

IndiaCode

The National Institutes of Pharmaceutical Education And Research Act, 1998

(ACT NO. 13 OF 1998)

[*As on the* 1st *June,* 2026]

LIST OF AMENDING ACTS

1. The National lnstitute of Pharmaceutical Education and Research (Amendment) Act, 2002 (28 of 2002).
2. The National Institute of Pharmaceutical Education and Research (Amendment) Act, 2007 (19 of 2007).
3. The National Institute of Pharmaceutical Education and Research (Amendment) Act, 2021 (43 of 2021).

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LIST OF ABBREVIATIONS USED

Cl., cls.	. . . . .	*for*	Clause, clauses.
Ins.	. . . . .	,,	Inserted.
Notifn.	. . . . .	,,	Notification.
S., ss.	. . . . .	,,	Section, sections.
Sch.	. . . . .	,,	Schedule.
Subs.	. . . . .	,,	Substituted.
w.e.f.	. . . . .	,,	with effect from.

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THE NATIONAL INSTITUTES OF PHARMACEUTICAL EDUCATION AND RESEARCH ACT, 1998

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THE NATIONAL INSTITUTES OF PHARMACEUTICAL EDUCATION AND RESEARCH ACT, 1998

ACT NO. 13 OF 1998

[26*th June*, 1998.]

[1][An Act to declare certain institutions of pharmaceutical education and research to be institutions of national importance and for matters connected therewith or incidental thereto.]

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

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(*1*) This Act may be called the National [2][Institutes] of Pharmaceutical Education and Research Act, 1998.

(*2*) It shall come into force on such date[3] as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

[4][**2. Declaration of certain institutions as institutions of national importance.**—(*1*) Whereas the objects of the institutions mentioned in the Schedule, are such as to make them institutions of national importance, it is hereby declared that each such Institute is an institution of national importance.

(*2*) It is hereby declared that every Institute established under sub-section (*2A*) of section 4, on and after the commencement of the National Institute of Pharmaceutical Education and Research (Amendment) Act, 2021 (43 of 2021), shall be an institution of national importance.]

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

[5][(*a*) "appointed day", in relation to an Institute mentioned in column (3) of the Schedule, means the date of its establishment as mentioned against it in column (4) of that Schedule;]

(*b*) "Board" means the Board of Governors of [6][an Institute] constituted under sub-section (*3*) of section 4;

(*c*) "Chairperson" means the Chairperson of [6][an Institute] nominated under clause (*a*) of sub-section (*3*) of section (*4*);

[7][(*ca*) "Council" means the Council established under sub-section (*1*) of section 30A;]

(*d*) "Dean" means the Dean of [6][an Institute] appointed under section 17;

(*e*) "Director" means the Director of [6][an Institute] appointed under section 16;

(*f*) "Fund" means the fund of [6][an Institute] to be maintained under section 21;

[8][(*g*) "Institute" means any of the institutions mentioned in column (3) of the Schedule;

(*ga*) "member" means a member of the Council nominated or elected under sub-section (*2*) of section 30A;

(*gb*) "prescribed" means prescribed by rules made under this Act;

(*gc*) "Schedule" means the Schedule to this Act;]

(*h*) "Senate" means the Senate of [6][an Institute] referred to in section 13;

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1. Subs. by Act 43 of 2021, s. 2 for Long title (w.e.f. 25-5-2022).
2. Subs. by s. 3, *ibid.,* for "Institute" (w.e.f. 25-5-2022).
3. 8th July, 1998, *vide* notifin. No. S.O. 1412(E), dated 7th July, 1998, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).
4. Subs. by Act 43 of 2021, s. 4, for section 2 (w.e.f. 25-5-2022).
5. Subs. by s. 5, *ibid*., for clause (*a*) (w.e.f. 25-5-2022).
6. Subs. by s. 5, *ibid.,* for "the Institute" (w.e.f. 25-5-2022).
7. Ins. by s. 5, *ibid*. (w.e.f. 25-5-2022).
8. Subs. by s. 5, *ibid*., for clause (*g*) (w.e.f. 25-5-2022).

(*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 (21 of 1860);

(*j*) "Statutes" and "Ordinances" mean the Statutes and the Ordinances of [1][an Institute] made under this Act.

CHAPTER II

THE INSTITUTE

[2][4. Establishment and incorporation of Institutes.]—[3][(*1*) Each of the Institutes mentioned in column (3) of the Schedule shall be a body corporate.]

(*2*) [4][Each 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.

[5][(*2A*) The Central Government may, by notification in the Official Gazette, establish similar Institutes in different parts of the country.]

[6][(*3*) The Board of Governors of an Institute shall consist of the following persons, namely:—

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

(*b*) the Director of the institute, *ex officio*;

(*c*) the Joint Secretary to the Government of India in Department of Pharmaceuticals dealing with the national institutes of pharmaceutical education and research, *ex officio*;

(*d*) the Secretary, dealing with medical or technical education in the State Government concerned, *ex officio*;

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

(*f*) three eminent pharmaceutical experts, at least one of whom shall be a woman, having special knowledge or practical experience in education, research and biotechnology, to be nominated by the Council;

(*g*) two pharmaceutical industrialists to be nominated by the Council;

(*h*) two professors of the institute, to be nominated by the Senate:

Provided that one member from amongst members to be nominated under clauses (*f*), (*g*) and (*h*) shall be either from the Scheduled Castes or from the Scheduled Tribes.]

(*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.

[7]* * * * *

(*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 least three times in a year at such place and time and observe such rules of procedure in regard to the transaction of business at its meetings as may be determined by the Board.

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1. Subs. by Act 43 of 2021, s. 5, for "the Institute" (w.e.f. 25-5-2022).
2. Subs. by s. 6, *ibid*., for marginal heading (w.e.f. 25-5-2022).
3. Subs. by s. 6, *ibid*., for sub-section (*1*) (w.e.f. 25-5-2022).
4. Subs. by s. 6, *ibid*., for "The Institute" (w.e.f. 25-5-2022).
5. Ins. by Act 19 of 2007, s. 3 (w.e.f. 29-1-2007).
6. Subs. by Act 43 of 2021, s. 6, for sub-section (*3*) (w.e.f. 25-5-2022).
7. Proviso omitted by s. 6, *ibid*. (w.e.f. 25-5-2022).

[1][**4A. Centres of Institute.**—An Institute, with the prior approval of the Central Government, may, by notification in the Official Gazette, establish one or more centres in different locations [2]***.]

5. [Vesting of properties.]—*omitted by the National Institute of Pharmaceutical Education and Research* (*Amendment*) *Act, 2021* (*43 of 2021*), *s.* 8 (*w.e.f.* 25-5-2022).

6. Effect of incorporation of Institute.—[3][On and from the appointed day, in relation to the National Institute of Pharmaceutical Education and Research, Mohali],—

(*a*) any reference to the Society in any contract or other instrument shall be deemed as a reference to [4][that Institute];

[5][(*aa*) all property, movable and immovable of, or belonging to, the Society, shall vest in that Institute;]

(*b*) all the rights and liabilities of the Society shall be transferred to, and be the rights and liabilities of, [4][that Institute]; and

(*c*) every person employed by the Society immediately before the appointed day shall hold office or service in [4][that 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 condition 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 [4][that 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 [4][that 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. Functions of [6][Institutes].—The functions of the Institute shall be—

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

[7][(*ii*) to develop courses leading to graduate and post graduate degrees, doctoral and post-doctoral distinctions and research in pharmaceutical education or to develop integrated courses relating thereto;

(*iia*) to conduct executive education courses, short-term certificate courses, training programmes, online or distant education, diploma courses and such other short-term executive courses;]

(*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 [8][by promoting collaborative research, exchange of faculty members, researchers] 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;

1. Ins. by Act 19 of 2007, s. 4 (w.e.f. 29-1-2007).
2. The words "within its jurisdiction" omitted by Act 43 of 2021, s. 7 (w.e.f. 25-5-2022).
3. Subs. by s. 9, *ibid*., for "On and from the appointed day" (w.e.f. 25-5-2022).
4. Subs. by s. 9, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
5. Ins. by s. 9, *ibid*. (w.e.f. 25-5-2022).
6. Subs. by s. 10, *ibid*., for "Institute" (w.e.f. 25-5-2022).
7. Subs. by s. 10, *ibid*., for clause (*ii*) (w.e.f. 25-5-2022).
8. Subs. by s. 10, *ibid*., for "by exchange of faculty members" (w.e.f. 25-5-2022).

(*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;

[1][(*xa*) to establish Centres of Excellence for drug discovery and development and medical devices;]

(*xi*) to develop a multi-disciplinary 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 interaction between academic and industry 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. Powers of [2][Board of an Institute].—(*1*) Subject to the provisions of this Act, the [2][Board of an Institute] 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.

(*2*) Without prejudice to the provisions of sub-section (*1*), the [2][Board of an Institute] shall—

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

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

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

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

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

(*g*) 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; and

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

1. Ins. by Act 43 of 2021, s. 10 (w.e.f. 25-5-2022).
2. Subs. by s. 11, *ibid*., for "Board" (w.e.f. 25-5-2022).

(*3*) The [1][Board of an Institute] 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 [1][Board of an Institute] shall not dispose of in any manner any immovable property without the prior approval of the Central Government.

9. [2][Institutes] to be open to all races, creeds and classes.—(*1*) [3][Every 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.

(*2*) No bequest, donation or transfer of any property shall be accepted by [4][any Institute] which in the opinion of the Board involves conditions or obligations opposed to the spirit and object of this section.

10. Teaching at [5][Institutes].—All teaching at [6][each of the Institutes] shall be conducted by or in the name of the Institute in accordance with the Statutes and the Ordinances made in this behalf.

11. Visitor.—(*1*) The President of India shall be the Visitor of [7][every Institute].

(*2*) The Visitor may appoint one or more persons to review the work and progress of [8][any 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.

12. Authorities of [9][Institutes].—The following shall be the other authorities of [10][an Institute], namely:—

(*a*) a Senate;

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

13. Senate.—The Senate of [11][each 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 one of them shall be either from the Scheduled Castes or from the Scheduled Tribes; and

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

14. Functions of Senate.—Subject to the provisions of this Act, the Statutes and the Ordinances, the [12][senate of each Institute] shall have the control and general regulation, and be responsible for the

1. Subs. by Act 43 of 2021, s. 11, for "Board" (w.e.f. 25-5-2022).
2. Subs. by s. 12, *ibid*., for "Institute" (w.e.f. 25-5-2022).
3. Subs. by s. 12, *ibid*., for "The Institute" (w.e.f. 25-5-2022).
4. Subs. by s. 12, *ibid.*, for "the Institute" (w.e.f. 25-5-2022).
5. Subs. by s. 13, *ibid*., for "Institute" (w.e.f. 25-5-2022).
6. Subs. by s. 13, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
7. Subs. by s. 14, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
8. Subs. by s. 14, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
9. Subs. by s. 15, *ibid*., for "Institute" (w.e.f. 25-5-2022).
10. Subs. by s. 15, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
11. Subs. by s. 16, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
12. Subs. by s. 17, *ibid*., for "senate of the Institute" (w.e.f. 25-5-2022).

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. Functions, powers and duties of Chairperson.—(*1*) The Chairperson shall ordinarily preside at the meetings of the Board and at the Convocations of the Institute.

(*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. Director.—(*1*) The [1][Director of each Institute shall be appointed by the Council] with the prior approval of the Visitor.

(*2*) The Director shall be the principal academic and executive officer of the Institute and shall be responsible for the proper administration and academic performance 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. Dean.—(*1*) The Dean of [2][each Institute] shall be appointed on such terms and 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 the Director.

(*2*) The Dean shall report to the Director.

18. Registrar.—(*1*) The [3][Registrar of each 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 the Director.

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

20. Grants by Central Government.—For the purpose of [4][enabling the Institutes] to discharge its functions efficiently under this Act, the Central Government may, after due appropriation made by Parliament by law in this behalf, [5][pay to each Institute] in each financial year such sums of money and in such manner as it may think fit.

21. Fund of [6][Institutes].—(*1*) [7][Every Institute shall] maintain a Fund to which shall be credited—

(*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 transfers; and

1. Subs. by Act 43 of 2021, s. 18, for "Director of the Institute shall be appointed by the Board" (w.e.f. 25-5-2022).
2. Subs. by s. 19, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
3. Subs. by s. 20, *ibid*., for "Registrar of the Institute" (w.e.f. 25-5-2022).
4. Subs. by s. 21, *ibid*., for "enabling the Institute" (w.e.f. 25-5-2022).
5. Subs. by s. 21, *ibid*., for "pay to the Institute" (w.e.f. 25-5-2022).
6. Subs. by s. 22, *ibid*., for "Institute" (w.e.f. 25-5-2022).
7. Subs. by s. 22, *ibid*., for "The Institute shall" (w.e.f. 25-5-2022).

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

(*2*) All moneys credited to the Fund 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 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. Setting up of endowment fund.—Notwithstanding anything contained in section 21, the Central Government may direct [1][every Institute] to—

(*a*) set up an endowment fund and any other fund for specified purpose;

(*b*) transfer money from its Fund to endowment fund or any other fund.

23. Accounts and audit.—(*1*) [2][Every 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 specified, in accordance with such general directions as may be issued by the Central Government in consultation with the Comptroller and Auditor-General of India.

(*2*) The accounts of [3][every 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 [4][accounts of any 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 [3][every 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.

24. Pension and provident fund.—(*1*) [5][Every 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 (19 of 1925) shall apply to such fund as if it were a Government provident fund.

25. Appointments.—All appointments of the staff of [6][an Institute], except that of the Director, shall be made in accordance with the procedure laid down in the Statutes—

(*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.

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

(*a*) the formation of departments of teaching;

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1. Subs. by Act 43 of 2021, s. 23, for "the Institute" (w.e.f. 25-5-2022).
2. Subs. by s. 24, *ibid*., for "The Institute" (w.e.f. 25-5-2022).
3. Subs. by s. 24, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
4. Subs. by s. 24, *ibid*., for "accounts of the Institute" (w.e.f. 25-5-2022).
5. Subs. by s. 25, *ibid*., for "The Institute" (w.e.f. 25-5-2022).
6. Subs. by s. 26, *ibid*., for "the Institute" (w.e.f. 25-5-2022).

(*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 reservation of posts for the Scheduled Castes, the Scheduled Tribes and other categories of persons as may be determined by the Central Government, from time to time;

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

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

(*g*) the establishment and maintenance of halls and hostels;

(*h*) the manner of filling vacancies among members of the Board;

(*i*) the authentication of the orders and decisions of the Board;

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

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

27. Statutes how made.—(*1*) The first Statutes of [1][every 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.

28. Ordinances.—Subject to the provisions of this Act and the Statutes, the [2][Ordinances of each Institute] may provide for all or any of the following matters, namely:—

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

(*b*) the reservation for the Scheduled Castes, the Scheduled Tribes and other categories of person;

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

(*d*) 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;

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

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

(*g*) the conduct of examinations;

(*h*) the maintenance of discipline among the students of the Institute;

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

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

1. Subs. by Act 43 of 2021, s. 27, for "the Institute" (w.e.f. 25-5-2022).
2. Subs. by s. 28, *ibid*., for "Ordinances of the Institute" (w.e.f. 25-5-2022).

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

29. Ordinances how made.—(*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 at 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.

30. Tribunal of Arbitration.—(*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 or 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.

[1][CHAPTER II-A

THE COUNCIL

30A. Establishment of Council.— (*1*) With effect from such date as the Central Government may, by notification in the Official Gazette, specify in this behalf, there shall be established for all the Institutes specified in column (3) of the Schedule, a central body to be called the Council.

(*2*) The Council shall consist of the following members, namely:—

(*a*) Minister in charge of the Ministry or Department of the Central Government having administrative control of the Pharmaceuticals, *ex officio*, as Chairperson;

(*b*) Minister of State in the Ministry or Department of the Central Government having administrative control of the Pharmaceuticals, *ex officio*, as Vice-Chairperson;

(*c*) the Secretary to the Government of India in charge of the Ministry or Department of the Central Government having administrative control of the Pharmaceuticals, *ex officio*;

(*d*) the Chairperson of every Board of Governors, *ex officio*;

(*e*) the Director of every Institute, *ex officio*;

(*f*) the Chairperson, All India Council for Technical Education, *ex officio*;

(*g*) the Director General, Council of Scientific and Industrial Research, *ex officio*;

(*h*) four Secretaries to the Government of India, to represent the Ministries or Departments of the Central Government dealing with Biotechnology, Health Research, Higher Education and Science and Technology, *ex officio*;

(*i*) not less than three, but not more than five persons to be nominated by the Visitor, at least one of whom shall be a woman, having special knowledge or practical experience in education, pharmaceutical industry, medical devices industry or pharmaceutical research;

1. Ins. by Act 43 of 2021, s. 29, (w.e.f. 25-5-2022).

(*j*) three members of Parliament of whom two shall be elected by the House of the People and one by the Council of States, from amongst its members;

(*k*) the President, Indian Drugs Manufacturing Association, *ex officio*;

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

(*m*) the President, Pharmacy Council of India, *ex officio*;

(*n*) the Financial Advisor of the Ministry or Department of the Central Government dealing with Pharmaceuticals, *ex officio*;

(*o*) the Joint Secretary to the Government of India in the Ministry or Department of the Central Government having administrative control of the Pharmaceuticals, *ex officio*, as Member-Secretary.

(*3*) It is hereby declared that the office of a member of the Council shall not disqualify its holder for being chosen as, or for being, a member of either House of Parliament.

30B. Term of office of, vacancies among, and allowances payable to, members of Council.—(*1*) Save as otherwise provided in this section, the term of office of a member of the Council shall be three years from the date of his nomination or election, as the case may be.

(*2*) The term of office of an *ex officio* member shall continue so long as he holds the office by virtue of which he is a member.

(*3*) The term of office of a member elected under clause (*j*) of sub-section (*2*) of section 30A shall come to an end as soon as he becomes a Minister or Minister of State or Deputy Minister, or the Speaker or the Deputy Speaker of the House of the People, or the Deputy Chairperson of the Council of States or ceases to be a member of the House which elected him.

(*4*) The term of office of a member nominated or elected to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated or elected.

(*5*) Notwithstanding anything contained in this section an outgoing member shall, unless the Central Government otherwise directs, continue in office until another person is nominated or elected as a member in his place.

(*6*) The members of the Council shall be paid such travelling and other allowances by the Central Government as may be determined by that Government, but no member shall be entitled to any salary by reason of this sub-section.

30C. Functions of Council.—(*1*) It shall be the general duty of the Council to coordinate the activities of all the Institutes and to take all such steps as to ensure planned and coordinated development of pharmaceutical education and research and maintenance of standards thereof.

(*2*) Without prejudice to the provisions of sub-section (*1*), the Council shall perform the following functions, namely:—

(*a*) to advise on matters relating to the duration of the courses, the degrees and other academic distinctions to be conferred by the Institutes, admission standards and other academic matters;

(*b*) to lay down policy regarding cadres, methods of recruitment and conditions of service of employees, institution of scholarships and free-ships, levying of fees and other matters of common interest;

(*c*) to examine the development plans of each Institute and to approve such of them as are considered necessary and also to indicate broadly the financial implications of such approved plans;

(*d*) to lay down policy or guidelines for promoting research and development in pharmaceuticals and related areas, fostering collaboration and overseeing developments and on matters incidental thereto;

(*e*) to examine the annual budget estimates of each Institute and to recommend to the Central Government the allocation of funds for that purpose;

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(*f*) to advise the Visitor, if so required, in respect of any function to be performed by him under this Act; and

(*g*) to perform such other functions as are assigned to it by or under this Act.

(*3*) The Council shall meet at least once every six months and follow such procedure in its meetings as may be prescribed.

30D. Chairman of Council.—(*1*) The Chairperson of the Council shall ordinarily preside at the meetings of the Council:

Provided that in the absence of the Chairperson, the Vice-Chairperson shall preside at the meetings of the Council:

Provided further that in the absence of both the Chairperson and the Vice-Chairperson, any other member, chosen from amongst themselves by the members present at the meeting shall preside at that meeting.

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

(*3*) The Chairman shall exercise such other powers and perform such other duties as are assigned to him by this Act.

30E. Power to make rules in respect of matters in this Chapter.—(*1*) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Chapter.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the manner of filling vacancies among the members of the Council;

(*b*) the disqualifications for being chosen as, and for being, a member of the Council;

(*c*) the circumstances in which, and the authority by which, members may be removed;

(*d*) the meetings of the Council and the procedure of conducting business thereat;

(*e*) the travelling and other allowances payable to members of the Council; and

(*f*) the functions of the Council and the manner in which such functions may be exercised.

(*3*) Every rule made by the Central Government under this Chapter 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 rule or both Houses agree that the rule should not be made, the rule 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 rule.]

CHAPTER III

MISCELLANEOUS

31. Acts and proceedings not to be invalidated by vacancies.—[1][No act of the Council or any Institute] or Board or Senate or any other body set up under this Act or the Statutes, shall be invalid merely by reason of—

(*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

1. Subs. by Act 43 of 2021, s. 30, for "No act of the Institute" (w.e.f. 25-5-2022).

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

32. Grant of degrees, etc., by [1][Institutes].—Notwithstanding anything contained in the University Grants Commission Act, 1956 (3 of 1956) or in any other law for the time being in force, [2][every Institute] shall have power to grant degrees and other academic distinctions and titles under this Act.

33. Sponsored schemes.—[3][Whenever an 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,—

(*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:

Provided that any money remaining unutilised under clause (*a*) shall be transferred to the endowment fund created under section 22 of this Act.

[4][**33A. Power of Central Government to issue directions.**—The Institute shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.]

34. Power to remove difficulties.—(*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 provisions or give such directions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

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.

35. Transitional provisions.—Notwithstanding anything contained in this Act,—

(*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;

[5][(*b*) Until the first statutes and the Ordinances in relation to the institutes mentioned in column (*3*) of the Schedule are made under this Act, the Statues and the Ordinances of the National Institute of Pharmaceutical Education and Research, Sector-67, S.A.S. Nagar (Mohali), District Ropar, Punjab as in force, shall apply to those Institutes with the necessary modifications and adaptations in so far as they are not inconsistent with the provisions of this Act.]

1. Subs. by Act 43 of 2021, s. 31, for "Institute" (w.e.f. 25-5-2022).
2. Subs. by s. 31, *ibid*., for "the Institute" (w.e.f. 25-5-2022).
3. Subs. by s. 32, *ibid*., for "Whenever the Institute" (w.e.f. 25-5-2022).
4. Ins. by s. 33, *ibid*., (w.e.f. 25-5-2022).
5. Subs. by s. 34, *ibid*., for clause (*b*) (w.e.f. 25-5-2022).

THE SCHEDULE

[*See* sections 2(*1*), 3(*a*), (*g*), (*gc*), 4(*1*), 30A(*1*) and 35(*b*)]

Sl. No	Location of Institute and the State.	Name of institutions incorporated under this Act.	Date of establishment of Institute.
(*1*)	(*2*)	(*3*)	(*4*)
1.	Mohali, Punjab	The National Institute of Pharmaceutical Education and Research Society, Mohali	8th July, 1998
2.	Ahmedabad, Gujarat	The National Institute of Pharmaceutical Education and Research, Ahmedabad	6th September, 2007
3.	Hajipur, Bihar	The National Institute of Pharmaceutical Education and Research, Hajipur	6th September, 2007
4.	Hyderabad, Telengana	The National Institute of Pharmaceutical Education and Research, Hyderabad	6th September, 2007
5.	Kolkata, West Bengal	The National Institute of Pharmaceutical Education and Research, Kolkata	6th September, 2007
6.	Guwahati, Assam	The National Institute of Pharmaceutical Education and Research, Guwahati	5th August, 2008
7.	Raebareli, Uttar Pradesh	The National Institute of Pharmaceutical Education and Research, Raebareli	26th September, 2008

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36. Statutes and Ordinances to be published in the Official Gazette and to be laid before Parliament.—(*1*) Every Statute or Ordinance made under this Act shall be published in the Official Gazette.

(*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 the Statutes or the 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 the 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.

37. Repeal and saving.—(*1*) The National Institute of Pharmaceutical Education and Research Ordinance, 1998 (Ord. 9 of 1998) is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

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STATEMENT OF OBJECTS AND REASONS

The National Institute of Pharmaceutical Education and Research was set up as an autonomous body in 1991 registered as a society under the Societies Registration Act, 1860. it is proposed to make the Institute a statutory body corporate and to declare it as an institution of national importance under Entry 64 of List I of the Seventh Schedule to the Constitution so that it may develop as a high level institution of pharmaceutical sciences and other allied branches.

2. A Bill to declare 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 was introduced in Lok Sabha on 3rd March, 1997. The Bill lapsed on dissolution of the 11th Lok Sabha. In order to ensure that the process of enrolment of students is not delayed the National Institute of Pharmaceutical Education and Research Ordinance, 1998 (2 of 1998) was promulgated on 21st January, 1998, providing for, inter alia, the incorporation of National Institute of Pharmaceutical Education and Research. Since the Ordinance No. 2 of 1998 was to lapse after expiry of six weeks after the re-assembly of the Parliament, that is, on 5th May, 1998 and the next session of Parliament is likely to be convened on the 27th May, 1998, another Ordinance, namely, the National Institute of Pharmaceutical Education and Research (Second) Ordinance, 1998 (9 of 1998) was promulgated on 23rd April, 1998 with a view to give effect to the provisions of the National Institute of Pharmaceutical Education and Research Ordinance, 1998 (2 of 1998).

3. This Bill seeks to replace the said Ordinance and provide for the above objectives.

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S. S. BARNALA.

NEW DELHI;

The 19*th May,* 1998.