

**ii) The Powers and Duties of its officers and employees**

**ii) POWERS AND DUTIES OF OFFICERS AND EMPLOYEES**

**ii) a. CASES TO BE DISPOSED OF AT THE LEVEL OF MINISTER-IN-CHARGE LEGAL AND LEGISLATIVE MATTERS**

1. Proposals relating to Ordinances, Acts, Rules and Regulations including amendments.
2. Annual Administration Reports.
3. Work relating to Assembly and Parliament Questions except replies to questions of Lok Sabha/ Rajya Sabha where information to be given is merely formal in nature.
4. Assurance/ Promises made by Minister on the Floor of the House.
5. Approval of periodical reports to be sent to Vidhan Sabha Committee.

**ii) b. POWERS OF THE GOVT.**

1. The Government shall by notification in the Official Gazette appoint a person to be the Chairman of the Board.
2. The Government shall appoint a person to be the Secretary to assist the Board in carrying out the purposes of this Act.
3. The Government shall have the power to make a reference to the Board with regard to any matter of policy or in respect of any act done by the Board in contravention of the provisions of this Act or the rules or the regulations made thereunder.
4. The Board shall report to the Government about the action, if any, as it proposes to take or has taken upon the reference made under sub-section (1), and shall furnish an explanation, if it fails to take action.
5. If, the Board fails within a reasonable time to take action on such reference to the satisfaction of the Government, it may after considering explanation submitted by the Board, issue such directions consistent with this Act, as the Government may consider necessary and the Board shall comply with such directions.
6. The Government may, at any time, arrange for an inspection of or inquiry into the affairs of the Board by such authority or person, as it may Specify, to satisfy about the proper and effective functioning of the Board and also upon any matter connected with the administration and finances of the Board.
7. The Board may authorise any person to represent it at the inspection or inquiry referred to in sub-section (4),
8. On receipt of the report of inspection or inquiry referred in sub-section (4), the Government may examine the same and give such directions, as it may consider necessary to the Board.
9. The Chairman shall within a period of thirty days from the date of the receipt of the directions given under sub-section (6), send an intimation to the Government about the action taken by the Board in pursuance of the said directions.
10. On the expiry of the period specified in sub-section (7), the Government may after considering the intimation, if any, received from the Chairman, issue such directions to the Board, as it may consider necessary and the Board shall comply with such directions.

11. Every resolution of the Board shall be communicated to the Government within a period of thirty days from the date of passing such resolution.
12. If in the opinion of the Government, a resolution of the Board is not in public interest or is not in conformity with the provisions of this Act or the rules or the regulations made thereunder, it may by an order in writing, suspend the execution of such resolution :  
  
Provided that the resolution, the execution of which is suspended by the Government, shall not be cancelled without giving a reasonable opportunity to the Board to explain its position.
13. The Government may issue to the Board such directions as in its opinion are necessary or expedient for carrying out the purposes of this Act or rules or regulations made thereunder and the Board shall comply with all such directions.
14. An institution aggrieved by an order of the Board to refuse or withdraw affiliation, may prefer an appeal within a period of thirty days from the date of communication of such order to such authority as may be specified by the Government in this behalf.
15. The Board may appoint such employees, as it may consider necessary for carrying out the provisions of this Act on such terms and conditions of services, as may be prescribed.
16. To sanction long leave of Secretary of Punjab State Board of Technical Education and Industrial Training.
17. Govt. Notification for Joint Entrance Test (JET)/ Central Counseling.

**ii) c. POWERS OF THE BOARD**

- 1 The Board shall subject to the provisions of this Act and the rules made thereunder, have all such powers as may be necessary for the discharge of its functions and the performance of its duties under this Act or the rules or the regulations made thereunder.
- 2 Subject to the provisions of sub-section (1), the Board shall have the power to,
  - i) cancel an examination or withhold result of an examination of a candidate or disallow him from appearing in any examination who is found to be guilty of,
    - a) using unfair means in the examination ; or
    - b) making any incorrect statement or suppressing material information or fact in the application form for admission to the institution or to the examination; or
    - c) fraud or impersonation at the examination ; or
    - d) securing admission to the examination in contravention of the rules or regulations governing admissions to such examination ; or
    - e) any act of gross indiscipline in the examination :

Provided that the candidate against whom an action under this section is proposed to be taken, shall be given a seasonable opportunity of being heard before passing final order in this behalf;

- ii) deduct marks at any examination of any candidate found by it to be guilty of an act of indiscipline during the examination;
- iii) cancel the result of a examination for any *bona fide* error of the Board in the declaration of the result of the examination;

Provided that the result of an examination shall not be cancelled on the ground of a *bona fide* error of the Board, after the expiry of a period of ninety days from the date of declaration of the result of the examination;

- iv) specify fees for the examination conducted by it and provide for the manner of their realization;
- v) refuse to affiliate an institution which,
  - a) does not fulfil or is unable to fulfil the standards laid down by the Board for staff, instructions, equipment and buildings; or
  - b) does not abide by the conditions for affiliation laid down by the Board

Provided that the affiliation to an institution shall not be refused without giving it a reasonable opportunity of being heard and without passing an order in writing and after recording reasons therefore;

- vi) withdraw affiliation of an institution which is unable to adhere to or make a provision for standards of staff, instructions, equipment or buildings as laid down by the Board or on its failure to observe the conditions of affiliation to the satisfaction of the Board :

Provided that affiliation of an institution shall not be withdrawn without giving it a reasonable- opportunity of being heard and without passing an order in writing by recording reasons therefore;

- vii) lay down norms and standards for course, curricula, physical and instructional facilities, staff, equipment, admissions, assessment and examinations ;
- viii) call reports from Heads of the affiliated institutions in respect of any act done in contravention of the rules, regulations, decisions, instructions or directions of the Board in such manner, as may be specified ;
- ix) inspect or cause to be inspected an affiliated institution for the purpose of ensuring due observance of the specified courses of study and to ensure that the facilities for instructions are duly provided and availed of ;
- x) institute and grant fellowships and scholarships and award, prizes and certificates of distinction;
- xi) create technical, professional, administrative, ministerial and other posts required for the performance of its duties and responsibilities and to appoint persons to such posts ;
- xii) borrow money for carrying out the purposes of this Act with the prior approval of the Government;

- xiii) recommend to the Government introduction of new courses and development of appropriate curricula in connection therewith ;
- xiv) provide guidelines for granting academic autonomy to institutions of Technical Education and grant academic autonomy to such institutions, as it may consider necessary ;
- xv) specify norms and guidelines for charging tuition and other fees in order to prevent commercialisation of technical education and industrial training;
- xvi) refer any question arising in the courses of exercise of its powers or in the discharge of its duties and functions under this Act. to any appropriate Committee constituted under section 19 and consider the committee's recommendations or suggestions thereon.
- xvii) delegate by notification such of its powers subject to such conditions, as it may Consider necessary to any affiliated institution or other authority constituted under the Act or the rules or the regulations made thereunder.

**ii) d. POWERS AND DUTIES OF CHAIRMAN/ CHAIRPERSON**

- 1) Subject to the superintendence, control and direction of the Board, the Chairman shall have powers to,
- i) do all acts required for implementing the decisions of the Board and shall exercise such powers and perform such other duties, in relation thereto, as may be prescribed;
  - ii) make such orders, as he may consider necessary on the recommendation of the Committees constituted under section 19 on any matter falling within the jurisdiction of the Board:

Provided that where such orders are inconsistent with the recommendations, of the Committee or Committees, as the case may be, the same shall be placed before the Board within a period of thirty days from the date such orders are passed for its ratification.

- 2) If the Chairman is satisfied that action is, required to be taken on any matter which is within the jurisdiction of the Board, then he may, by an order in writing, take such action, as he may consider necessary keeping in view the facts and circumstances of each case :

Provided that such order shall be placed before the Board for ratification in its next meeting.

- 3) The Chairman shall convene and preside over the meeting of the Board at which he is present.

**ii) e. POWERS AND DUTIES OF THE SECRETARY OF THE BOARD**

- 1) The Secretary shall, subject to the superintendence, control and direction of the Chairman, be the Chief Executive Officer of the Board.
- 2) The Secretary shall be responsible for preparation of the estimate of accounts and annual statement of Receipt and Expenditure and balance sheet of the Board.
- 3) The Secretary shall be responsible for ensuring that all moneys of the Board are spent for the purposes for which these are meant.
- 4) The Secretary shall be responsible for maintaining the record of the Board including the proceedings of its meetings.
- 5) The Secretary shall be entitled to be present and to speak at the meeting of the Board, but he shall not have the right to vote.
- 6) The Secretary shall exercise all such other powers, as may either be conferred on him under the rules or the regulations made under this Act or delegated to him by the Board.