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**STANDING COMMITTEE ON
PETROLEUM & CHEMICALS
(1996-97)**

ELEVENTH LOK SABHA

**MINISTRY OF CHEMICALS & FERTILISERS
(DEPARTMENT OF CHEMICALS & PETROCHEMICALS)**

**THE NATIONAL INSTITUTE OF PHARMACEUTICAL
EDUCATION AND RESEARCH BILL, 1997**

380

THIRTEENTH REPORT



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**LOK SABHA SECRETARIAT
NEW DELHI**

July, 1997/Shravana, 1919 (Saka)

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(1996-97)

(ELEVENTH LOK SABHA)

THE NATIONAL INSTITUTE OF PHARMACEUTICAL
EDUCATION AND RESEARCH BILL, 1997

Presented to Lok Sabha on 31 July, 1997
Laid in Rajya Sabha on 31 July, 1997



LOK SABHA SECRETARIAT
NEW DELHI

July, 1997/Shravana, 1919 (Saka)

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COMPOSITION OF THE STANDING COMMITTEE ON
PETROLEUM AND CHEMICALS
(1996-97)

CHAIRMAN

Shri A.R. Antulay

MEMBERS

Lok Sabha

2. Dr. L.N. Pandey
3. Shri Chandubhai Deshmukh
4. Shri Dileep Sanghani
5. Shri Tejvir Singh
6. Shri Ratilal Verma
7. Shri Dwarka Nath Das
8. Dr. G.L. Kanaujia
9. Shri Ashok Argal
10. Shri Bhanu Pratap Singh Verma
- *11. Shri Anadi Charan Sahu
12. Shri Oscar Fernandes
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14. Dr. Girija Vyas
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19. Shri Surendra Yadav
20. Shri M. Shahabuddin
21. Shri Uddhab Barman

*Nominated w.e.f. 2.12.1996 *vice* Shri Kamaluddin Ahmed.

22. Dr. Asim Bala
23. Shri K. Kandasamy
24. Shri Ram Sagar
25. Shri P. Shanmugam
26. Shri Satyanarayana Kaikala
27. Shri Mohan Rawale
28. Shri M. Selvarasu
29. Shri Sanat Kumar Mandal
30. Shri Bir Singh Mahato

Rajya Sabha

31. Shri Karnendu Bhattacharjee
32. Shri H. Hanumanthappa
33. Shri Gundappa Korwar
34. Shri Hiphei
35. Mohd. Masud Khan
36. Shri Nabam Rebia
37. Shri Parmeshwar Kumar Agarwalla
38. Shri Narain Prasad Gupta
39. Shri Chimanbhai Haribhai Shukla
40. Shri Naresh Yadav
41. Shri E. Balanandan
42. Shri R.K. Kumar
43. Shri Ram Gopal Yadav
44. Dr. Y. Lakshmi Prasad
45. Shri Parag Chaliha

SECRETARIAT

1. Shri J.P. Ratnesh — *Additional Secretary*
2. Shri Devender Singh — *Deputy Secretary*
3. Shri Brahm Dutt — *Under Secretary*

INTRODUCTION

1. I, the Chairman, Standing Committee on Petroleum and Chemicals (1996-97) having been authorised by the Committee to submit the Report on their behalf present this Thirteenth Report on The National Institute of Pharmaceutical Education and Research Bill, 1997.

2. The National Institute of Pharmaceutical Education and Research Bill, 1997 was introduced in Lok Sabha on 3rd March, 1997. The Bill was referred to the Committee for examination and report thereon by the Hon'ble Speaker, Lok Sabha under Rule 331E of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. To have better understanding of provisions of the Bill the Committee sought views/Memoranda from several experts in the field. The points raised by them were considered by the Committee. The Committee took evidence of the representatives of Department of Chemicals and Petrochemicals on 27th May, 2nd July and 29th July, 1997 and sought clarifications on the provisions of the Bill. At their sitting held on 29th July, 1997, the Committee considered and approved the Bill subject to certain modifications. The Report was considered and adopted by the Committee at their sitting held on 31st July, 1997.

4. The Committee wish to express their thanks to the experts who submitted their views/Memoranda to the Committee. The Committee also wish to express their thanks to the Ministry of Chemicals and Fertilisers (Deptt. of Chemicals and Petrochemicals) for placing before the Committee the information then wanted in connection with examination of the Bill.

5. The Committee would like to place on record their appreciation or the valuable assistance rendered to them by the officials of the Lok Sabha Secretariat attached to the Committee.

NEW DELHI;
July 31, 1997
Shravana 9, 1919 (Saka)

A.R. ANTULAY,
Chairman,
Standing Committee on Petroleum
and Chemicals.

REPORT

THE NATIONAL INSTITUTE OF PHARMACEUTICAL EDUCATION AND RESEARCH BILL, 1997

Historical Background

1. The National Institute of Pharmaceutical Education and Research (NIPER) was set up as an autonomous body in 1991 as a society, namely the National Institute of Pharmaceutical Education and Research Society, at S.A.S. Nagar, Mohali, Punjab registered under the Societies Registration Act, 1860. The Institute, which is in the process of being developed, also formed part of the 16 point Economic Development Package for the State of Punjab announced by the then Prime Minister of India in October, 1990.

Development of Infrastructure for NIPER and Financial requirements

2. The possession of 130 acres land at S.A.S. Nagar, Mohali was taken in 1991. The turnkey contract for the construction of the project was awarded to the National Buildings Construction Corporation (NBCC), a PSU and the work started in July, 1992.

The expenditure incurred on the Civil construction as also on procurement of equipments/facilities was Rs. 27 crores upto the end of 1996-97, the first phase of the construction is already over. On being asked about the readiness of the Institute to start its activities, the Deptt. of Chemicals and Petrochemicals in a note stated:—

“... Six teaching and research complexes, the Library building, the Seminar Hall, the halls of residence for 120 student's Visiting Faculty, Guest House, a 20 acre medicinal plant garden, Animal House, supporting structures like the Secretariat, the Central Stores, the Workshop, the Utilities building, the electrical Sub-station, Pump Houses are ready and occupied. The Director of the Institute along with a nucleus of core faculty members and the supporting staff are in position.”

3. In reply to a question about total financial requirement of NIPER, the Ministry informed the Committee in a note as follows:—

“The revised cost of estimates of Institute is Rs. 99 crores, out of which Rs. 29 crores has already been provided for upto

1996-97. The balance Rs. 70 crores is proposed to be funded by budgetary support at the rate of Rs. 14 crores for next five years *i.e.* during Ninth Five Year Plan. The internal and extra budgetary resources including income from donations from the industry are proposed to be placed in a Corpus Fund and to provide for the running expenditure of the Institute after project is implemented. No Non-plan support is proposed for meeting the recurring expenditure of the Institute”.

4. The Financial Memorandum to the Bill also provides that the recurring expenditure of the Institute is estimated to be Rs. 4.87 crores in the first year of operation and Rs. 6.32 crores in the tenth year of operation. It is estimated that grant from the Central Government would reduce from Rs. 4.12 crores in the first year to Rs. 32 lakhs by the tenth year.

A Bill to declare NIPER as an Institute of national importance was introduced in Lok Sabha on 3rd March, 1997. The Bill was thereafter referred by the Speaker, Lok Sabha to the Standing Committee on Petroleum and Chemicals for examination and Report. A copy of the Bill is appended. (Appendix-I).

Objectives of NIPER

5. Explaining the objectives of NIPER, the Deptt. of Chemicals and Petrochemicals informed the Committee as under :—

“The pharmaceutical sciences and technology constitute a highly specialised field. The pharmaceutical curricula encompass a very wide spectrum of disciplines. NIPER will be the only one institute of its kind in this sector. The main objectives of NIPER are enumerated below:—

- (a) To undertake and impart qualitative and excellent post graduate education in pharmaceutical sciences in its all branches;
- (b) To bring together, as far as may be, in one place, educational facilities of the highest order for the training of personnel in all important branches of pharmaceutical sciences;
- (c) To become a world level centre for creation of new knowledge and transmission of information in

pharmaceutical areas with focus on national educational, professional and industrial commitments;

- (d) To maintain a central facility of pharmaceutical instrumentation and analysis which would be available for use by the researchers within and from outside the institute;
- (e) To develop a centre to experiment and innovate and to train teachers and other workers in the art and sciences of pharmaceutical teaching;
- (f) To develop and impart multi-disciplinary approach in carrying out research and training of pharmaceutical manpower so that larger interests of the profession, academia and pharmaceutical industry are better served and a pharmaceutical work culture, which is in tune with the changed world trends is evolved.
- (g) To organise lectures, seminars, symposia and conferences to advance and disseminate knowledge and developments in pharmaceutical sciences;
- (h) To develop a nucleus for academia industry interaction through exchange of scientific and technical personnel between the Institute and the Industry and other academic institutions and by undertaking sponsored, funded research as well as consultancy projects; and
- (i) To encourage studies on distribution of and uses of drugs by the rural masses, with a view to developing the concept of community pharmacy research."

6. The Committee also wanted to know the position of NIPER *vis-a-vis* pharmacy colleges in the country. The position that emerged from the details received from the Ministry is as under:—

Courses	No. of Institutions	Controlling Authority	Annual Students Intake
1	2	3	4
Diploma	- 253 (90 Govt., 163 Private)	Pharmacy Council of India	11,000

1	2	3	4
Degree	55 (16 Govt., 39 Private)	All India Council of Tech. Education (AICTE)	2,100
Master Degree	25	-do-	350
Ph.Ds	10	-do-	20

7. As regards the quality/standards of the education being imparted in the above institutions, the Deptt. stated:—

“A majority of the existing institutions conducting Diploma/ Degree courses have been facing acute shortage of faculty. The course content’ in these institutions is traditional. It is also a known fact that these institutions do not have adequate resources to acquire and put to use sophisticated and state-of-art equipment and research facilities. These institutions also do not have any freedom to deviate from the existing course content and adopt novel methods and techniques. There is no national level institute or centre of excellence of the stature of the Indian Institute of Technologies in the field of pharmaceutical sciences. NIPER is the only Institute being developed at a scale and with objectives comparable to the institute of higher learning like the All India Institute of Medical Sciences, the IITs.”

8. In the context of autonomy, the Deptt. informed the Committee that the Bill drafted on the pattern of IITs Act, 1961, aims to vests in NIPER such autonomy and flexibility as available to analogous institutions of national importance.

9. With a view to have expert opinion on the provisions of the Bill, the Committee sought Memoranda from several experts. For seeking clarifications on the provisions of the Bill, the Committee took evidence of the representatives of the Deptt. of Chemicals and Petrochemicals on 27th May, 1997, 2nd July and 29th July, 1997. The Committee examined clause-wise provisions of the Bill. After having convinced of the need and objectives of the Bill, the Committee approve the same for enactment by Parliament with certain modifications which are enumerated in the succeeding paragraphs of the Report.

Recommendations of the Committee

Clause 4(3) Board of Governors

10. Clause 4(3) (a) provides that 'Chairperson who shall be an eminent academician, scientist or technologist or professional to be nominated by the visitor'.

Since the Committee have recommended elsewhere (para 15) in the Report that the Visitor of the Institute should be the Minister concerned and not the President of India, the above clause may be suitably amended for empowering the Central Govt. to appoint/nominate the Chairperson.

After Clause 4(3)(a), the following clause may be added:

“(aa) Vice Chairperson—who shall be elected by Board of Governors out of the non-official members of the Board.”

11. Clause 4(3) (m) provides for nomination of three pharmaceutical industrialists to the Board of Governors of the Institute. Since the Bill makes provision for President, Indian Drug manufacturers' Association and President Organisation of Pharmaceutical producers of India, besides three eminent pharmaceutical experts to be in the Board of Governors, the Committee recommend that the existing provision may be substituted as under:

“4(3) (m) Three public men or social workers, one of whom shall be representative of Scheduled Caste or Scheduled Tribe”.

12. The Committee find that there is no provision for the inclusion of People's Representatives in the Institute. Accordingly, they would like that on the lines of AIIMS Act, the following provision may be added:

“4(3) (n) Three members of Parliament of whom two shall be from Lok Sabha and one from Rajya Sabha to be nominated by Speaker Lok Sabha and Chairman Rajya Sabha respectively”.

Meetings of Board

13. Clause 4(6) of the Bill provides as under:

“The Board shall meet at such place and time and observe such rules of procedures in regard to the transaction of business at its meetings as may be determined by the Board.”

For making the functioning of the Board more regular and effective, the Committee recommend that the words 'at least thrice a year' may be added at the end of the existing clause.

Clause 9—Institute to be open to all races, classes etc.

14. For giving due benefit to the SC/ST community, the Committee recommend that the following words may be added at the end of the existing clauses 9(1) of the Bill:

"subject to the provision of reservation for SC & ST as decided by the Government from time to time".

Clause 11—Visitor of Institute

15. The Committee find that as per the provisions of the Clause 11 (1) of the Bill, the President of India shall be the Visitor of the Institute. This is analogous to the provisions of IIT Act, 1961 and some other similar Acts. The Committee are of the strong opinion that the Head of the Nation should not be involved into the affairs of such bodies and accordingly recommend that the concerned Minister of the Govt. should be the Visitor. Hence, necessary amendment may be made in the Bill.

Clause 13—Senate

16. Out of about 10 members of the Senate, 3 are to be nominated as under:

"(d) three persons, not being employees of the Institute, to be nominated by the Chairperson in consultation with the Director, from among educationists of repute, one each from the fields of science, engineering and humanities."

With a view to give representation to SC/ST people, the words "one of whom may be amongst SC/ST community" may be added at the end of existing clause.

17. Clause 16—Role and Functions of Director

Clause 16(2) of the Bill provides as under:

"(2) The Director shall be the principal academic and executive officer of the Institute and shall be responsible for

the proper administration of the Institute and for imparting of instruction and maintenance of discipline therein."

To give due importance to academic performance of the Institute, the Committee recommend that words "and academic performance" may be added after the words 'proper administration' in the above clause.

Clause 17—Dean of the Institute

18. The Committee recommend that to make the Dean accountable to the Director of the Institute, the words "and report to the Director" may be added at the end of Clause 17 of the Bill.

Clause 27—Provision for Ordinances

19. As a consequential effect to suggested amendments under clause 9, the following may be added at the end of clause 27:

"The reservations in teaching and non-teaching staff and other appointment".

20. The Committee also recommend that necessary consequential amendments keeping in view of the above suggested amendments may also be carried out in the other relevant/affected clauses of the Bill.

NEW DELHI;
July 31, 1997

Shravana 9, 1919 (Saka)

A.R. ANTULAY,
Chairman,
Standing Committee on Petroleum
and Chemicals.

APPENDIX I

AS INTRODUCED IN LOK SABHA

Bill No. 26 of 1997

THE NATIONAL INSTITUTE OF PHARMACEUTICAL EDUCATION AND RESEARCH BILL, 1997

ARRANGEMENT OF CLAUSES

CHAPTER I

PRELIMINARY

CLAUSES

1. Short title and commencement.
2. Declaration of National Institute of Pharmaceutical Education and Research as an Institution of national importance.
3. Definitions.

CHAPTER II

THE INSTITUTE

4. Establishment of Institute.
5. Vesting of properties.
6. Effect of incorporation of Institute.
7. Functions of Institute.
8. Powers of Board.
9. Institute to be open to all races, creeds and classes.
10. Teaching at Institute.
11. Visitor.
12. Authorities of Institute.

13. Senate.
14. Functions of Senate.
15. Functions, powers and duties of Chairperson.
16. Director.
17. Dean.
18. Registrar.
19. Powers and duties of other authorities and officers.
20. Grants by Central Government.
21. Fund of Institute.
22. Accounts and audit.
23. Pension and provident fund.
24. Appointments.
25. Statutes.
26. Statutes how made.
27. Ordinances.
28. Ordinances how made.
29. Tribunal of Arbitration.

CHAPTER III

MISCELLANEOUS

30. Acts and proceedings not to be invalidated by vacancies.
31. Grants of degrees, etc., by Institute.
32. Sponsored schemes.
33. Power to remove difficulties.
34. Transitional provisions.
35. Statutes and Ordinances to be published in Official Gazette and to be laid before Parliament.

THE NATIONAL INSTITUTE OF PHARMACEUTICAL
EDUCATION AND RESEARCH BILL, 1997

A

BILL

*to declare the institution known as the National Institute of
Pharmaceutical Education and Research to be an institution
of national importance and to provide for its incor-
poration and matters connected therewith.*

Be it enacted by Parliament in the Forty-eighth Year of the Republic
of India as follows:

CHAPTER I

PRELIMINARY

Short title and
commencement.

1. (1) This act may be called
the National Institute of Pharma-
ceutical Education and Research Act,
1997.

(2) It shall come into force on such
date as the Central Government may,
by notification in the Official Gazette,
appoint; and different dates may be
appointed for different provisions of
this Act.

Declaration of
National
Institute of
Pharmaceutical
Education and
Research as an
institution of
national
importance.

2. Whereas the objects of the
institution known as the National
Institute of Pharmaceutical Education
and Research, Sector-67, S.A.S. Nagar
(Mohali), District Ropar, Punjab are
such as to make the institution one of
the national importance, it is hereby
declared that the institution known as
the National Institute of Pharmaceutical

Education and Research is an institution of national importance.

3. In this Act, unless the context otherwise requires,—

Definitions.

(a) "appointed day" means the date of establishment of the National Institute of Pharmaceutical Education and Research under sub-section (1) of section 4;

(b) "Board" means the Board of Governors of the Institute constituted under sub-section (3) of section 4;

(c) "Chairperson" means the Chairperson of the Institute nominated under clause (a) of sub-section (3) of section 4;

(d) "Dean" means the Dean of the Institute appointed under section 17;

(e) "Director" means the Director of the Institute appointed under section 16;

(f) "Fund" means the Fund to be maintained under section 21;

(g) "Institute" means the National Institute of Pharmaceutical Education and Research established under sub-section (1) of section 4;

(h) "Senate" means the Senate of the Institute referred to in section 13;

(i) "Society" means the National Institute of Pharmaceutical Education and Research Society, Sector-67, S.A.S. Nagar (Mohali), District Ropar, Punjab registered under the Societies Registration Act, 1860;

(j) "Statutes" and "Ordinances" mean the Statutes and Ordinances of the Institute made under this Act.

CHAPTER II

THE INSTITUTE

Establishment
of Institute.

4. (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, the National Institute of Pharmaceutical Education and Research there shall be constituted a body corporate by the name aforesaid.

(2) The Institute shall have perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and shall, by that name, sue and be sued.

(3) The Institute shall consist of the Board of Governors having the following persons, namely:

(a) Chairperson, who shall be an eminent academician, scientist or technologist or professional, to be nominated by the Visitor;

(b) Director of the Institute, *ex-officio*;

(c) Joint Secretary, incharge of Pharmaceutical Industries Division in the concerned Ministry or Department of the Government of India, *ex-officio*;

(d) Secretary, Technical Education, Government of Punjab, Chandigarh, *ex-officio*;

(e) Financial Adviser of the Ministry or Department of the Government of India dealing with the pharmaceutical industries, *ex officio*;

(f) the Drug Controller General of India, Ministry of Health and Family Welfare of the Government of India, *ex officio*;

(g) the Member Secretary, All-India Council for Technical Education, *ex officio*;

(h) Director of any one of the national laboratories of the Council of Scientific and Industrial Research to be nominated by the Director General of Council of Scientific and Industrial Research, New Delhi.

(i) Director of either the All-India Institute of Medical Sciences, New Delhi or the Post-Graduate Institute of Medical Education and Research, Chandigarh, to be nominated by rotation by the Ministry of Health and Family Welfare of the Government of India;

(j) President, Indian Drugs Manufacturers' Association, *ex officio*

(k) President, Organisation of Pharmaceutical Producers of India, *ex officio*;

(l) three eminent pharmaceutical experts, one of whom shall be an educationist, a research scientist and a biotechnologist, to be nominated by the Central Government;

(m) three pharmaceutical industrialists to be nominated by the

Visitor out of a panel prepared by the Central Government.

(4) The term of office of the Chairperson and Governors other than *ex-officio* Governors shall be three years and they shall be entitled for such allowances as may be determined by the Central Government.

(5) The term of office of Governor nominated to fill a casual vacancy shall continue for the remainder of the term of the Governor in whose place he has been nominated.

(6) The Board shall meet at such place and time and observe such rules of procedures in regard to the transaction of business at its meetings as may be determined by the Board.

Vesting of properties.

5. On and from the appointed day, subject to the other provisions of this Act, all properties which had vested in the Society, immediately before the commencement of this Act, shall, on and from such commencement, vest in the Institute.

Effect of incorporation of Institute.

6. On and from the appointed day,—

(a) any reference to the Society in any contract or other instrument shall be deemed as a reference to the Institute;

(b) all the rights and liabilities of the Society shall be transferred to, and be the rights and liabilities of, the Institute; and

(c) every person employed by the Society immediately before the appointed day shall hold his office or service in the Institute by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same if this Act had not been passed, and shall continue to be so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by the Statutes:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Institute in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Institute of compensation equivalent to three months' remuneration in the case of permanent employee and one month's remuneration in the case of other employee.

7. The functions of the Institute shall be— Functions of Institute.

(i) to nurture and promote quality and excellence in pharmaceutical education and research;

(ii) to concentrate on master's degree, doctoral and post-doctoral courses and research in pharmaceutical education;

(iii) to hold examinations and grant degrees;

(iv) to confer honorary awards or other distinctions;

(v) to cooperate with educational or other institutions having objects wholly or partly similar to those of the Institute by exchange of faculty members and scholars and generally in such manner as may be conducive to their common objective;

(vi) to conduct courses for teachers, pharmaceutical technologists, community and hospital pharmacists and other professionals;

(vii) to collect and maintain world literature on pharmaceutical and related sciences and technology so as to develop an information centre of its own kind for other institutions within the country and in the developing world;

(viii) to create a central faculty of pharmaceutical instrumentation and analysis for use by the researchers within and outside the Institute;

(ix) to have a centre to experiment and innovate and to train teachers and other workers in the art or science of pharmaceutical teaching;

(x) to develop a world level centre for creation of new knowledge and transmission of existing information in pharmaceutical areas, with focus on national, educational, professional and industrial commitments;

(xi) to develop a multidisciplinary approach in carrying out research and training of pharmaceutical manpower

so that the larger interests of the profession, academia and pharmaceutical industry are better served and a pharmaceutical work culture is evolved which is in tune with the changing world trends and patterns of pharmaceutical education and research;

(xii) to organise national or international symposia, seminars and conferences in selected areas of pharmaceutical education from time to time;

(xiii) to arrange courses catering to the special needs of the developing countries;

(xiv) to act as a nucleus for academic-industry interaction by encouraging exchange of scientist and other technical staff between the Institute and the industry and by undertaking sponsored and funded research as well as consultancy projects by the Institute; and

(xv) to pay due attention to studies on the distribution and usage of drugs by the rural masses, taking into account the socio-economic spectrum in the country.

8. (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and control of the affairs of the Institute and shall exercise all the powers not otherwise provided for by this Act, the Statutes and the Ordinances, and shall have the power to review the acts of the Senate.

Powers of Board.

(2) Without prejudice to the provisions of sub-section (1), the Board shall—

(a) take decisions on questions of policy relating to the administration and working of the Institute;

(b) to fix, demand and receive fees and other charges;

(c) to supervise and control the residence and regulate the discipline of students of the Institute and to make arrangements for promoting their health, general welfare and cultural and corporate life;

(d) to institute academic and other posts and to make appointments thereto (except in the case of the Director);

(e) to frame Statutes and Ordinances and to alter, modify or rescind the same;

(f) to institute and award fellowship, scholarship, prizes and medals; and

(g) to consider and pass resolutions on the annual report, the annual accounts and the budget estimates of the Institute for the next financial year as it thinks fit together with a statement of its development plans;

(h) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the aforesaid functions.

(3) The Board shall have the power to appoint such committees as it

considers necessary for the exercise of its powers and the performance of its duties under this Act.

(4) Notwithstanding anything contained in sub-section (2) of section 4, the Institute shall not dispose of in any manner any immovable property without the prior approval of the Central Government.

9. (1) The Institute shall be open to persons of either sex and of whatever race, creed, caste or class, and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, students, teachers or workers or in any other connection whatsoever.

Institute to be open to all races, creeds and classes.

(2) No bequest, donation or transfer of any property shall be accepted by the Institute which in the opinion of the Board involves conditions or obligations opposed to the spirit and object of this section.

10. All teaching at the Institute shall be conducted by or in the name of the Institute in accordance with the Statutes and Ordinances made in this behalf.

Teaching at Institute.

11. (1) The President of India shall be the Visitor of the Institute.

Visitor.

(2) The Visitor may appoint one or more persons to review the work and progress of the Institute and to hold inquiries into the affairs thereof and to report thereon in such manner as the Visitor may direct.

(3) Upon receipt of any such report, the Visitor may take such action and

issue such directions as he considers necessary in respect of any of the matters dealt with in the report and the Institute shall be bound to comply with such directions.

Authorities of
Institute.

12. The following shall be the other authorities of the Institute, namely:—

(a) a Senate;

(b) such other authorities as may be declared by the Statutes to be the authorities of the Institute.

Senate.

13. The Senate of the Institute shall consist of the following persons, namely:—

(a) the Director, *ex officio*, who shall be the Chairperson of the Senate;

(b) the Dean, *ex officio*;

(c) five professors of the Institute, to be nominated by the Chairperson in consultation with the Director, by rotation;

(d) three persons, not being employees of the Institute, to be nominated by the Chairperson in consultation with the Director, from among educationists of repute, one each from the fields of science, engineering and humanities; and

(e) such other members of the staff as may be laid down in the Statutes.

Functions of
Senate.

14. Subject to the provisions of this Act, the Statutes and the Ordinances, the Senate of the Institute shall have the control and general regulation, and

be responsible for the maintenance of standards of instruction, education and examination in the Institute and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

15. (1) The Chairperson shall ordinarily preside at the meetings of the Board and at the Convocations of the Institute.

Functions,
powers and
duties of
Chairperson.

(2) It shall be the duty of the Chairperson to ensure that the decisions taken by the Board are implemented.

(3) The Chairperson shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes.

16. (1) The Director of the Institute shall be appointed by the Board with the prior approval of the Visitor.

Director.

(2) The Director shall be the principal academic and executive officer of the Institute and shall be responsible for the proper administration of the Institute and for imparting of instruction and maintenance of discipline therein.

(3) The Director shall submit annual reports and accounts to the Board.

(4) The Director shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes or the Ordinances.

17. The Dean of the Institute shall be appointed on such terms and

Dean.

conditions as may be laid down by the Statutes and shall exercise such powers and perform such duties as may be assigned to him by this Act or the Statutes or by the Director.

Registrar.

18. (1) The Registrar of the Institute shall be appointed on such terms and conditions as may be laid down by the Statutes and shall be the custodian of records, the common seal, the funds of the Institute and such other property of the Institute as the Board shall commit to his charge.

(2) The Registrar shall act as the Secretary of the Board, the Senate and such committees as may be prescribed by the Statutes.

(3) The Registrar shall be responsible to the Director for the proper discharge of his functions.

(4) The Registrar shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes or by the Director.

Powers and duties of other authorities and officers.

19. The powers and duties of authorities and officers other than those hereinbefore mentioned shall be determined by the Statutes.

Grants by Central Government.

20. For the purpose of enabling the Institute to discharge its functions efficiently under this Act, the Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as it may think fit.

21. (1) The Institute shall maintain a Fund to which shall be credited— Fund, of
Institute.

(a) all moneys provided by the Central Government;

(b) all fees and other charges;

(c) all moneys received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfer; and

(d) all moneys received by the Institute in any other manner or from any other source.

(2) All moneys credited to the Fund of the Institute shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Central Government, decide.

(3) The Fund of the Institute shall be applied towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its duties under this Act.

22. (1) Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance-sheet, in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India. Accounts and
audit.

(2) The accounts of the Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be

payable by the Institute to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute.

(4) The accounts of the Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

Pension and
provident fund.

23. (1) The Institute shall constitute for the benefit of its employees, including the Director, in such manner and subject to such conditions as may be prescribed by the Statutes such pension, insurance and provident funds as it may deem fit.

(2) Where any such provident fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such Fund as if it were a Government Provident Fund.

24. All appointments on the staff of the Institute, except that of the Director, shall be made in accordance with the procedure laid down in the Statutes—

Appointments.

(a) by the Board, if the appointment is made on the academic staff in the post of Assistant Professor or above or if the appointment is made on the non-academic staff in any cadre the maximum of the pay-scale for which is the same or higher than that of Assistant Professor; and

(b) by the Director, in any other case.

25. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

Statutes.

(a) the formation of departments of teaching;

(b) the institution of fellowships, scholarships, exhibitions, medals and prizes;

(c) the classification, the method of appointment and the determination of the terms and conditions of service of officers, teachers and other staff of the Institute;

(d) the constitution of pension, insurance and provident funds for the benefit of the officers, teachers and other staff of the Institute;

(e) the constitution, powers and duties of the authorities of the Institute;

(f) the establishment and maintenance of halls and hostels;

(g) the manner of filling vacancies among members of the Board;

(h) the authentication of the orders and decisions of the Board;

(i) the meetings of the Senate, the quorum at such meeting and the procedure to be followed in the conduct of their business; and

(j) any other matter which by this Act is to be or may be prescribed by the Statutes.

Statutes how made.

26. (1) The first Statutes of the Institute shall be framed by the Board with the previous approval of the Visitor and a copy of the same shall be laid as soon as may be before each House of Parliament.

(2) The Board may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner hereafter in this section provided.

(3) A new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the previous approval of the Visitor who may assent thereto or withhold assent or remit it to the Board for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

27. Subject to the provisions of this Act and the Statutes, the Ordinances of the Institute may provide for all or any of the following matters, namely:—

Ordinances.

(a) the admission of the students to the Institute;

(b) the courses of study to be laid down for all degrees of the Institute;

(c) the conditions under which students shall be admitted to the degree courses and to the examinations of the Institute, and shall be eligible for degrees;

(d) the conditions of award of the fellowships, scholarships, exhibitions, medals and prizes;

(e) the conditions and mode of appointment and duties of examining bodies, examiners and moderators;

(f) the conduct of examinations;

(g) the maintenance of discipline among the students of the Institute;

(h) the fees to be charged for courses of study in the Institute and for admission to the examinations of degrees of the Institute;

(i) the conditions of residence of students of the Institute and the levying of fees for residence in the halls and hostels and of other charges; and

(j) any other matter which by this Act or the Statutes is to be, or may be, provided for by the Ordinances.

Ordinances
how made.

28. (1) Save as otherwise provided in this section, Ordinances shall be made by the Senate.

(2) All Ordinances made by the Senate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Board and shall be considered by the Board as its next succeeding meeting.

(3) The Board shall have power by resolution to modify or cancel any such Ordinances and such Ordinances shall from the date of such resolution stand modified accordingly or cancelled, as the case may be.

Tribunal of
Arbitration.

29. (1) Any dispute arising out of a contract between the Institute and any of its employees shall, at the request of the employee concerned or at the instance of the Institute, be referred to a Tribunal of Arbitration consisting of one member appointed by the Institute, one member nominated by the employee, and an umpire appointed by the Visitor.

(2) The decision of the Tribunal of Arbitration shall be final and shall not be questioned in any court.

(3) No suit of proceeding shall lie in any court in respect of any matter which is required by sub-section (1) to be referred to the Tribunal of Arbitration.

(4) The Tribunal of Arbitration shall have power to regulate its own procedure.

(5) Nothing in any law for the time being in force relating to arbitration shall apply to arbitrations under this section.

CHAPTER III

MISCELLANEOUS

30. No act of the Institute or Board or Senate or any other body set up under this Act or the Statutes, shall be invalid merely by reason of—

Acts and proceedings not to be invalidated by vacancies.

(a) any vacancy in, or defect in the constitution thereof, or

(b) any defect in the election, nomination or appointment of person acting as a member thereof, or

(c) any irregularity in its procedure not affecting the merits of the case.

31. Notwithstanding anything contained in the University Grants Commission Act, 1956 or in any other law for the time being in force, the Institute shall have power to grant degrees and other academic distinctions and titles under this Act.

Grants of degrees, etc., by Institute.

32. Whenever the Institute receives funds from any Government, the University Grants Commission or any other agency sponsoring a scheme to be executed by the Institute, notwithstanding anything in this Act,—

Sponsored schemes.

(a) the amount received shall be kept by the Institute separately from the Fund of the Institute and utilised only for the purpose of the scheme;

(b) the staff required to execute the same shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organisation.

33. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provision or give such direction not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the appointed day.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

34. Notwithstanding anything contained in this Act,—

Transitional provisions.

(a) The Board of Governors of the Society functioning as such immediately before the commencement of this Act shall continue to so function until a new Board is constituted for the Institute under this Act, but on the constitution of a new Board under this Act, the members of the Board holding office before such constitution shall cease to hold office;

(b) until the first Statutes and the Ordinances are made under this Act, the Statutes and Ordinances of the National Institute of Pharmaceutical Education and Research, Sahibzada Ajit Singh Nagar, Punjab as in force immediately before the commencement

of this Act shall continue to apply to the Institute in so far as they are not inconsistent with the provisions of this Act.

35. (1) Every Statute or Ordinance made under this Act shall be published in the Official Gazette.

Statutes and Ordinances to be published in the Official Gazette and to be laid before Parliament.

(2) Every Statute or Ordinance 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 both Houses agree that the Statute or Ordinance should not be made, the Statute or Ordinance 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.

(3) The power to make Statutes or Ordinances 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 any of them but no retrospective effect shall be given to any Statute or Ordinance so as to prejudicially affect the interests of any person to whom such Statute or Ordinance may be applicable.

STATEMENT OF OBJECTS AND REASONS

The National Institute of Pharmaceutical Education and Research was set up as an autonomous body in 1991 as a society namely the National Institute of Pharmaceutical Education and Research Society, S.A.S. Nagar, Mohali, Punjab registered under the Societies Registration Act, 1860. It is proposed to make the Institute a statutory body corporate and declare it as an institution of national importance under entry 64 of List I of the Seventh Schedule to the Constitution of India so that it may develop as a high level Institution of Pharmaceutical Sciences and other Allied Branches.

2. This Bill seeks to achieve the above object.

NEW DELHI;
The 16th February, 1997.

SIS RAM OLA

Notes on clauses

Clause 1 provides for the short title and commencement.

Clause 2 provides for declaration of the Institute as an Institution of national importance.

Clause 3 provides for the definitions of various expressions used in the Bill.

Clause 4 provides for the establishment of the Institute.

Clause 5 provides for vesting and of transfer of the undertaking of the Institute.

Clause 6 provides for the effect of the incorporation of the Institute.

Clause 7 lays down the functions of the Institute.

Clause 8 lays down the powers of the Board.

Clause 9 provides that the Institute shall be open to all races, creeds and classes.

Clause 10 provides that all teaching to be conducted by or in the name of the Institute in accordance with laid-down Statutes/Ordinances.

Clause 11 provides for the Visitor of the Institute and his powers.

Clause 12 lays down the other authorities of the Institute.

Clause 13 lays down the composition of the Senate.

Clause 14 lays down the functions of the Senate.

Clause 15 lays down the powers and duties of the Chairperson of the Board.

Clause 16 provides for appointment of the Director and duties and responsibilities of the Director.

Clause 17 provides for the appointment and duties of the Dean.

Clause 18 provides for the appointment of the Registrar and duties/responsibilities of the Registrar.

Clause 19 provides that powers and duties of other authorities and officers to be laid-down under Statutes.

Clause 20 provides for such financial assistance to the Institute as the Central Government may decide.

Clause 21 lays down the maintenance of the fund of the Institute.

Clause 22 provides for maintenance of accounts and the authority of the Comptroller and Auditor-General of India in relation to the accounts of the Institute.

Clause 23 provides for Pension and Provident Fund for the employees of the Institute.

Clause 24 provides for appointments to various posts in the Institute.

Clause 25 lays down the matters on which Statutes are to be made.

Clause 26 provides the method of making the Statutes and amendments thereto.

Clause 27 lays down the subjects on which Ordinances are to be made.

Clause 28 provides the method of laying down Ordinances.

Clause 29 provides for setting up of Tribunal of Arbitration or settlement of disputes.

Clause 30 provides for saving clause against invalidation of any action or proceedings on account of vacancy, etc., in the Board.

Clause 31 provides powers on the Institute to grant degrees, diplomas, etc.

Clause 32 provides for taking up sponsored schemes.

Clause 33 provides for removal of difficulties.

Clause 34 provides for transitional provisions.

Clause 35 provides for publication of Statutes and Ordinances in the Official Gazette and the same to be laid before Parliament.

FINANCIAL MEMORANDUM

This Bill seeks to declare the National Institute of Pharmaceutical Education and Research (NIPER) as an Institute of National Importance and bestow upon its academic and functional autonomy on the lines of the Institutes of Technology Act, 1961.

2. Clause 20 of the Bill provides that for the purpose of enabling NIPER to discharge its functions, the Central Government may, after due appropriation made by the Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as it may think fit.

3. The sanctioned estimate for setting up of NIPER as approved in December, 1990 was Rs. 25 crores. The recurring expenditure of the Institute is estimated to be Rs. 4.87 crores in the first year of operation and Rs. 6.32 crores in the tenth year of operation. The proposal for enhancing the estimate, on the basis of contributions received from the Pharmaceutical Industry, is under consideration of the Government. It is estimated that the grant from Central Government would reduce from Rs. 4.42 crores in the first year to Rs. 32 lakhs by the tenth year. Since the support from the Pharmaceutical Industry has not been quantified, it is not feasible at this stage to indicate an outlay for the Scheme at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8(2)(e) read with clause 25 of the Bill empowers the Board to frame the Statutes in respect of matters of formation of teaching departments; institution of fellowships, scholarships, exhibitions, medals and prizes; classification, method of appointment, conditions of service of officers, teachers and staff of the Institute; constitution of pension, insurance funds and provident funds for teachers and other staff of the Institute; constitution, powers and duties of the authorities of the Institute; establishment and maintenance of halls and hostels; manner of filling of vacancies among members of the Board; allowances to be paid to the Chairperson and other members of the authentication of the orders and decisions of the Board; procedure and quorum for meetings of Senate and any other matter which would require to be prescribed under the Statutes.

2. Clause 26 provides that the first Statutes of the Institute shall be framed by the Board of Governors with the previous approval of the Visitor and a copy of the Statutes shall be laid as soon as may be before each House of the Parliament. This clause also provides that new Statutes or amendments to the Statutes will be made in the same manner by the Board with the previous approval of the Visitor.

3. Clause 27 empowers the Senate to make Ordinances in matters of admission of students; courses of study to be laid down; conditions governing admissions to degree, courses and examinations; conditions of award of fellowships, scholarships, exhibitions, medals and prizes; condition and mode of appointment of examining bodies, examiners, moderators; conduct of examinations; fees to be charged for various courses of study and for admission to examinations; conditions of residence of students and levying of fees for residence in halls and hostels and charges; maintenance of discipline among the students and any other matter for which Ordinances would require to be made.

4. Clause 28 provides that Ordinances can be made by the Senate of the Institute and such Ordinances, as soon as may be, submitted to

the Board in its next succeeding meeting. This clause also provides that the Board shall have the powers to modify or cancel any such Ordinances.

5. The matters in respect of which the Statutes and Ordinances may be made are matters of procedure and administrative detail. The delegation of legislative power is, therefore, of a normal character.

A

BILL

to declare the institution known as the National Institute of
Pharmaceutical Education and Research to be an
institution of national importance and to
provide for its incorporation and
matters connected therewith.

*(Shri Sis Ram Ola, Minister of State of Ministry of
Chemicals and Fertilizers)*

APPENDIX II

Minutes

STANDING COMMITTEE ON PETROLEUM & CHEMICALS
TWENTY SECOND SITTING
(27.05.1997)

The Committee sat from 1600 hrs. to 1730 hrs. in Committee Room No. 62, Parliament House, New Delhi.

PRESENT

Shri A.R. Antulay — *Chairman*

MEMBERS

Lok Sabha

2. Dr. L.N. Pandey
3. Shri Chandubhai Deshmukh
4. Shri Dwarka Nath Das
5. Dr. G.L. Kanaujia
6. Shri Ashok Argal
7. Shri Bhanu Pratap Singh Verma
8. Shri Anadi Charan Sahu
9. Shri Shantilal P. Patel
10. Shri Girdhari Yadav
11. Dr. Asim Bala
12. Shri P. Shanmugam
13. Shri Sanat Kumar Mandal
14. Shri Bir Singh Mahato

Rajya Sabha

15. Shri Gundappa Korwar
16. Shri Hiphei
17. Shri Parmeshwar Kumar Agarwalla

18. Shri Chimanbhai Haribhai Shukla
19. Shri E. Balanandan
20. Shri R.K. Kumar
21. Shri Parag Chaliha

SECRETARIAT

1. Shri J.P. Ratnesh — *Joint Secretary*
2. Shri Devender Singh — *Deputy Secretary*
3. Shri S.N. Dargan — *Under Secretary*

REPRESENTATIVES OF MINISTRY OF CHEMICALS & FERTILISERS,
DEPARTMENT OF CHEMICALS & PETROCHEMICALS

1. Shri N.R. Banerjee — Secretary
2. Dr. C.L. Kaul — Director, NIPER
3. Shri B.B. Goyal — Dy. Financial Adviser
4. Shri S.L. Ravidas — Deputy Secretary
5. Shri S.K. Bandopadhyay — Under Secretary

At the outset, the Secretary, Department of Chemicals and Petrochemicals explained the main provisions of the National Institute of Pharmaceutical Research & Education Bill, 1997. The Committee, thereafter sought clarification on the following points :

- (i) Exact number of Pharmaceutical colleges in the country; status of such colleges and component of financial assistance provided to them by the Central/State Governments.
- (ii) System of assessing and monitoring of their performance in respect of Pharmaceutical colleges aided by the Central Government or State Government and such private institutions.
- (iii) The existing position of the National Institute of Pharmaceutical Research & Education, Mohali *vis-a-vis* other Pharmaceutical colleges/institutions particularly with reference to their affiliation, coordination and interaction with NIPER.
- (iv) Detailed aims and objects of NIPER.

- (v) Proposed role of the Institute in Research & Development.
- (vi) Role of the University Grants Commission, if any.
- (vii) Proposed autonomy to the Institute with reference to Sections 26, 27 and 35 of the Bill.
- (viii) Reasons for including a provision in the Bill for making the President of India as visitor of the NIPER.

2. The Committee was not satisfied with the clarifications given by the representatives of the Ministry and directed them to furnish the relevant and detailed information on the aforesaid points within a period of 10 days and, if necessary, the Ministry of Health and Family Welfare and Human Resource Development (Department of Education) and the University Grants Commission might be consulted in the matter.

3. The verbatim record of the proceedings was kept. (Witnesses then withdrew).

4. The Committee decided to undertake a Study visit to Calcutta, Digboi, Sibsagar, Numaligarh and Guwahati from 18th to 23rd June, 1997. The Committee also endorsed a suggestion that wherever long road journeys are involved, the Chairman may use the helicopter maintained by the concerned PSUs.

The Committee then adjourned.

APPENDIX III

Minutes

STANDING COMMITTEE ON PETROLEUM & CHEMICALS
(1996-97)

TWENTY FOURTH SITTING

2.7.1997

The Committee sat from 16.30 hrs. to 18.00 hrs.

PRESENT

Shri A.R. Antulay — *Chairman*

MEMBERS

Lok Sabha

2. Shri Tejvir Singh
3. Shri Dwarka Nath Das
4. Shri Anadi Charan Sahu
5. Shri Oscar Fernandes
6. Shri Paban Singh Ghatowar
7. Dr. Girija Vyas
8. Shri Girdhari Yadav
9. Dr. Asim Bala
10. Shri P. Shanmugam
11. Shri Sanat Kumar Mandal

Rajya Sabha

12. Shri H. Hanumanthappa
13. Shri Gundappa Korwar
14. Shri Hiphei
15. Shri Narain Prasad Gupta
16. Shri Naresh Yadav

17. Shri E. Balanandan
18. Shri Parag Chaliha

SECRETARIAT

1. Shri Devender Singh — *Deputy Secretary*
2. Shri Brahm Dutt — *Under Secretary*

REPRESENTATIVES OF MINISTRY OF CHEMICALS & FERTILISERS
DEPTT. OF CHEMICALS & PETROCHEMICALS

1. Shri N.R. Banerjee — Secretary
2. Shri Shantanu Consul — Joint Secretary
3. Shri C.K. Kaul — Director, NIPER
4. Shri B.B. Goyal — Deputy Financial Adviser

The Committee resumed the further evidence of the representatives of Deptt. of Chemicals & Petrochemicals in connection with examination of NIPER Bill, 1997.

2. The Committee sought clarifications in regard to details of Report of Working Group, work done by NIPER so far and need for conferring status of national importance institution to NIPER, the facilities created and course proposed to be started. The evidence remained inconclusive.

3. The Committee directed the officials of the Ministry to furnish detail notes on certain points.

** ** ** ** **

4. A verbatim record of proceedings has been kept.

The Committee then adjourned.

APPENDIX IV

Minutes

STANDING COMMITTEE ON PETROLEUM & CHEMICALS

TWENTY SEVENTH SITTING

(29.7.1997)

The Committee sat from 1630 hrs. to 1730 hrs. in Committee Room No. 'D', Parliament House Annexe, New Delhi.

PRESENT

Shri A.R. Antulay — *Chairman*

MEMBERS

2. Dr. G.L. Kanaujia
3. Shri Paban Singh Ghatowar
4. Dr. Girija Vyas
5. Shri Shantilal P. Patel
6. Shri Satyajitsinh D. Gaekwad
7. Shri Girdhari Yadav
8. Shri Surendra Yadav
9. Shri M. Shahabuddin
10. Shri Uddab Barman
11. Dr. Asim Bala
12. Shri K. Kandasamy
13. Shri H. Hanumanthappa
14. Shri Gundappa Korwar
15. Shri R.K. Kumar
16. Shri Ram Gopal Yadav
17. Dr. Y. Lakshmi Prasad
18. Shri Parag Chaliha

SECRETARIAT

1. Shri J.P. Ratnesh — *Additional Secretary*
2. Shri Devender Singh — *Deputy Secretary*
3. Shri Brahm Dutt — *Under Secretary*

REPRESENTATIVES OF MINISTRY OF CHEMICALS & FERTILISERS
DEPTT. OF CHEMICALS & PETROCHEMICALS

1. Shri N.R. Banerjee — Secretary
2. Shri Shantanu Consul — Joint Secretary
3. Dr. C.L. Kaul — Director, NIPER
4. Shri B.B. Goyal — Dr. Financial Adviser

The Committee resumed further evidence of the representatives of Department of Chemicals and Petrochemicals in connection with examination of NIPER, Bill, 1997. The Committee made certain suggestions with regard to various provisions of the Bill, particularly the following :—

- (i) Clause 4 — Appointment of Chairperson and Composition of Board of Governors
- (ii) Clause 4(6) — Meetings of the Board
- (iii) Clauses 9, 13 & 27 — Reservations for SC/ST
- (iv) Clause 11 — Visitor of the Institute.

2. The representatives of the Deptt. appreciated the suggestions and assured for making necessary changes in the Bill in Consultation with the Ministry of Law.

3. After the witnesses withdrew, the Committee considered various clauses of the Bill and decided to consider the Draft Report on the subject on 31st July, 1997.

4. A verbatim record of proceedings of the sitting has been kept.

The Committee then adjourned.

APPENDIX V

Minutes

STANDING COMMITTEE ON PETROLEUM & CHEMICALS

TWENTY-EIGHTH SITTING

31.7.1997

The Committee sat from 1030 hrs. to 1100 hrs.

PRESENT

Shri A.R. Antulay — *Chairman*

MEMBERS

Lok Sabha

2. Dr. L.N. Pandey
3. Shri Dileep Sanghani
4. Shri Tejvir Singh
5. Shri Dwarka Nath Das
6. Shri Oscar Fernandes
7. Shri Shantilal P. Patel
8. Shri Uddab Barman
9. Dr. Asim Bala
10. Shri P. Shanmugam
11. Shri Surendra Yadav

Rajya Sabha

12. Shri Karnendu Bhattacharjee
13. Mohd. Masud Khan
14. Dr. Y. Lakshmi Prasad
15. Shri Parag Chaliha

SECRETARIAT

1. Shri J.P. Ratnesh — *Additional Secretary*
2. Shri Devender Singh — *Deputy Secretary*
3. Shri Brahm Dutt — *Under Secretary*

The Committee considered the Draft 13th Report on NIPER Bill, 1997. After some discussions, the Committee adopted the same with some minor changes.

2. Since the term of the Committee (1996-97) was only upto 31st July, 1997, the Committee authorised the Chairman to present the Report to the House on 31st July, 1997.

3. The Committee also decided that after reconstitution of the Committee they would undertake a study tour to North East from 29th September, 1997 to 4th October, 1997 which was postponed earlier; and Bhopal.

4. At the end, the Chairman thanked the Members for their interest taken and cooperaton in the smooth functioning of the Committee.

The Committee then adjourned.