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Part IV—Section 1

Tamil Nadu Bills

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**BILLS INTRODUCED IN THE LEGISLATIVE ASSEMBLY OF THE
STATE OF TAMIL NADU**

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 11th July, 2017 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 31 of 2017.

A Bill further to amend the Tamil Nadu Fisheries University Act, 2012.

Short title and commencement.

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

1. (1) This Act may be called the Tamil Nadu Fisheries University (Amendment) Act, 2017.

(2) It shall come into force at once.

Amendment of section 11.

2. In section 11 of the Tamil Nadu Fisheries University Act, 2012, for sub-section (2) including the proviso thereto, the following sub-sections shall be substituted, namely.-

Tamil Nadu Act 21 of 2012.

“(2) For the purpose of sub-section (1), the Committee shall consist of —

(i) a nominee of the Chancellor, who shall be a retired Judge of the Supreme Court or any High Court or an eminent educationist;

(ii) a nominee of the Board of Management who shall be an eminent educationist; and

(iii) a nominee of the Academic Council who shall be an eminent educationist.

Explanation.— For the purpose of this sub-section, “eminent educationist” means a person,—

(i) who is or has been a Vice-Chancellor of any University established by the State Government or Central Government; or

(ii) who is a distinguished academician, with a minimum of ten years of experience as Professor in a State or Central University or in both taken together; or

(iii) who is or has been a Director or Head of any institute of national importance:

Provided that the person so nominated shall not be a member of any of the authorities of the University or shall not be connected with the University or any college or any recognized institution of the University.

(2-A) A person recommended by the Committee for appointment as Vice-Chancellor shall be a distinguished academician with highest level of competence, integrity, morals and institutional commitment and also possess the educational qualifications prescribed in sub-section (1).

(2-B) The process of nominating the members to the Committee by the Chancellor, the Board of Management and the Academic Council shall begin six months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor and shall be completed four months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor.

(2-C) The process of preparing the panel of suitable persons for appointment as Vice-Chancellor shall begin atleast four months before the probable date of occurrence of the vacancy in the office of the Vice-Chancellor.

(2-D) The Committee shall submit its recommendation to the Chancellor within four months from the date of its constitution. If the Committee does not submit its recommendation to the Chancellor within the said period, the Chancellor may grant further time to the Committee to submit its recommendation or take steps to constitute another Committee in accordance with sub-section (2).".

STATEMENT OF OBJECTS AND REASONS

At present, in the Tamil Nadu Fisheries University Act, 2012 (Tamil Nadu Act 21 of 2012), no qualification has been prescribed for the members of Search Committee. Further, no time limit has been fixed to make recommendation by the Search Committee to the Chancellor for appointment of Vice-Chancellor and for preparing the panel of suitable persons for appointment as Vice-Chancellor. The Government have, therefore, decided to amend the said Tamil Nadu Act 21 of 2012 suitably to make specific provisions for the above said purposes.

2. The Bill seeks to give effect to the above decision.

D. JAYAKUMAR,

*Minister for Fisheries, Finance and
Personnel and Administrative Reforms.*

K. BOOPATHY,

Secretary (In-charge).

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 11th July, 2017 is published together with statement of Objects and Reasons for general information:—

L.A. Bill No. 32 of 2017.

A Bill further to amend the Tamil Nadu Dr. Ambedkar Law University Act, 1996.

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

1. (1) This Act may be called the Tamil Nadu Dr. Ambedkar Law University (Amendment) Act, 2017.

Short title and commencement.

(2) It shall come into force at once.

2. In section 12 of the Tamil Nadu Dr. Ambedkar Law University Act, 1996, for sub-section (2) including the proviso thereto, the following sub-sections shall be substituted, namely:-

Amendment of section 12.

“(2) For the purpose of sub-section (1), the Committee shall consist of —

(i) a nominee of the Government, who shall be a retired Judge of the Supreme Court or any High Court or an eminent educationist;

(ii) a nominee of the Academic Senate who shall be an eminent educationist; and

(iii) a nominee of the Syndicate who shall be an eminent educationist.

Explanation.— For the purpose of this sub-section, “eminent educationist” means a person,—

(i) who is or has been a Vice-Chancellor of any Law University or National Law School established by the State Government or Central Government; or

(ii) who is a distinguished academician, with a minimum of ten years of experience as Professor in any Law University or National Law School or in both taken together; or

(iii) who is or has been a Director or Head of any Law University or National Law School:

Provided that the person so nominated shall not be a member of any of the authorities of the University or shall not be connected with the University or any college or any recognized institution of the University.

(2-A) A person recommended by the Committee for appointment as Vice-Chancellor shall—

(i) be a distinguished academician with highest level of competence, integrity, morals and institutional commitment;

(ii) possess such educational qualifications and experience as may be specified by the State Government in consultation with the Chancellor by an order published in the *Tamil Nadu Government Gazette*.

(2-B) The process of nominating the members to the Committee by the Government, the Academic Senate and the Syndicate shall begin six months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor and shall be completed four months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor.

(2-C) The process of preparing the panel of suitable persons for appointment as Vice-Chancellor shall begin at least four months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor.

(2-D) The Committee shall submit its recommendation to the Chancellor within four months from the date of its constitution. If the Committee does not submit its recommendation to the Chancellor within the said period, the Chancellor may grant further time to the Committee to submit its recommendation or take steps to constitute another Committee in accordance with sub-section (2).”.

Savings.

3. Nothing contained in sub-sections (2), (2-A), (2-B), (2-C) and (2-D) of section 12 of the Tamil Nadu Dr. Ambedkar Law University Act, 1996, as amended or inserted by the Tamil Nadu Dr. Ambedkar Law University (Amendment) Act, 2017, shall apply to the Committee constituted under sub-section (2) of section 12 of the Tamil Nadu Dr. Ambedkar Law University Act, 1996 immediately before the commencement of the Tamil Nadu Dr. Ambedkar Law University (Amendment) Act, 2017.

Tamil Nadu
Act 43 of
1997.

Tamil Nadu
Act 43 of
1997.

STATEMENT OF OBJECTS AND REASONS.

At present in the Tamil Nadu Dr. Ambedkar Law University Act, 1996 (Tamil Nadu Act 43 of 1997) no qualification has been prescribed for members of Search Committee and for the Vice-Chancellor. Further, no time limit has been fixed to make recommendation by the Search Committee to the Chancellor for appointment of Vice-Chancellor and for preparing the panel of suitable persons for appointment as Vice-Chancellor. The Government have therefore decided to amend the said Tamil Nadu Act suitably to make specific provisions for the above said purposes.

2. This Bill seeks to give effect to the above decision.

C.Ve. SHANMUGAM,
*Minister for Law,
Courts and Prisons.*

K. BOOPATHY,
Secretary (In-charge).

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 11th July, 2017 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 33 of 2017.

A Bill further to amend the Tamil Nadu Value Added Tax Act, 2006.

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

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Value Added Tax (Third Amendment) Act, 2017.

(2) It shall be deemed to have come into force on the 9th day of June 2017.

Amendment of Second Schedule.

2. In the Second Schedule to the Tamil Nadu Value Added Tax Act, 2006, in Serial Number 5, after item (ii) and the entries relating thereto, the following item and entries shall, respectively, be added, namely:—

Tamil Nadu Act 32 of 2006.

“(iii) Aviation Turbine Fuel sold at airports falling under Regional Connectivity Scheme (RCS) in the State to airline operators operating RCS Flights as defined in “Regional Connectivity Scheme-UDAN” issued by the Ministry of Civil Aviation, Government of India.	At the point of first sale in the State.	1 per cent.”.
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STATEMENT OF OBJECTS AND REASONS.

The Ministry of Civil Aviation, Government of India has launched the Regional Connectivity Scheme (RCS)-UDAN under the National Civil Aviation Policy 2016 to enhance the regional air connectivity through fiscal support and infrastructure development. To implement the said Scheme in Tamil Nadu, a Memorandum of Understanding (MOU) was signed between Ministry of Civil Aviation, Government of India and Government of Tamil Nadu on the 8th of June, 2017. One of the key elements under the said Scheme is to levy concessional rate of Value Added Tax on Aviation Turbine Fuel at 1% for the Regional Connectivity Scheme routes. Accordingly, a notification was issued under sub-section (1) of section 86 of the Tamil Nadu Value Added Tax Act, 2006 (Tamil Nadu Act 32 of 2006) to amend the Second Schedule to that Act for the said purpose. Under sub-section (2) of Section 86 of the said Act, a Bill to replace the aforesaid notification has to be introduced in the Legislative Assembly.

2. The Bill seeks to achieve the above object.

K.C. VEERAMANI,
Minister for Commercial Taxes.

K. BOOPATHY,
Secretary (In-charge).

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 11th July, 2017 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 34 of 2017.

A Bill further to amend the Tamil University Act, 1982.

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

Short title and commencement.

1. (1) This Act may be called the Tamil University (Amendment) Act, 2017.
- (2) It shall come into force at once.

Amendment of Section 12.

2. In section 12 of the Tamil University Act, 1982, for sub-section (2) including the proviso thereto, the following sub-sections shall be substituted, namely:-

Tamil Nadu Act 9 of 1982.

“(2) For the purpose of sub-section (1), the Committee shall consist of —

- (i) a nominee of the Chancellor, who shall be a retired Judge of the Supreme Court or any High Court or an eminent educationist;
 - (ii) a nominee of the Government, who shall be a retired or serving officer of the State Government not below the rank of Principal Secretary to Government or an eminent educationist;
 - (iii) a nominee of the Senate who shall be an eminent educationist;
- and
- (iv) two nominees of the Syndicate who shall be eminent educationists.

Explanation.— For the purpose of this sub-section, “eminent educationist” means a person,—

- (i) who is or has been a Vice-Chancellor of any University established by the State Government or Central Government; or
- (ii) who is a distinguished academician, with a minimum of ten years of experience as Professor in a State or Central University or in both taken together; or
- (iii) who is or has been a Director or Head of any institute of national importance:

Provided that the person so nominated shall not be a member of any of the authorities of the University or shall not be connected with the University or any college or any recognized institution of the University.

(2-A) A person recommended by the Committee for appointment as Vice-Chancellor shall—

- (i) be a distinguished academician with highest level of competence, integrity, morals and institutional commitment;
- (ii) possess such educational qualifications and experience as may be specified by the State Government in consultation with the Chancellor by an order published in the *Tamil Nadu Government Gazette*.

(2-B) The process of nominating the members to the Committee by the Chancellor, the Government, the Senate and the Syndicate shall begin six months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor and shall be completed four months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor.

(2-C) The process of preparing the panel of suitable persons for appointment as Vice-Chancellor shall begin atleast four months before the probable date of occurrence of the vacancy in the office of the Vice-Chancellor.

(2-D) The Committee shall submit its recommendation to the Chancellor within four months from the date of its constitution. If the Committee does not submit its recommendation to the Chancellor within the said period, the Chancellor may grant further time to the Committee to submit its recommendation or take steps to constitute another Committee in accordance with sub-section (2).”

STATEMENT OF OBJECTS AND REASONS.

At present, in the Tamil University Act, 1982 (Tamil Nadu Act 9 of 1982), no qualification has been prescribed for the members of Search Committee and for the Vice-Chancellor. Further, no time limit has been fixed to make recommendation by the Search Committee to the Chancellor for appointment of Vice-Chancellor and for preparing the panel of suitable persons for appointment as Vice-Chancellor. The Government have, therefore, decided to amend the said Tamil Nadu Act 9 of 1982 suitably to make specific provisions for the above said purposes.

2. The Bill seeks to give effect to the above decision.

SEVOOR S. RAMACHANDRAN,
*Minister for Hindu Religious and
Charitable Endowments.*

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Sub-section (2-A) (ii) of section 12 of the Tamil University Act, 1982 (Tamil Nadu Act 9 of 1982), proposed to be inserted by clause 2 of the Bill authorizes the Government to issue an order to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

SEVOOR S. RAMACHANDRAN,
*Minister for Hindu Religious and
Charitable Endowments.*

K. BOOPATHY,
Secretary (In-charge).