



## The Tamil Nadu Admission in Professional Educational Institutions Act, 2006

Act 3 of 2007

**Keyword(s):**

**Minority Professional Educational Institution, Qualifying Examination, Relevant Subjects, University**

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# TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

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## Part IV—Section 2

### Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 3rd March 2007 and is hereby published for general information:—

#### ACT No. 3 OF 2007.

**An Act to provide for admission to professional degree courses such as Engineering, Medicine, Dental, Agriculture and other allied courses on the basis of marks in the qualifying examination.**

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. (1) This Act may be called the Tamil Nadu Admission in Professional Educational Institutions Act, 2006.

Short title and  
commence-  
ment.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

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

Definitions.

(a) "appropriate authority" means a University or an Authority authorised by the Government to select and allot students for admission in professional educational courses;

(b) "Government" means the State Government;

(c) "Government seats" mean,—

(i) all the seats in Government colleges, University colleges and University constituent colleges;

(ii) such number of seats in aided professional educational institutions as may be notified by the Government; and

(iii) 65% of seats in each branch in non-minority unaided professional educational institutions and 50% of the seats in each branch in minority unaided professional educational institutions, in accordance with the consensus arrived at between such professional educational institutions and the Government;

(d) "minority professional educational institution" means the educational institutions recognized or declared as such by the Government, subject to such conditions as may be prescribed;

(e) "professional educational courses" mean.—

- (1) in Medical and Dental Institution, the first year of—
  - (i) Bachelor of Medicine and Bachelor of Surgery; and
  - (ii) Bachelor of Dental Surgery;
- (2) in Engineering Institution, the first year of,—
  - (i) Bachelor of Engineering;
  - (ii) Bachelor of Technology; and
  - (iii) Bachelor of Architecture

and includes any other professional educational courses at undergraduate and postgraduate level, as may be notified by the Government in this behalf;

(f) "professional educational institution" means any college or school or an institute by whatever name called, including minority professional educational institutions, conducting professional educational courses leading to the award of a degree, whatever name called, approved or recognised by the competent statutory body and affiliated to an University;

(g) "qualifying examination" means the examination conducted by the Board of Secondary Education, Government of Tamil Nadu, at the Higher Secondary (Plus Two) level or any equivalent examination conducted by the Central Board of Secondary Education or any other State Board of any other State or any other Authority;

(h) "relevant subjects" mean the subjects as may be prescribed for admission to each professional educational courses;

(i) "State Board" means the Board of Secondary Education, Government of Tamil Nadu;

(j) "University" means the University established or incorporated by an Act of the State Legislature;

(k) the expression 'non-resident Indian' shall have the meaning assigned to it in the Income Tax Act, 1961.

Central Act  
of 1961

Admission to  
Government  
seat.

3. Notwithstanding anything contained in any relevant law or any rules, regulations or by laws made thereunder, admission to every Government seat in every professional educational institution shall be made, by the appropriate authority, on the basis of the marks obtained by a student in the relevant subjects, in the qualifying examination.

Admission in  
unaided  
professional  
educational  
institutions.

4. (1) Notwithstanding anything contained in any relevant law or any rules, regulations or by laws made thereunder, admission to seats, excluding the seats referred to in item (iii) of clause (c) of section 2, in all unaided professional educational institutions shall be made by the consortium of unaided professional educational institutions approved by the Government or by any Authority authorised by the Government, on the basis of the marks obtained by a student in the relevant subjects, in the qualifying examination.

(2) Notwithstanding anything contained in sub-section (1), any unaided professional educational institution may fill up seats equivalent to 15 per cent of the total sanctioned strength, in each branch, by the candidates belonging to the non-resident Indians, in accordance with such guidelines as may be issued by the Government from time to time.

Normalization  
of Marks.

5. (1) The marks obtained by the students in the relevant subjects in the qualifying examination conducted by various Boards or Authority shall be equated with the marks obtained by the students in the same subjects in the qualifying examination conducted by the State Board, by adopting the method of normalization.

*Explanation.*—Under the method of normalization, the highest mark obtained by the students of various Boards in each subject shall be equated to the highest mark obtained by the students of State Board in that subject and the relative marks obtained by other students in that subject shall be determined accordingly.

*Illustration.*—If the highest marks secured by the student of State Board in Physics is 100 and the highest mark secured by a student of any other Board in the same subject is 90, both the highest marks will be considered to be equal to 100. If a student of the other Board secures 60 marks in Physics when the first mark in Physics in the same Board is 90, the 60 marks will be considered to be equal to 66.66 marks as arrived at below:—

$$\left\{ \frac{100 \times 60}{90} = 66.66\% \right\}$$

(2) After normalization of marks in the relevant subjects in the qualifying examination conducted by different Boards, the qualified students of different Boards shall be merged into a common merit list.

(3) In cases where more than one student have got the same marks in the common merit list, the inter-se merit among such students shall be determined in such manner as may be prescribed.

(4) The appropriate authority and the consortium of unaided professional educational institution shall prepare the rank lists for admission of students to the seats referred to in section 3 and section 4, respectively and allot students through centralised counselling.

6. Admission into every professional educational institution other than minority professional educational institution shall be made following the reservation as per law in force.

Reservation to apply

7. Notwithstanding anything contained in any other law in force, any admission made in violation of the provisions of this Act or the rules made thereunder shall be invalid.

Invalidation of admission made in violation of the Act.

8. Any complaint on the admission of students in the unaided professional educational institutions shall be inquired into by the appropriate authority which shall after obtaining the evidence and the explanation of the management of the unaided professional educational institution concerned, forward appropriate recommendations to the Government.

Inquiry of complaints.

9. (1) Whoever contravenes the provisions of this Act or the rules made thereunder shall be punishable with fine which may extend to five lakh rupees.

Penalty.

(2) The Government may, if they are satisfied that any institution has violated any of the provisions of this Act, recommend to the concerned University or statutory body for withdrawal of affiliation or recognition of such institution or for any other courses of action as they deem fit.

10. (1) The Government may make rules for carrying out the purposes of this Act.

Power to make rules.

(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

(3) Every rule made or notification or order issued 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 or issued, 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.

Protection of  
action taken  
in good faith.

11. No suit, prosecution or other legal proceedings shall lie against the appropriate 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.

Power of  
Government  
to give  
directions.

12. The Government may, from time to time, issue such directions, as it may deem fit, for giving effect to the provisions of this Act.

Power to  
remove  
difficulties.

13. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government-in-charge,  
Law Department.