



The Tamil Nadu Music and Fine Arts University Act, 2013

Act 30 of 2013

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Approved College, Music and Fine Arts, Performing Arts

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Tamil Nadu Acts and Ordinances

THE TAMIL NADU MUSIC AND FINE ARTS UNIVERSITY ACT, 2013.

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THE SCHEDULE

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 13th November 2013 and is hereby published for general information:—

ACT No. 30 OF 2013.

An Act to provide for the establishment of a University for the development of music and fine arts and for the furtherance of the advancement of learning and prosecution of research, documentation, publishing of audio and video recording, popularising of all branches of music, fine arts and performing arts in the State of Tamil Nadu.

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

CHAPTER-I.

PRELIMINARY.

Short title,
extent,
application
and
commence-
ment.

1. (1) This Act may be called the Tamil Nadu Music and Fine Arts University Act, 2013.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It applies to-

(a) the colleges and institutions specified in the Schedule; and

(b) all colleges and institutions which may be affiliated to, or established or maintained by, the University in accordance with the provisions of this Act and the statutes and regulations made thereunder.

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

Definitions.

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

(a) “Academic Council” means the Academic Council of the University;

(b) “affiliated college” means any college situate within the University area and affiliated to the University and providing courses of study for admission to the examination for degrees, diplomas or other academic distinctions of the University and includes a college deemed to be affiliated to the University under this Act;

(c) “appointed date” means such date as the Government may, by notification, appoint under sub-section (4) of section 1;

(d) “approved college” means any college situate within the University area and approved by the University and providing courses of study for admission to the examination for titles and diplomas of the University and includes a college deemed to be affiliated to the University under this Act;

(e) “college” means any college or institution established or maintained by, or approved by, or affiliated to the University providing courses of study or training or providing for prosecution of research or providing extension education in music and fine arts for admission to the examination for degrees, diplomas and other academic distinctions of the University;

(f) "Faculty" means a Faculty of the University;

(g) "fine arts" means painting, sculpture, print making, traditional architecture, traditional sculpture, traditional painting and drawing and includes industrial design in ceramics, industrial design in textile, visual communication design and such other fine arts, as the University may decide;

(h) "Government" means the State Government;

(i) "hostel" means a unit of residence for students of the University maintained or recognised by it, either as a part of, or separate from, college of the University;

(j) "performing arts" means and includes Vocal, Violin, Veena, Mridangam, Nathaswaram, Thavil, Folk Arts, Bharathanatyam and such other performing arts, as the University may decide;

(k) "prescribed" means prescribed by the statutes or regulations made under this Act;

(l) "regulations" and "statutes" mean respectively, the regulations and statutes made under this Act;

(m) "Schedule" means the Schedule appended to this Act;

(n) "teachers" mean such Professors, emeritus Professors, Readers, Associate Professors, Assistant Professors, Lecturers and other like persons as may be declared by the statutes to be teachers;

(o) "University" means the Tamil Nadu Music and Fine Arts University established under section 3;

(p) "University area" means the area to which this Act extends under sub-section (2) of section 1;

(q) "University Grants Commission" means the Commission established under section 4 of the University Grants Commission Act, 1956;

(r) "University Library" means a library maintained by the University, whether instituted by it or not.

Central Act
3 of 1956.

CHAPTER – II.

THE UNIVERSITY.

3. (1) For the development of music and fine arts and for furthering the advancement of learning and prosecution of research in music and fine arts, on and from the appointed date, there shall be established a University by the name, "The Tamil Nadu Music and Fine Arts University".

Establishment
of University.

(2) The University shall be a body corporate and shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(3) The headquarters of the University shall be located within the limits of the Chennai city or in any place within a radius of hundred kilometers around those limits.

Objects of
University.

4. The objects of the University shall be -

(a) to provide instructions in all branches of music, fine arts and performing arts and to make provisions for research and advancement of studies in music, fine arts and performing arts and dissemination of knowledge thereof;

(b) to function as a high-level teaching, training and research organisation in all forms and genres of music, fine arts and performing arts and their studies;

(c) to preserve, foster, popularise and promote the traditional system of Indian music, performing arts and fine arts with an emphasis on various forms of music, fine arts and performing arts practiced in Tamil Nadu;

(d) to highlight the wisdom contained in music, fine arts and performing arts and above mentioned disciplines and their relevance to the modern World;

(e) to make music and performing arts popular among all the folks of the society;

(f) to prepare, consolidate, revive, promote, translate, publish all forms and genres in music, fine arts, performing arts and ancient manuscripts in Tamil and other languages;

(g) to regularise the study of all forms of music, fine arts and performing arts;

(h) to foster and formulate programmes and their relevance and significance of music and fine arts in the modern scientific technological days and to strengthen the rich tradition and heritage of music and dance;

(i) to computerise and digitise the entire corpus of manuscripts and music and fine arts texts and also to bring out Research Journals of high standard through the University and its various departments;

(j) to establish high-tech Studio with Audio-Video recording and Photography facilities to record and shoot the music, fine arts and performing arts and to provide live performance and photographs;

(k) to organise music, fine arts and performing arts concerts, seminars, work-shops, conferences, training programmes with a view to promote awareness and knowledge about the messages carried on in ancient music and performing arts traditions;

(l) (i) to establish directorates for supportive education leading to all forms of music, fine arts and performing arts;

(ii) to establish distance and online education; and

(iii) to establish a publication department to publish books and works related to music, fine arts and performing arts;

(m) to establish chairs in various discipline for conducting advanced research and to conduct hobby classes for all sections of the society;

(n) to conduct programme to create awareness, interest and to popularise music, fine arts and performing arts;

(o) to experiment music, fine arts and performing arts as a therapy for health and medical ailments;

(p) to do such acts and other things, whether incidental or not as may be required in order to promote the objectives of the University;

(q) to create a net work of music, fine arts and performing arts, Institutions and Educational Research Oriented Institutions having similar objectives with reciprocal arrangements and facilities for interaction with the view to foster a synergy of efforts made by all such Universities and Institutions;

(r) to take appropriate measures for promoting Inter-disciplinary studies and research in the University and such other related activities congenial at the University level; and

(s) to impart teaching of music, fine arts and performing arts.

5. The powers and functions of the University shall be,—

Powers and
functions of
University.

(a) to institute degrees, diploma and other academic distinctions in music, fine arts and performing arts;

(b) to confer degrees, diploma and other academic distinctions in music, fine arts and performing arts on persons who shall have carried out research in the University or in any other Institution or Centre recognised by the University under conditions prescribed, irrespective of their religion, race, creed, caste, sex or class or any of them;

Explanation.—For the purpose of this clause and other provisions of this Act, “Institution” or “Centre” recognised by the University shall mean an Institution or a Centre situated in India or in other countries, recognised by the University for the purpose of furthering the objectives of the University, after obtaining due permission from the authorities concerned.

(c) to confer honorary degrees or other academic distinctions in music, fine arts and performing arts in the manner prescribed;

(d) to supervise and control hostels and to regulate and enforce discipline among the students of the University and to make arrangements for promoting their health and general welfare;

(e) to co-operate with other Universities and authorities in such manner and for such purposes as it may, further time to time, be prescribed;

(f) to establish and maintain University libraries, research stations, museums for research and publication bureau;

(g) to create administrative, research and other posts and to appoint persons to such posts;

(h) to institute and award fellowships, including travelling fellowships, scholarships, medals and prizes in the manner prescribed;

(i) to accept, hold and manage any endowments, donations or funds which may have become vested in the University by grant, testamentary disposition or otherwise and invest such endowments, donations or funds in any manner, that may deem fit:

Provided that no donations from a foreign country, foreign foundation or from any person in such a country shall be accepted by the University save with the approval of the Government;

(j) to establish, maintain or recognise hostels for students of the University and residential accommodation for the staff of University and to withdraw any such recognition;

(k) to fix fees and to demand and receive such fees, as may be prescribed;

(l) to hold and manage endowments and other properties and funds of the University;

(m) to borrow money with the approval of the Government on the security of the property of the University for the purpose of the University;

(n) to enter into agreement with other bodies or persons for the purpose of promoting the objects of the University, including the assuming of the management of any institution under them and the taking over of the rights and liabilities;

(o) to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it for the purpose of the University with the prior approval of the Government and to enter into contract and to do all other things necessary for the purposes of this Act.

Colleges not to be affiliated to any other University.

6. No college imparting music and fine arts within the University area shall be affiliated to any University other than the Tamil Nadu Music and Fine Arts University:

Provided that this section shall not apply to the colleges other than the colleges specified in the Schedule, imparting music and fine arts, affiliated to any other University on the appointed date.

Visitation.

7. (1) The Chancellor shall have the right to cause an inspection or inquiry to be made, by such person or persons as he / she may direct, of the University, its buildings, libraries, museums and equipments, and of any institutions, maintained or recognised by the University and also of the research, teaching and other work conducted or done by the University, and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall, in every case give notice to the University of his / her intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Syndicate his / her views with reference to the results of such inspection or inquiry and may, after ascertaining the opinion of the Syndicate thereon, advise the University upon the action to be taken and fix a time limit for taking such action.

(3) The Syndicate shall report to the Chancellor, the action, if any which is proposed to be taken, or has been taken upon the results of such inspection or inquiry. Such report shall be submitted within such time as the Chancellor may direct.

(4) Where the Syndicate does not take action to the satisfaction of the Chancellor within the time limit as may be fixed under sub-section (2), the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he / she may think fit, and the Syndicate shall comply with such directions. In the event of the Syndicate

not complying with such directions within such time as may be fixed in that behalf by the Chancellor, the Chancellor shall have power to appoint any person or body to comply with such directions and make such orders as may be necessary for the expenses thereof.

CHAPTER-III.

OFFICERS OF UNIVERSITY.

8. The University shall consist of the following Officers, namely:-

Officers of
University.

- (1) The Chancellor;
- (2) The Pro-Chancellor;
- (3) The Vice-Chancellor;
- (4) The Registrar;
- (5) The Finance Officer;
- (6) The Controller of Examinations;
- (7) The Dean of Faculties; and

(8) Such other persons as may be declared by the statutes to be officers of the University.

9. (1) The Chief Minister of the State of Tamil Nadu shall be the Chancellor of the University. He / She shall by virtue of his / her office be the head of the University and shall, when present, preside at any convocation of the University and confer degrees, diploma or other academic distinctions upon persons entitled to receive them.

Chancellor.

(2) Where power is conferred upon the Chancellor to nominate persons to the authorities, the Chancellor shall, to the extent necessary, nominate persons to represent interests not otherwise adequately represented.

(3) The Chancellor may, on his / her own motion or on application, call for and examine the record of any officer or authority of the University in respect of any proceedings to satisfy himself / herself as to the regularity of such proceedings or the correctness, legality or propriety of any decision taken or order passed therein, and if, in any case, it appears to the Chancellor that any such decision or orders shall be modified, annulled, revised or remitted for reconsideration, he / she may pass orders accordingly:

Provided that every application to the Chancellor for the exercise of the powers under this section shall be preferred within three months from the date on which the proceedings, decision or order to which the application relates was communicated to the applicant:

Provided further that no order prejudicial to any person shall be passed unless such person has been given an opportunity of making his representation.

(4) The Chancellor shall exercise such other powers and perform such other duties as may be conferred on him / her by or under this Act.

10. (1) The Minister in-charge of portfolio of Culture in the State of Tamil Nadu shall be the Pro-Chancellor of the University.

Pro-
Chancellor.

(2) The Pro-Chancellor shall exercise such powers and perform such duties as may be conferred on him by or under this Act.

Vice-
Chancellor.

11. (1) The Vice-Chancellor shall be a whole-time officer of the University.

(2) The Government shall constitute a Search Committee consisting of three persons of whom one shall be nominated by the Chancellor, one by the Syndicate and one by the Government. The nominee of the Government shall function as the Chairman of the Committee. The Secretary to Government, in-charge of Culture or his nominee not below the rank of the Deputy Secretary to Government shall be the Convener of the Search Committee.

(3) No person connected with the affairs of the Government, the University or any college or institution affiliated to the University shall be nominated as the member of the Search Committee.

(4) The Search Committee shall submit to the Government a panel of three persons who are eminent academicians in the field of music, fine arts and performing arts. The Government shall forward the panel to the Chancellor who shall, keeping in view, merit, equity and social justice and with the concurrence of the Government, appoint one person from the panel as the Vice-Chancellor:

Provided that the Chancellor may, with the concurrence of the Government, call for a second panel if he/she considers it necessary, and the Search Committee shall submit a second panel of three different names and shall appoint one of the persons in the second panel as Vice-Chancellor.

(5) No person shall be appointed or hold office of the Vice-Chancellor if he has attained the age of seventy years.

(6) The Vice-Chancellor shall, subject to the pleasure of the Chancellor and the provisions of sub-section (5), hold office for a period of three years:

Provided that the Vice-Chancellor may, by writing under his hand addressed to the Chancellor and after giving two months notice, resign his office:

Provided further that a person appointed as Vice-Chancellor shall retire from office if, during the term of his office or any extension thereof, he completes the age of seventy years.

(7) When any temporary vacancy occurs in the office of the Vice-Chancellor or when the Vice-Chancellor is, by reason of illness, absence or for any other reason, unable to exercise the powers and perform the duties of his office, the senior most Professor of the University shall exercise the powers and perform the duties of the Vice-Chancellor till the Syndicate makes the requisite arrangement for exercising the powers and performing the duties of the Vice-Chancellor.

(8) The Vice-Chancellor shall not be removed from his office except by an order of the Chancellor passed on the ground of wilful omission or refusal to carry out the provisions of this Act or for abuse of the powers vested in him and on the advice tendered by the Government on consideration of the report of an inquiry under sub-section (9).

(9) For the purpose of holding an inquiry under sub-section (8), the Government shall appoint a person who is or has been a Judge of the High Court or who is or has been an Officer of the Government not below the rank of Chief Secretary to Government. The inquiry authority shall hold the inquiry after giving an opportunity to make representation by the Vice-Chancellor and shall submit a report to the Government on the action to be taken including penalty, if any, to be imposed, and the Government shall on consideration of the representation, advise the Chancellor. The

Chancellor shall act in accordance with such advice, as far as may be, in any case, within three months.

(10) The emoluments and other conditions of service of the Vice-Chancellor shall be as follows:—

(a) There shall be paid to the Vice-Chancellor such salary as may be fixed by the Government, from time to time, and he shall be entitled without payment of rent to the use of a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence. He may be entitled to such other perquisites as may be provided in the statutes.

(b) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Syndicate, with the approval of the Chancellor, from time to time:

Provided that, where an employee of,—

(i) the University; or

(ii) any other University or college or institution maintained by, or affiliated to, that University, is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the Provident Fund to which he is a subscriber, and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor.

(c) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Syndicate.

(d) The Vice-Chancellor shall be entitled to earned leave on full pay at one-eleventh of the periods spent by him on active service:

Provided that when the earned leave applied for by the Vice-Chancellor, in sufficient time before the date of expiry of the term of his office, is refused by the Chancellor in the interest of the University and if he does not avail of the leave before the date of expiry of the term of his office, he shall be entitled to draw cash equivalent to leave salary after relinquishment of his office in respect of earned leave at his credit, subject to a maximum of two hundred and forty days.

(e) The Vice-Chancellor shall be entitled, on medical grounds or otherwise, to leave without pay for a period of not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he is entitled to earned leave under clause (d).

(11) If a Professor of the University or of an other University in the State is appointed as Vice-Chancellor, his terms and conditions of service as Professor shall not be revised to his disadvantage during his tenure as Vice-Chancellor and he shall retain his lien in his post.

12. (1) The Vice-Chancellor shall be the academic head and the principal executive officer of the University and shall in the absence of the Chancellor and Pro-Chancellor, preside at any convocation of the University and confer degrees, diploma or other academic distinctions upon persons entitled to receive them. He shall be a member *ex-officio* and Chairperson of the Syndicate, the Academic Council and the Finance Committee and shall be entitled to be present at and to address any meeting of any authority of the University but shall not be entitled to vote thereat unless he is a member of the authority concerned.

Powers and
duties of
Vice-
Chancellor.

(2) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, statutes and regulations are observed and carried out and he may exercise all powers necessary for this purpose.

(3) The Vice-Chancellor shall have power to convene meeting of the Syndicate, the Academic Council and the Finance Committee.

(4) (a) The Vice-Chancellor shall have power to take action on any matter and shall by order, take such action as he may deem necessary, but shall, as soon as may be, thereafter report the action taken to the officer or authority or body who or which would have ordinarily dealt with the matter:

Provided that no such order shall be passed unless the person likely to be affected, has been given a reasonable opportunity of being heard;

(b) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University, such person may prefer an appeal to the Syndicate within thirty days from the date on which the order is communicated to him and the Vice-Chancellor shall give effect to the order passed by the Syndicate on such appeal.

(5) The Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, suspension and dismissal of the teachers and other employees of the University and any other decision of the Syndicate.

(6) The Vice-Chancellor shall exercise control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(7) The Vice-Chancellor shall exercise such other powers and perform such other duties, as may be prescribed.

Registrar.

13. (1) The Registrar shall be a whole-time salaried officer of the University appointed by the Syndicate on the recommendation of the Vice-Chancellor. The qualifications and the method of recruitment shall be such as may be prescribed. The terms and conditions of service of the Registrar shall be as follows:—

(a) The holder of the post of Registrar shall be a person of eminence in music, fine arts or performing arts, not lower in rank than that of a Professor of the University or an officer of the Government not lower in rank than that of the Deputy Secretary to Government;

(b) The Registrar shall hold office for a period of three years:

Provided that the Registrar shall retire on attaining the age of sixty years in the case of a Professor of the University or of an other University in the State and fifty-eight years in the case of a Government Servant or on the expiry of the period specified in this clause, whichever is earlier;

(c) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed;

(d) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence or for any other cause, unable to perform the duties of his office, the duties of the office of the Registrar shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(2) (a) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers of the University and academic staff, as may be specified in the orders of the Syndicate and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or withholding of increments:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken against him;

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in clause (a);

(c) In any case where the inquiry discloses that penalty beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations:

Provided that an appeal shall lie to the Syndicate against an order of the Vice-Chancellor imposing any penalty;

(d) No appeal under clause (b) or clause (c) shall be preferred after the expiry of sixty days from the date on which the order appealed against was received by the appellant.

(3) The Registrar shall be the *ex-officio* Member-Secretary to the Syndicate, the Academic Council, the Faculties and the Boards of Studies, but shall not be deemed to be a member of any of these authorities.

(4) It shall be the duty of the Registrar,-

(a) to be the custodian of the records, the common seal and such other property of the University, as the Syndicate shall commit to his charge;

(b) to issue all notices convening meetings of the Syndicate, the Academic Council, the Faculties, the Boards of Studies and of any Committee appointed by the authorities of the University;

(c) to keep the minutes of all proceedings of the meetings of the Syndicate, the Academic Council, the Faculties, the Boards of Studies and of any Committee appointed by the authorities of the University;

(d) to conduct the official correspondence of the Syndicate;

(e) to supply to the Chancellor copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of the proceedings of such meetings; and

(f) to exercise such other powers and perform such other duties as may be specified in the statutes, or the regulations or as may be required, from time to time, by the Syndicate or the Vice-Chancellor.

14. (1) The Finance Officer shall be a whole-time salaried officer of the University appointed by the Syndicate from out of a panel of three names recommended by the Government. The qualification and the method of recruitment shall be such as may be prescribed.

Finance
Officer.

(2) The Finance Officer shall hold office for a period of three years subject to such terms and conditions as may be specified by the Syndicate:

Provided that a person appointed as Finance Officer shall retire from office, if during the term of his office, he completes the age of fifty-eight years.

(3) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed.

(4) When the office of the Finance Officer is vacant or when the Finance Officer, is by reason of illness, absence or for any other cause unable to perform the duties of his office, the duties of the Finance Officer shall

be performed by such person as the Vice-Chancellor may appoint for the purpose.

(5) The Finance Officer shall be the *ex-officio* Secretary to the Finance Committee, but shall not be deemed to be a member of such Committee.

(6) The Finance Officer shall,-

(a) exercise general supervision over the funds of the University and shall advise the University as regards its financial policy; and

(b) exercise such other powers and perform such other financial functions, as may be assigned to him by the Syndicate or as may be prescribed:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding such amount as may be prescribed without the previous approval of the Syndicate.

(7) Subject to the control of the Syndicate, the Finance Officer shall,-

(a) hold and manage the property and investment on the University including trust and endowment property;

(b) ensure that the limit fixed by the Syndicate for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;

(c) be responsible for the preparation of annual accounts, financial estimates and the budget of the University and for their presentation to the Syndicate;

(d) keep a constant watch on the cash and bank balance and of investments;

(e) watch the progress of the collection of revenue and advise on the methods of collection employed;

(f) ensure that the registers of buildings, lands, furniture and equipments are maintained upto date and that stock checking is conducted, of equipments and other consumable materials in all offices, special centres maintained by the University;

(g) bring to the notice of the Vice-Chancellor any unauthorised expenditure or other financial irregularity and suggest appropriate action to be taken against person at fault; and

(h) call from any office and centre, maintained by the University, any information or returns that he may consider necessary for the performance of his duties.

(8) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Syndicate for any money payable to the University shall be a sufficient discharge for payment of such money.

Controller of
Examinations.

15. (a) The Controller of Examinations shall be an academician in the field of Art and Culture with a degree of Bachelor of Music or Fine Arts or Performing Arts and a whole time salaried officer of the University appointed by the Syndicate on the recommendation of the Vice-Chancellor for such period and on such terms and conditions as may be prescribed.

(b) The Controller of Examinations shall exercise such powers and perform such duties as may be prescribed.

16. (1) Every Dean shall be appointed by the Vice-Chancellor from among the Professors in the Faculty for a period of three years and he shall be eligible for reappointment:

Dean of
Faculties.

Provided that a Dean on attaining the age of sixty years shall cease to hold office as such:

Provided further that if at any time there is no Professor in a Faculty, the Vice-Chancellor shall exercise the powers of the Dean of the Faculty.

(2) When the office of the Dean is vacant or when the Dean is by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of his office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Dean shall be Head of the Faculty and shall be responsible for the conduct and maintenance of the standards of research in the Faculty. The Dean shall have such other functions as may be prescribed.

(4) The Dean shall have the right to be present and to speak at any meeting of any Board of Studies or Committee or the Faculty, as the case may be, but shall not have the right to vote thereat unless he is a member thereof.

17. The Vice-Chancellor, the Registrar, the Finance Officer, the Controller of Examinations and other employees of the University shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

Vice-
Chancellor
and other
officers, etc.
to be public
servants.

Central Act
XLV of 1860.

CHAPTER-IV.

AUTHORITIES OF UNIVERSITY.

18. The authorities of the University shall be the Syndicate, the Academic Council, the Faculties, the Finance Committee, the Board of Studies and such other bodies of the University as may, from time to time, be declared by the statutes to be authorities of the University.

Authorities of
University.

19. (1) The Chancellor shall, as soon as may be, after the first Vice-Chancellor is appointed under section 52, constitute the Syndicate.

Syndicate.

(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 Culture;
- (b) The Secretary to Government, in-charge of Finance Department;
- (c) The Secretary to Government, in-charge of Law Department;
- (d) Commissioner of Art and Culture.

Class II—Other Members.

(a) Two members nominated by the Chancellor from among eminent educationists in the field of music, fine arts, performing arts and other related professions;

(b) Six persons nominated by the Chancellor on the recommendation of the Vice-Chancellor from amongst eminent persons in the field of music, fine arts and performing arts, educationists or awardees in music, fine arts and performing arts or persons from other professions;

(c) Principals of the Colleges specified in the Schedule;

(d) One member of the Tamil Nadu Legislative Assembly nominated by the Chancellor on the recommendation of the Government.

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

(4) (a) In case the Secretary to Government in-charge of Culture or the Secretary to Government in-charge of Finance Department or the Secretary to Government in-charge of Law Department, is unable to attend the meetings of the Syndicate, for any reason, he may depute any officer of his department, not below the rank of Deputy Secretary to Government to attend the meetings. The officer so deputed shall have the right to take part in the discussion of the meeting and shall have the right to vote.

(b) In case the Commissioner of Art and Culture is unable to attend the meetings of the Syndicate for any reason, he may depute any officer of his department, not below the rank of Joint Commissioner, to attend the meetings. The officer so deputed shall have the right to take part in the discussion of the meeting and shall have the right to vote.

(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 nomination for another period of three years;

(b) Where a member is nominated to the Syndicate in a casual vacancy, the period of office 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 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 Syndicate 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 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 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.

(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.

20. (1) The Syndicate shall have the following powers, namely:-

Powers of
Syndicate.

- (a) to make statutes and amend or repeal the same;
- (b) to co-operate with other Universities, other academic authorities and colleges in such manner and for such purposes as it may determine;
- (c) to provide for instruction and training in such branches of learning as it may think fit;
- (d) to provide for research and advancement and dissemination of knowledge;
- (e) to institute Assistant Professorships, Associate Professorships, Professorships and any other teaching or research posts required by the University;
- (f) to provide for such lectures and instructions for students, as the Academic Council may determine;
- (g) to institute degrees, titles, diplomas and other academic distinctions;
- (h) to confer degrees, titles, diplomas and other academic distinctions on persons who—
 - (i) have pursued an approved course of study in the University or have been exempted therefrom in the manner prescribed and have passed the prescribed examinations of the University;
 - (ii) have carried on research under conditions prescribed;
- (i) to confer honorary degrees or academic distinctions on the recommendations of not less than two-thirds of the members of the Syndicate;
- (j) to establish and maintain hostels;
- (k) to institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (l) to prescribe the fees to be charged for admission to the examinations, degrees, titles and diplomas of the University and for all or any of the purposes specified in section 5;
- (m) to consider and take such action as it may deem fit on the annual report, the annual accounts and the financial estimates;
- (n) to institute publication bureau, students' unions, employment bureau and University athletic clubs and to maintain them;
- (o) to enter into any agreement with the Central or any State Government or with a private management for any purposes not repugnant to the provisions of this Act;
- (p) to make statutes regulating the procedure at the meeting of the Syndicate, Academic Council and other authorities of the University and quorum of members required for the transaction of business by the authorities of the University other than the Academic Council;

(q) to hold, control and administer the properties and funds of the University;

(r) to direct the form, custody and use of the common seal of the University;

(s) to regulate and determine all matters concerning the University in accordance with this Act, the statutes and the regulations;

(t) to administer all properties and funds placed at the disposal of the University for specific purposes;

(u) (i) to appoint the Assistant Professors, Associate Professors, Professors and the teachers of the University, fix their emoluments, if any, define their duties and the conditions of their services and provide for filling up of temporary vacancies;

(ii) to prescribe the mode of appointment of administrative and other similar posts and fix their emoluments, if any, define their duties and the conditions of their services and provide for filling up of temporary vacancies;

(v) to suspend and take disciplinary action on the Assistant Professors, Associate Professors, Professors and the Teachers and other employees of the University;

(w) to accept, on behalf of the University, endowments, bequests, donations, grants and transfers of any movable and immovable properties made to it;

(x) (i) to raise, on behalf of the University, loans from the Central or any State Government or the public or any corporation owned or controlled by the Central or any State Government; and

(ii) to borrow money, with the approval of the Government, on the security of the property of the University for the purposes of the University;

(y) to prescribe the qualifications of teachers of the University;

(z) to award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes in accordance with the statutes;

(aa) to charge and collect such fees as may be prescribed;

(ab) to conduct the University examinations and approve and publish the results thereof;

(ac) to make statutes regarding the admission of students to the University or prescribing examinations to be recognised as equivalent to University examinations;

(ad) to appoint members to the Board of Studies;

(ae) (i) to appoint examiners, after consideration of the recommendation of the Board of Studies; and

(ii) to fix their remuneration;

(af) to supervise and control the residence and discipline of the students of the University departments and make arrangements for securing their health and well-being;

(ag) to institute and manage University centres, laboratories, libraries, museums, institutes of research and other institutions established or maintained by the University;

(ah) to manage hostels instituted by the University;

(ai) to manage any publication bureau, students' unions, employment bureau and University athletic clubs instituted by the University;

(aj) to review the instruction and teaching of the University;

(ak) to promote research within the University and to require reports, from time to time, of such research;

(al) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the statutes and regulations; and

(am) to delegate any of its powers to the Vice-Chancellor, to a committee from among its own members or to a committee appointed in accordance with the statutes.

(2) The Syndicate may consult the Academic Council in respect of any matter where it considers such consultation is necessary.

21. (1) The Syndicate shall meet at least once in every two months at such time and places and shall, subject to the provisions of sub-sections (2) and (3), observe such rules of procedure in regard to transaction of business at its meetings as may be prescribed.

Meetings of
Syndicate.

(2) One-third of the total strength of the members of the Syndicate shall be the quorum required for a meeting of the Syndicate.

(3) The Vice-Chancellor or in his absence any member chosen by the members present, shall preside at a meeting of the Syndicate.

(4) All questions at any meeting of the Syndicate shall be decided by a majority of the votes of the members present and voting and in the case of an equality of votes, the Vice-Chancellor or the member presiding, as the case may be, shall have and exercise a second or casting vote.

(5) (a) The Syndicate may, for the purpose of consultation, invite any person having special knowledge or practical experience in any subject under consideration to attend any meeting. Such person may speak in, and otherwise take part in, the proceedings of such meeting but shall not be entitled to vote.

(b) The person so invited shall be entitled to such daily and travelling allowances as are admissible to a member of the Syndicate.

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

Academic
Council.

Class I—*Ex-Officio* Members.

- (a) The Vice-Chancellor;
- (b) The Commissioner of Art and Culture;
- (c) The Deans of faculties;
- (d) Director of Libraries;
- (e) Principals of all Government Music Colleges;
- (f) Principals of all Government College of Fine Arts;
- (g) Principal of Government College of Architecture and Sculpture, Mamallapuram;

Class II—Other Members.

Eight persons nominated by the Vice-Chancellor who are known for their outstanding contribution in the field of music, fine arts and performing arts.

(2) The Vice-Chancellor shall be the *ex-officio* Chairperson of, and the Registrar shall be the *ex-officio* Secretary to the Academic Council.

(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 not more than 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 for the purpose of this clause:

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 office 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 shall continue to be member of the Academic Council by virtue of his nomination or he shall 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 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 *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.

23. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act and the statutes, have the control and general regulation of teaching and examination in the University and be responsible for the maintenance of the standards thereon.

(2) The powers and duties of the Academic Council shall be,-

(a) to exercise general control on teaching and other educational programmes and maintain and promote the standards thereof;

(b) to make regulations and amend or repeal the same;

(c) to make regulations-

(i) regarding the admission of students to the University and the number of students to be admitted;

(ii) regarding the courses of study leading to degrees, diplomas and other academic distinctions;

(iii) regarding the conduct of examinations and maintenance and promotion of standards of education;

(iv) prescribing equivalence of examinations, degrees, titles, diplomas and certificates of other Universities, Colleges, Institutions and Boards;

(v) for the assessment, evaluation and grading of students' performance;

(d) to advise the Syndicate on all academic matters including the control and management of libraries;

(e) to make recommendations to the Syndicate for the institution of Assistant Professorship, Associate Professorship, Professorship and other teaching posts including posts in research and in regard to the duties and emoluments thereof;

(f) to formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching and research;

(g) to make recommendations to the Syndicate regarding under graduate and post-graduate teaching and research;

(h) to make recommendations to the Syndicate for the conferment of honorary degrees or other distinctions;

(i) to review and act upon the proposals of Board of Studies in formulating rules, regulations, syllabi and methods of evaluation, introduction of new courses and modification of existing courses;

(j) to make recommendations to the Syndicate regarding institution of fellowships and scholarships;

(k) to recommend to the Syndicate measures for promoting collaboration between industries and Government employers on the one hand and the University on the other;

(l) to delegate to the Vice-Chancellor or to any of the committees of the Academic Council, any of its powers;

(m) to assess and make recommendations laying down standards of accommodation, equipment, apparatus, library, maintenance and other physical facilities required for each faculty; and

(n) to exercise such other powers and perform such other duties as may be prescribed.

Meetings of
Academic
Council.

24. (1) The Academic Council shall meet at least twice in every year on dates to be fixed by the Vice-Chancellor. One of such meetings shall be called the annual meeting. The Academic Council may also meet at such other dates as it may, from time to time, determine.

(2) One-third of the total strength of the members of the Academic Council shall be the quorum required for a meeting of the Academic Council:

Provided that such quorum shall not be required at a convocation of the University, or a meeting of the Academic Council held for the purpose of conferring degrees, titles, diplomas or other academic distinctions.

(3) The Vice-Chancellor may, whenever he thinks fit, and shall upon a requisition in writing signed by not less than fifty per cent of the total members of the Academic Council, convene a special meeting of the Academic Council.

Constitution
and functions
of Faculties.
Finance

25. (1) The University shall have the Faculties of Vocal Music, Instrumental Music, Musicology, Fine Arts and Performing Arts and such other Faculties as may be prescribed.

(2) The constitution and functions of the faculties shall in all other respects, be such as may be prescribed.

(3) Each Faculty shall comprise such departments of teaching as are specified in the statutes.

Committee.

26. (1) The Finance Committee shall consist of the following members, namely:—

- (a) The Vice-Chancellor;
- (b) The Secretary to Government in-charge of Finance Department;
- (c) The Secretary to Government in-charge of Culture;
- (d) The Commissioner of Art and Culture;
- (e) One member nominated by the Syndicate from among its members;

(2) If for any reason, the members referred to in clause (b) or clause (c) of sub-section (1) is unable to attend any meeting of the Finance Committee, he may depute any officer of his department not below the rank of a Deputy Secretary to Government to attend such meeting. The officer or person deputed shall have the right to take part in the discussions of the committee and shall have the right to vote.

(3) The Vice-Chancellor shall be the *ex-officio* Chairperson and the Finance Officer shall be the *ex-officio* Secretary of the Finance Committee.

(4) All the members of the Finance Committee, other than the *ex-officio* members, shall hold office for a period of three years.

(5) The Finance Committee shall meet at least once in three months to examine the accounts and to scrutinize proposals for expenditure.

(6) The Annual accounts and the Annual Financial Estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Syndicate for approval.

(7) The Finance Committee shall, recommend limits for the total recurring expenditure and the total non- recurring expenditure for the year based on

the income and resources of the University, which, in the case of productive works may include the proceeds of loans.

(8) The Finance Committee shall,—

- (a) review the financial position of the University, from time to time;
- (b) make recommendations to the Syndicate in every proposal involving investment or expenditure for which no provision has been made in the Annual Financial Estimates or which involves expenditure in excess of the amount provided for in the Annual Financial Estimates;
- (c) prescribe the methods and procedure and forms for maintaining the accounts of the University;
- (d) make recommendations to the Syndicate on all matters relating to the finances of the University; and
- (e) perform such other functions as may be prescribed.

(9) The Financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments. The said estimates as modified by the Finance Committee shall be then laid before the Syndicate for consideration. The Syndicate may accept the modification made by the Finance Committee.

27. There shall be a Board of Studies attached to each Department of teaching. The constitution and powers of the Board of Studies shall be such as may be prescribed.

Board of Studies.

28. The Constitution and powers of such other bodies as may be declared by the statutes to be authorities of the University shall be such as may be prescribed.

Constitution of other authorities.

29. All the authorities of the University shall have power to constitute or reconstitute committees and to delegate to them such of their powers as they deem fit. Such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons, if any, as the authority in each case, may deem fit.

Constitution of committees and delegation of powers.

30. (1) A person shall be disqualified for nomination as a member of any of the authorities of the University, if on the date of such nomination he is,—

Disqualification for membership.

- (i) of unsound mind;
- (ii) adjudicated as an undischarged insolvent;
- (iii) convicted by a criminal court to imprisonment for any offence.

(2) In case of dispute or doubt, as regards disqualification, the Syndicate shall determine whether a person is disqualified or not under sub-section (1) and its decision shall be final.

31. (1) Notwithstanding anything contained in clause (a) of sub-section (5) of section 19 and clause (a) of sub-section (3) of section 22, no person who has held office as a member for a total period of six years in the Syndicate or the Academic Council or in both, of the University shall be eligible for nomination to either of the said two authorities:

Disqualification for nomination to Syndicate and Academic Council in certain cases.

Provided that for the purpose of computing the total period of six years referred to in this sub-section, the period of three years during which a person held office in one authority by nomination and the period of three years during which he held office in another authority by nomination shall be taken into

account and accordingly such person shall not be eligible for nomination to either Syndicate or the Academic Council:

Provided further that for the purpose of this sub-section, if a person who has held office for a period not less than one year in any one of the authorities referred to in this sub-section in a casual vacancy shall be deemed to have held office for a period of three years in that authority:

Provided also that for the purpose of this sub-section, if a person was nominated to one authority and such person becomes a member of another authority by virtue of the membership in the first mentioned authority, the period for which he held office in the first mentioned authority alone shall be taken into account.

- (2) Nothing in sub-section (1) shall have application in respect of-
- (i) ex-officio members referred to in section 19;
 - (ii) ex-officio members referred to in section 22.

CHAPTER-V.

STATUTES AND REGULATIONS.

Statutes.

32. Subject to the provisions of this Act, the statutes may provide for all or any of the following matters, namely:-

- (1) the holding of convocation to confer degrees;
- (2) the conferment of honorary degrees and academic distinctions;
- (3) the constitution, powers and functions of the authorities of the University;
- (4) the manner of filling vacancies among members of the authorities of the University;
- (5) the allowances to be paid to the members of the authorities and committees thereof;
- (6) the authentication of the orders or decisions of the authorities;
- (7) the condition of recognition of approved institution and of affiliation to the University of affiliated colleges;
- (8) the procedure at meetings of authorities including the quorum for the transaction of business at such meetings;
- (9) the formation of departments of music and fine arts at the affiliated colleges;
- (10) the terms of office and methods of appointment and conditions of service of the officers of the University other than the Chancellor and the Pro-Chancellor;
- (11) the qualifications of the teachers and other persons employed by the University;
- (12) the classifications, the method of appointment and determination of the terms and conditions of service of teachers and other persons employed by the University;
- (13) the institution of pension, gratuity, insurance or provident fund for the benefit of the officers, teachers and other persons employed by the University;

(14) the institution of fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes and the conditions of award thereof;

(15) the establishment and maintenance of halls and hostels;

(16) the conditions for residence of students of the University in the halls and hostels and the levy of fees and other charges for such residence;

(17) the delegation of powers vested in the authorities or officers of the University;

(18) admission of students to the University;

(19) the conditions and mode of appointment and duties of examining bodies and examiners;

(20) the conditions of maintenance of the discipline among the students of the University;

(21) the fees to be charged for research; and

(22) any other matter which is required to be or may be prescribed by the statutes.

33. (1) The Syndicate may, from time to time, make statutes and amend or repeal them in the manner hereafter provided in this section.

Statutes, how made.

(2) The Academic Council or the Vice-Chancellor may propose to the Syndicate, the draft of any statute or of any amendments to, or of repeal of, a statute, to be passed by the Syndicate and such draft shall be considered by the Syndicate at its next meeting:

Provided that the Vice-Chancellor shall not propose any amendment to any statute affecting the powers and constitution of any authority of the University, until such authority has been given an opportunity of expressing its opinion, and the opinion, so expressed shall be considered by the Syndicate.

(3) The Syndicate may consider the draft proposed by the Academic Council or the Vice-Chancellor under sub-section (2) and may either pass the draft or reject or return it with or without amendments to the Academic Council or the Vice-Chancellor, as the case may be, for reconsideration.

(4) (a) Any member of the Syndicate may propose to the Syndicate, the draft of a statute or of any amendment to, or of repeal of, a statute and the Syndicate, may, either accept or reject the draft, if it relates to matter not falling within the purview of the Academic Council.

(b) In case such draft relates to a matter within the purview of the Academic Council, the Syndicate shall refer it for consideration to the Academic Council, which may either report to the Syndicate that it does not approve the draft or submit the draft to the Syndicate in such form as the Academic Council may approve and the Syndicate may, either pass with or without amendments or reject the draft.

(5) The Syndicate shall, obtain the opinion of the Finance Committee in respect of such of the statutes involving financial implications.

(6) The Syndicate, if it thinks necessary, may also obtain the opinion of any officer, authority or body of the University in regard to the draft of the statute, before taking it up for consideration.

(7) The statute passed by the Syndicate shall not be given effect to until it is assented to by the Chancellor.

Regulations.

34. (1) Subject to the provisions of this Act and the statutes, the authorities of the University may make regulations to provide for all or any of the following matters, namely:-

(a) the manner in which and the conditions subject to which the pension, gratuity, insurance and provident fund may be instituted for the benefit of the officers, teachers and other employees of the University;

(b) the appointment, procedure for selection, and pay and allowances and other conditions of services of officers, teachers and other employees of the University;

(c) the giving of notice to the members of any authority of the University, the dates of the meetings and the business to be transacted at the meetings and for keeping a record of the proceedings of the meetings;

(d) the procedure to be observed at the meetings and the number of members required to form the quorum; and

(e) any other matter which is required to be or may be prescribed by regulations.

(2) The Academic Council may, subject to the provisions of the statutes, make regulations providing for the courses of study, system of examinations and award of degrees, diplomas and other academic distinctions of the University, after receiving the draft of the same from the Board of Studies concerned.

(3) The Syndicate may issue such direction, as it may think fit to the concerned authority to amend any regulation.

CHAPTER - VI.

ADMISSION OF STUDENTS.

Admission to University courses.

35. (1) The University shall, subject to the provisions of this Act and the statutes, be open to all persons:

Provided that special efforts shall be taken to encourage the oppressed classes, namely, Backward Communities, Most Backward Communities, Denotified Communities, Scheduled Castes and Scheduled Tribes.

(2) Nothing contained in sub-section (1) shall require the University-

(a) to admit to any course of study any person who does not possess the prescribed academic qualification or standard;

(b) to retain on the rolls of the University any student whose academic record is below the minimum standard required for the award of a degree, diploma or other academic distinction; or

(c) to admit any person or retain any student whose conduct is prejudicial to the interests of the University or the rights and privileges of the other students and teachers.

(3) Every candidate for a University examination shall, unless exempted from the provisions of sub-section (2) by a special order of the Syndicate made on the recommendation of the Academic Council be enrolled as a member of an affiliated or approved college, as the case may be. Any such exemption may be made subject to such conditions as the Syndicate may think fit.

(4) Students exempted from the provisions of sub-section (2) and students admitted in accordance with the conditions prescribed, to courses of study other than courses of study for a degree, shall be non-collegiate students of the University.

36. No candidate shall be admitted to any examination of the University unless he is enrolled as a member of an affiliated or approved college and has satisfied the requirements as to the attendance required under the regulations for the same or unless he is exempted from such requirements of enrolment or attendance or both by an order of the Syndicate passed on the recommendation of the Academic Council made under the regulations prescribed. Exemptions granted under this section shall be subject to such conditions as the Syndicate may think fit.

Admission to University Examinations.

37. No attendance at instruction given in any college or institution, other than that conducted, affiliated or approved by the University, shall qualify for admission to any examination of the University.

Attendance qualifying for University examinations.

CHAPTER – VII.

UNIVERSITY FUNDS.

38. The University shall have a General Fund to which shall be credited,-

General Fund.

(a) its income from fees, grants, donations and gifts, if any;

(b) any contribution or grant made by the Central Government, any State Government, the University Grants Commission or like authority, any local authority or any corporation owned or controlled by the Government; and

(c) endowments and other receipts.

39. The University may have such other funds as may be prescribed by the statutes.

Other funds.

40. The funds and all moneys of the University shall be managed in such manner as may be prescribed.

Management of funds.

41. The annual report of the University shall be prepared by the Syndicate and shall be submitted to the Academic Council on or before such date as may be prescribed and shall be considered by the Academic Council at its next annual meeting. The Academic Council may pass resolutions thereon and communicate the same to the Syndicate which shall take action in accordance therewith. The Syndicate shall inform the Academic Council of the action taken by it. A copy of the report with a copy of the resolution thereon, if any, of the Academic Council shall be submitted to the Government.

Annual report.

42. (1) The annual accounts shall be submitted to such examination and audit, as the Government may direct and a copy of the annual accounts and audit report shall be submitted to the Government.

Annual accounts.

(2) The University shall settle objections raised in the audit and carry out such instructions as may be issued by the Government on the audit report.

(3) The Government shall cause the annual accounts and the audit report to be laid before the Legislative Assembly together with their comments.

CHAPTER-VIII.

CONDITIONS OF SERVICE.

Pension,
gratuity, etc.

43. (1) The University shall institute for the benefit of its officers, teachers and other persons employed by the University, such pension, gratuity, insurance and provident fund, as it may deem fit, in such manner and subject to such conditions, as may be prescribed.

(2) Where the University has so instituted a provident fund under sub-section (1), the Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such funds as if the University were a local Authority and the fund a Government Provident Fund.

Central Act XIX
of 1925.

(3) The University may, in consultation with the Finance Committee, invest the Provident Fund amount in such manner as it may determine.

Conditions of
service.

44. Subject to the provisions of this Act, the appointment, procedure for selection, pay and allowance, and other terms and conditions of service of officers, teachers and other persons employed in the University shall be such as may be prescribed.

Explanation.—For the purpose of this section, the word ‘officers’ shall not include the Chancellor, the Pro-Chancellor.

Selection
Committees.

45. (1) There shall be a Selection Committee for making recommendations to the Syndicate, for appointment to the posts of Professor, Associate Professor, Assistant Professor and Librarians of the University.

(2) The Selection Committee for appointment to the posts specified in sub-section (1) shall consist of the Vice-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 meeting of a Selection Committee.

(4) The meeting 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 such as may be prescribed.

(6) If the Syndicate, is unable to accept 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 shall be made in the manner indicated below:—

(i) If the temporary vacancy is for 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 of less than a year, an 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 the 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 the 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 Selection Committee for appointment under this Act, be continued in service on such temporary employment unless he is subsequently selected by a local Selection Committee or a Selection Committee, for a temporary or permanent appointment, as the case may be.

46. (1) Each Department of the University shall have a Head who shall be a Professor and whose duties and functions and terms and conditions of appointment shall be such as may be prescribed:

Terms and conditions of service of Heads of Department.

Provided that if there is more than one Professor in any Department, the Head of the Department shall be appointed in the manner prescribed:

Provided further that in a Department where there is no Professor, an Assistant Professor may be appointed as Head of the Department in the manner prescribed.

(2) It shall be open to a Professor or Assistant Professor to decline the offer of appointment as Head of the Department.

(3) A person appointed as Head of the Department shall hold office as such for a period of three years and shall be eligible for reappointment:

Provided that a Head of the Department on attaining the age of sixty years shall cease to hold office as such.

(4) A Head of the Department may resign his office at any time during his tenure of office.

(5) A Head of the Department shall perform such functions as may be prescribed.

CHAPTER – IX.

MISCELLANEOUS.

47. All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled as soon as conveniently may be, by the person or body who or which, nominated the member whose place has become vacant and the person nominated to a casual vacancy shall be a member of such authority or body for the remainder of the term for which the person whose place he fills would have been a member:

Filling of casual vacancy.

Provided that no casual vacancy shall be filled, if such vacancy occurs within six months before the date of the expiry of the term of the member of any authority or other body of the University.

Proceedings of the University authorities and bodies not invalidated by vacancies.

48. No Act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of any vacancy or of any defect or irregularity in the nomination or appointment of a member of any authority or other body of the University or of any defect or irregularity in such act or proceedings not affecting the merits of the case or on the ground only that the authority or other body of the University did not meet at such intervals as required under this Act.

Removal from membership of the University.

49. (1) The Syndicate may remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Syndicate and by a majority of not less than two thirds of the members of the Syndicate present and voting at the meeting, if such person has been convicted by a criminal court for an offence which in the opinion of the Syndicate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, the Syndicate may withdraw any degree or diploma conferred on, or granted, to that person by the University.

(2) The Syndicate may also by an order in writing made in this behalf remove any person from the membership of any authority of the University if he becomes of unsound mind or deaf-mute or has applied to be adjudicated or has been adjudicated an insolvent.

(3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken.

(4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be, shall as soon as may be, after it is so passed, be communicated to the person concerned in the manner prescribed.

Disputes as to the constitution of University authorities and bodies.

50. If any question arises whether any person has been duly nominated as, or is entitled to be, a member of any authority of the University or other body of the University, the question shall be referred to the Chancellor whose decision thereon shall be final.

Power to obtain information.

51. Notwithstanding anything contained in this Act or in any other law for the time being in force, the Government may, by order in writing, call for any information from the University on any matter relating to the affairs of the University and the University shall, if such information is available with it, furnish to the Government with such information within a reasonable period:

Provided that in the case of information which the University considers confidential, the University may place the same before the Chancellor and the Pro-Chancellor.

Appointment of first Vice-Chancellor.

52. Notwithstanding anything contained in section 11, within three months from the appointed date, the first Vice-Chancellor shall be appointed by the Government on a salary to be fixed by them for a period not exceeding three years and on such other conditions as they think fit:

Provided that a person appointed as first Vice-Chancellor shall retire from office, if during the term of his office, he completes the age of seventy years.

Appointment of first Registrar.

53. Notwithstanding anything contained in sub-section (1) of section 13, within three months from the appointed date, the first Registrar shall be appointed by the Government on a salary to be fixed by them for a period not exceeding three years and on such other conditions as they think fit.

54.(1) It shall be the duty of the first Vice- Chancellor to make arrangements for constituting the Syndicate, the Academic Council and such other authorities of the University within six months after the appointed date or such longer period, not exceeding one year as the Government may, by notification, direct.

Transitory powers of the first Vice-Chancellor.

(2) The First Vice-Chancellor shall, in consultation with the Government, make such rules as may be necessary for the functioning of the University.

(3) The authorities constituted under sub-section (1) shall commence to exercise their functions on such date as the Government may, by notification, specify in this behalf.

(4) It shall be the duty of the first Vice-Chancellor to draft such statutes, as may be necessary and submit them to the Syndicate for their approval. Such statutes when framed shall be published in the *Tamil Nadu Government Gazette*.

(5) Notwithstanding anything contained in this Act and the statutes and until such time an authority is duly constituted, the first Vice-Chancellor may appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and duties of such authority under this Act and the statutes.

Tamil Nadu Act VII of 1923.
Tamil Nadu Act 2 of 1982.

55. (1) Subject to the provisions of sub-sections (2) to (6), the Chennai University Act, 1923 and the Bharathidasan University Act, 1981 (hereafter in this section referred to as the University Acts) shall, with effect on and from the appointed date, cease to apply in respect of colleges specified in the Schedule.

Certain Tamil Nadu Acts not to apply.

(2) Such cessor shall not affect –

(a) the previous operation of the said University Acts in respect of the colleges referred to in sub-section (1);

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said University Acts; or

(c) any investigation, legal proceedings or remedy in respect of such penalty, forfeiture or punishment and any such investigation, legal proceedings or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the Tamil Nadu Music and Fine Arts University Act, 2013 had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all statutes, ordinances and regulations made under the University Acts and in force on the appointed date shall, in so far as they are not inconsistent with the provisions of this Act, continue to be in force in respect of the colleges specified in the Schedule, until they are replaced by statutes and regulations made under this Act.

(4) Notwithstanding anything contained in this Act, the statutes, ordinances and regulations continued in force under sub-section (3) or made under this Act, every person who immediately before the appointed date was a student of a college specified in the Schedule, affiliated to or approved by, the Chennai University, Bharathidasan University or was eligible to appear for any of the examinations of the Chennai University, Bharathidasan University shall be permitted to complete his course of study in the Tamil Nadu Music and Fine Arts University and the Tamil Nadu Music and Fine Arts University shall make arrangements for the instruction, teaching and training for such students for such period and in such manner as may be determined by the Tamil Nadu

Music and Fine Arts University in accordance with the course of study in the Chennai University, Bharathidasan University and such students shall during such period be admitted to the examinations held or conducted by the Chennai University, Bharathidasan University and the corresponding degree, diploma or other academic distinctions of the Chennai University, Bharathidasan University shall be conferred upon the qualified students on the result of such examinations by the Chennai University and Bharathidasan University.

(5) All colleges specified in the Schedule which immediately before the appointed date,-

(a) continue to be affiliated to, or recognised by the Chennai University and Bharathidasan University; and

(b) providing courses of study for admission to the examination for degrees and diplomas of the Chennai University and Bharathidasan University shall be deemed to be colleges affiliated to the Tamil Nadu Music and Fine Arts University under this Act and the provisions of this Act shall as far as may be applied accordingly.

(6) Subject to the provisions of sub-section (2) but without prejudice to the provisions of sub-sections (3) to (5), anything done or any action taken before the appointed date under any provision of the said University Acts, in respect of any college specified in the Schedule to which the provisions of this Act apply shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to have an effect accordingly unless and until superseded by anything done or any action taken under the corresponding provisions of this Act.

Special mode of appointment.

56. (1) The Syndicate may invite a person of high academic distinction and professional attainments to accept a post of a Professor in the University on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post, subject to the approval by the Chancellor.

(2) The Syndicate may appoint a teacher or any other member of the academic staff working in any other University or organisation for undertaking a joint project in accordance with the manner prescribed.

Power to amend Schedule.

57. The Government may, by notification, alter, amend or add to the Schedule or omit any college or institution specified in the Schedule or and upon the issue of such notification, the Schedule shall be deemed to be amended accordingly.

Power to give direction.

58. 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.

Power to remove difficulties.

59. (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the appointed date or otherwise in giving effect to the provisions of this Act, the Government may, by notification, make such provision, not inconsistent with the provisions of this Act, as may appear to them to be necessary or expedient for removing the difficulty:

Provided that no such notification shall be issued after the expiry of five years from the date of establishment of the University under section 3.

(2) Every notification issued under sub-section (1) or under any other provisions of this Act shall, as soon as possible after it is 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 notification or the Assembly decides that the notification should not be issued, the notification 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 notification.

THE SCHEDULE

(See sections 1 (3) and 57)

1. Tamil Nadu Government Music College, Chennai.
2. Tamil Nadu Government Music College, Madurai.
3. Tamil Nadu Government Music College, Tiruvaiyaru.
4. Tamil Nadu Government Music College, Coimbatore.
5. Government Fine Arts College, Chennai.
6. Government Fine Arts College, Kumbakonam.
7. Government College for Architecture and Sculpture, Mamallapuram.
8. Kalaikaveri Fine Arts College, Tiruchirappali.

(By order of the Governor)

G. JAYACHANDRAN,
Secretary to Government,
Law Department.



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 24]

CHENNAI, TUESDAY, JANUARY 21, 2020
Thai 7, Vikari, 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 20th January 2020 and is hereby published for general information:—

ACT No. 1 OF 2020.

An Act further to amend the Tamil Nadu Music and Fine Arts University Act, 2013 and the Tamil Nadu Private Colleges (Regulation) Act, 1976.

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

PART-I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Music and Fine Arts University and Private Colleges (Regulation) Amendment Act, 2020. Short title and commencement.

(2) Sections 2, 6 and 7 shall be deemed to have come into force on the 18th September 2019 and the remaining provisions of this Act shall come into force on such date as the State Government may, by notification, appoint.

PART-II.

AMENDMENTS TO THE TAMIL NADU MUSIC AND FINE ARTS UNIVERSITY ACT, 2013.

Tamil Nadu Act
30 of 2013.

2. In section 1 of the Tamil Nadu Music and Fine Arts University Act, 2013 (hereinafter in this Part referred to as the principal Act), for sub-section (1), the following sub-section shall be substituted, namely:— Amendment of section 1.

“(1) This Act may be called the Tamil Nadu Dr. J.Jayalalithaa Music and Fine Arts University Act, 2013.”.

- Amendment of section 15. 3. In section 15 of the principal Act, in clause (a), for the expression “with a degree of Bachelor of Music or Fine Arts or Performing Arts”, the expression “with a Post graduate degree in music or fine arts or performing arts” shall be substituted.
- Amendment of section 22. 4. In section 22 of the principal Act, in sub-section (1), under the heading “Class I - Ex-Officio Members”, after item (h), the following item shall be added, namely:—
“(i) Principal of MGR Government Film and Television Institute, Chennai.”.
- Amendment to Schedule. 5. In the Schedule to the principal Act, under the heading “Part I”, after item 8, the following item shall be added, namely:—
“9. MGR Government Film and Television Institute, Chennai.”.
- Substitution of the expression “the Tamil Nadu Music and Fine Arts University”. 6. In the principal Act, for the expression “the Tamil Nadu Music and Fine Arts University”, wherever it occurs, the expression “the Tamil Nadu Dr.J. Jayalalithaa Music and Fine Arts University” shall be substituted.
- Construction of references to the “Tamil Nadu Music and Fine Arts University” and “Tamil Nadu Music and Fine Arts University Act”. 7. References to “the Tamil Nadu Music and Fine Arts University” and “the Tamil Nadu Music and Fine Arts University Act” in any Act or in any rule, notification, proceeding, order, regulation, by-law or other instrument made or issued under such Act or in any statute or regulation made or continued in force under the principal Act shall be construed as references to “the Tamil Nadu Dr. J. Jayalalithaa Music and Fine Arts University” and “the Tamil Nadu Dr.J.Jayalalithaa Music and Fine Arts University Act”, respectively.

PART-III.

AMENDMENT TO THE TAMIL NADU
PRIVATE COLLEGES (REGULATION) ACT, 1976.

- Insertion of new section 55-A. 8. After section 55 of the Tamil Nadu Private Colleges (Regulation) Act, 1976 (hereinafter in this Part referred to as President’s Act 19 of 1976), the following section shall be inserted, namely:—
President’s Act 19 of 1976.
“55-A. Application of the Act to Music, Fine Arts and Performing Arts Colleges.—The Government may, by notification, direct that any of the provisions of this Act and the rules made thereunder shall apply to the Music, Fine Arts and Performing Arts Colleges to such extent and subject to such modifications and restrictions as may be specified in the notification.”.
- Tamil Nadu Act 30 of 2013. 9. Notwithstanding anything contained in the President’s Act 19 of 1976, the Music, Fine Arts and Performing Arts Colleges, which were granted affiliation by the Tamil Nadu Music and Fine Arts University from the date of commencement of the Tamil Nadu Music and Fine Arts University Act, 2013 till the date of publication of this Act in the *Tamil Nadu Government Gazette* shall, for all purposes, be deemed to have been granted permission for their establishment by the Government at the relevant point of time under the President’s Act 19 of 1976 and the said colleges shall also be deemed to have been validly granted affiliation by the said University under the Tamil Nadu Music and Fine Arts University Act, 2013. Validation.

(By order of the Governor)

C. GOPI RAVIKUMAR,
Secretary to Government (FAC),
Law Department.