

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 2nd February 2006 and is hereby published for general information:—

ACT No. 2 OF 2006

An Act to regulate admission to Professional Degree Courses such as Engineering, Medicine, Dental, Agriculture and other incidental and ancillary courses thereto.

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:—

CHAPTER-I

PRELIMINARY

1. (1) This Act may be called the Tamil Nadu Regulation of Admission in Professional Courses Act, 2006.

Short title, extent and commencement.

(2) It extends to the whole of Tamil Nadu.

(3) It shall come into force on the date as decided by the Government of Tamil Nadu which will be notified in the *Tamil Nadu Government Gazette*.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "Appropriate Authority" means a University or an Authority or Establishment or Agency so authorised 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 marks 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 Examinations of the Government of Tamil Nadu;

(c) "Bachelor Degree" means a course containing various subjects constituting an area of specialisation including any branch or discipline in any Professional Course;

(d) "Common Entrance Test" means an Entrance Test in the Common Entrance Test Syllabus, conducted by the State Government or an University or an Authority or an agency authorised by the Government of Tamil Nadu for the purpose of admission to a professional course so as to arrive at an equation or standardisation of only to those students of different styles or patterns of School Final Examinations or curriculums 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" mean 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 courses 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 discipline it may be or 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 authorised 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 a School or an Institute by whatever name called, imparting professional education approved or recognised 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 specialised 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" by the Government of Tamil Nadu in the Official Gazette;

(m) "Prospectus" means any prospectus, notice or document 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 Examinations 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 courses 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. 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.

State Board Marks shall be the basis for admission.

4. 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.

Conducting the Common Entrance Test.

5. 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.

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

6. 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.

Common Entrance Test not applicable to the State Board students.

7. 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.

Power to equate.

8. 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 shall apply to the admission for the professional courses. The authority authorised 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.

Applicability of Tamil Nadu Act 45 of 1994.

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

Allotment of Seats for Unaided Educational Institutions.

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

Power to make Rules.

11. (1) The Appropriate Authority may, make Regulations and also can issue Instructions consistent with the objects and reasons of this Act and the Rules made thereunder.

Power to make Regulations and to issue Instructions.

(2) In particular, and without prejudice to the generality of the foregoing power, such Regulations may provide for all or any of the following matters, 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. Every Rule made under this Act by the 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

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

Legislature resolve in making any modification in the Rule or resolve that the Rule should not be made; the Rule 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.

Power to
remove
difficulties.

13. 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.

Protection of
action taken
in good faith.

14. 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, for anything, which is in good faith done or intended to be done under this Act.

(By Order of the Governor.)

L. JAYASANKARAN,
Secretary to Government,
Law Department.