

14. POWERS AND FUNCTIONS OF THE GOVERNING BODY.

- 14.1. The Governing Body shall generally pursue and carry out the objects of the Institute, as set forth in the Memorandum of Association and in doing so shall follow and implement the policy directions and guidelines laid down by the General Body.
- 14.(2) The affairs and funds of the Institute shall be managed, administered and controlled by the Governing Body subject to rules, bye-laws and orders of the Institute.
- 14.(3) In particular and without prejudice to the generality of the foregoing provisions, the Governing Body shall have the power, subject to provisions of these Rules and Bye-laws to :
- (i) consider the annual and supplementary budget placed before it by the Member-Secretary from time to time and pass them with such modifications as the Governing Body may think fit.
 - (ii) create posts and make appointments thereto subject to specific provisions in the budget, fix scales of pay applicable to similar posts under the Govt. of India and as applicable from time to time, categorise them into grades and specify their designations. In all other matters, the Governing Body shall have full powers in the matter of expenditure from the funds of the Institute subject to budget :

Provided that powers for creation of posts where the maximum of the scale exceeds Rs. 4500/- shall be exercised subject to the approval of the Govt. of India.

- (iii) enter into agreement(s) with the Government of India and other State Governments and other public or private organisations or individuals within the country for screening and accepting grant-in-aid, endowments, donations of gifts to the Institute on actually agreed terms and conditions :

Provided that such terms and conditions shall not be contrary to or inconsistent or in conflict with the objectives of the Institute :

Provided further that for any such agreements with any foreign and/or international agencies or organisations, prior approval of the Govt. of India, shall be obtained.

- (iv) take over, acquire by purchase, gifts, exchange lease or hire otherwise from Govt. of India, the State Govts. and other public or private bodies or individuals, institutions, libraries, laboratories, immovable properties, endowments or other funds together with any attendant obligations and engagements not inconsistent with the objects of the Institute provided that for any such activity involving foreign and/or international agency or organisations, prior approval of the Govt. of India, shall be obtained.

- (v) appoint committees and Sub-Committees for purposes within the objectives of the Institute and with such powers and for periods and on terms as it may deem fit and also dissolve any of them.

- (vi) delegate administrative and financial powers to the Director and other officers of the Institute as may be considered necessary and also to modify, amend and withdraw any or all powers whenever necessary without assigning any reason therefor.

- (vii) to frame, amend or repeal bye-laws for the administration and management of the affairs of the Institute and in particular provide for the following matters :
- (a) preparation and sanction of budget estimates, final estimates, appropriation and re-appropriation of accounts, sanctioning of contracts, investment of the funds of the society, sale or alteration of such investments and maintenance of accounts and their audit.
 - (b) procedure for recruitment of officials of the Institute.
 - (c) terms and tenures of appointments, emoluments allowances, rules of discipline and other conditions of service of the establishment of the Institute and revision thereof with the prior approval of the Government of India.
 - (d) terms and conditions governing the grant of fellowships and grant-in-aid for research schemes and projects not inconsistent with the objects of the Institute and
 - (e) such other matters as may be necessary for administration of the affairs and funds of the Institute.

10.

VALIDATION OF ACTS BY MEMBERS, ETC.

The Institute shall function notwithstanding any vacancy in its body and no act, direction or proceeding of the Institute shall be invalid merely by reason of such vacancy or any defect in the appointment of any of its members.

11.

PRINCIPLE EXECUTIVE OFFICER

The Director of the Institute who shall be appointed by the General Body of the Institute with the approval of the Government of India, shall be the Principal Executive Officer of the Institute. He/She shall have the financial and administrative powers as may be prescribed by the Governing Body.

Provided that the Project Director, National Institute of Biologicals, appointed by the Government of India Ministry of Health and Family Welfare shall be the first Director of the Institute.

12.

MEETING OF THE GENERAL BODY

12.1.

The Annual General Meeting of the General Body shall be held as soon as feasible after the expiry of every year, to consider the annual report and accounts of the Institute to appoint auditors and to consider and approve programme of work generally for the ensuing year.

12.2.

The Chairman may convene Special Meeting of the General Body whenever he thinks it necessary to do so, in addition to the Annual General Meeting.

RULES AND REGULATIONS

1. Short Title

These rules and regulations may be called the rules of the National Institute of Biologicals (NIB).

2. Definitions

In these rules, unless there is anything repugnant in the subject or the context :

- (a) "The Institute" means the National Institute of Biologicals.
- (b) "The Government of India" shall mean the administrative Ministry of the Government of India which in this case is the Ministry of Health & Family Welfare.
- (c) The "General Body" means the body constituted under Rule 4 of these Rules as the General Body of the Institute.
- (d) "The Governing Body" means the body constituted under Rule 13 of these rules as the Governing Body of the Institute.
- (e) "The Chairman/Vice-Chairman" means the Chairman/Vice-Chairman of the General Body/Governing Body.
- (f) "The Director" means the Director of the Institute.
- (g) "Year" means the year beginning from the 1st April and ending on the 31st March of the following year.
- (h) "Member" means a member of General Body or Governing Body whose name has been entered as a member of the Institute in the register maintained under Rule 6.

3. Membership

(a) The General Body of the Society shall consist of official as well as non-official members. Official members shall hold membership by virtue of their official position. The non-official members will be nominated by the Chairman of the Governing Body.

(b) SUBSCRIPTION

No subscription will be charged from the members of the Society.

(c) TERMINATION OF MEMBERSHIP

The General Body shall have the power to terminate the membership of a member from the Society under the following circumstances :-

(a) By no confidence motion passed by 2/3 majority of votes.

(b) On his/her death/retirement/transfer.

(c) On his/her written resignation.

(d) He/She has not attended three consecutive meetings of the General Body without any intimation.

The reason of termination from the membership shall be communicated to the member concerned.

(d) APPEALS

All appeals should be preferred to the General Body of the Society. The decision of the General Body shall be final. The reason for rejection shall be communicated to the member concerned.

(e) RE-ADMISSION

In case of member expelled by the General Body, the same can be re-admitted provided the member concerned fulfills the terms and conditions of the Society. The decision of the General Body shall be final.

(f) SOURCE OF INCOME.

Any source of Income is not required to the Society because the Institute and other activities will be run by the Society. Hence all the expenses/expenditure to fulfil the aims and objectives of the Society shall be borne and paid by the Government Machinery/ Authorities.

4. General Body

The composition of the General Body shall be as follows :

S.No.

Designation in
the Society

1.

Secretary(Health),
Ministry of Health & Family Welfare
Nirman Bhawan,
New Delhi.

Chairman

2.

Secretary (Family Welfare),
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi.

Vice-Chairman

Director General of Health Services,
Nirman Bhawan,
New Delhi.

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| 4. | Secretary,
Department of Biotechnology,
Ministry of Science & Technology,
C.G.O. Complex,
New Delhi. | Member |
| 5. | Director General,
Indian Council of Medical Research,
Ansari Nagar,
New Delhi. | Member |
| 6. | Additional Secretary (Health),
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi. | Member |
| 7. | Joint Secretary & Financial Adviser,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi. | Member |
| 8. | Joint Secretary,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi. | Member |
| 9. | Joint Secretary,
Ministry of Health & Family Welfare,
Nirman Bhawan, New Delhi. | Member |
| 10. | Drugs Controller (India),
Directorate General of Health Services,
Nirman Bhawan, New Delhi. | Member |
| 11. &
or
12. | Directors of 2 Public Sector Undertaking.
producing vaccine/Biologicals to be nominated
by the Chairman. | Member |
| 13 &
14 | Directors of 2 Private Sector firms
producing vaccine/Biologicals to be nominated
by the Chairman. | Member |
| 15 &
16 | Health Secretaries from 2 States and/or
U.Ts. not exceeding two in number to be
nominated by the Chairman by rotation. | Member |
| 17. | Director
National Institute of Biologicals. | Member-
Secretary |