

The Tamil Nadu Regulation of Admission in Professional Courses Act, 2006

TAMILNADU

India

The Tamil Nadu Regulation of Admission in Professional Courses Act, 2006

Act 2 of 2006

- Published on 3 February 2007
- Commenced on 3 February 2007
- [This is the version of this document from 3 February 2007.]
- [Note: The original publication document is not available and this content could not be verified.]

The Tamil Nadu Regulation of Admission in Professional Courses Act, 2006 Tamil Nadu Act 2 of 2006 Statement of Objects and Reasons. - The Government of Tamil Nadu has been receiving representations from the parents, teachers, educationalists, social activities and the student community, requesting for abolition of the Common Entrance Test for admission to professional courses. 2. The bulk of the students appearing for the Common Entrance Test come from rural areas and facilities for them to access coaching classes to equip themselves for the Common Entrance Test are not available due to non-availability of such coaching centres in their locality and also due to paucity of funds and economic circumstances in which those students live. It has been opined that the Common Entrance Test has become a traumatic experience for parents and children as it appears to determine at one stroke the future of the child. The High Secondary Examination (plus two) itself is a serious examination of merit casting a high burden on students and is itself verify an entrance test to get admitted to higher level course and admission to professional courses. This obviates the need for any separate common entrance test thereafter, as it is an additional burden on the students. 3. In His address to the Tamil Nadu Legislative Assembly on May 24 2006, His Excellency, the Government of Tamil Nadu has announced that, - "the Common Entrance Examination for admission to professional Courses has become highly expensive and a source of unnecessary hardship for the students. With a view to ensuring a level playing field to students from rural areas and poor families and those from urban areas, this Government will constitute a Committee of educational experts to recommend suitable measures for abolition of Common Entrance Examination from the academic year 2007-2008." Accordingly the Government constituted a committee of educational experts under the Chairmanship of Dr. M. Ananthakrishnan, former Vice-Chancellor, Anna University vide G. O. (Ms.) No. 206, Higher Education, dated 7th July 2006. The Committee submitted its report to the Government on 13th November, 2006. The Committee, has made, among other things, the following recommendations:-(i) The Government may undertake immediate steps to eliminate the Common Entrance Test; (ii) The Government may

pass a Bill indicating the need for elimination of Common Entrance Test in the interest of Social Justice and protection of vulnerable student population;(iii) The Bill should explicitly propose the Normalisation Process for ensuring equality of opportunities for admission to the students from different Boards.4. The Government have decided to accept the recommendations of the Committee and to bring out a legislation for the said purpose.5. This Bill seeks to give effect to the above decision.Received the assent of the Governor of Tamil Nadu on the February 2,2006 and Published in Part IV Section 2 (Issue No. 37, pages 3-6) of the Tamil Nadu Government Gazette Extraordinary, dated the 3rd February 2007.An Act to regulate admission to Professional degree course such as Engineering, Medicine, Dental, Agriculture and other incidental and ancillary courses thereto.Be it enacted by the Legislature of the State of Tamil Nadu in the Fifty sixth" year of the Republic of India as follows:-

Chapter I

Preliminary

1. Short title, extent and commencement.

(1)This Act may be called the Tamil Nadu Regulation of Admission in Professional Courses Act, 2006.(2)It extends to the whole of Tamil Nadu.(3)It shall come into force on the [date] [Came into force on 18th February, 2006 vide G. O. Ms. No. 60, Higher Education (J2), dated the 18th February 2006.] as decided by the Government of Tamil Nadu which will be notified in the Tamil Nadu Government Gazette.

2. Definitions.

- In this Act, unless the context otherwise requires:-(a)"Appropriate Authority" means a University or an Authority or Established or Agency so Authorized by the Government of Tamil Nadu to conduct the Common Entrance Test;(b)"Arrival of eligibility marks" means the comparison of the marks of students who have passed, qualified and obtained eligible cut-off marks as prescribed by the Authorities of the respective institutions or Universities who decide it as marks for admission based on the marks of the students who have passed the Higher Secondary Board examinations conducted by the Department of Education, Government of Tamil Nadu and the marks of such of those students who have obtained such eligibility criteria wholly through the Common Entrance Test which are conducted only to those students who are drawn from disciplines other than curriculum offered by the Board of Higher Secondary School Examination of the Government of Tamil Nadu.(c)"Bachelor Degree" means a course containing various subjects constituting an area of specialization including any branch or discipline in any Professional Course;(d)"Common Entrance Test" means Entrance Test in the Common Entrance Test Syllabus, Conducted by the State Government or an University or an Authority or an agency authorized by the Government of Tamil Nadu for the purpose of admission to a professional course so as to arrive at an equation or standardization of only to those students of different styles or patterns of School final examination or curriculum's such as Central Board of Secondary Education so as to compare the eligibility criteria for Professional Course with that of students who have qualified by passing through the

Tamil Nadu State Board Examinations conducted at the higher secondary (plus two) level;(e)"Common Entrance Test Examinees" means eligible students appearing for Common Entrance Test other than students who have passed and qualified in the Higher Secondary Examinations conducted by the Board of Secondary Examinations in higher secondary (plus two) level in Tamil Nadu conducted under the Department of Education, Government of Tamil Nadu;(f)"Common Entrance Test Syllabus" means the syllabus of the curriculum offered by the Board of Higher Secondary School Examinations of the Government of Tamil Nadu to its students at eleventh and twelfth standard (plus two) level;(g)"Curriculum" means the course offered by the Board of Secondary Examinations in Higher Secondary Schools in Tamil Nadu with respect to the School Leaving Certificate after completing higher secondary (plus two) studies;(h)"Cut-off marks" means the highest marks prescribed by the respective authorities in whichever Bachelor degree course it may be and the same shall be based upon the marks valued and obtained in the Higher Secondary School Leaving Certificate Course conducted by the Board of Secondary Examinations, Government of Tamil Nadu, at the higher secondary (plus two) level, and the equivalent marks obtained in the Common Entrance Test by other Students namely, Central Board of Secondary Education or Indian School Leaving Certificate Course or any other State Board of any other State or any other school final (twelfth standard) qualifying certificate.Explanation. - The students who hold the Higher Secondary School Leaving Certificate after successfully completing the examinations conducted by the Board of Higher Secondary School Examinations so authorized by the State Board at the higher secondary school level (plus two) need not undergo the Common Entrance Test since the cut-off marks are to be fixed only-on the basis of the marks obtained in the examinations conducted by the Board of Secondary Examinations at the higher secondary (plus two) level, Government of Tamil Nadu;(i)"Eligibility Criteria" means the qualifying marks prescribed by the respective authorities at whose University- or College or Institution a student intends to join should possess;(j)"Higher Secondary Pass Marks" means the marks obtained by a candidate while completing Higher Secondary School Leaving Certificate at the level of higher secondary (plus two) by obtaining minimum eligibility pass marks as prescribed by the competent authority in this context;(k)"Professional Institution" means a College or School or an Institute by whatever name called, imparting professional education approved or recognized by the competent statutory body and affiliated to a University and, includes a constituent unit of a deemed to be a University imparting professional education;(l)"Professional course" means a specialized Bachelor Degree Course study in a particular academic branch or an educational pursuit or educational activity in a particular academic field such as Engineering, Medicine, Agriculture, Dental, Architecture or any other Course of study prescribed in this regard and notified as a "Professional course" be the Government of Tamil Nadu in the Official Gazette;(m)"Prospectus" means any prospectus, notice or documents issued by the Government or any other authority authorised by the Government giving information about the admission for professional courses;(n)"Qualifying eligibility" means the students who possess the eligible marks for admission by passing the Higher Secondary Examination conducted by the Board of Higher Secondary Examinations in higher secondary (plus two) level in Tamil Nadu conducted under the Department of Education, Government of Tamil Nadu.Explanation. - The Qualifying cut-off marks obtained by a student who appeared for Higher Secondary Examination conducted by the Board of Secondary Education, Department of Education, Government of Tamil Nadu is considered the base or eligible marks with whom the students of other or similar or equivalent students of other disciplines such as the Central. Board of Secondary

Education (CBSE) have to qualify by undergoing Common Entrance Test so as to equate themselves with that of the Tamil Nadu State Board of Higher Secondary Examination students;(o)"Students appearing for Common Entrance Test" means those students who have got nativity in the State of Tamil Nadu but has taken school curriculum either by means of Central Board of Secondary Education or Indian School Leaving Certificate Course or any other Board other than the one in Tamil Nadu or any other School qualifying certificate which are treated to be equivalent to the Board of Secondary Examinations in Higher Secondary Course conducted by the State Board in Tamil Nadu;(p)"Syllabus" means the course of study or examination requirements which a student underwent in the examination meant for a pass in Higher Secondary School Leaving Certificate at the Higher Secondary (plus two) level and such examination conducted by the Board of Higher Secondary Education;(q)"University" means universities established or incorporated by an Act of the State Legislature.

Chapter II

3. State Board Marks shall be the basis for admission.

- The marks obtained in the qualifying examination conducted by the State Board at the twelfth standard (plus two) level to its students shall be the basic marks for admission. The students of other disciplines or Boards or streams will take a Common Entrance Test which is of the same syllabus as the State Board plus two level. State Board students are not required to take this test.

4. Conducting the Common Entrance Test.

- The Common Entrance Test shall be conducted under this Act only to those students who have not studied under the State Board syllabus meant for Higher Secondary Examinations conducted by the Board of Higher Secondary Examinations of the Government of Tamil Nadu.

5. Evaluation of students of various other Boards with State Board Students.

- The equation of students who have qualified through various Boards or various streams from which the students are drawn shall be done only after they undergo the Common Entrance Test based on the syllabus of the State Board and the marks obtained in such a test shall be equated with the marks obtained by the students in the Plus two examination of the State Board conducted by the Board of Higher Secondary Examinations of the Government of Tamil Nadu.

6. Common Entrance Test not applicable to the State Board students.

- The Common Entrance Test shall not be applicable to the State Higher Secondary (plus two) students. The marks obtained by them shall be the base cut-off marks to which the students of other disciplines as enumerated in the Act shall qualify through the Common Entrance Test.

7. Power to equate.

- The admission criteria for all kinds of students shall be on the cut-off marks equated by treating the marks obtained On the Syllabus of State curriculum prescribed by the Board of Higher Secondary Education, Government of Tamil Nadu as the basis for admission.

8. Applicability of Tamil Nadu Act 45 of 1994.

- The provisions of Section 4 of the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of Seats in Educational Institutions and of appointments of posts in the services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994) shall apply to the admission for the professional courses. The authority authorized by the Government shall indicate in the prospectus, the application of the said Tamil Nadu Act 45 of 1994 in the admission for the professional courses.

9. Allotment of Seats for unaided Educational Institutions.

- The Government or any other authority authorized by the Government to conduct Common Entrance Test and the Government or any other authority authorized by the Government shall select and allot students to any unaided educational institution which voluntarily agrees in writing for seat sharing with the Government.

10. Power to make Rules.

- The State Government may, by notification in the Official Gazette, make rules for carrying out the purpose of this Act.

11. Power to make Regulations and to issue Instructions.

(1)The Appropriate Authority may, make Regulations and also can issue Instructions consistent with the object and reasons of this Act and the Rules made thereunder.(2)In particular, and without prejudice to the generality of the foregoing power, such Regulations may provide for all or any of the following matter namely:-(a)Regulating the constitution and working and terms and conditions of the Common Entrance test and for Admission into any Professional Degree Course.(b)Regulating the eligibility of admission, manner of admission incidental or ancillary matters thereof.(c)Any other matter which has to be, or may be, prescribed with the prior approval of the State Government.

12. Rules of the State Government to be laid before the Legislature.

- Every Rule made under this Act by the respective State shall be laid before the State legislature while it is in Session for a total period of thirty days, which may be comprised in one Session or in two or more successive Sessions; and if, before the expiry of the Session immediately following the Session of the successive Sessions aforesaid, the Legislature resolve in making any modification in

the Rule or revoke that the Rule should not be made; the Rule shall thereafter have effect only in such in the 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.

13. Power to remove difficulties.

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions, as appears to it to be necessary or expedient, for removing the difficulty and not inconsistent with the provisions of this Act.

14. Protection of action taken in good faith.

- No suit, prosecution or other legal proceeding shall lie against the State Government or its Officers or the Appropriate Authority or any officer of the Appropriate Authority or any officer of the Appropriate Authority, for anything, which is in good faith done or intended to be done under this Act.