar shall, not less than fifteen days previous to each ordinary or extraordinary meeting of the Senate, issue to each member a notice stating the time and place of meeting, and this notice shall be accompanied by an agenda paper shewing the business to be brought before the meeting, and except as provided for in regulations 12, 14, 22 and 40, no resolution, proposal, or other matter of business which is not entered on the agenda paper shall be brought before the meeting: provided that the Syndicate may, for reasons of urgency, bring any business before any meeting of the Senate without notice being given in the agenda paper.

Pages 18, 20, 29 & 48 infra

Pages 41 & 42 of the University Calendar for 1905-06 - Vol. I.

Based on existing By-law 4.

28/12/05

27/1/06

12.2.06

13-6

10. If there be no business to be brought before an ordinary meeting of the Senate, the Registrar shall issue a notice to that effect to each member not less than fifteen days before the date of such ordinary meeting.

Pages 41 & 42 of the University Calendar for 1905-06 - VII I

This regulation also is based on existing Bylaw 4. Its wording however does not seem to be quite happy. Instead of the words "not less than fifteen days — meeting" the words "on or about the 15th of February or the 15th of October as the case may be" may perhaps be substituted. As the regulation stands the fixing of a date for the meeting ~~is implied and~~ as well as the subsequent intimation that there is no business (is implied) whether or not there is likely to be business should be known three or four weeks beforehand & if there is not likely to be any meeting the fixing of a date is unnecessary.

PH
28/12/15

I think the regulation is suitable it is not likely that it will ever come into operation but such a provision is necessary

AGH 7-1-16

Submitted that the regulation is necessary but the question for consideration is how to word it.

PH 12/1/16

The dates of the ordinary meetings are fixed: 15 days elapses between.
Ces 28/1/16

14-D

p 10.

Under Regulation 6 notice of resolutions must be received by 1st Feb & 1st Sept. for the March and October meetings respectively.

p 14

The wording of Reg. 10 follows that of Reg 9 - and I see no objection to its acceptance

18.2.08

None whatever

WC

Read

17

15-D

11. In the case of special meetings, the Registrar shall give such previous notice of the time and place of meeting as the circumstances in each case may permit, but except in regard to this particular, the provisions of regulation 9 shall apply to such meetings.

Page 14 supra

Pages 41-42 of the University Calendar for 1905-06 - Vol I.

This regulation also is based on existing Bylaw 4.

1909
1906

PM
28/12/05

16-06

12. Any member wishing to propose an amendment to a resolution on the agenda paper of any ordinary or extraordinary meeting of the Senate shall forward the same to the Registrar so as to reach him not less than five clear days before the day of the meeting at which the discussion of the resolution is intended. The expression "five clear days" shall be held to mean five days exclusive of the day on which the notice of amendment reaches the Registrar and of the day of the meeting. No amendment of which notice has not thus been given shall be considered at any ordinary or extraordinary meeting of the Senate, except as provided for in regulation 40.

Page 48 infra

Pages 41-42 of the University Calendar for 1905-06-Vol I.

This regulation forms part of existing Bylaw 4. Regs approved

28/12/15

HOJ
13.2.06

17-0

13. The Registrar shall, not less than three days before each ordinary or extraordinary meeting of the Senate, issue to each member an amended agenda paper, shewing all the resolutions as in the original agenda paper issued in accordance with regulation 9 and also shewing all amendments of which notice has been given in accordance with regulation 12 provided that if no notice has been received under regulation 12 of any amendment, no such amended agenda paper need be issued.

Page 14 Supra

Page 18-do-

Page 41 of the University Calendar for 1905-06 - Vol. I.

This regulation also forms part of existing Bylaw 4 - but the time allowed has been raised from two to three days.

PH
28/12/5

Regle approved

[illegible]
17 2 06

18-D

14. At any special meeting of the Senate any member may bring forward any amendment without previous notice being given.

Page 18 supra.

More or less a new regulation - but it follows from proposed regulation 12.

PH
28/12/5

Keyhe approves
PH
13.2.06

19.00

15. The Vice-Chancellor shall, in the absence of the Chancellor, preside at all meetings of the Senate, but if the Vice-Chancellor be not present, the members present shall elect a Chairman from among themselves.

Page 42 of the University Calendar for 1905-06-Vol. I.

Part of Existing Bylaw 6.

28/12/5 May be approved

B200

20-07

16. Twenty-five members shall constitute a quorum for any meeting of the Senate other than a Convocation for conferring degrees.

Page 42 of the University Calendar for 1905-06-Vol I

Based on existing Bylaw 5. The present quorum is 9. Twenty five is about a fourth of the maximum strength of the Senate under the new act.

PJ
28/12/05

A large quorum is very desirable for Senate meetings AH 7.1.6

It may be a little too high but probably a little on the safe side

HP

May be approved. As grant in aid of Travelling allowances are now given a sufficient number of Fellows are will be likely to attend

HP 7/1
13.1.06.

21-0

17. Honorary Fellows are permitted to be present at any meeting of the Senate but are not permitted to take part in the siness of any meeting except as otherwise provided by the ian Universities Act, 1904, or by the regulations.

Page 13 of the Act

A new regulation altogether. Under section 13, sub section (3), of the Indian Universities Act, 1904, Honorary Fellows (can) take part in the selection of a Candidate for nomination to the Legislative Council. They have no other function under the Act.

Pry
29/11/15

There is rather more in this than meets the eye. I dislike the prevalent idea that University business is public business like that of the Corporation for instance and I originally intended to propose the exclusion of strangers - even the press and have an official report of the proceedings. It was obvious that such a proposal would be very unpopular, I modified it and made provision for motions to admit or exclude (if previously admitted) strangers.

Yes: in this country. 87

These were lost but it was felt that it should never

22-8

be allowed to become the Custom for students to be to attend at the meetings, and the above regulation was suggested by someone as conveying the assumption that strangers were not ordinarily admitted without provoking opposition by a rule to that effect.

There is no objection to Honorary Fellows being present they may indeed be assumed to be rightly interested. If there is a regulation like this about, it is as well to emphasize the fact that they cannot take part in the business. They can take part in the election of a Member of the Legislative Council and Govt. might at some time frame regulations that this election should take place at a meeting.

The regulations provide elsewhere that Hon. Fellows may take part in the Ceremonial of Convocation - this does not contravene any provision of the Act in the strict at any rate and is some recognition of their position. AGH 7.1.6

230

This regulation has to be read with Section 13, sub-section (3), of the Act and regulations 69 & 81 infra.
(The question is whether a regulation authorizing Honorary Fellows to take part in the convocation can be legally framed.

PJ
12/1/06

Lee.

The admission of hon. fellows to meetings seems without objection. Under S. 13 (3) of the Act they can take part in the election of a member of the Leg. Council or of any local authority if before the passing of this act they had such privilege. It seems doubtful whether they can take part in the Convocation ceremony, but I submit that there seems little against their doing so, at least so far as the spirit of the Act goes. This privilege cannot confer any power on them, but would merely add to their dignity. But I think that it could not under the Act be done by a regulation.

(under the wording of the section)

Cd.
27/1/06

24 b

24-D

I see no objection to this regulation
that may be approved. It is
framed rather to keep out
others than to confer any
special right or privilege
on Hon. Fellows

HS
13.2.06.

No objection whatever

SG

25/2/06

read
ne

25

25-00

18. At the time fixed for a meeting of the Senate the Chairman shall take the chair and shall ascertain whether a quorum be present or not. If a quorum be present, he shall declare the meeting constituted and shall proceed with the business of the meeting. If a quorum be not present, he shall, if it be necessary, wait until fifteen minutes after the time fixed for the meeting, and if no quorum be then present he shall thereupon declare the meeting dissolved and shall leave the chair. If at any time during the progress of business any member shall call attention to the number of members present, the Chairman shall within a reasonable time count the number of the members present, and, if a quorum be not present, he shall declare the meeting dissolved and shall leave the chair. All such dissolutions shall be recorded by the Registrar and the record shall be signed by the Chairman.

Page 42 of the University Calendar for 1905-06- Vol I

Amplification of existing Bylaw 7.

PM
29/12/05

May be approved
AHS
13-2-06

26-D

19. At every meeting of the Senate the following shall be the order of business, after the election, if it be necessary, of the Chairman :—

i. Any motion for a change in the order of business as stated in the agenda paper.

ii. The election, if such be part of the agenda, of any official of the University.

iii. Business brought forward by the Syndicate.

iv. Business brought forward by the Faculties, taken in the following order :—Arts, Law, Medicine, Engineering.

v. Proposals brought forward by members of the Senate which have not been excluded by the Syndicate under regulation 7.

Page 42 of the University Calendar for 1905-06-Vol I.

Corresponds to existing Bylaw 8. It may perhaps be desirable to insert the words "unless the meeting otherwise determine" between "shall" & "be the order of business".

PH
29/12/05

I think the intention is clear. The alteration proposed is undesirable as a motion under sub clause i should only be made at the beginning of a meeting & for definite reasons - it might otherwise be used for purposes of obstruction.

AEH 7.1.6

Then the best plan would be to insert the words "in regard to clauses ii to v" after the word "determine" in the amendment proposed in the office note of the 29th December 1905.

Lle.

PH 12/1/06 I would leave the regulation as it stands.



read
MA

26a

27-D

The agenda paper will prescribe the order of business, & any alteration therein may be ~~Lecan~~ suggested at the beginning of the meeting.

Cas
27/11/06

Under section 14, it is open to the Senate to constitute a New Faculty. It is not improbable that a Faculty of Science may be constituted in the near future.

It may be better to add after Engineering in 19(iv) the word. "and other Faculties which may hereafter be constituted, in the order of their Constitution"

DJ
13/2/06

No: leave it. If there is a new faculty may other alterations will be required pro tanto

DJ

20. All questions considered at meetings of the Senate shall be decided by a majority of the votes of the members present. If the votes, including that of the Chairman, be equally divided, the Chairman shall have a casting vote.

1

Page 42 of the University Calendar for 1905-06-VOL I

This regulation forms part of existing bylaws 5 & 6.

Maybe approved

PH 29/12/15

HB 13/2/16

29-0

21. On any motion or amendment being put to the vote, the Senate shall divide and the vote of each member voting shall be recorded, if any member desire that this should be done. In that case the names of members abstaining from voting shall also be recorded. The manner in which a division shall be effected shall be left to the discretion and direction of the Chairman.

Page 48 of the University Calendar for 1905-06 - Vol. I.

Based on existing Bylaws 46, 47 048.

29/12/15

Mayhead moved
13 2 15

30-P

Pages 10 & 11 supra

22. In addition to motions of which notice has been given and which satisfy the conditions of regulations 6 and 7, the following are the only motions which may be proposed at meetings of the Senate, and of these previous notice is not necessary:—

i. A motion for a change in the order of business as stated in the agenda paper.

ii. A motion for the adjournment of the meeting or debate.

iii. A motion that the meeting pass to the next business on the agenda paper.

iv. A motion that the meeting be dissolved.

v. A motion directing the Syndicate to review its decision and to report at a subsequent meeting of the Senate.

vi. A motion directing a Faculty to review or amend its recommendation in any matter brought before the Senate by that Faculty.

vii. A motion that the Senate do resolve itself into Committee.

viii. A motion for the appointment of a Committee to enquire into and report on any matter before the Senate at the time.

ix. A motion remitting any matter before the Senate at the time to a Faculty or to a Board of Studies for its views or recommendations and report.

Pages 41 + 42 of the University Calendar for 1905-06 - Vol I

Page 48 ——— do ———

This regulation forms in the main a part of existing Bylaw 4. Clauses vi and ix are new while clauses vii & viii are taken from existing Bylaw 50.

PH 29/12/05

Maybe approved

13/2/06



23. Every motion shall be affirmative in form and shall begin with the word "that."

Page 43 of the University Calendar for 1905-06 - Vol. I.

Existing Bylaw 9.

Maybe approved

29/11/15

24. Every motion at a meeting must be seconded, otherwise it shall drop. Any member may second a motion by saying "I second the motion" and may reserve his speech. When a motion has been made and seconded, it shall be stated from the Chair, unless it be ruled out of order by the Chairman.

Page 43 of the University Calendar for 1905-06 - Vol. I

Existing Bylaws 10 & 11 with the "~~member~~" word "Fellow" ~~in line 2~~ substituted by "Member" in line 2.

By
29/12/15

May be approved
3/2/16

33-P

25. When a motion has been stated from the Chair, it may be discussed as a question to be resolved in the affirmative or negative or as proposed to be changed by amendment brought forward under regulations 12, 14, and 40.

Pages 18+20 supra + page 48 infra

Page 43 of the University Calendar for 1905-06 - Vol I.

Based on existing Bylaw 12.

PH
29/12/15

Maybe approved
NOT
13-2-16.

34.0

26. Not more than one motion and one amendment thereto shall be placed before a meeting at the same time.

Page 42 of the University calendar for 1905-06 - Vol. I

Existing Bylaw 13 with the word "motion" substituted for "proposal".

PJ
29/12/5

May be approved
13 2 06

35-00

27. A motion once brought forward shall not be proposed a second time at the same meeting or at any adjournment thereof. A motion or amendment substantially identical in part with one already brought forward at a meeting may be brought forward at the same meeting with the omission of such part.

Page 43 of the University Calendar for 1905-1906 - Vol. I.

Corresponds to Existing Bylaw 14.

The words "motion" & "motion or amendment" respectively have been substituted for "proposal".

29/12/15

may be approved

12/05

36-D

28. A motion for the adjournment of a meeting or of a debate on any particular question may be made at any time but shall not be made so as to interrupt a speech. If a motion for the adjournment of the meeting be carried, the meeting shall thereupon adjourn to the time specified in the motion. If a motion for the adjournment of the debate be carried, the debate shall thereupon be adjourned to the time specified in the motion. The meeting shall thereupon pass to the next business, if any, on the agenda paper. If either of such motions be negatived, the business of the meeting or the debate as the case may be shall be resumed.

Page 45 of the University Calendar for 1905-06 - Vol. I.

Based on existing Bylaws 28 & 29.

Rephe approved

29/12/15

3206

37-0

29. A motion for the adjournment of a meeting shall be in the form "That this meeting do now adjourn to," followed by words indicating the day and hour proposed for the adjourned meeting. A motion for the adjournment of a debate shall be in the form "That the debate on this question be now adjourned to," followed by words indicating the day and hour. Ordinarily, a meeting or debate shall only be adjourned to the day following the meeting, Sunday being a *dies non*.

Page 45 of the University Calendar for 1905-06 - Vol. I.

Based on existing Bylaws 28+29.

29/12/05 May be approved.

The word 'ordinarily' will cover special cases in which owing to the necessity for religious or ceremonial observances any particular class is unable to attend.

23.2.06

38-0

30. No amendment shall be moved to a motion for adjournment of a meeting or debate except one substituting a different day or hour.

Page 46 of the University Calendar for 1905-06 - Vol I.

Corresponds to existing Bylaw 30.

29/12/15

39-0

31. A meeting or debate renewed after adjournment shall be deemed one with that which preceded the adjournment.

Page 46 of the University Calendar for 1905-06. Vol I.

Corresponds to existing Bylaw 31.

29/12/5

May be accepted

13/2/06

40-00

32. A motion to pass to the next business shall be in the form "That the meeting do now pass to the next business on the agenda paper" and may be moved at any time but not so as to interrupt a speech. If the motion be carried, the motion under discussion together with any amendments to it shall drop.

Page 46 of the University Calendar for 1905-06 - Vol. I.

Corresponds to existing Bylaw 32.

PH
29/12/05

May be accepted
PH
13 2 06

41-A

33. A motion for the dissolution of a meeting shall be in the form "That this meeting do now dissolve," and may be made at any time but not so as to interrupt a speech. If such a motion be carried, the business still before the meeting shall drop, and the Chairman shall declare the meeting dissolved.

Page 45 of the University Calendar for 1905-06- Vol I.

Based on existing Bylaw 28.

29/12/5. May be accepted

13-2-06.

42

34. No motion under regulation 22, ii, iii, iv, vii shall be made or seconded by any member who, during the discussion of any particular item of business, has already made or seconded any one of such motions.

Page 29 supra

Page 46 of the University Calendar for 1905-06- Vol I

Based on existing Bylaw 33.

May be accepted

29/12/5

13.2.06

43.0

Page 29 supra

35. Any motion made under regulation 22, ii, iii, iv, vii shall take precedence of any question that may be before the meeting, and, if not withdrawn, must be disposed of before such question.

Page 46 of the University Calendar for 1905-06.

Based on Existing Bylaw 33.

29/11/15

May be approved

13/2/16

Read 11.2

Page 29 Supra.

36. When any motion under regulation 22, ii, iii, iv, vii has been brought forward and has been negatived, no other motion of the same kind shall be again brought forward until after the lapse of what the Chairman shall deem a reasonable time: nor shall any debate or discussion be allowed on such second or subsequent motion brought forward during a debate on the same question.

Page 46 of the University Calendar for 1905-06.

Existing Bylaw 34.

29/12/15 May be approved

13-2-06

45-00

37. A motion directing the Syndicate or a Faculty to review or reconsider its decision or recommendation may be made at any time during the discussion on any such decision or recommendation, but shall not be made so as to interrupt a speech. The motion shall clearly specify the matter thus referred back to the Syndicate or the Faculty for review or reconsideration and may also indicate generally the sense or direction in which the mover desires alteration in such decision or recommendation. The motion may also include an instruction that the Syndicate or the Faculty shall report at the next or at some other meeting of the Senate.

Pages 29, 35, 39 & 40 supra

This is a new regulation but follows regulation 22, iv & vi & regulations 28, 32 & 33.

29/11/15

Maybe approved
3/2/16

46.P

38. A motion that the Senate do resolve itself into Committee shall specify the item or items of business to be considered in Committee.

A new regulation following regulation 22 VII. ~~Other articles whether the~~ Should the Senate when it goes into Committee ~~shall~~ be tied down, as proposed, to the items of business specified.

PH
29/12/15

This is of course most important - in the absence of reasons to the contrary I incline most decidedly upon the affirmative

AEH 7-1-16

The only doubt is whether items of business are specified will the Committee be able to consider other matters connected therewith?

Lec.

PH
12/1/16

It certainly seems necessary that when the Senate resolves itself into Committee, it should do so on some particular item or items of business. The Committee cannot discuss matters which have not been formally laid before the Senate. It will be for the Chairman of Committee

Page 29 Supra

Why not? They can't have a Rooming Commission!
SJ

Rubbish
SJ

Of course no use wasting time on such frivolous criticisms
SJ

47-8

to decide whether any point raised is in order or not, & in such matters his decision must be final.

CS
27/1/06

Sague.

The regulation may be approved

Certainly

8/2

27/1/06

480

39. A motion for the appointment of a committee to consider any question before the Senate at the time shall state the purpose for which the committee is to be constituted and the names of its members.

Page 48 of the University Calendar for 1905-06 Vol I

A new regulation but seems to be based on Existing Bylaw 49. The words underlined seem to be superfluous. No Fellow is likely to bring forward a motion for the appointment of a Committee without stating the purpose for which the Committee is to be constituted.

PM
29/12/05

The words are necessary or something to similar effect. The Committee may discuss the whole question or a part of it or some collateral question. Amendments enlarging or restricting the (cf. 40, V) may be made.

The exact purpose of a Committee is frequently the subject of dispute. Reference to a Committee is of course a favourite method of trying to shelve a question.

AWM 7.1.06

May be approved AHD 8/1/06 SH

Not at all unreasonable - indeed I think there have been instances in which a Committee was proposed where it was preferred not state definitely the purposes AHD 8/1/06

read

Page 18 supra
Page 20 -do-

40. In addition to amendments of which notice has been given in accordance with regulation 12, and subject to the provisions of regulation 14, the following are the only amendments which may be made to any motion brought forward at a meeting of the Senate, and of these notice need not be given :—

i. amendments of a purely verbal or formal kind which, in the opinion of the Chairman, do not affect the sense or import of the motion to which they refer.

ii. amendments to a motion for a change in the order of business as stated in the agenda paper, substituting an order different from that in the motion.

iii. amendments to a motion for adjournment of the meeting or debate, substituting a time different from that in the motion.

iv. amendments to a motion directing the Syndicate or a Faculty to review or reconsider their decision or recommendation.

v. amendments to a motion for the appointment of a committee, whether for enlarging or restricting its purposes or the questions remitted to it, or for adding to or omitting the names of members proposed to form it.

vi. amendments to a motion remitting any matter to a Faculty or to a Board of Studies.

Page 29 supra

Page 41 & 42 of the University Calendar for 1905-06-Vol. I.

Follows proposed regulation 22 - is partly provided for by existing Bylaw 4.

29/12/05

May be approved
3-2-06



read

41. Any motion before a meeting of the Senate may be amended

i. by leaving out a word or words.

ii. by leaving out a word or words in order to insert some other word or words.

iii. by adding or inserting a word or words.

Page 43 of the University Calendar for 1905-06 - Vol. I

Corresponds to existing Bylaw 15.

29/12/15

May be accepted

13-2-16

42. When the amendment is of the first kind, the form in which it is proposed and handed to the Chair shall be "That the words (*mentioning them*) be left out of the motion." When the amendment is of the second kind the form shall be "That the words (*mentioning them*) be left out of the motion and that the words (*mentioning them*) be added or inserted." When the amendment is of the third kind, the form shall be "That the words (*mentioning them*) be added or inserted" and there shall then follow words specifying the place in which the words mentioned are to be added or inserted.

Pages 43 & 44 of the University Calendar for 1905-06. Vol I.

Corresponds to Existing Bylaw 16.

PH
29/12/15

Maybe accepted

3206

5208

43. No amendment shall be proposed which would reduce a motion to its negative or opposite form, or which would alter the first word.

Page 44 of the University Calendar for 1905-06-Vol. I.

Corresponds to existing Bylaw 17.

PH
29/12/5

May be approved



530

44. Every amendment must be relevant to the motion to which it refers and must be framed so as to form therewith an intelligible and consistent sentence.

Page 44 of the University Calendar for 1905-06 - Vol. I

Corresponds to existing Bylaw 18.

PH 29/12/5

Rayhe approved
by
Senate

45. No amendment shall be proposed which substantially raises a question already disposed of by the meeting or is inconsistent with or adverse to any resolution already passed by the meeting.

Page 44 of the University Calendar for 1905-06 - Vol. I

Corresponds to Existing Bylaw 49.

29/11/15

Not approved
by
13.2.16

53-10

46. An amendment, the substance of which has been disposed of in part, may be modified by its proposer so as to retain only the part not so disposed of.

Page 44 of the University Calendar for 1905-06 - Vol. I.

~~Corresponds to~~ Existing Bylaw 20.

BH
29/12/15

Maybe approved
BH
30/12/15

55-0

47. The order in which amendments to a motion are to be brought forward shall be determined by the Chairman.

Page 44 of the University Calendar for 1905-06 - Vol. I.

~~Compare to~~ Existing Bylaw 21 with the word "motion" substituted for "proposal".

PJ
29/12/15

Kayhearnessed
30/12/15

57-06

48. An amendment must be seconded in the same way as a motion: otherwise it shall drop.

Page 44 of the University Calendar for 1905-06-Vol. I

Meeting Bylaw 22.

PJJ
29/12/15

May be approved
PJJ
18/2/16

49. When an amendment has been moved and seconded, it shall, unless ruled out of order, be stated from the Chair, and the debate may then proceed on the motion and amendment together.

Page 44 of the University Calendar for 1905-06 - Vol. I

Corresponds to Existing Bylaw 23.

29/12/15

Maybe approved

50. When, on a motion to which there is no amendment, the debate is concluded, or if there be no debate, the Chairman shall put the question to the vote by saying "The question is," followed by the words of the motion, and the Senate shall then divide, unless the Chairman ascertain that the question is carried affirmatively by a unanimous vote. If there be an amendment, he shall say "It has been moved," followed by the words of the motion: then he shall say "Since which it has been moved by way of amendment" followed by the words of the amendment: and then, if the amendment be one of the first kind, he shall put the question by saying "Shall the words or word proposed to be left out be left out?" If the amendment be of the second kind he shall put the question by saying, "Shall the following words or word .... be left out in order to add or insert the following words or word .....?" If the amendment be of the third kind, he shall put the question by saying, "Shall these words be there added or inserted." If an amendment be negatived, the original motion shall be again stated from the chair, and, subject to the foregoing regulations, any other amendment which is in order shall then be proposed thereto. If an amendment be carried, the motion as amended shall be stated from the Chair, and may then be debated as a substantive motion, to which the further amendments to the original motion may, subject to the foregoing regulations, be proposed, and such further amendments shall be disposed of in the same manner as the first or original amenmentd.

Pages 44 + 45 of the University Calendar for 1905-06 - Vol I

Corresponds to existing Bylaws 24. 25 + 26.

May be approved.

29/12/05

13-2-06.



read

59

60.00

51. No motion or amendment shall be withdrawn from the decision of the meeting without its unanimous consent: but this consent shall be presumed if the mover state his wish to withdraw the motion or amendment and the Chairman, after an interval during which no dissent is expressed, announce that it is withdrawn.

Page 45 of the University Calendar for 1905-06- Vol. I.

Corresponds to existing Bylaw 27.

PH
29/12/5

May be approved
PH
13.2.06

52. Any motion or amendment standing in the name of a member who is absent from the meeting, or who declines to move it, may be moved by any other member.

Page 47 of the University Calendar for 1905-06. Vol I

Corresponds to existing Bylaw 44.

29/12/15

May be approved

13/2/16

read

620

53. The member who first rises to speak at the conclusion of a speech has the right to be heard. In cases of competition, the Chairman shall decide who is in possession of the meeting.

Page 46 of the University Calendar for 1905-06. Vol. I.

Corresponds to Existing Bylaw 35.

RH
29/11/5

'Competition' seems hardly the correct word here, but it is in the existing regulations & may stand

Yes: Let it stand

WSP
13 2 06

read

62

630

54. Except as hereinafter provided, a member having spoken to a motion or amendment, is not at liberty to speak again to such motion or amendment.

Page 46 of the University Calendar for 1905-06 - Vol I.

Corresponds to existing Bylaw 36.

PH 29/12/15

Maybe approved

Ch 13/2/16

64

55. In so far as the question raised by an amendment is one on which he has not previously spoken, any member may speak to that question, though he has spoken to the original question or to a previous amendment.

Page 47 of the University Calendar for 1905-06 - Vol. I.

Corresponds to existing Bylaw 37.

29/11/05

May be approved

(3206)

56. When the Chairman has ascertained that no other member entitled to address the meeting desires to speak, the mover of the original motion may reply upon the whole debate. But the mover of an amendment or of any motion under regulations 22, i, ii, iii, iv, has no right of reply. No member shall speak to a question after the mover has entered on his reply.

Page 29 Supra

Page 47 of the University Calendar for 1965-6 Vol I

Corresponds to existing Bylaws 38 & 39.

PJI
29/12/65

Maybe approved

13/2/66

66-8

57. The Chairman has the same right of moving or seconding or speaking to a motion or amendment as any other member, but he shall vacate the Chair while so engaged, and the Chair shall during such time be taken by a member nominated by the Chairman. Without leaving the Chair, the Chairman may, however, at his discretion or at the request of any member, explain to the meeting the scope of any motion or amendment.

Page 47 of the University Calendar for 1905-06 - Vol I

Corresponds to existing Bylaw 40.

29/10/15

May be approved

30/10

58. Any member may, even whilst another is speaking, rise to explain any misconception of expressions used by him, but he shall confine himself strictly to such explanation.

Page 47 of the University Calendar for 1905-06 - Vol I

Corresponds to Existing Bylaw 41

PJJ
29/12/15

May be approved

13/2/16

68

59. Any member may call the Chairman's attention to a point of order even whilst another member is speaking, but no speech shall be made on such point of order.

Page 47 of the University Calendar for 1905-6

Corresponds to existing Bylaw 42.

29/12/15

May be approved

13/2/06

read
RD

68

65-P.

60. The Chairman shall be the sole judge on any point of order, and may call any member to order, and shall have power to take such action as may be necessary to enforce his decision.

Page 47 of the University Calendar for 1905-06 - Vol. I

Corresponds to Existing Bylaw 43.

29/12/15

Regle approved

13 2 16

61. At meetings of the Senate in Committee the proceedings shall be governed by the foregoing regulations for debate except that no notice need be given of motions or amendments, that no motion or amendment need be seconded and that every member may speak on any question as often as he chooses.

Page 48 of the University Calendar for 1905-06 - Vol I.

Corresponds to Existing Bylaw 53.

29/12/05

May be approved

W. J. 3/2/06

7-1-06

62. The resolutions passed at meetings of the Senate in Committee shall be embodied in a report by the Registrar to be laid before the Senate at a subsequent meeting, but shall not become final unless they are confirmed by the Senate.

Page 49 of the University Calendar for 1905-06 - Vol. I

Cores pondo to existing Bylaw 54.

29/1/06

May be approved

13-2-06

72-6

63. Within three weeks after a meeting of the Senate, the Registrar shall, under the direction of the Syndicate, post a printed copy of the minutes of such meeting attested by the Chairman to the address of each member.

In the event of no exception being taken by any member who was present at the meeting to the correctness of the minutes within ten days of the posting by the Registrar, they shall be deemed to be correct.

If such exception be taken within the time aforesaid, the minutes shall be brought forward by the Syndicate at the next meeting of the Senate for confirmation by such of the members as were present when the business was transacted to which the minutes refer.

Pages 49 & 50 of the University Calendar for 1905-06 - Vol. I.

Corresponds to Existing [redacted] Bylaw 59.

29/12/15

Maybe approved

13-7-16

EDITION

72

73-00

64. Any member intending to protest against a resolution of the Senate shall give notice of his intention to the Registrar within forty-eight 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. The Syndicate shall thereupon cause the protest to be printed and circulated to each member 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. The three members receiving the largest number of votes including the casting vote or votes of the Vice-Chancellor if such be necessary, and who are willing to act shall frame the memorandum accordingly, 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.

Page 50 of the University Calendar for 1905-06 Vol I

Corresponds to existing Bylaw 64. The words underlined have been newly inserted.

PM
28/12/06

Hayle approved

13-206

73

740

II. CONVOCATION FOR CONFERRING DEGREES.

65. A convocation for the purpose of conferring degrees shall be held annually in the month of March, and at such other time as the Chancellor shall direct.

Page 50 of the University Calendar for 1905-06 - Vol. I

Existing Bylaw 61.

BM
29/12/15 Maybe approved
HSD
13/2/16

75-0

66. Candidates for degrees must, five clear days before the day fixed for convocation, inform the Registrar in writing of their intention to be present. No person shall be admitted to convocation who has not thus sent in his name to the Registrar.

Page 50 of the University Calendar for 1905-06 - Vol. I

Existing By-law 62.

29/10/15

Maybe approved

13 26

76-00

67. Any person who, having sent in his name to the Registrar as a candidate for a degree at convocation, fails to appear, shall, when he next applies for his degree, be charged a fee of rupees ten, unless he can furnish to the Syndicate a sufficient reason for his non-appearance.

Page 50 of the University Calendar for 1905-06 - Vol I

Existing Bylaw 63.

29/12/05

77-P

68. A candidate for a degree, who is not resident within the territorial limits of the University at the time, or who is precluded from appearing in public, may, with the permission of the Syndicate and on payment of a fee of rupees ten, be admitted *in absentia* to that degree at the annual convocation in March.

A new regulation. It will help (Hindu & Muhammadan Lady candidates) if any, and candidates outside the territorial limits but not the Ceylon Candidates. Should any exemption be rendered possible for these latter?

PJ
29/12/15

The usual cases of non-residence are those of medical students who have gone to Europe.

Exemptions should not be given to Ceylon Candidates - those from S. America, Hyderabad or any other distant place would set up a claim.

A.H. 7.1.16

Ces
27/1/16
PJ
13/2/16

Exactly
AH

May be approved

PJ
13-2-16

AH

78-0

69. The Chancellor, Vice-Chancellor and Fellows shall assemble in the Senate room at the appointed hour.

Page 51 of the University Calendar for 1905-06.
Vol. I

Page 23 Supra.

Existing Bylaw 64. Should not the words "the Ex-Officio & ordinary" be inserted before "Fellows"? Attention is solicited to proposed regulation 17 and the remarks there under.

The omission is intentional as explained to 17

AM 7-2-6

Please see note on page 24 a.

13/1/6

Lec.

Can Hon. Fellows take part or not?

Les 27/1/06

Vide Reg. 17

Vide also regulations 81 & 17.

I can see no objection to allowing Honorary Fellows the privilege of attendance, but they should be accorded specific seats apart from the rest

27/1/06

Let them manage their own business

The Syndicate should regulate matters like these

Ref. appd

70. The Registrar then shall read the reports of the examiners, unless it is agreed to take them as read. The reports shall be in the following form:

We, the examiners appointed by the Senate of the University of Madras to conduct the examination for the degree of....., do hereby certify that we have examined the persons whose names are hereinafter set down, and that we do adjudge them to be worthy of the degree of....., and do recommend them accordingly to be admitted to the same.

Witness our hands, etc.

Page 51 of the University Calendar for 1905-06 - Vol. I.

Corresponds to existing Bylaw 65.

Keyhea approved

29/12/15

13.2.06

80-0

71. The graces of the Senate on behalf of the candidates for admission to the several degrees will be supplicated in the following order:

Law—by the President of the Faculty of Law.
Medicine—by the President of the Faculty of Medicine.
Engineering—by the President of the Faculty of Engineering.
Arts—by the President of the Faculty of Arts.

Page 51 of the University Calendar for 1905-06. Vol. I.

Existing Bylaw 66.

29/12/15

I would add
"any other Faculty – By the President of that Faculty".
so as to provide for the possible case of Faculties which may be hereafter constituted

Not clear the ref – see note

80-0

81-0

72. The formula to be used for each grace shall, *mutatis mutandis*, be as follows:

.....Chancellor, I move that a grace of the Senate be passed that those persons whom the examiners have certified to be qualified for the degree of.....be admitted to that degree.

Page 51 of the University Calendar for 1905-1906 - Vol I.

Existing Bylaw 67.

29/11/5 Moved approved
13 2 05

73. Whereupon the Chancellor shall put the question "*Doth it please you that this grace be passed?*" and the Senate assenting, the Chancellor shall say "*This grace is passed.*"

Page 51 of the University Calendar for 1905-06 Vol I

Existing Bylaw 68.

29/12/15

Has been approved

83-20

74. When all the graces have been passed, the Chancellor, Vice-Chancellor, and Fellows shall proceed in procession to the hall in which the degrees are to be conferred.

Page 51 of the University Calendar for 1905-06 - Vol. I

Existing Bylaw 69. ~~Students to proceed to the hall before~~ "Fellows".

Maybe approved

29/12/5

13.2.06

75. The hall shall be so arranged that the Chancellor's chair may be somewhat in advance; the chairs assigned to the Vice-Chancellor and Fellows being placed in a half circle, so as to leave full space for the presentation of the candidates.

Page 51 & 52 of the University Calendar for 1905-06 - Vol I.

Existing Bylaw 70.

May be approved

PJ 29/12/15 when it be deemed desirable to specify special seats for Honorary Fellows

KRS 3 2 06.

app SJB

85-a

76. The candidates shall wear the gowns and hoods pertaining to their respective degrees, and shall be arranged opposite to the Chancellor.

Read

Page 52 of the University Calendar for 1905-06-Vol II.

Existing Bylaw 71

PH
29/12/15 Make approved

86-D

77. On the procession entering the hall, the candidates shall rise and remain standing until the Chancellor, Vice-Chancellor, and Fellows have taken their seats.

Page 52 of the University Calendar for 1905-06 - Vol. I

Existing Bylaw 72.

PH 29/12/15

87-P

78. The Chancellor, Vice-Chancellor, and Fellows having taken their places, the Chancellor shall say :

This convocation of the Senate of the University of Madras has been called to confer degrees upon the candidates who, in the examinations recently held for that purpose, have been certified to be worthy of the same. Let the candidates stand forward.

Read

Page 52 of the University Calendar for 1905-06 - Vol I

Existing Bylaw 73.

Pdf
25/10/15

May be approved
8/12
13/2/15

79. Then the candidates standing, the Chancellor shall put to them the following questions:

Question.—*Do you sincerely promise and declare that, if admitted to the degrees for which you are severally candidates, and for which you have been recommended, you will in your daily life and conversation conduct yourselves as becomes members of this University?*

Answer.—I do promise.

Question.—*Do you promise that to the utmost of your opportunity and ability you will support and promote the cause of morality and sound learning?*

Answer.—I do promise.

Question.—*Do you promise that you will, as far as in you lies, uphold and advance social order and the well-being of your fellowmen?*

Answer.—I do promise.

In the case of candidates for professional degrees, the following addition shall be made:

Question.—*Do you promise that you will faithfully and carefully fulfil the duties of the legal, medical, and engineering professions, that you will on all occasions maintain their purity and reputation, and that you will never deviate from the straight path of their honorable exercise by making your knowledge subservient to unworthy ends?*

Answer.—I do promise.

Pages 820-53 of the University Calendar for 1905-06 - Vol. I

Existing Bylaw 74.

Maybe approved



Page 53 of the University Calendar for 1905-06
Vol. I

90

89-0

80. Then the Chancellor shall say :
Let the candidates be now presented.

Existing Bylaw 75.

29/12/5

81. Then the candidates shall be presented to the Chancellor by the heads of their respective colleges, being members of the Senate or Honorary Fellows of the University, or by other members of the Senate or Honorary Fellows of the University, the candidates having first received their diplomas from the Registrar.

Page 53 of the University Calendar for 1905-06 - Vol. I

Page 13 of the Indian Universities Act.

Pages 23 & 78 Supra

Corresponds to existing Bylaw 76. The privilege of presenting candidates is however proposed to be confined to Honorary Fellows, but if the Act had contemplated their taking part in the Convocation it would have specially conferred this power as it does in section 13. Please see remarks under proposed regulations 17 & 69.

PJJ
29/11/15

I see no reason why they should not be invited to take part in the ceremonial. They cannot claim it as a right.

AGH 7-1-16

Please see note on page 24a.

I can see no legal objection

PJJ
13/1/16

There are at present 86 Honorary Fellows, but the number will be gradually reduced

HOJ
13/2/16

No objection at all

AGH

Calendar
Pp v to vii

82. When all the candidates for the same degree have been presented, the Chancellor shall say to the candidates, who shall remain standing :

By virtue of the authority vested in me as Chancellor of the University of Madras, I admit you to the degree of .....in this University, and in token thereof you have been presented with these diplomas, and I authorise you to wear the hood ordained, as the insignia of your degree

Page 53 of the University Calendar for 1905-06 - Vol. I.

Existing Bylaw 77.

13-2-15

83. When all the candidates have been presented, the Registrar shall lay the record of the degrees that have been conferred, before the Chancellor, who shall sign the same.

Page 53 of the University Calendar for 1905-06 - Vol I.

Corresponds to Existing Bylaw 78.

29/12/15

May be approved
13/2
13215

930

84. Then an address shall be made to the candidates by a member of the Senate, appointed by the Chancellor, exhorting them to conduct themselves suitably unto the position to which, by the degree conferred upon them, they have attained.

Page 53 of the University Calendar for 1905-06 - Vol. I

Existing Bylaw 79.

Repealed

29/12/15

B 20

940

85. The address being ended, the Chancellor, Vice-Chancellor, and Fellows shall rise up, and the Chancellor shall say :
I dissolve this convocation.

Page 53 of the University Calendar for 1905-1906. Vol I

Existing Bylaw 80

May be approved

PH
29/10/15

/3206

950

86. Then the Chancellor, Vice-Chancellor, and Fellows shall retire in procession to the Senate room, the graduates standing.

Page 53 of the University Calendar for 1905-06 - Vol. I

Existing Bylaw 81.

29/12/25

May be approved

10.2.26

98

G 6-8

Page 14 of the act

III. THE SYNDICATE.

87. The Syndicate under Section 15 of the Indian Universities Act, 1904, shall consist of the Vice-Chancellor as Chairman, the Director of Public Instruction and ten elected members.

This is the first of the Regulations submitted with the Registrar's letter in G.O. No 634 Edl dt 21st September 1905 but altered as suggested in Clause (1) of the G.O.

30/12/15

30/12/15

Maybe approved.

Section 15 (c) provides for not less than seven & not more than fifteen elected members.

30/12/15

99

9720

88. At least five of the elected members shall be Heads of, or Professors in, Colleges affiliated to the University.

This is the third of the regulations submitted with the Registrar's letter in Govt. No 634 Edl dtd 21st September 1905. No alteration was suggested here in by Govt.

30/12/15

30/12/15

Regns approved

13-2-06

89. As soon as conveniently may be after the passing of this regulation an election of ten members of the Syndicate shall be held in the manner hereinafter prescribed:—

The Registrar, under the direction of the Syndicate, shall publish a notice thereof in the *Fort St. George Gazette*, and shall, on or before the date of such publication, post to each member of the Senate a notice of the election. The notice shall draw attention to the requirement of the regulation that at least five of the members to be elected shall be Heads of, or Professors in, Colleges affiliated to the University.

The Syndicate as a body and each member of the Senate shall be at liberty to nominate any number of *ex-officio* or ordinary Fellows, not exceeding ten, for election.

Every nomination shall be in writing and must reach the Registrar not later than eight days after the publication of the notice in the Gazette.

The Registrar shall post to each member of the Senate a list of the nominees, with the names of their respective nominators, together with a voting paper which shall bear on it the date of posting.

Every member of the Senate shall be at liberty to vote for any number of the nominees not exceeding ten.

Any paper in which the number voted for exceeds ten shall be treated as invalid.

The voting paper when filled up shall be returned to the Registrar in such manner as the Syndicate may direct with a view to secure the secrecy of the ballot and so as to reach the Registrar not later than ten days after the date of posting by him.

A Committee of two members of the Senate shall be appointed by the Vice-Chancellor for the scrutiny of the voting papers at a time and place to be fixed by him, and the Registrar shall post to each member of the Senate a notice thereof eight days before the date fixed for the scrutiny.

Every member of the Senate shall be at liberty to be present at the scrutiny.

The result of the scrutiny shall be certified to the Syndicate.

If any two or more nominees receive an equal number of votes the Vice-Chancellor shall have a second or casting vote in regard to each of such nominees.

The Registrar, under the direction of the Syndicate, shall post to every member of the Senate a notice stating the names of the ten nominees who have received the largest number of votes.

Should any six members of the Senate within eight days of the posting of the notice lodge with the Registrar an objection that the list of the ten nominees does not include five Heads of, or Professors in, Colleges affiliated to the University, a special meeting of the Senate shall be called to decide how far the objection is valid and which, if any, of the ten nominees is or are in consequence not eligible for election.

If the objection be allowed the Senate shall forthwith proceed to fill up the vacancy or vacancies by selecting one or more of the nominees as may be necessary in the order of the number of votes recorded for him or them who in the opinion of the majority of the Senate then voting may be qualified as a Head of, or Professor in, a College affiliated to the University.

If no objection be taken in the manner above provided, or if the objection taken be disallowed, the ten nominees who have received the largest number of votes shall be elected.

If an objection be allowed, the nominees against whom no objection has been allowed and the nominee or nominees selected by the Senate, as provided above, shall be elected.

If any question arise as to the procedure to be adopted in order to give effect to this regulation it shall be determined by the Vice-Chancellor.

The result of the election shall be announced in the *Fort St. George Gazette* and the election shall take effect from the date of announcement.

99-B

The regulations for the election of the Syndicate as originally submitted with the Registrar's letter in G.O. no 634 Edl dd 21st September 1905 did not provide for a first election. The omission has now been supplied by this regulation.

It may perhaps be better to insert at the commencement of the fifth paragraph the words "On the 9th day after the publication of the notice in the Gazette or as soon after as possible."

I see no special object in the addition

The words "by him" at the end of the eighth paragraph do not seem to be very clear. Is it necessary to substitute the words "on which such voting papers had been posted by him." for the words "of posting by him". Ten days may perhaps be a little too short a period.

It will be noticed that this proposed regulation and subsequent regulation 93 do away with Faculty representation on the Syndicate. Col: Love considers that this is illegal. Please see his D.O. of the 16th October last and the extract from his speech forwarded therewith. It does not appear however that Col: Love is right in his conclusions. Section 15, subsection (1), Clause (c), of the Indian Universities Act, 1904, says that the Syndicate shall consist of"..... not less than seven or

Page 108 infra

Page 14 of the act

100-0

" more than fifteen ex officio or Ordinary
" Fellows elected by the Senate or by the
" Faculties in such manner as may be
" provided by the regulations"...." Under
section 25, sub-section (2), Clause (b), the
regulations framed by the Senate" may
" provide for ..... the proportion in which
" the members, other than the ex officio
" members, of the Syndicate shall be elected
" to represent the various Faculties...."

Page 20 of the act.

Page 14 of the act.

Under section 15 then the ordinary members of the Syndicate may be elected by the Senate or by the Faculties & the election shall be in the manner provided by the regulations. If then the regulations provide only for election by the Senate there seems to be nothing illegal in the thing & the regulations may or may not provide for election by Faculties. Col: Love's contention does not then appear to be correct.

PJ
30/12/15

They are clearer.
Cus
I see no need for them
PJ

I see no objection to the verbal alterations proposed but doubt whether they are necessary.

As to Col. Love's contention the Vice Chancellor and I

Regd
VCA

101-0

Vide Madras mail of the 6th September 1905. There was apparently no speech ~~about~~ from Dr. Prince at the Special meeting of the Senate on the 14th October 1905.

K.

(Re - page 17.

Think all the lawyers hold that there is nothing illegal in giving up faculty representation. Government has already approved or at any rate no objection has been taken when the Syndicate regulations were submitted before - I presume that I need not therefore defend the present regulations now. I gave my reasons at some length at the Senate meeting.

It seems a curious procedure and a bad precedent that an officer of the Department should semi-officially - i.e. as an officer of the Department, address Government direct. Col. Love as a fellow should I think have addressed the Vice Chancellor

~~Dear~~

This regulation &c. was drafted & accepted at the instance of the Vice Chancellor.

AM 7.1.6

Read
VB

102.0

Sec.

I submit the Col. Law is wrong in his contention. There is nothing Obligatory in S. 25, & S 15(c) gives an alternative. There would therefore seem to be nothing illegal in adopting one method to the exclusion of the other. Col. Law's fear that his College will not be represented is perhaps exaggerated.

Cas
30/1/26

I agree: the regulation as amended into the verbal alterations proposed in the office note

HDS
/2.2.26

I am quite averse from making verbal alterations in the Regulations to conform the new drafting. The Reffs are made by the Senate & [illegible] appear: of course we can do as we like. We prepared

1032

alteration in para. 5 makes no essential differ
the position is only a
servant.
And the slight alteration
in para. 8 is not
necessary: the phrasing
of the para. is perhaps
rough, but what does
it matter.
If we are to correct
then English it might
be endless e.g. "with
a view to" in the same
para. Let it stand

[signature]

29-32

105

90. Any elected member who has held office continuously for two years shall vacate his seat but shall be eligible for re-election in the manner hereinafter provided.

This is the fourth of the Regulations submitted with the Registrar's letter in ref. No 634 RDL dd 21st September 1905. No alteration was suggested here in by Govt.

30/12/05

30/1/06

May be approved

KL

B-20

106

105-0

91. Any elected member who intends or expects to be absent from the meetings of the Syndicate for more than three consecutive months shall for that reason be under obligation to resign his seat.

This ~~is~~ the fifth of the regulations submitted with the Registrar's letter in G.P. No 634 Ed dd 21st September 1905 as proposed by Govt. to be altered.

Pty
30/12/05

Clerk
30/12/05

may be approved

HSD
13/2/06

106-D

92. Any elected member who has been absent from three consecutive meetings may be declared by the Syndicate to have vacated his seat but he shall be eligible for re-election.

This ~~is~~ the ninth after regulations submitted with the Registrar's letter no 634 dtd 21st September 1905. No alteration was suggested herein by Govt.
30/12/15

Ces
30/12/15

Hay be approved

13-2-16

108

107-0

93. Whenever a vacancy occurs among the elected members, the Registrar under the direction of the Syndicate shall publish a notice thereof in the *Fort St. George Gazette* and shall on or before the date of such publication post to each member of the Senate a notice of the vacancy.

The Syndicate as a body and each member of the Senate shall be at liberty to nominate a member of the Senate to fill the vacancy.

Every nomination shall be in writing and must reach the Registrar not later than ten days after the publication of the notice in the Gazette.

The Registrar shall post a list of the nominations to each member of the Senate together with a voting paper which shall bear on it the date of posting. The voting paper when filled up shall be returned to the Registrar in such manner as the Syndicate may direct with a view to secure the secrecy of the ballot and so as to reach the Registrar not later than ten days after the date of posting by him. A Committee of two members of the Senate shall be appointed by the Vice-Chancellor for the scrutiny of the voting papers at a time and place to be fixed by him, and the Registrar shall post to each member of the Senate a notice thereof, ten days before the date fixed for the scrutiny. Every member of the Senate shall be at liberty to be present at the scrutiny. The nominee who receives the largest number of votes shall be elected. If any two or more nominees receive an equal number of votes the Vice-Chancellor shall in each such case, where necessary, have a second or casting vote. The result of the election shall be announced in the *Fort St. George Gazette*.

If three then majority

This is the seventh of the regulations submitted with the Registrar's letter in G.O. No 634 dt 21st September 1905. The time allowed for the nominations to reach the Registrar has been raised from eight to ten days. The regulation seems deficient in two respects—
(1) It does not provide for the invalidation of voting papers containing more than one nomination—
(2) It does not provide for the filling up of more than one vacancy at a time.

In other respects please see the remarks under regulation 89.

Page 100 Supra

PJ
30/12/05

P.T.O.

10820

I would kindly read the regulation as it stands to entitling fellow to vote for more than one member on the same slip. If there is more than one vacancy, the vacancies should all be filled up on a single voting paper - or the same fellow might be nominated by different fellows in different vacancies - and a candidate obtaining 40 votes out of a maximum of 70 votes might not be elected at all, if they were split up, 20 in each vacancy.

But in case of dispute as to validity or invalidity of a vote, if the instructions are not complied with, who is to decide? This must be provided for.

H.B.J.

I have carefully considered this & I see no sufficient reason to alter the language without producing complications in the drafting.

If there is more than one vacancy at the time the instructions with the notice issued must & will make it clear

S.T. 24/2

With regard to the non-provision for filling up more than one vacancy at a time it has been held that the singular included the plural - To word the regulation otherwise was found to lead to several Complications.

As to the remark in the note that the regulation "does not provide for the invalidation of voting papers containing more than one nomination" directions on the voting paper will guide the voter and the Scrutiny provides a check I doubt whether alteration is necessary - ~~Corresponding~~ ~~have been made in the~~ ~~regulations~~ The language of regulations 121. 122 & 123 might be adapted if it is Considered necessary.

H.T.M. 7.2.6

Sec.

I think it would be better to make the matter more explicit.

Cles 30/1/06

H.B.J. 1.2.06

109-0

94. Should it appear to the Syndicate to be necessary in accordance with Regulation 88 that any vacancy should be filled by a Head of, or a Professor in, a College affiliated to the University, the Registrar shall draw attention to the matter in the notices of the vacancy and should any six members of the Senate within ten days of the announcement of the result of such election raise the question as to whether the person elected is eligible as aforesaid the Registrar shall post to each member of the Senate resident at the time within the territorial limits of the University a notice of the objection and a voting paper to enable him to vote on the question raised. The voting paper shall bear on it the date of posting and when filled up shall be returned so as to reach the Registrar not later than ten days after the date of posting by him. The result of such voting shall be scrutinized and declared by a committee of two members of the Senate appointed for the purpose by the Vice-Chancellor. In the event of the question being determined in the negative by a majority of the votes received or in case of equality of votes by the casting vote of the Vice-Chancellor, a fresh election from among the other nominees shall take place in a manner similar to that of the original election.

F

F

E

This is the eighth of the regulations submitted with the Registrar's letter in Fo. No 634 EDL dd 21st September 1905 ~~partially~~ modified with reference to F. No 634 EDL dd/21st September 1905 & No 733 EDL dd 11th November 1905.

No 87 Page 100 Supra

No 87

No 87

Should the words "of posting by him" be altered as suggested in the note under ~~sub~~ Regulation 89. & should the ~~period~~ time allowed for the return of the voting papers be raised?

PH
30/12/05

here & elsewhere

I think the time is long enough - These various intervals were made as short as possible to minimize wire-pulling

Yes 87

AHS
18.2.06

110-D

95. The elected members of the Syndicate shall vacate their seats in a body when by a two-thirds majority of those present and voting the following motion has been carried in an extraordinary meeting of the Senate—"That the Syndicate no longer possesses the confidence of the Senate." In this event the election of a new Syndicate shall take place according to the procedure laid down in Regulation 89.

Syndicate continuous?
The Syndicate to take office at once?

this is a new regulation.

PH
30/12/05

I did not propose this but thought it politic to accept it.

HRH 1.1.6

Lee,
There seems little harm in it.

CAS
30/12/06

It might be used to work great harm in stirring up endless discussions on votes of confidence. The less civil is to leave the Syndicate to its natural demise?

SJT

I would accept it, but modify the majority with three-fourths.

WSJ
13.2.06

Termination of Syndicate

I think it is a dangerous provision as it stands. Has any similar provision been adopted elsewhere? I'd like to speak to Dr. Bourne about this?

S.J.T 2/2/06

1140

96. It shall be the duty of the Syndicate:—

i. to administer the property of the University on behalf of, and subject to the control of, the Senate:

ii. to keep the accounts of the University and to submit them to such inspection and audit as the Government may direct:

iii. to correspond on the business of the University with the Government and with all other authorities and persons:

iv. to appoint examiners, and to cancel any such appointment, and to define their duties and powers and to fix their remuneration:

v. to notify and make arrangements in accordance with the regulations of the University for the election of Ordinary Fellows by the Faculties or by registered graduates, and for the election of the Syndicate:

vi. to recommend to the Senate the assignment to a Faculty of any *ex-officio* Fellow or of any ordinary Fellow recently elected or nominated:

vii. to make due provision for examinations being conducted in accordance with the regulations of the University, and for the supervision of such examinations, and to fix the remuneration of superintendents:

Page 56 of the University Calendar for 1905-06-Vol I

Based on existing Bylaw 99.

PH
30/12/15 Agree approve

AM

6205

97. The Syndicate shall have power :—

i. to appoint, suspend, punish, or dismiss any servant of the University :

ii. to appoint Fellows and others to be members of Boards of Studies and to appoint the Chairman of each Board.

iii. 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 :

iv. to recommend to the Senate that any person shall be admitted as a candidate to any University examination without the certificate or certificates required by the regulations for admission to that examination :

v. to dispense with a strict compliance with the regulations of the University in so far as relates to the time, place, and manner of examinations, or to the time and manner of conducting any election : provided that any resolution of the Syndicate passed in reference to such departure from recognized procedure shall be reported to the Senate at its next meeting, together with a full statement of the special grounds upon which the Syndicate acted :

vi. to refer any matter to a Faculty or Board of Studies for consideration and to call upon the Faculty or Board for a report thereon :

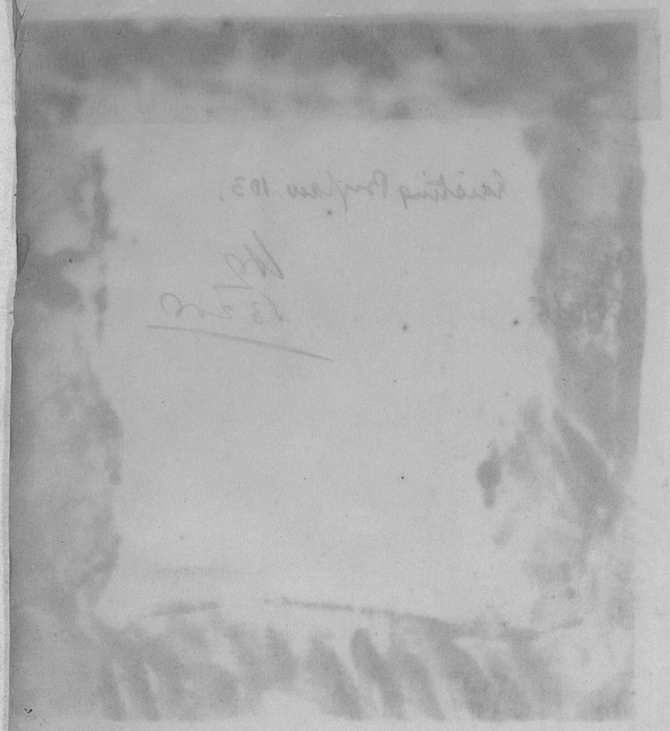
vii. to draft such regulations as may, from time to time, be necessary, and to submit them to the Senate for approval :

viii. to make its own standing orders and, subject to the regulations of the University, to regulate the disposal of its own business.

Page 55 of the University calendar for 1925-26-Vol I

Corresponds to existing Bylaws 101, 102 & 104.

30/12/25 Agreed as proposed



113-0

98. Any Faculty or member of the Senate shall be at liberty to submit any question to the Syndicate for its consideration and subsequently to bring before the Senate the decision of the Syndicate thereon, with a view to its modification or annulment.

Existing Bye-law 103.

Page 56 of the University calendar for 1905-06. Vol I.

30/12/15

B 200

1148

99. The Syndicate shall prepare annually a report on its work and shall submit the same to the Senate at its meeting in the month of October.

A new regulation but as there is at present an annual report it simply ~~provides~~ supplies an omission.

30/12/15

No quorum has been fixed for a meeting of the Syndicate.

30/12/15

A quorum deemed desirable business may be very urgent and the members present must decide what responsibility they can accept

KM 7.1.16

Sec.

What the D.P.T. says is true enough, but some of the members might be inclined to accept more responsibility than might be desirable. I would fix at least a small quorum.

Ces
3/1/16

I would like to speak to Dr Browne about this, too

I would suggest a quorum of three

HS 13/1/16

115-0

IV. FACULTIES.

100. The Senate shall be divided into four Faculties, namely Arts, Law, Medicine, Engineering.

Page 53 of the University Calendar for 1905-06 - Vol. I

Part of existing Bylaw 82. At present also there are only four Faculties.

Pby 30/12/08

The only point for consideration is whether a Faculty of Science should be constituted. The Senate can do this at any time, should it consider this course desirable, and the present regulation may be accepted.

HSJ
13.2.08

We must legislate for things as they stand. When a New Faculty is instituted several modifications will doubtless be necessary. It probably will best be introduced by an omnibus Reft. applying the ~~rules~~ body of Regts. (with such exceptions as may be called for) to the new Faculty.

S.T. Fd/c

116-0

101. The Faculties shall have precedence among themselves in the order named in the foregoing regulation.

A new regulation.

PJ
3/11/15 I would add.

'Any Faculty that may be hereby created will ~~take~~ have precedence next after the Faculties named in regulation 100 in the order of time in which they may be constituted'

WT
13/2/15

We can't legislate for the unknown. A faculty eg. of Divinity wd. naturally take precedence of Science and all the others

WT 21/2/15

117-P

102. Every *ex-officio* and ordinary Fellow shall be assigned by order of the Senate to one or other of the Faculties at the meeting of the Senate next after his becoming a Fellow.

Page 54 of the University Calendar for 1905-06. Vol. I

Page 53 —do—

Corresponds to Existing Bylaw 83.

It is noticeable however that under the proposed regulation a Fellow can be assigned to only one Faculty at a time whereas under existing Bylaw 82 he ~~shall belong to one~~ ~~Fac~~ can be assigned to more than one Faculty. The proposed regulation may be accepted.

30/8/26

The arrangement prevents the Faculty of Art being swamped by lawyers - all Faculty business comes finally to the Senate

Agd. 1.6.

May be accepted

1/9
18/26

1185

103. Each Faculty shall elect one of its members to be President of the Faculty. Within one month after the occurrence of a vacancy in the office of President of a Faculty, the Registrar shall send to each member of the Faculty an intimation of the vacancy and also a voting paper. The voting paper shall be returned by the member so as to reach the Registrar not later than the fourteenth day after the date of posting the intimation. Two Fellows, appointed for the purpose by the Vice-Chancellor shall scrutinize and count the votes, and communicate the result of their scrutiny and count to the Vice-Chancellor. The Vice-Chancellor shall thereupon declare the member who has the highest number of votes to be the President. In the event of an equality of votes the Vice-Chancellor shall have a casting vote. The Registrar shall communicate the result of the election to the members of the Faculty.

Page 54 of the University Calendar for 1905-06. Vol I

Corresponds to existing Bylaws 84-85. Under ~~the~~ of these Bylaws however ~~the~~ a Faculty elects its President at the annual meeting in August and thereafter within a month of the vacancy. If it fails the Vice. Chancellor makes the appointment. This power is now proposed to take away from the Vice. Chancellor. The proposed regulation may be accepted.

30/12/15

Under the old bylaws the election had to take place at a meeting - under the proposed arrangement it seems unnecessary to provide for the contingency of non-election

AM 7.1.16

2/2/16

104. The President of a Faculty shall, if he remain qualified to do so, hold office for three years, on the expiry of which he shall vacate office but shall be eligible for re-election.

a new regulation: seems unobjectionable.

By 31/12/15

12/206

1200

105. During the temporary absence of the President of a Faculty, or in the interval between the vacating of office by a President and the election of his successor, the Vice-Chancellor shall nominate a member of the Faculty who shall for the time being and so far as may be necessary act as President of the Faculty.

T a new regulation. seems unobjectionable.

Pt
30/12/15

121-D

106. A Faculty shall have power

i. to consider and report on any matter referred to it by the Senate or Syndicate :

ii. to draft regulations in regard to courses of study and examinations prescribed by the University and to lay such regulations before the Syndicate in order that they may be brought before the Senate :

iii. to remit any matter to a Board of Studies comprised within the Faculty for consideration and report :

iv. to consider any report or recommendation of any Board of Studies :

v. to appoint a committee of the Faculty for any purpose within the cognizance or powers of the Faculty :

vi. to hold meetings of the Faculty or a committee of the Faculty along with any other Faculty or a committee thereof, for the discussion of any matter of common interest.

a new regulation - seems unobjectionable

30/12/15

13.12.15

122-D

107. Meetings of a Faculty shall be convened by the President of the Faculty at such times as may be necessary or on the written request of any three members of the Faculty.

Page 54 of the University Calendar for 1905-06. Vol I

Corresponds to a part of the existing Bylaw 84. Reference confined on three members to send in a requisition for a meeting is new.

30/12/05

Each Faculty will consist of about 18 Fellows. of these are equally divided. Three seem rather a low number. I would place it at five, one-third of the Members

LD
13.2.06.

I am inclined to agree but I would like to speak to Browne

SJ 21/2/06

Art 30 Law Med 5 & 6 Sc 9 Dal 5

A no with reference to the no. in faculty but desirable that the 2nd meeting of the Governors be not held [illegible]

123-8

108. Any member of a Faculty may bring before any meeting of the Faculty any matter within its cognizance by giving notice to the President, who shall, subject to the provisions of regulation 106, instruct the Registrar to include such matter in the agenda paper of the next meeting of the Faculty.

A new regulation, ~~it~~ seems unobjectionable.

PH
30/11/15

HD
13/2/16

4

124-05

109. The President of a Faculty shall, not less than fifteen days previous to a meeting of the Faculty, cause a notice to be issued to each member of the Faculty stating the time and place of the meeting, and, shewing all the business to be brought before the meeting." No matter of business which is not entered on the agenda paper of a meeting of a Faculty shall be considered at the meeting: provided that the President may, for reasons of urgency bring any matter before any meeting without notice being given in the agenda paper: and provided that any member may, with the permission of a majority of the members present at a meeting, bring any matter before that meeting without notice.

Page 54 of the University Calendar for 1905-06 - Vol. I

Amplification existing Bylaw 86.
The time for the notice has been extended from 3 to 15 days.

Maybe approved
13 20

30/12/05

110. Subject to the foregoing regulations the procedure at meetings of Faculties shall be in general accordance with the regulations in regard to the procedure at meetings of the Senate. With regard to any point of order or matter of procedure the decision of the Chairman shall be final.

A new regulation - a useful one.

PH 30/12/15

KDT 13 20/6

SHP

126-0

111. The President of a Faculty shall preside at all meetings of the Faculty, but in his absence, the members present shall elect a Chairman from among themselves.

Page 54 of the University Calendar for 1905-06 - VA. I

Corresponds to Existing Bylaw 87.

30/12/15

13.2.06

127-0

112. The quorum for a meeting of a Faculty shall be one-third of the members of the Faculty.

Page 54 of the University Calendar for 1905-06-Vol I.

Corresponds to existing Bylaw 88. but the quorum has been altered from 7 in the case of the Faculty of Arts & 3 in that of each of the other Faculties to one-third of the members in each case. This seems better.

30/12/05

3-2-06

128-0

113. When a Faculty remits any matter to a Board or Boards of Studies, it may empower the Board or Boards to communicate its or their report or decision directly to the Syndicate.

a new regulation.

30/10/15 Order approved

WD
2/11/15

129-D

114. The President of a Faculty may, in his discretion, remit any matter referred to the Faculty by the Senate or the Syndicate to a Board or Boards of Studies without laying it before a meeting of the Faculty, and may transmit the report or decision of the Board or Boards to the Senate or Syndicate without laying it before a meeting of the Faculty.

as the case may be?
SR

the!

This is a new regulation. It facilitates work but seems to be of doubtful ~~validity~~ advisability. When a Question is referred to a Faculty it should apparently be returned with the opinion of the Faculty which may or may not coincide with that of the Board of Studies concerned.

But it is to "business" Date time when it can be fixed
SR
30/12/15

I think it is all right. The President of a Faculty holds a responsible position - and should use his discretion as to calling a meeting of the Faculty which as travelling expenses are [illegible] may be a great expense to the University. The Senate or Syndicate can always insist upon the opinion of the Faculty

AGH 7.1.16

1930

2d only arguments in favour of Dr Bourne's view seem to me to be the possible expense & cases of a very urgent nature. With a President who chooses down things himself, the Faculty ~~would~~ never have a say in any matter unless the Senate Syndicate insists on it. As to expense, it is at least probable that a quorum of each Faculty will be formed in Madras. I would allow the President himself to dispose of urgent matters, but in this case I would have him give his reasons for so doing.

Chs
Wdl

It is difficult to draw the line between urgent and other business. I would let the rule stand but require the President to report his action to the next meeting of the Faculty for confirmation

CW
13/5

1340

I do not see how Sen. can raise any objection to a time saving regulation of this sort which the Senate themselves have adopted. I see no harm in it

S.T. 4/2

115. The Syndicate may refer back to a Faculty, for reconsideration, any resolution passed by the Faculty : otherwise, where the nature of the resolution calls for it, the Syndicate shall lay the resolution before the Senate at its next meeting.

A new regulation.

May be approved

30/12/5

13.2.06

Rec'd
RED

133-D

116. The Proceedings at each meeting of a Faculty shall be communicated by the Registrar to the Syndicate.

Page 54 of the University Calendar for 1905-06-Vol I.

Existing Bylaw 89 provides for the maintenance of the minutes of Proceedings of the meetings of Faculties. The proposed regulation provides for their communication to the Syndicate. This seems better.

PJB
30/12/05

HO
13 2 06

Regd
135

134-0

Page 6 of the Act

(Terrible bad drafting per English)

V. ELECTION OF ORDINARY FELLOWS BY FACULTIES.

117. Subject to the provision of section 6 (4) of the Indian Universities' Act, 1904, and to any directions of the Chancellor in accordance with section 9 (2) of the said Act, the Faculties of Arts, Law, Medicine and Engineering shall be entitled to elect four, two, two and two persons respectively as Fellows of the University.

This is a new regulation. Under section 6, sub-section (1), clause (b), of the Act the total number of Ordinary Fellows whom the Faculties are entitled to elect is 10.

DH
30/12/15

The outcome of much discussion - but I think satisfactory

AH 7.1.16

CBS
7/1/16

Maybe approved

AH
8/1/16

Is there not a legal opinion of the A.G. Bengal becoming on this point

D.P.I. tells me the Chancellor sent an opinion - about a fortnight ago.

136

135-D

Page 9 of the Act.

118. In the event of vacancies among Fellows elected under section 12 (*c*) of the Indian Universities Act, 1904, the first two shall be filled up by the Faculty of Medicine, the next two by the Faculty of Engineering, the next four by the Faculty of Arts and the last two by the Faculty of Law.

A new regulation. ~~xxxxxxxxxx~~

30/12/15

* Temporary regulation based upon a consideration of impending needs.

137

136-0

119. If in any year any vacancy occur among the Fellows elected by Faculties, the Syndicate shall cause a notification of the fact to be published in the *Fort Saint George Gazette*, and shall, at the same time, announce the day appointed by the Chancellor for the election, the hour up to which votes may be received, and, in the event of there being more than one, the number of such vacancies in each Faculty. The date of the notification shall be not less than fourteen days previous to the date so appointed.

A new regulation ~~as regards~~. Fourteen days' notice may perhaps be insufficient.
PJ
30/12/15

insufficient. Minimize
wire-pulling. PJ 7.1.16

13-2-16

137-A

Page 137 supra

Page 8 of the act.

120. The Registrar shall, not later than the date of the publication of the notification made in accordance with regulation 119 forward to each member of each Faculty which is required to elect a Fellow or Fellows a voting paper, together with a notice stating the number of vacancies and the date of the election. Should it be necessary to secure that the vacancy (or one or more of them if there be more vacancies than one) be filled by a person following the profession of education, or should the Chancellor have given any directions in accordance with section 9 (2) of the Indian Universities Act, 1904, the notice shall draw attention to the fact.

A new regulation. [redacted].

PH
30/11/15

Registrar
30/11/15

1380

121. The number of persons for whom each member of a Faculty may vote may be less but shall not be more than the number of vacancies notified in the Faculty and any voting paper which contains votes for any number of persons in excess of the number of vacancies shall be treated as invalid.

a new regulation ~~[illegible]~~
Reply awaited
PH
30/12/5
1387
3.206

139-0

122. The Syndicate shall appoint two members of the Senate to co-operate with the Registrar in the supervision of the election.

A new regulation - ~~no comments~~.

RH
20/10/15

Maybe approved

13 208

140-0

457 1902

Page 140 Supra
Page 139 —do—

123. The voting papers when filled up shall be returned to the Registrar in such manner as the Syndicate may direct with a view to secure the secrecy of the ballot and so as to reach the Registar not later than the time announced. The two members of the Senate appointed in accordance with regulation 122 shall scrutinize the voting papers, rejecting those which do not fulfil the condition laid down in regulation 121 and shall count the votes recorded. Every member of the Senate shall be at liberty to be present at the scrutiny. If any two or more persons receive an equal number of votes the President of the Faculty in each case where necessary shall have a second or casting vote. The result of the election shall be communicated to the Syndicate for submission to the Chancellor.

A new regulation. ~~to be made & kept~~

PJ 30/12/15 There is no provision for gazetting the names of the elected Fellows.

Is it not for the Chancellor to direct how his approval shall be notified just as it is for him to decide how his nominations shall be announced? The University cannot order publication in the Gazette.

Acting Sd. Cas 21/1/16

HRH 7.1.16

Yes | May be approved

21/1

HG 13/1/16

141-D

VI. REGISTRATION OF GRADUATES.

124. The Syndicate shall maintain a register on which any graduate who has

(*a*) taken the degree of Master or Doctor in any Faculty, or

(*b*) graduated in any Faculty not less than ten years before registration,

shall be entitled to have his name entered and retained, subject to the regulations following.

Pages 6 & 7 of the Act.

Why! Necessate consider them necessary Even if they do prevail?

The greater portion of this regulation is a mere repetition of the first part of subsection (2) of section 7 of the Indian Universities Act 1904. The regulation may perhaps be omitted altogether.

PH
30/12/15

Note to 124–130. Purely regulations in regard to the register have been before Government already - I remember noting upon the matter but the papers do not seem to be in the file.

The Act is by no means clear in regard to certain point and an attempt has been made to set forth the whole matter as clearly as possible at the risk even of repeating the act.

—

Please see ff. No 332 ante dt 14th May 1905.

PH
13/1/16

Mr Raymond
13.1.16

Page 142 Supra

do

Pages 687 of the Act

do

125. Any graduate satisfying the conditions of regulation 124, who wishes to have his name entered on the register shall fill up a form of application, obtainable from the Registrar, and shall forward the same to the Registrar along with the initial fee of rupees five and either the first annual fee of two rupees or a composition fee of rupees ten. The Syndicate shall thereupon cause his name to be entered on the Register if he be qualified to have his name so entered: provided that his application form and fees have been received by the Registrar on or before the ninth day of September 1907 or not more than one year from the date on which he becomes entitled to registration under regulation 124, whichever is the later date. The date on which a graduate has taken a degree or graduated in any Faculty shall be the date on which the degree was conferred upon him in Convocation.

All that is required is a regulation supplementing Subsection (2) of Section 7 of the Act. The regulation may therefore run somewhat as follows:—

" The initial fee payable by graduates for
" registration under Section 7, Subsection (2), of
" the Indian Universities Act, 1904, shall be
" Rs 5, and the annual fee payable under
(and the composition fee payable under the proviso to Subsection (3) then Rs 10
" Subsection (3) shall be Rs 2. Any Graduate
" who is entitled and who wishes .....
" along with the initial fee and either the first
" annual fee or the composition fee. The Syndicate
" shall thereupon ..... entitled to
" registration under Section 7, Subsection (2), whichever
" is the later date .. - - - - on Convocation".

The initial fee appears to be simply for the entry of the name. For retention even for a day after entry the annual or composition fee should apparently be paid.

The 9th of September 1907 is the Commencement of the 4th year from date of introduction of Act. Go. no 593 EH dt 26th Sept 1907 p 4.

Read

Old graduates can register themselves within three years of the Commencement of the act, section 7, subsection (2).

Pages 637 of the act

PJ
4/5/05

I see no objection to the regulation as drawn

HH
13/5/05

Noted

PJ

Read

146 P

126. Any graduate who is entitled to registration under regulation 124, but who fails to apply for the same before the expiry of the period specified in regulation 125, shall, in order that his name may be entered upon the Register, pay, in addition to the fees prescribed in regulation 125, all arrears of annual fees reckoned from the 9th September 1907 or from the expiry of one year after the date on which he became entitled to registration under regulation 124, whichever be the later date.

Page 142 Supra
Page 143 — do
do
Page 142 — do —

Pages 142 & 143 Supra.

Page 142 Supra

Page 143 Supra.

If the suggestions in respect of regulations 124 & 125 is approved a few verbal alterations will be necessary here. The references to regulation 124 should be changed into section 7, subsection (1), and the number of section 125 altered into 124

P.H.
3/1/25

It may be said

Read

147

145-D

Pages 143 & 146 supra

127. Any graduate whose name has been entered on the Register under regulation 125 or 126, and who has paid the composition fee of rupees ten, shall not be liable for any further payments in order that his name may be retained on the Register for life.

Page 7 of the Act.

This follows from the proviso to subsection (3), section 7 of the Act. When once the composition fee is fixed it seems unnecessary to say that no further fee will be payable.

Pkj
30/12/25

The Senate thinks it necessary. Such verbal criticisms waste time

SPJ

No harm in saying so.

16/
13 2 26

146.0

Pages 143 & 146 Supra

128. Any graduate whose name has been entered on the Register under regulation 125 or 126, but who has not paid the composition fee of rupees ten, shall have his name retained on the Register until the 1st September following the date of registration. Subsequent retention of his name shall depend on the payment of two rupees on or before the 1st September following the date of registration and in each succeeding year the payment of two rupees on or before 1st September in each year. Should any such registered graduate fail to pay the annual fee on or before the prescribed date, his name shall be removed from the Register, but it may be re-entered thereon on payment of all arrears of annual fees.

[redacted]

Pl
31/12/15

May be approved

142-0

129. Any graduate, at any time while his name is on the Register, shall become entitled to the retention of his name on the Register for life by the payment to the Registrar of a composition fee of rupees ten.

Page 7 of the act.

This again is a repetition of the proviso to subsection (2), section 7 of the Act & seems unnecessary.

PH
30/12/15 No Law is repealing this for sake of clearness.

HM
13.2.16

appd
8/2

1480

Page 142 Supra.

130. The Registrar shall send to each graduate qualified under clause (*a*) or clause (*b*) of regulation 124, as soon as convenient after he qualifies himself, a copy of the regulations relating to the registration of graduates.

do

Page 687 of the act.

The reference to regulation 124 may be altered into Section 7, subsection (2) of the act.

PH
20/11/15

Sec.

I see no need to regulate as in 124—130. There seems nothing very uncertain in S.7 of the Act. All that is needed is a regulation fixing the amounts under S.7 (2), (3) & the date on which the amounts become due, & a means of letting graduates know what they have to do & be registered. In that case instead of the present 7 regulations only one or at most two would be necessary.

Chl
21/11/15.

These regulations are more or less surplusage, as they deal with matters specifically provided

for in the Act. But there is no harm in leaving them in. Graduate may have copies of the Regulations, but not of the Act for reference. I would not object.

W
B.O.

It is not for us to reject such regulations the we might have wished otherwise. The Regs are there & the Senate

[illegible]

Read

150-0

VII. ELECTION OF ORDINARY FELLOWS BY REGISTERED GRADUATES.

131. If in any year any vacancy occur among the Fellows elected by registered graduates, the Syndicate shall cause a notification of the fact to be published in the *Fort Saint George Gazette*, and shall, at the same time, announce the day appointed by the Chancellor for the election, the hours between which votes may be recorded, and, in the event of there being more than one, the number of such vacancies. The date of the notification shall be not less than fourteen days previous to the date so appointed.

Page 137 supra

Follows regulation 119 – election by Faculties. Fourteen days' notice may perhaps be insufficient.

PJ
31/12/15

I think it ought to be enough AEJ 7.1.16

Ch
4/1/16.

Yes
GTW

Read

157-0

132. The Syndicate shall appoint two members of the Senate to co-operate with the Registrar in the supervision of the election.

Page 140 Supra

Please see regulation 122 Supra.

PR
31/12/15

1520

Red

Page 151 supra

133. The Registrar shall, not later than the date of the publication of the notification made in accordance with regulation 131, forward to each registered graduate a voting paper, together with a notice stating the number of vacancies and the date of the election.

Page 138 — do —

Please see regulation 120 supra.

31/12/15

132
320

153 D

Read

Page 151 supra.

134. The only persons eligible for election are graduates whose names are on the register at the date of the notification published in accordance with regulation 131. The number of persons for whom each registered graduate may vote may be less but shall not be more than the number of vacancies notified and any voting paper which contains votes for a number of persons in excess of the number of such vacancies shall be treated as invalid.

E

Page 7 of the act.

The first sentence is a repetition of Section 7, Sub-section (4) + may be omitted.

PH
31/12/15

It makes the intention of the Act quite clear - the matter was discussed - the name being on the register at the date of the notification should prevent the securing eligibility by payment of arrears.

AH 7.1.16

explanatory of

The first sentence is [an amplification of S.7(4) "at the date of the notification" making it clear that only those who have paid up their fees can be eligible. There seems nothing wrong in this.

Chas
4/2/16

HB
5.2.16

154-D

Read

Page 151 supra
Page 152 — do —
Page 151 — do —

135. Voters resident in the City of Madras shall fill in and sign their voting papers at the Senate House on the day and within the hours notified in accordance with regulation 131, and in the presence of one of the two members of the Senate appointed by the Syndicate in accordance with regulation 132, and shall thereafter deposit them in the ballot-box provided for the purpose. No such voting paper shall be deposited in the ballot-box after the expiry of the time notified in regulation 131.

~~I see no objection. I think that~~ the second (perhaps) sentence may run as "the deposit of any "such voting paper in the ballot box shall "not be allowed after — 131".

It is submitted that in this matter the Senate should control the action of its agents, the members appointed to supervise the election — & not of the graduates.

POJ
31/12/15

It will be for the agents to prevent the deposit

Cas

A.G.M. 7.1.16

49

156

153-B

136. Voters not resident in the City of Madras shall fill in and sign their voting papers in the presence of a Magistrate (not being a Village Magistrate), District or Sub-Registrar, District Munsiff, or Judge, who shall authenticate the voting paper with his signature and designation. The voter shall thereupon forward the voting paper in a registered cover addressed to the Registrar so as to reach him not later than the day and hour notified for the closing of the ballot in accordance with regulation 131. The Registrar shall, as soon as possible after the receipt of such registered covers, deposit them in the ballot-box. Any such voting paper received later than the closing of the ballot and any paper received unsigned or otherwise than by registered post shall be regarded as invalid for the purposes of the election.

Page 151 supra

31/12/15

156-O

137. On the day and on the expiry of the time notified in accordance with regulation 131 the members of the Senate appointed in accordance with regulation 132 shall open the ballot-box, scrutinize the voting papers, rejecting those which do not fulfil the conditions of regulations 134, 135, and 136, and shall count the votes recorded. They shall thereupon communicate the results of their scrutiny and count to the Syndicate for submission to the Chancellor.

Page 151 Supra

Pages 154, 155 & 156 Supra

Page 6 of the act.

I recalled that there was a good deal of comment at the time of the first elections because the Registrar did not declare the result. Put up these papers there of — April. PJ 13/2/25.

[Please see page 181 infra.]

There is no provision herein for a declaration of the results of the election - nor for the action to be taken in the event of a tie between two or more candidates. Under section 6. sub-section (3), the election is subject to the approval of the Chancellor but this does not seem to mean that the Chancellor should declare the results. the Graduates or the Syndicate on their behalf should, it is submitted, declare the results & the Chancellor should then approve the persons elected.

If he does not approve an election should again be held and there should apparently be provision for this also.

PJ 31/12/25 Provision may also be made forgetting the names of the persons elected.

I have noted on a similar case. I think it would be better for the Chancellor to approve or otherwise before the result is declared. The case of a tie and that

Rec'd RR

1/57

of a non-approved election require consideration. The original result might be repeated again and again. Can these cases be covered by the Chancellor's approval? In the one case choosing, in the other approving the graduate who secured the next largest number of votes. I see no other way of securing finality.

HH 7.2.6

Is this function in either case of the Chancellor?

PH 7/3/1916

Perhaps in the case of a tie, if both candidates are suitable, a fresh election between those who have equal votes might be advisable. But the suitability of a candidate must be determined beforehand, & by the method suggested by the regulation no fresh election should be necessary as the Chancellor can decide at

Read RB

158a

nce. This decision seems
as much the function of the Chancellor
~~as much~~ as of anyone.

Ces
4/12/58

Please put up the papers referred
to & any marginal note, if
available.

HM
3/2/58

[Please see page 181 infra]

If there is a tie, the
Chancellor in virtue of his
~~right~~ right to approve or disap-
prove, can approve or
disapprove the other.
I think this is his
function. Repeated
elections might go on
resulting in ties. But we
cannot provide judicially
for a new election in the
case of a tie, as that
would prejudice the Chancellor's
statutory rights: the Act
~~the~~ Regs might provide
for a fresh election if the
Chancellor so determined:
but it would be a question

Rec'd 11 Dec

159-0

whether such a Resn
cd be legally made.
If there is a tie, I wd
therefore leave the Chancellor
the right to select his man
~~that~~ in other words to
approve and disapprove
the other. If he disapproves
both, or which covers the same
case disapproves the
candidate with the
greatest no. of votes where
there is no tie, what is
the legal position. Can the
Chancellor on such disapproval
select the man standing
second on the poll; or
must there be a fresh
election until a candidate
is chosen whom the Chancr
does approve: & in the
latter case can the rejected
candidates be excluded by
a Resn from the subsequent
polls. On this Qn the
Adv. Gen. wd be consulted
as to the limits within wh
a Resn can legally be made.
Please put up draft 8.7.20

VIII. BOARDS OF STUDIES.

138. There shall be Boards of Studies in the following branches of knowledge :

i. English.
ii. Sanskrit, Uriya, Marathi, Burmese and Sinhalese.
iii. Greek, Latin, French, and German.
iv. Hebrew, Arabic, Persian, and Hindustani.
v. The Dravidian Languages.
vi. Mathematics.
vii. Physical Science.
viii. Natural Science.
ix. Mental and Moral Science.
x. History and Economics.
xi. Teaching.
xii. Law.
xiii. Medicine.
xiv. Engineering.

Pages 57 of the University Calendar for 1905-06 - Vol I

Existing Bye-law 105. Sinhalese has been added in item ii & Economics in item x. Natural Philosophy has been omitted from item vi.

BJ
31/12/15

Regd approved
BJ
31/12/15

1610

139. The members of the respective Boards shall be appointed by the Syndicate and shall consist of Fellows, and other persons possessing special knowledge of the subjects dealt with by the Boards to which they are appointed. The Syndicate shall also appoint a Chairman for each Board who shall ordinarily be a Fellow. They shall severally hold office for three years from the date of appointment, and shall be eligible for re-appointment. A member who has been absent from India for a period exceeding six months, may be declared by the Syndicate to have vacated his seat, and his place may be filled up. No Board shall consist of fewer than three or morethan twelve members.

This regulation vests the power of appointing members of the Boards of Studies in the Syndicate. The power to appoint has already been taken in regulation 97. It is not clear by whom appointments of members are now made. But apparently the Syndicate will be able to make them better than the Senate. The former is a much smaller body than the latter. The Chairman is now appointed by the Syndicate. Existing regulation 109. The last sentence is existing Bylaw 108.

Page 114 Supra

Page 57 of the University Calendar for 1905-06 - Vol. I

do.

Pdg
31/12/15

The Syndicate has appointed in the past. See bylaw 107 (Univ Cal. 1904-05) and should of course continue to do so. Bylaw 109 was enacted as a temporary measure to allow of non-fellows being members.

KEM 7-1-16

Cbs
4/2/16

Sty
13/2/16



Rec'd

162-0

140. It shall be the duty of each Board of Studies to consider and report on any matter referred to it by the Senate, Syndicate, or the Faculty, or President of the Faculty concerned, with the subjects with which it deals.

162-8

141. Each Board shall have power to submit for the consideration of the Syndicate nominations of examiners in the subjects with which it deals; to recommend nominations of persons other than Fellows of the University to be members of the Board; to recommend text-books when necessary; to consult specialists who are not members of the Board; and to make recommendations in regard to courses of study in the subjects with which it deals; and to lay such recommendations before the Faculty concerned, or, when so requested, before the Syndicate.

Page 57 of the University Calendar for 1905-06 - Vol. I.

Amplification of existing regulation 106.

Path
31/12/15

164-0

142. Meetings of a Board of Studies shall be convened by the Chairman of the Board at such times as may be necessary or on the written request of any two members of the Board.

Page 20 of the act.

No Quorum has been fixed for meetings of Boards of Studies. Please see section 25, subsection (2), clause (d), of the act.

31/12/15. A Quorum is necessary and desirable. There is no finality about the decision of a Board.

7-1-6

165-0

IX. THE REGISTRAR.

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

Page 57 of the University Calendar for 1905-06-Vol. I.

Existing Bylaw 110.

PTJ 31/12/15

HP 13/2/16

166

144. The tenure of the office of Registrar shall be limited to five years, but the same individual shall be eligible for re-appointment.

Page 57 of the University Calendar for 1905-06 - Vol. I.

Existing Bylaw III.

PH 31/12/15

Ltd 13/2/06

145. It shall be in the power of the Syndicate to dispense with the services of the Registrar 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 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 before the expiration of five years, 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 continue to be Rs. 800 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.

Pages 57 & 58 of the University Calendar for 1905-06 - Vol. I.

Existing Bylaw 112.

31/12/15

149
13206

146. The Registrar shall be the custodian of the records, library, common seal, and such other property of the University as the Syndicate shall commit to his charge.

Page 58 of the University Calendar for 1905-06 - Vol. I

Existing Bylaw 113.

PH 31/12/15

LH 13/2/16

168-0

147. The Registrar shall conduct the duties of his office under the instructions of the Syndicate.

Page 58 of the University Calendar for 1905-06-VOL I

Existing Bylaw 114.

PJJ 31/12/15

HJ 13206

170-0

148. It shall be the duty of the Registrar to give notice of meetings of the Senate, Syndicate, and Faculties, to the respective members thereof, and to keep a record of the proceedings of all such meetings. He shall also, 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.

Page 58 of the University Calendar for 1905-06 - VOL I

Existing Bylaw 115 -

31/12/15

1320

171-0

X. THE ASSISTANT REGISTRAR.

149. The appointment of the Assistant Registrar by the Syndicate, shall be subject to the confirmation of the Senate.

Page 58 of the University Calendar for 1905-06 - Vol I.

Existing By-law 116 with the omission of the words "in accordance with By-law 99" between "Syndicate" and "shall be".

May be approved

PH 20/12/05

13-2-06

1720

150. The office shall be tenable for a period of five years, but the same individual may be re-appointed, and in that case his service shall, for the purpose of determining his salary, be deemed to have continued for the full number of years he has served.

Page 58 of the University Calendar for 1905-06 - Vol. I

Existing By-law 117.

PH
31/12/15

1057
13 206

151. The duties of the Assistant Registrar shall be from time to time defined by the Syndicate.

Page 59 of the University Calendar for 1905-06-Vol I.

Existing Bylaw 118.

PJ
31/12/15

The regulations for the pay of the Registrar but not of the assistant Registrar. So long as the latter is specially mentioned should not the pay also be fixed. There is no Assistant Registrar at present. Nor has there been any for a very long time.

PJ
31/12/15

The bylaws were retained to allow of an assistant Registrar being appointed if necessary. His pay may be fixed if ever the appointment is made. It would depend upon the duties to be assigned to him. I think the regulations may stand but if anything is done 149-151 may be omitted until the appointment is required.

AJH 7.1.16

Let it stand
PJ

There seems no harm in letting these regulations stand. They would be useful if & when an Asst is thought necessary.

CS
4/2/16

HJ
12/2/16

1740

XI. EXAMINATION BOARDS.

152. There shall be Examination Boards for the following subjects or groups of subjects :—

i. English.
ii. Greek and Latin.
iii. French.
iv. German.
v. Sanskrit.
vi. Marathi.
vii. Uriya.
viii. Burmese.
ix. Sinhalese.
x. Hebrew.
xi. Arabic, Persian, Hindustani.
xii. Tamil.
xiii. Telugu.
xiv. Kanarese.
xv. Malayalam.
xvi. Mathematics.
xvii. Physical Science.
xviii. Natural Science.
xix. Mental and Moral Science.
xx. History and Economics.
xxi. Teaching.
xxii. Law.
xxiii. Medicine.
xxiv. Sanitary Science.
xxv. Engineering.

Pages 59860 of the University Calendar for 1905-06 - Vol. I.

Based on Existing Bylaws 123, 124 & 126.

Pty
31/12/15

BJ
13.2.06

175-0

153. The Chairman of each Board of Studies shall forward to the Syndicate the names of any persons who may have been nominated by the Board as fit and proper persons to act as examiners and assistant examiners in the subjects dealt with by the Board. The Syndicate shall consider the nominations so made.

Page 113 Supra

Under regulation 96. iv. the power of appointing Examiners is vested in the Syndicate. The present regulation will help that body in making appointments, but it may perhaps be better if it provides when or how often nominations may be made. The Examiners hold office only for one year - regulation 154.

PJ 31/12/45

Page 175 infra

It is much better to leave it as a vague privilege this will cause less trouble if the nominations are rejected A systematic nomination is not to be desired

Yes I will certainly SJ

H.H.J. 1-6

HJ 13-2-46.

154. Each examiner shall hold office for one year but shall be eligible for re-appointment. The Syndicate may, however, at any time, cancel the appointment of an examiner.

177-A

155. The duties of examiners shall be laid down from time to time by the Syndicate.

Page 59 of the University Calendar for 1905-06 - Vol. I

Please see existing Bylaws 121 & 122.
The present regulation may be accepted instead

PJ
31/12/15

HDJ
13.206

1785

XII. GENERAL.

156. No question shall be put at any University examination calling for a declaration of religious belief on the part of the candidate, and no answer or translation given by any candidate shall be objected to on the ground of its expressing any peculiarity of religious belief.

Page 60 of the University Calendar for 1905-06 - Vol. I.

Existing Bylaw 127.

PH
31/12/05

13.2.06

I do very much wish ... regulation in this ... [illegible] ... [illegible] ... [illegible]

1790

157. It shall be competent to any Member of the Senate to bring to the notice of the Syndicate any instances of undue or improper canvassing by or on behalf of any candidate for election to the Senate or Syndicate or to any Faculty or Board or for appointment to any examinership or other office connected with the University.

A new regulation - It seems desirable to have a regulation like this - please see G.P. No 134 Educational, dated 10th March 1899.

Undesirable JBZ

Pl 3/1/16

A very wholesome regulation in theory, but when it is remembered how fond candidates and in this country of raising Victories often of the most trivial nature, the value of the regulation may perhaps not be undisputed.

Chas 4/2/16 Maryland. 1789

I should like to mention this to Browne

I think it would have been better omitted. I presume it would be difficult to prevent a Member of the Senate from doing what the Regulation proposes to declare he is competent to do: but with the Regulation they will be bound to hear & consider the Objection instead of promptly squashing him as they might otherwise do if the case were brought

White varies apparently

1804

Will D.P.P please note on the various sections?

C.A.S
5-1-06

D.P.P. No.

I have noted wherever it seemed necessary.

A.G.B.
8-1-06.

Resubmitted.

P.P. 14/1/06

Lee.

There is comparatively little to call at in the proposed regulations. I have noted shortly here & there.

C.A.
14/1/06

Please draft a fresh regulation to replace 93 (for approval), and also put up the papers called for re. 137 - if available.

Please note in order the regulations in regard to which any special orders are required - & in regard to which there is any controversy

H.B.
R.N.C.

1810

The following draft of a fresh regulation to replace regulation 93 is submitted for approval:-

(or when vacancies occur)

93. When a vacancy occurs among the elected members, the Registrar under the direction of the Syndicate shall publish a notice thereof in the *Fort St. George Gazette* and shall on or before the date of such publication post to each member of the Senate a notice of the vacancy or vacancies.

The Syndicate as a body and each member of the Senate shall be at liberty to nominate ~~a member of the Senate to fill the vacancy~~ for election any number of ~~Ex~~ Officio or ordinary Fellows not exceeding the number to be elected. ~~and~~ Any nomination paper containing names of candidates in excess of the number to be elected shall be treated as invalid.

"any" is the wrong phrase

Every nomination shall be in writing and must reach the Registrar not later than ten days after the publication of the notice in the Gazette.

On the eleventh day after the publication of the notice in the Gazette or as soon after as possible

(with the names of their respective nominators)

the Registrar shall post a list of the nominations to each member of the Senate together with a voting paper which shall bear on it the date of posting. Every member of the Senate shall be at liberty to vote for any number of the nominees not exceeding the number to be elected. Any paper in which the number voted for exceeds the number to be elected shall be treated as invalid. The voting paper when filled up shall be returned to the Registrar in such manner as the Syndicate may direct with a view to secure the secrecy of the ballot and so as to reach the Registrar not later than ten days after the date ~~of posting~~ on which such voting paper had been posted to him by him. A Committee of two members of the Senate shall be appointed by the Vice-Chancellor for the scrutiny of the voting papers at a time and place to be fixed by him, and the Registrar shall post to each member of the Senate a notice thereof, ten days before the date fixed for the scrutiny. Every member of the Senate shall be at liberty to be present at the scrutiny. The nominee who receives the largest number of votes shall be elected. If any two or more nominees receive an equal number of votes the Vice-Chancellor shall in each such case, where necessary, have a second or casting vote. The result of the election shall be announced in the *Fort St. George Gazette*.

See.
This will do, I think,
Ch
Yr. R Seems complete

180 B

For the reasons I have given under the Resn 93, I think amendt is unnecessary. The Resn was carefully drafted & considered by the Senate & whether it might be made a little clearer is not the question but whether it is misleading. Practically it is certainly not, because if there are more vacancies than one the papers sent to the Voters will make it clear. The Resn defines clearly a Voters right in respect of each vacancy

S. T. 22/2

But the vacancy

1838

As regards Regulation 137, at the time of the first elections there were complaints in the newspapers because the Registrar did not publish the results. There are however no copies of these papers in any of the Secretariat departments. The Chief Secretariat have sent their copies to be bound up. Town have sold (cancel) their & Revenue accounts have done the same. May copies be purchased?

There was also a memorial of the Viceroy against the action of the Chancellor in preferring one of the Candidates who had an equal number of votes, to the other. Please see docket of Nov. 1904 of 2nd February 1905. The original seems to be with the Secretariat.

The Regulations in regard to which Special orders are required or in regard to which there is any controversy are the following:—

1, 2, 3, 5, 10, 16, 17, 19, 38, 39, 53, 68, 69, 71, 75, 81, 89, 93, 94, 95, 99, 100, 101, 102, 107, 114, 123, 124 to 130, 134, 137, 151 & 157.

17/1/06 Lee.

There always must be some bother at elections. I move let the Regr. stand over

Cos
17/2/06

But surely such extracts are kept with the relevant files: Not necessary in any case HSD 15/2

Yes - but it is of no importance all the papers on this subject are I think with P.S.G. HSD 15.2.06

No "controversy" at all with reference to any but a very few. !! !! SG

1840

p157

Under sec 6(3) of the Universities Act the election of any Boundary Fellow is subject to the approval of the Chancellor. Under Regulation 137 therefore the question arises as to whether the result of the ballot is to be declared as soon as the counting is completed, or whether it is to be kept confidential until the Chancellor announces his decision

In the case of a tie, can the Chancellor decide between two candidates who each equal votes - or can the Chancellor decline to approve the election of the candidate with the greatest number of votes, and order the next in order. - or, in event of disapproval, should a fresh election be held. The rule, as it stands, keeps the ballot confidential up to the time that it reaches the Chancellor, and seems to give absolute discretion to the Chancellor

14 day yes

Why satisfy prurient dilletantes curiosity ?

See my Note 8/7

Note
The file should be marked for further action till the Dept has settled the issues raised & when the file contains all the documentation from the Provost

8/7

17-2-88

1857.

The file shd not have gone by the D.P.J. before the Secr. of U.S. had examined the office comments. The great bulk of these were altogether unessential & wasted the D.P.J's, subsequently the Secretaries time in discussing them. It is quite wrong that the D.P.J. shd be asked to meet the criticisms of a clerk or Asst., even if they were better founded than in the present case, unless & until these have been endorsed after examn by the U.S. or Secy either as objections or as points requiring further elucidation.

II. I have noted in the margin. There are a very few heads on which I shd like to discuss with the D.P.J. Please write him &c.

95
99.
107.
157

1860

mentioning the points
on which it would be
convenient to talk
them over with me. If he
is not in Madras, let
me know just when he
proposes to return.

On one question the
Adv. Gen. is to be consulted
please draft a reference
to him on my note.

H. Forbes 22/2/06

Please draft accordingly

H. Forbes

A draft D.O. to Dr Bourne and a draft reference to the Advocate General are submitted for approval.

Dr Bourne has not returned to Madras as yet and his office is unable to say when he intends returning.

Pty 23/2/06 — Lee Chf 26/2/06

Reg 13°

Ins D.O. since received Dr Bourne says he will be here on Tuesday.

Pty 26/2/06

(1) Submitted yes - on second page of the D.O.
(2) at flag VII below.
The draft memos have been typed as ordered.
Pty 26/2/06

(1) Submitted
(2) Please see above

Lee Chf 26/2/06

1870

D. Bourne is expected to return
Bombay (Tuesday). A.D.C. is
writing to him. He leaves
on ~~Wednesday~~ Thursday for Bombay.

2 Draft reference to the
Adv. General is submitted
for approval with reference
to Hon. Member's order on
page 158. (2)

26 2 70

Have redrafted the
reference to the
Adv. General. Please make a
fair copy for file & then issue
J. 27/2/70

Have seen Dr. Bourne this
morning
I. Reply 95
with regard to Reply 95
Dr Bourne wd. let it stand
He thinks it will do no
harm. The objection wd.
be taken to its denial

Also see
107

1880

lowance by pt. to? he
the cry of special intelligence
~~not~~ more than a defence
of its utility, so far as I
can gather.
The Syndicate is now
appt for three years deaft
~~with~~ resignations, casualties
the body is ~~of~~ fairly
continuous. Formerly
the Syndicate was appt
annually: & the Act
~~of~~ was passed as a
supplement to the extension
of the term.
I cant help believing that
it is a dangerous & unnecessary
procedure to institute a
mode of passing or
attempting to pass votes
of censure on the Syndicate
on a general issue, & un-
certificate any specific
charge. Such a power
might be used for factious
purposes. I wd. suggest
when the Act is so back that
the G. Ch recommend the Act
& advisability of omitting it

189-A

II Regulation 99

What is pr consid^d a ced Rqs but discussion of
reqr fixing a Quorum pr Appropriate meeting
after discussion with Dr Bourne
I agree that the Rqr may stand
In important matters, the Syndicate
~~may~~ may as sensible persons be
trusted to adjourn if a mjty as
~~I have~~ members are not present.

III Reg 107 I pointed out that
the same number, three, were
empowered to call a meeting
whether the Faculty were a
small Faculty like Engl or Medicine
of 50 or 60 members, or a large Faculty
of 50 or 80 members as in Arts
The number competent to send
a requisition shd have some re-
lation to the ~~strength~~ of the Faculty.
We may ask Senate to consider
in this light

IV Regns 117 et seq. in Part V.
Dr Bourne tells me these will require
to be modified with reference to alter

opinion drawn in Bengal a copy of which was sent to him & the Chancellor two or three months ago. Please see what this is.

V. Reg. 157

I took exception to this in my former note. Mr Bourne has little to say about it except that it is mere advice. I rather think however that it is ultra vires. What section of the Act covers it? If such powers we may suppose the Senate the discretion of it

28/1

Please type this answer in reply to Mr Gell's. Let the Lancelets on a line for pencilled stars (last night) and mention both cases. The various points raised by the VC.

1-3 00

Two fair copies one for despatch & the other to serve as a clean office copy are submitted for approval & signature.

with reference to the present case I mean that the University

1910

With reference to para. 1 a copy of the Indian universities act 1904 will be sent with the file. The letter apparently means this & not that copy of the regulations should go?

The blank in para. 6 has however to be filled in & the Office finds some difficulty in doing so as the whole of the regulations 131-137 form Part VII.

P.H.
11/3/10

Issue memo.
Clos
11/3/10

Cus 410 190 Educational Departt

From the Hon'ble the Advocate General No 2220 d/12-3-06

The opinion of the Advocate General stands below is circulated for perusal and favour of return.

The file relating to the Regulations is in the Press, being printed up.

13-3-06

In the draft go to the Senate the suggestions if may be included based on the A.G's opinion

13/3

Press

Please print this in continuation of the notes connected with the University regulations now being printed.

PTJ
13/3/06

61-62

Secy

GOI-1908-221
27-3-6

191

With reference to the Secretary's note at Z on page 188 it is submitted that the following are the points raised by the Hon'ble and which have to be entered in the draft :-

Page 5. Omission of the word either in Alteration 4 regulation 2 to be suggested as a misprint.

Page 7. Alteration of regulation 3 to be suggested.

Page 112. The Hon'ble asks whether any regulation similar to regulation 95 has been adopted elsewhere. Submitted that we have no information on this point. Subsequently however on page 186 the Hon'ble has ordered that the Senate should be requested to re-consider the regulation and the advisability of omitting it.

Page 131. The Hon'ble has made a verbal correction in regulation 114.

Page 136. The Hon'ble asks whether there is not a legal opinion of the Advocate General Bengal bearing on Part V - regulations 117 to 123 - Again on page 188 the Hon'ble wants the Secretary to see what this is - The papers on the subject have been obtained from the P.S.G and are with the Secretary.

Page 158. 6. The Hon'ble ordered a reference to be made to the Advocate General regarding regulation 137. This was made in memo no 100 dt 1st March 1906 with the collection at flag XXII The Advocate General's reply is with found next to this memo at flag XXII. On page 190 the Hon'ble wanted the opinion to be included in the draft reference to the Senate.

The references to Secretary's notes (Due Reports) not to be made (except Part I)

Please see Confidential file even attached

Yes: but the draft refers to the questions one rather than the points

Pages 178 & 188. The Hon. takes exception to regulation 157. He asks what section of the act covers it. Submitted that section 25(1) empowers the Senate to make ~~by~~ regulations "to provide for all matters ~~connected with the~~ relating to the University." This is a very general provision but beyond that there does not seem to be any provision of law under which the regulation can be made. The Hon. however considers (page 188) that the regulation is ultra vires.

Page 187. The Hon. directs that the Senate should be asked to reconsider regulation 107 so that ~~suitable provision~~ the number of members of a Faculty competent to send a requisition for convening a meeting of the Faculty should have some relation to the Faculty.

2. The draft placed below is submitted for approval.
3. An addition has to be made with reference to Section IV of this order on pages 187 & 188. The papers are with the Secretary.

PM 19/3/06

Sec.

I would omit para 2(b). In the altered state of matters, it is for the Govt. to frame the Regns, & they can do so in their own language.

Ch
20.3.06.

For approval.

Should this be circulated to the Council by the Secretary in his capacity as Chancellor before the draft issues?

Please see the copy of the cover below

HM

There is no need of para 1 of the draft. No formal modification of S.O. 5 March is needed: if we have already told the Govt that we cannot deal piecemeal with the Regns & the wording of S.O. 5 March is strictly

1964

literally correct. The q.v. / misprints & mice
I have revised the
rest of the draft
This may go to H.E.
before issue

J.T.
21/7/06

drafting we can deal
with in passing
final orders

To H.E. the Governor.

Read 3/16/06

Entered 3/21/06 27-3-b

195

1977

To H.S. the Governor

I don't think Y.E. will find it necessary to go through & all the Regulations.

The reference being made now deals only with certain Resps: & it may be enough to see if the Responds made on these particulars ~~Suggestions~~ are unobjectionable

I have discussed all points on wh. I found difficulty with Dr. Bourne.

The final passing of the Resps will come up when we get the whole body of them before us. This has been already explained to the University. ~~He~~

S. F. [illegible]

1987

I have now this three papers and have no remarks to make except that I am not like to have to determine what is a valid vote under the regulations. I see no objection to the proposed reference as revised by Mr Forbes. But I suppose that Reg 117 & the following regulations will have to be revised in the light of the remarks in the paper in the confidential cover. Shd not this remark be asked to the Ld?

JJ
25/3/16.

Please type fair the draft as revised - at once.

HB
26 8 or

Two copies are submitted - one for despatch after signature & the other to serve as a clean office copy - [the rest of the file has been detained in the office]

PH
26/3/16 [The draft Mr Lane has typed half length. It be of course to go to Hobhouse Member again after the Excellency's remarks.]

I do not think that it will be necessary to call the Deputations.

The Reference desired may be dealt with by a short letter to the Secretary of the Conference.

The Lord Chancellor

I have discussed the matter with the Conservative Leader of the House and the Liberal Chief Whip. Both these gentlemen are clearly of opinion that the Deputations should not be received.

Rec'd
20 Oct 1926
27-5-0

I see from my note on Regn 117 (p 188 supra) that I contemplated the decision of the Regns in conformity with the legal opinion of the Advocate of Bengal. The omission to have been specially noticed in submitting the original draft.

We may now insert in the draft.

"Regn 117. We are advised "that upon the interpretation of "Sect. 6 (2)(b) of the Act read with "Sect. 9 that there is no right of "election by each of the Faculties "separately & that the election "shd be held by the Faculties "jointly: the election being however "held subject to such directions "as the Chancellor, under sec "9 (2), may give with the view of "securing that in "such an election the interests "of each Faculty are duly represented. "The Govt. is disposed to accept this "interpretation as the & considers "that Reg 117 shd be modified "to bring it accordingly, if any

"This construction may not be altogether free from doubt but

"ionsequential amendts that may be rendered necessary in the Mem Rpts being also inc "luded"

27/3

Let Draftsman retype the draft for insertion into the addl paragraph & Rpts above by Hdy.

27/3/87

Draftsman

27.3.87

[Gr. No. 221 dt 27-3-1987]

E.
12.
1,920—12-1-06.

Educational

~~LOCAL AND MUNICIPAL~~ DEPARTMENT.

201

P.

READ AGAIN G. O., No. 854, dated 29 - 12 - 1905.

" " " " 149 Z " " 5 - 3 - 1906.

" " " " 202 XX " " 19 - 3 - 1906.

READ ALSO :—

C. No. ....., From the ....., No. ..... dated ..... 190 .

" " ..... " " " ..... " " ..... " ..... 190 .

" " ..... " " " ..... " " ..... " ..... 190 .

ORDER No. dated 190 .

P.

Z.

XX

In modification of G.O. N: 149 Edl. dy 5th March 1906 and in continuation of G.O. N: 202 Edl. dy the 19th ideem the Senate of the Madras University will be informed that as section 26 of the Indian Universities Act 1904 does not contemplate the submission of regulations piece meal to be approved piece meal the sanction of Govt. to the regulations already submitted by that body will be held over pending the receipt and consideration of the regulations

regulations which it has still to frame. The whole body of regulations will then so far as they are approved under Section 26, Sub-section (2) of the Act be brought into operation as regulations under the Act.

~~2. Meanwhile~~ the attention of the Senate ~~will be drawn~~ to the Statute (in three respects) ~~following points~~ ~~Committee~~ ~~their regulations in those Regulations~~ ~~with the regulations already~~ ~~in respect of which on which they~~ ~~submitted so that it may~~ ~~Govt~~ ~~be glad to have the~~ its ~~remissions~~ ~~last such alterations~~ ~~in them~~ remarks on the suggestions ~~that~~ ~~it may~~ ~~made in respect of them~~ ~~may consider necessary~~.

(1) Regulation 3. ~~It is desirable~~ ~~It is therefore suggested~~ that ~~it~~ ~~Govt~~ be a ~~the~~ March meeting of the ~~were~~ Senate ~~should be~~ held upon the day preceding the day fixed for the convocation for conferring degrees.

(2) Regulation 95. ~~The Senate should consider whether it would not be advisable to omit~~ This would sanction a procedure regulation ~~it might be a~~ which might ~~possibly be~~ be used ~~dangerous & unnecessary procedure~~ as a handle for fomenting factious ~~to institute a mode of passing~~ as it ~~would~~ afford a ~~legal~~ precedent ~~or attempting to pass votes of~~ mode of raising votes of censure

With regard to the ~~portions~~ ~~section~~ of the body of Regulations under the Indian Act, which were submitted by the Senate with ~~its~~ letter of the 22nd December 1905 No 3305 the Govt desire to invite

Pages 6 & 7 of notes.

(convenience of)

Pages 185 & 186 of notes.

might prove useful if it seems a question whether the lesser evil would be to await the natural removal of members under the penalty of Regulation 90 or to elect members to fill the office for two years and then think it should be a matter for consideration.

Page 189 quotes.

the other rules, the period being shortened if deemed desirable

Censure upon the ~~the~~ & indicate on a general issue, and not necessarily after ~~a~~ without ~~an~~ inquiry ~~or~~ a specific charge. Without levying ~~Such a power~~ that in certain cases such a regulation ~~might be used for factious purposes~~.

(3) Regulation 107. This regulation empowers any ~~three~~ members of a ~~Faculty~~ to make a written request to convene a meeting of the ~~Faculty~~ But ~~whatever~~ the strength of different Faculties varies greatly; & of the ~~Faculty may be. The strength~~ it would seem more convenient ~~must be necessarily small in the case of the Engineering and Medicine~~ Faculties and large in the case of the Arts. ~~Faculty.~~ ~~It is desirable~~ that the number competent to send a requisition should be fixed with some relation to the strength of the Faculty.

Page 190 quotes & Advocate General's opinion on page 27 of No. 854 E/H dt 29-12-05. XXII.

(4) Regulations 137. This regulation does not provide for the action to be taken in the event (1) of a tie between two or more candidates, or (2) of the Chancellor's refusing to approve under section 6, subsection (3), of the ~~Indian Universities~~ Act, the single candidate standing at the head of a poll. Section 6, subsection 3, of the Act empowers the Chancellor

Chancellor to approve or disapprove of an election which has taken place but where there is a tie the Govt. are advised that there cannot be said to be an election and that the time for the exercise of the powers conferred by Section 6, subsection (3), has not arisen. A new regulation should therefore be framed to provide for the case of a tie and (2) of the Chancellor refusing to approve an election where there is no tie,

(5) Regulation 157. The Govt. are inclined to think that this regulation is undesirable if not ultra vires and would suggest that it be omitted.

(6) There appear to be a few misprints which may be rectified before the Regulations are finally adopted. For instance in regulation 2 the word "either" may be omitted & in regulation 114, the words "the Senate or the syndicate as the case may be" may be substituted

In the case of a per election must apparently be held, but it may the Senate might consider whether by a Page 188 quotes. they can or should disallow the candidate where election has been disapproved on the first election; the same may be repeatedly adopted, only to be disapproved, thereby the result that a deadlock would ensue

Pages quotes

Page 131 quotes

5-

Substituted for the words "the Senate or Syndicate" in the last but one line, ~~and in paragraph 118 the word "of" occurring after "filled" may be omitted.~~)

205

PH
7/9/36

Ces
20.3.36.

To the Registrar, Madras University

[E. / 11]

500—24-8-05.

199

206

Received ..... 190 , *Registered* ..... 190 .

Abstract.

Read again G.O. No 854 dt 29-12-05-P
in " " " 202 " 19-3-06-P
Memo No 100—A
Cno " 410—A

5 P

ENCLOSURES.

No. .....

.....

.....

EDUCATIONAL DEPARTMENT.

G.O., No. 2 2 1. , dated 27th March 190 6.

READ the following paper :—

O R D E R:—

With regard to those portions of the body of Regulations under the Indian Universities Act, which were submitted by the Senate with its letter of the 22nd December 1905, No.3305, the Government desire to invite the attention of the Senate to certain points in those regulations and they would be glad to have its remarks on the suggestions that are made in respect of them.

(1) Regulation 3. It is suggested that it would be a convenience ff the March meeting of the Senate were held upon the day preceding the day fixed for the convocation for conferring degrees.

(2) Regulation 95. This regulation would sanction a procedure which might be used as a handle for fomenting faction as it would afford a prescribed mode of raising votes of censure upon the Syndicate on a general issue and not necessarily on a specific charge. Without

denying

denying that in certain circumstances such a regulation might prove useful it seems a question whether the lesser evil would not be to await the removal of members under the operation of the other rules, the period being shortened if deemed desirable.

(3) Regulation 107. This regulation empowers any three members of a Faculty to make a written request to convene a meeting of the Faculty. But the strength of the different Faculties varies greatly; and it would seem more convenient that the number competent to send a requisition should be fixed with some relation to the strength of the Faculty.

(4) Regulation 117. The Government are advised upon the interpretation of Section 6(2)(b) of the Act read with Section 9, that there is no right of election of Fellows by each of the Faculties separately and that the election should be held by the Faculties jointly: the election being however held subject to such directions as the Chancellor, under Section 9(2) may give with the view of securing that in such an election the interests of each Faculty are duly represented. This construction may not be altogether free from doubt but the Governor in Council is disposed to accept it and considers that Regulation 117 should be modified accordingly any consequential amendments that may be rendered necessary in the other regulations being also introduced.

(5) Regulation 137. This regulation does not provide for the action to be taken in the event (1) of a tie between two or more candidates, or (2) of the Chancellor's refusing to approve under Section 6, sub-section (3), of the Act, the single candidate standing at the head of a poll. Section 6, sub-section (3), of the Act empowers the Chancellor to approve or disapprove of an election which has taken place but where there is a tie the Government are advised that there cannot be said to be an election and that the time for the exercise of the powers conferred by Section 6, sub-

section

208

sub-section (3), has not arisen. A new regulation should therefore be framed to provide for the case of a tie.

In the case of the Chancellor's ~~xxx~~ refusing to approve an election where there is no tie a fresh election must apparently be held and the Senate might consider whether by a Regulation they can or should disallow votes given for the candidate whose election has been disapproved on the first election; otherwise the same name may be repeatedly ~~xxxxx~~ submitted only to be disapproved with the result that a deadlock would ensue.

(6) Regulation 157. The Government are inclined to think that this regulation is undesirable if not ultra vires and would suggest its omission.

(True Extract)

Ag. Secretary to Government.

To

The Registrar of the Madras University.

opy sent to Press.

NUMBER OF COPIES REQUIRED. { Order complete. 40 / Letter only. / Order complete with Letter.

ned for signature.

atched in print.

I

AIN G.O., No. 190 . 854 , DATED 29-12-05 — P

II

Z.O. no. 202 d 19-3-06 — P

III

Memo. no. 160 — A.

IV

C-no 410 — A -

S TO C. No.

A

GOVERNMENT.

GOVERNMENT

WITH DITTO

FILED UP, KEING MEANT FOR DESPATCH
ORIGINAL

Press

Please print as in
whole and show proof
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in type -

1st
31-3-06

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