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3. (1) The State Government may, by notification in the Official Gazette, establish with effect from the date to be specified in the notification Council for Technical Education to be called the Meghalaya State Council for Technical Education

(2) The Council shall be a body corporate having perpetual succession and a common seal and shall by the said name sue and be sued

4. On the establishment of the Council (in this section referred to as the Meghalaya Council)-

(a) The State Council for Technical Education of Assam (hereinafter referred to as the Assam Council) shall cease to have jurisdiction in relation to polytechnic located in Meghalaya.

(b) Any reference to the Assam Council in any contract of instruments shall be construed as a reference to the Meghalaya Council.

(c) Subject to the provisions of this Act, any polytechnic recognised by or affiliated to the Assam Council immediately before the establishment of the Meghalaya Council shall be deemed to be a polytechnic recognised by or, as the case may be affiliated to the Meghalaya Council;

(d) Any certificate, diploma or academic distinction awarded by the Assam Council or any competent authority immediately before the establishment of the Meghalaya Council shall be deemed to have been awarded under the provisions of this Act; and

(e) Any rule, regulation or order made prior to the commencement of this Act by any competent authority in relations polytechnic or the course of study therein shall be deemed to have been made under the corresponding provisions of this Act.

Composition of the Council

5. (1) The Council shall consist of the following members namely:-

(a) A chairman to be appointed by the State Government

(b) one member of the Meghalaya State Legislative Assembly to be nominated by the Speaker;

(c) Commissioner & Secretary to the Government of Meghalaya, Education department or his nominee;

(d) Commissioner & Secretary to the Government of Meghalaya, Finance department or his nominee;

to the Government of Meghalaya P.W.D

Shillong;

(f) the Director of Public Instruction, Meghalaya;

(g) the Director of Technical Education or when there is no Director, the Additional Director of Technical Education;

(h) the Director of Industries, Meghalaya;

(i) the Commissioner of Labour, Meghalaya;

(j) not more than two representatives to be nominated from recognised Polytechnics by the State Government;

representative of the Central Government to be nominated by that Government.

(l) a representative of the all India Council for Technical Education;

(m) The Principal, Technical Teachers Training Institute, Eastern Region, Calcutta.

(n) two non-official persons to be appointed by the State Government from amongst those who are conversant with technical education of whom one should be a lady; and

(o) two representative, one each from the public sector

undertakings and the other from the private sector
undertakings to be nominated by the State Government (2)
The State Government may, if it considers it necessary also
appoint one of the members to be the Vice-Chairman of the
Council.

(3) The State Government may appoint a person to be a
Secretary of the Council and on such appointment the person
shall become also a member.

(4) Where a Secretary is not appointed, the Director of
Technical Education or, when there is no Director, the
Additional Director of Technical Education, shall be the
Member-Secretary of the Council and shall exercise all the
powers and duties of a Secretary.

Term of office of a member

Resignation of member

Power of the Government to

reconstitute the Council or terminate

membership

Occurrence of a vacancy

Act and proceedings of the Council

not to be invalid

6. (1) The term of office of a member other than an ex-office member shall be three years
from the date of appointment or for any shorter period as may be specified in the
appointment by the State Government:

Provided that until the Council is re-constituted from time to time a member shall continue to
hold office after expiry of his term:

Provided, further, that membership of an ex-office member shall cease if he ceases to hold the
office by virtue of which he became such a member.

(2) A member who absents himself from any three consecutive meetings of the Council shall
be deemed to have relinquished his membership with effect from the date following the date
such a third meeting ends. 7. Any member other than an-officio member may resign his
membership at any time by tendering his resignation in writing to the Secretary and such
member shall be deemed to have relinquished his office on acceptance of his resignation by the
State Government.

8. Nothing in this Act shall derogate the power of the State Government to-

(a) dissolve or reconstitute the Council at any time; (b) terminate the membership of any member
for reasons to be recorded in writing; and

(c) Re-appoint the same person as member from time to time.

9. Any vacancy occurring in the Council shall be led up as soon as may be by appointment
of another person and such person shall hold office for the remainder of the term of the person in
whose place he has been appointed.

10. No. Act or proceedings of the Council shall be invalid merely by reasons of any-

(a) vacancy or defect in the constitution thereof; or (b) defect in the election, nomination or
appointment of any member; or

(c) Irregularity in the procedure of dealing with any matter but not affecting its merit.

Appointment of committees.

Power and functions of the Council

11. (1) The Council may appoint an Academic Committee, an Executive Committee and a Standing Committee which shall function under the direction and control of the Council, for the efficient discharge of its duties and performance of its functions under this Act.
- (2) The Committees shall consist of such number of members and carry out such functions and duties as may be regulations be prescribed.
12. Subject to the provisions of this Act, the powers and functions of the Council shall be:-
- (a) To recognise or grant affiliation to polytechnics in the State;
 - (b) To prescribe the syllabus, course of study and examinations and the institutional facilities to be provided in a polytechnic;
 - (c) To prescribe the educational and other qualifications of the members of the staff of a polytechnic;
 - (d) To prescribe the educational and other qualifications of a student and the terms and conditions for his admission to a polytechnic;
 - (e) To conduct examination of students recognised polytechnics and to lay down be permitted to sit in an examination;
- Provided that the Council may authorise a polytechnic to conduct examinations of its own students according to such standards and conditions as it may prescribe;
- (f) To publish the results of examinations and to grants certificates and diploma to the students who have passed the examinations;
 - (g) To advise the State Government on all matters relating to technical education for meeting as far as practicable the need of the State;
 - (h) To co-ordinate and maintain the standard of technical education in polytechnic;
 - (i) To institute and award fellowship, including scholarship and studentship and to award prizes and distinction certificates;
 - (j) To co-operate with the All India Council for Technical Education or its branches and other similar organisations for the purpose of effecting as far as possible uniformity of standards in the polytechnics in the State;
 - (k) To give direction and guidance to a polytechnic and to make inspections
 - (l) To create posts for the purpose of the Council and appoint persons thereto;

Affiliation of polytechnic

Application of Polytechnic

Powers and functions of the Chairman

Powers and functions of the Secretary

Provided that creation of posts equivalent to those in Group 'A' of the State Government and appointment of persons thereof shall be made with prior approval of the Government;

- (m) With prior approval of the State Government to borrow money on its own security for purposes under this Act.

13. (1) A polytechnic satisfying the conditions and standards as may be prescribed may be affiliated to the Council on terms and conditions as may by regulations be prescribed.
- (2) An affiliation may be suspended or cancelled if in the opinion of the Council the polytechnic has failed to comply with the conditions or directions given by the Council or to maintain the standards required of it under this Act:
- Provided that before any affiliation is cancelled the Council shall give an opportunity to the authority managing the polytechnic to state its case.

14.(1)The Chairman shall have the power to take all actions necessary for implementing the decisions of the Council.

(2)Subject to the general control of the Council the Chairman may pass such order as he may consider necessary on the decisions of the Committees.

(3)Where any action which normally requires prior approval of the Council to be taken urgently, the Chairman may take such action as he considers it necessary and shall apprise the Council of the matter and of the action so taken as soon as may be and the Council may approve or modify it.

(4)The Chairman shall preside over meetings of the Council and convocations held by it:

Provided that in any meeting when the Chairman is absent and there is no Vice-Chairman to preside over it the meeting shall be presided over by a member chosen from amongst those present in the meeting.

15.The Secretary shall, subject to the control and direction of the Chairman, be the Chief Executive of the Council and his powers and functions shall as may by regulations be prescribed.

Conditions of Service of employees

Fund of Council

Annual Report

Annual Accounts

Directions by the State Government

16.The conditions of service including condition relating to provident fund, insurance and other retirement or terminal benefits of the employees of the Council, shall be as may by rules be prescribed.

17. (1) The Council shall have its own fund into which all money received shall be credited and necessary expenditure met from.

(2)The fund shall be kept in a nationalised Bank as the Council may decide and shall be operated in such manner as may by regulations be prescribed. 18.The Annual report of the Council shall be prepared and placed before the Council for consideration at its annual general meeting and after consideration the Council shall submit the report together with its comments to the State Government.

19.The Annual accounts of the Council shall be prepared and audited by the Examiner of Local Accounts of the State Government and audited accounts along with the auditor's report shall be placed before the Council for consideration and after consideration the Council shall submit the accounts together with its comments to the State Government.

20.The State Government may issue directions to the Council, including directions modifying any of its actions or decisions which in the opinion to the State Government is not consistent with the provisions of this Act, and the Council shall act according to such directions:

Provided that a direction modifying the action or decision of the Council may be issued only after giving the Council and opportunity to state its case.

Inspection

21.The State Government may cause an inspection of the Council or of any recognised polytechnic to be conducted by its officers to ensure that the Council or the polytechnic, as the case may be, functions in accordance with the provisions of this

Act and the officers shall be afforded all reasonable facilities for the conduct of the inspection.

Appeals

22. (1) Any person aggrieved by an order of the Chairman of any officer of the Council or any Committee may, within thirty days from the date of receipt of the order, appeal to the Council and the Council shall pass such orders as it deems fit.

Power to remove difficulties

Power to make rules

Power to make regulations

(3) Any person aggrieved by an order of the Council may, within thirty days from the date of receipt of the order, appeal to the State Government and the State Government shall pass such orders as it considers just and proper and the orders shall be final and binding.

23. If any difficulty arises in giving effect to any of the provisions of this Act including provisions relating to the constitution of the Council and its functions, the State Government may pass such orders not inconsistent with the purposes of this Act as may appear to it to be necessary or expedient for removing the difficulty and such orders may be made to have a respective effect.

24. (1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power such rule may provide for the following matters namely:-

(a) The salary or honorarium and allowance payable the Chairman, Vice-Chairman and other members.

(b) Any other powers and functions which the Chairman of Vice-Chairman may exercise.

(c) The salary, allowance and conditions of service of the Secretary;

(d) The manner of preparation and the time within which the annual report and the annual audited accounts of the Council shall be submitted to the State Government; and

(e) Any other matter that is to be provided for by rules

25. (1) The Council may, with previous approval of the State Government, make regulations not inconsistent with the provisions of this Act or the rules.

(2) Without prejudice to the generality of the foregoing powers such regulations may provide for the following matters, namely:-

(a) The procedure for holding meetings, including the determination of quorum for any sitting of the Council or of the Committees;

(b) The conditions required for affiliation a polytechnic;

(c) Standard to be maintained by a recognised polytechnic;

(d) The courses of study or instruction, to be provided and the examinations to be conducted by polytechnics;

(e) The award of diplomas, certificates and other academic distinctions and the conditions thereof;

(f) The fees payable for appearing at any examination

conducted by the Council;

(g)The conditions for award of fellowship, scholarship or studentship;

(h)The conduct of examinations, appointment of examiners or supervisors and the fees payable to them;

(i)The composition, duties and functions of the Committees;

(j)The powers and functions of the Secretary;

(k)The salary, allowance and other conditions of service of the employees of the Council;

(l)The manner of operation of the fund and Bank account of the Council; and

(m)Any other matter which is required to be provided for by regulations.

