



LAW DEPARTMENT

**POLICY NOTE
2021 - 2022**

DEMAND No. 33

S. REGUPATHY
Minister for Law



**Government of Tamil Nadu
2021**

DEMAND No.33

LAW DEPARTMENT POLICY NOTE 2021-2022

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LAW DEPARTMENT

Introduction

Law is a body of principles recognized and applied by the State for the administration of justice. Law is not only an instrument for exercising State power, but also a means of protecting the people against arbitrary actions. Law and State are inter-related. State makes and enforces the Law. Law controls the existence of the State. Every citizen including law makers are subject to the Law. Law, to serve the needs of the society, has to develop and keep pace with the changes in the society. Recent advancements in technology are prime example of changes in Society which necessitates new Laws.

Legislation is an important source of Law. The term 'legislation' is derived from the Latin

word "legislatio" meaning bringing or proposing of a law. The main function of the legislature is making and enacting of Laws. Law department assists the State in the enactment of Laws.

The Constitution of India is the supreme law of our country. The Legislature of the State is enacting laws on the subject-matters specified in the State List and Concurrent List under the Seventh Schedule to the Constitution and in the case of the subject-matters falling under the Concurrent List, if the law enacted by the Legislature of the State is repugnant to any law made by Parliament or an existing law, it becomes an Act after it is assented to by the President. The enactments made by the Legislature reflects the major policy of the elected Government which is the Law directly made by the Legislature and the minute details involving technical details and procedures for implementation of the Scheme of the Act are

delegated to the executive authorities which is called subordinate legislation made by the subordinate authorities. The subordinate legislation is drafted by the subordinate authorities and scrutinised by the Law Department. The Committee on Delegated Legislation is also scrutinising all the Rules and Notifications issued under the provisions of the Act made by the Legislature to ensure that the subordinate authorities do not exceed the powers delegated to them by the Legislature while making subordinate legislation.

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 University
- State Law Commission
- State Official Language (Legislative) Commission
- Notaries

Legal Studies

In the year 1953, the Department of Legal Studies was established, with the object of improving the standard of Legal Education in the State. Since then, there has been considerable 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.

Based on the recommendations of the Justice Thiru P. Shanmugam Commission of Inquiry, the Government ordered to shift the Dr. Ambedkar Government Law College, Chennai from the premises of the High Court, Madras to the newly constructed campuses at Pudupakkam, Chengalpattu district and

Pattaraiperumpudur, Thiruvallur district. 5 Year Law Course is conducted in the newly constructed campus at Pudupakkam and 3 Year Law Course and LL.M. Courses are conducted in the newly constructed campus at Pattaraiperumpudur from the academic year 2018-2019. At present, there are Fourteen Government Law Colleges in the State.

The total sanctioned student strength in all the Government Law Colleges in the academic year **2021-22** is **13526**. The College wise sanctioned strength are furnished hereunder: -

Sl. No.	Name of the College	Total sanctioned strength
1.	Chennai Dr. Ambedkar Government Law College, Pattaraiperumpudur. (Three years Under Graduate Law degree and Post- Graduate Law Degree)	1123

2.	Chennai Dr. Ambedkar Government Law College, Pudupakkam. (Five years Under Graduate Law Degree and Post-Graduate Law Degree)	1245
3.	Government Law College, Madurai. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	1478
4.	Government Law College, Tiruchirappalli. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	1480
5.	Government Law College, Coimbatore. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	1480

6.	Government Law College, Tirunelveli. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	1440
7.	Government Law College, Chengalpattu. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	1080
8.	Government Law College, Vellore. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	680
9.	Government Law College, Villupuram. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	720

10.	Government Law College, Dharmapuri. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	680
11.	Government Law College, Ramanathapuram. (Three years and five years Under Graduate Law Degree and Post-Graduate Law Degree)	680
12.	Government Law College, Salem. (Three years and five years Under Graduate Law Degree)	480
13.	Government Law College, Namakkal. (Three years and five years Under Graduate Law Degree)	480
14.	Government Law College, Theni. (Three years and five years Under Graduate Law Degree)	480
	Total	13526

All the Government Law Colleges are functioning in their Permanent buildings except the newly established Government Law Colleges at Ramanathapuram, Salem, Namakkal and Theni. Permanent Buildings are being constructed for the Government Law Colleges at Ramanathapuram, Salem and Theni. Construction of permanent building for the Government Law College, Ramanathapuram at an estimated sanctioned cost of Rs. 76.60 crore is nearing completion. Construction work of the permanent building for the Government Law College, Theni along with Men's and Women's hostel is in progress, at an estimated sanctioned cost of Rs.89.01 crore. Construction of permanent building for the Government Law College, Salem along with Men's and Women's hostel is also in progress at an estimated sanctioned cost of Rs.96.54 crore. Necessary action is being taken to construct own building for the Government Law College, Namakkal.

Additional class rooms for the Government Law Colleges, Tiruchirappalli and Chengalpattu are being constructed at the cost of Rs.10.89 crore.

Most of the Government Law Colleges are having hostel facilities for both men and women students. Hostel facilities are available for the women students of the Government Law Colleges namely, Tiruchirappalli, Tirunelveli, Chengalpattu and Vellore. Necessary action will be taken to construct hostel for the men students in the above said Government Law Colleges.

The Teachers Recruitment Board, was requested to recruit 186 Assistant Professors to the Government Law Colleges in the State. So far, 109 Assistant Professors have been selected and appointed in the Government Law Colleges. Necessary action is being taken to fill up the remaining posts.

Ten Associate Professors have been promoted as Principals and posted in the Government Law Colleges during the academic year 2020-2021.

At present LLM Courses on multiple branches with a student strength of 40 per branch are being offered in 11 Government Law Colleges.

LL.M Courses offered in the Government Law Colleges (2020-2021)

Sl. No	Name of the College	Branch of LL.M
(1)	Chennai Dr.Ambedkar Government Law College, Pattaraiperumpudur.	(1) Business Law. (2) Criminal Law & Criminal Justice Administration. (3) Property Law. (4) Labour Law & Administrative Law.
(2)	Chennai Dr.Ambedkar Government Law College, Pudupakkam.	Environment, Energy and Climate Changes Laws.

(3)	Government Law College, Madurai.	(1) Property Law. (2) International Law & Justice.
(4)	Government Law College, Thiruchirappalli.	(1) Labour Law & Administrative Law. (2) Intellectual Property Laws.
(5)	Government Law College, Coimbatore.	(1) Business Law. (2) Taxation Law.
(6)	Government Law College, Tirunelveli.	Constitutional Law and Human Rights.
(7)	Government Law College, Chengalpattu.	Criminal Law with Cyber Crime.
(8)	Government Law College, Vellore.	Constitutional Law and Administrative Law.
(9)	Government Law College, Villupuram.	(1) Information Technology and Cyber Security Laws. (2) Family Laws.
(10)	Government Law College, Dharmapuri.	Corporate Governance Laws and Finance.
(11)	Government Law College, Ramanathapuram.	Constitutional Law and Administrative Law.

Tuition fee concession is being given to the first generation graduate students studying Under Graduate Law Degree Courses in the Government Law Colleges.

Administrative sanction has been accorded for a sum of Rs.70 lakh per year towards conducting Moot Court competitions in 14 Government Law Colleges for selection of students to participate in the International Moot Court competitions from the academic year 2021-2022.

Tamil is offered as a medium of instruction in Seven Government Law Colleges, namely, Chennai Dr.Ambedkar Government Law College, Pattaraiperumpudur, Chennai Dr.Ambedkar Government Law College, Pudupakkam, Government Law Colleges, Madurai, Thiruchirappalli, Coimbatore, Tirunelveli and Chengalpattu. Students pursuing Law courses in Tamil Medium in the Government Law Colleges are being paid a stipend of Rs.400/- per annum.

Book Bank Scheme is available in the Government Law Colleges at Tiruvallur, Chengalpattu, Madurai, Tiruchirappalli, Coimbatore and Tirunelveli.

The Tamil Nadu Dr. Ambedkar Law University

In order to provide quality legal education to enable the students to find a firm footing in today's competitive world, the Tamil Nadu Dr. Ambedkar Law University was established through a State enactment. It is one of the premier institutions in the State of Tamil Nadu committed to the above cause. This University is the first 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.

The Tamil Nadu Dr. Ambedkar Law University is now functioning at Perungudi-

Kottivakkam Village, near Taramani Railway Station, in the new campus built at a total cost of Rs.61.74 crore in 15 acre land allotted by the Government of Tamil Nadu. The Government of Tamil Nadu have also allotted additional 10 acre of land to this University for its developmental activities.

The Tamil Nadu Dr. Ambedkar Law University started its academic activities through the School of Excellence in Law. The School of Excellence in Law offers 3 year LL.B (Honours), 5 year integrated B.A.,LL.B (Honours), B.Com.,LL.B (Honours), B.B.A.,LL.B (Honours) and B.C.A.,LL.B (Honours) under graduate degree courses with a total students strength of 3479. The University also offers Post-graduate degree courses and Research Activities. Various Post graduate diplomas and Certificate courses are also offered under the Department of Distance Education.

Tuition fee concession is being given to the first generation graduate students belonging to the State of Tamil Nadu studying Under Graduate Law Degree Courses in the School of Excellence in Law from the academic year 2010-2011 onwards.

The University being a pioneer in all aspects has awarded Ph.D. Degree for 91 scholars of the School of Excellence in Law. Now, 34 full-time candidates and 122 part-time candidates are pursuing Ph.D. Degree in this University.

A Legal Literacy Mission Cell, with sufficient infrastructure which serves to disseminate legal knowledge to a large mass of general public is functioning in the Tamil Nadu Dr.Ambedkar Law University. A Forensic Lab is also functioning in the University to cater the needs of students pursuing criminal law and research.

The Tamil Nadu Dr. Ambedkar Law University has entered into Memorandums of Understanding with the following National and International Universities / Institutions, so as to extend its academic activities in the fields of education, training and research in law, justice, social development and allied subjects: -

- (1) Maharashtra National Law University, Aurangabad;
- (2) The Central Depository Services (India) Limited, Mumbai;
- (3) Maharashtra National Law University, Mumbai;
- (4) Tata Institute of Social Sciences, Mumbai;
- (5) AIR Lava Academy & Research Centre, Nagpur [ALARC];
- (6) Transcripts Solutions Private Limited, IIT Madras Research park, Taramani, Chennai;
- (7) Consortium for Educational Communication, New Delhi.

The Tamil Nadu Dr. Ambedkar Law University has launched "All India Reporter Legal Education Support Suite Project" at Perungudi

Campus. The aim of the project is to provide training in Clinical Legal Education for law students with the object of promoting Alternative Dispute Redressal Mechanism, Para-Legal Training and to conduct other programmes in order to achieve excellence in professional standards for the benefit of students and faculty of this University and its affiliated Law Colleges.

The entire admission process including counselling for the Law Degree Courses offered by the Government Law Colleges, School of Excellence in Law in the Tamil Nadu Dr.Ambedkar Law University and for the Government seats in Self financing Private Law Colleges is conducted online by the University through web portal <http://www.tndalu.ac.in>. from the academic year 2021-2022.

The Tamil Nadu National Law University

The Tamil Nadu National Law School was established at a cost of Rs.79.22 crore in a twenty five acre campus at Navalur Kuttapattu Village in Srirangam taluk, Tiruchirappalli district in the year 2012 through a State enactment to provide legal education par excellence in the State of Tamil Nadu. The Tamil Nadu National Law School has been renamed as the Tamil Nadu National Law University in the year 2018. The main object of the Tamil Nadu National Law University is to disseminate learning and knowledge of law, legal processes, advocacy and skill in judicial administration, keeping pace with the changing global scenario.

The Tamil Nadu National Law University offers five year B.A., LL.B (Honours), B.Com., LL.B (Honours) under graduate degree courses and LL.M degree courses with a total intake of 138 students. Students are admitted to the said

courses through the Common Law Admission Test (CLAT).

The details of the students admitted to the said courses for the academic year 2020-2021 are as follows: -

S.No.	Course	No. of Students admitted	
1.	B.A.,LL.B (Honours)	Resident Students of Tamil Nadu	25
		All India Basis	37
		NRI	00
		Total	62
2.	B.Com.,LL.B (Honours)	Resident Students of Tamil Nadu	35
		All India Basis	19
		NRI	00
		Total	54
3.	LL.M	Resident Students of Tamil Nadu	07
		All India Basis	08
		NRI	00
		Total	15
		Grand Total	131

The seats earmarked for the Resident Students of Tamil Nadu are filled up by following the Tamil Nadu State Reservation Policy.

A sum of Rs.20 lakh has been sanctioned towards purchase of Copper reliefs and Models and for digitalization of documents, accession, registration, insurance and conservation, so as to expand the Legal History Museum at the University Campus, Tiruchirappalli.

Further a sum of Rs.11.20 lakh has been sanctioned for formation of Legal Centre for Women Welfare and Legal Centre for History of South India at the Tamil Nadu National Law University.

The Tamil Nadu National Law University has entered into Memorandums of Understanding with the following Universities / National Institutions: -

- (1) National Law University, New Delhi;
- (2) National Law School of India University, Bengaluru;
- (3) Institute of Company Secretaries of India, New Delhi;
- (4) India International Institute of Democracy & Election Management, New Delhi; and
- (5) National Institute of Technology, Tiruchirappalli.

The Tamil Nadu National Law University is a member of the following academic bodies: -

- (1) Association of Indian Universities, New Delhi;
- (2) Indian Academy of Social Science, Allahabad;
- (3) Shastri Indo - Canadian Institute, New Delhi;
- (4) Asian Law Institute, Singapore; and
- (5) Developing Library Network (DELNET), New Delhi.

State Law Commission

The State Law Commission, Tamil Nadu has been re-constructed by the Government on 15.06.2017 under the Chairmanship of Hon'ble Justice Thiru. Chokalingam Nagappan, retired Judge of the Supreme Court of India for a period of three years from the date of assuming charge of the Hon'ble Chairman. The Hon'ble Chairman has assumed office on the 19th June 2017. The Government have extended the tenure of the State Law Commission which was due to expiry on 18.06.2020, for further period of three years on and from 19.06.2020.

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, 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.

Further, based on the recommendations of NITI Aayog, in the matter of Good Governance in the National Conference of Chief Secretaries, convened on 10th July 2017, the State Government have referred the subject “Rationalising the Acts and Laws in Tamil Nadu” and requested the suggestions and recommendations of the Commission, vide Letter dated 21st September 2017.

The present Commission has so far submitted 42 Reports (From 13th Report to 54th Report) to the Government and in the said reports, the Commission has recommended,-

- (i) to repeal 157 Principal Acts and 1138 Amendment Acts;
- (ii) to amend 13 enactments;

- (iii) to bring fresh legislation in respect of 2 enactments.

Based on the recommendations of the State Law Commission, the State Government has so far repealed 243 enactments.

State Official Language (Legislative) Commission

The State Official Language (Legislative) Commission, Tamil Nadu has been reconstituted by the State Government under the Chairmanship of Hon'ble Justice Thiru P.Kalaiyaran, Retired Judge, High Court of Madras. The tenure of the State Official Language (Legislative) Commission shall be for the period of five years from the date of assumption of charge by the Hon'ble Chairman. The Hon'ble Chairman assumed office on 27th December, 2018.

The functions of the State Official Language (Legislative) Commission are: -

- i. finalising the Law Lexicon in Tamil;
- ii. translation of State Acts, Ordinances and Rules made thereunder into Tamil;
- iii. translation of Union Acts, Ordinances and Rules and Notifications made thereunder into Tamil; and
- iv. such other functions, as may be specified by the Government from time to time.

The State Official Language (Legislative) Commission has so far translated 41 Central Acts into Tamil. Besides, the Commission is also engaged in the preparation of Law Lexicon (சட்ட சொற்களஞ்சியம்). More than 12,000 words (i.e) upto letter 'K' have been compiled so far and the work is in progress. The Commission also released the revised (fourth) edition of the Constitution of India, as amended upto 31st January 2021, in bilingual (English & Tamil) form.

Notaries

For the purposes of noting and certifying the general transactions relating to negotiable instruments and for all recognised notarial purposes, Notaries are appointed under the Notaries Act, 1952 (Act 53 of 1952). The number of Notaries appointed by the Government and in practice in the State as on 29.01.2021 are 2485.

A Web Portal for the purpose of submission of application for appointment, renewal of notary, extension of area of practice, issue of duplicate certificate of practice and for submission of annual return has been launched by the Government of Tamil Nadu on 23.02.2021. The Web Portal may be accessed through the URL "tnnotary.tn.gov.in".

Sustainable Development Goals

Sustainable development is the development that meets the needs of the present, without compromising the ability of future generations to meet their own needs.

The Sustainable Development Goals (SDGs) are a set of 17 goals and 169 targets accepted by 193 countries, adopted by the United Nations General Assembly. This Department assists the implementation of SDG Goal 16 (Peace, Justice and Strong Institutions) by providing Legal education through various Educational Institutions functioning under its control.

Law department being an advisory department, gives legal frame work to the policies developed for achievement of the goals and targets by other departments and also ensures that they are consistent with provisions of the Constitution including Fundamental Rights. This department plays a supporting role to the other departments in ensuring the achievement of the Sustainable Development Goals.

S. Regupathy
Minister for Law.



The Tamil Nadu Dr. Ambedkar Law University



Moot Court Hall, Tamil Nadu Dr. Ambedkar Law University



The Tamil Nadu National Law University, Tiruchirappalli



Government Law College, Coimbatore