



The Gazette of Meghalaya

EXTRAORDINARY
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No. 192

Shillong, Friday, October 31, 2025

9th Kartika, 1947 (S. E.)

PART-IV

GOVERNMENT OF MEGHALAYA LAW (B) DEPARTMENT

NOTIFICATION

The 31st October, 2025.

No.LL(B).67/2024/4. – The Meghalaya Private Medical Institution Including Institutes Under Private University (Regulation of Admission, Fixation of Fees and Reservation) Act, 2025 (Act No. 18 of 2025) is hereby published for general information.

MEGHALAYA ACT NO. 18 OF 2025

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on the 28th October, 2025.

Published in the Gazette of Meghalaya Extra-Ordinary issue dated 31st October, 2025.

THE MEGHALAYA PRIVATE MEDICAL INSTITUTION INCLUDING INSTITUTES UNDER PRIVATE UNIVERSITY (REGULATION OF ADMISSION, FIXATION OF FEES AND RESERVATION) ACT, 2025

An

Act

to provide for the regulation of admission, fixation of fees and reservation in the Private Medical Institutions including Institutes under Private University in the State of Meghalaya and other matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State in the Seventy-Sixth Year of the Republic of India, as follows;

Short title, extent and commencement

1. (1) This Act shall be called the Meghalaya Private Medical Institutions including Institutes under Private University (Regulation of Admission, Fixation of Fees, and Reservation) Bill, 2025.
- (2) It shall extend to the whole of the State of Meghalaya.
- (3) It shall come into force from the date of publication in the Official Gazette.

Definitions

2. In this Act, unless the context otherwise requires,
 - (a) "**Appellate Authority**" means the Commissioner & Secretary to the Government of Meghalaya, Health & Family Welfare Department under clause 13 of the Act.
 - (b) "**Capitation Fee**" means fee charged beyond the regular tuition and official fee.
 - (c) "**Common Entrance Test**" means a National Eligibility & Entrance Test (NEET);
 - (d) "**Council**" means a professional council pertaining to any health sciences discipline, constituted under any Act, Rules and Regulations of the Central Government or any State Government;
 - (e) "**Fee**" means a charge received by a Private Medical Institution including Institutes under Private University from a student in any manner or under any nomenclature as a condition for studying in that institution;
 - (f) "**State Quota**" means a category of seats within the sanctioned intake of a Private Medical Institution including Institutes under Private University, allocated for candidates domiciled in the State of Meghalaya by the State Government.
 - (g) "**Management Quota**" means a category to a portion of seats within the sanctioned intake of a Private Medical Institution including Institutes under Private University, as allocated by the State or Central Government, or any statutory/regulatory body, through a notification or the Official Gazette. These seats shall be filled by the institution in a fair and transparent manner, based on *inter-se* merit, determined by a NEET in accordance with the provisions of this Act;
 - (h) "**NRI Quota**" means a category of seats within the sanctioned intake reserved for Non-Resident Indians (NRIs), Overseas Citizens of India (OCI), or their children/wards, as

per guidelines of the Government of India or relevant regulatory bodies.

- (i) **"Medical Course"** means any structured program of study in the field of medicine and allied health sciences, recognized by the relevant statutory authorities, leading to a degree, diploma, or certification viz MBBS;
- (j) **"Notification"** shall mean a notification published, under proper authority, in the Official Gazette;
- (k) **"Official Gazette"** shall mean the Gazette of Meghalaya;
- (l) **"Private Medical Institution"** means an institution not promoted or run by the Central Government, State Government or Union Territory Administration of any agency or instrumentality of the Central or State Government;
- (m) **"Sanctioned Intake"** mean and imply the total number of seats sanctioned by the NMC for admitting students in MBBS in a Private Medical Institution including Institutes under Private Universities;
- (n) **"State"** means the State of Meghalaya;
- (o) **"State Government"** means the Government of Meghalaya;
- (p) **"NMC"** means National Medical Commission, a statutory body constituted under the Act of Parliament.
- (q) **"MSCA"** means Meghalaya State Counselling Authority;
- (r) **"Unaided Institutions"** means a Private Medical Institution including Institutes under Private Universities not receiving financial aid or grant-in-aid from the State Government.

Regulation of admission, fixation of fee and making of reservation

3. (1) The State Government shall regulate admissions, fix fees, and establish reservations for various categories in admissions to Private Medical Institution including Institutes under Private University within the State of Meghalaya.
- (2) The State Government shall ensure that admissions to Private Medical Institutions including Institutes under Private University shall be based on *inter-se* merit determined by Common Entrance Test and as per the state reservation policy and domicile policy of the state.
- (3) The State Government shall ensure that admissions under all categories in such institutions are carried out in a fair and transparent manner.

- (4) The MSCA shall hold counselling, recommend the mode of admission based on reservation policy, seat allocation to admission in MBBS course in Private Medical Institutions including Institutes under Private University.
- (5) The State Government shall take appropriate measures, as deemed necessary, to improve the admission process, regulate fee structures, and address any other matters necessary for the smooth operation of the system, including resolving grievances.
- (6) If the State Government determines that a private medical institution in Meghalaya has violated any provisions of this Act, it may recommend to the appropriate State or Central Government Authority to withdraw the essentiality certificate, affiliation, permission or recognition of the institution.

Constitution of Fee Regulatory Committee

- 4. (1) The Government shall, by notifying in the Gazette, constitute a Committee to be called the Fee Regulatory Committee for fixation of fees that may be charged from students who get admission in MBBS course in Private Medical Institutions including Institutes under Private University.
- (2) The committee shall consist of the following members, namely -
 - a) a retired judge of High Court of Meghalaya - Chairperson.
 - b) Director of Health Services (Medical Education & Research) - Member.
 - c) a representative of the Meghalaya Medical Council - Member.
 - d) a representative from Higher & Technical Education - Member.
 - e) a Chartered Accountant of repute nominated by the Chairperson - Member.
 - f) the Joint Secretary, Finance Department - Member.
 - g) a representative from Law Department - Member.
 - h) The Commissioner & Secretary, Health & Family Welfare Department - Member Secretary.

Powers & Functions of the Fee Regulatory Committee

- 5. (1) The Fee Regulatory Committee shall have the power to -
 - a) require the medical institutions to place before the Committee the proposed fee structure of their institution with all relevant documents and books of accounts for scrutiny well in advance of the commencement of the academic year i.e., not later than 31st December of the previous academic year;

- b) verify whether the fee proposed by the institutions are justified and it does not amount to profiteering or charging of capitation fee;
 - c) approve the fee structure or determine some other fee which can be charged by the institutions.
- (2) The Fee Regulatory Committee shall have the power to regulate its own procedure in all matters arising out of the discharge of its functions, and shall, for the purpose of making any inquiry under this Act, have all the powers of a Civil Court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely -
- a) summoning and enforcing the attendance of any witness and examining him on oath;
 - b) the discovery and production of any document;
 - c) the reception of evidence on affidavits;
 - d) the issuing of any commission for the examination of witness.
- (3) The fee structure recommended by the Committee shall be submitted to the Health & Family Welfare Department for approval and, upon final approval by the competent authority, shall be binding on all Private Medical Institutions, including those under Private Universities, for a period of three years. At the end of the said period, the institution would be at liberty to apply for revision. The fee so determined shall be applicable to a candidate who is admitted to an institution in that academic year and shall not be revised till the completion of his course in the said college. No Private Medical institutions shall collect a fee amounting to more than one year's fee from a candidate.
- (4) No person who is associated with any Private Medical Institutions including Institutes under Private University shall be eligible for being a member of the Fee Regulatory Committee.
- (5) Subject to the pleasure of the authority competent to nominate, the term of the office of the nominated members shall be for a period of two years from the date of their nomination and in the case of vacancy arising earlier, for any reason, such vacancy shall be filled for the remainder of the term. The non-official members shall be eligible to draw such rate of sitting fee and Traveling Allowance as may be prescribed.
- (6) No act or proceeding of the Fee Regulatory Committee shall be deemed to be invalid by the reason merely of any vacancy in, or any defect in the constitution of the committee.

- (7) A member of the Fee Regulatory Committee shall cease to be so if he performs any act which in the opinion of the State Government is unbecoming of a member of the committee:

Provided that no such member shall be removed from the committee without giving him an opportunity of being heard.

- (8) The Chairman shall preside over the meeting of the Fee Regulatory Committee and the Committee may adopt its own procedure as it deems fit.

Constitution of MSCA

6. (1) The Government shall, by notifying in the Gazette, constitute a Committee to be called the Meghalaya State Counselling Authority for holding counselling to recommend the mode of admission based on reservation policy, seat allocation to admission in MBBS course in Private Medical Institutions including Institutes under Private University.

- (2) The committee shall consist of the following members, namely -

- a) Director of Health Services (Medical Education & Research) - Chairperson.
- b) Director/Dean of the concerned Medical Institute - Member.
- c) Representative of Department of Social Welfare, Meghalaya - Member.
- d) Representative of Department of Higher & Technical Education, Meghalaya - Member.
- e) Representative of Department of Law, Meghalaya - Member.
- f) Additional Director of Health Services (MI) - Member Secretary.

Eligibility criteria for admission

7. (1) The eligibility criteria for admission to a Private Medical Institutions including Institutes under Private Universities shall be such, as may be determined and notified by National Medical Commission and National Commission for Indian System from time to time.

- (2) Admission in Private Medical Institutions including Institutes under Private Universities, shall be made on the basis of the *inter-se* merit of the candidates, determined in accordance with the NEET.

- (3) Admission in Private Medical Institutions including Institutes under Private Universities against Government quota seats shall be governed by the state reservation and domicile policy of the state.

Allocation of seats

8. (1) A Private Medical Institutions including Institutes under Private University may reserve up to Fifty percent (50%) of the total sanctioned intake as Management Quota Seats, exclusive of fifteen percent (15%) of the sanctioned intake which may be separately earmarked for the NRI Quota with statutory reservations as may be determined by the State Government.
- (2) Reservation of seats - Reservation of seats in Private Medical Institutions including Institutes under Private University shall be as per the extent reservation policy of the state notified *vide* No.PER.222/71/138, dated 12th January, 1972.

Factors for determination of Fee

9. (1) The Fee Regulatory Committee while recommending to the State Government shall determine the fee to be charged by a Private Medical Institutions including Institutes under Private University, after taking into account the following factors
- a) the location of the institution;
 - b) the cost of land and building;
 - c) the available infrastructure and equipment;
 - d) the expenditure incurred or being incurred on faculty, administration and maintenance;
 - e) the reasonable profit, required for the growth and development of the institution; and
 - f) any other relevant factor, which the Fee Regulatory Committee deems just and appropriate for the determination of fee.
- (2) Before determining fee under sub-section (1), the Fee Regulatory Committee shall give the concerned Private Medical Institutions including Institutes under Private Universities a reasonable opportunity to express their view points in writing in respect to the fee determination.
- (3) Notwithstanding anything contained in sub-section (1), and (2), the State Government may, in public interest, prescribe a provisional fee structure by any Committee for the time being until the Fee Regulatory Specified under Section (4) is in place:

Provided that the fee shall be fixed in accordance with the provisions of sub-section (1) and (2) within a period of ninety days.

Mechanism for dealing with violations

10. (1) The State Government shall, by notification, appoint a Nodal Officer not below the rank of a Joint Secretary, Health & Family Welfare Department for entertaining complaints with regard to the contravention of the provisions of this Act or any notification issued thereunder.

- (2) The State Government may also take a *suo-moto* notice of the contravention for the provisions of this Act or any notification issued thereunder.
- (3) The State Government may cause an enquiry to be made by an officer not below the rank of Joint Secretary, Health & Family Welfare Department into the allegation of contravention of provisions of this Act levelled by the complainant or on its *suo-moto* initiative and take the following actions, namely:-
- a) direct the complainant to furnish additional information or an affidavit in support of his allegations; or
 - b) take such actions, as it may deem it appropriate, keeping in view the factors and circumstances of the case:

Provided that actions taken under this sub-clause may include but limited to issuing a notice to the concerned medical institution to amend or remove any provisions in its rules, regulations, or practices that contravene the provisions of this Act; or
 - c) file the complaint, if in its opinion, it is a vexatious, anonymous or pseudonymous complaint.
- (4) For conducting an enquiry under sub-section (3), a summary procedure shall be followed and the enquiry shall be completed within a period of sixty days.
- (5) The Nodal Officer shall have the powers of a civil court to access, obtain and scrutinize the records of the Private Medical Institutions including Institutes under Private University as well as summoning of any person or any relevant official record, which he may deem necessary.

Penalties

11. (1) The State Government if it is satisfied that a Private Medical Institutions including Institutes under Private University has contravened any of the provisions of this Act or any notification issued thereunder, take any or all of the following actions, namely:
- a. on the first contravention issue a notice warning the Private Medical Institutions including Institutes under Private University.
 - b. on the second contravention, recommend the withdrawal of affiliation or recognition of such institution from the university or any other authority or body to which such institution is affiliated/recognised;
 - c. on subsequent contravention, impose a fine on such institution, which may extend to fifteen times of the excess fee charged and the State Government can withdraw the essentiality certificate;

- d. direct such institution to cancel the admission or registration of a student, who has been admitted to such institution in contravention of the provisions of this Act or the notification issued thereunder; and
- e. direct such institution to admit a student to whom admission has been wrongly denied.
- (2) Before taking any action under sub-clause (1), a reasonable opportunity of being heard shall be provided to such institution by the State Government.
- Bar of jurisdiction of Civil Court**
12. No Civil Court shall have jurisdiction to entertain, adjudicate, or decide any matter or question that falls within the authority of the Fee Regulatory Committee as empowered by or under this Act.
- Appellate Authority**
13. The Commissioner & Secretary to the Government of Meghalaya, Health & Family Welfare Department shall be the Appellate Authority to deal with the matters related to admission arising from action of the Nodal Officer.
- Powers of the State Government to issue directions**
14. The State Government may, from time to time, issue to the Private Medical Institutions including Institutes under Private University such directions, as in its opinion, are necessary or expedient for carrying out the purposes of this Act and the notifications issued thereunder, and such institutions shall comply with the directions.
- Power to remove difficulties**
15. (1) If any difficulty arises in giving effect to any of the provisions of this Act, the State Government may, by an order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty:
- Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.
- (2) Every order made under sub section (1) shall be laid, as soon as may be after it is made, before the State Legislature.
- Protection of action taken in good faith**
16. No suit, prosecution or other legal proceedings shall lie against the State Government or any officer or employee of the State Government or any other person or authority, authorized by the State Government for anything, which is done or intended to be done in good faith under this Act or the notification issued thereunder.
- Power to make rules**
17. (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for -

- a) the manner of admission and allocation into MBBS course under sub-section (1) & (2) of section 3 and section 8;
 - b) the manner of determining of fees to be charged by the Private Medical Institutions including Institutes under Private University under section 9;
 - c) the honorarium and allowances payable to the members of the fee regulation committee;
 - d) any other matter which is required to be or may be prescribed.
- (3) Every rule made under this Act shall be laid as soon as may be, after it is made before the State Legislature.

S. K. SANGMA,
Deputy Secretary to the Govt. of Meghalaya,
Law (B) Department.



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PART-IV

GOVERNMENT OF MEGHALAYA

LAW (B) DEPARTMENT

NOTIFICATION

The 31st October, 2025.

No.LL(B).20/2012/71. – The Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) (Amendment) Act, 2025 (Act No. 19 of 2025) is hereby published for general information.

MEGHALAYA ACT NO. 19 OF 2025

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on the 28th October, 2025.

Published in the Gazette of Meghalaya Extra-Ordinary issue dated 31st October, 2025.

THE MEGHALAYA PRIVATE UNIVERSITIES (REGULATION OF ESTABLISHMENT AND MAINTENANCE OF STANDARDS) (AMENDMENT) ACT, 2025

An

Act

to amend the MEGHALAYA PRIVATE UNIVERSITIES (REGULATION OF ESTABLISHMENT AND MAINTENANCE OF STANDARDS) Act, 2019, Act No. 13 of 2019.

Be it enacted by the Legislature of the State of Meghalaya on the Seventy-Sixth Year of the Republic of India, as follows:-

- | | |
|--------------------------------------|---|
| Short title and Commencement. | <p>1. (1) This Act may be called the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) (Amendment) Act, 2025.</p> <p>(2) It shall come into force on such date as the State Government may by notification appoint.</p> |
| Amendment of Section 3. | <p>2. In the Principal Act, in sub section (4) of Section 3, the words "of rupees ten thousand only" shall be substituted with the words "as notified by the State Government".</p> |
| Amendment of Section 4. | <p>3. (1) In the Principal Act, in sub section (4) of Section 4, the word "two" shall be substituted with the word "three".</p> <p>(2) In the Principal Act, in sub section (4) of Section 4, insert a proviso "Provided that the quorum for the Board of Governors shall include at least one representative of the State Government and his vote shall be mandatory for the resolution to pass or be approved."</p> <p>(3) In the Principal Act, in sub section (5) of Section 4, the words "one representative" shall be substituted with the words "two representatives".</p> <p>(4) In the Principal Act, in sub section (5) of Section 4, insert a proviso "Provided that the quorum for the Board of Management shall include at least one representative of the State Government."</p> <p>(5) In the Principal Act, in sub section (6) of Section 4, between the word "Vice-Chancellors" and the full stop, insert words ",in accordance with the UGC Regulations issued in relation to appointment of Vice-Chancellors" shall be inserted.</p> |
| Amendment of Section 5. | <p>4. (1) In the Principal Act, insert a new clause (h) under Section 5, after clause (g) as follows: -</p> <p>"The evaluation of Master's and PhD theses shall be conducted in accordance with the UGC Regulations governing such evaluations. Annually, Private Universities shall submit to the Regulatory Board a list of proposed external examiners for the evaluation of these theses, for prior approval. The Regulatory Board shall review the profiles of the proposed examiners and approve either the full list or a partial list of examiners. The University shall appoint</p> |

examiners solely from the approved list provided by the Regulatory Board."

- (2) In the Principal Act, insert a new clause (i) under Section 5, after clause (h) as follows: -

"Private Universities shall, at the commencement of each academic semester, submit a comprehensive list of newly admitted students and those advanced to the subsequent semester, along with their academic records, to the Regulatory Board.

Provided that degree, diplomas, certificates, or any other distinction of only those students would be considered to be valid whose information has been submitted to the Regulatory Board by Private Universities in terms of this clause.

Provided further that the Private Universities would be liable to be penalised in accordance with Section 9 (1) of the Act for violation of the instant clause."

Amendment of Section 7.

5. In the Principal Act, in sub section (3) of Section 7, between the words, "for" and "funding" the words "its administrative expenditure related to Private Universities including" shall be inserted.

Amendment of Section 9.

6. In the Principal Act, in sub section (4) of Section 9, the words "of Rupees ten thousand only" shall be substituted with the words "as notified by the State Government".

D. LYNGDOH,

Joint Secretary to the Govt. of Meghalaya,
Law (B) Department.



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PART-IV

GOVERNMENT OF MEGHALAYA LAW (B) DEPARTMENT

NOTIFICATION

The 31st October, 2025.

No.LL(B).28/2025/2. – The Meghalaya Private Colleges (Promotion and Regulation) Act, 2025 (Act No. 20 of 2025) is hereby published for general information.

MEGHALAYA ACT NO. 20 OF 2025

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on the 28th October, 2025.

Published in the Gazette of Meghalaya Extra-Ordinary issue dated 31st October, 2025.

MEGHALAYA PRIVATE COLLEGES (PROMOTION AND REGULATION) ACT, 2025

An

Act

to provide for the promotion and regulation of Private Colleges in the State of Meghalaya.

Be it enacted by the Meghalaya Legislature in the Seventy-Sixth Year of the Republic of India, as follows:-

CHAPTER I PRELIMINARY**Short title, extent and commencement.**

1. (1) This Act may be called the Meghalaya Private Colleges (Promotion and Regulation) Act, 2025.
- (2) It shall extend to the whole of the State of Meghalaya.
- (3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires, -
 - (a) "Act" means the Meghalaya Private Colleges (Promotion and Regulation) Act, 2025;
 - (b) "aid" or "grant-in-aid" means any sum of money paid by the Government, by whatever description called;
 - (c) "Aided College" means a private college which is or has been receiving grant-in-aid from the Government;
 - (d) "College" means any Institution, whether known as such or by any other name which provides for a course of study for obtaining any qualification from a University and which, in accordance with the rules and regulations of such university, is recognized as competent to provide for such course of study and present students undergoing such course of study for the examination for the award of such qualification;
 - (e) "Competent authority" means authority, officer or person, authorized by the Government by notification, to be the competent authority and different competent authorities may be appointed for different provisions or for different areas or in relation to different classes of private colleges as may be specified in the notification;
 - (f) "Director" means the Director of Higher & Technical Education (DHTE);
 - (g) "educational agency" means any person or body of persons permitted or deemed to be permitted under this Act to establish and maintain any private college;
 - (h) "fee" means all fees including tuition fee and other charges, by whatever description called;
 - (i) "Government" means the Government of the Meghalaya;
 - (j) "notification" means a notification and the expression "notified" shall be construed accordingly;
 - (k) "prescribed" means prescribed by rules made under this Act;
 - (l) "private college" means a college maintained by an educational agency and approved by, or affiliate to a university;
 - (m) "UGC" means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956).

- (n) "university" means any University established or incorporated by or under a Central Act, or by an Act of State Legislature of the State of Meghalaya.

CHAPTER II

ESTABLISHMENT, PERMISSION FOR ESTABLISHMENT OF PRIVATE COLLEGES

- Private College to obtain Permission.**
3. No person shall, without the prior permission of the Government and subject to the terms and conditions specified in such permission, establish, on or after the date of commencement of this Act, any private college.
- Application for permission and submission of statement.**
4. (1) The educational agency of a private college seeking permission to establish on or after the date of commencement shall make an application to the Government in the prescribed form for permission to establish a private college.
- (2) Every such application shall:—
- (a) Be accompanied by such fee as may be notified by the Government; and
 - (b) Contain the following particulars, namely:—
 - (i) the name of the private college and the name and address of the educational agency;
 - (ii) the courses offered for study for obtaining any qualification from a university;
 - (iii) the amenities available to students and teachers;
 - (iv) the equipment, laboratory, library and other facilities for instruction;
 - (v) the sources of income of the private college;
 - (vi) the situation and description of the buildings in which such private college is proposed to be established;
 - (vii) a statement showing compliance with the requirements and regulations framed by UGC and University;
 - (viii) such other particulars as may be prescribed.
- (3) The educational agency of every private college in existence on the date of commencement of this Act, shall within such period as may be notified, submit to the Government a statement in the prescribed form containing.—

- (i) the particulars specified in clause (b) of sub-section (2);
- (ii) the names of the members of the teaching and non-teaching staff and the educational qualifications of each such member; and
- (iii) the number of students enrolled in each of the courses offered for study for obtaining any qualification from a university, on a yearly basis, for the last five years.

Grant of permission.

5. (1) On receipt of an application under sub-section (1) of section 4, the Government may, after considering the particulars contained in such application, grant or refuse to grant the permission within a period of six months from the date of such receipt:
- Provided that before refusal of permission under this section, an opportunity to rectify the defects, if any, shall be given to the applicant.
- (2) The decision of the Government under clause (a) of sub-section (1) shall be final;

Permission deemed to be granted in certain cases.

6. No permission would be required for existing private colleges: Provided that the existing private colleges would be required to submit a statement under sub-section (3) of section 4 of the Act within a period of six months from the coming into effect of this Act failing which, the private college would be deemed to have no permission under the provisions of the Act.

Publication of list of Private Colleges.

7. The Govt. shall on or before the first day of July each year, publish on the official website of the Education Department, a list containing the names of all Private Colleges established under this Act together with such particulars and in such manner as may be notified.

CHAPTER III

REGULATION OF PRIVATE COLLEGES

Management of Private Colleges.

8. Every private college shall be managed and maintained in accordance with the norms and standards as prescribed by the Government, UGC and other concerned statutory authorities.

Information regarding change in the management of Educational Agency.

9. Whenever there is any change in the constitution or management of the educational agency, the educational agency shall inform the competent authority in such manner and in such time as prescribed of such change.

Grant of aid.

10. (1) The Government upon an application from educational agency, may, in its discretion, extend to the private college such aid at such amount and in such manner, as it may consider appropriate in terms of its policy;
- (2) The Government may withhold permanently or for any specified period the whole or part of any aid referred to in sub-section (1)

in respect of any private college that fails to duly comply with any of the provisions of this Act or any rules made or directions issued by the Government.

- College Fund.**
11. (1) In every aided college, there shall be a fund, called "Aided College Fund" and there shall be credited thereto –
- a. any aid received;
 - b. income accruing to the college by way of fees, charges or other payments, and
 - c. any other contributions, endowments, gifts and the like.
- (2) The Aided College Fund shall be accounted for and utilized by the educational agency in accordance with the rules as may be prescribed.
- (3) Income accruing to private college by way of fees, shall be accounted for and utilized only for such purposes as may be prescribed;
- (4) Charges or other payments and any other contributions, endowments and gifts received by private colleges shall be utilized only for the specific purpose for which they were realized or received and shall be accounted for as may be prescribed.
- Fees.**
12. The Government may prescribe norms for fixation of fees of the aided private colleges.

CHAPTER IV

ACCOUNTS, AUDIT, INSPECTION AND RETURNS

- Accounts.**
13. Every private aided college shall maintain accounts in such manner and containing such particulars as may be prescribed.
- Annual audit of accounts of Aided College.**
14. The accounts of aided college shall be audited at the end of every year.
- Inspection.**
15. The Government may, from time to time, cause inspection of a private aided college, including its administrative and financial activities as and when the Government deems it necessary.
- Furnishing of returns, etc.**
16. Every educational agency shall, within such time as may be fixed by the competent authority in this behalf, furnish to the competent authority such returns, statistics and other information as the competent authority may, from time to time, require.

CHAPTER V

PENALTIES AND PROCEDURE

- Penalty for not giving information or giving false information.**
17. If any person, when required, by or under this Act, to furnish any information, omits to furnish such information or furnishes any information which he knows, or has reasonable cause to believe, to be false, or not true, he shall be punishable with fine which may extend to one lakh rupees.
- Other penalties.**
18. (1) If any person willingly contravenes, or attempts to contravene, or knowingly abets the contravention of, any of the provisions of this Act or any rule made thereunder, he shall be punishable with fine which may extend to one lakh rupees and in case of continuing contravention with an additional fine which may extend to five thousand rupees for every day during which such contravention continues subject to a maximum of five lakhs.

- (2) If any person willingly obstructs any authority, officer or person, from entering any private college, in the exercise of any power conferred on it or him by or under this Act, he shall be punishable with fine which may extend to two lakh rupees, or with both.

- Cognizance of Offences.** 19. No court shall take cognizance of any offence punishable under this Act except on a report in writing of the fact constituting such offence made by an authority or officer authorized by the Government in this behalf.

CHAPTER VI

MISCELLANEOUS

- Delegation of powers of Government.** 20. The Government may by notification authorize any authority or officer to exercise any of the powers vested in them by or under this Act except the power to make rules and may, in like manner, withdraw such authority.

Provided that the exercise of any power delegated shall be subject to such restrictions and conditions as may be prescribed.

Provided that the Government shall also have power to control and revise the acts or proceedings of any authority or officer so empowered.

- Competent authority, etc. to be public servant.** 21. Every authority and every officer duly authorized to discharge any duty imposed on it or him by or under this act shall be deemed to be a public servant within the meaning of Section 2(28) of the Bharatiya Nyaya Sanhita, 2023.

- Civil Court not to decide questions under this Act.** 22. No Civil Court shall have jurisdiction to decide or deal with any question which is by or under this Act required to be decided or dealt with by any authority or officer empowered under this Act.

- Power to make rules.** 23. (1) The Government may make rules to carry out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: -
- (a) all matters expressly required or allowed by this Act to be prescribed;
 - (b) the form of applications and the statements under this Act and the particulars which such application and statement shall contain;
 - (c) the establishment and maintenance of private colleges;
 - (d) the giving of aid;
 - (e) the grant of permission;
 - (f) the manner in which accounts, registers and records shall be maintained in private colleges and the authority responsible for such maintenance;
 - (g) the submission of returns, statements, reports and accounts by educational agencies of private colleges;
 - (h) the purposes of the private college for which the premises of the private college may be used and conditions subject to which such premises may be used for any other purpose;

