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Form 11427-37,000-12-11-67

Edn and P.H.

(194⁶) Department

MS. SERIES.

(6)

G.O. No.

339 Edn

Dated

18.2.46.

[Despatch Abstract.]

University - Annamalai - Membership of Mr Basheer Ahmed of the Syndicate
papers recorded

Back Papers.

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

Further Papers.

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



2-494/46

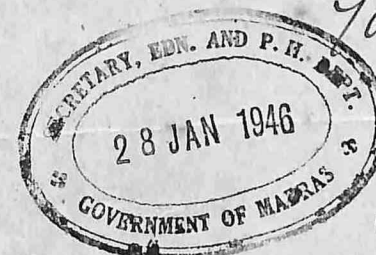
GOVERNMENT HOUSE

Guindy,
25th January 1946.

Sec. M. Subramanyam,

4935

I am to send you the enclosed copy of a letter from the Vice-Chancellor, Annamalai University, dated 23rd January, regarding the period of membership on the Syndicate of the University, for favour of examination, in consultation with Legal, and advice as to the reply to be sent.



Yours sincerely

[Signature]

(C. P. Scott)

M. V. Subrahmanyam Esq., ICS,
Secretary to Government,
Education & Public Health
Department.

2

Copy of letter from the Vice-Chancellor, Annamalai University, Annamalainagar, to P.S.G. dated 23rd January 1946, No.8134.

3

150 of the Annamalai Univ. Bulletin

May I ask you to be so good as to place before His Excellency for his decision under section 37 of the Annamalai University Act the following facts of a case which has arisen regarding the period of membership on the Syndicate of this University?

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142 of 20

Mr. Basheer Ahmed Sayeed was first elected a member of the Senate by the Madras Legislative Assembly from among its members under section 15, Class III(3) of the Act. He was then elected a member of the Syndicate by the Senate from among its members under section 21, Class II(1) of the Act. After the dissolution of the Madras Legislative Assembly from the 1st October, 1945, it was pointed out that he would cease to be a member of the Senate on the 2nd January 1946; i.e., 3 months after he had ceased to be a member of the Assembly under section 33(3) of the Act and ipso facto cease to be a member of the Syndicate. It is contended that he will continue his membership of the Syndicate for a further period of another 3 months from the 2nd January 1946 the date on which he ceased to be a member of the Senate. This interpretation of section 33(3) would make him a member of the Syndicate for six months after the body by whom he was elected a member of the Syndicate has ceased to exist. This, in my opinion, is against the intention and wording of the Act.

Kindly place this matter before His Excellency and communicate his decision at as early a date as possible.

4.
No. 2494/46

5
M.
Guindy,
12th February 1946.

Dear Mr. Ruthnaswami,

His Excellency has had the point raised in your letter No. 8134, dated 23rd January examined. In regard to Mr. Basheer Ahmed's membership of the Syndicate, His Excellency is advised that it is the date on which he ceased to be a member of the Senate which elected him to the Syndicate which is the crucial date and that the period of 3 months referred to in section 33(4) of the Annamalai University Act will begin to run only from that date, i.e. 1-1-1946. It is therefore held that the period of 3 months cannot run from the date on which he lost his membership of the Assembly. His Excellency agrees with this view.

Yours sincerely,

M. Ruthnaswami
M. Ruthnaswami Esq., CIE.,
Vice-Chancellor, Annamalai University
Annamalainagar.

(Copy for Sectt. file)

Edn and P.H. Sept 6/

b. No: 4935C. From the A.P.S.G. NO: 2-294/45-8/25.1.46

Annamalai University - Syndicate - Member-
ship of Mr. Basheer Ahmed Sayeed.

The facts have been clearly stated in the
vice-chancellor's letter on page 3 of. The file may be
sent to the legal dept for remarks.

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Legal Department.

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University Calendar.

ASSISTANT SECRETARY
1 - FEB 1946
LEGAL DEPARTMENT.

Mr. Basheer Ahmed was elected to the Syndicate
by members of the Senate from among its members under
section 21, Class II(1), of the Annamalai University
Act. In other words, he was elected to the Syndicate
in his capacity as a member of the Senate. Section 33
(4) of the Act, in terms, applies to his case, and under
it, he will cease to be a member of the Syndicate only
when he ceases to be a member of the Senate for a
period of more than three months. The language of
section 33(4) is clear and appears to admit of no
other construction.

The fact that Mr. Basheer Ahmed continued to
be a member of the Senate from 1st October 1945 to
1st January 1946 only in virtue of section 33(4),
(having ceased to be a member of the Legislative
Assembly which elected him to the Senate on 1st
October 1945) has no relevance so far as Mr. Basheer
Ahmed's membership of the Syndicate is concerned.
In regard to his membership of the Syndicate, it is
the date on which he ceased to be a member of the
Senate which elected him to the Syndicate which is
the crucial date, and the period of three months

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referred to in section 33(4) will begin to run only from that date. It cannot run from the date on which he lost his membership of the Assembly.

Krb. 2/2/46

ML
J. C. NA LPH

Legal n. 0762-1
6-2-46

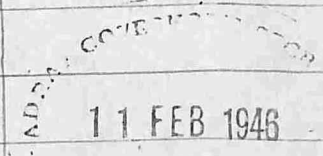


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Edn and P.H. Dept

The Vice-Chancellor, Annamalai University may be informed as at A above. The file may be circulated to the following:

1/2/46
may be done.



1/2/46
1/2/46

A copy of the letter sent to Mr. Ruth newnamy has been added to the file.

Geno. 2-494/46
13-2-46

ETP.H. dept.

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1/2

Order Edn
MS 339 Edn
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These papers may be recorded

1/2/46
1/2/46

University - Annamalai
Membership of
Mr. Barker Adams
of the Syndicate -
papers recorded

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