

THE REGIONAL CENTRE FOR BIOTECHNOLOGY
BILL, 2014

A

BILL

to provide for the establishment of an institution of national importance to be known as the Regional Centre for Biotechnology for training and education as a category II institution under the auspices of the United Nations Educational, Scientific and Cultural Organisation, to undertake research in the field of biotechnology and to provide for matters connected therewith or incidental thereto.

WHEREAS the General Conference of the United Nations Educational, Scientific and Cultural Organisation, at its thirty-third session held in Paris, France during the 3rd to 21st October, 2005, decided that a Regional Centre for Biotechnology Training and Education shall be established in India under its auspices;

AND WHEREAS an Agreement for the establishment and operation of the Regional Centre for Biotechnology Training and Education in India was entered between the Government of India and the United Nations Educational, Scientific and Cultural Organisation on the 14th day of July, 2006 to give effect to the aforesaid decision;

AND WHEREAS it is expedient to make provisions for giving effect to the said Agreement for establishment of an institution to be known as the Regional Centre for Biotechnology Training and Education in India and declare it to be an institution of national importance.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

Short title and Commencement.	<p>1. (1) This Act may be called the Regional Centre for Biotechnology Act, 2014.</p> <p>(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.</p>	
Definitions.	<p>2. In this Act, unless the context otherwise requires,—</p> <p>(a) “academic staff” means Assistant Professors, Associate Professors, Professors, Deans, Sub-Deans, Executive Director and such other persons as may be appointed or engaged for imparting education, training or conducting research in the Regional Centre for Biotechnology or in any institution recognised by the Regional Centre for Biotechnology;</p>	
	<p>(b) “Board of Governors” means the Board of Governors constituted under sub-section (1) of section 14;</p>	
	<p>(c) “Board of Studies” means the Board of Studies of the Regional Centre referred to in section 19;</p>	
	<p>(d) “Chairperson” means the Chairperson of the Board of Governors;</p>	
	<p>(e) “employee” means any person appointed by the Regional Centre and includes academic and other staff of the Regional Centre for Biotechnology;</p>	
	<p>(f) “Executive Committee” means the Executive Committee of the Regional Centre constituted under section 17;</p>	
	<p>(g) “Executive Director” means the Executive Director of the Regional Centre appointed under sub-section (1) of section 22;</p>	
	<p>(h) “existing Regional Centre” means the UNESCO Regional Centre for Biotechnology Training and Education at National Capital Region, Faridabad established <i>vide</i> Order of the Government of India in the Ministry of Science and Technology, Department of Biotechnology, number BT/MED-II/UNESCO/01/2008,</p>	

	dated the 20 th April, 2009;	
	(i) “Hall” means a unit of residence for the students of the Regional Centre;	
	(j) “Institution” includes autonomous organisations conducting research, training or education in Biotechnology, supported by the Government or industry, Universities and other similar organisations within or outside India, and recognised by the Regional Centre for the purposes of this Act;	
	(k) “Ordinances” means the Ordinances framed by the Programme Advisory Committee under section 43;	
	(l) “Programme Advisory Committee” means the Programme Advisory Committee of the Regional Centre constituted under section 16;	
	(m) “Region” means the countries in the South Asian Association for Regional Cooperation region, and more generally in the Asia region;	
	(n) “Regional Centre” means the Regional Centre for Biotechnology established under sub-section (1) of section 3;	
	(n) “Regulations” means the Regulations made by any authority of the Regional Centre under section 44;	
	(o) “Statutes” means the Statutes framed by the Board of Governors under section 41;	
	(p) “UNESCO” means the United Nations Educational, Scientific and Cultural Organisation.	
Establishment of Regional Centre for Biotechnology	<p>3. (1) The Central Government shall, by notification in the Official Gazette, establish, for the purposes of this Act, an institution to be known as the Regional Centre for Biotechnology.</p> <p>(2) The Regional Centre for Biotechnology shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to contract and shall, by the said name, sue and be sued.</p>	

	(3) The headquarters of the Regional Centre shall be at its campus in the National Capital Region, Faridabad.	
Declaration of Regional Centre for Biotechnology as an institution of national importance.	4. Whereas the object of the institution are such as to make the institution one of the national importance, it is hereby declared that the institution known as the Regional Centre for Biotechnology is an institution of national importance.	
Jurisdiction.	5. The jurisdiction of the Regional Centre shall extend to whole of India and to such centres and specialised laboratories or other units for research, development and instruction, established within or outside India.	
Objects of Regional Centre.	6. The objects of the Regional Centre, shall be—	
	(a) to disseminate and advance knowledge by providing instructional and research facilities in such branches of biotechnology and related fields as it may deem fit including technology policy development;	
	(b) to provide capacity-building through education, training, research and development in biotechnology and related academic fields for sustainable development objectives through regional and international cooperation;	
	(c) to facilitate transfer of knowledge and technology relating to biotechnology at the regional level;	
	(d) to create a hub of biotechnology expertise in the countries in South Asian Association for Regional Cooperation region, and more generally in the Asia region, and to address human resources needs in the region;	
	(e) to promote and strengthen international cooperation to improve the social and economic	

	conditions and welfare of the people;	
	(f) to promote and facilitate a network of satellite centres in the region as well as within India.	
Transfer of assets, liabilities, etc., of existing Regional Centre to Regional Centre.	<p>7. (1) On and from the date of establishment of the Regional Centre,—</p> <p>(a) any reference to the existing Regional Centre in any law other than this Act or in any contract or other instrument shall be deemed as a reference to the Regional Centre;</p> <p>(b) all properties and assets, movable and immovable, of, or belonging to the existing Regional Centre shall vest in the Regional Centre;</p> <p>(c) all rights and liabilities of the existing Regional Centre shall be transferred to, and be the rights and liabilities of, the Regional Centre;</p> <p>(d) without prejudice to the provisions of clause (c), all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for, the existing Regional Centre immediately before the said date, for or in connection with the purpose of the said existing Regional Centre shall be deemed to have incurred, entered into or engaged to be done by, with or for, the Regional Centre;</p> <p>(e) all sums of money due to the existing Regional Centre immediately before that date shall be deemed to be due to the Regional Centre;</p> <p>(f) all suits and other legal proceedings instituted or which could have been instituted by or against the existing Regional Centre immediately before that date may be continued or may be instituted by or against the Regional Centre;</p> <p>(g) every employee (including those appointed for imparting instruction or giving training or conducting research in the existing Regional Centre), holding any office under the existing Regional Centre or teaching</p>	

	<p>therein immediately before the commencement of this Act shall hold his office in the Regional Centre or continue teaching therein by the same tenure and upon the same terms and conditions of service as respects remuneration, leave, provident fund, retirement and other terminal benefits as he would have held such office if this Act had not been enacted and shall continue to do so as an employee of the Regional Centre or until the expiry of the period of six months from that date if such employee opts not to be the employee of the Regional Centre within such period.</p> <p>(2) Notwithstanding anything in the Industrial Dispute Act, 1947 or in any other law for the time being in force, absorption of any employee by the Regional Centre in its regular service under this section shall not entitle such employee to any compensation under that Act or any other law and no such claim shall be entertained by any court, tribunal or other authority.</p>	<p>14 of 1947.</p>
<p>Functions of Regional Centre.</p>	<p>8. The functions of the Regional Centre, shall be—</p> <p>(a) to establish infrastructure and technology platforms which are directly relevant to biotechnology education, training and research;</p> <p>(b) to execute educational and training activities including grant of degrees in research in biotechnology and related fields;</p> <p>(c) to produce human resource tailored to drive innovation in biotechnology, particularly in areas of new opportunities and to fill talent gap in deficient areas;</p> <p>(d) to undertake research and development and scientific investigations in collaboration with relevant research centres in the region;</p> <p>(e) to hold scientific symposia and conferences within India or in the region or outside the region and to conduct short-term and long-term training courses</p>	

	<p>and workshops in all areas of biotechnology;</p> <p><i>(f)</i> to collect universally available information with a view to setting up data banks for bio-information;</p> <p><i>(g)</i> to collect and disseminate, through networking, the relevant local knowledge in the field of biotechnology, ensuring protection of intellectual property rights of local stakeholder communities;</p> <p><i>(h)</i> to develop and implement a policy for intellectual property rights which is equitable and just to the stakeholders involved in research in the Regional Centre;</p> <p><i>(i)</i> to disseminate the outcome of research activities in different countries through the publication of books and articles;</p> <p><i>(j)</i> to promote collaborative research and development networking programme in specific areas of biotechnology with national, regional and international networks and promote exchange of scientists, at the regional level having regard to issues pertaining to intellectual property rights of collaborating institutions promoting equitable sharing of benefits with collaborating institutions;</p> <p><i>(k)</i> to frame Statutes, Ordinances and Regulations and to alter, modify or rescind the same.</p>	
<p>Regional Centre to work in collaboration with other institutions of UNESCO.</p>	<p>9. The Regional Centre shall pursue its objects and discharge its functions in close collaboration with other national, regional and international institutions, including those located in the member States of the UNESCO.</p>	
<p>Powers of Regional Centre.</p>	<p>10. <i>(1)</i> The Regional Centre shall have the following powers, namely:—</p> <p><i>(a)</i> to provide for masters degree (including integrated programmes leading to masters degree) and</p>	

	<p>doctoral degree in biotechnology and related subjects at the interface of varied disciplines including physical, chemical, biological, medical, agricultural and engineering and other relevant sciences as the Regional Centre may, from time to time, determine;</p> <p>(b) to provide for short-term and long-term training courses in biotechnology on specific issues related to the development, extension, implementation and regulation of biotechnology and related areas, as the Statutes may, from time to time, provide;</p> <p>(c) to organise and undertake extramural studies, training and extension services in biotechnology;</p> <p>(d) to confer honorary degrees or other distinctions in the manner specified by the Statutes;</p> <p>(e) to institute Professorships, Associate Professorships, Assistant Professorships and other academic positions, required by the Regional Centre and to appoint or engage persons to such Professorships, Associate Professorships, Assistant Professorships or other academic positions;</p> <p>(f) to recognise an institution of higher learning within India for the purposes of this Act and to withdraw such recognition in accordance with the norms laid down in the Statutes;</p> <p>(g) to appoint persons working in any other institution, including those located outside the country, as academic staff of the Regional Centre for a specified period as may be specified by the Statutes;</p> <p>(h) to create administrative, technical and other posts and to make appointments there to as may be specified by the Statutes;</p> <p>(i) to co-operate or collaborate or associate with any institution, including those located outside the country, in such manner and for such purposes as the Regional Centre may determine in accordance with the guidelines specified by the Statutes;</p>	
--	---	--

	<p>(j) to establish, within or outside India, such centres and specialised laboratories or other units for research, development and instruction as are, in the opinion of the Regional Centre, necessary for the furtherance of its objects;</p> <p>(k) to institute and award fellowships, scholarships, studentships, medals and prizes as may be specified by the Statutes;</p> <p>(l) to make provision for research and advisory services and for that purpose to enter into such arrangements with other institutions, industrial or other organisations, including those located outside the country, as the Regional Centre may deem necessary as may be specified by the Statutes;</p> <p>(m) to organise and conduct refresher courses, workshops, seminars and other programmes for teachers, evaluators and other stakeholders;</p> <p>(n) to appoint on contract basis or otherwise Visiting Professors, Honorary Professors, Adjunct Professors, Emeritus Professors, Consultants and such other persons who may contribute to the advancement of the objects of the Regional Centre;</p> <p>(o) to determine standards of admission to the Regional Centre, which may include examination, evaluation or any other method of testing;</p> <p>(p) to demand and receive payment of fees and other charges;</p> <p>(q) to supervise the residences of the students of the Regional Centre and to make arrangements for promoting their health and general welfare;</p> <p>(r) to lay down conditions of service of all categories of employees, including their code of conduct;</p> <p>(s) to regulate and enforce discipline among the students and the employees, and to take such disciplinary measures in this regard as may be</p>	
--	--	--

	<p>considered necessary by the Regional Centre;</p> <p>(t) to make arrangements for promoting the health and general welfare of the employees;</p> <p>(u) to receive benefactions, donations and gifts and to acquire, hold and manage, and to dispose of, with the prior approval of the Central Government, any property, movable or immovable, including trust and endowment properties, for the purposes of the Regional Centre;</p> <p>(v) to borrow, with the prior approval of the Central Government, on the security of its property of the Regional Centre, money for the purposes of the Regional Centre; and</p> <p>(w) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.</p>	
	<p>(2) In exercising its powers under sub-section (1), it shall be the endeavour of the Regional Centre to maintain high standards of education, training and research, and the Regional Centre shall, among other measures which may be necessary for the said purpose, take, in particular, the following measures, namely:—</p> <p>(i) admission of students from India and outside India in such manner as may be specified by the Statutes;</p> <p>(ii) conduct innovative courses and programmes of studies with a provision for periodic review and restructuring; and</p> <p>(iii) promote e-governance with an effective management information system.</p>	
<p>Regional Centre open to all castes, creed, race or class.</p>	<p>11.The Regional Centre or any institution recognised by it shall be open to persons of either sex and whatever caste, creed, race, ethnicity, nationality or class, and it shall not be lawful for the Regional Centre or such institution to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him to be</p>	

	appointed as a member of the academic staff of the Regional Centre or such institution or to hold any other office therein or to be admitted as a student in the Regional Centre or such institution or to enjoy or exercise any privilege thereof.	
Privileges and immunities of academic staff, etc.	12. The members of the academic staff and, where applicable, their dependents or members of the family, shall enjoy such privileges and immunities as the Central Government may, after entering into an agreement with the Regional Centre, notify under section 3 of the United Nations (Privileges and Immunities) Act, 1947.	46 of 1947.
Authorities of Regional Centre.	13. The following shall be the authorities of the Regional Centre, namely:— (a) the Board of Governors; (b) the Programme Advisory Committee; (c) the Executive Committee; (d) the Finance Committee; and (e) such other authorities as may be declared by the Statutes to be the authorities of the Regional Centre.	
Board of Governors.	14.(1) The Board of Governors shall consist of the following members, namely:— (i) Secretary to the Government of India in the Department of Biotechnology, <i>ex officio</i> Chairperson; (ii) three representatives of the Government of India, out of which at least one shall be from amongst women, who would be eminent scientist in the relevant field and in the grade not less than that of a Joint Secretary to the Government of India, to be nominated by the Central Government; (iii) a representative of the Director-General of UNESCO; (iv) two representatives from amongst the other member States of UNESCO, who substantially contribute resources to the running of the Regional	

	<p>Centre, in such manner as may be specified by the Statutes.</p>	
	<p>(2) The Chairperson of the Programme Advisory Committee shall be a permanent invitee of the Board of Governors.</p> <p>(3) The Executive Director of the Regional Centre shall be the Convenor of the meetings of the Board of Governors.</p> <p>(4) Subject to the provisions of this Act, the Board of Governors shall have the following powers and functions, namely:—</p> <p>(a) to approve the annual plan and budget of the Regional Centre;</p> <p>(b) to review, from time to time, the broad policies and programmes of the Regional Centre, and to suggest measures for the improvement and development of the Regional Centre;</p> <p>(c) to consider the annual report and the annual accounts of the Regional Centre and the audit report on such accounts;</p> <p>(d) to study and approve the internal procedures, including financial procedure and staff regulations of the Regional Centre;</p> <p>(e) to approve the organisational structure and number of academic staff and other employees at the Regional Centre;</p> <p>(f) to convene special consultative sessions to which it shall invite, in addition to its own members, the Executive Director of the Regional Centre, and may also invite representatives of other interested countries and international organisations in order to obtain proposals for strengthening the scope of services of the Regional Centre and for carrying out the projects and activities relevant to the Regional Centre, and to expand the fund-raising strategy and capabilities;</p>	

	<p>(g) to prescribe fees and other charges;</p> <p>(h) to frame Statutes.</p>	
	<p>(5) The Chairperson shall ordinarily preside over the meetings of the Board of Governors.</p> <p>(6) The Board of Governors shall meet at least once in every year or such other time as the Chairperson may decide in such manner as may be specified by the Statutes.</p> <p>(7) The Board of Governors may evolve its own rules of procedure for the purpose of conducting its meetings and transacting business therein.</p>	
Powers and functions of Chairperson.	<p>15.(1) The Chairperson shall exercise and discharge such powers and functions of the Board of Governors as may be delegated by the Board and such other powers and functions as may be specified by the Statutes.</p> <p>(2) If the Chairperson is not present at a meeting of the Board of Governors, another member of the Board authorised by the Chairperson may preside over the meeting.</p>	
Programme Advisory Committee.	<p>16.(1) The Programme Advisory Committee shall be the principal academic body of the Regional Centre and shall, subject to the provisions of this Act, advise planning, execution, review and monitoring of the scientific and academic programmes of the Regional Centre.</p>	
	<p>(2) The Programme Advisory Committee shall consist of the following persons who shall be eminent experts of international repute in biotechnology relevant to the core activities of the Regional Centre, namely:—</p> <p>(a) a chairperson to be nominated by the Board of Governors;</p> <p>(b) two members to be nominated by the UNESCO;</p> <p>(c) three members from amongst the member States of UNESCO which provide maximum financial assistance during a period of three years to be</p>	

	<p>nominated by the member States;</p> <p>(d) two members having expertise and experience in biotechnology policy and legal matters to be nominated by the Central Government;</p> <p>(e) six members from amongst the persons being renowned scientist or academician, to be nominated by the Board of Governors;</p> <p>(f) the Executive Director, Member-Secretary, <i>ex officio</i>.</p>	
	<p>(3) The Programme Advisory Committee shall be responsible for—</p> <p>(a) making recommendations on the matters of planning and coordinating of the education, training and research activities;</p> <p>(b) recommending modifications or revision of education, training and research programmes of the Regional Centre and on the reports thereon;</p> <p>(c) reviewing annually the programmes of the Regional Centre, evaluate its progress and submit the report thereon;</p> <p>(d) considering and report on any matter concerning scientific and technical issues referred to it by the Board of Governors or by the Executive Director;</p> <p>(e) performing all such duties and to do all such acts as may be necessary in the furtherance of education, training and research under this Act;</p> <p>(f) framing Ordinances;</p> <p>(g) performing such other functions as may be specified by the Statutes.</p>	
	<p>(4) The fees and allowances payable to members of the Programme Advisory Committee and their term of office shall be such as may be specified by the Statutes.</p>	
Executive	17. (1) The Executive Committee shall be responsible	

Committee.	<p>for management of the Regional Centre and implementation of policies and decisions of the Board of Governors.</p> <p>(2) The constitution, term of office and powers and functions of, the Executive Committee, shall be such as may be specified by the Statutes.</p>	
Finance Committee.	<p>18. (1) The Finance Committee shall review finances, consider the annual budget estimates, the statements of accounts and the audit reports and make recommendations to the Board of Governors.</p> <p>(2) The constitution, powers and functions of the Finance Committee shall be such as may be specified by the Statutes.</p>	
Board of Studies.	<p>19. The constitution, powers and functions of the Board of Studies shall be such as may be specified by the Statutes.</p>	
Other authorities of Regional Centre.	<p>20. The constitution, powers and functions of other authorities referred to in clause (e) of section 13, shall be such as may be specified by the Statutes.</p>	
Officers of Regional Centre.	<p>21.The following shall be the officers of the Regional Centre, namely:—</p> <ul style="list-style-type: none"> (a) Executive Director; (b) Deans; (c) Sub- Deans; (d) Associate Director (Administration); (e) Registrar; (f) Finance Officer; and (g) such other officers as may be declared by the Statutes to be the officers of the Regional Centre. 	
Executive Director.	<p>22. (1) The Executive Director shall be appointed on the recommendation of the Board of Governors in such manner as may be specified by the Statutes.</p>	

	<p>(2) The Executive Director shall—</p> <p>(a) be the principal executive and academic officer of the Regional Centre;</p> <p>(b) direct the work of the Regional Centre in conformity with the programmes and directives established by the Board of Governors;</p> <p>(c) propose the draft work plan and budget to be submitted to the Board of Governors for approval;</p> <p>(d) prepare the agenda for the sessions of the Board of Governors;</p> <p>(e) prepare reports on the Regional Centre’s activities for submission to the Board of Governors; and</p> <p>(f) exercise such other powers and perform such other functions as may be specified by the Statutes.</p>	
	<p>(3) The financial powers delegated to the Executive Director shall be such as may be specified by the Statutes.</p> <p>(4) The Executive Director may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the Regional Centre by or under this Act and shall report to such authority at its next meeting the action taken by him on such matter.</p>	
<p>Deans and Sub- Deans.</p>	<p>23. The Deans and Sub-Deans shall be appointed in such manner and on such terms and conditions of service, and shall exercise such powers and perform such duties, as may be specified by the Statutes.</p>	
<p>Associate Director (Administration)</p>	<p>24. (1)The Associate Director (Administration) shall be appointed in such manner, and on such terms and conditions of service, as may be specified by the Statutes.</p>	
	<p>(2) The Associate Director (Administration) shall have the power to enter into agreements, sign documents and authenticate records on behalf of the Regional Centre, and shall exercise such powers and perform such duties, as</p>	

	may be specified by the Statutes.	
Registrar.	25. The Registrar shall be appointed in such manner and on such terms and conditions of service and shall exercise such powers and perform such duties, as may be specified by the Statutes.	
Finance Officer.	26. The Finance officer shall be appointed in such manner and on such terms and conditions of service and shall exercise such powers and perform such duties, as may be specified by the Statutes.	
Other officers.	27. The manner of appointment and powers and duties and terms and conditions of service of other officers of the Regional Centre shall be specified by the Statutes.	
Payment to Regional Centre.	28. The Central Government may, after due appropriation made by Parliament by law, in this behalf, make to the Regional Centre grants and loans of such sums of money and in such manner as that Government may consider necessary for being utilised for the purposes of this Act.	
Fund of Regional Centre.	<p>29. (1) The Regional Centre shall maintain a Fund to which there shall be credited—</p> <p>(a) all moneys provided by the Central Government;</p> <p>(b) all fees and other charges received by the Regional Centre;</p> <p>(c) all moneys received by the Regional Centre by way of grants, gifts, donations, benefactions, bequests or transfers; and</p> <p>(d) all moneys received by the Regional Centre in any other manner or from any other source.</p> <p>(2) All moneys credited to the Fund shall be deposited in such banks or invested in such manner as the Regional Centre may, with the approval of the Central Government, decide.</p> <p>(3) The fund shall be applied for meeting—</p> <p>(a) the salary, allowances and other remuneration</p>	

	<p>of, chairperson and members of the Board or committees, academic staff, officers and other employees of the Regional Centre or members of other committees set up by it;</p> <p>(b) the expenses of the Regional Centre in discharge of its function under this Act;</p> <p>(c) the expenses on objects and for purposes authorised by this Act.</p>	
Annual report.	<p>30. (1) The annual report of the Regional Centre shall be prepared under the directions of the Executive Director, which shall include, among other matters, the steps taken by the Regional Centre towards the fulfilment of its objectives and shall be submitted to the Board of Governors on or before such date as may be specified by the Statutes and the Board of Governors shall consider the report in its annual meeting.</p> <p>(2) A copy of the annual report, as prepared under sub-section (1), shall be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.</p>	
Annual accounts.	<p>31. (1) The annual accounts and the balance sheet of the Regional Centre shall be prepared under the directions of the Board of Governors and shall, once at least every year, and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India.</p> <p>(2) A copy of the accounts together with the audit report shall be submitted to the Central Government along with the observations, if any, of the Board of Governors.</p> <p>(3) A copy of the annual report and annual accounts together with the audit report, as submitted to the Central Government shall, as soon as may be, cause to be laid before both Houses of Parliament.</p> <p>(4) The audited annual accounts, after having been laid before both Houses of Parliament, shall be published in the Gazette of India.</p> <p>(5) A copy of the audited annual accounts shall also be</p>	

	submitted to the member States of the UNESCO.	
Returns and information.	32. The Regional Centre shall furnish to the Central Government such returns or other information with respect to its property or activities as the Central Government may, from time to time, require, within such period as may be specified by the Central Government.	
Review of functioning of Regional Centre.	33. (1) There shall be a review of the functioning of the Regional Centre once in every four years by persons of eminence to be appointed by the Central Government.	
	(2) The Regional Centre shall meet the expenses for conducting the review under sub-section (1) and upon receipt of the report of such review, the Board of Governors may take appropriate action. (3) In addition to the review under sub-section (1), the Board of Governors may conduct review of functioning of administrative and academic wings of the Regional Centre, in such manner and at such intervals, as may be specified in the Statutes.	
Appointment of staff of Regional Centre.	34. All appointments of the staff of the Regional Centre (except appointment of the Executive Director), shall be made in accordance with the procedure laid down in the Statutes, by— (a) the Board of Governors for the academic staff; (b) the Executive Director, in any other case.	
Conditions of service.	35. (1) The terms and conditions of service of the employees of the Regional Centre shall be such as may be specified by the Statutes. (2) The Regional Centre shall have a flexible compensation system which recognises performance, as laid down in the Statutes, to bring the best talent in the Regional Centre.	
Arbitration	36. (1) Any dispute arising between the Regional	

	<p>Centre and any of its employees shall, at the first instance, be resolved through such grievance redressal mechanism as may be specified by the Statutes.</p> <p>(2) If the dispute referred to in sub-section (1) is not resolved through the grievance redressal mechanism, the same shall, at the request of the employee concerned or at the instance of the Regional Centre, be referred to a Tribunal of Arbitration consisting of one member appointed by the Regional Centre, one member nominated by the employee, and such two arbitrators shall appoint the third arbitrator who shall act as the Presiding arbitrator.</p> <p>(3) The arbitration under sub-section (2) shall be governed by the provisions of the Arbitration and Conciliation Act, 1996.</p>	<p>26 of 1996.</p>
Meetings.	<p>37. The meetings of the Board of Governors, Programme Advisory Committee, Executive Committee or other committees constituted by the Regional Centre may be held using contemporary tools of information and communication technologies (including video conferencing) without the members necessarily having to be physically present.</p>	
Filling of casual vacancies.	<p>38. All casual vacancies among the members (other than <i>ex officio</i> members) of any authority or other body of the Regional Centre shall be filled, as soon as may be, by the person or body who appoints, elects or co-opts the member whose place has become vacant and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.</p>	
Proceedings of authorities or bodies not invalidated by vacancies.	<p>39. No act or proceedings of any authority or other body of the Regional Centre shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.</p>	

Protection of action taken in good faith.	40. No suit or other legal proceedings shall lie against any officer or employee of the Regional Centre for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes, Ordinances and Regulations.	
Statutes how framed.	41. (1) The Statutes of the Regional Centre shall be framed by the Board of Governors.	
	(2) Without prejudice to the provisions contained in sub-section (1), the Executive Committee may make recommendations for framing of Statutes to the Board.	
	(3) The Board of Governors may, from time to time, make new Statutes or may amend or repeal the Statutes with effect from such date, not earlier than the date of commencement of this Act, as it may direct.	
Power to make Statutes.	42. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—	
	(a) the constitution, powers and functions of authorities, term of office of its member and other bodies of the Regional Centre, as may be constituted from time to time;	
	(b) the manner of nomination of representative of the Members States of UNESCO in the Board of Governors;	
	(c) other powers and functions of the Chairperson of the Board of Governors; the other functions of the Programme Advisory Committee, and term of office of its members; the constitution, powers and functions of the Finance Committee, the Board of Studies and constitution, powers and functions of other authorities;	
	(d) the manner of appointment of Executive Director, his other powers and other duties, financial powers to be delegated to the Executive Director and the manner of appointment, powers and duties of the officers of the Regional Centre and their emoluments;	
	(e) the time and date for submission of annual	

	<p>report of the Regional Centre; manner of conducting review of functioning of administrative and academic wings of the Regional Centre,</p> <p>(f) the appointment of regular academic staff and other employees of the Regional Centre, their emoluments and conditions of service, flexible compensation system, their benefits and privileges, including principles governing the seniority of service, age of superannuation, provisions for pension, insurance, provident fund, the manner of termination of service and disciplinary action consistent with such staff engaged in higher education and research at Central Universities;</p>	
	<p>(g) the manner of co-operation and collaboration with other Universities, institutions and other agencies including learned bodies or associations;</p> <p>(h) creation, composition and functions of any other body which is considered necessary for improving the academic life of the Regional Centre;</p>	
	<p>(i) conferment of honorary degrees and distinctions;</p> <p>(j) delegation of powers vested in the authorities or officers of the Regional Centre;</p>	
	<p>(k) the terms and conditions of service for engagement of experts as adjunct and visiting faculty;</p> <p>(l) the terms and conditions of service for hiring appropriate human resource, Indian or foreign, especially at higher levels in specific areas, with fixed tenure, not exceeding three years at a time and with higher compensation, with the approval of the Board of Governors;</p>	
	<p>(m) the terms and conditions of service of the employees of the Regional Centre;</p>	
	<p>(n) grievance redressal mechanism for resolution of disputes arising between the Regional Centre and any of its employees;</p>	

	<p>(o) the manner of making Regulations by any of the authorities of the Regional Centre;</p> <p>(p) the manner of recognition of institutions to be affiliated with the Regional Centre and grounds for withdrawal of recognition thereof;</p> <p>(q) any other matter which may be required or necessary for the purposes of this Act.</p>	
<p>Power to make Ordinances.</p>	<p>43. (1) Subject to the provisions of this Act and the Statutes, the Ordinances of the Regional Centre may provide for all or any of the following matters, namely:—</p>	
	<p>(a) admission of students from within India and from the Region to the Regional Centre and their enrolment as such;</p> <p>(b) the course of study;</p> <p>(c) the conditions under which students shall be admitted and shall be eligible for degrees, diplomas and certificates and to the examinations of the Regional Centre, and shall be eligible for the degrees, diplomas and certificates;</p> <p>(d) the conditions of award of the fellowships, scholarships, medals and prizes;</p> <p>(e) the conditions and mode of appointment and duties of examining bodies, examiners and moderators;</p> <p>(f) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;</p> <p>(g) the conditions of residence of the students of the Regional Centre;</p> <p>(h) the maintenance of discipline among the employees and students;</p> <p>(i) the courses of study to be laid down for all degrees, diplomas and certificates of the Regional Centre including the medium of instruction and examination;</p> <p>(j) the award of degrees and other academic</p>	

	<p>distinctions, the qualifications for the same and the manner of granting and obtaining of the same;</p> <p>(k) the withdrawal of degrees, diplomas, certificates and other academic distinctions;</p> <p>(l) fees to be charged for courses of study in the Regional Centre and for admission to examinations, degrees and diplomas of the Regional Centre;</p> <p>(m) institution of and conditions for award of fellowships, scholarships, studentships, medals and prizes;</p> <p>(n) the special arrangements, if any, which may be made for the residence and teaching of women students and the prescribing of special courses of studies for them;</p> <p>(o) establishment, management and abolition of Centres of Studies, Schools, Departments, Specialised Laboratories, Halls and Institutions; and</p> <p>(p) any other matter which by this Act or the Statute, is to be, or, may be, provided for by the Ordinances.</p>	
	<p>(2) Save as otherwise provided in this section, Ordinances shall be made by the Programme Advisory Committee.</p>	
	<p>(3) All Ordinances made by the Programme Advisory Committee shall have the effect from such date as it may direct.</p>	
	<p>(4) The Programme Advisory Committee shall have the power by resolution to modify or cancel any of its Ordinances and such Ordinances shall, from the date of such resolution stand modified accordingly or cancelled, as the case may be.</p>	
<p>Regulations.</p>	<p>44. The authorities of the Regional Centre may make Regulations, consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees, if any, appointed by them and not</p>	

	provided for by this Act, the Statutes or the Ordinances, in the manner as may be specified by the Statutes.	
Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament.	<p>45. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.</p> <p>(2) Every Statute, Ordinance or Regulation made under this Act, shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute or Ordinance or Regulation or both Houses agree that the Statute or Ordinance or Regulation should not be made, the Statute or Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute or Ordinance or Regulation.</p>	
Power to make Statutes or Ordinances or Regulations retrospectively .	<p>46. The power to make Statutes or Ordinances or Regulations under section 42 or section 43 or section 44, as the case may be, shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the Statutes or Ordinances or Regulations or any of them but no retrospective effect shall be given to any Statutes or Ordinances or Regulations so as to prejudicially affect the interests of any person to whom such Statutes or Ordinances or Regulations may be applicable.</p>	
Power to remove difficulties.	<p>47. (1) If any difficulty arises in giving effect to the provisions of provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appears to it to be necessary or</p>	

	<p>expedient for removing the difficulty:</p> <p>Provided that no such order shall be made under this section after the expiry of two years from the commencement of this Act.</p> <p>(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.</p>	