



The Tamil Nadu Appointment on Preferential Basis in the Services under  
the State of Persons Studied in Tamil Medium Act, 2010

Act 40 of 2010

Keyword(s):

Direct Recruitment, Persons Studied in Tamil Medium/Other Medium, Preferential  
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Amendments Append: 35 of 2020, 12 of 2026

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

**ACT No. 40 OF 2010.**

***An Act to provide preference in appointment in the services under the State to persons who have obtained the educational qualification prescribed for direct recruitment through Tamil medium of instruction.***

WHEREAS under Article 345 of the Constitution, the Legislature of the State has been given power to adopt any one or more of the languages in use in the State for official purposes;

AND WHEREAS the State of Tamil Nadu enacted the Tamil Nadu Official Language Act, 1956 ( Tamil Nadu Act XXXIX of 1956) and adopted Tamil as the Official language of the State under Article 345 of the Constitution;

AND WHEREAS the Official Languages Act, 1963 (Central Act 19 of 1963) provides for continuation of English language for all the official purposes of the Union and for the transaction of business in Parliament;

AND WHEREAS the first proviso to section 3 (1)(b) of Central Act 19 of 1963 provides that English shall be used for purposes of communication between the Union and the States;

AND WHEREAS Article 348 in Chapter III of Part XVII of the Constitution provides that notwithstanding anything contained in the provisions of that Part, until the Parliament by law otherwise provides, all proceedings in the Supreme Court and in every High Court shall be in the English language;

AND WHEREAS Tamil has been used as the language of Courts upto the district level inclusive of drafting of pleadings of parties, taking evidence, arguments of respective counsel for the parties and writing of judgements;

AND WHEREAS those who have studied in Tamil Medium have very little chances of getting selected in the employment of Central Government, other State Governments or in Private Sectors, and therefore preference need be given to them in the State Government Services;

AND WHEREAS under Article 14 of the Constitution, mere differentiation or inequality of treatment does not *per se* amount to differentiation within the inhibition of the equal protection clause and to attract the operation of the clause, it is necessary to show that the selection or differentiation is unreasonable or arbitrary; that it does not rest on any rational basis having regard to the object which the Legislature has in view;

AND WHEREAS the classification between persons who obtained the educational qualification prescribed for direct recruitment through Tamil medium of instruction and persons studied in other medium has a reasonable relation to the object sought to be achieved;

AND WHEREAS such classification neither crosses the frontiers of Article 16 of the Constitution nor prejudices the reservation policy of the State made thereunder;

AND WHEREAS the equality of opportunity of all citizens with similar qualifications relating to appointment to any services under the State does not get altered in view of such classification;

AND WHEREAS the provisions of the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments or posts in the Services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994) are not transgressed;

AND WHEREAS unless employment opportunities are provided for persons studied in Tamil medium, there is no scope for the populace of the State to pursue school and college career through Tamil medium;

AND WHEREAS in order to facilitate a conducive environment for the populace to prefer Tamil medium of instruction at all levels of education, appointment to any services under the State on preferential basis of persons studied in Tamil medium is a rational classification;

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-first Year of the Republic of India as follows:—

Short title and  
commence-  
ment.

1. (1) This Act may be called the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010.

(2) It shall be deemed to have come into force on 7th day of September 2010.

Definitions.

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

(a) “direct recruitment” means first appointment of a person to any service under the State in accordance with the rules or regulations or orders in force;

(b) “Government” means the State Government;

(c) “persons studied in other medium” means persons who have obtained the educational qualification or qualifications prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State through any medium of instruction other than Tamil;

(d) “persons studied in Tamil medium” means persons who have obtained the educational qualification or qualifications prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State through Tamil medium of instruction;

(e) “preferential vacancies” means such vacancies available for persons studied in Tamil medium under sub-section (1) of section 3;

(f) “services under the State” includes the services under-

(i) the Government;

(ii) the Legislature of the State;

(iii) any local authority;

(iv) any Corporation or Company owned or controlled by the Government; and

(v) any other authority in respect of which the State Legislature has power to make laws.

Preferential  
appointment.

3. (1) Notwithstanding anything contained in any law for the time being in force and subject to section 5, twenty per cent of all vacancies in appointment in the services under the State which are to be filled through direct recruitment shall be set apart on preferential basis to persons studied in Tamil medium.

(2) Selection for appointment under sub-section (1) shall be made in such manner as may be prescribed.

(3) Nothing contained in sub-section (1) shall apply in the case of appointment to the posts in the services under the State for which the educational qualification prescribed in the rules or regulations or orders applicable to the post is a degree or diploma or any academic distinction in a language.

Right to  
compete for  
other  
vacancies  
not to be  
affected.

4. Persons studied in Tamil medium shall also be entitled to compete for the vacancies, other than preferential vacancies in appointment in the services under the State, along with persons studied in other medium.

Reservation to  
apply.

5. Preferential basis appointments to persons studied in Tamil medium under section 3 shall be made following the reservation as per law in force.

Filling up of  
vacancies in  
preferential  
allotment.

6. Notwithstanding anything contained in section 3, where adequate number of qualified and suitable persons studied in Tamil medium are not available for appointment in the preferential vacancies, such unfilled vacancies shall be filled up with persons studied in other mediums within the respective category.

7. The Government may, by general or special order, for just and equitable reasons, exempt any appointment or post in the services under the State from the provisions of this Act.

Power to exempt.

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

Power to make rules.

(2) 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.

(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 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.

9. 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 may appear to them to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the date of the publication of this Act in the *Tamil Nadu Government Gazette*.

10. (1) The Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Ordinance, 2010 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.



# TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 509]

CHENNAI, MONDAY, DECEMBER 7, 2020  
Karthigai 22, Saarvari, Thiruvalluvar Aandu-2051

## Part IV—Section 2

### Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 7th December 2020 and is hereby published for general information:—

ACT No. 35 OF 2020.

***An Act to amend the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010.***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-First Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium (Amendment) Act, 2020. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act 40 of 2010.

2. In section 2 of the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010, for clause (d), the following clause shall be substituted, namely:—

Amendment of section 2.

“(d) “person studied in Tamil medium” means a person who has studied through Tamil medium of instruction upto the educational qualification prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State.

**Explanation.**— For the purpose of this clause,—

(i) in cases, where SSLC is prescribed as the educational qualification, one shall have studied upto SSLC through Tamil medium of instruction;

(ii) in cases, where a Higher Secondary Course is prescribed as the educational qualification, one shall have studied SSLC and the Higher Secondary Course through Tamil medium of instruction;

(iii) in cases, where a diploma is prescribed as the educational qualification, one shall have studied SSLC and the diploma through Tamil medium of instruction or if the diploma is obtained after completion of Higher Secondary Course then one shall have studied SSLC, Higher Secondary Course and the diploma through Tamil medium of instruction;

(iv) in cases, where a degree is prescribed as the educational qualification, one shall have studied SSLC, Higher Secondary Course and the degree through Tamil medium of instruction;

(v) in cases, where a post-graduate degree is prescribed as the educational qualification, one shall have studied SSLC, Higher Secondary Course, degree and the post-graduate degree through Tamil medium of instruction.”.

(By order of the Governor)

C. GOPI RAVIKUMAR,  
*Secretary to Government*  
*Law Department.*



# TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 345]

CHENNAI, TUESDAY, AUGUST 11, 2026  
Aadi 26, Parabhava, Thiruvalluvar Aandu-2057

## Part IV—Section 2

### Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th August 2026 and is hereby published for general information:—

ACT No. 12 OF 2026.

#### **An Act further to amend the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010.**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium (Amendment and Validation) Act, 2026.

Short title and  
commencement.

(2) Section 2 shall be deemed to have come into force on the 7th day of September 2010 and the remaining sections of this Act shall come into force at once.

Tamil Nadu Act 40 of  
2010.

2. In section 2 of the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010 (hereinafter referred to as the principal Act), for clause (a), the following clause shall be substituted, namely:—

Amendment of  
section 2.

“(a) “direct recruitment” means appointment of a person to a post in any of the services under the State in accordance with the rules or regulations or orders in force, through an open competitive examination, interview or both, but does not include appointment by recruitment by transfer.

*Explanation.*— For the purpose of this clause, “recruitment by transfer” shall have the same meaning assigned in clause (s) of section 3 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 (Tamil Nadu Act 14 of 2016);”.

Amendment of  
section 3.

3. In section 3 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

“(1-A) A person appointed on preferential basis to a post in any of the services under the State in the preferential vacancies set apart under sub-section (1) shall not be entitled to compete for such vacancies again, save in a post carrying a higher level of pay:

Provided that this sub-section shall not apply in respect of preferential vacancies that have been notified before the date of publication of the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium (Amendment and Validation) Act, 2026 in the *Tamil Nadu Government Gazette*.”.

Validation.

4. Notwithstanding anything contained in the principal Act, or in any judgment, decree or order of any Court or other authority, any notification issued inviting applications for recruitment in any of the services under the State wherein preferential vacancies have been set apart under section 3 of the principal Act or any appointment of a person, who has already been in service under the State, in such preferential vacancies and anything done or any action taken on the basis of such notification, appointment during the period commencing on the 7th day of September 2010 and ending with the date of the publication of this Act in the *Tamil Nadu Government Gazette*, shall, for all purposes, be deemed to be and to have always been validly issued, made, done or taken in accordance with law, as if the principal Act, as amended by section 2 of this Act, had been in force at all material times when such notification has been issued and appointment has been made and such thing done, or action taken.

(By order of the Governor)

P. SUMATHI,  
*Secretary to Government,  
Law Department.*