

# **NEW SCHEME**

**FOR THE**



**MANAGEMENT OF  
PACHAIYAPPA'S CHARITIES**

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**FOR THE**  
**MANAGEMENT OF**  
**PACHAIYAPPA'S CHARITIES**



**PASSED BY**  
**THE HIGH COURT OF JUDICATURE**  
**AT MADRAS**

**ON**

**12<sup>TH</sup> FEBRUARY 1909**

**AND MODIFIED**

**ON 19<sup>TH</sup> July & 14<sup>th</sup> December 1920**  
**and 16<sup>th</sup> July 1963**

**Further Modified**

**in Appl.Nos. 4224 of 2005, 4884, 4846, 4847 & 4780 of 2006 dt**  
**04.01.2007**

**&**

**in Appeal in O.S.A.Nos 47 & 58 of 2007 & M.P.No.2 of 2007 in**  
**O.S.A.No.58 of 2007 dt 24.09.2008.**

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**  
**IN THE SUPREME COURT OF JUDICATURE AT MADRAS**  
**EQUITY SIDE**

Present: The Hon'ble Mr. Justice WALLIS

Friday, the 12<sup>th</sup> day of February 1909.

By Original Information

Between

HERBERT COMPTON, Esquire -- Informant.

and

ANNASWAMY PILLAI -- Defendant.

By Original and Amended Information,

Between

HERBERT COMPTON, ESQUIRE -- Informant.

and

ANNASWAMY PILLAI -- Defendant.

By Supplemental Information

Between

GEORGE NORTON, ESQUIRE -- Informant.

and

PERUNTHEVY AMMAL -- Defendant.

On the notice of motion filed by

THE HON'BLE MR. C. SANKARAN NAIR:

Advocate - General of Madras

And continued by

THE HON'BLE MR. P. S. SIVASWAMI AIYAR,

The Present Advocate - General of Madras

**Amendment**  
**In the High Court of Judicature at Madras**  
**(Ordinary original civil jurisdiction)**  
**Present: Hon'ble Mr. Justice R. Balasubramanian,**  
**Thursday, the 4<sup>th</sup> day of January 2007**

in

Appln. Nos. 4224/2005, 4884,  
4846, 4847 & 4780/2006

**A.No. 4224/2005**

**Dr. P. Prakasam & Prof. Munikrishnan** -- Applicants / 3<sup>rd</sup> party  
**Association of University Teachers,**  
**Pachaiyappa's College, Chennai - 30**

**A.No. 4884/2006**

**P. V. Kalyanasundaram**  
**S. Seran**  
**M. K. Mohan**

-- Applicants

**A.No. 4846/2006**

**N. Arumugam**

-- Applicant

**A.No. 4847/2006 & 4780/2006**

**M. Shanmugam**  
**Pachaiyappa's Graduates Association**

-- Applicants / 3<sup>rd</sup> party

**Vs**

**The Advocate General**  
**Of Tamil Nadu, High Court, Madras**

**Administrator General and**  
**Official Trustee of Tamil Nadu**

**Pachaiyappa's Trust Board**

-- Respondents.

0:

**Amendment**  
**In the High Court of Judicature at Madras**  
**(Ordinary original civil jurisdiction)**

**Dated: 24.9.2008**

**Coram:**

**Hon'ble Mr.Justice S.J.Mukhopadhaya**

**and**

**Hon'ble Mr.Justice V.Dhanapalan**

**In**

**O.S.A.Nos.47 and 58 of 2007**

**& M.P.No.2 of 2007 in O.S.A. No.58 of 2007**

**Dr.P.Prakasam & Prof.Munikrishnan**  
**Association of University Teachers,**  
**Pachaiyappa's College, Chennai - 30**

**-- Applicants in both O.S.A.S.**

**Vs**

**The Advocate General**  
**Of Tamil Nadu,**  
**Administrator General and**  
**Official Trustee of Tamil Nadu**

**P.V.Kalyanasundaram, S.Seran**  
**M.K.Mohan**

**Pachaiyappa's Trust Board**

**V.Parthasarathy**

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**Respondents**

## SUPPLEMENTAL SCHEME

### 1. TIRUVATTOOR, TRIPLICANE AND TIRUMULAVAYAL CHARITIES,

The Charities directed to be performed at Tiruvattor, Triplicane and Tirumulavayal under the decrees dated 30<sup>th</sup> October 1832 and 6<sup>th</sup> August 184 and all other decretal orders hereinbefore made in pursuance of the Last Will and Testament of the late Pachaiyappa Mudaliar, shall be carried out, if possible, as directed in the said decrees and decretal orders, through the Dharmakarthas for the time being of the Temples at Tiruvattor, Triplicane and Tirumulavayal respectively and if for any reason the same is found impracticable, then by appointing special agent of the Board of Trustees at the said places on such remuneration as may be deemed proper. The remuneration for such agent shall be paid from and out of the amount directed to be annually expended on the said charities at Tiruvattor, Triplicane and Tirumulavayal.

### 2. REPEAL OF PROVISION AS TO ESTABLISHMENT OF SCHOOLS AND PROFESSORSHIPS:

All the directions and the provisions in the said decrees and decretal orders shall, so far as the same relate to the establishment of schools and professorships in the following places, be rescinded viz., Chidambaram, Tiruvaneveli, Tiruvaloor, Madura, Peria Conjeevaram, Tiruvattor, Tiruvadamarudur and Srirangam.

\*1 Clause (a). All the properties referred to in the various decrees and decretal orders herein and any other properties that may be acquired by the Trustees or that may devolve on them as such Trustees are to vest in them and their successors elected or nominated as provided for herein or elected or nominated under any modification of the scheme. The said Trustees for the time being shall have power to mortgage or charge all or any of the properties so vested in them to the Government or to any department thereof in pursuance of the Rules of the Educational Department for the purpose solely of obtaining grants from the Government.

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\*1 (Added as per Order of the High Court dated the 24<sup>th</sup> day of March 1911)

### 3. VALIDATING THE ESTABLISHMENT AND MAINTENANCE OF COLLEGE AND HIGH SCHOOLS :

The maintenance of Pachaiyappa's College and High School at Madras and Pachaiyappa's High Schools at Conjeevaram and Chidambaram is hereby approved, and it is decreed that the Board of Trustees shall devote the income accruing from Pachaiyappa's surplus funds, over and above those set apart for religious and other charities by the said decrees and decretal orders, to the maintenance of the said Pachaiyappa's College and High School at Madras, and the said Pachaiyappa's High Schools at Conjeevaram and Chidambaram. The Board of Trustees, may, however subject to the sanction of the High Court, discontinue any of the said institutions or alter the standard or grade thereof.

### 4. COMMEMORATION DAY -

The foundation of Pachaiyappa's Charities shall be commemorated in such manner as the Board of Trustees shall deem fit, annually on the Saturday before Easter Sunday of each year, or on some other day as near thereto as may be found convenient. A public meeting shall be held on the evening of the said day at Pachaiyappa's Hall at Madras and at such meeting a printed report of the administration of the charities under the management of the Board of Trustees during the year ending \*1 - 30<sup>th</sup> June previous shall be read and circulated. The said report shall include:-

1. Statement showing the receipts and disbursements relating to the charities during the year.
2. The report of the Auditor hereinafter referred to.
3. Certificates regarding the proper performance or celebration of the said several charities at the several places in the Moufssil from the Honorary Local Superintendent's hereinafter referred to.
4. The report of the Local inspection, if any, held during the year as hereinafter provided.
5. Any explanation which the Board of Trustees may have to give or offer regarding any failure to perform or properly perform any of the said charities.

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\*1 Corrected as per the order of the High Court dated 19th day of July 1920

Copies of the said printed report shall, every year, be submitted to the Advocate-general of Madras for the time being and to the Board of Revenue.

#### **5. APPOINTMENT OF HONORARY SUPERINTENDENT:-**

In lieu of the provision in the said decrees and decretal orders, directing that the Board of Trustees should provide and require that their agents in the Mofussil for the performance of the charities shall annually certify to the Collector of the District the due performance of the charities and of the receipts and disbursements, the following shall be substituted:-

The Board of Trustees, shall from time to time and as often as occasion may arise, appoint at every place in the Mofussil where any of the charities under their management are required to be performed or celebrated, one or more respectable residents for the locality as Honorary Local Superintendents for the purpose of from time to time reporting to the Board of Trustees on the performance of the charities in the respective places. The Board of Trustees shall require the local agents to submit to the Board on or before the \*1 - 31<sup>st</sup> July of each year, certificates from the said Honorary Local Superintendents regarding the proper performance of the charities during the year ending the \*2 - 30<sup>th</sup> June previous.

The Board of Trustees shall have power to appoint one or more persons as such Honorary Local Superintendents, either in addition to or in substitution of those previously appointed by them.

#### **6. ANNUAL LOCAL INSPECTION:-**

The Board of Trustees shall, at least once in every three years, cause a the charities under their management to be locally inspected and reported upon by one or more of their own body or any other person to be specially deputed for that purpose. All the expenses incidental to such inspection may be ordered to be paid by the Board of Trustees from such funds and in such proportions as they may deem fit. \*3 - *A summary of the report of the Inspection of the charities shall be published along with the annual report.*

#### **7. RESERVATION OF RIGHTS OF THE BOARD OF REVENUE:-**

Nothing herein contained shall be deemed to affect, in any manner, the right of superintendence or other rights which the Board of Revenue, Madras,

\*1,2,3 *Corrected as per the order of the High Court dated 19th day of July 1920*



other authority that may be substituted for it, may have in respect of the charities in the Mofussil of the Presidency of Madras, by virtue of Regulation VII of 1817, in so far as the said Regulation has not been repealed by Act XX of 1863.

#### **8. AUDIT:-**

\*1 - The accounts of the Board of Trustees shall be audited concurrently every month and also at the close of the year by a certified Auditor that may be appointed by the Court on application made by the Trustees. The remuneration of the Auditor shall be fixed by the Court and be paid by the Board of Trustees from the income of the funds under their management in such proportions as they may deem reasonable.

#### **9. BUDGET:-**

The Board of Trustees shall, every year on or before the \*2 - 31<sup>st</sup> May, prepare a Budget for all charities and institutions under their management for the year commencing the \*3 - 1st July following. Copies of such budget shall be submitted, every year on or before, \*4- 15th of June to the Advocate General of Madras and to the Board of Revenue, Madras. The provisions in the budget shall, as far as possible, be adhered to, and no expenditure not provided for in the budget or in excess of the amount allotted in the budget for any particular purpose or item, shall be made, allowed or sanctioned by the Board of Trustees, except for reasons to be recorded by them in writing. Copies of every resolution sanctioning any expenditure over and above the allotments in the budget, shall be submitted to the Advocate-General of Madras for the time being and the Board of Revenue, Madras within 15 days from the passing of such resolution.

#### **10. REPEAL OF PROVISION AS TO SUBMISSION OF ACCOUNTS:-**

Except as herein provided, all the directions and provisions in the said decree and decretal orders regarding the submission of accounts to the Advocate-General and the Board of Revenue shall be rescinded.

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\*1- Modified as per order of the High Court of Judicature Madras, dated 28th January 1924.

\*2,3,4 - Corrected as per the order of the High Court dated 19th day of July 1920

## 11. THE BOARD OF TRUSTEES-

### (A) QUALIFICATIONS OF TRUSTEES:-

\*1 - No person shall be eligible to be a Trustee unless he is a Hindu and unless he had paid for the year preceding that in which the election takes place Municipal taxes under the Madras Municipal Act IV of 1919 and due in respect of such year to the aggregate amount of \*2 - *not less than Ten thousand Rupees.*

No one who is on the staff of any institution under the management of the Board of Trustees, shall be eligible to be elected or nominated as a Trustee.

### (B) CONSTITUTION OF THE BOARD:-

The Board of Trustees shall consist of nine members who shall eventually be appointed in manner following:-

**Two, to be elected by the Hindu members of the Senate of the University of Madras.**

**\*3 - Three, to be elected by the Graduates / Post Graduates and Research Scholars from all the six colleges now being run by the Pachaiyappa's Trust as on date of not less than ten years standing.**

**\*4 - Two, to be elected by the Pachaiyappa's Trust Board College Council hereinafter referred to.**

**\*5 - Two, to be elected from amongst the electoral college consisting of all the approved teachers from all the colleges of Pachaiyappa's Charities.**

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*\*1 Corrected as per the order of the High Court dated 19th day of July 1920*

*\*4,5 (modified as per the orders of the Division Bench made in O.S.A.Nos.47 & 58 of 2007 and M.P.No.2/2007 in O.S.A.Nos.58/2007, dated: 24.9.2008)*

### **(C) ELECTORATES DEFINED:-**

The expression "Graduates of Pachaiyappa's College" shall mean \*1 - "all persons who shall have Graduated / Post Graduated & Research Scholars from all the six Colleges now being run by the Pachaiyappa's Trust as on date and taken their Degree as aforesaid in any faculty and any other equivalent or Higher Degree of the University of Madras / \*2 - Thiruvalluvar University and who shall have paid into the Office of the Board of Trustees, a registration fee of Rs.5/- (Rupees Five only) and registered their names in a list to be maintained for the purpose in the said Office at least six months before the date of the election".

### **(D) ORDER OF ELECTIONS:-**

The vacancies arising on the Board of Trustees on the date of the passing of the scheme and all subsequent vacancies caused by the death, resignation or retirement of the Trustees who shall be in Office on the date of the passing of the amended scheme, shall be filled up by the electorates in the order of the following:-

(a) The Hindu Members of the Senate

\*3 - (b) The Graduates / Post Graduates / Research Scholars of the Pachaiyappa's Trust Colleges.

\*4 - (c) Pachaiyappa's Trust Board College Council.

\*5 - (d) Pachaiyappa's Trust Board College Council

\*6 - (e) Electoral college of all approved teachers from all the colleges of Pachaiyappa's Charities

\*7 - (f) The Graduates / Post Graduates / Research Scholars of the Pachaiyappa's Trust Colleges

(g) The Hindu Members of the Senate

\*8 - (h) Electoral college of all approved teachers from all the colleges of Pachaiyappa's Charities

\*9 - (i) The Graduates / Post Graduates / Research Scholars of the Pachaiyappa's Trust Colleges.

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\*1, 2,3,7,9 (modified as per the orders of the Hon'ble High Court in Apln.Nos.4224/2005, 4884, 4846 & 4847 & 4780/2006, dated: 4.1.2007)

\*4,5,6,8 (modified as per the orders of the Division Bench made in O.S.A.Nos.47 & 58 of 2007 and M.P.No.2/2007 in O.S.A.Nos.58/2007, dated: 24.9.2008)

Any vacancy on the Board, caused either by death, resignation or retirement of any member thereof appointed under the amended scheme shall be filled up by the electoral body which originally elected.

**(E) INTIMATION OF VACANCY:-**

The occurrence of any vacancy in the Board of Trustees shall, within 15 days of such occurrence, be communicated by the Board of Trustees to the Advocate General of Madras and to the Board of Revenue, Madras.

**(F) THE HOLDING ELECTIONS –**

It shall be the duty of the Board of Trustees to make the necessary arrangements for having the various elections.

Within a month of the occurrence of any vacancy on the Board of Trustees, intimation of the occurrence of the vacancy shall be given, by post, to the electors concerned and  
*\*1 - each of the eligible electors shall be given an identity card. As soon as vacancy arises in the Trust Board, written intimation shall be sent to the electors about the date of election and polling within a month. Eligible electors shall appear in person on the date of election, collect the ballot papers and then poll it in the ballot box / boxes arranged at each college. The identity of the voters shall be verified by the polling officers with the records made available to him by the Trust Board.*

All elections shall be conducted and the votes told and the result of the election declared by a Committee to be appointed by the Board of Trustees consisting of three persons of whom the Principal of Pachaiyappa's College for the time being shall if possible, be one.

*\*2 - The election by the Pachaiyappa's Trust Board College Council and election of Trustees by the electoral college of all the approved Teacher of all the colleges of the Pachaiyappa's Trust / and any other election of trustee from respective constituency shall however as per the election procedure ordered as in clause 11(f) of this scheme. No persons shall be deemed to have been duly elected or nominated as Trustee who is not so elected or nominated by a clear majority of the members constituting respective constituency respectively for the time being.*

*\*1 - (modified as per the orders of the Hon'ble High Court in Apln.Nos.4224/2005, 4884, 4846 & 4847 & 4780/2006, dated: 4.1.2007)*

*\*2 - (modified as per the orders of the Division Bench made in O.S.A.Nos.47 & 58 of 2007 and M.P.No.2/2007 in O.S.A.Nos.58/2007, dated: 24.9.2008)*

As soon as an election is made and declared, the result of any appointment by such election shall be communicated by the Board of Trustees to the Advocate-General of Madras and to the Board of Revenue, Madras.

The Board of Trustees may pay all expenses incidental to the said elections from and out of the funds in their hands.

**(G) DEFAULT IN THE HOLDING OF ELECTIONS:-**

In default of an appointment being made to any vacancy within three months of the occurrence thereof, it shall be competent to the Advocate-General of Madras, the Board of Revenue, Madras, or to any Hindu resident of Madras to apply, by Judge's summons entitled in this matter, to any Judge sitting on the Original Side of the High Court of Judicature at Madras, to fill up the vacancy; and it shall be competent to such Judge on such application and after directing the issue or publication of such notice as may be deemed necessary to appoint to the vacancy any person qualified to be appointed as member of the Board of Trustees.

**(H) TENURE OF OFFICE:-**

Save as hereinafter provided, every Trustee appointed under this scheme shall hold office for five years to be computed from the date of his election but may resign earlier.

**(I) ANY PERSON CEASING TO BE TRUSTEE** by efflux of time shall be eligible to be re-elected or re-elected subject, however, to the condition that a person who was elected as Trustee and who has *\*! 0 served for two consec. e terms* shall not be eligible of re-election from any constituency until after the expiry of a term of five years from the date on which he ceased to hold office.

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*\*1 - Incorporated as per orders of the Hon'ble High Court dated: 16.7.1963 made in Apln.No.1106/1963 in Apln.No.2026/1962*

#### **(J) CESSATION OF TRUSTEESHIP:-**

Any member of the Board who becomes insolvent or is sentenced without the option of a fine or absents himself for six ordinary meeting in a calendar year or ten consecutive meetings of the Board at any time, shall ipso facto cease to be a member of the Board and shall not be re-eligible for the vacancy so caused.

*Explanation: (For filling up of vacancies):-*

*\*1 - Any vacancy to the post of a Trustee during the tenure of the Trust Board under circumstances providing for cessation of Trusteeship shall be filled up within a period of three months by notifying the vacancy and securing the election of the vacant post from the respective electorate whose elected representative ceased to hold office.*

#### **(K) ELECTION OF PRESIDENT:-**

The Board of Trustees shall, every year in the month of April, elect a President of their Board and such President shall be entitled to hold office till next election and shall be eligible for re-election.

#### **(L) QUORUM:-**

Five members of the Board shall form quorum for a meeting of the Board. There shall be an ordinary meeting of the Trustees once every month, Special meetings shall be called as often as may be necessary on a requisition from three Trustees.

#### **(M) DISPOSAL OF WORK:-**

The business of the Board of Trustees shall be dealt with either at meetings of the Board or in circulation. Any subject that is required by any three members of the Board to be discussed at a meeting shall not be disposed of in circulation.

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*\*1 - (incorporated as per the orders of the Hon 'ble High Court in Ap'n.Nos.4224/2005, 4884, 4846 & 4847 & 4780/2006, dated: 4.1.2007)*

## **(N) PRESIDENT'S CASTING VOTE:-**

The President of the Board shall, in addition to his vote as a member of the Board, have a casting vote whenever the votes are equally divided, whether the business is disposed of at a meeting or in circulation. No subject disposed of, whether at a meeting or in circulation shall be re-considered by the Board, except on the written requisition of at least three members of the Board.

## **(O) POWER TO FRAME BYE-LAWS :-**

The Trustees shall have power to frame Bye-laws for giving effect to this scheme, not inconsistent with the provisions hereof or the decrees and decretal order of the Supreme Court in this matter.

## **\*1 - 12. PACHAIYAPPA'S TRUST BOARD COLLEGE COUNCIL:-**

a) Save as hereinafter provided, the Execution management of respective Pachaiyappa's Trust Board College Council and of the Higher Secondary Schools attached thereto shall, subject to the general control of the Board of Trustees, be vested in the Principals of respective Pachaiyappa's Trust Board Colleges assisted by a College Council constituted as hereinafter provided.

b) The College Council should consist of the following members:-

- The Principal of respective colleges of the Pachaiyappa's Trust.
- The Head of the respective departments (Professors / Reader) of the respective Colleges of the Pachaiyappa's Trust.
- The Headmaster of the Higher Secondary Schools of the Pachaiyappa's Trust in the governing district.

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*\*1 - (modified as per the orders of the Division Bench made in O.S.A.Nos.47 & 58 of 2007 and M.P.No.2/2007 in O.S.A.Nos.58/2007, dated: 24.9.2008)*

- One member who shall be elected annually by the Board of Trustees shall be eligible for re-election.
  - One member of the College Staff who shall be elected annually by the members of the College Staff who are not ex-officio members of the Council shall be eligible for re-election.
- c) Save as herein otherwise provide, the Principal shall ordinarily be bound by the opinion of the majority of the College Council but may overrule such opinion and shall then submit to the Board of Trustees, in writing his reasons for dissenting from the views of the Council, together with such minutes on the subject as the Council or individual members thereof may wish to record for the consideration and final decision of the Board of Trustees.
- d) In the event of the Principal overruling the opinion of the Council, he shall, before addressing the Board of Trustees on the matter, inform the members of the Council of the reasons he proposes to adduce, so as to give them an opportunity of recording their views on the subject.
- e) The College Council shall, as a rule, be consulted by the Board of Trustees with regard to all proposed changes, in the staff, scope and policy of the College and the respective *\*1 - Higher Secondary School of the region* and such changes shall not ordinarily be made, if disapproved by a majority of the Council including the Principal.
- f) When the Principalship or any other post in the College or *\*2 - respective Higher Secondary School* is about to fall vacant or falls vacant, the College Council shall immediately proceed to consider the measures to be adopted for filling up the vacancy and shall report the same to the Board of Trustees as early as possible for their orders. The Principal in consultation with the President of the Trust Board may temporarily fill up vacancies, except that of the Principalship, for a period not exceeding three months, provided that the temporary arrangements made do not entail increased expenditure and are duly reported to the Board of Trustees.

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*\*1 - (modified as per the orders of the Division Bench made in O.S.A.Nos.47 & 58 of 2007 and M.P.No.2/2007 in O.S.A.Nos.58/2007, dated: 24.9.2008)*



- g) Wherever permanent vacancies occur in the College and in the *\*1 - respective Higher Secondary School*, the Principal in consultation with the President of the Trust Board shall examine the qualifications and general fitness of candidates for all such posts except the Principalship and record his opinion thereon and shall recommend the candidate or candidates whom he considers best qualified, for the approval of the Board of Trustees.
- h) The budgets of the College and of the *\*2 - respective Higher Secondary School* in each academic year, shall be drawn up by the College Council and submitted to the Board of Trustees for approval before the *\*3 - 1st* May of the proceeding year.
- i) The following matters shall be dealt with by the College Council:-
- (1) Distribution and hours of work.
  - (2) Courses of Study.
  - (3) Selection of Text-Books.
  - (4) Holding of Examination.
  - (5) Awarding of prizes and scholarships
  - (6) Promotion, removal or expulsion of students
  - (7) Purchase of books and apparatus for the College and Higher Secondary School.
  - (8) Control and supervision of Sports and Gymnasia.

Provided that any action taken by the Council under this rule shall not involve any expenditure in excess of the sanctioned budget allotments.

- j) The members of the College Council shall have access at any time when the College Office is usually open to the records and correspondence of that office, except such papers as may be of a confidential character.
- k) There shall be, at least, four ordinary meetings of the Council every year. Special meetings of the council shall be held at the request of the Principal or of any two of the members of the Council or at the request of the Board of Trustees.

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*\*1 - (modified as per the orders of the Division Bench made in O.S.A.Nos. 47 & 58 of 2007 and M.P.No.2/2007 in O.S.A.Nos.58/2007, dated: 24.9.2008)*

*\*2 - Amended as per the orders of the Hon'ble High Court dated: 19.7.1920)*

- l) The College Council shall elect every year one of its members other than the principal to be its Secretary to hold office usually for a year, but to be eligible for re-election. The duties of the Secretary to the College council shall be prescribed from time to time by the Council.
- m) The College Council shall regulate the procedure to be adopted with regard to the summoning of its meetings and the conduct of business by circulations of papers or otherwise.
- n) A majority of the members of the College Council for the time being shall form a quorum.
- o) The Principal of the College for the time being shall be the Chairman of the College Council and in his absence from a meeting the members present shall elect a Chairman.
- p) All questions arising in the College Council shall be decided by a majority of votes. In the event of the votes including that of the Chairman being equally divided, the Chairman shall have a casting vote; but the fact that the question was decided by the Chairman's casting vote shall be entered in the minutes.
- q) Copies of the minutes of all the proceedings by the College Council shall be submitted to the Board of Trustees within a fortnight after they are recorded.
- r) As regards the students of the College, the Principal shall have exclusive control in matters of discipline and punishment and the Council shall not be entitled to interfere therein, except in cases of expulsion.
- s) As regards the members of the Teaching staff of the College and the *\*1 - respective Higher Secondary School*, the Council shall not be at liberty to interfere in matters of discipline and punishment. Should the Principal be of opinion that any member of the Teaching staff ought to be fined, suspended or dismissed, he shall report the case for orders to the Board of Trustees.

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*\*1 - (modified as per the orders of the Division Bench made in O.S.A.Nos.47 & 58 of 2007 and M.P.No.2/2007 in O.S.A.Nos.58/2007, dated: 24.9.2008)*

- t) The appointment and control of the clerical, ministerial and menial staff of the College and the respective Higher Secondary School shall, be vested in the Principal, but an appeal shall lie to the Board of Trustees from any order of suspension or dismissal by the Principal.

13. Except as herein expressly or impliedly modified or varied, all the provisions of the said decree and decretal orders, shall remain in full force and effect, and all parties hereto and any person interested shall be at liberty to apply for further or other directions or modifications or the scheme as necessity or occasion may required.

14. Save as herein otherwise provided, the scheme shall come into force as and from the 1st April 1909.

*Settled and Approved this 12th day of February 1909*

15. Save as herein otherwise provided, the scheme as further amended shall come into force as and from 24th September 2008.

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