



LAW DEPARTMENT

POLICY NOTE

2007-2008

DEMAND NO.33

LAW

**Thiru Duraimurugan,
Minister for Public Works and
Law**

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POLICY NOTE FOR THE YEAR 2007-2008 RELATING TO
LAW DEPARTMENT

DEMAND NO.33

I. INTRODUCTION

Law is an instrument of Social change and Legislature is the authority in control of Law making process. Democracy has been conceived to implement the public opinion over the individual opinion. A definition of Law is – Law is nothing but rules of morality, ethics and common sense codified. In a democratic society it is said that Laws are collective will of the people expressed through legislature. Law has also emerged in the same way with the development of the society and as every member of the society has to follow the law in any form in his daily life. Laws are the expression of social needs and attitudes. The enactment of a law based on a particular social need symbolizes the legal backing of the aspirations of those who claimed for that social need. Happiness of the people can be achieved by making Law by the Legislature conforming to social justice.

Law department of this Government frames various enactments keeping the above principles in mind and implements the policies of the Government, which are aimed at the welfare of the society.

Wherever Legislation is necessary to implement the policy decision of the Government, the Law Department, puts them into legal shape in the form of draft Bill in coordination with the administrative departments concerned.

On passage of the Bill by the Legislative Assembly, Law department pursues further action till it is published as an Act after assent by the Governor or the President, as the case may be. Where there is urgent need to make law when the Legislative Assembly is not in session and is prorogued, Ordinance is promulgated under Article 213 of the Constitution. It is Law department which prepares the draft Ordinances for the purpose and pursues further action till the publication of the Ordinance promulgated.

Further, one of the main roles of Law Department is to advise all departments of Secretariat including Tamil Nadu Legislative Assembly Secretariat. Law Department offers legal advice on the issues referred to it.

Apart from this, the statutory rules, notifications and orders and the deeds wherein the State Government is a party are scrutinized with reference to the relevant legal provisions and settled by the Law department.

In all litigations wherein the State Government is a party, the draft affidavits, draft counter affidavits, reply affidavits, etc. are scrutinized and settled by the Law Department.

Law Department is also dealing with the following subjects :-

- (1) Legal Studies
- (2) Appointment and Removal of Notaries
- (3) State Law Commission
- (4) State Official Language (Legislative) Wing
- (5) Tamil Nadu Dr. Ambedkar Law University

LEGAL STUDIES

The Department of Legal Studies was established in the year 1953 with the object of improving the standard of Legal Education in the State of Tamil Nadu. After the creation of the Department, there has been an all-round improvement in the standard of Legal education in the State and the department continues to strive for further improvement.

The Dr. Ambedkar Government Law College, Chennai was started in the year 1891. In the year 1974, another Law College was opened at Madurai and two more Law Colleges one each at Thiruchirappalli and Coimbatore, were opened during the academic year 1979-80. During the academic year 1996-97 a Law College was started in Thirunelveli. Orders have been issued for declaring the Law College at Chengalpattu run by the Tamil Nadu Dr. Ambedkar Law University as Government Law College

in the academic year 2006-07. Thus, there are six Government Law Colleges in the State of Tamil Nadu at present.

The total sanctioned strength in the Law Colleges in the academic year 2007-08 is furnished hereunder:-

<u>Name of the College</u>	<u>Total sanctioned strength</u>
1. Dr. Ambedkar Govt. Law College, Chennai (Under graduate and Post-graduate)	1482
2. Government Law College, Madurai (Under graduate and Post-graduate)	1438
3. Government Law College, Thiruchirappalli (Under graduate and Post-graduate)	1430
4. Government Law College, Coimbatore (Under graduate and Post-graduate)	1430
5. Government Law College, Thirunelveli (Under graduate and Post graduate)	1415
6. Government Law College, Chengalpattu (Under graduate only)	880

All the Government Law Colleges are functioning in their own buildings. Separate hostel facilities are available for both men and women students in the Government Law Colleges in Chennai and Madurai. Hostel facilities are available for the men students in Coimbatore Government Law College and for women students in Thiruchirappalli Government Law College. A hostel for women students is under construction in the Government Law College, Coimbatore. Hostel for Women students of the Government Law College at Thirunelveli is nearing completion and will start functioning shortly.

Financial assistance to the extent of Rs.5.25 lakhs has been given to 7 students of Dr. Ambedkar Government Law College, Chennai to participate in Moot Court Competition in Vienna and Hongkong in March and April 2007.

At present there is no Hostel facilities for men students in Government Law Colleges at Thiruchirappalli and Thirunelveli. Hence, it is decided to construct Men's Hostel in the said Government Law Colleges at the cost of Rs.168.00 lakhs.

It is decided to construct first floor on the building to be constructed for the Office of the Directorate of Legal Studies within the campus of Dr. Ambedkar Government Law College Men's Hostel at Purasaiwakkam, Chennai at a cost of Rs.30.00 lakhs.

APPOINTMENT AND REMOVAL OF NOTARIES:

For the purpose of attesting the negotiable instruments and for all recognized notarial purposes, notaries are appointed under the Notaries Act, 1952. There are 1695 Notaries in this State as on 1.1.2007.

STATE LAW COMMISSION:

The State Law Commission has submitted the following Seven Reports on the subjects specified below:-

- (1) "Unrepealed Tamil Nadu Regulations" enacted during the British Regime.
- (2) Central Laws having local application in Tamil Nadu.
- (3) "Rendering of Justice to the Villagers" in terms of the Tamil Nadu Village Courts Act, 1884.
- (4) Tamil Nadu Court fees and Suits Valuation Act, 1955.
- (5) Tamil Nadu General Clauses Act, 1867 and 1891

(6) Tamil Nadu Prohibition of Eve-teasing Act, 1998.

(7) Tamil Nadu Buildings (Lease and Rent Control) Act, 1960.

The tenure of the Chairman, Full-time Members and Part-time Member of the Re-constituted State Law Commission expired on 28.01.2002 afternoon and they were relieved of their duties. The State Law Commission is yet to be re-constituted.

STATE OFFICIAL LANGUAGE (LEGISLATIVE) WING

State Official Language (Legislative) Commission was constituted in the year 1965 to finalise and publish the glossary of legal terms, to undertake translation of Central and State Acts, Ordinances and the Rules and Notifications made thereunder into Tamil and any other work which may be entrusted to the Commission by the Government from time to time.

The State Official Language (Legislative) Commission was departmentalized in the year 1992 as a Wing of the Law Department viz, Official Language (Legislative) Wing. It is headed by an Additional Secretary to Government, Law Department. This wing functions under the over all control and supervision of the Secretary to

Government, Law Department. Central Acts and the State Acts have been translated into Tamil by this wing. The expenditure for translation and printing of Central Acts is reimbursed by the Government of India. The expenditure for translation and printing of State Acts is incurred by the State Government.

TAMIL NADU DR. AMBEDKAR LAW UNIVERSITY

Six Government Law Colleges functioning at Chennai, Madurai, Thiruchirappalli, Coimbatore, Thirunelveli and Chengalpattu and one private Law College at Salem are affiliated to the Law University.

Orders have been issued transferring the Course of B.A.B.L.(Hons.) along with the students from the 2nd year to 5th year in the Dr. Ambedkar Government Law College, Chennai to the Tamil Nadu Dr. Ambedkar Law University and the students have been accommodated in the School of Excellence in Law, from the academic year 2006-2007. The present strength of the School of Excellence in Law has been increased to about 650.

P.G. Departments (M.L. Degree Course) have been announced for the following branches in the University for the year 2007:

1. Criminal Law and Criminal Justice Administration
2. Human Rights Law

The Research Programme namely Ph.D. originally confined as part time programme for teachers alone. In the year 2007, it has been extended to Hon'ble Judges, Advocates, Administrators and others and in respect of students it has been extended as Full Time Programme.

The Law University has introduced non-practicing Law Degree Course through Distance Education Mode leading to the award of B.A.L. Degree from the year 2007.

The Law University has also introduced the following P.G. Diploma Courses through Distance Education mode from the year 2007:-

- 1) Business Laws
- 2) Environmental Laws
- 3) Information Technology Laws
- 4) Intellectual Property Laws
- 5) Labour Laws
- 6) Human Rights & Duties and Education Laws

The Law University has also introduced a Certificate Course in Documentation through Distance Education mode from the year 2007.

A separate Post Graduate and Research and Development block (two storied) at a cost of Rs.1.90 crores has been constructed.

In view of the increased students strength in the School of Excellence in Law it has been proposed to construct additional class rooms, computer labs, students rest rooms, faculty rest rooms etc. at an estimate of Rs.66.35 Lakhs (Rs.54 Lakhs sanctioned by the Government and Rs.12.35 Lakhs from the University Funds). The works for extension of School of Excellence in Law building on the southern side of the existing building is in progress.

The works for construction of a hostel for Girl students in the University campus at a cost of Rs.76 lakhs is in progress from the Government funds.

A Memorandum of Understanding has been entered with the Oklahoma University, USA for Faculty Exchange, Students / Scholars Exchange facilitating research on mutually agreed fields of Law, facilitating scholars to earn credits for subjects offered in the respective University. This is the first Memorandum of Understanding entered with a Foreign University, since the establishment of the Law University.

A Placement Cell is created and functioning in the University premises for the benefit of the outgoing students of the B.A.B.L.(Hons.) Degree Course. About 25 students of School of Excellence in Law have been selected as Law

Clerks and working under the Hon'ble Judges of High Court of Madras during the year 2006-2007. Several recruiters viz. Surana & Surana, Law Wave, Universal and Legal Firms have interacted with the final year students of School of Excellence in Law in connection with placement and campus interview. The Placement Cell has compiled the resume of 4th & 5th year students in the data base for the purpose of recruitment process. Several recruiters and Law Firms both National and International Level are approaching the Placement Cell for recruitments.

The University organized Special Lecture Programmes on "Soft Skills", to improve the communication, interview skills, leadership qualities etc. of the outgoing students.

It is proposed to introduce one more M.L. Degree Course (Full time) in Law, Medicine, Science and Technology as VIII Branch in the Post Graduate Department.

DETAILED LIST OF PART II SCHEMES FOR THE YEAR 2007-2008.

(Rupees in lakhs)

SI No	Description of the Schemes	Ultimate Cost			Cost in 2007-2008			
		Recurring Expenditure	Non-recurring expenditure	Total	Expenditure on Revenue account	Expenditure on Capital account	Expenditure on Loan account	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	Purchase of books for the Govt. Law Colleges.	0.00	12.00	12.00	12.00	0.00	0.00	12.00
2	Construction of Men's Hostel in the Govt. Law College, Thiruchirappalli	0.00	84.00	84.00	0.00	33.60	0.00	33.60
3	Purchase of furniture for the Govt. Law College, Thirunelveli	0.00	2.00	2.00	2.00	0.00	0.00	2.00

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
4	Construction of Men's hostel in the Govt. Law College, Thirunelveli	0.00	84.00	84.00	0.00	33.60	0.00	33.60
5	Construction of first floor on the building to be constructed for the Office of the Directorate of Legal Studies in the campus of the Dr.Ambedkar Govt. Law College Men's Hostel, Purasaiwakkam, Chennai	0.00	30.00	30.00	0.00	12.00	0.00	12.00

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
6	Purchase of Library books for the School of Excellence in Law in Tamil Nadu Dr. Ambedkar Law University.	0.00	4.00	4.00	4.00	0.00	0.00	4.00
7	Purchase of Library books for the Post Graduate and Research Department in Tamil Nadu Dr. Ambedkar Law University	0.00	4.00	4.00	4.00	0.00	0.00	4.00
8	Purchase of 2 heavy duty Xerox machines in Tamil Nadu Dr. Ambedkar Law University	0.00	2.00	2.00	2.00	0.00	0.00	2.00
	GRAND TOTAL (As approved by SFC)	0.00	222.00	222.00	24.00	79.20	00.00	103.20

**Duraimurugan,
Minister for Public Works and Law**