



The Mother Teresa Women's University (Amendment) Act, 2002

Act 30 of 2002

Keyword(s):

Affiliated College, Approved College, Autonomous College, College, Constituent College, Registered Graduate, University Area

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 1st June 2002 and is hereby published for general information:—

ACT No. 30 OF 2002.

An Act further to amend the Mother Teresa Women's University Act, 1984.

Enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-third Year of the Republic of India as follows:—

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| <p>1. (1) This Act may be called the Mother Teresa Women's University (Amendment) Act, 2002.</p> <p>(2) It shall come into force on such date as the State Government may, by notification, appoint.</p> | <p>Short title and commencement.</p> |
| <p>2. In the preamble to the Mother Teresa Women's University Act, 1984 (hereinafter referred to as the principal Act), in the second paragraph, for the expression "unitary type", the expression "affiliating type" shall be substituted.</p> | <p>Amendment of preamble.</p> |
| <p>3. After section 1 of the principal Act, the following section shall be inserted, namely:—</p> <p style="padding-left: 40px;">"1-A. <i>Application of this Act.</i>—This Act applies to—</p> <p style="padding-left: 80px;">(a) all constituent colleges;</p> <p style="padding-left: 80px;">(b) all colleges deemed to be affiliated to the University under this Act;</p> <p style="padding-left: 80px;">(c) all colleges situate within the University area and affiliated to, or approved by, the University in accordance with the provisions of this Act or the statutes made thereunder."</p> | <p>Insertion of new section 1-A.</p> |
| <p>4. In section 2 of the principal Act,—</p> <p>(1) for clause (a), the following clauses shall be substituted, namely:—</p> <p style="padding-left: 40px;">"(a)"affiliated college" means any college situate within the University area and affiliated to the University and providing courses of study for admission to the examinations for degrees of the University and includes a college deemed to be affiliated to the University under this Act;</p> <p style="padding-left: 40px;">(ab)"approved college" means any college situate within the University area and approved by the University and providing courses of study for admission to the examinations for titles and diplomas of the University;</p> <p style="padding-left: 40px;">(ac)"autonomous college" means any college designated as an autonomous college by statutes;</p> <p style="padding-left: 40px;">(ad)"college" means any college imparting education exclusively for women, maintained or approved by, or affiliated to, the University and providing courses of study for admission to the examinations of the University and includes a constituent college;</p> <p style="padding-left: 40px;">(ae)"constituent college" means the Government Arts College for Women, Nilakottai and M.V. Muthiah Government Arts College for Women, Dindigul;</p> <p style="padding-left: 40px;">(af)"Government" means the State Government:";</p> <p>(2) after clause (d), the following clauses shall be inserted, namely:—</p> <p style="padding-left: 40px;">"(da) "Principal" means the head of a college;</p> <p style="padding-left: 40px;">(db) "registered graduate" means a graduate registered under this Act;"</p> | <p>Amendment of section 2.</p> |

(3) after clause (g), the following clause shall be inserted, namely:-

"(gg) "University area" means the area comprising the revenue districts of Dindigul and Theni;"

Amendment of
section 3.

5. In section 3 of the principal Act, sub-section (3) shall be omitted.

Amendment of
section 4.

6. In section 4 of the principal Act, for clause (5), the following clauses shall be substituted, namely:-

(5) to confer degrees, titles, diplomas and other academic distinctions on women who shall have pursued an approved course of study in an autonomous college;

(5-a) to hold examinations and to confer degrees, titles, diplomas and other academic distinctions on women who—

(i) shall have pursued an approved course of study in a University college in an affiliated or approved college, unless exempted therefrom in the manner prescribed by the statutes and shall have passed the prescribed examinations of the University; or

(ii) shall have carried on research under conditions prescribed;

(5-b) to hold examinations and to confer degrees, titles, diplomas and other academic distinctions on women who shall have pursued an approved course of study by correspondence, whether residing within the University area or not and to provide such lectures and instructions for women not being residents within the University area under conditions prescribed;

(5-c) to affiliate colleges to the University under conditions prescribed and to withdraw such affiliation:

Provided that no college shall be affiliated to the University unless the permission of the Government to establish such college has been obtained and terms and conditions, if any, of such permission have been complied with;

(5-d) to approve colleges providing courses of study for admission to the examinations for titles and diplomas of the University under conditions prescribed and to withdraw such approval:

Provided that no college shall be approved by the University unless the permission of the Government to establish such college has been obtained and the terms and conditions, if any, of such permission have been complied with;

(5-e) to designate any college as an autonomous college with the prior concurrence of the Government under conditions prescribed and to cancel such designation;"

Substitution of
section 5.

7. For section 5 of the principal Act, the following section shall be inserted, namely:-

"5. *College not to be affiliated to any other University.*— No college within the University area shall be affiliated to any University other than the Mother Teresa Women's University."

Amendment of
section 8.

8. In section 8 of the principal Act, in sub-section (1), for the expression beginning with the words "The Chancellor shall have the right" and ending with the words "connected with the University", the following expression shall be substituted, namely:-

"The Chancellor shall have the right to cause an inspection or inquiry to be made, by such person or persons as he may direct, of the University, its buildings, libraries, museums, workshops and equipment and of any college maintained or approved by, or affiliated to, the University and also of the examinations, 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."

9. In section 9 of the principal Act, in sub-section (1),—

Amendment of
section 9.

(1) in item (5), the word "and" shall be omitted;

(2) after item (5), the following item shall be inserted, namely:—

"(5-A) The Controller of Examinations; and".

10. After section 15 of the principal Act, the following section shall be inserted, namely:—

Insertion of new
section 15-A.

"15-A. *The Controller of Examinations.*—(1) The Controller of Examinations shall be a whole-time officer of the University appointed by the Executive Council for such period and on such terms and conditions as may be prescribed.

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

11. In section 20 of the principal Act, in clause (a),—

Amendment of
section 20.

(1) under the heading "Class I-*Ex-officio* members",

(a) in item 6, the word "and" shall be omitted;

(b) after item 6, the following items shall be inserted, namely:—

"(6-A) The Director of Collegiate Education;

(6-B) The Director of School Education in-charge of Higher Secondary Education;

(6-C) Heads of University Departments of Study and Research;

(6-D) Principals of all affiliated colleges;

(6-E) The Librarian of the University Library;

(6-F) The Director of Physical Education of the University; and";

(2) under the heading "Class II-Other Members", after item (4), the following items shall be inserted, namely:—

"(4-A) One woman member elected by teachers of each affiliated college from among themselves;

(4-B) One woman member elected from among themselves by the Secretaries of the College committees of the private colleges, as defined in the Tamil Nadu Private Colleges (Regulation) Act, 1976 (President's Act 19 of 1976) within the University area;

(4-C) One woman member elected by Headmistress of Higher Secondary Schools for Girls in each revenue district within the University area from among themselves;

(4-D) One woman member elected by registered woman graduates in each revenue district within the University area from among themselves;

(4-E) One woman member elected by the Members of the Tamil Nadu Legislative Assembly from among themselves."

12. In section 23 of the principal Act,—

Amendment of
section 23.

(1) in clause (b),—

(a) under the heading "Class I-*Ex-Officio* Members",—

(i) in item (3), the word "and" shall be omitted;

(ii) after item (4), the following items shall be added, namely:-

"(5) The Secretary to Government in-charge of Law; and

(6) The Director of Collegiate Education.";

(b) under the leading "Class II-Other Members", after item (3), the following items shall be added, namely:-

"(4) One woman member elected by principals of affiliated colleges from among themselves in accordance with the system of proportional representation by means of the single transferable vote;

(5) One woman member elected by teachers of affiliated colleges, other than principals, from among themselves who are members of the academic committee, in accordance with the system of proportional representation by means of the single transferable vote.

Explanation.—For the purpose of this item "teachers" shall mean those teachers elected to the Academic Committee teachers of the affiliated colleges from among themselves.";

(2) in clause (d), for the expression "Health and Family Welfare", the expression "Health and Family Welfare or the Secretary to Government in-charge of Law" shall be substituted.

Amendment of
section 24.

13. In section 24 of the principal Act, after clause (3), the following clauses shall be inserted, namely:-

"(3-A) to prescribe the conditions for approving colleges in which provision is made for the preparation of students for titles or diplomas of the University and to withdraw such approval;

(3-B) to prescribe the conditions for affiliating colleges to the University and to withdraw affiliation from colleges;

(3-C) to prescribe the manner in which, and the conditions subject to which, a college may be designated as an autonomous college and such designation may be cancelled;

(3-D) to provide such lectures and instructions for students of constituent colleges, affiliated colleges and approved colleges as the Academic Committee may determine and also to provide for lectures and instructions to persons not being students of colleges and to grant diplomas to them;

(3-E) to prescribe the fees to be charged for the approval and affiliation of colleges, for admission to the examinations, degrees, titles and diplomas of the University, for the registration of graduates, for the renewal of such registration;

(3-F) to affiliate colleges within the University area to the University and to recognize colleges as approved colleges;

(3-G) to designate any college as an autonomous college with the concurrence of the Government and to cancel such designation;"

Amendment of
section 32.

14. In section 32 of the principal Act after clause (xv), the following clauses shall be inserted, namely:-

"(xv-a) the conditions of registration of graduates and the maintenance of register thereof;

(xv-b) the conditions of recognition of approved colleges and of affiliation to the University of affiliated colleges;

(xv-c) the manner in which, and the conditions subject to which, a college may be designated as an autonomous college, or the designation of such college may be cancelled and the matters incidental to the administration of autonomous colleges including the constitution or reconstitution, powers and duties of Academic Committee, Staff Council, Boards of Studies and Boards of Examiners;"

15. After Chapter VI of the principal Act, the following Chapter shall be inserted, namely:-

Insertion of new
Chapter VI-A.

"CHAPTER VI-A

ADMISSION AND RESIDENCE OF STUDENTS.

33-A. *Admission to University Courses.*—(1) The University shall be open to women only.

(2) No woman shall be admitted to a course of study in the University for admission to the examinations for degrees, titles or diplomas of the University unless she—

- (i) has passed the examination prescribed therefor; and
- (ii) fulfils such other conditions as may be prescribed by the University.

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

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

33-C. *Attendance qualifying for University Examinations.*—No attendance at instruction given in any college other than that maintained, affiliated or approved by the University, shall qualify for admission to any examination of the University.

33-D. *Residences and Hostels.*—Every student of the University other than a non-collegiate student shall be required to reside in a hostel or under such other conditions as may be prescribed."

16. After Chapter VIII of the principal Act, the following chapter shall be inserted, namely:-

Insertion of new
Chapter
VIII-A.

"CHAPTER VIII-A.

TRANSFER OF CERTAIN COLLEGES, EMPLOYEES AND FUNDS.

38-A. *Tamil Nadu Act 33 of 1965 not to apply.*—(1) Subject to the provisions of sub-sections (2) to (6), the Madurai-Kamaraj University Act, 1965 (Tamil Nadu Act 33 of 1965) (hereafter in this section referred to as the University Act) shall, with effect on and from the date of commencement of the Mother Teresa Women's University

(Amendment) Act, 2002 (hereafter in this Chapter referred to as the notified date), cease to apply in respect of every college to which this Act applies.

(2) Such cesser shall not affect—

(a) the previous operation of the University Act 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 University Act; 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 Mother Teresa Women's University (Amendment) Act, 2002 had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all statutes, ordinances and regulations made under the University Act and in force on the notified 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 referred to in sub-section (1), until they are replaced by statutes, ordinances 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 woman who immediately before the notified date was a student of a college within the University areas affiliated to or approved by, the Madurai-Kamaraj University was eligible to appear for any of the examinations of the Madurai-Kamaraj University shall be permitted to complete her course of study in the Mother Teresa Women's University and the Mother Teresa Women's 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 Mother Teresa Women's University, in accordance with the course of study in the Madurai-Kamaraj University and such student shall during such period be admitted to the examinations held or conducted by the Madurai-Kamaraj University and the corresponding degree, diploma or other academic distinctions of the Madurai-Kamaraj University shall be conferred upon the qualified students on the result of such examinations by the Madurai-Kamaraj University.

(5) All colleges within the University area which immediately before the notified date,—

(a) continue to be affiliated to, or recognised by the Madurai-Kamaraj University; and

(b) provide courses of study for admission to the examination for degrees and diplomas of the Madurai-Kamaraj University,

shall be deemed to be colleges affiliated to the Mother Teresa Women's University under this Act and the provisions of this Act shall as far as may be, apply 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 notified date under any provisions of the University Act in respect of any area to which the provisions of this Act apply shall be deemed to have been done or taken under the corresponding provision of this Act and shall continue to have effect accordingly unless and until superseded by anything done or any action taken under the corresponding provisions of this Act.

38-B. *Transfer of certain Colleges to University.*— (1) Notwithstanding anything contained in the Madurai-Kamaraj University Act, 1965 (Tamil Nadu Act 33 of 1965)

or the statutes, regulations and orders made thereunder, on and from the notified date, the colleges specified in clause (ae) of section 2 of this act shall be transferred to and maintained by the Mother Teresa Women's University as the constituent colleges of that University.

(2) On and from the notified date, the control and management of the colleges specified in sub-section (1) and all properties, assets and liabilities of the Government in relation thereto shall stand transferred to, and vest in, the University.

38-C. Transfer of certain employees.—(1) Every person, who immediately before the notified date, is serving in the colleges specified in clause (ae) of section 2 of this Act shall, as from the said date, become an employee of the University and shall cease to be an employee of the Government.

(2) (a) As soon as may be, after the notified date, the Government may, after consulting the Vice-Chancellors of the Mother Teresa Women's University and the Madurai-Kamaraj University direct, by general or special order, that such of the employees of the Madurai-Kamaraj University as are specified in such order shall stand allotted to serve in connection with the affairs of the Mother Teresa Women's University with effect on and from such date as may be specified in such order:

Provided that no such order shall be issued in respect of any such employee without his consent for such allotment.

(b) With effect on and from the date specified in the order under clause (a), the persons specified in such order shall become employees of the Mother Teresa Women's University and shall cease to be employees of the Madurai-Kamaraj University.

(3) Every person referred to in sub-sections (1) and (2) shall hold office under the Mother Teresa Women's University for the same tenure at the same remuneration and upon the same rights and privileges as to pension or gratuity, if any, and other matters as he would have held the same on the notified date or the date specified in the order under clause (a) of sub-section (2), as the case may be, as if the Mother Teresa Women's University (Amendment) Act, 2002 had not been passed.

(4) The liability to pay pension and gratuity to the persons referred to in sub-sections (1) and (2) shall be the liability of the Mother Teresa Women's University.

38-D. Transfer of accumulations in Provident Fund and other like Funds.— (1) The sums at the credit of the Provident Fund Accounts of the persons referred to in sub-section (1) of section 38-C as on the notified date and of the persons referred to in sub-section (2) of that section as on the date specified in the order under clause (a) of the said sub-section (2) shall be transferred to the Mother Teresa Women's University and the liability in respect of the said Provident Fund Accounts shall be the liability of the Mother Teresa Women's University.

(2) There shall be paid to the Mother Teresa Women's University out of the accumulations in the Superannuation Fund and other like funds, if any, of the Madurai-Kamaraj University or, of the Government, such amounts as have been credited to the Superannuation Fund or other like Funds, if any, on behalf of the persons referred to in sub-sections (1) and (2) of section 38-C. The amounts so paid shall form part of the Superannuation Fund or other like Funds, if any, that may be established by the Mother Teresa Women's University for the benefit of its employees.

38-E. Payment of certain moneys to the Mother Teresa Women's University.— (1) The Madurai-Kamaraj University shall out of its funds as on the notified date, pay to the Mother Teresa Women's University such amount as the Government may, in consultation with the Madurai-Kamaraj University specify.

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

(2) The amount payable under sub-section (1) shall be in addition to the amounts transferred under section 38-D."

tion of new
ctions
4-A and
4-B.

17. After section 44 of the principal Act, the following sections shall be inserted, namely:-

"44-A. *Registration of women graduates.*—(1) On and after the date of commencement of the Mother Teresa Women's University (Amendment) Act, 2002, every woman ordinarily resident within the University area, who—

(i) has been for atleast three years a graduate of any University in the territory of India; or

(ii) is a registered graduate of any University in the territory of India shall be entitled to have her name entered in the register of graduates maintained under this Act for a period of five years on payment of such fee and subject to such conditions as may be prescribed by the statutes.

(2) All applications for registration under sub-section (1) shall be sent to the Registrar together with the prescribed fee and such proof of qualifications as may be prescribed by the statutes.

(3) The Registrar shall, on receipt of an application made under sub-section (2) and after making such enquiry as the Registrar deems fit, enter in the register of graduates the name of the applicant.

(4) Every woman whose name has been entered in the register of graduates under sub-section (3) shall be entitled to have such entry renewed every five years on application made in that behalf to the Registrar within such time, in such manner and on payment of such fee as may be prescribed by the statutes.

44-B. *Report on colleges.*—The Executive Council shall, at the end of every three years from the date of commencement of the Mother Teresa Women's University (Amendment) Act, 2002, submit a report to the Government on the condition of constituent, affiliated and approved colleges within the University area. The Government shall take such action on it as they deem fit."

(By order of the Governor)

A. KRISHNANKUTTY NAIR,
Secretary to Government,
Law Department.