

782 *Madras University, Annamalai* [1982 T.N. Act 11  
*University and Anna University (Amendment)*

TAMIL NADU ACT NO. 11 OF 1982.\*

THE MADRAS UNIVERSITY, ANNAMALAI  
UNIVERSITY AND \*\*ANNA UNIVERSITY  
(AMENDMENT) ACT, 1982.

[*Received the assent of the President on the 12th March 1982,  
first published in the Tamil Nadu Government Gazette  
Extraordinary on the 13th March 1982 (Masi 29, Thun-  
mathi, Thiruvalluvar Aandu-2013).*]

*An Act further to amend the Madras University Act, 1923,  
the Annamalai University Act, 1928 and the \*\*Anna  
University Act, 1978.*

BE it enacted by the Legislature of the State of Tamil Nadu  
in the Thirty-third Year of the Republic of India as  
follows :—

PART I.

*Preliminary.*

Short title and commencement. 1. (1) This Act may be called the Madras University,  
Annamalai University and \*\*Anna University (Amend-  
ment) Act, 1982.

(2) This Act, except Part II, shall be deemed to have  
come into force on the 21st December 1981 and Part II  
shall be deemed to have come into force on the 1st  
December 1981.

PART II.

*Amendments to the Madras University Act, 1923.*

Insertion of  
new section  
5-A in Tamil  
Nadu Act VII  
of 1923.

2. After section 5 of the Madras University Act, 1923  
(Tamil Nadu Act VII of 1923) (hereinafter referred to as  
the 1923 Act), the following section shall be inserted,  
namely :—

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\*For Statement of Objects and Reasons, see Tamil Nadu Govern-  
ment Gazette Extraordinary dated the 11th February 1982,  
Part IV, Section 1, page 47.

\*\*By virtue of section 5 of the Perarignar Anna University of  
Technology (Amendment and Special Provisions) Act, 1982  
(Tamil Nadu Act 26 of 1982) any reference to "Perarignar Anna  
University of Technology Act" has been construed as "Anna  
University Act".

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“ 5-A. *Disqualification for election or nomination in certain cases.*—(1) Notwithstanding anything contained in sections 14, 18 or 23, no person who has held office as a member for a total period of six years in any one or two of the following authorities, namely :—

- (i) the Senate,
- (ii) the Syndicate, and
- (iii) the Academic Council,

shall be eligible for election or nomination to any of the said three authorities.

*Explanation I.*—For the purpose of this sub-section, the expression ‘period’ shall include the period held prior to the 1st December 1981.

*Explanation II.*—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 either by election or by nomination and the period of three years during which he held office in another authority either by election or by nomination shall be taken into account and accordingly such person shall not be eligible for election or nomination to any one of the said three authorities :

Provided that for the purposes of this sub-section, a person who has held office in any one of the said three authorities in a casual vacancy shall be deemed to have held office for a period of three years in that authority :

Provided further that for the purposes of the sub-section, if a person was elected or nominated to one authority and such person became 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 14 (a), but not including members of the Syndicate who are not otherwise members of the Senate referred to in item (10),

(ii) *ex-officio* members referred to in section 18 (a), and

(iii) *ex-officio* members referred to in section 23 (a), but not including members of the Syndicate who are not otherwise members of the Academic Council referred to in item (5).”

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Amendment of  
section 14,  
Madras University  
Act VII of 1923.

3. In section 14 of the 1923 Act,—

(1) in clause (a), the heading 'Life Members' and items (1) and (2) thereunder shall be omitted;

(2) in clause (b),—

(a) for the expression "for a period of three years" the expression "for a period of three years and such members shall be eligible for election or nomination for not more than another period of three years" shall be substituted ;

(b) for the first proviso, the following proviso shall be substituted, namely :—

"Provided that where a member is elected or nominated to the Senate to a casual vacancy, the period of office held by any such member shall be construed as a full period of three years for the purpose of this clause.";

(c) the following *Explanation* shall be added at the end, namely :—

"*Explanation.*—For the purpose of this clause, the expression "period" shall include the period held prior to the 1st December 1981."

Amendment of  
section 18,  
Madras University  
Act VII of 1923.

4. In clause (b) of section 18 of the 1923 Act,—

(a) for the expression "for a period of three years", the expression "for a period of three years and such members shall be eligible for election or nomination for not more than another period of three years" shall be substituted ;

(b) for the first proviso, the following proviso shall be substituted, namely :—

"Provided that where a member is elected or nominated to the Syndicate to a casual vacancy, the period of office held by any such member shall be construed as a full period of three years for the purpose of this clause.";

(c) the following *Explanation* shall be added at the end, namely :—

"*Explanation.*—For the purpose of this clause, the expression "period" shall include the period held prior to the 1st December 1981."

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5. In clause (b) of section 23 of the 1923 Act,— Amendment of section 23, Tamil Nadu Act VII of 1923.

(a) for the expression “for a period of three years”, the expression “for a period of three years and such members shall be eligible for election or nomination for not more than another period of three years” shall be substituted ;

(b) for the first proviso, the following proviso shall be substituted, namely :—

“Provided that where a member is elected or nominated to the Academic Council to a casual vacancy, the period of office held by any such member shall be construed as a full period of three years for the purpose of this clause :” ;

(c) the following *Explanation* shall be added at the end, namely :—

“*Explanation.*—For the purpose of this clause, the expression “period” shall include the period held prior to the 1st December 1981.”.

### PART III.

#### *Amendments to the Annamalai University Act, 1928.*

6. In section 15 of the Annamalai University Act, 1928 (Tamil Nadu Act I of 1929) (hereinafter referred to as the 1929 Act), the heading “Class II—*Life Members*” and items (1) and (2) thereunder shall be omitted. Amendment of section 15, Tamil Nadu Act I of 1929.

7. In sub-section (1) of section 33 of the 1929 Act, for the words “shall except in the case of *ex-officio* or life members hold office up to the date of the next reconstitution”, the following shall be substituted, Amendment of section 33, Tamil Nadu Act I of 1929.  
namely :—

“shall, except in the case of *ex-officio* member,—

(a) be eligible for selection or nomination to the Senate, Academic Council or Syndicate for not more than another period of three years ; and

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(b) in the case of any other authority or body hold office upto the date of its next reconstitution;

Provided that where a member is elected or nominated to a casual vacancy to the Senate, Academic Council or Syndicate the period of office held by any such member shall be construed as a full period of three years for the purpose of this sub-section.

*Explanation.*—For the purpose of this sub-section, the expression “period” shall include the period held prior to the 21st December 1981.”

Insertion of new section 33-A in Tamil Nadu Act I of 1929.

8. After section 33 of the 1929 Act, the following section shall be inserted, namely :—

“33-A. *Disqualification for election or nomination in certain cases.*—Notwithstanding anything contained in sections 15, 17, 21 or 33,—

(1) no person who had held office as a member for a total period of six years in any one or two of the following authorities, namely:—

(i) the Senate,

(ii) the Syndicate, and

(iii) the Academic Council,

shall be eligible for election or nomination to any of the said three authorities.

*Explanation.*—For the purpose of computing the total period of six years referred to in this clause, the period of three years during which a person held office in one

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authority either by election or by nomination and the period of three years during which he held office in another authority either by election or by nomination shall be taken into account and accordingly such person shall not be eligible for election or nomination to any one of the said three authorities :

Provided that for the purposes of this clause, a person who has held office in any one of the said three authorities in a casual vacancy under section 33 (3) shall be deemed to have held office for a period of three years in that authority :

Provided further that for the purposes of this clause, if a person was elected or nominated to one authority and such person became 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 clause (1) shall have application in respect of—

(i) *ex-officio* members referred to in section 15 Class—I, but not including members of the Syndicate who are not otherwise members of the Senate referred to in item (11),

(ii) *ex-officio* members referred to in section 17 Class—I, but not including members of the Syndicate who are not otherwise members of the Academic Council referred to in item (5) ; and

(iii) *ex-officio* members referred to in section 21 Class—I.

*Explanation.*—For the purpose of this section the expression ‘period’ shall include the period held prior to the 21st December 1981.”.

#### PART IV.

##### *Amendments to the Anna University Act,\* 1978.*

9-11. [The amendments made by these sections have already been incorporated in the principal Act, namely, the Anna University Act,\* 1978 (Tamil Nadu Act 30 of 1978).

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\*By virtue of section 5 of the Perarignar Anna University of Technology (Amendment and Special Provisions) Act, 1982 (Tamil Nadu Act 26 of 1982) any reference to “Perarignar Anna University of Technology Act” has been constructed as “Anna University Act”.

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PART V.

*Miscellaneous.*

Removal of  
doubts.

12. For the removal of doubts, it is hereby declared that notwithstanding anything contained in the 1923 Act, the 1929 Act or the 1978 Act as amended by this Act, every member of the Senate, Syndicate or Academic Council, as the case may be, elected or nominated,—

(i) in the case of the Madras University, before the 1st December 1981, shall continue to be such member for the period for which he would have continued as such member but for the amendments made to the 1923 Act by Part II of this Act, and ;

(ii) in the case of the Annamalai University and the Anna University\* before the 21st December 1981, shall continue to be such member for the period for which he would have continued as such member but for the amendments made to the 1929 Act by Part III or the 1978 Act by Part IV of this Act :

Provided that nothing contained in this section shall be construed as enabling any member referred to therein to continue as a member of any of the authorities in any of the said Universities of which he may happen to be a member by virtue of his membership of the Senate, Syndicate or Academic Council, as the case may be, after he ceases to be a member of the Senate, Syndicate or Academic Council, as the case may be.

Certain proce-  
dings to hold  
elections to be  
void.

13. (1) Every action taken and every proceeding commenced on or after the 1st December 1981 but before the 21st December 1981, to hold election to the Senate, Syndicate or Academic Council of the Madras University shall be deemed to be null and void and accordingly fresh action or proceeding shall hereafter be taken in accordance with the provisions of the 1923 Act as amended by this Act.

(2) For the removal of doubts, it is hereby declared that notwithstanding anything contained in the 1923 Act as amended by this Act, every member who ceases to be

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\* By virtue of section 5 of the Perarignar Anna University of Technology (Amendment and Special Provisions) Act, 1982 (Tamil Nadu Act 26 of 1982) any reference to "Perarignar Anna University of Technology" has been construed as "Anna University".

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a member of the Senate, Syndicate or Academic Council by reason of the operation of sub-section (1) shall cease to be a member of—

(i) the Syndicate or the Academic Council, as the case may be, to which he was elected in his capacity as a member of the Senate; or

(ii) the Syndicate to which he was elected in his capacity as a member of the Academic Council and to which Council he was elected in his capacity as a member of the Senate, with effect on and from the date on which he ceases to be a member of the Senate or Academic Council by reason of sub-section (1).

**14. (1) The Madras University, Annamalai University Repeal and Anna University\* (Amendment) Ordinance, 1981** <sup>saving.</sup>  
(Tamil Nadu Ordinance 18 of 1981) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the 1923 Act, the 1929 Act or the 1978 Act as amended by the said Ordinance shall be deemed to have been done or taken under the 1923 Act, the 1929 Act or the 1978 Act, as the case may be, as amended by this Act.

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\*By virtue of section 5 of the Perarignar Anna University of Technology (Amendment and Special Provisions) Act, 1982 (Tamil Nadu Act 26 of 1982) any reference to "Perarignar Anna University of Technology" has been construed as "Anna University".