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PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 10th September, 2025.

No.LB.88/LA/2025/3. – The Meghalaya Private Colleges (Promotion and Regulation) Bill, 2025 introduced in the Meghalaya Legislative Assembly on the 10th September, 2025 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

MEGHALAYA PRIVATE COLLEGES (PROMOTION AND REGULATION) BILL, 2025

A

BILL

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

1. Short title, extent and commencement. -

- (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 State Government may, by notification in the Official Gazette, appoint.

2. Definitions. - 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 college receiving aid;
- (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

3. Private college to obtain permission. - 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.

4. Application for permission and submission of statement. -

(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.

5. Grant of permission -

- (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.

Provided the applicant may apply afresh for permission for next academic year.

- (2) The decision of the Government under clause (a) of sub-section (1) shall be final.

- 6. Permission deemed to be granted in certain cases. -** 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.

- 7. Publication of list of Private Colleges -** 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

- 8. Management of Private Colleges. -** 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.

- 9. Information regarding change in the management of Educational Agency. -** 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.

10. Grant of aid -

- (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.

11. College Fund. -

- (1) In every aided college, there shall be a fund, called the "Aided College Fund" and there shall be credited thereto –
- any aid received;
 - income accruing to the college by way of fees, charges or other payments, and
 - 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.

- 12 Fees -** The Government may prescribe norms for fixation of fees of the aided private colleges.

CHAPTER IV

ACCOUNTS, AUDIT, INSPECTION AND RETURNS

- 13. Accounts** - Every private aided college shall maintain accounts in such manner and containing such particulars as may be prescribed.
- 14. Annual audit of accounts of Aided College** - The accounts of every aided college shall be audited at the end of every year.
- 15. Inspection** - 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.
- 16. Furnishing of returns, etc.** - 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

- 17. Penalty for not giving information or giving false information** - 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.
- 18. Other penalties-**
- (1) If any person willfully 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 willfully 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.
- 19. Cognizance of offences** - 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

- 20. Delegation of powers of Government** - 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.
- 21. Competent authority, etc. to be public servant** - 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.
- 22. Civil Court not to decide questions under this Act.** - 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.
- 23. Power to make rules** -
- (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;
 - (i) the conditions subject to which donations or contributions from the public may be accepted for the purposes of private colleges and the naming of private colleges;
 - (j) benefits which should be granted to the employees of aided college;
 - (k) the inspection of college;

24. Power to remove difficulties –

- (1) The Government shall have the power to remove any difficulty as may arise in applying the provisions of this Act to any college covered under this Act.
- (2) The decision of the Government shall, in every case, be final in regard to any dispute in between the State Government and the college or university in effecting the provisions of this Act.

25. Overriding effect of this Act - Notwithstanding anything contained in any other law or in any custom or usage for the time being in force, or in any Statutes, ordinances, Rules and Regulations made by any authority under any law for the time being in force that is repugnant to the provisions of this Act, the provisions of this Act, to the extent of such repugnancy, shall have overriding effect against any such law, custom, usage, Statutes, Ordinances, Rules and Regulations.

26. Savings - Anything done or purported to have been done in pursuance of any law for the time being in force by the Government immediately preceding the date of coming into effect of this Act, shall have effect to the extent it is not inconsistent with the provisions of this Act, as if this Act had not yet come into effect.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to regulate the establishment and functioning of Private Colleges by mandating prior approval of the Government before their establishment. Its primary objective is to ensure transparency, accountability, and proper oversight in the management of such institutions.

The Bill provides for a framework through which eligible Private Colleges may receive Government grants-in-aid, subject to prescribed conditions, thereby enabling financial support while maintaining necessary controls. It further seeks to safeguard institutional property by prohibiting the sale, mortgage, or transfer of immovable property of aided colleges without prior approval of the Government.

In addition, the Bill introduces measures for accountability through proper auditing, regulation of fees, inspection and enforcement mechanisms, and ensures jurisdictional clarity along with protection for colleges receiving Government assistance.

RAKKAM A. SANGMA,
Minister, I/C Education
Government of Meghalaya.

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

There shall be no financial implication from the Consolidated Fund of the State while implementing the Bill, when enacted.

MEMORANDUM OF DELEGATED LEGISLATION

1. Clause 20 of the Bill empowers the Government to authorize any authority or officers to exercise any power vested in them by the Bill.
2. Clause 23 empowers the State Government to make rules to carry out the purpose of the Bill, when enacted.