

Tamil Nadu Tamil Learning Act, 2006

TAMILNADU

India

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Act 13 of 2006

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Tamil Nadu Tamil Learning Act, 2006(Tamil Nadu Act 13 of 2006)Statement of Objects and Reasons. - The Government of Tamil Nadu have been receiving representations from parents, Educationists, Tamil Scholars and Students requesting that provision may be made for learning of Tamil subject in schools.² In the Governor's Address in the Tamil Nadu Legislative Assembly on the 24th May 2006, it has been stated that, Government is determined to take early action in consultation with Educationists to ensure that all students studying in schools in the State learn Tamil subject compulsorily from the ensuing academic year.³ Accordingly, in the meeting of Tamil Scholars and Educationists convened by the Government on the 25th May 2006, after detailed deliberation in order to change the situation of students studying in schools in Tamil Nadu not learning Tamil which is the official language of the State and one of the ancient, classical languages of the world, it has been proposed to make Tamil as a subject in standards I to X in all schools in the State from the academic year 2006-2007 and to introduce the following pattern of education, namely: -

Part I – Tamil (Compulsory)

Part II – English (Compulsory)

Part III – Other Subjects such as Mathematics, Science, Social Science, etc.

Part IV – Students who do not have either Tamil or English as their mother tongue can study their mother tongue as an optional subject.

4. The Government, after a deep consideration and analysis, have decided to bring out a legislation to provide learning of Tamil as one of the compulsory subjects in standards I to X in all schools in the State in a phased manner from the academic year 2006-2007.5. The Bill seeks to give effect to the above decision. Published in Part IV -Section 1 of the Tamil Nadu Government Extraordinary, dated the 31st May 2006. Received the assent of the Governor on the 3rd February 2006 and published Part IV-Section 2 of the Tamil Nadu Government Extraordinary, dated the 12th June 2006. An Act to provide learning of Tamil as one of the subjects in all schools in the State of Tamil Nadu. Whereas a policy decision has been taken by the Government of Tamil Nadu to ensure that all students studying in standards I to X in all schools in this State to learn Tamil as one of the subjects, in a phased manner, from the academic year 2006-2007. Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-seventh Year of the Republic of India as follows: -

1. Short title extent and commencement.

(1) This Act may be called the Tamil Nadu Tamil Learning Act, 2006. (2) It extends to the whole of the State of Tamil Nadu. (3) It shall come into force on such date as the Government may, by notification, appoint.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a) "academic year" means the year commencing on the first day of June; (b) "competent authority" means the competent authority appointed by the Government under section 4; (c) "Government" means the State Government; (d) "prescribed" means prescribed by rules; (e) "school" means, -(i) any primary school, middle school, high school or higher secondary school maintained by the State or local bodies; or (ii) any primary school, middle school, high school or higher secondary school established and administered or maintained by any private educational agency including minority school established and administered under clause (1) of Article 30 of the Constitution, whether receiving aid out of the State fund or not; or (iii) any Nursery and Primary School, Matriculation School, Anglo-Indian School or Oriental School including minority school established and administered under clause (1) of Article 30 of the Constitution, whether receiving aid out of the State fund or not; or (iv) such other school as may be notified by the Government in this behalf; Explanation. - For the purpose of this clause, -(i) Nursery and Primary School consist of standards L.K.G. to V; (ii) Primary School shall consist of standards 1 to V; (iii) Middle School shall consist of standards I to VIII or standards VI to VIII; (iv) High School shall consist of standards I to X, or VI to X or IX and X; (v) Higher Secondary School shall consist of standards I to XII, VI to XII or IX to XII.

3. Tamil as subject.

(1) Tamil shall be taught as a subject in standards I to X in all schools, in a phased manner, commencing from the academic year 2006-2007 for standards I, from the academic year 2007-2008 for standards I and II and shall be extended upto X standard in a like manner. (2) For the purpose of sub-section (1), the pattern () of education shall be as follows:

Part I Tamil (Compulsory)

Part II English (Compulsory)

Part III Other Subjects (Mathematics,
Science, Social Science, etc.)

Part IV Students who do not have
either Tamil or English as
their mother tongue can
study their mother tongue
as an optional subject.

4. Competent authority.

(1)The Government may, by notification, appoint any officer of the Education Department not below the rank of District Educational Officer to be competent authority for the purposes of carrying out the provisions of this Act and the rules made thereunder and different competent authorities may be appointed for different areas.(2)The Competent authority shall exercise such powers and perform such functions as may be prescribed.

5. Exemption.

- The Government may, subject to such conditions as they deem fit, by general or special order, exempt any class or category of student or students from all or any of the provisions of this Act either in part or in whole.

6. Competent authority to be public servant.

- The competent authority appointed under section 4 shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

7. Power of Government to give direction.

(1)The Government may, in the public interest, by order, direct the competent authority to make an enquiry or to take appropriate proceedings under this Act in any case specified in the order, and the competent authority shall report to the Government the result of the enquiry made or the proceedings taken by him within such period as may be prescribed.(2)On receipt of the report from the competent authority under sub-section (1), the Government shall give such direction as they deem fit and such direction shall be final and binding.

8. Protection of action taken in good faith.

- No suit, prosecution or other legal proceedings shall lie against the competent authority, Government or its Officers for anything which is in good faith done or intended to be done under this Act or any rule or order made thereunder.

9. Powers to make rules.

(1)The Government may make rules for carrying out the purposes of this Act.(2)Every rule or notification or order made under this Act, shall, as soon as possible, after it is made or issued, be placed on the Table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any 'such rule or notification or order or the Assembly decides that the rule or notification or order should not be made, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

10. Power to remove difficulties.

- If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order publish in the Tamil Nadu Government Gazette, make such provisions, as appears to it to be necessary or expedient for removing the difficulty:Provided that no order shall be made after the expiry of a period of two years from the date of commencement of this Act.