



LAW

2014-2015

POLICY NOTE

Demand No.33

S.P.VELUMANI,

**Minister for Municipal Administration, Rural
Development, Law, Courts and Prisons.**

Law Department

DEMAND No.33

LAW DEPARTMENT

POLICY NOTE 2014-2015

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LAW DEPARTMENT

Introduction:

'Law' is the foundation on which the potential of the society stands. 'Law' is an instrument for social change. 'Law' is the ultimate aim of every civilized society, as a key system in a given era, to meet the needs and demands of its time. It binds the people of a civilized State for their Governance and is made on their behalf by the sovereign.

Law may be made either directly by the legislature or by other subordinate authorities under the delegated law making powers.

Law department plays a major role in framing both form of legislation, be it an enactment directly made by the Legislature or a subordinate legislation made by the subordinate authorities.

Whenever legislation is decided upon to implement the policy decision of the Government, the Law Department, puts them into legal shape in the form of draft Bill in co-ordination 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 assented to by the Governor or the President, as the case may be. Where there is an 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 the Law department which prepares the draft Ordinance for the purpose and pursues further action till Ordinance is promulgated and published.

Further, one of the main functions of Law Department is to offer legal advise to all departments of the Secretariat including the Tamil Nadu Legislative Assembly Secretariat.

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. Apart from this, all deeds wherein the Government is a party are scrutinized and settled by the Law Department.

Law Department also deals with the following subjects:-

- Legal Studies
- Tamil Nadu Dr. Ambedkar Law University
- Tamil Nadu National Law School
- Notaries
- Official Language (Legislative) Wing.
- State Law Commission

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. After the creation of the Department, there has been 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 Tiruchirappalli and Coimbatore were opened during the academic year 1979-80. During the academic year 1996-97, a Law College was started in Tirunelveli. In December 2006, the Law college at Chengalpattu, run by the Tamil Nadu Dr. Ambedkar Law University was declared as a Government Law college. Yet another, Government Law college was started at Vellore from the academic year 2008-2009. Thus, there are seven Government Law Colleges in the State at present.

The total sanctioned student strength in all the Government Law Colleges in the academic year 2013-14 is furnished hereunder:-

Sl.No.	Name of the college	Total sanctioned strength
1.	Dr. Ambedkar Government Law College , Chennai-104. (Three year and five year Under Graduate Degree and Post-Graduate Degree)	2308
2.	Government Law College, Madurai.(Three year and five year Under Graduate Degree and Post Graduate Degree)	1433
3.	Government Law College, Tiruchirappalli.(Three year and five year Under Graduate Degree and Post Graduate Degree)	1435

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|----|---|------|
| 4. | Government Law College,
Coimbatore.(Three year and
five year Under Graduate Degree
and Post Graduate Degree) | 1435 |
| 5. | Government Law College,
Tirunelveli.(Three year and
five year Under Graduate
Degree and Post Graduate
Degree) | 1435 |
| 6. | Government Law College,
Chengalpattu.(Three year and
five year Under Graduate
Degree) | 1040 |
| 7. | Government Law College,
Vellore.(Three year Under
Graduate Degree) | 240 |

All the Government Law Colleges are functioning in their own buildings. Separate hostel facilities are available for both men and women students of the Government Law Colleges at Chennai, Madurai, Coimbatore and Tirunelveli. Hostel facilities are available

for the women students of the Government Law College at Tiruchirappalli and Chengalpattu. Necessary action is being taken to construct the Hostel Building for the men students of the Government Law Colleges at Tiruchirappalli and Chengalpattu.

In order to enable the students to study Law in Tamil, necessary steps were taken to publish the text books in Tamil. Manuscript copies for all the subjects have been prepared and the Tamil Nadu Dr. Ambedkar Law University has published books for 27 subjects out of 32 subjects.

The Tamil Nadu Dr. Ambedkar Law University

The Tamil Nadu Dr. Ambedkar Law University was established in the year 1997, through a State enactment. It is one of the premier institutions in the State of Tamil

Nadu committed to the cause of providing quality legal education to enable the students to find a firm footing in today's competitive world. 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.

To train newly recruited teachers of law and interdisciplinary courses, there is no quality training centre in the Southern India at present. Participation of Orientation and Refresher Courses are necessary for career advancement. A proposal for establishing an 'Academic Staff College' by the Tamil Nadu Dr.Ambedkar Law University has been submitted for the kind consideration of the University Grants Commission, New Delhi.

The Government of Tamil Nadu have allotted 15 acres of Land to the Tamil Nadu Dr.Ambedkar Law University at Perungudi-Kottivakkam Village near Taramani Railway Station for its developmental activities. The Government of Tamil Nadu have also sanctioned a sum of Rs.59.27 Crore for the construction of a wholesome university campus and the construction activities have been commenced. The construction work is scheduled to be completed during June 2015 and the Tamil Nadu Dr. Ambedkar Law University will commence to function from this new complex, from the academic year 2015-16.

The Tamil Nadu Dr. Ambedkar Law University has established a Legal Literacy Mission Cell with proper infrastructure which serves to disseminate legal knowledge to a large mass of general public. The Government of Tamil Nadu have sanctioned a sum of Rs.30 Lakhs in this regard.

The Government of Tamil Nadu have sanctioned a sum of Rs.10 Lakhs for the establishment of Forensic Lab in the Tamil Nadu Dr. Ambedkar Law University to cater the needs of students pursuing Criminal Law and Research.

The Tamil Nadu Dr.Ambedkar Law University has entered into Memorandum of Understanding with 16 National and International Universities/Institutions, so as to extend its academic activities by co-operating with other Institutions of higher learning in the field of education, training and research in law, justice, social development and allied subjects, exchange of teachers and scholars. The University proposes to enter into MoU with the following institutions in the near future:-

- The University of Norway
- The University of Chapman, U.S.A.
- Indian Society of International Law, New Delhi

- University of Naples (II)
- Gonzaka University, U.S.A.

The Tamil Nadu National Law School

The Tamil Nadu National Law School was established in the year 2012 through a State enactment to provide legal education par excellence in the State of Tamil Nadu. The main object of the Tamil Nadu National Law School is to advance and disseminate learning and knowledge of law and legal processes and their role to national development.

The Tamil Nadu National Law School has been built at a cost of Rupees Seventy Five Crore in a twenty five acre campus at Srirangam Taluk, Tiruchirappalli district. The Law School has started functioning from the academic year 2013-2014, offering Five year B.A.,LL.B

(Honours) degree course. The reservation and number of students admitted to the Five year B.A.,LL.B (Honours) for the academic year 2013-2014 are as follows:-

	All India Basis	Resident Students of Tamil Nadu	NRI	Total
Reservation of seats	45	45	10	100
Actuals	35	43	6	84

The seats earmarked for the Resident Students of Tamil Nadu are filled by following the Tamil Nadu State Reservation Policy. From the current academic year 2014-2015, the Law School also offers Five year B.Com., LL.B., (Honours) degree course with an intake of 100 seats.

The Government of Tamil Nadu have sanctioned a sum of Rs.5.34 crore as Grant-in-aid for the Law School for the financial year 2013-2014.

NOTARIES

For the purpose of attesting the negotiable instruments and for all recongnized notarial purposes, notaries are appointed under the Notaries Act, 1952 (Central Act 53 of 1952). The number of Notaries appointed by the Government and in practice in the State as on 01.01.2014 are 1527.

OFFICIAL LANGUAGE (LEGISLATIVE) WING

The State Official Language (Legislative) Commission was constituted in the year 1965 so as 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. The work of Tamil Cell, another wing of Law Department is to translate the Legislative Assembly Bills, Acts and Ordinances into Tamil. Considering that the nature of work done by both the Official Language (Legislative) Wing and Tamil Cell of Law Department is similar in nature and with a view to have greater efficiency and better turnout of translation work and to have effective control over the translation staff attached to the said Official Language (Legislative)

Wing, orders have been issued merging the Tamil Cell of this department with the Official Language (Legislative) Wing of this department and the Official Language (Legislative) Wing has been re-structured accordingly. This wing functions under the overall control and supervision of the Secretary to Government, Law Department. Central Acts and the State Acts including the Legislative Assembly Bills, Acts and Ordinances are 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. The Government of India have informed that the State Government shall bear the cost of reprinting and republication of the Central Acts, as the sale proceeds are retained by the State Government.

State Law Commission

The State Law Commission, Tamil Nadu has been reconstituted and Hon'ble Justice Thiru. N. Dhinakar, Retired Chief Justice of the Jharkhand High Court was appointed as the Chairman of the reconstituted State Law Commission. The tenure of the State Law Commission shall be for a period of three years from the date of assumption of charge by the Chairman. The Chairman, has assumed office on 10th February 2014. In the re-constituted State Law Commission, Justice Thiru T.Sundanthiram, Retired Judge of Madras High Court and Thiru R.Vivekanandan, Retired Additional Secretary to Government, Law Department have been appointed as Full-time Members and retired District Judges Thiru R.Thayalan and Thiru R.Munirathinam were appointed

as Part-time Members. Thiru R. Kathirvel, Retired Additional Secretary to Government, Law Department was appointed as its Full-time Member-Secretary.

The functions of the Law Commission are to examine each and every law that was enacted during the British regime and the laws that were enacted subsequently and give its opinion whether they are suitable or not, to the present day situation and also to suggest modifications or amendments to those laws accordingly, to the Government. The Law Commission shall examine whether the said laws are in consonance with the various decisions of the Supreme Court and the High Court and to advise the Government on the changes that should be made in those laws. The Law Commission shall also —

- (a) suggest suitable modifications or amendments to plug loopholes in the existing laws;
- (b) suggest suitable social, economic legislative measures;
- (c) suggest ways and means for the inter-State Relations and Centre-State Relations;
- (d) make suggestions and recommendations for better and expeditious procedures on the judicial administrative reforms; and
- (e) suggest modifications or amendments not only to State Laws but also to Central Laws having application to this State.

**DETAILED LIST OF PART II (NEW) SCHEMES FOR
THE YEAR 2014-2015**

(Rupees in lakhs)

Sl No.	Description of the Schemes	Ultimate Cost			Cost in 2014-2015			
		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.	<u>Secretariat Law Department</u> Component-1 Modernisation of Library	-	1.65	1.65	1.65	-	-	1.65
2.	Legal Studies Component-1 Purchase of books for the Government Law Colleges	-	21.00	21.00	21.00	-	-	21.00
3.	Construction of multipurpose hall with transparent ceiling for the Government Law College Women's Hostel, Tiruchirappalli.	-	15.00	15.00	-	15.00	-	15.00

4.	Component-2 Provision of moot court Hall in the existing building of Government Law Colleges at Chennai, Chengalpet, Coimbatore and Tirunelveli.	-	40.00	40.00	-	40.00	-	40.00
5.	Provision of Solar Panel Electrification for Government Law College Women's Hostel, Tiruchirappalli.	-	15.00	15.00	15.00	-	-	15.00
6.	Dr. Ambedkar Law University Component-1 Raising the Compound Walls in the Tamil Nadu Dr. Ambedkar Law University.	-	20.00	20.00	-	20.00	-	20.00
	Total	-	112.65	112.65	37.65	75.00	-	112.65

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