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**Anna University, Chennai (Amendment) Act, 2010****24 of 2010****CONTENTS**

1. Short Title And Commencement
2. Amendment Of Section 1
3. Omission Of Section 1-A
4. Amendment Of Section 2
5. Amendment Of Section 3
6. Amendment Of Section 5
7. Omission Of Section 5-A
8. Amendment Of Section 11
9. Section 9
10. Amendment Of Section 13
11. Omission Of Section 15-A
12. Amendment Of Section 17
13. Amendment Of Section 19
14. Amendment Of Section 29
15. Amendment Of Section 31
16. Omission Of Chapters Viii, Viii-A And Viii-B
17. Amendment Of Section 43
18. Amendment Of Section 44
19. Insertion Of New Section
20. Substitution Of Schedules I, I-A And I-B
21. Amendment Of Schedule Ii
22. Removal Of Doubts

**Anna University, Chennai (Amendment) Act, 2010****24 of 2010**

Statement of Objects And Reasons<sup>2</sup> While moving the Demand for Higher Education Department for the year 2009-2010 on 23.6.2009, it has been announced, among other things, that a World Class Research University will be established comprising the constituent colleges of the Anna University, Chennai, as Unitary type University. To give effect to the above said announcement, it has been decided to amend the Anna University, Chennai Act, 1978 (Tamil Nadu Act 30 of 1978) Suitably. 2. The Bill seeks to give effect to the above decision. Memorandum Regarding Delegated Legislation Clauses 1(2) 4(1)(d), 19 and 22 of the Bill authorize, the Government to prescribe the manner and the method if giving

effect to certain provisions of the proposed Act, when enacted and brought into operation, by issuing Suitable notifications or directions as the case may be. 2. The powers delegated are normal and not of an exceptional character. PREAMBLE An Act further to amend the Anna University, Chennai Act, 1978. WHEREAS for the development of engineering, technology and allied sciences and for furthering the advancement of learning and prosecution of research in engineering, technology and allied sciences, a unitary type University comprising of the College of Engineering, Guindy, four departments of the University of Madras located in Alagappa Chettiyar College of Technology, Guindy, Chennai and Madras Institute of Technology, Chrompet, Chennai was established in the year 1978, by the name of Perarignar Anna University of Technology, by the Perarignar Anna University of Technology Act, 1978 (Tamil Nadu Act 30 of 1978); AND WHEREAS the name of the Perarignar Anna University of Technology was changed as Anna University by amending the said Tamil Nadu Act 30 of 1978, by the Perarignar Anna University of Technology (Amendment and Special Provisions) Act, 1982 (Tamil Nadu Act 26 of 1982); AND WHEREAS with a view to maintain a uniform syllabus, and to provide facilities and opportunities for higher education in engineering, technology and allied sciences, by instruction, training, research, development and extension, and to devise and implement a programme of education in engineering, technology and allied sciences that is relevant to current needs of the society, the Government decided to bring all the engineering colleges in the State under one roof. As the Anna University was an exclusive technical university with all necessary infrastructural facilities, the Government converted the Anna University which was a unitary type university into an affiliating type university by amending the Anna University Act, 1978 (Tamil Nadu Act 30 of 1978) Suitably, by the Anna University (Amendment) Act, 2001 (Tamil Nadu Act 26 of 2001); AND WHEREAS after the Anna University became the affiliating type university in respect of engineering colleges in the State, it was realized that managing the affairs of more than 240 engineering colleges across the State from Chennai was a near impossibility and with a view to ensure better and effective monitoring of the engineering colleges, the Government established three more Technical Universities in the State with clearly demarcated areas; AND WHEREAS there are 136 engineering colleges now affiliated to the Anna University, Chennai and the teachers in the said university spend most of their time for the supervision of student's

admission and examinations in the affiliated colleges and for inspecting the infrastructure facilities provided in the said affiliated colleges. As a result, teachers are unable to involve themselves in the research work. Therefore, many educationists have expressed the views that a unitary type of university may be established in the State to provide higher studies in engineering and technology and to undertake research studies in engineering and technology. Accepting the said views, the Government have decided to revert back to unitary type university which was in existence prior to 2002; 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:-- 1. Received the Assent of the Governor of Tamil Nadu on June 11, 2010 -- Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No. 176, pages 94-102, dated June 11, 2010. 2. Vide Bill No. 26 of 2010 -- Published in T.N. Government Gazette, Extra., Part IV. Section 1, Issue No. 138, pages 177-186, dated May 14, 2010.

### **1. Short Title And Commencement :-**

(1) This Act may be called the Anna University, Chennai (Amendment) Act, 2010.

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

### **2. Amendment Of Section 1 :-**

In Section 1 of the Anna University, Chennai Act, 1978 (Tamil Nadu Act 30 of 1978) (hereinafter referred to as the principal Act), in sub-section (1), for the expression "Anna University, Chennai Act", the expression "Anna University Act" shall be substituted.

### **3. Omission Of Section 1-A :-**

Section 1-A of the principal Act shall be omitted.

### **4. Amendment Of Section 2 :-**

In Section 2 of the principal Act,--

(1) for Clauses (a), (aa), (ab), (ac), (ad), (ae), (b), (c) and (d) the following Clauses shall be substituted, namely:--

"(a) "appointed day" means such date as the Government may, by notification, appoint under sub-section (2) of Section 1;

( b ) "constituent college" means any institution specified in

Schedule I;

(c) "Dean" means the Dean of each Faculty;

(d) "Director" means the head of a constituent college, the head of research and development or the head of every centre of Advanced Study, as may be prescribed;"

### **5. Amendment Of Section 3 :-**

In Section 3 of the principal Act, after sub-section (2), the following sub-sections shall be inserted, namely:--

"(3) The University shall be of the unitary type and shall comprise of the College of Engineering, Guindy, Chennai and the institutions specified in Schedule I."

"(4) The jurisdiction of the University shall extend to the whole area comprised in the Chennai Metropolitan Planning Area as defined in Clause (23-a) of Section 2 of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) and the University may establish campuses at such places within its jurisdiction as it may deem fit."

### **6. Amendment Of Section 5 :-**

In Section 5 of the principal Act, Clauses (ac), (ad), (ae), (af) and (ag) shall be omitted.

### **7. Omission Of Section 5-A :-**

Section 5-A of the principal Act shall be omitted.

### **8. Amendment Of Section 11 :-**

In Section 8 of the principal Act,--

(1) for Clause (5), the following Clause shall be substituted, namely:-- "(5) The Directors;"

(2) in Clause (7), the word "and" shall be added at the end;

(3) Clause (7-A) shall be omitted.

### **9. Section 9 :-**

In Section 11 of the principal Act,--

( 1 ) for sub-section (2), the following sub-section shall be substituted, namely:--

"(2) For the purpose of sub-section (1), the Committee shall consist of three persons of whom one shall be nominated by the Syndicate,

one shall be nominated by the Government and one shall be nominated by the Chancellor:

Provided that no person shall be nominated to the Committee unless he is an eminent person in the field of judiciary, administration, education or industry:

Provided further that the person so nominated shall not be a member of any of the authorities of the University.";

(2) after sub-section (4), the following sub-section shall be inserted, namely:--

"(4-A) The Vice-Chancellor shall not be removed from his office on the ground of willful omission or refusal to carry out the provisions of this Act, or abuse of the powers vested in him except by an order of the Chancellor passed after due enquiry ordered by the Government, by such person who is or has been,--

(i) a judge of the High Court; or

(ii) an officer of the Government not below the rank of Chief Secretary to Government;

(iii) a Vice-Chancellor of any University in the State of Tamil Nadu, as may be appointed by the Government in which the Vice-Chancellor shall have an opportunity of making his representation against such removal."

#### **10. Amendment Of Section 13 :-**

In Section 13 of the principal Act,--

(1) in the marginal heading, for the expression "Chairmen", the expression "Directors " shall be substituted;

(2) for the expression "Chairman of a Faculty", the expression "Director " shall be substituted.

#### **11. Omission Of Section 15-A :-**

Section 15-A of the principal Act shall be omitted.

#### **12. Amendment Of Section 17 :-**

In Section 17 of principal Act, for subsections (2), (3), (3-A), (4), (5) and (6), the following sub-sections shall be substituted, namely:--

"(2) The Syndicate shall, in addition to the Vice-Chancellor, consist of the following members, namely:--

Class I - Ex-officio Members.

(a) The Secretary to Government, in-charge of Higher Education;

- (b) The Secretary to Government, in-charge of Industries;
- (c) The Secretary to Government, in-charge of Information Technology;
- (d) The Secretary to Government, in-charge of Law;
- (e) The Director of Technical Education.

Class II - Other Members.

- (a) One member from among the Professors or Deans or Directors of the Mechanical, Aeronautical, Production and Automobile Engineering departments, nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (b) One member from among the Professors or Deans or Directors of the Electronic Communication Engineering, Information Technology and Computer Science departments, nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (c) One member from among the Professors or Deans or Directors of the Civil, Architecture, Electrical and Electronic Engineering, Environmental and Water Resources departments, nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (d) One member from among the Professors or Deans or Directors of the Chemical Engineering, Leather Technology, Food Technology, Bio-Technology departments, nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (e) One member from among the Professors or Deans or Directors of Science or Humanities or Management nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (f) One member representing industries, public and private sectors, nominated by the Government;
- (g) One member representing Research Institutions having special knowledge and practical experience in engineering and technology, nominated by the Chancellor;
- (h) One member elected by the Members of the Legislative Assembly of the State from among themselves.

(3) The Vice-Chancellor shall be the ex-officio Chairman of the Syndicate.

(4) (i) In case the Secretary to Government, in-charge of Higher Education or the Secretary to Government, in-charge of Industries or the Secretary to Government, in-charge of Information Technology or the Secretary to Government, in-charge of Law, is unable to attend the meetings of the Syndicate, for any reason, he may depute any officer of his department, not lower in rank than that of the Deputy Secretary to Government, to attend the meetings;

(ii) In case the Director of Technical Education is unable to attend the meetings of the Syndicate, for any reason, he may depute any officer of the department, not lower in rank than that of the Deputy Director, to attend the meetings.

(5) (a) Save as otherwise provided, the members of the Syndicate, other than the ex-officio members, shall hold office for a period of three years and such members shall be eligible for election or nomination for another period of three years.

(b) Where a member is elected or nominated to the Syndicate in a casual vacancy, the period of office held for not less than one year by any such member shall be construed as a full period of three years:

Provided that a member of the Syndicate who is elected or nominated in his capacity as a member of a particular electorate or body, or the holder of a particular appointment, shall cease to be a member of the Syndicate from the date on which he ceases to be a member of that electorate or body, or the holder of that appointment, as the case may be:

Provided further that where an elected or nominated member of the Syndicate is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Syndicate ex-officio, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Syndicate by virtue of his election or nomination or whether he will vacate office as such member and become a member ex-officio by virtue of his appointment and the choice shall be conclusive. On failure to make such a choice, he shall be deemed to have vacated his office as an elected or a nominated member.

(6) When a person ceases to be a member of the Syndicate, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Syndicate.

(7) The members of the Syndicate shall not be entitled to receive any remuneration from the University except such daily and travelling allowances as may be prescribed:

Provided that nothing contained in this sub-section shall preclude any member from drawing his normal emoluments to which he is entitled by virtue of the office he holds.

(8) A member of the Syndicate, other than ex-officio member, may tender resignation of his membership at any time before the term

of his office expires. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member, and the resignation shall take effect from the date of its acceptance by the Chancellor.

**13. Amendment Of Section 19 :-**

In Section 19 of the principal Act, in sub-section (2), for the expression "Chairman", the expression "Dean" shall be substituted.

**14. Amendment Of Section 29 :-**

In Section 29 of the principal Act,--

(1) in Clause (x), the following expression shall be omitted, namely:--

"and affiliated colleges or institutions;"

(2) Clauses (xvi-a) and (xvi-b) shall be omitted.

**15. Amendment Of Section 31 :-**

In Section 31 of the principal Act, in sub-section (1), for Clause (i), the following Clause shall be substituted, namely:--

"(i) the admission of the students to the University and its constituent colleges;"

**16. Omission Of Chapters VIII, VIII-A And VIII-B :-**

Chapters VIII, VIII-A and VIII-B of the principal Act shall be omitted.

**17. Amendment Of Section 43 :-**

In Section 43 of the principal Act, for the expression "Schedules I, I-A and I-B " in two places where it occurs, the expression "Schedule I" shall be substituted.

**18. Amendment Of Section 44 :-**

In Section 44 of the principal Act, for the expression "the College of Engineering, Guindy, Chennai specified in Schedule I and the institutions in Schedule I-A ", the expression "the College of Engineering, Guindy, Chennai and the institutions specified in Schedule I" shall be substituted.

**19. Insertion Of New Section :-**



After Section 45 of the principal Act, the following Section shall be added, namely:-

"46. Power of Government to give directions.-- The Government may, from time to time, issue such directions to the University, as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of the University, to comply with such directions."

## **20. Substitution Of Schedules I, I-A And I-B :-**

For Schedules I, I-A and I-B of the principal Act, the following Schedule shall be substituted, namely:--

"SCHEDULE I.

[See Sections 2(b) and 3(3)]

I. All the Departments located in the Alagappa Chertiar College of Technology, Guindy, Chennai.

II. The Madras Institute of Technology, Chrompet, Chennai."

## **21. Amendment Of Schedule Ii :-**

In Schedule II to the principal Act,-

(1) in the statutes, for the expressions "Chairmen" and "Chairman" wherever they occur, the expressions "Deans" and "Dean" shall be substituted;

(2) statute 2-A shall be omitted;

(3) in statute 5,--

(i) in Clause (1),--

(a) in the second Proviso, for the expression "an Assistant Professor or a Reader", the expression "an Associate Professor or an Assistant Professor" shall be substituted;

(b) in the third Proviso, for the expression "Assistant Professor or Reader", the expression "Associate Professor or Assistant Professor" shall be substituted;

(ii) in Clause (2), for the expression "Assistant Professor or Reader", the expression "Associate Professor or Assistant Professor" shall be substituted.

(4) for statute 9, the following statute shall be substituted, namely:--

"9. Constitution of Academic Council.-- (1) The Academic Council shall consist of the following members, namely:--

Class I - Ex-Officio Members.

(a) The Vice-Chancellor;

(b) The Dean;

(c) The Director of Library of the University.

Class II-Other Members.

(a) Eight members from among the Professors of the University, nominated by the Chancellor on the recommendation of the Vice-Chancellor;

(b) Three educationists having proficiency in matters relating to education, research and educational administration, general and technical, nominated by the Chancellor on the recommendation of the Government;

(c) Three members from among the Chief Engineers or General Managers from the Departments of the State Government, Railways, Military Engineering Services, Defence, Post and Telegraphs, Telephones and other autonomous organizations in the State, nominated by the Chancellor on the recommendation of the Vice-Chancellor;

(d) Three persons from private industries and research organizations having proficiency in the matter relating to industries and research, nominated by the Chancellor on the recommendation of the Government;

(e) Three persons from public sector industries of the Central and State Departments in the State having proficiency in matter relating to industries and research, nominated by the Chancellor on the recommendation of the Government;

(f) Three persons from Professional Engineering Societies or institutions or bodies or associations, nominated by the Chancellor on the recommendation of the Government;

(g) Three persons of eminence from Small Scale Industries or Entrepreneurship Development Board or Apprenticeship Board of both Central and State Governments, nominated by the Chancellor on the recommendation of the Vice-Chancellor;

(h) One person from among the teachers of each of the institutions given below, nominated by the Chancellor on the recommendation of the Vice-Chancellor--

(i) Indian Institute of Science, Bangalore,

(ii) Indian Institute of Technology, Chennai,

(iii) Indian Institute of Management, Bangalore, and

(iv) National Institute of Technology, Tiruchirappalli;

(i) Members of the Syndicate not included in any of the above items:

Provided that any Chairperson of a Board of Studies may be invited to attend a meeting if his special knowledge may be relevance to the items for discussion at the meeting.

(2) (i) In case the Secretary to Government, in-charge of Higher Education or the Secretary to Government, in-charge of Industries or the Secretary to Government, in-charge of Information Technology or the Secretary to Government, in-charge of Law, who is a member of the Academic Council by virtue of item (i) under Class II-Other members in Clause (1) is unable to attend the meetings of the Academic Council for any reason, he may depute any officer of his department, not lower in rank than that of the Deputy Secretary to Government, to attend the meetings.

(ii) In case the Director of Technical Education who is a member of the Academic Council, by virtue of item (i) under Class II-Other members in Clause (1) is unable to attend the meetings of the Academic Council for any reason, he may depute any officer of the department, not lower in rank than that of the Deputy Director, to attend the meetings.

(3) (a) Save as otherwise provided, nominated member of the Academic Council shall hold office for a period of three years and such member shall be eligible for nomination for another period of three years.

(b) Where a member is nominated to the Academic Council to a casual vacancy, the period of office held for not less than one year by any such member shall be construed as a full period of three years:

Provided that a member of the Academic Council who is nominated in his capacity as a member of a particular body or the holder of a particular appointment, shall cease to be a member of the Academic Council from the date on which he ceases to be a member of that body or the holder of that appointment, as the case may be:

Provided further that where a nominated member of the Academic Council is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Academic Council ex-officio, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be member of the Academic Council by virtue of his nomination or whether he will vacate office as such member and become a member ex-officio by virtue of his appointment and the choice shall be conclusive. On failure to make such a choice, he shall be deemed to have vacated his office as a nominated member.

(4) When a person ceases to be a member of the Academic Council,

he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Academic Council.

(5) The members of the Academic Council shall not be entitled to receive any remuneration from the University except such daily and travelling allowances as may be prescribed:

Provided that nothing contained in this sub-section shall preclude any member from drawing his normal emoluments to which he is entitled by virtue of the office he holds.

(6) A member of the Academic Council other than an ex-officio member, may tender resignation of his membership at any time before the term of his office expires. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member and the resignation shall take effect from the date of its acceptance by the Chancellor.";

(5) in statute 10, in Clause (e), for the expression "Readership", the expression "Associate Professorship " shall be substituted.

(6) in statute 11, for Clause (1), the following Clauses shall be substituted, namely:--

"(1) The Finance Committee shall consist of the following members, namely:--

(a) the Vice-Chancellor;

(b) the Secretary to Government, in-charge of Finance;

(c) the Secretary to Government, in-charge of Higher Education;

(d) one member nominated by the Syndicate from among its members.

(1-A) If for any reasons the Secretary to Government, in-charge of Finance or the Secretary to Government, in-charge of Higher Education is unable to attend the meetings of the Finance Committee, he may depute any officer of his department not lower in rank than that of the Deputy Secretary to Government to attend the meetings.";

(7) for statute 13, the following statute shall be substituted, namely:--

"13. Selection Committee.--(1) There shall be a Selection Committee for making recommendations to the Syndicate for appointment to the posts of teachers.

(2) The Selection Committee for appointment to the posts specified in subsection (1) shall consist of the Vice-Chancellor, a nominee of the Chancellor, a nominee of the Government and such other persons as may be prescribed:

Provided that the selection for such appointment by the Selection

Committee shall be made in accordance with the guidelines that may be issued by the University Grants Commission or other agencies concerned in relation to such appointment.

(3) The Vice-Chancellor shall preside at the meetings of a Selection Committee.

(4) The meetings of a Selection Committee shall be convened by the Vice-Chancellor.

(5) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the ordinances.

(6) If the Syndicate is unable to accept the recommendations made by a Selection Committee, it shall record its reasons and submit the case to the Chancellor for final orders.

(7) Appointments to temporary posts or vacancies shall be made in the manner indicated below:--

(i) If the temporary vacancy is for a duration longer than one academic session, it shall be filled on the advice of the Selection Committee in accordance with the procedure indicated in the foregoing provisions:

Provided that if the Vice-Chancellor is satisfied that in the interest of work it is necessary to fill the vacancy, the appointment may be made on a temporary basis by a local Selection Committee referred to in sub-clause (ii) for a period not exceeding six months;

(ii) If the temporary vacancy is for a period less than a year, appointment to such vacancy shall be made on the recommendation of a local Selection Committee consisting of the Dean of the Faculty concerned, the Head of the Department and a nominee of the Vice-Chancellor:

Provided that if the same person holds the offices of the Dean and Head of the Department, the Selection Committee may consist of two nominees of the Vice-Chancellor:

Provided further that in case of sudden casual vacancies in teaching posts caused by death or any other reason, the Dean may, in consultation with the Head of Department concerned, make a temporary appointment for a month and report to the Vice-Chancellor and the Registrar about such appointment;

(iii) No teacher appointed temporarily shall, if he is not recommended by a regular Selection Committee for appointment under this Act, be continued in service on such temporary employment unless he is subsequently selected by a regular Selection Committee, for a temporary or a permanent appointment, as the case may be."

## **22. Removal Of Doubts :-**

(1) For removal of doubts, it is hereby declared that--

(i) the Vice-Chancellor of the Anna University, Chennai appointed under Tamil Nadu the Anna University, Chennai Act, 1978 (hereinafter in this Section referred to as the 1978 Act) and holding office as such immediately before the commencement of this Act shall continue to be the Vice-Chancellor of the Anna University till his term of office expires;

(ii) members of the authorities of the Anna University, Chennai elected or nominated or otherwise as such members under the 1978 Act and holding office as such members in any of the authorities of the Anna University, Chennai immediately before the commencement of this Act shall cease to be such members.

(2) The Vice-Chancellor shall make arrangements for constituting the Syndicate and Academic Council of the University within three months from the date of commencement of this Act or such longer period not exceeding one year after the expiry of the said period of three months, as the Government may, by notification, specify.

(3) The Syndicate and Academic Council constituted under sub-section (2) shall commence to exercise their functions on such date as the Government may, by notification, specify in this behalf.

(4) Until such time the Syndicate and Academic Council are duly constituted under sub-section (2), the Vice-Chancellor may constitute any committee comprising of officers, temporarily to exercise and perform any of the powers and duties of such authorities under the 1978 Act and the statutes.