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PART - IV

GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT
ORDERS BY THE GOVERNOR

NOTIFICATION

The 4th January, 2011.

No.LL(B)47/2010/19.— The University of Technology and Management Act, 2010 (Act No. 3 of 2011) is hereby published for general information.

MEGHALAYA ACT NO. 3 OF 2011

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 30th December, 2010.

Published in the Gazette of Meghalaya Extra-Ordinary issue dated 4th January, 2011.

UNIVERSITY OF TECHNOLOGY AND MANAGEMENT ACT, 2010

**An
Act**

to establish and incorporate a University in the name of University of Technology and Management with facilities for education, training and research in the areas of applied sciences, technology, management, medicine, fashion & design, law and other related studies sponsored by Hydrocarbons Education & Research Society, registered under Societies Registration Act, 1860 at New Delhi and to provide for matters connected therewith or incidental thereto.

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

Short title and commencement. 1. (1) This Act may be called the University of Technology and Management Act, 2010

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

Definitions.

2. In this Act, unless the context otherwise required:-

- (a) "Academic Council" means the Academic Council of the University;
- (b) "Act" means the University of Technology and Management Act, 2010;
- (c) "BCI" means the Bar Council of India;
- (d) "Board of Governors" means the Board of Governors of the University;
- (e) "Career Academy Centre" means a centre established, maintained or recognized by the University for the purpose of receiving telecast, e-mail, internet, interactive talk back, conducting training, organize lectures, seminars and workshops, advising, counseling or rendering any other assistance required by the students;
- (f) "Chancellor" means Chancellor of the University;
- (g) "Constituent Institute" means a School or an institute, regional center, study center, off-campus center, career academy center established by the University;
- (h) "Council for Technical Education" means the All India Council for Technical Education established under section (3) of the All India Council for Technical Education Act, 1987;
- (i) "Dean" means the Dean of a Faculty of the University;
- (j) "Director" in relation to a constituent school/department, means the head of the constituent school/department, and includes, where there is no Dean, the senior most professor or any other person for the time being appointed to act as Dean;
- (k) "Distance Education System" means the system of imparting education through any means of information technology and communication such as broadcasting, telecasting, correspondence course, seminar, contact program or a combination of any two or more such means;
- (l) "Employee" means employee appointed by the University and includes teachers, administrative and other support staff of the University or a constituent school/department/institute maintained by the University;
- (m) "Faculty" means faculty of the University;
- (n) "Finance Committee" means the Finance Committee of the University;
- (o) "Government" means the Government of Meghalaya;
- (p) "Hall" means a unit of residence for students maintained or recognized by the University or a constituent school/department;
- (q) "MCI" means the Medical Council of India;

- (r) "Off-Campus Centre" means a centre of the University established by it outside the territory of its main campus but within the State of Meghalaya operated and maintained as its constituent unit, having the University's complement of facilities and staff;
- (s) "prescribed" means prescribed by the Statutes;
- (t) "Registrar" means the Registrar of the University;
- (u) "Regional Centre" means a centre established or maintained by the University for the purpose of co-ordination and supervising the work of Study Centres within the State and for performing such other functions as may be conferred on such centre by the Board of Management;
- (v) "Sponsor" means Hydrocarbons Education and Research Society registered under Societies Registration Act, 1860 having its registered office at PHDCCI, PHD House, III Floor, 4/2 Siri Institutional Area, August Kranti Marg, New Delhi 110 016;
- (w) "State" means the State of Meghalaya;
- (x) "Statutes" and "Rules" mean, respectively, the Statutes and Rules of the University;
- (y) "Study Centre" means a centre established, maintained or recognized by the University for the purpose of advising, counseling or for rendering any other assistance required by the students;
- (z) "Teacher" means a Professor, Associate Professor, Assistant Professor / Lecturer or such other person as may be appointed for imparting instruction or conducting research in the University or in a Constituent and includes the Principal of Constituent School;
- (za) "UGC" means University Grants Commission established under University Grants Commission Act, 1956;
- (zb) "University" means University of Technology and Management established under this Act; and
- (zc) "Visitor" means the Visitor of the University.

**Objectives of
the University.**

3. (1) The objectives for which the University is established are as follows:-

- (a) to have provision for extensive study, teaching and research in all elements of Applied Science, Technology, Management, Medicine, Fashion & Design, Law and related areas and subjects and to make provisions for research, advancement and dissemination of knowledge therein;
- (b) to establish constituent schools / departments such as School of Media & Communication (SMC), School of Applied Sciences (SoAS), School of Medicine (SoM), School of Retail & Fashion Studies (SRFS), School of Fashion & Design (SoFD), School of Travel & Tourism (SoTT), School of Legal Studies (SLS) and School of Technology (SoT) and allied sectors, and to offer diploma, under graduate and post-graduate courses which would be as nomenclated by UGC.

The University shall have the right to start other diploma and certificate courses in furtherance of its objectives;

- (c) to establish the following faculties:
 - (i) Faculty of Management;
 - (ii) Faculty of Fashion & Design
 - (iii) Faculty of Applied Science
 - (iv) Faculty of Medicine
 - (v) Faculty of Engineering & Technology
 - (vi) Faculty of Law
- (d) to establish campus in the State and to establish, maintain and recognize study centers, examination centers, off-campus centers, and regional centers within the State subject to applicable rules and regulations;
- (e) to establish a constituent Centre for Continuing Education to provide instructions through distance learning methodology for the courses mentioned in (b) above;
- (f) to collaborate with other colleges or universities, research institutions, industry associations, professional associations or any other organization, in India or abroad, to conceptualize, design and develop specific educational and research programs, training programs and exchange programs for students, faculty members and others;
- (g) to create a Industry Academia partnership by inviting Industry in the University campus and other University places for mutual benefits;
- (h) to do all things necessary or expedient to promote the above objectives;
- (i) to pursue any other objective as may be prescribed by State Government or the Sponsor.

(2) To establish a Center to promote research and innovations in the Management & Technology Sectors and thereby -

- (a) to provide for instructions and training in such related branches of learning as it may deem fit;
- (b) to provide for research for the advancement of and dissemination of knowledge in the sector;
- (c) to undertake other such activities leading to advance technology and management.

Power and functions of the University.

4. The University shall have the following powers, namely, -

- (1) to make provisions and adopt all measures (including adoption and updating of the curricula) in respect of study, teaching and research, relating to courses through traditional as well as new innovative modes including on-line education mode for meeting the object as mentioned in

Section 3 of the Act;

- (2) to institute and confer degrees, diplomas, certificates, awards, grades, credits and academic distinctions;
- (3) to institute and award fellowships, scholarships, studentships as may be specified;
- (4) to conduct and hold examinations;
- (5) to provide for the degrees, diplomas, certificates equivalent or corresponding to the degrees, diplomas, certificates of other recognized Universities, Boards or Councils;
- (6) to institute and confer honorary degrees as may be prescribed;
- (7) to set up schools, institutions, off-campus centres, and study centres as per the instructions issued by the State Government, Central Government and University Grant Commission from time to time;
- (8) to make provisions for the advancement of education in Applied Science, Technology, Management, Medicine, Fashion & Design, Law and other areas mentioned in Section 3 of the Act;
- (9) to prescribe fee structure for various courses from time to time and to demand and receive such fees, bills, invoices and collect charges as may be fixed by the Statutes or Rules, as the case may be;
- (10) to make provisions for extra-curricular activities for students and employees;
- (11) to create academic, administrative, support staff and other necessary posts;
- (12) to make appointments of teachers, officers and employees of the University or a Constituent Institute, Regional Centre, Study Centre, off-campus and Career Academy Centre;
- (13) to receive donations and gifts of any kind and to acquire, hold, manage, maintain and dispose of any movable or immovable property, including trust and endowment properties within or outside Meghalaya for the purpose of the University or a Constituent Institute, Regional Centre, Study Centre or Career Academy Centre and to invest funds in such manner with the prior permission of the Governing Body.
- (14) to institute and maintain halls and to recognize places of residence for students, faculties, teachers and employees of the University or in a Constituent School;
- (15) to supervise and control the residence, and to regulate and discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their Code of Conduct;
- (16) to co-operate or collaborate with other Universities in such

manner and for such purposes as the University may determine from time to time;

- (17) to organize and conduct refresher courses, orientation courses, workshops, seminars and other programs for teachers, lesson writers, evaluators and other academic programmes of the University may be organized;
- (18) to determine standards of admission to the University, Constituent Schools, Departments, Institutes, Regional Centers, Study Centers, Off-Campus/Off-shore campus(es), Career Academy Centers and affiliated colleges through specialized committees with the approval of Academic Council;
- (19) to make special provision for domiciled students of the State of Meghalaya for admission in any course of the University or its Constituent Institutions;
- (20) to prescribe such courses for Bachelor, Post Graduate and Research Degrees and to start diplomas, in Applied Sciences, Medicine, Technology, Management, Fashion & Design, Law and related subjects;
- (21) to clearly set apart academic activities of the University from the activities of the Sponsor;
- (22) to provide distance education system and the manner in which distance education in relations to the academic programmes of the University may be organized;
- (23) to provide for the preparation of instructional materials, including films, cassettes, tapes, CD, VCD and other softwares;
- (24) to recognize examinations of, or periods of study (whether in full or in part) at, other universities, institutions or other places of higher learning as equivalent to examinations or periods of study in the university and to withdraw such recognition at any time;
- (25) to provide for dual degrees, diplomas or certificates vis-à-vis other Universities on reciprocal basis within and outside the country as per instructions of the State Government, Government of India and University Grant Commission;
- (26) to raise, collect, subscribe and borrow with the approval of the Governing Body whether on the security of the University, money for the purpose of the University;
- (27) to enter into, carry out, vary or cancel contracts;
- (28) to make such provisions for integrated courses in different disciplines in the educational programmes of the University;
- (29) to determine salaries, remunerations, honoraria to teachers and employees of the University in accordance with the norms specified by University Grants Commission and other regulatory bodies;

- (30) to co-operate with an other University in and outside the country, authority or any public or private body having in view the promotion of purposes and objects similar to those of the University for such purposes as may be agreed upon on such terms and conditions as may from time to time be specified;
- (31) to create, amend and cancel the Rules and Regulations, Statutes and ordinances for carrying out the objects of the University in accordance with the provisions of the Act;
- (32) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.
- (33) to provide consultancy services; and
- (34) The University shall have powers to get into collaborations and agreements of articulation and progression with reputed universities and institutions in India and abroad:

Provided that the University does not affiliate colleges or institutions which are not owned and managed by the University and established by other institution and University.

University open to all classes, castes, creed and gender.

5. The University shall be opened to all persons irrespective of caste, class, creed or gender:

Provided that nothing in this section shall be deemed to require the University from making special provisions for admission of domiciled students of the State.

University not to be entitled to financial assistance.

6. The University shall be self-financing and shall neither make a demand nor shall be entitled to any grant in-aid or any other financial assistance from the Central Government or State Government or any other body or corporation owned or controlled by the Central or State Government:

Provided further that nothing in this section will prevent the University for creation of Endowments for research and development from PSUs owned by the Central Government and other Central Research Bodies.

Constituent Institutes.

7. The University may have Constituent Institutes, Regional Centers, Campus(es), Off-Campus Centers, and Study Centers within the State.

National & International Accreditation.

8. The University will seek accreditation from respective national and international accreditation bodies.

Campus of the University.

9. (1) The Campus of the University shall be at any place within the State of Meghalaya with its Headquarters at Shillong and it may have Regional Centers, Study Centers, Off-campus centers at other locations within the State.

(2) The Chancellor, the Vice Chancellor, members of the Board of Governors, members of the Board of Management and the Academic Council for the time being holding office as such in the University so established, shall constitute a body corporate and can sue and be sued in the name of the University.

(3) The Board of Governors will decide the usage of land, building and other properties acquired for the University, which is for the benefits of the University.

Officers of the University.

10. The following shall be the officers of the University -

- [a] the Chancellor;
- (b) the Vice Chancellor;
- (c) the Pro Vice Chancellor;
- (d) the Deans of Faculties;
- (e) the Directors of Schools;
- (f) the Registrar;
- (g) the Finance Officer; and
- [h] such other officers as may be declared by the Statutes to be officers of the University.

The Visitor.

11. (1) The Visitor of the University shall be notified by the sponsor in consultation with the State government.

(2) The Visitor shall, when present, preside at the convocation of the University for conferring degrees and diplomas.

(3) The Visitor shall, have the following powers, namely:-

- (a) to call any paper or information relating to the affairs of the University.
- (b) On the basis of the information received by the Visitor, if he is satisfied that any order, proceeding, or decision taken by any authority of the University is not in conformity with the Act, Statutes or Rules, he may issue such directions as he may deem fit in the interest of the University and the directions so issued shall be complied with by all concerned.

(4) Every proposal for the conferment of an honorary degree or distinction shall be subject to the approval of the Visitor.

(5) The Visitor while exercising the power under this Act, shall consult the State Government in any matter involving interest of the State Government.

The Chancellor.

12. (1) The Chancellor shall be appointed by the Sponsor for a period of five years with prior concurrence of the Visitor in such manner and on such terms and conditions as may be specified by the Statutes:

Provided that after expiration of the term of five years, the Chancellor shall be eligible for re-appointment.

(2) The Sponsor will have the right to discontinue the services of the Chancellor before the expiration of the full-term.

(3) The Chancellor shall preside at the meeting of the Board of Governors and shall, when the Visitor is not present, preside at the Convocation of the University for conferring Degrees, Diplomas, Designations or Certificates.

(4) The Chancellor is empowered to remove the Vice Chancellor after due enquiry. It will be open to the Chancellor to suspend the Vice Chancellor during enquiry depending upon the seriousness of the

The Vice-Chancellor.

charges, as he may deem fit.

(5) The Chancellor shall have such powers as may be conferred on him by this Act or the Statutes made thereunder.

13. (1) The Vice-Chancellor shall be appointed by the Chancellor on such terms and conditions as approved by the Board of Governors for a term of five years.

(2) The Vice-Chancellor shall be appointed by the Chancellor from a panel of three persons recommended by the Board of Governors:

Provided that after expiration of the term of five years, the Vice Chancellor shall be eligible for re-appointment:

Provided further that Vice-Chancellor shall continue to hold office even after expiry of his term till new Vice Chancellor joins, however, in any case, this period shall not exceed one year.

(3) The Committee shall, on the basis of merit, prepare a panel of name of three persons suitable to hold the office of the Vice-Chancellor and forward the same to the Chancellor along with the concise statement showing the academic qualifications and other distinctions of each person.

(4) The Vice-Chancellor shall be the Principal Executive and academic Officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University.

(5) The Vice-Chancellor shall preside at the Convocation of the University in the absence of both the Visitor and the Chancellor for conferring Degrees, Diplomas, Distinctions or Certificates.

(6) Where any matter other than the appointment of a teacher is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered or under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit with the prior approval of the Chancellor.

(7) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be laid down by the Statutes of the Rules.

(8) If in the opinion of the Vice-Chancellor it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this Act, he may take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officers or authority as would have in the ordinary course dealt with the matter:

Provided that if in the opinion of the concerned authority such action should not have been taken by the Vice-Chancellor, then such case shall be referred to the Chancellor, whose decision thereon shall be final:

Provided further that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within three months from the date on which such action is communicated to him, and appeal to the Board of Governors and the Board of Governors may confirm or modify

or reverse the action taken by the Vice-Chancellor.

**The Pro-Vice
Chancellor.**

14. The Pro Vice Chancellor may be appointed by the Vice Chancellor with prior approval of the Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

**Deans of
Faculties &
Directors of
Schools.**

15. Deans of faculties and Directors of Schools shall be appointed by the Vice Chancellor in such manner and shall exercise such power and perform such duties as may be prescribed by Statutes.

The Registrar.

16. (1) The Registrar shall be appointed by the Board of Management in such manner and on such terms and conditions as may be prescribed.

(2) All contracts shall be entered into and signed by the Registrar on behalf of the University.

(3) The Registrar shall have the power to authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed or may be required from time to time, by the Chancellor or the Vice Chancellor.

(4) The Registrar shall be responsible for the due custody of the records and the common seal of the University and shall be bound to place before the Chancellor, the Vice Chancellor or any other authority, all such information and documents as may be necessary for transaction of their business.

(5) The Board of Management is empowered to remove the Registrar after due enquiry. It will be open to the Board of Management to suspend the Registrar during enquiry depending upon the seriousness of the charges, as they may deem fit

**The Finance
Officer.**

17. (1) The Finance Officer shall be appointed by the Board of Management in such manner and shall exercise such powers and perform such duties as may be prescribed.

(2) The Board of Management is empowered to remove the Finance Officer after due enquiry. It will be open to the Board of Management to suspend the Finance Officer during enquiry depending upon the seriousness of the charges, as may deem fit.

Other Officers.

18. The manner of appointment, terms and conditions of service and powers and duties of other officers of the University shall be such as may be prescribed.

**Authorities of
the University.**

19. The following shall be the authorities of the University, namely -

- (a) the Board of Governors;
- (b) the Board of Management;
- (c) the Academic Council;
- (d) the Finance Committee; and
- (e) such other authorities as may be declared by the Statutes to be the authorities of the University.

**The Board of
Governors and
its powers.**

20. (1) The Board of Governors shall consist of:

- (a) the Chancellor - Chairman;
- (b) the Vice Chancellor - Members Secretary;
- (c) two representatives of State Government of which one should be an educationist of repute;
- (d) three persons nominated by the Sponsor;
- (e) an educationist of repute to be nominated by the Chancellor from any premier Institute such as Indian Institute of Technology / Indian Institute of Management / Indian Institute of Science, Indian Institute of Design, Indian Institute of Fashion Technology, National Law schools, etc;
- (f) an educationist of repute to be nominated by the Sponsor from Industry interalia from Design, Travel & Tourism, Management, Law, Sciences or Technology Sectors

(2) The Chancellor shall be the Chairman of the Board of Governors.

(3) The Registrar shall be an ex-officio Secretary of the Board of Governors.

(4) The Board of Governors shall be the principal governing body of the University and shall have the following powers, namely -

- (a) to lay down policies to be pursued by the University;
- (b) to review decisions of the other authorities of the University if they are not in conformity with the provisions of this Act, or the Statutes or the Rules;
- (c) to approve the budget and annual report of the University;
- (d) to make new or additional Statutes or amend or repeal the earlier Statutes and Rules;
- (e) to take decision about voluntary winding up of the University;
- (f) to approve proposals for submission to the State Government; Government of India or Government of other countries;
- (g) to take such decisions and steps as are found desirable for effectively carrying out the objects of the University;
- (h) to approve additional power & modify the existing powers of:
 - (a) Board of Management
 - (b) Academic Council
 - (c) Finance Committee
 - (d) Other Authorities
 - (e) Other Committees.

(5) To do all things necessary or expedient to exercise the above power.

(6) The Board of Governors shall, meet at least two times in a year at such time and place as the Chancellor thinks fit.

The Board of Management.

21. (1) The Board of Management shall consist of:-

- (a) the Vice Chancellor - Chairman;
- (b) the Registrar - Secretary;
- (c) one Management representative to be nominated by the sponsor;
- (d) three persons, nominated by the Sponsor;
- (e) two Deans of Faculties or Two senior Professors of the University as nominated by the Vice Chancellor;
- (f) one representative to be nominated by the State Government.

(2) The Board of Management shall have the following powers, namely, -

- (a) to establish, maintain and recognize such Regional Centers, Campuses, Study Centers and Off-campus centers subject to the approval from Board of Governors;
- (b) to launch any academic and research programs & courses, discipline of education which are deemed suitable for meeting the objects of the University, as approved by the Academic Council;
- (c) to create and amend the Rules and Statutes of the University to fulfill the objects of the University;
- (d) to determine, demand and receive fees, bills, invoices and collect charges;
- (e) to operate endowment fund, the general fund and the development fund;
- (f) to appoint the faculties, teachers, officers and employees of the University and its constituent institutes including Regional Centers, Study Centers, Off-campus centers located within the State;
- (g) to receive donations and gifts of any kind and to acquire, hold, manage, maintain, lease, mortgage and dispose of any movable or immovable property, subject to MTL(Regulation) Act 1971 including trust and endowment properties for the purpose of the University or its constituent institutes, or a Regional Center, Off-campus center, or a Study Center;
- (h) to create and manage the halls and places of residence for students, officers, faculties, teachers and employees of the University or a constituent college or other partners of the University;
- (i) to supervise and control the residence, and to regulate the discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their Code of Conduct;

- (j) to create academic, administrative and support staff and other necessary posts;
- (k) to organize and conduct refresher courses, orientation courses, workshops, seminars and other programs for industry executives, teachers, developers of courseware, evaluator and other academic staff;
- (l) to make special provision for students belonging to the State of Meghalaya or other states for admission in any course of the University or in its constituent institutes, affiliated college, Off-campus centers, regional centers or study centers;
- (m) to create an Industry Academic partnership by inviting Industry in the University campus and other university centers for mutual benefits;
- (n) to raise, collect, subscribe and borrow with the approval of the Board of Governors on the security of the property of the University, money for the purposes of the University;
- (o) to enter into, carry out, vary or cancel contracts;
- (p) to do all such other acts or things as directed by the Board of Governors; and
- (q) to do all things necessary or expedient to exercise the above powers as are prescribed in the Statutes.

The Academic Council.

22. (1) The Academic Council shall consist of -

- (a) the Vice Chancellor - Chairman;
- (b) the Registrar - Secretary;
- (c) such other members as may be prescribed in the Statutes.

(2) The Academic Council shall be the Principal Academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Rules, co-ordinate and exercise general supervision over the academic policies of the University.

The Finance Committee.

23. (1) The Finance Committee shall consist of:-

- (a) Vice Chancellor - Chairman;
- (b) the Finance Officer - Secretary;
- (c) the Registrar;
- (d) One person nominated by the Sponsor;

(2) The Finance Committee shall be the principal financial body of the University to take care of financial matters and shall, subject to the provisions of this Act, Statutes and Rules, co-ordinate and exercise general supervision over the financial matters of the University.

Other Authorities

24. The constitution, powers and functions of the other authorities of the University shall be such as may be prescribed in the Statutes.

Proceedings not invalidated on

25. No act or proceeding of any authority of the University shall be invalid merely by reason of the existence of any vacancy or defect in the

**account of
vacancy.
Statutes.**

constitution of the authority.

26. Subject to the provisions of this Act, the Statutes may provide for any Statutory matter relating to the University and staff, as given below:

- (a) the constitution, powers and functions of the authorities and other bodies of the University not specified in the Act, as may be constituted from time to time;
- (b) the procedure for transaction of business of the Authorities of the University and the composition of bodies not specified in this Act;
- (c) the operation of the permanent endowment fund, the general fund and the development fund;
- (d) the terms and conditions of appointment of the Vice Chancellor, the Registrar and the Finance Officer and their powers and functions;
- (e) the mode of recruitment and the conditions of service of the other officers, teachers and employees of the University;
- (f) the procedure for resolving disputes between the University and its officers, faculty members, employees and students;
- (g) creation, abolition or restructuring of departments and faculties;
- (h) the manner of co-operation with other Universities or Institutions of higher learning;
- (i) the procedure for conferment of honorary degrees;
- (j) provisions regarding grant of freeships and scholarships;
- (k) number of seats in different courses of studies and the procedure of admission of students to such courses including reservation of seats for Meghalaya domiciled students;
- (l) the fee chargeable from students for various courses of studies;
- (m) institution of fellowships, scholarships, studentships, freeships, medals and prizes;
- (n) procedure for creation and abolition of posts; and
- (o) other matters which may be prescribed.

**Statutes how
Made.**

27. (1) The first Statutes framed by the Board of Governors shall be submitted to the State Government for its approval, which may, within three months from the date of receipt of the Statutes give its approval with or without modification.

(2) Where the State Government fails to take any decision with respect to the approval of the Statutes within the period specified under Sub-section (1) it shall be deemed to have been approved by the State Government.

**Power to amend
the Statutes.**

28. The Board of Governors may, under intimation to the State Government, make new or additional Statutes or amend or repeal the existing Statutes.

Rules.

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

- (a) admission of students to the University and their enrolment and continuance as such;
- (b) the courses of study to be laid down for all degrees and other academic distinctions of the University;
- (c) the award of degrees and other academic distinctions;
- (d) the conditions of the award of fellowships, scholarships, studentships, medals and prizes;
- (e) the conduct of examinations and the conditions and mode of appointment and duties of examining bodies, examiners, invigilators, tabulators and moderators;
- (f) the fee to be charged for admission to the examinations, degrees and other academic distinctions of the University;
- (g) accounting policies and financial procedures;
- (h) the conditions of residence of the students at the University or a constituent school/department;
- (i) maintenance of discipline among the students of the University or a constituent school/department;
- (j) creation of new authorities of the University; and
- (k) all other matters as may be provided in the Statutes and Rules under the Act.

Rules how made.

30 (1) The Rules shall be made by the Board of Management and submitted to the Board of Governors for approval.

(2) The Board of Governors may approve new or additional Rules or amend or repeal the existing Rules.

Conditions of service of employees.

31. (1) Every employee shall be appointed under a written contract, which service of shall be kept in University and a copy of which shall be furnished to the employee concerned.

(2) Disciplinary action against the students/employees shall be governed by procedure prescribed in the Statutes.

(3) Any dispute arising out of the contract between the University and an employee shall, at the request of the employee, be referred to a tribunal of arbitration consisting of one member appointed by the Board of Management, one member nominated by the employee concerned and an umpire appointed by the Chancellor.

(4) The decision of the tribunal in such matter shall be final.

(5) The procedure for regulating the work of the tribunal shall be such as may be prescribed.

Right to appeal.

32. Every employee or student of the University or of a constituent school/department shall, notwithstanding anything contained in the Act, have a right to appeal within such time as may be prescribed, to the Chairman, Board of Management against the decision of any officer or authority of the University or of the Director of any such Constituent School/department, regional center, study center, career academy center as the case may be and thereupon the Board of Management may confirm, modify or change the decision appealed against.

Provident fund and pension.

33. The University shall constitute for the benefit of its employees provide such Provident fund or pension fund and provide such insurance scheme as it may deem fit and pension in such manner and subject to such conditions as may be prescribed.

Disputes as to constitution of the University authorities and bodies.

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

Constitution of Committees.

35. Any authority of the University mentioned in Section 19 will be empowered to constitute a Committee of such authority, consisting of such members as such authority may deem fit and having such powers as the authority may deem fit to prescribe.

Filling of casual vacancies.

36. Any casual vacancy among the members, other than ex-officio members, of any Authority or body of the University shall be filled in the same manner in which the member whose vacancy is to be filled up, was chosen, and the person filling the vacancy shall be a member of such authority or body for the remaining term for which the person whose place he/she fills would have been a member.

Protection of action taken in good faith.

37. No suit or other legal proceedings shall lie against any officer or other employee of the University for anything, which is done in good faith or intended to be done in pursuance of the provisions of this Act, the Statutes or the Rules.

Transitional provisions.

38. Notwithstanding anything contained in any other provisions of this Act transitional and the Statutes:-

- (a) the first Vice Chancellor and Pro-Vice Chancellor, if any, shall be appointed by the Chancellor and the said officer shall hold office for a term of five years;
- (b) the first Registrar and the first Finance Officer shall be appointed by the Chancellor;
- (c) the first Board of Governors shall hold office for a term not exceeding three years;
- (d) the first Board of Management, the first Finance Committee and the first Academic Council shall be constituted by the Chancellor for a term of three years.

Endowment Fund.

39. (1) The University shall establish a permanent endowment fund of least rupees two crore and to be deposited in one installment.

(2) The University shall have power to invest the permanent endowment fund in such manner as may be prescribed.

(3) The University may transfer any amount from the general fund or the development fund to the permanent endowment fund. Excepting in the dissolution of the University, in no other circumstances can any monies be transferred from corpus of the endowment fund for other purposes.

(4) Not exceeding 75% of the incomes received from the corpus permanent endowment fund shall be used for the purposes of development works of the University; The remaining 25 % shall be reinvested into the

permanent endowment fund.

General Fund.

40. (1) The University shall establish a general fund to which the following amount shall be credited, namely :

- (a) all fees which may be charged by the University;
- (b) all sums received from any other source;
- (c) all contributions made by the Sponsor; and
- (d) all contributions/donations made in this behalf by any other person or body, which are not prohibited by any law for the time being in force.

(2) The funds credited to the general fund shall be applied to meet all the recurring expenditure of the University.

Developmental fund.

41. (1) The University shall also establish a development fund to which the following funds shall be credited, namely :

- (a) development fees which may be charged from students;
- (b) all sums received from any other source for the purposes of the development of the University;
- (c) all contributions made by the Sponsor;
- (d) all contributions/donations made in this behalf by any other person or body which are not prohibited by any law for the time being in force; and
- (e) all incomes received from the permanent endowment fund.

(2) The funds credited to the development fund from time to time shall be utilized for the development of the University.

Maintenance of Fund.

42. The funds established under sections 39, 40 and 41 shall, subject to maintenance of general supervision and control of the Board of Governors, be regulated and maintained in such manner as may be prescribed.

Annual Report.

43. (1) The annual report of the University shall be prepared under the direction of the Board of Management and shall be submitted to the Board of Governors for its approval.

(2) The Board of Governors shall consider the annual report in its meeting and may approve the same with or without modification.

(3) A copy of the annual report duly approved by the Board of Governors shall be sent to Visitor and the State Government before 31 December following close of the financial year in 31 March each year.

Accounts and audit.

44. (1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Board of Management and all funds accruing to or received by the University from whatever source and all amount disbursed or paid shall be entered in the accounts maintained by the University.

(2) The annual accounts of the University shall be audited by a Chartered Accountant, who is a member of the Institute of Chartered

Accountants of India, every year.

(3) A copy of the annual accounts and the Balance sheet together with the audit report shall be submitted to the Board of Governors well before 31 December following close of the financial year in 31 March each-year.

(4) The annual accounts, the Balance sheet and the audit report shall be considered by the Board of Governors at its meeting and the Board of Governors shall forward the same to the Visitor and the State Government along with its observations thereon before the 31 December each year.

(5) The direction of the State Government on the subject arising out of the accounts and audit report of the University shall be binding on the University.

Mode of proof of University records.

45. A copy of any receipt, application, notice, order, proceeding or resolution of any authority or committee of the university or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transaction therein recorded where the original thereof would, if produced, have been admissible in evidence.

Dissolution of University.

46. (1) If the Sponsor proposes dissolution of the University of Technology and Management in accordance with the law governing its constitution or incorporation, it shall give at least three months notice in writing to the State Government.

(2) On identification of mismanagement, mal-administration, indiscipline, failure in the accomplishment of the objects of University and economic hardships in the management systems of University, the State Government would issue directions to the University. If the directions are not followed within such time as may be prescribed, the right to take decision for winding up of the University would vest in the State Government.

(3) The manner of winding up of the University would be such as may be prescribed by the State Government in this behalf:

Provided that no such action will be initiated without affording a reasonable opportunity to show cause to the Sponsor.

(4) On receipt of the notice referred to in sub-section (1), the State Government shall, in consultation with the Council for Technical Education, UGC or any other regulatory body make such arrangements for administration of the University from date of dissolution of the University by the Sponsor and until the last batch of students in regular courses of studies of the University complete their courses of studies in such manner as may be prescribed by the statutes.

Expenditure of the University during

47. (1) The expenditure for administration of the University during the taking over period of its management under section 46 shall be met out of the endowment fund, the general fund or the development fund.

dissolution.

(2) If the funds referred to in sub-section (1) are not sufficient to meet the expenditure of the University during the taking over period of its management, such expenditure may be met by disposing of the properties or assets of the University, by the State Government.

Removal of difficulties.

48. (1) If any difficulties arises in giving effect to the provisions of this Act, the Governing Council may, with the approval of the State Government by order remove such provisions, not inconsistent with the provisions of this Act, as appeared to it to be necessary or expedient, for removing such difficulties:

Provided that no order under this Section shall be made after the expiration of a period of three years from the commencement of this Act.

(2) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the Legislature of the State of Meghalaya.

University to be subject to Standards of UGC.

49. Notwithstanding anything contained in this Act, the establishment, maintenance of standards and any other matter concerning Private Universities established under this Act shall be subject to the UGC (Establishment and Maintenance of Standards in Private Universities) Regulations 2003 as amended from time to time and any other regulation or direction as may be issued by the UGC from time to time.

L. M. SANGMA,

Secretary to the Govt. of Meghalaya,
Law Department.