Secy. II.-37—60,000—4-11-46.

Ext P.H. (1947) Department.

MS. SERIES. 1

G.O. D. 315 Edn.

Dated 24-2-1947.

Closed
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[Despatch Abstract.]

Bills - The Annamalai University Act - Amendment of - Representation of Muslims on the Senate and Syndicate - Motion for leave to introduce - Bills - Lost - Papers Recorded.

Further Papers.			
Department.	Date.	G.O.	No.

செப்பனிடுபவர் பெயர்

செப்பனிடுவதற்காக எடுத்துக் கொளளப்பட்ட நாள்

செப்பனிட்டு முடித்த நாள்

சரிபார்க்கும் முதன்மைக் கையொப்பம்.

ஆய்ச்சு உதவியாளர் கையொப்பம்

SECRETARIAT OF THE MADRAS LEGISLATURE.

...O. Note No. 6273/46-2 M.L.,dated 15th December 1946.

...Bills - The Annamalai University (Amendment) Bill, ...s. Pocker Sahib M.L.A. and M.S.A. ..., M.L.A. - Notice of motion for introduction.

...r from Mr. B. Pocker Sahib, M.L.A. dated the ... December 1946 and letter from Mr. M.S.A.Majid, ...A., dated the 14th December 1946.

In the letter cited, Messrs. B. Pocker Sahib M.L.A. ...A. Majid, M.L.A. have given notice of their intention to move for leave to introduce a Bill to amend the ... University Act, 1928 (Madras Act I of 1929). The ...entical with each other. Though Mr. Pocker's ...ed 13-12-46 the notice was received in the ... 14th only. It may be treated as a notice ... meeting of the Assembly.

...he notices are in time for the next meeting of the ...ly which may be held for the transaction of non-offi... ...siness.

...ies of the M.L.A's letters and the Bills together ... Statement of Objects and Reasons, may be sent to ... and Education and Public Health Departments, to ...ble the Leader of the House, the Hon'ble the Minister ...tion, the Hon'ble the Minister for Law and the ...ry to His Excellency the Governor.

...se (3) (a) of the Bill seeks to amend Section 15 ...namalai University Act, 1928 so as to provide for ...ion of five members to the Senate from among the ...of the Muslim Educational Association of Southern ...stead of one as at present. Clause (4) seeks to ...ction 21 of the Act so as to provide for the represen... ...on the Syndicate of two Muslim members, one a non-... ...Muslim nominated by the Chancellor, and the other ...by the Muslim Educational Association of Southern ...m among its members. As stated by the member in ...ment of objects and reasons there is no provision ...t for the representation of a Muslim member on the ...

...rovisions of the Bill do not appear to require the ...anction of the Governor General or the Governor ...commendation of the Governor under the provisions o... ...ment of India Act, 1935.

...gal Department may be requested to intimate ...is presumption is correct. Pending the receipt of ... the legal department, the question of referring ...is Excellency the Governor for previous sanction ... rule 71 (1) of the Madras Assembly Rules may ...

...knowledgment letter to the M.L.As is submitted ... issue, the file may be submitted to the ... Speaker.

D.K.V.Raghava Varma,
SECRETARY,
Madras Legislature.

...epartment
...on and Public Health Department
...e the Leader of the House

...Forwarded/By order

STATEMENT OF OBJECTS AND REASONS.

The Annamalai University Act was enacted in 1929 and it provided for the representation of the Muslim community on the Senate, by the election of one member by the Muslim Educational Association of Southern India. In a body nearly 80 members which the Senate consists of, this representation has been found to be most inadequate and ineffective. Except for the occasional addition of another member through nomination by either the Chancellor or the Pro-Chancellor or by election from the Legislature, at no time has the number of Muslims on the Senate of the Annamalai University exceeded.

2. This has not given any satisfaction to the Muslims considering the vast progress that the University has made during the past 7 years and the wider sphere of activity which it comprehends to-day. It is therefore sought to made thenecessary amendments to provide for the election of five members to the Senate from among the members of the Muslim Educational Association of Southern India.

Even so, the Act has not provided for any representation of theMuslims on the Syndicate of the University. Except for the election of a Muslim by the Senate on two occasions and for the nomination of a Muslim by the Chancellor on a single occasion, the Muslim community has not had adequate representation on the Syndicate of the University. There is no provision in the Act to secure the election of at least one or two Muslims to the Syndicate. It is true that there are 4 members nominated by the Chancellor and the Pro-Chancellor in the proportion of two each. But the Act does not provide that at-least one or two of these four should be Muslims. The Syndicate consists of 13 members and it is a recognised fact that it is overweighted by teachers of the University and Subordinate to the Syndicate. Experience has shown that atleast half the number of members nominated by the Chancellor andthe Pro- Chancellor happen to be present or past Government officials. In the result the representation of non-officials on the Syndicate has been most inadequate andnegligible. Such representation has never exceeded beyond 3. It is thereforenecessary and desirable to increase the number of the Syndicate from 13 to 15 and provide for representation of the Muslims by atleast members on the Syndicate. Provision is therefore made in Bill for the nomination of one non-official Muslim by Chancellor and for the election of another Muslim by Muslim Educational Association of Southern India.

The Muslim Educational Association of Southern India is a 45 year old organisation andis and is the premier [illegible] representing the entire Muslims of this province and working for the educational uplift and social advancement of the Muslim community. Its membership runs up to 1500 andit is a body registered under the Societies Registration Act XXI of 1860. It has already received statutory recognition in several Act of the local legislature.

Sd/- M.S.A.Majid

Member of the Legislature

Dated this 12th day of December 1946.

A BILL TO AMEND THE ANNAMALAI UNIVERSITY ACT I OF 1929.

PREAMBLE. Where it is expedient and desirable that effective and adequate representation should be given to Muslims on some of the authorities of the Annamalai University, and with a view to secure greater participation of the Muslims in the academic and administrative work of the University it is hereby enacted as follows:-

SHORT TITLE AND COMMENCEMENT. (1) This Act may be called the Annamalai University (Amendment) Act.

(2) This Act shall come into force at once.

CONSTITUTION OF THE SENATE. (3) (a) In Section 15 - CLASS III - OTHER MEMBERS, Sub-clause (11) for the words " ONE MEMBER", substitute the words "FIVE MEMBERS".

(b) In the same sub-clause for the word "MUHAMMADAN", substitute the word "MUSLIM".

CONSTITUTION OF THE SYNDICATE. (4) (a) In section 21 - CLASS II - OTHER MEMBERS for the existing sub-clause (3) substitute the following:-

"(3) Three Members nominated by the Chancellor, one of whom shall be a non-official Muslim".

(b) In the same Section 21-CLASS II - OTHER MEMBERS - after sub-clause (4) insert the following as sub-clause(5).

"(5) One Member elected by the MUSLIM EDUCATIONAL ASSOCIATION OF SOUTHERN INDIA from among its members".

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1 5 5

Copy of letter dated 13th December 1946 from Mr. B. Pocker Sahib, M.L.A. to the Secretary, Madras Legislative Assembly Fort St. George, Madras.

I do hereby give you notice of my intention to move for the introduction of the enclosed Bill at the next meeting of the Legislative Assembly.

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09 6 6

Copy of letter dated Nil from M.S.A.Majid Sahib? M.L.A. to the Secretary, Madras Legislative Assembly, Fort St. George, Madras.

--ooOoo--

I do hereby give you notice of my intention to move for the introduction of the enclosed Bill at thenext meeting of the Legislative Assembly.

Copy of D.O. from Mr. M.S.A. Majid, M.L.A. to Mr. Raghava Varma.

Herewith you will find a copy of the Draft Bill, I propose to move at the next meeting of the Legislative Assembly. Kindly have the same included in the list of bills for moving which notices have been given.

[Sancp.154] G2 13

SECRETARIAT OF THE MADRAS LEGISLATURE.

U.O.Note No. 222/47-2 M.L., dated the 20th January 1947.

Sub: Bills - Non-offical - The Annamalai University (Amendment) Bill, 1947 - By Mr. K.M.Seethi Sahib, M.L.A. - Notice of motion for introduction.

Ref: Letter from Mr. K.M.Seethi Sahib, M.L.A. dated the 14th January 1947.

In his letter cited above, Mr.K.M.Seethi Sahib, M.L.A. has given notice of his intention to move for leave to introduce a Bill to amend the Annamalai University Act, 1928 (Madras Act I of 1929). The Bill is identical with those given notice of already by Messrs B. Pocker Sahib, M.L.A. and M.S.A. Majid M.L.A.

The notice is in time for thenext meeting of the Assembly which may be held for the transaction of non-official business.

Copies of the M.L.A's letter together with a copy of this note may be sent to the Legal and Education and Public Health Departments, to the Hon'ble the Leader of the House, the Hon'ble the Minister for Education, the Hon'ble the Minister for Law, and the Secretary to His Excellency the Governor.

The notes recorded in U.O.Note No. 6273/46-2 M.L., dated 18th December 1946 in respect of the Bills given notice of by Messrs.B.Pocker Sahib M.L.A. and M.S.A. Majid, M.L.A. will apply to this Bill also.

D.K.V.RAGHAVA VARMA,
Secretary,
Madras Legislature.

To

Legal Department.
Education and Public Health Department.
Hon'ble the Leader of the House.
" " " Minister for Education.
" " " " " Law.
Secretary to His Excellency the Governor.

Forwarded/ By Order.

Srd/20-1

Superintendent.

Copy of letter No. Nil Tellicherry, dated 14th January 1947 from K.M. Seethi Sahib M.L.A., to the Secretary Madras Legisla tive Assembly, Fort St.George, Madras.

I have the honour to give you notice of my intention to introduce the accompanying bill entitled " A Bill to amend the Annamalai University Act I of 1929" in the forthcoming session of the Madras legislative Assembly.

SECRETARIAT OF THE MADRAS LEGISLATURE.

U.O.Note No. 222/47-2 M.L., dated the 20th January 1947.

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D.K.V.RAGHAVA VARMA,
Secretary,
Madras Legislature.

To

Legal Department.
Education and Public Health Department.
Hon'ble the Leader of the House.
" " " Minister for Education.
" " " " " Law.
Secretary to His Excellency the Governor.

Forwarded/ By Order.

Srd/20-1

Superintendent.

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17 10

Education & Public Health Deptt.

NOTE FOR THE CABINET.

Bills - The Annamalai University Act - Amendment - Representation of Muslims on the Senate and Syndicate - ~~Notice of motion for introduction~~.

Provision exists in the Annamalai University Act,1928,(Madras Act I of 1929) for reservation of one seat to be filled by election by the general body of the Mohamedan Educational Association of Southern India from among its members on the Senate. No such provision ~~for reservation~~ exists for representation on the Syndicate. Mr.Pocker Sahib and two other M.L.As have proposed to introduce bills in the Legislative Assembly for amending the Annamalai University Act so as to provide for representation of five members to the Senate from among the members of the Muslim Educational Association of Southern India and for the representation of two Muslim members on the Syndicate - one a non-official Muslim nominated by His Excellency the chancellor and the other elected by the Muslim Educational Association of Southern India from among its members. The Madras University Act provides for the election of two members by the Mohamedan Educational Association of Southern India to the Senate and none in the Syndicate. The Annamalai University Bill of 1928 as originally framed did not contain any provision for the election to the Senate of even one Muslim by the Mohemadan Educational Association of Southern India. This provision was included in the Bill on the recommendation of the Select Committee. With a view to provide for

the

the various academical and educational interests which the University might be expected to foster, the Select Committee recommended one elected member each to the Sri Nandanar Kalvi Khazhagam, Chidambaram, the Muhammadan Edl.Assn. of S.India, the Madura Tamil Sangham etc., and this recommendation was accepted by the Govt. When the Select Committee's report was considered on the floor of the Council, amendments were suggested and prolonged discussions ensued to increase the representation of Muslims on the Senate from one to three. The amendments were put to vote and lost, as the then Minister for Education pointed out that the depressed classes in this Presidency had far greater claims for representation than the Muslims.

3. It may be noticed that the Annamalai University is a smaller residential University and it cannot even be equated with the Madras University where representation of two Muslims to the Senate from the Muslim Educational Association of Southern India is provided for. It may also be noticed that the representation of Muslim members on the Senate and during the years 1936-45 has been as follows:--

Year.	Senate.			Syndicate.		
	Elected	Nominated by Chancellor.	Nominated by Founder	Elected.	Nominated by Chancellor.	Nominated by Founder
1936-39.	3	..	1	--	--	..
1939-42	1	1	1	--	--	..
1942-45	2	1	1	--	--	..

There has however been no representation on the Syndicate. The Madras University Act and the Andhra University Act contain no provision for representation of Muslims on the Syndicates of the Universities and it cannot be expedient to accept the principle of statutory provision for providing representation of Muslims on the Syndicate in the Annamalai University

University alone. It will have to be arranged for only through nominations.

4. The Govt. have already taken up the question of amending the Acts of the three Universities - the Madras, Andhra and Annamalai Universities. The proposal regarding the amendment of the Madras University Act is now before the Senate and on receipt of those proposals, it is proposed to constitute an Expert Committee to consider amendments. Similarly, it is proposed to constitute a similar Expert Committee to consider the amendments to the Andhra University Act. After these two Acts are amended, it is proposed to constitute another Expert Committee to amend the Annamalai University Act. The amendments now proposed by the M.L.As may also be placed before the Expert Committee for consideration subject to the observations made above. In the circumstances, it is considered not advisable to allow any piecemeal legislation in advance. H.M. (Edn.) and H.P.M. have minuted as follows:--

"This is a Bill introduced by three members of the Muslim League Party in the Assembly for providing for representation of Muslims to Syndicate of the Annamalai University. The Govt. intend to take up the matter of the amendment of the University Act as soon as possible, and so I do not think it is necessary to take this up at present. In any case, this may be placed before the Cabinet. The Department may take the necessary steps to do so immediately, as the matter will come up before the Session".

T. P(ratna) 28.1.47 Sd.T.S.A(vanasilingam) 27.1.47.

"As the Government are taking steps to replan and reconstitute University Education, the Bill need not be considered at present. It can be taken up later."

T. P(ratna) 28-1-47.

The point

23 P 14

E.H.H(G.3)

Bills - The Annamalai University Act and the Andhra University Act - Amendment - Representation of Muslims on the Senate and Syndicate

Please see the order of the Cabinet at Pt 1 and 3 cf. The return of the main files on the subject from the Chief Secretary may be awaited till 10.2.47.

5/2/47.

5.2.47

5.2.47

Legis. Assembly No. 12.—1,006—23-3-37.

SECRETARIAT OF THE MADRAS LEGISLATURE,

Fort St. George, ~~Chennai~~, *dated the* 18th Feb. 1947.

ASSISTANT SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPARTMENT
20 FEB 1947
13896

The decision of the Legislative Assembly on the following

~~resolution~~ / bill / ~~motion~~ of Mr. Mr.M.S.A.Majid Sahib is communicated to the

Legal / Education and Public Health Department, and the Secretary to H.E.The Governor.

~~Resolution~~/Bill/~~Motion~~.

The Annamalai University (Amendment) Bill, 1947.

Decision of the Assembly.

Motion for Leave to introduce the Bill was ~~granted~~ lost in the Assembly on 5-2-1947.

No 1475/47-IML
18-2-47

for Secretary, Madras Legislative Assembly.

To

The Secretary to Government,
The Legal / E.& P.H. Department.

~~copy~~ To the Secretary to H.E.the Governor.

18

STATEMENT OF OBJECTS AND REASONS.

The Annamalai University Act was enacted in 1929 and it provided for the representation of the Muslim community on the Senate, by the election of one member by the Muslim Educational Association of Southern India. In a body nearly 80 members which the Senate consists of, this representation has been found to be most inadequate and ineffective. Except for the occasional addition of another member through nomination by either the Chancellor or the Pro-Chancellor or by election from the Legislature, at no time has the number of Muslims on the Senate of the Annamalai University exceeded.

2. This has not given any satisfaction to the Muslims considering the vast progress that the University has made during the past 7 years and the wider sphere of activity which it comprehends to-day. It is therefore sought to made thenecessary amendments to provide for the election of five members to the Senate from among the members of the Muslim Educational Association of Southern India.

Even so, the Act has not provided for any representation of theMuslims on the Syndicate of the University. Except for the election of a Muslim by the Senate on two occasions and for the nomination of a Muslim by the Chancellor on a single occasion, the Muslim community has not had adequate representation on the Syndicate of the University. There is no provision in the Act to secure the election of at least one or two Muslims to the Syndicate. It is true that there are 4 members nominated by the Chancellor and the Pro-Chancellor in the proportion of two each. But the Act does not provide that at-least one or two of these four should be Muslims. The Syndicate consists of 13 members and it is a recognised fact that it is overweighted by teachers of the University (who are employees of the university) and Subordinate to the Syndicate. Experience has shown that atleast half the number of members nominated by the Chancellor andthe Pro- Chancellor happen to be present or past Government officials. In the result the representation of non-officials on the Syndicate has been most inadequate andnegligible. Such representation has never exceeded beyond 3. It is thereforenecessary and desirable to increase the number of the Syndicate from 13 to 15 and to provide for representation of the Muslims by atleast 2 members on the Syndicate. Provision is therefore made in the Bill for the nomination of one non-official Muslim by the Chancellor and for the election of another Muslim by the Muslim Educational Association of Southern India.

The Muslim Educational Association of Southern India is a 45 year old organisation ~~muslim~~ and is the premier institution representing the entire Muslims of this province and working for the educational uplift and social advancement of the Muslim community. Its membership runs up to 1500 andit is a body registered under the Societies Registration Act XXI of 1860. It has already received statutory recognition in several Act of the Local ~~Legislature~~ Legislature.

Sd/- M.S.A.Majid

Dated this 12th day of December 1946.

Member of the Legislature

A BILL TO AMEND THE ANNAMALAI UNIVERSITY ACT I OF 1929.

17/6

PREAMBLE. Where it is expedient and desirable that effective and adequate representation should be given to Muslims on some of the authorities of the Annamalai University, and with a view to secure greater participation of the Muslims in the academic and administrative work of the University it is hereby enacted as follows:-

SHORT TITLE AND COMMENCEMENT. (1) This Act may be called the Annamalai University (Amendment) Act.

(2) This Act shall come into force at once.

CONSTITUTION OF THE SENATE. (3) (a) In Section 15 - CLASS III - OTHER MEMBERS, Sub-clause (11) for the words " ONE MEMBER", substitute the words "FIVE MEMBERS".

(b) In the same sub-clause for the word "MUHAMMADAN", substitute the word "MUSLIM".

CONSTITUTION OF THE SYNDICATE. (4) (a) In section 21 - CLASS II - OTHER MEMBERS for the existing sub-clause (3) substitute the following:-

"(3) Three Members nominated by the Chancellor, one of whom shall be a non-official Muslim".

(b) In the same Section 21-CLASS II - OTHER MEMBERS - after sub-clause (4) insert the following as sub-clause(5).

"(5) One Member elected by the MUSLIM EDUCATIONAL ASSOCIATION OF SOUTHERN INDIA from among its members".

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17 18

STATEMENT OF OBJECTS AND REASONS.

The Annamalai University Act was enacted in 1929 and it provided for the representation of the Muslim community on the Senate, by the election of one member by the Muslim Educational Association of Southern India. In a body nearly 80 members which the Senate consists of, this representation has been found to be most inadequate and ineffective. Except for the occasional addition of another member through nomination by either the Chancellor or the Pro-Chancellor or by election from the Legislature, at no time has the number of Muslims on the Senate of the Annamalai University exceeded.

2. This has not given any satisfaction to the Muslims considering the vast progress that the University has made during the past 7 years and the wider sphere of activity which it comprehends to-day. It is therefore sought to made thenecessary amendments to provide for the election of five members to the Senate from among the members of the Muslim Educational Association of Southern India.

Even so, the Act has not provided for any representation of theMuslims on the Syndicate of the University. Except for the election of a Muslim by the Senate on two occasions and for the nomination of a Muslim by the Chancellor on a single occasion, the Muslim community has not had adequate representation on the Syndicate of the University. There is no provision in the Act to secure the election of at least one or two Muslims to the Syndicate. It is true that there are 4 members nominated by the Chancellor and the Pro-Chancellor in the proportion of two each. But the Act does not provide that at-least one or two of these four should be Muslims. The Syndicate consists of 13 members and it is a recognised fact that it is overweighted by teachers of the University and Subordinate to the Syndicate. Experience has shown that atleast half the number of members nominated by the Chancellor andthe Pro- Chancellor happen to be present or past Government officials. In the result the representation of non-officials on the Syndicate has been most inadequate andnegligible. Such representation has never exceeded beyond 3. It is thereforenecessary and desirable to increase the number of the Syndicate from 13 to 15 and to provide for representation of the Muslims by atleast 2 members on the Syndicate. Provision is therefore made in the Bill for the nomination of one non-official Muslim by the Chancellor and for the election of another Muslim by the Muslim Educational Association of Southern India.

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Sd/- M.S.A.Majid

Dated this 12th day of December 1946.

Member of the Legislature

18 19 83

A BILL TO AMEND THE ANNAMALAI UNIVERSITY ACT I OF 1929.

PREAMBLE. Where it is expedient and desirable that effective and adequate representation should be given to Muslims on some of the authorities of the Annamalai University, and with a view to secure greater participation of the Muslims in the academic and administrative work of the University it is hereby enacted as follows:-

SHORT TITLE AND COMMENCEMENT. (1) This Act may be called the Annamalai University (Amendment) Act.

(2) This Act shall come into force at once.

CONSTITUTION OF THE SENATE. (3) (a) In Section 15 - CLASS III - OTHER MEMBERS, Sub-clause (11) for the words " ONE MEMBER", substitute the words "FIVE MEMBERS".

(b) In the same sub-clause for the word "MUHAMMADAN", substitute the word "MUSLIM".

CONSTITUTION OF THE SYNDICATE. (4) (a) In section 21 - CLASS II - OTHER MEMBERS for the existing sub-clause (3) substitute the following:-

"(3) Three Members nominated by the Chancellor, one of whom shall be a non-official Muslim".

(b) In the same Section 21-CLASS II - OTHER MEMBERS - after sub-clause (4) insert the following as sub-clause(5).

"(5) One Member elected by the MUSLIM EDUCATIONAL ASSOCIATION OF SOUTHERN INDIA from among its members".

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19 G3 20 34

LEGAL DEPT.

Please see the u.o. note of the Secretariat of the Madras Legislature at p. 1 ante.

2. The subject matter of the Bill falls under entry 17 of the Provincial Legislative List, viz., "Education, including universities other than those specified in paragraph 13 of List I". The legislation is intra vires the Provincial Legislature.

Certainly
KM
6/1/47

3. The Bill does not require the previous sanction of the Governor or the Governor-General under the Govt. of India Act, 1935. Nor does it require the recommendation of the Governor under section 82 of the Act. The Sectt. of the Madras Legislature may therefore be informed with reference to paragraph 6 of their u.o. note that the presumption expressed in paragraph 5 of that note is correct.

KM
6/1/47

4. This may be returned to the Sectt. of the Madras Legislature, through the administrative dept. concerned , namely, E. & P.H.

SS
6-1-47

KM
6/1/47

Legal Ca. 105-77-1
6/1/47

E. P. H.

Sect y to Legt

ASSISTANT SECRETARY TO GOVERNMENT
7 JAN 1947
1255
EDUCATION AND PUBLIC HEALTH DEPARTMENT

E & P H (G 3)

May be perused and returned to the Secty. of the Legislature.

The muslim members of the Legislature have proposed to introduce similar Bills for amending the Madras Universities Act. It is proposed to appoint a Committee to consider the case for amendment of the Act and to decide whether it may be allowed to be introduced.

9.1.47.

SS
11.1.47.

KM
13.1.47

Mlle 21/12/46

2035 21

21.12.46

SECRETARIAT OF THE MADRAS LEGISLATURE.

U.O.Note No. 6273/46-2 M.L.,dated 18th December 1946.

Sub: Bills - The Annamalai University (Amendment) Bill, 1946 - By Messrs. B. Pocker Sahib M.L.A. and M.S.A. Majid, M.L.A. - Notice of motion for introduction.

ASSISTANT SECRETARY
23 DEC 1946
LEGAL DEPARTMENT.

Ref: Letter from Mr. B. Pocker Sahib, M.L.A. dated the 13th December 1946 and letter from Mr. M.S.A.Majid, M.L.A., dated the 14th December 1946.

1 In the letter cited, Messrs. B. Pocker Sahib M.L.A. and M.S.A. Majid, M.L.A. have given notice of their intention to move for leave to introduce a Bill to amend the Annamalai University Act, 1928 (Madras Act I of 1929). The Bills are identical with each other. Though Mr. Pocker's letter is dated 13-12-46 the notice was received in the office on the 14th only. It may be treated as a notice for the next meeting of the Assembly.

2 The ndtices are in time for the next meeting of the Assembly which may be held for the transaction of non-official business.

3 Copies of the M.L.A's letters and the Bills together with the Statement of Objects and Reasons, may be sent to the Legal and Education and Public Health Departments, to the Hon'ble the Leader of the House, the Hon'ble the Minister for Education, the Hon'ble the Minister for Law and the Secretary to His Excellency the Governor.

4 Clause (3) (a) of the Bill seeks to amend Section 15 of the Annamalai University Act, 1928 so as to provide for the election of five members to the Senate from among the members of the Muslim Educational Association of Southern India instead of one as at present. Clause (4) seeks to amend Section 21 of the Act so as to provide for the represen tation on the Syndicate of two Muslim members, one a non-official Muslim nominated by the Chancellor, and the other elected by the Muslim Educational Association of Southern India from among its members. As stated by the member in his statement of objects and reasons there is no provision in the Act for the representation of a Muslim member on the Syndicate.

5 The provisions of the Bill do not appear to require the previous sanction of the Governor General or the Governor or the recommendation of the Governor under the provisions of the Government of India Act, 1935.

6 The Legal Department may be requested to intimate whether this presumption is correct. Pending the receipt of the reply of the Legal Department, the question of referring the Bill to His Excellency the Governor for previous sanction if any, under rule 71 (1) of the Madras Assembly Rules may be deferred.

7 A Draft acknowledgment letter to the M.L.As is submitted below. After issue, the file may be submitted to the Hon'ble the Speaker.

D.K.V.Raghava Varma,
SECRETARY,
Madras Legislature.

To
Legal Department
Education and Public Health Department
Hon'ble the Leader of the House
Hon'ble

Forwarded/By order.

Special
Read on 6/2/47

~~Government of Madras~~
~~Legal Department.~~

BB 92

4 2 FEB 1947

LEGAL DEPARTMENT.

*copy below.

9915

Please see the u.o. note of the Secretariat of the Madras Legislature on p. 1 ante. The Bills referred to in their note are not enclosed with the u.o. note nor does the note clearly indicate to what Bills reference has been made in the note. Copies of some Bills amending the Andhra and Annamalai University Acts and a copy of the Kalavanthula Nautches Prohibition Bill were received in this Department and the remarks of this Department on those Bills have been duly forwarded to the E&F.H. Department The Secretariat of the Madras Legislature may therefore be requested to refer to the E & P.H. Department in the matter.
S.G./3-2-47.

Will the Secretariat of the Legislature furnish copies of the relevant Bills at once? I have already informed D.S., Madras Leg. Sectt., that in all these cases, the Bills should be attached to the u.o. note, as otherwise difficulty arises in making out which Bills are meant.

To the best of my recollection, none of theBills amending the University Acts requires the previous sanction of H.E.the Gover. nor or of H.E. the Governor-General. The position regarding the Anti Nautch Bill is also, so far as I can recollect now, the same.
K.V.R/3-2-47.

Send a copy of this note to E.& P.H.
K.V.R./3-2-47.
Mad.Leg.Sectt.

True copy/Forwarded/By order.

To
E. & P.H. Dept.

Superintendent.

Copy of u.o. note No.200/47-3 ML. dated 3-2-47 from the Sectt. of the Madras Legislature.

Bills - Non-official - Notice ofmotion for introduction.
Ref: U.O. Note No.6294 /46-2 ML d. 23-12-46.
" 6273/46-2 ML dated 18-12-46.
" 200/47-2 ML dated 17-1-47.

Legal may be requested to state urgently whether the previous sanction of H.E. the Governor or the Governor-General or the recommendation of the Governor is necessary under the provisions of the Government of India Act,1935 in respect of the following Bills:-

1. The Andhra University (Amendment) Bill,
2. The Annamalai University (Amendment) Bill.
3. The Madras Kalavanthula Nautches/Bill /Prohibition/

This information is required with reference to the inclusion of the above Bills in the agenda for 5-2-47.

Legal u.o 1172-2
3.2.47

E+PH (Gr3)
No action is called for as this may be ~~needed~~ regarding to the proposed amendment of the Annamalai University Act. The Bills to amend the Act may be lodged.

7271

Secretariat of the Madras Legislature.

U.O.No. 429/47-1 M.L. 28-1-47.

Subject: Bills-Non-official-The Annamalai University (Amendment) Bill, 1947-By K.T.M.Ahmed Ibrahim Sahib, M.L.C.-Notice of motion for introduction.

Reference: Letter from Mr. K.T.M.Ahmed Ibrahim Sahib, M.L.C. dated 22-1-47.

In his letter cited, Mr. K.T.M.Ahmed Ibrahim Sahib, M.L.C. has given notice of his intention to move for leave to introduce a Bill to amend the Annamalai University Act,1928(Madras Act I 1929). The Bill is identical with those given notice of by Messrs. B.Pocker,M.L.A.,M.S.A.Majid, M.L.A.,and K.M.Seethi, M.L.A. and communicated to departments separately.

2. Copies of the M.L.C.'s letter together with a copy of this note may be sent to the Legal and Education and Public Health departments, to the Hon'ble the Leader of the Upper House, the Hon'ble the Prime Minister, the Hon'ble the Minister for Education the Hon'ble the Minister for Law and the Secretary to H.E.the Governor.

3. The notes recorded in u.o.note No.6273/46- M.L. d.18-12-46 in respect of the Bills given notice of by Messrs B.Pocker,M.L.A., and M.S.A.Majid,M.L.A. will apply to this Bill also.

4. Rule 70 prescribes a period of 15 days' notice for Bills. This notice is in time for only for a meeting of the Council which may be held for the transaction of non-official business after the 6th February '47 unless the Hon'ble the President waives the prescribed notice under rule 112 of the Council Rules.

5. The M.L.C. has already given notice of a Bill to amend the Andhra University Act and in the absence of any intimation from him as to preference, it will be included in the ballot to be held on 29-1-47. Under rule 20(8) a member cannot ballot for more than one Bill.

6. For orders whether in the circumstances the Hon'ble President will waive notice in this case.

A draft D.O. to the M.L.C. acknowledging his letter and asking him to state the Bill to which he wishes to give preference is submitted below for approval.

He has preferred Annamalai University Bill.
I waive notice. Include in Ballot.
R.B.R. (Hon. President)

M.Surya Rao,
Secretary, Legislative Council

39 24 23

To

The Legal Department
The Education and Public Health Department,
The Hon'ble the Leader of the Upper of House,
The Hon'ble the Prime Minister,
The Hon'ble the Minister for Education
The Hon'ble the Minister for Law,
The Secretary to H.E.the Governor.

F O R W A R D E D. / By Order./

A. Y. Salvi

S U P E R I N T E N D E N T.

Copy of letter dated 22-1-47 from Mr.K.T.M.Ahmed Ibrahim to the Secretary, Madras Legislature.

- - - - - - - - - -

Dear Sir,

I do hereby give you notice of my intention to move for leave to introduce the enclosed Bill to amend the Annamalai University Act at the new meeting of the Legislative Council.

4163

20

U.O. Note No. 433/47 M.L.
23-1-47

SECRETARIATE OF THE MADRAS LEGISLATURE.

Fort St. George,
Madras.
D/30-1-47.

25

Subj:-Bills-Non-official-The Annamalai University (Amendment)Bill,1947-By Mr. M.Mahomed Ismail Sahib, M.L.A.-Notice of motion for introduction.

Ref:Letter from Mr. M.Mahomed Ismail Sahib,M.L.A. dated 21 Jan 1947.

ASSISTANT SECRETARY TO GOVERNMENT
1 - FEB 1947
737
EDUCATION AND PUBLIC HEALTH DEPARTMENT

p.2 ante

In the letter cited above, Mr. M.Mahomed Ismail, M.L.A. has given notice of his intention to move for leave to introduce a Bill to amend the Annamalai University Act 1928). The Bills is identical with those given notice of already by Messrs. B.Pocker, M.L.A., M.S.A. Majid, M.L.A. and K.M.Seethi M.L.A.

2. Copies of the M.L.A.'s letter together with a copy of this note may be sent to the Legal and Education and Public Health Departments, to the Hon'ble the Leader of the House, the Hon'ble the Minister for Education, the Hon'ble the Minister for Law, and the Secretary to H.E. The Governor.

3. The notes recorded in U.O.Note No.6273/46-EM.L. dated 18-12-46 in respect of the Bills given notice of by Messrs. B.Pocker, M.L.A., and M.S.A. Majid, M.L.A., will apply to this Bill also .

4.Rule 70 prescribes a period of 15 days' notice in the case of Bills. The notice is therefore in time for a meeting of the Assembly which may be held for the transaction of non-official business after the 6th Feb 47and will not be admissible for the ballot on 29-1-47. For orders whether the Hon'ble the Speaker will waive the prescribed notice under 112 of the Assembly Rules.

Other similar bills will be balloted for. There is no need to waive notice.

D.K.V.Raghava Varma,
Secretary,
Madras Legislature.

To The Legal Department.
" " Education Public Health Department.
" " The Hon'ble the Leader of the House
" " Hon'ble the Leader of the House
" " Hon'ble the Minister for Education.
" " Hon'ble the Minister for Law.
" " Secretary to H.E. The Governor.

Forwarded/by order

Superintendent.

R.S.M./29-1-47

Ext 4 (G.O.)
May be added for an on the record, if any chief Secy.
31-1-47.
3-2-47

42 27 26

Copy of letter from Mr. M.Mahammed Ismail M.L.A. Dated 21 Jan 1947. to the Secretary, Madras Legislature, Madras.

I do hereby give you notice of my intention to move for leave to introduce the enclosed Bill to amend the Annamalai University Act at the next meeting of the Legislative Assembly.

Secretariat of the Madras Legislature.

U.O.Note:-No.429/47-3 M.L., dated 18th February 1947.

ASSISTANT SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPARTMENTS
21 FEB 1947
1463

Subject:- Bills - Non-official - The Annamalai University (Amendment) Bill, 1947 - by Mr. K.T.M. Ahmed Ibrahim Sahib, M.L.C.- Notice of motion for introduction.

In continuation of U.O.Note No.429/47-1 M.L., dated the 27th January 1947, Legal and Education and Public Health Departments and the Secretary to ~~the~~ His Excellency the Governor may be informed that Mr. K.T.M. Ahmed Ibrahim moved for leave to introduce this Bill in the Council on 5th February 1947 but that the motion was put and lost.

M. Surya Rao,
Secretary to the Legislative Council.

To the Legal Department.
,, Education and Public Health Department.
Copy to the Secretary to His Excellency the Governor of Madras.

F o r w a r d e d.

(By Order) N. Subramanian
SUPERINTENDENT.

N.J.20/2.

ASSISTANT SECRETARY
30 JAN 1947
M. LEGAL DEPARTMENT.

Secretariat of the Madras Legislature.

U.O.Note No.429/47-1
28-1-47.

Subject: Bills-Non-official-The Annamalai University (Amendment) Bill, 1947-By Mr.K.T.M.Ahmed Ibrahim Sahib, M.L.C.-Notice of motion for introduction.

Reference: Letter from Mr.K.T.M.Ahmed Ibrahim Sahib, M.L.C. dated 22-1-47.

In his letter cited, Mr.K.T.M.Ahmed Ibrahim Sahib,M.L.C. has given notice of his intentionkm to move for leave to introduce a Bill to amend the Annamalai University Act,1928(Madras Act I 1929). The Bill is identical with those given notice of by Messrs. B.Pocker,M.L.A.,M.S.A.Majid, M.L.A.,and K.M.Seethi, M.L.A. and communicated to departments separately.

2. Copies of the M,L.C.'s letter together with a copy of this note may be sent to the Legal and Education and Public Health departments, to the Hon'ble the Leader of the Upper House, the Hon'ble the Prime Minister, the Hon'ble the Minister for Educaiion the Hon'ble the Minister for Law and the Secretary to H.E.the Governor.

3. The notes recorded in u.o.note No.6273/46- M.L. d.18-12-46 in respect of the Bills given notice of by Messrs B.Pocker,M.L.A., and M.S.A.Majid,M.L.A. will apply to this Bill also.

4. Rule 70 prescribes a period of 15 days' notice for Bills. This notice is in time for only for a meeting of the Council which may be held for the transaction of non-official business after the 6th February '47 unless the Hon'ble the President waives the prescribed notice under rule 112 of the Council Rules.

5. The M.L.C. has already given notice of a Bill to amend the Andhra University Act and in the absence of any intimation from him as to preference, it will be included in the ballot to be held on 29-1-47. Under rule 20(8) a member cannot ballot for more than one Bills

6. For orders whether in the circumstances the Hon'ble President will waive notice in this case.

A draft D.O. to the M.L.C. acknowledging his letter and aking him to state the Bill to which he wishes to give preference is submitted below for approval.

Hexx has preferred Annamalai University Bill, I waive notice. Including Ballot.
R.B.R. (Hon'ble President)

M.Surya Rao,
Secretary, Legislative Council

29

Copy of letter dated 22-1-47 from Mr.K.T.M.Ahmed Ibrahim to the Secretary, Madras Legislature.

- - - - - - - - - -

Dear Sir,

I do hereby give you notice of my intention to move for leave to introduce the enclosed Bill to amend the Annamalai University Act at the ~~next~~ meeting of the Legislative Council.

30

To

The Legal Department
The Education and Public Health Department,
The Hon'ble the Leader of the Upper of House,
The Hon'ble the Prime Minister,
The Hon'ble the Minister for Education
The Hon'ble the Minister for Law,
The Secretary to H.E.the Governor.

F O R W A R D E D. / By Order./

SUPERINTENDENT.

A BILL TO AMEND THE ANNAMALAI UNIVERSITY I OF 1929.

PREAMBLE. Where-as it is expedient and desirable that effective and adequate representation should be given to Muslims on some of the authorities of the Annamalai University, with a view to secure greater participation of the Muslims in the academic and administrative work of the University, it is hereby enacted as follows:-

SHORT TITLE AND COMMENDEMENT (1) This Act may be called the Annamalai University Amendment Act:x

(2) This Act shall come into force at once.

CONSTITUTION OF THE SENATE (3 (a) In section 15 - CLASS III OTHER MEMBERS, Sub-clause (ii) for the words "ONE MEMBER", substitute the words"XXXXXXXX"FIVE MEMBERS".

(b) In the same sub-clause for the word "MUHAMMADAN", substitute the word "MUSLIM".

CONSTITUTION OF THE SYNDICATE. (4) (a) In section 21 - CLASS II - OTHER MEMBERS for the existing sub-clause (3) substitute the following:-

"(3) Three Members nominated by the Chancellor, one of whom shall be a non-official Muslim."

(b) In the same Section 21-CLASS II - OTHER MEMBERS - after sub-clause (4) insert the following as sub-clause (5)

(5) "One member elected by the MUSLIM EDUCATIONAL ASSOCIATION OF SOUTHERN INDIA from among its members".

STATEMENT OF OBJECTS AND REASONS.

The Annamalai University Act was enacted in 1929 and it provided for the representation of the Muslim Community on the Senate, by the election of one member by the Muslim Educational Association of Southern India. In a body of nearly 80 members which the Senate consists of, this representation has been found to be most inadequate and ineffective. Except for the occasional audition of another member through nomination by either the Chancellor or the Pro-Chancellor or by election from the Legislature, at

no time has the number of Muslims on the Senate of the Annamalai University exceeded two. This has not given any satisfaction to the Muslims considering the vast progress that the University has made during the past 7 years and the wider sphere of activity which it comprehends to-day. It is therefore sought to make the necessary amendments to provide for the election of five memebrs to the Senate from among the members of the Muslim Educational Association of Southern India.

Even so, the Act has not provided for any representation of the Muslims on the Syndicate of the University. Except for the election of a Muslim by the Senate on two occasions and for the nomination of a Muslim by the Chancellor or the Pro-chancellor on a single occasion, the Muslim community has not had adequate representation on the Syndicate of the University. There is no provision in the Act to secure the election of atleast one or two Muslims to the Syndicate. It is true that there are 4 members nominated by the Chancellor and the Pro-Chancellor in the proportion of two each. But the Act does not provide that atleast one or two of these four should be Muslims. The Syndicate consists of 13 members and it is a recognised fact that it is overweighted by teacher of the University who are employees of the University and subordinate to the Syndicate. Experience has shown that atleast half the number of members nominated by the Chancellor and the Pro-Chancellor happen to be present or past Government officials. In the result the representation of non-officials on the Syndicate has been most inadequate and negligible. Such representation has never exceeded three members. It is therefore necessary and desirable to increase the strength of the Syndicate from 13 to 15 and to provide for representation of the Muslims by atleast 2 members on the Syndicate. Provision is therefore made in the Bill for the nomination of one non-official Muslim by the Chancellor and for the election of another Muslim by the Muslim Educational Association of Southern India.

The Muslim Educational Association of Southern India is a 45 years old organisation and is the premier institution representing the entire Muslims of this province and working for the Educational uplift and social advancement of the Muslim Community. Its membership runs upto 1,500 and it is a body registered under the Societies Registration Act XXI of 1860. It has already received statutory recognition in several Acts of the local Legislature.

Dated 22 January 1946.

33 43 39 47

Legal Department.

Please see the U.O. Note of the Secretariat of the Madras Legislature on page 1 ante. The statement in paragraph 3 of that note that the notes on the Bills in respect of which notices have been given by Messrs. Pocker and Majid will apply to the Bill at pages 4 and 5 ante also is correct. A copy of the notes of this department on the above Bills is at flag (H).

K.M. 6/2/47

2. The administrative department concerned, viz., E.& P.H. will no doubt obtain the remarks of this department in due course on the Bill at pages 4 and 5 ante if necessary.

3. A copy of this note may be sent to the Secretariat of the Madras Legislature ~~and also to the Law Dept~~. for information.

K.M. 6/2/47

Legal no 977-1
6.2.47

SS
6.2.47

E. & P.H. Dept

ASST. SECRETARY TO GOVERNMENT
7 - FEB 1947
1059
EDUCATION AND PUBLIC HEALTH DEPT.

Please see the w.o. note on page 1 ante and the legal note above. The motion of Mr. K.T.M. Ahmed Ibrahim Sahib to for leave to introduce his bill was put and lost in the Council on 5-2-47. ~~The these papers may be lodged.~~

8.
21.2.47.

W
22.2.47

35 50

SECRETARIATE OF THE MADRAS LEGISLATURE.

U.O. Note No. 433/47M.L.
23-1-47

Fort St. George,
Madras.
D/30-1-47.

Subj:-Bills-Non-official-The Annamalai University (Amendment)Bill,1947-By Mr. M.Mahomed Ismail Sahib, M.L.A.-Notice of motion for introduction.

Ref:Letter from Mr. M.Mahomed Ismail Sahib,M.L.A. Dated 21 Jan 1947.

In his letter cited above, Mr. M.Mahamed Ismail, M.L.A. has given notice of his intention to move for leave to introduce a Bill to amend the Annamalai University Act 1928). The Bills is identical with those given notice of already by Messrs. B.Pocker, M.L.A., M.S.A. Majid, M.L.A. and K.M.Seethi M.L.A.

ASSISTANT SECRETARY
31 JAN 1947
LEGAL DEPARTMENT

2. Copies of the M.L.A.'s letter together with a copy of this note may be sent to the Legal and Education and Public Health Departments, to the Hon'ble the Leader of the House, the Hon'ble the Minister for Education, the Hon'ble the Minister for Law, and the Secretary to H.E. The Governor.

3. The notes recorded in U.O.Note No.6273/46-2M.L. dated 18-12-46 in respect of the Bills given notice of by Messrs. B.Pocker, M.L.A., and M.S.A. Majid, M.L.A., will apply to this Bill also .

4.Rule 70 prescribes a period of 15 days' notice in the case of Bills. The notice is therefore in time for a meeting of the Assembly which may be held for the transaction of non-official business after the 6th Feb 47and will not be admissible for the ballot on 29-1-47. For orders whether the Hon'ble the Speaker will waive the prescribed notice under 112 of the Assembly Rules.

Other similar bills will be balloted for. There is no need to waive notice.

D.K.V.Raghava Varma,
Secretary,
Madras Legislature.

To The Legal Department.
" " Education Public Health Department.
" " The Hon'ble the Leader of the House
" " Hon'ble the leader of the House
" " Hon'ble the Minister for Education.
" " Hon'ble the Minister for Law.
" " Secretary to H.E. The Governor.

Forwarded/by order

Superintendent.

E.S.M./29-1-47

350 35 51

Copy of letter from Mr. M.Mahammed Ismail M.L.A. Dated 21 Jan 1947. to the Secretary, Madras Legislature, Madras.

I do hereby give you notice of my intention to move to introduce the enclosed Bill to amend the Annamalai University Act at the next meeting of the Legislative Assembly.

A BILL TO AMEND THE ANNAMALAI UNIVERSITY ACT I OF 1929.

PREAMBLE. Where as it is expedient and desirable that effective and adequate representation should be given to Muslims on some of the authorities of the Annamalai University, with a view to secure greater participation of the Muslims in the academic and administrative work of the University, it is hereby enacted as follows:-

SHORT TITLE AND COMMENCEMENT (1) This Act may be called the Annamalai University Act.
(2) This act shall come into force at once.

CONSTITUTION OF THE SENATE (3) (a) In section 15-CLASS III-OTHER MEMBERS, Sub-clause (ii) for the words "ONE MEMBER", substitute the words "FIVE MEMBERS."

(b) In the same sub-clause for the word "MUHAMMADAN", substitute the word "MUSLIM".

CONSTITUTION OF THE SYNDICATE (4) (a) In section 21-CLASS II-OTHER MEMBERS for the existing sub-class (3) substitute the following:-

(3)Three Members nominated by the Chancellor, one of whom shall be a non-official Muslim."

(b) In the same section 21-CLASS II-OTHER MEMBERS-after sub-clause (4) insert the following as sub-Clause (5)

" (5) One member elected by the MUSLIM EDUCATIONAL ASSOCIATION OF SOUTHERN INDIA from among its members."

STATEMENT OF OBJECTS AND REASONS.

The Annamalai University Act was enacted in 1929 and it provided for the representation of the Muslim Community on the Senate, by the election of one member by the Muslim Educational Association of Southern India. In a body of nearly 80 members which the Senate consists of, this representation has been found to be most inadequate and ineffective. Except for the occasional addition of another member through nomination by either the Chancellor or the Pro-Chancellor or by election from the Legislature, at no time has the number of Muslims on the Senate of the Annamalai University exceeded two. This has not given any satisfaction to the Muslims considering the vast progress that the University has made during the past 7 years and the wider sphere of activity which it comprehends to-day. It is therefore sought to make the necessary amendments to provide for the election of five members to the Senate from among the members of the Muslim Educational Association of Southern India.

Even so, the Act has not provided for any representation of the Muslims on the Syndicate of the University. Except for the election of a Muslim by the Senate on two occasions and for the nomination of a Muslim by the Chancellor or the Pro-Chancellor on a single occasion, the Muslim community has not had adequate representation on the syndicate. It is true that there are 4 members nominated by the Chancellor and the Pro-chancellor in

36 B 7 59

the proportion of two each. But the Act does not provide that at least one or two of these four should be Muslims. The Syndicate consists of 13 members and it is a recognised fact that it is overweighted by teachers of the University who are employees of the University and subordinate to the Syndicate. Experience has shown that atleast half the number of members nominated by the Chancellor and the Pro-chancellor happen to be present or past Government officials. In the result the representation of non-officials on the Syndiate has been most inadequate and negligible. Such representation has never exceeded three members. It is therefore necessary and desirable to increase the strength of the Syndicate from 13 to 15 and to provide for representation of the Muslims by at least 2 members on the Syndicate. Provision is therefore made in the Bill for the nomination of one non-official Muslim by the Chancellor and for the election of another Muslim by the Muslim Educational Association of Southern India.

The Muslim Educational Association of Southern India is a 45 years old organization and is the premier institution representing the entire Muslims of this province and working for the educational uplift and social advancement of the Muslim Community. Its membership runs upto 1,500 and it is a body registered under the Societies Registration Act XXI of 1860. It has already received statutory recognition in several Act of the local Legislature.

Dated 21st Jan 1946.

S3 37 38 54

Legal Department.

Please see the U.O. Note of the Secretariat of the Madras Legislature on page 1 ante. The statement in paragraph 3 of that note that the notes on the Bills in respect of which notices have been given by Messrs. Pocker and Majid will apply to the Bill at pages 4 and 5 ante also is correct. A copy of the notes of this department on the above Bills is at flag H.

2. The administrative department concerned, viz., E.& P.H. will no doubt obtain the remarks of this department in due course on the Bill at pages 4 and 5 ante if necessary.

3. A copy of this note may be sent to the Secretariat of the Madras Legislature [redacted]. for information.

S3 6-2-47

K.M. 6/2/47

E. & P.H.

E & P.H.(S)

Legal-O 1030-1

6.2.47

ASST. SECRETARY TO GOVT. 7-FEB-1947 EDUCATION AND PUBLIC HEALTH 1059

Please see the U.O. note on p.1 ante and the Legal note above. Motion for leave to introduce similar bills on the subject were opposed by Govt. and they were lost in the Assembly on 5-2-1947. According to Rule 56 of the Rules for the Madras ~~Madras~~ Legislative Assembly, a motion must not raise a question substantially identical ~~idential~~ with one on which the Assembly has given a decision in the same session. Hence this bill can be brought forward by the member only during the next session, i.e. the August session of the Assembly. This ~~may~~ Bill also may be opposed if and when it is sought to be introduced in the next session of the assembly. No action is therefore called for on this at present. The papers may be ~~lodged~~ added to the main file.

K 24-2-47 S

27-2-47

38-39

Legal Department.

Please see the u.o. note of the Secretariat of the Madras Legislature at p.1 ante.

2. The subject matter of the Bills falls under entry 17 of the Provincial Legislative List, viz., "Education, including universities other than those specified in paragraph 13 of List I". The legislation is intra vires the Provincial Legislature.

Certainly
KVR
6.1.47.

3. The Bills do not require the previous sanction of the Governor or the Governor-General under the Government of India Act, 1935. ~~M~~ Nor do they require the recommendation of the Governor under section 82 of the Act. The Secretariat of the Madras Legislature may therefore be informed with reference to paragraph 6 of their u.o. note that the presumption expressed in paragraph 5 of that note is correct.

4. This may be returned to the Secretariat of the Madras Legislature, through the administrative department concerned, namely, E. & P.H.

K.V.R.
6.1.47.

E. & P.H.
Secretary of the
Legislature.

Power Solid

39 52

A BILL TO AMEND THE ANNAMALAI UNIVERSITY I OF 1929.

PREAMBLE. Where-as it is expedient and desirable that effective and adequate representation should be given to Muslims on some of the authorities of the Annamalai University, with a view to secure greater participation of the Muslims in the academic and administrative work of the University, it is hereby enacted as follows:-

SHORT TITLE AND COMMENCEMENT (1) This Act may be called the Annamalai University Amendment Act:x

(2) This Act shall come into force at once.

CONSTITUTION OF THE SENATE (3 (a) In section 15 - CLASS III OTHER MEMBERS, Sub-clause (ii) for the words "ONE MEMBER", substitute the words"XXSIXXXX"FIVE MEMBERS".

(b) In the same sub-clause for the word "MUHAMMADAN", substitute the word "MUSLIM".

CONSTITUTION OF THE SYNDICATE. (4) (a) In section 21 - CLASS II - OTHER MEMBERS for the existing sub-clause (3) substitute the following:-

(3) Three Members nominated by the Chancellor, one of whom shall be a non-official Muslim."

(b) In the same Section 21-CLASS II - OTHER MEMBERS - after sub-clause (4) insert the following as sub-clause (5)

(5) "One member elected by the MUSLIM EDUCATIONAL ASSOCIATION OF SOUTHERN INDIA from among its members".

STATEMENT OF OBJECTS AND REASONS.

The Annamalai University Act was enacted in 1929 and it provided for the representation of the Muslim Community on the Senate, by the election of one member by the Muslim Educational Association of Southern India. In a body of nearly 80 members which the Senate consists of, this representation has been found to be most inadequate and ineffective. Except for the occasional addition of another member through nomination by either the Chancellor or the Pro-Chancellor or by election from the Legislature, at

40 57 A1

no time has the number of Muslims on the Senate of the Annamalai University exceeded two. This has not given any satisfaction to the Muslims considering the vast progress that the University has made during the past 7 years and the wider sphere of activity which it comprehends to-day. It is therefore sought to make the necessary amendments to provide for the election of five members to the Senate from among the members of the Muslim Educational Association of Southern India.

Even so, the Act has not provided for any representation of the Muslims on the Syndicate of the University. Except for the election of a Muslim by the Senate on two occasions and for the nomination of a Muslim by the Chancellor or the Pro-chancellor on a single occasion, the Muslim community has not had adequate representation on the Syndicate of the University. There is no provision in the Act to secure the election of atleast one or two Muslims to the Syndicate. It is true that there are 4 members nominated by the Chancellor and the Pro-Chancellor in the proportion of two each. But the Act does not provide that atleast one or two of these four should be Muslims. The Syndicate consists of 13 members and it is a recognised fact that it is overweighted by teacher of the University who are employees of the University and subordinate to the Syndicate. Experience has shown that atleast half the number of members nominated by the Chancellor and the Pro-Chancellor happen to be present or past Government officials. In the result the representation of non-officials on the Syndicate has been most inadequate and negligible. Such representation has never exceeded three members. It is therefore necessary and desirable to increase the strength of the Syndicate from 13 to 15 and to provide for representation of the Muslims by atleast 2 members on the Syndicate. Provision is therefore made in the Bill for the nomination of one non-official Muslim by the Chancellor and for the election of another Muslim by the Muslim Educational Association of Southern India.

The Muslim Educational Association of Southern India is a 45 years old organisation and is the premier institution representing the entire Muslims of this province and working for the Educational upliftment and social advancement of the Muslim Community. Its membership runs upto 1,500 and it is a body registered under the Societies Registration Act XXI of 1860. It has already received statutory recognition in several Acts of the local Legislature.

Dated 22 January 1946.

E. & P.H. Dept(G.3)

Bills - The Annamalai University (Amendment)Bill, 1946 - Notice of motion for introduction - By Messrs. B. Pocker Sahib, M.L.A., M.S.A. Majid, M.L.A. and K.M. Seethi Sahib, M.L.A.

U.O.Notes from the Secretariat of the Madras Legislature, No.6273/46-2 M.L., dated 18-12-46, and No. 222/47-2 M.L. dated 20-1-47.

This may also be marked for the Cabinet to consider the Government attitude to be taken on the bill.

Sd. T.S. A(vinashilingham)
4-1-47.

The normal steps may be taken.

Sd. T.S. A(vinashilingham)
22-1-47.

Please see the u.o. notes of the Madras Legislature Secretariat and its enclosures on p.p. 1-15 c.f. The case relates to the bills for amending the Annamalai University Act 1928(Madras Act I of 1929) proposed to be introduced by Messrs. B. Pocker Sahib, M.S.A. Majid, and K.M. Seethi Sahib, M.L.A. during the next meeting of the Assembly. The bills are all identical and seek to provide for the election of five members to the Senate of the Annamalai University from among the members of the Muslim Educational Association of Southern India and for the representation on the Syndicate of two Muslim members, one a non-official Muslim nominated by the Chancellor, and the other elected by the Muslim Educational Association of Southern India from among its members. The Annamalai University Act at present provides for the election of one member to the Senate by the general body of the Mohammadan Educational Association of Southern India from among its members. The Act does not however contain any special provision for the election or nomination of Muslims to the Syndicate. The statement at (t) shows the existing provision for the representation of Muslims in the Annamalai University as compared with the other two Universities in the Province.

2. The proposed legislation is intra vires the provincial Legislature and the Legal Dept. have held that the Bills do not require the previous sanction of the Governor

or the Governor-General under the Govt of India Act, 1935. Legal have further stated that the Bills do not also require the recommendation of the Governor under section 82 of the Act.

3. In the Original Annamalai University Bill of 1928, no separate provision for the election to the Senate of even one Muslim by the Mohammadan Edl. Assn. of Southern India was included by Govt. This provision was included later on on the recommendation of the Select Committee appointed to consider the Bill. With a view to provide for the various academical and educational interests which the new University might be expected to foster, the select committee recommended one elected member each to the Sri Nandanar Kalvi Khazhagam, Chidambaram, the Muhammadan Edl. Assn. of Southern India, the Madura Tamil Sangam etc., and this was accepted by Govt. At the time of consideration of the select committee's Report, amendments were ~~brought~~ sought to be made to increase the representation of Muslims on the Senate from one to three, but the amendments were all lost - vide pages 107-111 of G.O.No.578-519 Law(Legis), dated 7-11-28, especially portions marked 'X' and 'Y' on pages 105 and 110 of the G.O. The reasons mentioned therein which weighed with the then Govt. for opposing the proposal to increase the number of Muslims on the Senate seem to hold good even now. It does not therefore seem that the present Bills which aim to increase the number of Muslims on the Senate from 1 to 5 can be supported by Govt.

4. As regards the question of representation of Muslims on the Syndicate, attention is solicited to the statement below which shows the number of Muslims (elected and nominated) on the Senate and Syndicate of the University during the years 1931-45:-

Senate: Class III - Other members .. 50

(No. of persons to be nominated by Chancellor .. 8
-do- -do- by Founder .. 4

Syndicate - Class II -- Other members .. 8

(No. of persons to be nominated by Chancellor .. 2
-do- -do- by Founder .. 2

No. of Muslim members.

Year.	SENATE. Elected	Nominated by Chancellor	Nominated by Founder	SYNDICATE. Elected	Nominated by Chancellor	Nominated by Founder.
1931-32	2	--	1	--	--	--
1932-36	(figures not available)			(figures not available)		
1936-39	3	---	1	--	--	--
1939-42	1	1	1	--	--	--
1942-45	2	1	1	--	--	--

It will be seen from the above that for several years there has been no representation of Muslims (elected or nominated) on the Syndicate of the University. Govt may therefore perhaps agree to the principle that some special provision may be made in the Act, for ensuring a suitable representation of Muslims on the Syndicate. However, two Muslims for a total of eight members (other than ex-officio) proposed in the Bills seem to be rather too excessive.

5. In this connection, it may be stated that H.M.(Edn.) has separately proposed that Govt. should take up the amendment of the three Universities' Acts as soon as possible. The Madras University Act, being the oldest Act, has already been taken up for consideration, and the Govt. are at present awaiting the report of the University committee in the matter. The question of appointing an Expert Committee for amending the Andhra University Act is also under the consideration of Govt. When these are done with, Govt, will take up the question of amending the Annamalai University Act. It is submitted that the amendments now proposed by the 3 M.L.As may then be considered by Govt. in greater detail. In the meanwhile, it is for consideration whether as in the case of the Andhra University (Amendment) Bills, the position now stated above may be explained to the M.L.As and they may be asked to withdraw their bills, if they have no objection. If however the M.L.As. do not agree but press for the introduction of their bills, Govt. may then oppose the bills. The procedure to be followed in respect of these private bills is set out in Instructions 40 to 42-B of the Sectt.

Instructions.

6. With reference to the minute of H.M.-(Edn.) on page 1 c.f. orders are also solicited as to whether the subject may be placed before the cabinet.

25-1-47

25-1-47

This is a Bill introduced by three members of the Muslim League Party in the Assembly for providing for representation of Muslims to the Syndicate of the Annamalai University. The Government intend to take up the matter of the amendment of the University Act as soon as possible, and so I do not think it is necessary to take this up at present. In any case, this may be placed before the Cabinet. The Department may take all steps to do so as mentioned, as it makes ante copy before the Session.

TSA
27-1-47

A above

The case may be circulated to H.M. with reference to Secy. Letter 24(1).

27-1-47

P 21 of the Business Rules

As the Government are taking steps to replan and reconstitute University Education, the Bill need not be considered at present. It can be taken up later.

Recvd at 6.45 PM
28/1/47

E. & P.H(G.3)

A draft note for the Cabinet is submitted. It may be sent to the Chief Secretary for scrutiny and approval, before circulation to H.M.(Edn.).

SECRETARIAT, EDN. AND P. H. DEPT. 27 JAN 1947 GOVERNMENT OF MADRAS

EDUCATION AND PUBLIC HEALTH DEPARTMENT 29 JAN 1947 SECRETARIAT TO GOVERNMENT

E&PH(G3)
Lr. no. 1615-93/47-1Edn.
29-1-47

Pub(Spl) G.O. No. 558/47-1
29-1-47

SECRETARY, EDN. AND P. H. DEPT. 29 JAN 1947 GOVERNMENT OF MADRAS

Let the matter should be discussed at the next meeting of the Cabinet.

29.1.47

29/1/47
Chief Secretary

E&PH

Comments on Programme - 93

The file may now be circulated to Hon'ble Ministers for approval of the note for Cabinet kept below.

29.1.47

29/1/47

29-1-47

E&PH(G3)

Copies of the Cabinet note have been sent to the Honourable Ministers, the Chief Secretary and Secretary to HE the Governor. The file may now be sent to Public (G) (Six copies of the Cabinet note are kept below)

30.1.47

30.1.47

30.1.47

E&PH(G3)

Please see the orders of the Cabinet on p. 21 c.f. The receipt of the official Assembly proceedings may be awaited till 28-2-47. 1-3-47.

2.2.47

P.T.O.

DEPUTY SECRETARY 31 JAN 1947 GOVERNMENT

E&PH(G3)
Lr. no. 1615-93/47-2Edn.
31/1/47

62/2/2

Edn 4(83)

Please see the short fronter Assembly Dept at p.25 of which here nothing Mr. H.S.A. Majid Sahib for leave to introduce the Bill was fixed on 5/2/87. The Papers may now be

Order/No. Hs 315 Dated 24/2/87

Recorded

Def
21/2/87

W.
21.2.87

21.2.87.

Abstract:-
Bills - Mechanamalai University Act Amendment - Re Tentatively Passed in the Senate & Sub Motion for leave to introduce the Re Lost - Papers Rea

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