

# Law Department

## Policy Note

2008 – 2009

Demand No.33

### Content

1.	Introduction
2.	Legal Studies
3.	Notaries
4.	State Law Commission
5.	State Official Language (Legislative) Wing
6.	Tamil Nadu Dr. Ambedkar Law University
7.	Detailed List Of Part-Ii Schemes For The Year 2008-2009.

## **DEMAND NO.33**

### **I. INTRODUCTION**

The Constitution of India is the supreme law of the land and no law that violates its provisions can be enforced. Law is but a part of human society. Its purpose is to further and protect the interest of society. In a welfare State and in a welfare society, law plays a very important role in every affair of human being. Law serves as an important instrument to achieve social-economic development. Today, law is not viewed merely as an instrument of social control but also as an instrument of social change. Laws should endeavour to promote the happiness of the greatest number. In order to achieve this object, there has to be balancing of individual interests with social welfare. Laws should be made which would make anti-social behaviour unprofitable. Law is an instrument of social change and Legislature is the authority in control of Law making process. 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. The Lawmakers, the legislators, in an ideal sense, are persons who should be concerned with distributing values in society, with coordinating and furthering social enterprises and with balancing and adjusting social experience. Though involved in choice, they ought to be dispassionate in order to serve the social interest.

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.

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 are a party are scrutinized with reference to the relevant legal provisions and settled by the Law department.

In all litigations wherein the State Government are 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) 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. 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 2008-09 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)	1840
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)	1045

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 men students in Coimbatore Government Law College and for women students in Thiruchirappalli Government Law College and in Thirunelveli Government Law College. A hostel for women students is under construction in the Government Law College, Coimbatore. For the construction of hostels for the men students of the Government Law college, Thiruchirappalli and Thirunelveli, orders have been issued allotting the lands in Abishekapuram and Kulavanigarapuram villages respectively. Action has been taken for the construction of the hostel for the men students of the Government Law college, Thirunelveli.

It has been decided to construct additional class rooms for the Government Law College at Chengalpattu at the cost of Rs.80 lakhs.

### **NOTARIES:**

For the purpose of attesting the negotiable instruments and for all recognized notarial purposes, notaries are appointed under the Notaries Act, 1952. The number of notaries appointed by this Government and in practice in this State as on 1.1.2008 are 1652.

### **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) Unrepealed Central Acts 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 overall 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

The Tamil Nadu Dr.Ambedkar Law University was established with the aim of providing quality Legal Education by disseminating Legal knowledge in the State of Tamil Nadu. It was inaugurated by his Excellency Thiru. K.R.Narayanan then President of India on September 20, 1997. The University started functioning from 03.10.1997. This University is the only one of its kind in the whole of South Asia as it is the only Law University to have Colleges affiliated to it under its canopy. This uniqueness of the said University helps in disseminating the same standards of Legal Education throughout the State of Tamil Nadu.

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

For the first time Law admissions for all the Law Colleges in Tamil Nadu were made without conducting Entrance Examinations from the Academic year 2007 – 2008. This enabled the candidates having high academic marks to get admission in Law Courses, thereby balancing the urban and rural divide.

Placement Cell of the Tamil Nadu Dr.Ambedkar Law University was inaugurated on 12.04.2007. Within a few months of its inauguration, this Cell was able to place majority of the students of School of Excellence in Law who wished to pursue a career in the corporate sector, in established National and Multi-National Concerns.

The aim of the Law University is to expose the students to current international concepts and thinking in the field of Law. To achieve this, interactions between the Foreign Experts and the students are periodically arranged in the University campus. This helps to broaden the outlook of the students on their course and the job opportunities available for them.

To widen its horizon at the international level, for a better understanding of international dynamics, the Law University has entered into Memorandum of

Understanding with National University of Singapore, University of Oklahoma, USA, London Metropolitan University and Youngsan University, Korea.

The Research programme namely Ph.D was originally confirmed as part-time programme for teachers alone. From the academic year 2007, it has been extended as Full-Time Programme.

From the year 2007 onwards through Distance Education Mode, the Law University has introduced one B.A.L., Degree Course, 7 P.G. Diploma Courses and one Certificate Course in Documentation.

The Law University has introduced 4 P.G. Diploma (Evening) programmes from the year 2005 onwards which are being conducted successfully.

The third Convocation held in 24.12.2007, was presided over by His Excellency the Governor of Tamil Nadu and Chancellor of the Tamil Nadu Dr.Ambedkar Law University. 1862 Law Graduates received their Degrees and P.G. Diploma on the occasion. The Convocation address was delivered by The Hon'ble Chief Minister of Tamil Nadu Dr.Kalaignar M.Karunanidhi.

The Government have sanctioned a sum of Rs.10.lakhs under Part-II Scheme for the year 2007-2008 for purchase of heavy duty Xerox Machines and purchase of Books for the Library in the Post Graduate Department and School of Excellence in Law in the Tamil Nadu Dr.Ambedkar Law University.

In the year 2006-2007, the Government have sanctioned a sum of Rs.54 Lakhs for the construction of Annex Building for School of Excellence in Law, a sum of Rs.24 Lakhs for purchase of furnitures and books for the University and a sum of Rs.76 Lakhs for the construction of Girls Hostel in the University campus and construction work is nearing completion.

The Government have sanctioned a sum of Rs.3,00,000/- as financial assistance to the students of the School of Excellence in Law who participated and represented Law University in the International Moot Court Competition conducted by the Murdoch University, Australia.

The Law University has proposed to construct one Auditorium with the required infrastructure facilities to accommodate 1000 persons and to construct a hostel for Men students who have been admitted in the School of Excellence in Law.

The Law University has also proposed to construct the examination hall in the 3<sup>rd</sup> floor of the Post Graduate and Research Department Block with an estimated cost of Rs.29.5 Lakhs.

The Law University has proposed to construct Teacher's waiting hall with Computer Laboratory in the School of Excellence in Law Building with an estimated cost of Rs.35 Lakhs.

The Law University has also proposed to construct a fully automated centralized Library, a separate block for Directorate of Distance Education and a guest house for accommodating VIPs, visiting the said University.

The Law University has proposed to construct 3<sup>rd</sup> floor for the Post Graduate Block and 2<sup>nd</sup> floor for the School of Excellence in Law Building with an estimated cost of Rs.125 Lakhs.

The Law University has proposed to purchase the Journals (including Foreign Journals) encyclopedia and other monthly magazines relating to Law periodically for the use of the students studying in School of Excellence in Law, Post Graduate Departments and Research Departments with an estimated cost of Rs.50 Lakhs.

The Law University has proposed to purchase 35 computers with all accessories like Printers, UPS and also to provide Internet and LAN facility for the use of Research Scholars. Additional Xerox copiers and LCD Projector with screen are to be purchased for Library and Post Graduate and Research Departments with an estimated cost of Rs.75 Lakhs.

The Law University has proposed to introduce inter-disciplinary Research Courses like Law and Language, Law and Economics, Law and Politics, Law and Medicine etc.

The Law University has taken initiative to have a tie up with School of Law of the Indra Gandhi Open University, with Law University as a centre in Tamil Nadu and all the Law Colleges in the State as a study centre for Distance Education programme in Law.

The Law University has taken steps to establish Southern Regional Branch of the Indian Society of International Law, New Delhi, in this University.

DETAILED LIST OF PART II SCHEMES FOR THE YEAR 2008 – 2009.

(Rupees in lakhs)

Sl.No	Description of the Schemes	Ultimate Cost			Cost in 2008 – 2009			
		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 Computers, Printers and other accessories to Law Department.	---	4.00	4.00	4.00	-	-	4.00
2	Purchase of Books for the Government Law Colleges.	-	12.00	12.00	12.00	-	-	12.00
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
3	Construction of additional Class rooms for the Government Law College, Chengalpattu.	-	80.00	80.00	-	32.00	-	32.00
4	Purchase of books for the library attached to the School of Excellence, in Law , PG Departments and Research Departments in Tamil Nadu Dr.Ambedkar Law University.	-	5.00	5.00	5.00	-	-	5.00
5	Construction of Buildings for staff member; with Dining Hall and Toilets in Tamil Nadu Dr.Ambedkar Law University.	-	15.00	15.00	-	15.00	-	15.00
TOTAL		---	116.00	116.00	21.00	47.00	---	68.00

**Durai Murugan**  
Minister for Public Works and Law