

## Rules of the National Council of Educational Research and Training

1. Short Title—These Rules may be called 'Rules of the National Council of Educational Research and Training'.

2. Definition—In these Rules, unless the context otherwise requires:

- (i) The 'Council' shall mean the National Council of Educational Research and Training;
- (ii) The 'President' shall mean the President of the National Council of Educational Research and Training;
- (ii) (a) 'Chairman' shall mean the member who presides at a meeting;
- (iii) The 'Director' shall mean the Director of the National Council of Educational Research and Training appointed by the Government of India under Rule 14;
- (iii) (a) The 'Joint Director' shall mean the Joint Director of the National Council of Educational Research and Training appointed by the Government of India under Rule 14;
- (iv) 'Government' shall mean the Government of India;
- (v) The 'Executive Committee' shall mean the body which is constituted as such under Rule 23 as the Executive Committee of the Council;
- (vi) The 'Officers and Staff of the Council' shall mean every officer mentioned in Rule 13 and every other officer and member of the staff appointed by or

under powers delegated by the Executive Committee to any office or institute or establishment under the control of the Council;

- (vii) The 'National Institute' shall mean such National Institutions as may be established by the Council for the development of its programmes and furtherance of its objects;
- (viii) The 'Regional Institutes' shall mean such Regional Institutions as may be established by the Council for the furtherance of its objects;
- (ix) The 'Secretary' shall mean the Secretary, National Council of Educational Research and Training, appointed by the Government of India under Rule 14;
- (x)(1) Words importing the singular number also include the plural number and *vice-versa*;
- (2) Words importing the masculine gender also include the feminine gender.

#### COUNCIL

3. The Council shall consist of the following members :
- (i) The Minister for Education  
President—*ex-officio*
  - (ii) Chairman of the University Grants Commission  
*ex-officio*
  - (iii) Secretary to the Ministry of Education  
*ex-officio*
  - (iv) Four Vice-Chancellors of Universities, one from each Region, nominated by the Government of India;

- (v) One representative of each State Govt. and Union Territory with a legislature who shall be the Education Minister of the State/Union Territory (or his representative) and in the case of Delhi, the Chief Executive Councillor, Delhi (or his representative);
- (vi) All members of the Executive Committee not included above; and
- (vii)
- (a) Chairman,  
Central Board of Secondary Education,  
New Delhi; ex-officio
  - (b) Commissioner,  
Kendriya Vidyalaya Sangathan,  
New Delhi; ex-officio
  - (c) Director,  
Central Health Education  
Bureau (D.G.H.S.);  
New Delhi ex-officio
  - (d) Deputy Director General,  
Incharge of Agricultural Education  
I.C.A.R.,  
Ministry of Agriculture,  
New Delhi; ex-officio
  - (e) Director of Training,  
Directorate General of Training  
and Employment,  
Ministry of Labour,  
New Delhi; ex-officio
  - (f) Representative of Education Division,  
Planning Commission,  
New Delhi ex-officio  
and

(viii) Such other persons, not exceeding six as the Govt. of India may, from time to time, nominate. Not less than four of these shall be school teachers.

4. Roll of Members—The Council shall keep a Roll of Members giving their addresses and occupations and every member shall sign the same.

5. If a member of the Council changes his address, he shall notify his new address to the Secretary, who shall thereupon enter his new address in the Roll of Members. But if he fails to notify his new address, the address given in the Roll of Members shall be deemed to be his address.

6. Duration of Membership—Where a member of the Council becomes a member by reason of the office or appointment he holds, his membership of the Council shall terminate when he ceases to hold that office or appointment.

7. Members appointed by the Government of India shall hold office for such period as may be specified by it at the time of their appointment or as may be extended by it from time to time.

8. All outgoing members shall be eligible for re-appointment.

8. Members of the Council shall cease to be such members if—

(a) they die, resign, become of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude; or

(b) they do not attend three consecutive meetings of the Council without proper leave of the President.

10. A resignation of membership of the Council shall be tendered to the Secretary, and shall not take effect until it has been accepted on behalf of the Council by the President.

11. Vacancies—Any vacancy in the membership of the Council shall be filled up by nomination by the authorities entitled to make such nomination, and the persons appointed in the vacancy shall hold office only for the unexpired period of the term of the membership unless extended by the nominating authority.

12. The Council shall function notwithstanding that any person who is entitled to be a member by reason of his office, is not a member of the Council for the time being and notwithstanding any other vacancy in its body, whether by non-appointment or otherwise, and no act of proceeding of the Council shall be invalidated merely by reason of the happening of any of the above events or of any defect in the appointment of any of its members.

#### OFFICERS AND AUTHORITIES OF THE COUNCIL

13. Officers—The officers of the Council shall be the President, the Director, the Joint Director, the Secretary and such other persons as may be designated as such by the Executive Committee.

14. The Director, the Joint Director, and the Secretary of the Council shall be appointed by the Government which shall prescribe their remuneration and other terms of service.

15. Authorities—The following shall be the authorities of the Council :

- (i) The Executive Committee; and
- (ii) Such other authorities as may be constituted by the Executive Committee.

## PROCEEDINGS OF THE COUNCIL

### 16. Meetings-

- (i) The Annual General meeting of the Council shall be held at such time, date and place as may be determined by the President.
- (ii) The President may convene a special meeting of the Council whenever he thinks fit.

17. Except as otherwise provided in these Rules, all meetings of the Council shall be called by notice under the signature of the Secretary.

18. Every notice calling a meeting of the Council shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Council not less than twenty-one clear days before the day appointed for the meeting.

19. If the President is not present at the meeting of the Council, any member of the Council chosen at the commencement of the meeting to be the Chairman, shall be the Chairman of that meeting.

20. Ten members of the Council present in person shall form a quorum at every meeting of the Council.

21. (i) All disputed questions at meetings of the Council shall be determined by vote.

(ii) In case of any equality of votes, the Chairman shall have a casting vote.

22. The Secretary shall keep a record of the proceedings of the Council and a copy thereof shall be sent to the Government of India.

## EXECUTIVE COMMITTEE

The Executive Committee shall be the Governing Body of the Council as described in the Memorandum of Association.

23. The affairs of the Council shall be administered, subject to the rules and regulations and orders of the Council, by an Executive Committee which shall consist of the following :

- (i) President of the Council who shall be the ex-officio President of the Executive Committee;
- (ii)(a) The Minister of State in the Ministry of Education who shall be the ex-officio Vice-President of the Executive Committee;
  - (b) A Deputy Minister of Education nominated by the President of the Council;
  - (c) Director of the Council;
  - (d) Secretary of the Ministry of Education—ex-officio
- (iii) Chairman of the University Grants Commission, member ex-officio;
- (iv) Four Educationists with known interest in school education (two of whom shall be school teachers) nominated by the President;
- (v) Joint Director of the Council;
- (vi) Three members of the Faculty of the Council, of whom at least two shall be at the level of Professors and Heads of Departments, nominated by the President of the Council;

(vii) One representative of the Ministry of Education, and

(viii) One representative of the Ministry of Finance, who shall be the Financial Adviser of the Council.

24. Duration of Membership—The term of office of the nominated or appointed members shall be three years. However, the authority which nominates or appoints a person to be the member of the Executive Committee shall have the power to terminate or to extend the membership at any time.

If a member of the Executive Committee becomes a member by reason of the office or appointment he holds, his membership of the Executive Committee shall terminate when he ceases to hold that office or appointment.

24. (a) Every out-going member shall be eligible for re-appointment.

25. Members of the Executive Committee shall cease to be such members if—

(a) they die, resign, become of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude; or

(b) they do not attend three consecutive meetings of the Executive Committee without proper leave of the President or Vice-President.

26. A resignation of membership of the Executive Committee shall be tendered to the Secretary and shall not take effect until it has been accepted on behalf of the Council by the President.

27. Vacancies—Any vacancy in the membership of the Executive Committee shall be filled up by appointment or nomination, by the authority entitled to make such appointment or



nomination; and the person appointed in the vacancy shall hold office only for the unexpired period of the term of membership unless extended by the nominating authorities.

28. The Executive Committee shall function notwithstanding that any person who is entitled to be a member by reason of his office is not a member of the Executive Committee for the time being and notwithstanding any other vacancy in the Committee whether by the non-appointment by the authority entitled to make the appointment or otherwise and no act or proceeding of the Executive Committee shall be invalidated merely by reason of the happening of any of the above events or of any defects in the appointment of any of its members.

29. The Secretary of the Council shall be the Secretary of the Executive Committee.

#### PROCEEDINGS OF THE EXECUTIVE COMMITTEE

30. Every meeting of the Executive Committee shall be presided over by the President, and, in his absence, by the Vice-President, and, in the absence of both the President and the Vice-President, by a member chosen by the members present at the meeting to preside for the occasion.

31. Five members of the Executive Committee present in person shall constitute a quorum at any meeting of the Executive Committee.

32. Not less than ten clear days' notice of every meeting of the Executive Committee shall be given to each member of the Executive Committee.

33. Every notice calling a meeting of the Executive Committee shall state the date, time and place at which such meeting will be held and shall, except as otherwise provided in these Rules, be under the signature of the Secretary.

34. The Executive Committee shall hold at least two meetings in a year at such times as the President may decide.

35. Each member of the Executive Committee including the Chairman shall have one vote and if there shall be an equality of votes on any question to be decided by the Executive Committee, the Chairman shall, in addition, have a casting vote.

36. Any business which it may be necessary for the Executive Committee to perform, may be carried out by circulation amongst all its members and any resolution so circulated and approved by a majority of the members signing, shall be as effectual and binding as if such Resolution had been passed at a meeting of the Executive Committee, provided that at least half the members of the Executive Committee have recorded their views on the Resolution.

37. (a) Subject as hereinbefore mentioned in case of a difference of opinion amongst the members of the Executive Committee, the opinion of the majority shall prevail subject, however, to the veto of the Government of India to be communicated to the President within a month of the communication to Government of the decision of such majority.

37. (b) The President may refer any question which, in his opinion, is of sufficient importance to justify such a reference, for the decision of the Government of India and such decision shall be binding on the Council and its Executive Committee.

#### FUNCTIONS AND POWERS OF THE EXECUTIVE COMMITTEE

38. The Executive Committee shall generally carry out the objects of the Council as set forth in the Memorandum of Association.

39. The Executive Committee shall have under its control the management of all the affairs and funds of the Council and shall have authority to exercise all the powers of the Council.

40. Regulations—(i) With the previous approval of the Government of India, the Executive Committee shall have powers to frame and amend Regulations, not inconsistent with these Rules, for the administration and management of the affairs of the Council.

(ii) Without prejudice to the generality of the foregoing provision, such Regulations may provide for following matters :

- (a) the preparation and sanction of budget estimates; the sanctioning of expenditure; making and execution of contracts, the investment of the funds of the Council and the sale or alteration of such investment and account and audit ;
- (b) powers, functions and conduct of business by Advisory Boards or Committees, Standing and other Sub-Committees as may be constituted from time to time, and the term of office of their members ;
- (c) procedure for appointments of the officers and the staff of the Council and the Institutes and services established and maintained by the Council ;
- (d) the terms and tenure of appointments, emoluments, allowances, rules of discipline and other conditions of service of the officers and staff of the Council ;
- (e) terms and conditions governing scholarships, fellowships and deputations, grant-in-aid, research

schemes and projects, provision of extension services and establishment of research centres and training institutes ;

- (f) such other matters as may be necessary for the furtherance of the objectives and the proper administration of the affairs of the Council.

41. Subject to these Rules and Regulations, the Executive Committee shall have the power to appoint all categories of officers and staff for conducting the affairs of the Council, to fix the amount of their remuneration, subject to budget provision and to define their duties.

42. The Executive Committee shall have the power to enter into arrangements with the Government of India, State Governments and other public or private organisations or individuals for furtherance of its objectives, for implementation of its programmes and for securing and accepting endowments, grants-in-aid, donations, or gifts to the Council on mutually agreed terms and conditions provided that the conditions of such grants-in-aid, donations or gift shall not be inconsistent or in conflict with objectives of the Council or with the provisions of these Rules.

43. The Executive Committee shall have the power to take over and acquire, by purchase, gift or otherwise from Government and other public bodies or private individuals, movable and immovable properties or other funds together with any attendant obligations ; and engagements not inconsistent with the objects of the Council and the provisions of these Rules.

44. The Executive Committee shall have the power to sell or lease any movable or immovable property of the Council, provided, however, that no assets of the Council created out of Government grants shall without the prior approval of the Government, be disposed of, encumbered or utilised for purposes other than those for which the grant was sanctioned.

45. The Executive Committee may by Resolution, appoint Advisory Boards or other special committees for such purposes and with such powers as the Executive Committee may think fit; and the Executive Committee may also dissolve any of the Committees and Advisory Bodies, set up by it.

46. The Executive Committee may delegate to the Director or any of its members and/or any other officer of the Council such administrative and financial powers and impose such duties as it deems proper and also prescribe limitations within which these powers and duties are to be exercised or discharged.

#### PROGRAMME ADVISORY COMMITTEE

47. The Programme Advisory Committee shall make recommendations to the Executive Committee regarding the lines on which research, training, extension and other programmes of the Council should be conducted and the channels into which they should be guided in order best to serve the object of promoting the improvement of school education in the country, keeping in view the role of the Council as outlined in Article 3 of the Memorandum of Association. It will be the responsibility of the Programme Advisory Committee to consider all plans, programmes, research proposals, etc., and to examine the academic aspects of the work of the Council and to ensure a coordinated approach to the development of their programme.

48. The Programme Advisory Committee shall consist of the following members:

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|-------------------------------------|---------------|
| (i) The Director of the Council—    | Chairman      |
| (ii) Joint Director of the Council— | Vice-Chairman |

- (iii) Five University Professors or Heads of Departments representing Education and other related Disciplines, nominated by the President of the Council ;
- (iv) Five Directors of State Institute of Education to be nominated by the President of the Council in rotation from all States and Union Territories ;
- (v) Two representatives of each department of the NIE of whom one shall be the Head, and the Principal and one Professor/Reader from each of the constituent institutions of the National Council of Educational Research and Training.

49. (a) The Programme Advisory Committee may appoint such Sub-Committees as it may consider necessary to deal with special problems or programmes entrusted to them or with special aspects of its work.

49. (b) The term of office of the nominated members shall be three years from the date of their nomination. However, the nominating authority shall have the power to terminate or extend the period of membership at any time.

#### POWERS OF THE PRESIDENT AND VICE-PRESIDENT

50. The Executive Committee may, by Resolution, delegate to the President such of its powers for the conduct of business as it may deem fit, subject to the condition that the action taken by the President under the powers delegated under this Rule shall be reported at the next meeting of the Executive Committee.

51. The President may, in writing, delegate such of his powers as may be necessary to the Vice-President or any of the persons mentioned in Rule 46.

#### FUNCTIONS AND POWERS OF THE DIRECTOR

52. Subject to any order that may be passed by the Executive Committee, the Director as the principal executive and

academic officer of the council, shall be responsible for the proper administration of the affairs of the Council and the Institutions of the Council under the direction and guidance of the President of the Executive Committee.

Provided that the Director may, with the concurrence of the Executive Committee, delegate any of his powers and functions to any other officer or authority appointed or established under these Rules.

53. The Director shall, in all matters under his charge, have the powers and duties assigned to him in these Rules and the Regulations or such powers and duties as may be delegated or entrusted to him by the Council or the Executive Committee or the Programme Advisory Committee.

54. The Director shall prescribe the duties of all officers and staff of the Council and shall exercise such supervision and disciplinary control as may be necessary subject to these Rules, and the Regulations.

55. It shall be the duty of the Director to coordinate and exercise general supervision over all educational research, training, extension programmes and other activities under the Council.

#### FUNCTIONS AND POWERS OF THE JOINT DIRECTOR

56. (a) The Joint Director shall assist the Director in his duties as the principal executive and academic officer of the Council and shall be responsible for the proper administration of the Council and the Institutions of the Council under the direction and guidance of the Director.

#### FUNCTIONS AND POWERS OF THE SECRETARY

56. (b) The Secretary shall maintain a record of the proceedings of the Council and of the Executive Committee and

of the Programme Advisory Committee and shall perform such duties as usually pertain to the office of the Secretary and not otherwise specifically provided for in the Rules, and also such other duties as may be assigned to him by the Director or the Joint Director. He shall also perform such duties and exercise such powers as may be entrusted or delegated to him and/or specified in the Regulations.

#### FUNDS OF THE COUNCIL

57. The funds of the Council will consist of the following :

- (i) Grants made by the Government of India for the furtherance of the object of the Council ;
- (ii) Contributions from other sources ;
- (iii) Income from the assets of the Council ; and
- (iv) Receipts of the Council from other sources.

58. The Bankers of the Council shall be the State Bank of India. All funds shall be paid into the Council's account with the State Bank of India and shall not be withdrawn except through a cheque signed by such officers as may be duly empowered in this behalf by the President and countersigned by the President or by an officer authorized by the President in this behalf.

#### FINANCIAL ADVISER

59. The person appointed by the Government representing the Ministry of Finance on the Executive Committee of the Council shall be the Financial Adviser to the Council.

60. Matters concerning the financial aspects of the affairs of the Council shall be referred to the Financial Adviser for his advice.



61. If the advice tendered by the Financial Adviser on any matter referred to him is not accepted, the issue will be dealt with in accordance with the procedure laid down in the Regulations.

#### FINANCE COMMITTEE

62. The Executive Committee of the Council shall appoint a Finance Committee consisting of five members of which the Financial Adviser and the Director shall be ex-officio members. The Chairman of the Finance Committee shall be appointed by the Executive Committee.

63. The Finance Committee shall have the following duties :

- (i) To scrutinize the account and budget estimates of the Council and to make recommendations to the Executive Committee ;
- (ii) To consider and make recommendations to the Executive Committee on proposals for new expenditure on account of major works and purchases which shall be referred to the Finance Committee for opinion before they are considered by the Executive Committee ;
- (iii) To scrutinize reappropriation statements and audit notes and make recommendations thereon to the Executive Committee ;
- (iv) To review the finances of the Council from time to time and have concurrent audit conducted whenever necessary ; and
- (v) To give advice and make recommendations to the Executive Committee on any other financial questions affecting the affairs of the Council.

#### MANAGING COMMITTEE OF REGIONAL INSTITUTES

64. For each Regional Institute, including the Central Institute of Education, Delhi, the Executive Committee shall, at the time considered appropriate by it, appoint a Managing Committee which shall be responsible for the general supervision of the affairs of the Institute within the framework of the Rules and Regulations of the Council, and the directives that may from time to time be issued by the Executive Committee.

65. The Managing Committee of each Regional Institute shall be constituted by the Executive Committee keeping in view the requirements of the relevant provisions of the University to which it is affiliated.

66. The Managing Committee shall have such functions and powers as may be assigned to it by the Executive Committee and as provided under the Regulations.

Provided that the Executive Committee may withdraw any or, at one and the same time, all the functions and powers from the Managing Committee.

67. (a) The Head of the Regional Institute shall be the Vice-Chairman of the Managing Committee.

67. (b) The Administrative Officer of the Regional Institute shall act as the Secretary of the Managing Committee and keep a record of its Meetings.

68. The Managing Committee shall meet at least twice a year and special meetings may be called at any time by the Chairman of the Committee.

69. The proceedings of the Managing Committee of each Regional Institute shall be placed before the Executive Committee and the Programme Advisory Committee.

#### ACCOUNTS AND AUDIT

70. (i) The Council shall maintain proper accounts and other relevant records and prepare annual accounts comprising the Receipt and Payment Account, Statement of Liabilities in such form as may be prescribed by the Government of India in consultation with the Comptroller and Auditor General of India :
- (ii) The accounts of the Council shall be audited annually by the Comptroller and Auditor General or any other person appointed by him in this behalf and any expenditure incurred in connection with the audit of accounts of the Council shall be payable by the Council :
- (iii) The Comptroller and Auditor General or any other person appointed by him in this behalf shall have the same rights, privileges and authority in connection with the audit and accounts of the Council as the Comptroller and Auditor General or any other person appointed by him in this behalf has in connection with the audit of 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 any of the offices or institutions of the Council :
- (iv) The accounts of the Council as certified by the Comptroller and Auditor General or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Government of India and the Government shall cause the same to be laid before the House of Parliament within nine months of the close of the accounting year of the Council.

## ANNUAL REPORT

71. An Annual Report of the proceedings of the Council and of work undertaken during the year shall be prepared by the Executive Committee for the information of the Govt. of India and of the Members of the Council. A draft of the Annual Report shall be placed before the Council at the Annual General Meeting for its consideration and approval. The Annual Report of the Council shall be forwarded to the Government of India and the Government of India shall cause the same to be laid on the Table of both Houses of Parliament, within nine months of the close of the accounting year of the Council.

## AMENDMENT OF RULES AND REGULATIONS

72. Subject to the provisions of the Societies Registration Act (XXI) of 1860) the Council may alter or extend the purposes for which it is established with the previous concurrence of the Government of India:

- (a) if the Executive Committee shall submit the proposition for such alteration or extension as aforesaid to the Members of the Council in a written or printed report;
- (b) if the Executive Committee shall convene a special general meeting of the Council according to the Rules and Regulations for the consideration of the said proposition;
- (c) if such report be delivered or sent by post to every member of the Council, 14 clear days previous to such special general meeting as aforesaid;
- (d) if such proposition be agreed to by the votes of 3/5th of the members of the Council delivered in person at such general meeting as aforesaid; and

- (e) if such proposition be confirmed by the votes of 3/5th of the members of the Council present at the second special general meeting convened by the Executive Committee at an interval of one month after the former meeting.

73. The Rules of the Council except Rule 72 may be altered at any time with the sanction of the Government of India by a Resolution passed by a majority of the members of the Council present at any meeting of the Council, which shall have been duly convened for the purpose.