

List of Amendments Acts – 10 of 2011

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 1st February 2010 and is hereby published for general information:—

ACT No. 8 OF 2010.

An Act to provide for Uniform System of School Education in the State of Tamil Nadu and matters connected therewith and incidental thereto.

WHEREAS, at present there are four streams of school education in the State under the control of the State Government, namely, State Board Schools, Matriculation Schools, Oriental Schools and Anglo-Indian Schools and these schools have separate syllabus, text books and scheme of examination and are under the control of different Boards. As a result, the standard of education in these schools are not uniform;

AND WHEREAS, the Government are of the view that it is indispensable to evolve a uniform system of school education in the State to ensure social justice and provide quality education in the schools in the State;

AND WHEREAS, the Government constituted a committee under the Chairmanship of Thiru Muthukumar, former Vice-Chancellor of Bharathidasan University to examine the implementation of uniform system of school education. The said committee examined all the issues and submitted its recommendations to the Government;

AND WHEREAS, a one man committee 'was constituted with Thiru M.P. Vijayakumar, I.A.S. (Retired)' to look into the recommendations of Thiru Muthukumar Committee;

AND WHEREAS, the said 'one man committee' looked into the recommendations of Thiru Muthukumar Committee and submitted its recommendations to the Government;

AND WHEREAS, a team of educationists under the Chairmanship of Thiru M.P. Vijayakumar, I.A.S. (Retired) visited the States of Kerala, Karnataka, Gujarat and Maharashtra and reviewed the education system in vogue in those States and the said team submitted its report on the administrative setup of the

School Education department and Boards of Education, examination systems and evaluation methods adopted by those States;

AND WHEREAS, the Government, after much deliberations, accepted the idea that all the Government schools, Government aided schools and private schools including Matriculation Schools, Anglo-Indian Schools and Oriental Schools in the State, having the common syllabus, text books and examination system will ensure social justice and provide quality education. Accordingly, the Government have decided to implement the uniform system of school education in the State;

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

1. Short title and commencement. (1) This Act may be called the Tamil Nadu Uniform System of School Education Act, 2010.

(2) It shall be deemed to have come into force on the 30th day of November 2009.

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

(a) “academic year” means the year commencing on the first day of June;

(b) “Anglo-Indian School” means a school approved as such under the Code of Regulations for Anglo-Indian Schools;

(c) “Board” means the State Common Board of School Education constituted under section 5;

(d) “competent authority” means any authority, officer or person authorized by the Government, by notification, to perform the functions of the competent authority for such area or in relation to such class of private school, as may be specified in the notification;

(e) “Government” means the State Government;

(f) “matriculation school” means a school approved as such under the Code of Regulations for Matriculation Schools;

(g) “oriental school” means a school approved as such by the Director of School Education;

(h) “prescribed” means prescribed by rules;

(i) “school” means,—

(i) any primary school, middle school, high school or higher secondary school maintained by the State or any local authority; or

(ii) any primary school, middle school, high school or higher secondary school established and administered or maintained by any private educational agency including minority school established and administered under clause (1) of Article 30 of the Constitution, whether receiving aid out of the State fund or not; or

(iii) any matriculation school, Anglo-Indian school or oriental school including minority school established and administered under clause (1) of Article 30 of the Constitution, whether receiving aid out of the State fund or not, but does not include a school affiliated to the Central Board of Secondary Education.

Explanation.—For the purpose of this clause,—

(1) “local authority” means—

(i) the Municipal Corporations of Chennai, Madurai, Coimbatore, Salem, Tiruchirappalli, Tirunelveli, Erode, Tiruppur, Vellore, Thoothukudi or any other Municipal Corporation that may be constituted under any law for the time being in force; or

(ii) a Municipal Council constituted under the Tamil Nadu District Municipalities Act, 1920(Tamil Nadu Act V of 1920.); or

(iii) a Panchayat Union Council or a Village Panchayat constituted under the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994.);

(2) (i) primary school shall consist of Standards I to V;

(ii) middle school shall consist of Standards I to VIII or Standards VI to VIII;

(iii) high school shall consist of Standards I to X or Standards VI to X or Standards IX and X;

(iv) higher secondary school shall consist of Standards I to XII, Standards VI to XII or Standards XI and XII;

(j) “State” means the State of Tamil Nadu.

3. ¹[Schools to follow common syllabus.— (1) Every school in the State shall follow the common syllabus as may be specified by the Board for each subject in Standards I to X from such academic year as may be notified by the Government in the Tamil Nadu Government Gazette. The Government may specify different academic years for different Standards.

(2) Until notification under sub-section (1) is issued, the syllabus and text books for every school in the State shall be as follows:-

(a) in Standards I and VI, the system as prevailing prior to academic year 2010-11 shall continue; and

(b) in Standards II to V and VII to X, the existing system shall continue.]

1. Substituted by s.2 of TNA10 of 2011 (w.e.f. 22.05.2011)

4. Medium of instructions. All the subjects, other than languages, may be taught in Tamil or English or in any other language as may be decided by a school with the approval of the competent authority.

5. Constitution of Board. (1) The Government shall, by notification, constitute a Board to be called as the State Common Board of School Education for the purpose of implementing the policy of the Government to provide uniform school education in the State. The Board shall exercise the powers conferred, and perform the functions assigned to it, under this Act.

(2) The Board shall consist of the following members, namely:—

Ex-officio Members.

- (a) The Director of School Education, who shall be the Chairperson;
- (b) The Additional Secretary to Government, School Education Department;
- (c) The Director of Government Examinations;

- (d) The Director of Matriculation Schools;
- (e) The Director of Elementary Education;
- (f) The Director, Teacher Education, Research and Training;
- (g) The Joint Director of School Education (Secondary Education), who shall be the Member-Secretary.

Other Members.

(a) Three members nominated by the Government from among the academic experts and eminent educationists;

(b) One member nominated by the Government from among the teachers of matriculation schools;

(c) One member nominated by the Government from among the teachers of the oriental schools;

(d) One member nominated by the Government from among the teachers of the Anglo-Indian schools.

(3) The headquarters of the Board shall be located at Chennai.

(4) The Board shall meet, as often as may be necessary, at such time and place and observe such rules of procedure as may be prescribed:

Provided that the Board shall meet at least twice in a year.

(5) The Chairperson shall preside over the meeting of the Board.

(6) No act or proceeding of the Board shall be invalid by reason only of the existence of any vacancy in, or any defect in the constitution of, the Board.

6. Terms and conditions of service of nominated members of the Board. (1) The nominated members shall hold office for a term of three years and shall be eligible for re-nomination for a further term of three years:

Provided that for the purpose of this sub-section, a person who has held office as a nominated member in a casual vacancy for a period of not less than one year shall be deemed to have held office for a full term of three years.

(2) A nominated member may, by writing under his hand addressed to the Government, resign his office but he shall continue to hold office until his resignation is accepted by the Government.

(3) The nominated members shall be eligible to draw such rate of sitting fee and travelling allowance as may be applicable to a First Class Committee.

7. Removal from membership of Board. If, at any time, it appears to the Government that a nominated member has shown himself to be unsuitable for office or has been guilty of misconduct or neglect which renders his removal expedient, the Government may, after giving the nominated member a reasonable opportunity of showing cause, by notification, remove the nominated member, from the office.

8. Filling up of casual vacancy. If a casual vacancy occurs in the office of a nominated member, either by reason of his death, resignation, removal or otherwise, such vacancy shall be filled up, as soon as may be, by the Government and the nominated member shall hold office only for the remainder of the term for which the person whose place he fills would have been a nominated member.

9. Powers and functions of Board. It shall be the duty of the Board to take all such steps as it may think fit for ensuring uniform system of school education in the State. The Board shall,—

(a) prescribe the common syllabus and text books for each Standard and each course of study in the school;

(b) prescribe the norms for conducting the examinations and the minimum standards for the award of certificate;

(c) evaluate the standard of school education and suggest recommendations for improvement of school education;

(d) constitute such number of committees as it may think fit, for the consideration of any business;

- (e) advise the Government upon the action to be taken for the purpose of implementing the uniform system of school education; and
- (f) perform such other functions as may be prescribed.

10. Power to constitute committees. (1) The Board may, at any time, constitute a committee or committees consisting of such number of members as it may think fit or resolve itself into a committee for the consideration of any business.

(2) The committee shall have the powers to co-opt additional member or members with prior approval of the Chairperson of the Board.

(3) The committee shall submit its report to the Board within such time as may be directed by the Board.

11. ¹[*****]

1. Omitted by s.3 of TNA 10 of 2011 (w.e.f. 22.05.2011)

12. ¹[*****]

1. Omitted by s.4 of TNA 10 of 2011 (w.e.f. 22.05.2011)

13. Cognizance of offences. No court shall take cognizance of any offence under this Act except with the sanction of the Government or such officer as the Government may authorize in this behalf.

14. ¹[*****]

1. Omitted by s.5 of TNA 10 of 2011 (w.e.f. 22.05.2011)

15. Protection of action taken in good faith. No suit, prosecution or other legal proceedings shall lie against the Board, 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.

16. Power of Government to give direction. (1) The Government may, in the public interest, by order, direct the Board to make an enquiry in any case specified in the order, and the Board shall report to the Government the result of the enquiry made by it within such period as may be prescribed.

(2) On receipt of the report from the Board under sub-section (1), the Government shall give such direction as they deem fit and such direction shall be final and binding.

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

(2) 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 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.

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

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

19. Repeal and saving. (1) The Tamil Nadu Uniform System of School Education Ordinance, 2009 (Tamil Nadu Ordinance 4 of 2009.) is hereby repealed.

(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.

தமிழ்நாடு அரசு
Government of Tamil Nadu
சட்டத்துறை | Law Department