

RULES & REGULATIONS OF
THE NATIONAL AGRI-FOOD BIOTECHNOLOGY INSTITUTE

1.NAME OF THE SOCIETY: National Agri-Food Biotechnology Institute

2.LOCATION OF THE OFFICE:

The registered office of the Society shall be at the National Capital Territory of Chandigarh and is currently located at NABI Cell, National Botanical Research Institute, Rana Pratap Marg, Lucknow – 226001

INTERPRETATION

- 3.** In these rules, the following words and abbreviations shall have the meanings given to them, unless there is anything contrary in the subject or context:
- a. The “Institute” shall mean the National Agri-Food Biotechnology Institute.
 - b. The “Society” shall mean the National Agri-Food Biotechnology Institute.
 - c. The “Central Government” shall mean the administrative Ministry of the Government of India, concerned with Science & Technology.
 - d. The “Governing Body” shall mean the Governing Body of the Institute.
 - e. The “President” shall mean the President of the society.
 - f. The “Chairman” shall mean the Chairman of the Governing Body of the Institute.
 - g. The “Executive Director” shall mean the Director of the Institute appointed under the rules of the Institute.
 - h. The “Secretary” shall mean the Secretary of the Society appointed in accordance with the by-laws of the Society.

- i. The “year” shall mean the period of 12 calendar months commencing from the first day of April and ending on the 31st day of March of the subsequent year.

Words importing the singular number shall include the plural number and vice-versa.

Words importing the masculine gender shall include the feminine gender.

MEMBERS OF THE INSTITUTE

4. The “**INSTITUTE**” shall consist of all members of the Governing Body set up under Rule 24 of the Rules and Regulations and such other persons who may be nominated by the Government of India.
5. The “**INSTITUTE**” shall keep a roll of members, giving their addresses and occupations and every member shall sign the same.
6. The “**INSTITUTE**” shall function notwithstanding any vacancy in its body and no act or proceeding of the **INSTITUTE** shall be invalid merely by reasons of such vacancy or of any defect in the appointment of any of its members.

AUTHORITIES AND OFFICERS OF THE INSTITUTE

7. The following shall be the authorities of the **INSTITUTE**:
 - a. The Institute Governing Body
 - b. The Institute Executive Director, and
 - c. The Deans of different Departments in the Institute
 - d. Such other authorities and officers as may be constituted/ appointed as such by the Governing Body.

8. The Minister of Science & Technology, Govt. of India, or his nominee shall be the President of the Institute. The Secretary of the Department of Biotechnology, Govt. of India shall be the Chairman of the Governing Body.
9. The Executive Director of the Institute, who shall be a distinguished scientist, shall be appointed by the Governing Body, following the procedure laid down by the Central Government and relevant by-laws of the Institute in this behalf. He shall be the Principal Executive Officer of the Institute. Until such time a full time Executive Director of the Institute is appointed in accordance with rules and by-laws, the Governing Body may appoint a distinguished scientist as Honorary Director and the person so appointed shall have full powers, functions and status as the Executive Director in accordance with these rules.
10. The Society shall establish and maintain its own office, laboratories and workshops. Appointment to various posts under the Institute shall be made in accordance with the by-laws framed for the purpose by the Governing Body.

PROCEEDINGS OF THE SOCIETY

11. An Annual General Meeting of the Society shall be held at such time, date & place as may be determined by the President giving not less than fifteen days' clear notice. At such Annual General Meeting, the Secretary shall submit the Annual Report and the Audited Accounts of the society, together with the Auditor's Report thereon. The Annual Report duly passed and adopted by the Society shall be submitted to the Government for placing the same before the Parliament. The quorum of the meeting shall be 2/3rd of the society members.

12. The President may convene a Special General Meeting of the Society, whenever he/she thinks fit.
13. The President shall convene a Special General Meeting of the Society on the written requisition of not less than five members of the Society.
14. Any requisition so made by the members of the Society shall express the objectives of the meeting proposed to be called and shall be left at the address of the Secretary or posted to his address.
15. At all Special General Meetings on subjects other than that stated in the notice or requisition, as the case may be, shall be discussed except when specially authorized by the President.
16. Excepting as otherwise provided in these rules, all meetings of the Society shall be called by notice under the signature of the Secretary or the President.
17. Every notice calling a meeting of the Society shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Society not less than fifteen clear days before the day appointed for the meeting.
18. The accidental omission to give notice to or the non-receipt of notice by any member shall not invalidate the proceedings of the meeting.
19. The President of the Institute shall preside at all meetings of the Society and if he is not present at any meeting or in his absence, the Chairman of the Governing Body shall preside at that meeting. In case the Chairman of the Governing Body is also not present, in his absence, then a member shall be elected from amongst those present to preside over that meeting.

20. No business shall be discussed at a meeting of the Society, whilst the chair is vacant except the election of a Chairman.
21. Seven members of the Society present in person shall form a quorum at every meeting of the Society.
22. All disputed questions at meetings of the Society shall be determined by a majority of votes of the members present and voting.
23. Each member of the Society shall have one vote. In case of an equality of votes, the President, Chairman or member presiding over the meeting, as the case may be, shall have the casting vote.

THE GOVERNING BODY

24. The affairs of the Society shall be managed, administered, directed and controlled, subject to rules, by-laws and orders of the Governing Body. The Governing Body of the Society for Societies Registration Act XX1 of 1860 shall consist of the following:

Secretary, Department of Biotechnology Govt. of India	Chairman, Ex- Officio
Director General, Indian Council of Agricultural Research	Member, Ex- Officio
Joint Secretary & Financial Adviser Department of Biotechnology, Govt. of India	Member, Ex- Officio
Adviser (Plant Biotechnology) Department of Biotechnology, Govt. of India	Member, Ex- Officio
Directors of the cluster institutions	Member, Ex- Officio
All the Deans of the Institute	Members, Ex-Officio
One faculty member by annual rotation	Members

from each of the NABI Departments

Up to 10 Scientists/Engineers/Agri/Seeds/Food/ Nutrition/Management Experts including from industry to be nominated by the Secretary, Department of Biotechnology	Members
Executive Director of the Institute	Member-Secretary

The nominations of the expert members to the Governing body shall ordinarily be done by the Chairman in accordance with the guidelines framed for this purpose in the NABI bylaws.

- 25.** Unless his membership of the Governing Body is terminated as provided in Rule 26 and subject to the provisions of Rule 26, each nominated member of the Governing Body shall relinquish his membership on the expiry of three years from the date on which he becomes a member of the Governing Body, but he shall be eligible for re-appointment. In case of a casual vacancy, the person appointed to fill the vacancy shall hold office for the unexpired portion of the term of the out-going member.
- 26.** A member of the Governing Body shall cease to be a member on the happening of any of the following events:

 - a.** If he resigns, becomes of unsound mind, becomes insolvent or is convicted of a criminal offence involving moral turpitude, or his employer refuses to grant him permission to serve on the Governing Body or he goes abroad for a continuous period exceeding one year.
 - b.** If he does not attend three consecutive meetings of the Governing Body.

- 27.** Whatever a member desires to resign from the membership of the Governing Body, he shall forward a letter containing his resignation addressed to the Secretary and his resignation shall take effect only on its acceptance by the Chairman.
- 28.** Whenever a person holds the membership of the Governing Body by virtue of an office held by him (ex-officio), his membership shall terminate when he ceases to hold that office and the vacancy so caused shall be filled by his successor to that office.
- 29.** The members of the Governing Body shall not be entitled to any remuneration from the Society excepting the full time Executive Director of the Institute. The members of the Governing Body or any Committee appointed by it may be paid by the Society such traveling and daily allowances and honorarium as may be provided for in the bye-laws.
- 30.** A person holding the membership of the Governing Body by virtue of an office held by him (ex-officio) shall normally attend the Governing Body meetings himself in person but in exceptional circumstances shall have the right to nominate a representative to act on his behalf at a particular meeting of the Governing Body and the representative so nominated shall be entitled to take part in the proceedings of that meeting, but not to vote thereat.
- 31.** The Secretary shall attest the signatures of all the members of newly elected Governing Body and will ensure that the said signature of the outgoing Governing Body tally with the annual list as filed with the Registrar of Societies before 15 days of the succeeding month in which elections were held.

FUNCTIONS AND POWERS OF THE GOVERNING BODY

- 32.** The Governing Body shall generally carry out and pursue the objectives of the Society, as set forth in the Memorandum of its Association. The management of all the affairs and funds of the Society shall, for this purpose, vest in the Governing Body.
- 33.** The Governing Body shall exercise all the powers of the Society, subject, nevertheless, to such limitations as the Government of India may from time to time, impose in respect of the expenditure from the funds of the Society and of grants made by the Government of India.
- 34.** In particular and without prejudice to the generality of the foregoing provisions, the Governing Body shall have the power, subject to the provision of these rules and the bye-laws to:
- i** consider the annual and supplementary budgets placed before it by the Executive Director from time to time, and pass them with such modifications as the Governing Body may think fit.
 - ii** create and abolish posts in accordance with the relevant bye-laws of the Institute
 - iii** appoint various scientific, technical, administrative and other officers and staff of the Society, fix their remuneration and define their duties and terms of employment.
 - iv** enter into arrangements with the Government of India and with the State Government and other public or private organizations or individuals within the country for securing and accepting grants-in-aid, endowments, donations or gifts to the Society, on mutually agreed terms and conditions; provided that such terms and

conditions, if any, shall not be contrary to, inconsistent or in conflict with the objectives of the Society; provided, for any such arrangement with foreign and/ or international agencies or organizations the prior approval of the Government of India has been obtained.

- v** take over, acquire by purchase, gifts, exchange, lease or hire or otherwise from Government of India, the State Governments 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 objectives of the Society; provided for any such activity involving a foreign and/ or international agency or organization, the prior approval of the Government of India has been obtained.
- vi** appoint Committees and Sub-Committees for such purposes and with such powers and for such periods and on such terms as it may deem fit, and dissolve any of them.
- vii** delegate such administrative and financial powers as it may think proper to the Chairman, the Executive Director, Deans and such other officers of the Society as may be considered necessary; and
- viii** to frame, amend or repeal bylaws, for the administration and management of the affairs of the Society and in particular to provide for the following matters:-

 - a)** preparation and sanction of budget estimates, sanctioning of expenditure, entering into and execution 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 scientists and officers in the service of the Society;
- c) terms and tenures of appointments, emoluments, allowances, rules of discipline and other conditions of service of the establishments of the Society;
- d) terms and conditions governing the grant of scholarships, fellowships, awards and grants-in-aid for research schemes and projects not inconsistent with the objectives of the Society.
- e) such other matters as may be necessary for the administration of the affairs and funds of the Society.

PROCEEDINGS OF THE GOVERNING BODY

- 35.** Every meeting of the Governing Body shall be presided over by the Chairman and in his absence a member chosen from amongst themselves by members present, to provide for the occasion.
- 36.** Seven members of the Governing Body present in person, shall constitute a quorum at any meeting of the Governing Body.
- 37.** Not less than fifteen days' clear notice of every meeting of the Governing Body shall be given to each member of the Governing Body. The accidental omission to give notice to or the non-receipt of notice by any member shall not invalidate the proceedings at the meeting.

38. Normally one meeting of the Governing body shall be held at least once in each half of the year or more frequently, if need arises in the opinion of the Chairman.
39. The decision of the Governing Body shall be taken by consensus of the members present or the majority of the members present and voting.
40. The Chairman may himself call, or by a requisition in writing signed by him, may require the Secretary to call a meeting of the Governing Body at any time and on receipt of such a requisition, the Secretary shall forthwith call such a meeting.
41. Four members of the Governing Body may, by a requisition in writing signed by them, request the Secretary to call a meeting of the Governing Body and on receipt of such a requisition, the Secretary shall call such a meeting within a period of one month in consultation with the Chairman.
42. Each member of the Governing Body shall have one vote, except as provided in Rule 30 and, if there shall be an equality of votes on any question to be decided by the Governing Body, the Chairman or the member presiding over the meeting shall have a casting vote.
43. Any business which may be necessary for the Governing Body to perform may be performed by a resolution in writing circulated among all its members and any such resolution so circulated and approved by a majority of the members by signing, shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body provided that at least five members of the Governing Body have recorded their approval to the resolution.

44. The Chairman may, irrespective of the opinion of the members of the Governing Body, refer any question, which in his opinion is of sufficient importance, for decision to the Government of India. The decision of the Government of India shall be binding on the Society and its Governing Body.

FUNCTIONS AND POWERS OF THE CHAIRMAN

45. The Chairman shall exercise such powers for the conduct of the business of the Society as may be delegated to him by the Governing Body.
46. The Chairman may, in writing, delegate such of his powers as he may think necessary to the Executive Director.

FUNCTIONS AND POWERS OF THE EXECUTIVE DIRECTOR

47. Subject to any order that may be passed by the Chairman in exercise of the powers delegated to him by the Governing Body, the Executive Director shall be responsible for the proper administration of the affairs and funds of the Society under the direction and guidance of the Governing Body. He shall be vested with such executive and administrative powers of the Society as may be necessary or incidental for the purpose, subject to these rules and by-laws.
48. The Executive Director shall, subject to the provisions of these rules and by-laws and decisions of the Governing Body and Chairman, exercise general supervision and disciplinary control over the officers and the staff of the Society, and prescribe their duties and functions through the respective Deans of the institute.
49. The Executive Director of the Institute shall be the Secretary of the Society. For the purposes of the Societies Registration Act XXI of 1860, the Secretary shall be

considered the Principal Secretary of the Society and the Society may sue or be sued in the name of the Secretary of the Society.

50. The Executive Director shall be responsible for designing and maintaining the unified integrity of perspective for NABI, and ensuring that various centers of the Institute function coordinately in the framework of this perspective. Further, the Executive Director will conduct the administration and financial business of the society and the institute through the 'Institute Management Committee' (IMC) comprising of all the Deans of the institute (ex-officio members), one faculty member by annual rotation from each of the centers of the Institute, and himself as the Chair. The IMC will prepare the institute budget which shall be submitted to Department of Biotechnology, Govt. of India or other funding sources by the Executive Director. The other major responsibilities of the IMC include the constitution of the Scientific Advisory Committee of the Institute, and the Technical Advisory Committees of various departments, Management committees of the various departments of NABI along the similar lines, allocation of budgets to various departments of the institute, and the general administration of the institute. Where the Departments are developed in partnership with outside agencies, the terms of agreement for governance shall be adhered to, within the overall NABI spirit of collaborative management.

FUNCTIONS AND POWERS OF DEANS

51. The NABI will work as the umbrella organization to several scientifically independent specialized research and/or service centers such as the Departments of Agribiotechnology, Food Science and Technology, Nutritional Science and Technology and other functional units, such as Translational and Training Centres, Business

Development Units etc.. The individual deans of NABI will be the Directors of the three major Departments and will provide scientific leadership. The Deans will have administrative and financial powers for the day-to-day functioning of their Departments within the allocated budget in consultation with the Departmental Management Committee. The administrative and financial powers of the Deans will be as determined by the NABI Governing Body in furtherance of the stated objectives of the centers and the institute, and in harmony with the spirit of functional autonomy of various centers. Where the Departments, resource centres and other functional units are developed in partnership with outside agencies, the Deans and the respective Department Management Committees will execute their leadership functions within the parameters of governance set by the terms of the agreement as approved by the Governing Body and within the overall NABI spirit of collaborative management.

THE FINANCE COMMITTEE & THE SCIENTIFIC ADVISORY COMMITTEE

The administrative, technical and financial management of the Institute would vest in the Governing Body of the Institute. The Governing Body would conduct periodical review and monitoring of the activities and take remedial measures as deemed fit to meet the aims and objectives of the Institute. The Governing Body would nominate the Finance Committee and the Scientific Advisory Committee. The Finance Committee would consist of the following:

Secretary, Department of Biotechnology	Chairman, Ex-Officio
Joint Secretary & Financial Adviser, Department of Biotechnology	Member, Ex-Officio
Executive Director of the Institute	Member, Ex-Officio

Adviser (Plant Biotechnology)
Department of Biotechnology

Member, Ex-Officio

All the Deans of the Institute

Members, Ex-Officio

Senior Manager of the Institute

Non-Member Secretary
and Convener

The Finance Committee will consider important financial matters and make its recommendations to the Governing Body. It should meet at least twice a year or as often as considered necessary.

COMPOSITION OF THE SCIENTIFIC ADVISORY COMMITTEE

A renowned and distinguished scientist in areas of development, optimization and evaluation of technologies for public health and interdisciplinary research for translation of technologies for public health (Chairman)

Representative from the Department of Biotechnology (Member)

Representative from ICAR (Member)

Representative from Industry (Member)

Executive Director of the Institute (Member-Secretary, Ex-Officio)

All the Deans of the Institute (Members, Ex-Officio)

Five distinguished Scientists/ Medical Biotechnologists to be nominated by the committee of the Executive Director and Deans with approval of the Governing Body Chairman (Members)

The Scientific Advisory Committee shall evolve the scientific and technical programmes of the Institute, review them periodically and shall take further course of

action as would be deemed fit for furthering scientific and technological research and other functions of the Institute. The recommendations of the Committee would be submitted to the Governing Body for approval. It should meet at least once a year. The tenure of the Committee shall ordinarily be for a period of 3 years, which can be extended or reconstituted by the Governing Body after 3 years.

The specialized Departments of the institute will have independent Departmental Technical Advisory Committees with relevant subcommittees. The committee will be constituted by the Departmental Director in consultation with the Executive Director of the Institute.

FUNDS OF THE SOCIETY

52. The funds of the Society will consist of the following:

- i** Lump sum, recurring, and non-recurring grant made by the Govt. of India.
- ii** Research projects undertaken from other project funding agencies and industry.
- iii** All money received by the Society by way of grants, gifts, donations or other contributions

53. All funds of the Society shall be paid into the Society's account with either in a Government Treasury/ Sub Treasury or Reserve Bank of India, branches of the State Bank of India and its subsidiaries or in a scheduled/ nationalized bank and shall not be withdrawn except on cheques signed and countersigned by such officers as may be duly empowered on this behalf by the Governing Body.

54. The income and property of the Society, however derived, shall be applied towards the promotion of the objectives thereof as set forth in this Memorandum of Association

subject nevertheless in respect of the expenditure grants made by the Government of India to such limitations as the Government of India may from time to time impose. No portion of the income and property of the Society shall be paid or transferred directly or indirectly to any of the members through any means either by way of dividends, bonus, or otherwise howsoever by way of profit, to the persons who at any time are or have been members of the Society or to any of them or to any persons claiming through them or any of them provided that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or other person in return for any service rendered to the Society and payments in lieu of intellectual property as per guidelines by the Governing Body.

ACCOUNTS AND AUDIT

- 55.** The Accounts of the Society shall be audited by such person or persons who is a Chartered Accountant and may be nominated by the Central Government. The nature of audit to be applied and the detailed arrangements to be made in regard to the form of accounts and their maintenance and the presentation of the accounts for audit shall be prescribed by by-laws to be framed by the Governing Body and approved by the Government of India.

ANNUAL REPORT

- 56.** An Annual Report of the proceedings of the Society and of all work undertaken during the year shall be prepared by the Executive Director of the Institute under the supervision of Governing Body for the information of the Government of India and the members of the Society. This report and the audited accounts of the Society along with

the auditor's reports thereon shall be placed before the Society at the Annual General Meeting.

ALTERATION OF RULES

- 57.** The Rules of the Society may be altered at any time on the recommendation of the Governing Body by a resolution passed by a majority of the members of the Society present at any meeting of the Society.
- 58.** All provisions contained in the Societies Registration Act, XXI of 1860 as applicable to State of Delhi, shall apply to this Society.
- 59.** Upon a resolution passed by a majority of the members of the Society, not less than $2/3^{\text{rd}}$ of the total members of the Society can determine that the Society shall be dissolved forthwith or on such date as may be agreed upon and confirmed by $2/3^{\text{rd}}$ of the members present at a second special meeting.

WINDING UP

The Society shall at the same meeting and at the time of passing a resolution dissolving the Society, determine the method to be followed for disposal and settlement of its property and debts. In the event of dissolution, the property and funds of the Society that remain after the satisfaction of all its debts and liability shall not be paid to or distributed among the members of the Society or any of them but shall be given to some other Society with similar aims and objectives which has been recognized by the Income Tax authorities under the provisions of Income Tax Act, provided that such other Society shall be determined by the votes not less than $3/4^{\text{th}}$ of the members present

personally at the time of the dissolution or in default thereof by the Principal court of original civil jurisdiction of the district in which the registered office of the Society is then situated.