

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 23rd January, 2026 is published together with Statement of Objects and Reasons for general information:-

L.A.Bill No. 4 of 2026

A Bill 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.

Amendment of section 2.

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:—

Tamil Nadu Act 40 of 2010.

“(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.

STATEMENT OF OBJECTS AND REASONS.

The Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010 (Tamil Nadu Act 40 of 2010) was enacted to set apart 20% of all vacancies in appointment in the services under this State which are to be filled through direct recruitment as preferential vacancies for Persons Studied in Tamil Medium. The intention of the Government is to extend the said benefit to the Persons Studied in Tamil Medium without restricting it to those who are not in services under the State. In tune with the above intention, till date, the Government is providing preference to persons studied in Tamil Medium in appointment through all direct recruitments irrespective of the fact whether the candidate is previously employed in a Government Service or not. However, the High Court of Madras has interpreted the definition of the term "direct recruitment" in section 2(a) of the said Act and has held that the persons already in Government Service are not entitled to preferential appointment under Persons Studied in Tamil Medium category. It is therefore decided to substitute clause (a) of section 2 of the said Act to make the intention clear and to validate the notifications already issued and selection or appointments made by recruiting agencies or the appointing authorities from 7th day of September 2010 i.e. the date on which the said Act came into force and other actions taken based on such appointments.

2. Further, the Government have decided that hereafter, the persons who have already availed the said preference and appointed in Government service shall be allowed to compete for such preferential vacancies only in posts carrying a higher level of pay.
3. Therefore, the Government have decided to amend the Tamil Nadu Act 40 of 2010, suitably, so as to achieve the said purposes.
4. The Bill seeks to give effect to the above decision.

N. KAYALVIZHI SELVARAJ,
Minister for Human Resources Management.

Secretariat,
Chennai,
23rd January 2026.

K. SRINIVASAN,
Principal Secretary.