

TAMIL NADU STATE COUNCIL FOR HIGHER EDUCATION ACT, 1992

Revised NQ 60 1992 No. 415 • AMIL : NADU { GOVERNMENT GAZETTE- EXTRAORDINARY MADRAS, FRIDAY, JULY 10, 1992 AAM 26, AANGEERASA, THRUVALUVAR AANDU--2023 Part -Section 2 Nādu A" "āhd G•dinn. The following Act Of the Tamil Nidu Legis*ive réci.vbd the t(BM)nt of the Governor on the 10th July 1992 irid is héreby•• publiÅhedl for * general information : — ACT No. 40 OF 1992. An Act to provide for..the estabiisnnwnt. ot State Councat* in the State of Tqtnil Nadu and for matters connected théreuÆth Ond incidental thereto. ,Policy on Education, 1986 of the . Govenmrållt India contains recommendations t(Bt &atē' .blannine co-ordination higher education shall -be done through the State Councils for Higher Edu, cation ; AND WHEREAS the Univerity Grants Commi«ron constituted a coma: mittee to make recommen ations regar#ing e setting. uD of State Councili for •High& Educåbñ 'G aföré±id ' atioßÅ Pbiicj AND WHEREAS the Bid committee recqmmed that. there prew ing• heed fog,'ah' 'Efebti% •f* pF (mohJn"āhd of Higher Educåtioå 'kt' tHé *add rstat.e 'l' the UniveßityjCra.i" " AND hö d#ri' guidelihee fpkÅ±tCihk. filkhbr the'si&d AIO b.WH*REAS. theßtbw gov&Äüent'havé td ,esta- Policy on Education •of the Gotemnient,æof India aid;by' the Uniyersi.iy;é ' Cofimission NADU GOVERNMENT GAZEITE EXTRAORDINARY -BE it by the Legislative A*qrnbly of the of TÅfil •Naati in 'thei ' •pony-third Year ot the Republic of "dj' ag , (1) flå\$î (IÜfdl Nada (9mn('ii lor f figber i Uduüiion "•Åöt, 1992.å ; commence- (2) It extends to the whole of the Stater of Tamil Nadu. (3) It applies to all the Universitie4 colleges and institutions of higher education .4 (4) It c.öme into force on such date as the Government may, by notification, appoint.i 2. In this Act, the context other,wifÉ requires:-:— means any college or instimtion ma.intained or approved by, or to, any University and providing courses of study for to the examination of •the University and includes autonomous college ; " Council " means the Tamil Nadu State Council for JÆigher .Edu r-afion established under section 3 ; degree " means a degree in Arts, Science, Co , Teaching, 'Management Languages, En •neri oloÉy,; Law or eh other. degree recognised by any University and includes 8 post,-graduate " diploma.." any diploma awarded by any University but nôt de a cetißeate ; (" Government " means the State Government ; (f) " higher education " meus edueotion, Waa Jther di6.R 6théYWi±, •lading . to the obta.ining of any deg•ee or diploms any. ; KM<Qstitution of higher education " mäens an ingituåon conducting any, couræ of study 'in higher education, which is appzoved,,u me.h by .the Government in eonaltation with the CouMil) inember " 8 member of the' Council and includes åo Chairman, the Vice-Chairman, the Member-Secretary and the co-opted mem- ber ;) " regulatione " means the made by the Council under this Act ; niveNity, 'l' means the Ldras 'Univerity, the Anna.xnalai Univer- c gi+y,;•, the: M ura.i-Kamæ•aj the Anna I.Tnivzityy the Bharathiaæ University, the Bharathidmn the Tamil the Mothez Tereu Women's University, the University, the or. such be ætablished in the 'Staueof -Tamil Nadu under my law made by. tie: Izgißlature of the State of Tunil Nadu to which the Univerity 1956 applies ; Z , ".Univerity Grants: ßtabli±ed••: ander Ack. 1956 Oentrel 1956; CatraJ Åø S 1956. TAMIL NADU GOVERNMENT GAZEITB EXTRAORDINARY 147 3. (1) Thére shall be established a Council by the name "the' Tamil Nadu Establishment of Council foc State Council f9 HighG Education Higher cation. (2) The Council shall be a lody corporate having perpetual succesi.on 16. and a common seal and shall Mie and be azed by ihe •id name. (3) The headquarters of the Council shall be located at Madras

4. The Council conüt of the following members, namely :—(o) the Minister in-&rge of Education, who El be the Chairman, ec-ofi0io ; Vice-Chairman appointm by, the Government from among persong 'having experience in the field of eduætion, ; (c the Secretary to Government in-charge •of Education, "-officio ; Secretary to government In-charge of Finanæ, ex-o#»•. Secretary, University Grants Commi«on or his nominee, •ec.omcio ; (D the Direct0R of Collegiate Education; ix-officio ; ("K Director df Technical Education, ez:oficio ; l' z (Jb) one member nominated by Che Government fmm among the em,igent .æademieians or educadonol administrators ; (i) one n'omindtd • by!.the Government .g.röm emi- nent seientiSE or enginærg ; —0 one member nominated by the Govenmenc:fröüi 'åmbng industria- lists of high.repute who have to the cause. of bighec education ; (J. two memLers nominate# by the Government. from among the Vi.ce- -OKa.ncel110ré of the Universities including Vice-Chancellor of •Centml •Unive,,•- Bities- in this State, if any ; (J) than three eminalt educationists co-opted by the' Council; .(m) a full time Member&eretary appointed by the• Government , 5. A pemn Nhnll for being appointed Vice-

Chairman for being nominated or co-opted as a member of the Council or for his Vice-Chairman or nominated or co-opted if— (a) he is of sound mind; (b) he is an applicant to be adjudicated as insolvent; (c) he has been for any offence, punished under any law, with imprisonment, such not as, for a term and a, bag pat, elapsed from expiration of the term of office of the Council. (e) he incurs such disqualification on account of conviction, (A C wup) IV-2 Ex. Council. 148.

Terms and conditions of office of Chairman and nominated and co-opted members. Terms and conditions of office of Member Secretary. member* Council. Tamil Nadu Government GAZETTE EXTRAORDINARY, 6.0. (1) The Vice-Chairman and the nominated and co-opted members shall for term of three years and shall be eligible for re-appointment or re-nomination or co-option for a further term of three years: Provided that for the purpose of this sub-section, a person who has held as Vice-Chairman or a nominated or co-opted member in a casual vacancy for a period of not less than one year shall be deemed to have held office for a full term of office. (2) The Vice-Chairman or the nominated or co-opted may, by writing under his hand addressed to the Government or the Council, as the case may be, resign his office but he shall continue to hold office until his resignation is accepted by the Government or, as the case may be, by the Council. (3) Subject to the provisions of this section, the terms and conditions of service of the Vice-Chairman and co-opted members shall be such as may be prescribed. (4) The Vice-Chairman shall exercise such powers and perform such functions as may be prescribed. (1) The terms conditions of service of the Member-Secretary shall be such as may be (2) The Member-Secretary shall exercise the powers and perform the functions conferred or imposed on him in respect of other powers and functions may be 8. If, at any time, it appears to the Government that the Vice-Chairman or a nominated or co-opted member has shown himself to be unsuitable for office or guilty of misconduct or neglect which renders his removal from office in the interest of the Government or such nominated or co-opted member, as the case may be, a reasonable opportunity of being heard shall be given to him. (3) If a casual vacancy occurs in the office of the Vice-Chairman or of a nominated or co-opted member, either by reason of his death, resignation, removal or otherwise such vacancy shall be filled up, as soon as may be, by the Government. (4) The Member-Secretary shall hold office only for the remainder of the term for which the whole place he fills would have been the Vice-Chairman or co-opted member; 6b. the Council shall determine the powers and functions of the Member-Secretary. (2) Subject to the provisions of Sub-section (1), the Council shall— (a) prepare consolidated programmes in the higher education in the State keeping in view the overall priorities and perspectives, of the State and the guideline issued by the Government; (b) advise the Government on the matters relating to the determination of standards and suggest remedial action wherever required. (3) The Government may, by order in writing, direct the Council to take such action as may be specified in the order to remedy, within such time as may be specified therein; if any, disclosed in the audit report and the Council comply with such direction. 16. The Council shall, as soon as may be, after the end of each financial year, prepare and submit to the Government, before the end of such time as may be prescribed, a report giving an account of its activities during the previous year and the report shall also give an account of the activities, if any, which are likely to be undertaken by the Council in the next financial year and the Government shall cause every such report to be laid before the Assembly as soon as may be after its receipt. A copy of the financial report shall be forwarded to the Grants Commission.

17. The Government may issue to the Council such directions as in opinion, are necessary or expedient for carrying out the purposes of this Act and the Council shall give effect to all such directions.

18. The Council shall have power to act, notwithstanding any vacancy in the membership, or any defect in the constitution thereof, and the proceedings of the Council shall be valid notwithstanding that some person, who was not entitled to be a member had sat, voted or otherwise taken part in the proceedings of the Council.

19. The Chairman, Vice-Chairman, members, the Member-Secretary and employees of the Council shall be deemed, when acting or purporting to act, in pursuance of any of the provisions of this Act, or any rule or regulation or order or direction made or issued under this Act, to be public servants, and within the of section 21 of the Indian Penal Code

20. No suit or other legal proceeding lie against the Government, the Council or any member thereof or any employee or person acting under the direction of the Government or the Council, in respect of anything which is in good faith done or intended to be done in pursuance of this Act or any rule, regulation, order or direction made or issued under this Act.

21. The Annual report to be issued by the Council shall not be invalid on account of any irregularity in the election of the Council to be public servants.

21. (1) The Government may make rules for carrying out the purpose, power and effect of this Act.

(2) Every rule made under this Act or an order made under section 294 shall, as soon as possible after it is made, be placed on the Table of the Legislative Assembly and before the expiry of the session in which it is made or the next session, if the rule or order, or the "Gazette" that the 'rule or order' is made, shall not be made.

152 Power to remove difficulties. to make TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY rule, the rule or order shall thereafter have only, in such modified form or be of no effect, the may be, or, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or order.

22. The Council may, subject to any made by the Government and with the previous approval of the Government, make regulations for carrying out the powers and functions of the Council under this Act

23. If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion requires, by order, not inconsistent with the provisions of this Act, do anything which appears to be necessary or expedient for the purpose of removing the difficulty: Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act. (By order of the Governor) ISMAIL, Secretary to Government, Law Department.

{NQR LNT, tNØ. Err OF"IAUJL TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY The following. Act of the Tamil Nadu Legislative Assembly received. the assent of the Governor on the 17th June 1999 and is hereby published for general information:— ACT No. 34 of 1999. An Act to Amend The Tamil Nadu State Council for Higher Education Act, 1992 BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fiftieth Year of the Republic of India as follows:— 1.(1) This Act may be called the Tamil Nadu State Council for Higher Education Tamil Nadu Act 40 of 1992. (Amendment) Act. 1999. (2) It shall come into force at once, 2. In section 4 of the Tamil Nadu State Council for Higher Education act, after clause (b), the following clause shall be inserted. namely:— "(bb) the Secretary to Governor, ex-officio." (By order of the Governor) 1992. 187 Short title and commencement. Amendment of section 4. K. PARTHASARATHY, Secretary to Government, Law Department. PRINTED AND PUBLISHED BY THE DIRECTOR OF STATIONERY AND PRINTING, CHENNAI ON BEHALF OF THE GOVERNMENT OF TAMIL NADU