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PART - IV

GOVERNMENT OF MEGHALAYA

LAW (B) DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 30th March, 2012.

No.LL(B)20/2012/25.—Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Act, 2012 (Act No. 8 of 2012) is hereby published for general information.

MEGHALAYA ACT NO. 8 OF 2012.

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 29th March, 2012.

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**MEGHALAYA PRIVATE UNIVERSITIES (REGULATION OF ESTABLISHMENT AND
MAINTENANCE OF STANDARDS) ACT, 2012**

**An
Act**

to provide for regulation of private Universities in the State and for matters connected therewith.

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Whereas it is necessary to ensure that private universities maintain the standards of infrastructures, teaching, research, examination and extension of services, fee structure, safeguarding the interest of the state as a whole and in particular of the student community by emphasizing on quality education and avoiding commercialization of higher education.

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-third Year of the Republic of India as follows: -

Short title, 1. (1) This Act may be called the Meghalaya Private Universities
application and (Regulation of Establishment and Maintenance of Standards) Act,
commencement 2012.

(2) It shall apply to all private universities established by or incorporated under a State Act and opened in Meghalaya in collaboration with foreign University, formal and non-formal or distance education made by private universities.

(3) It shall come into force with effect from the date of notification.

Definitions. 2. In this Act, unless the context otherwise requires, -

- (a) "Act" means the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standard) Act, 2012;
- (b) "application fee" means amount deposited by the sponsoring body along with the proposal and project report to establish a university in private sector;
- (c) "off-campus center" means a center of the private university established by it outside the main campus (within or outside the State) operated and maintained as its constituent unit, having the university's compliment of facilities, faculty and staff;
- (d) "off-shore campus" means a campus of the private university established by it outside the country, operated and maintained as its constituent unit, having the university's compliment of facilities, faculty and staff;
- (e) "off-campus centre" "off-shore campus" and "study centre" as defined under these Regulations shall be applicable to the universities as defined under 2(f) of the UGC Act, 1956;
- (f) "prescribed" means prescribed by rules made under this Act;
- (g) "Private university" means university duly established through a State Act by a sponsoring body viz. a Society registered under the Meghalaya Registration of Societies Act, 1983 or any other corresponding law for the time being in force in a State or a Public Trust or a Company registered under Section 25 of the Companies Act, 1956;
- (h) "State Government" means the State Government of Meghalaya;
- (i) "study center" means a center established ad maintained or recognized by the university for the purpose of advising, counseling or for rendering any other assistance required by the students used in the context of distance education; and
- (j) "Student" means a person duly admitted and pursuing a programme of study;

**Establishment
and recognition
of Private
Universities.**

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3. (1) Each private university shall be established by a separate State Act and shall conform to the relevant provisions of such State Act.

(2) For a Private University established by a State Act and which is non-functional within 2(two) years of establishment, any land allotted, whether privately owned or on lease or otherwise, will revert back to the owners(s) / lessee(s) on terms and conditions agreed upon.

(3) A private university shall be a unitary university having adequate facilities for teaching, research, examination and extension services with no power of affiliation.

(4) Government Representatives shall be included in the Board of Governors.

(5) A private university established under a State Act shall operate ordinarily within the boundary of the State concerned, subject to the following conditions, namely, -

- (a) a private university shall fulfill the minimum criteria in terms of programmes, faculty, infrastructural facilities, financial viability as laid down from time to time by the UGC and other concerned statutory bodies to which it applies such as the All India Council for Technical Education (AICTE), the Bar Council of India (BCI), the Distance Education Council (DEC), the Dental Council of India (DCI), the Indian Nursing Council (INC), the Medical Council of India (MCI), the National Council for Teacher Education (NCTE), the Pharmacy Council of India (PCI), etc;
- (b) the courses of studies prescribed for a first degree and/or the postgraduate degree/diploma programmes should have been formally approved by the respective academic bodies of the private university, such as Board of Studies, Academic Council or Governing Council or Executive Council;
- (c) the programmes of study leading to a degree and or a

post graduate degree or diploma offered by a private university shall conform to the relevant regulations or norms of the Education Department, Government of Meghalaya or the concerned statutory body as amended from time to time;

- (d) a private university shall provide all the relevant information relating to the first degree or diploma programme(s) including the curriculum structure, contents, teaching and learning process, examination and evaluation system and the eligibility criteria for admission of students, to the education Department, Government of Meghalaya on a proforma prescribed by the UGC or Department prior to starting of these programmes;
- (e) Education Department, Government of Meghalaya on detailed examination of the information made available as well as the representations and grievances received by it from the students as well as concerned public relating to the deficiencies of the proposed programme(s) not conforming to various Government regulations, shall inform the concerned university about any shortcomings in respect of conformity to relevant regulations, for rectification. The university shall offer the programme(s) only after necessary rectification;
- (f) the admission procedure and fixation of fees shall be in accordance with the norms or guidelines prescribed by the UGC and other concerned statutory bodies;
- (g) relaxation of fees for poor SC/ST and meritorious students of the State is to be formulated by a separate policy of the private university in consultation with Government of Meghalaya.

**Application for
establishment
of Private
Universities.**

4. (1) An application in the prescribed format along with letter of intent for establishment of a private university shall be submitted to the Government in the Education Department well in time before the date on which the sponsoring body proposes to establish such private university.

(2) The application shall be duly acknowledged by the Director of Higher and Technical Education, Meghalaya.

(3) The application shall be signed by such persons authorized to authenticate instruments on behalf of the sponsoring body.

(4) An application fee (non-refundable) of rupees ten thousand only shall be enclosed with the application through a crossed account payee bank draft in favour of the Government of Meghalaya through the Director of Higher and Technical Education, Meghalaya, payable at Shillong. The money received on account of application fee shall be deposited by the Director of Higher and Technical Education in current account in a nationalized bank to be operated jointly by the Director of Higher and Technical Education and the Finance and Accounts Officer of the Directorate.

(5) Application for the establishment of the private university shall contain the project report with all relevant particulars and be accompanied by at least ten copies of such detailed project report including soft copies in a format to be prescribed by the Department at the appropriate time.

(6) The Government has the right to reject an application for reasons as it deems justifiable. The sponsoring body may, however, apply afresh for a new or a modified project along with application fee, not later than 6 months from the date of rejection of previous proposal.

Acceptance and Rejection

5. (1) In case of acceptance or rejection of the application for establishment of a private university, the Government shall communicate the same formally.

(2) In case of acceptance, when the formalities as per the relevant Act have been complied with, the sponsor shall procure land and have

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