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THE EDUCATIONAL INNOVATIONS COMMISSION
BILL, 2017

ARRANGEMENT OF CLAUSES

CLAUSES

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- (iii) "Committee" means a Committee appointed under section 23;
- (iv) "Council" means a Council constituted under section 22;
- (v) "Executive Chairperson" means the Executive Chairperson of the Commission;
- (vi) "Fellow" means a person duly appointed as a fellow of the Commission under section 24; 5
- (vii) "Fund" means the Fund of the Commission established under section 18;
- (viii) "Member" means a Member of the Commission nominated or appointed under sub-section (3) of section 5;
- (ix) "prescribed" means prescribed by rules made under this Act;
- (x) "regulations" means regulations made under section 33; 10
- (xi) "Vice-Chairperson" means the Vice-Chairperson of the Commission.

CHAPTER II

ESTABLISHMENT, INCORPORATION AND COMPOSITION OF INDIA EDUCATIONAL INNOVATIONS COMMISSION

- Establishment and incorporation of Commission. 3. (1) For the purpose of promoting conception, experimentation and implementation of educational innovations in the country, the Central Government shall, by notification in the Official Gazette, establish a Commission by the name of the Educational Innovations Commission with effect from such date as may be specified in the notification. 15
- (2) The Commission shall be a body corporate with perpetual succession and common seal and may sue or be sued in its corporate name and shall, subject to the provisions of this Act, be competent to acquire, hold and dispose of property, both movable and immovable, and to contract and do all things necessary for the purposes of this Act. 20
- Headquarters of Commission. 4. The headquarters of the Commission shall be at Delhi or at such other place, as the Central Government may, by notification in the Official Gazette, specify.
- Composition of Commission. 5. (1) The Commission shall consist of the Chairperson and twelve other members, namely:— 25
- (a) the Prime Minister of India, *ex-officio* Chairperson;
- (b) the Minister of Human Resource Development, *ex-officio* Vice-Chairperson;
- (c) the Executive Chairperson nominated under sub-section (2);
- (d) the Secretary to the Government of India, Ministry of Human Resource Development, *ex-officio* member; 30
- (e) the Secretary to the Government of India, Ministry of Finance, *ex-officio* member;
- (f) the Additional Secretary to the Government of India, Ministry of Human Resource Development, Department of Higher Education, *ex-officio* member; 35
- (g) the Vice-Chancellor of a University, by rotation in such manner as may be prescribed from amongst the Vice-Chancellors of Central Universities, *ex-officio* member;
- (h) the Chairman of the Central Board of Secondary Education, *ex-officio* member;
- (i) the Director, National Council of Educational Research and Training, *ex-officio* member; 40
- (j) one Member for innovation in science, technology and vocational courses;

(k) one Member for innovations in programmes relating to humanities, art, craft and other cultural courses and value-oriented education;

(l) one Member for innovations in pedagogical methods including those related to curriculum, evaluation and teaching-learning aids;

5 (m) one Member for innovations in physical education including courses related to gymnastics, aquatics, athletics, combatives, Indian and universal games, Yogic (physical and psychological) exercise, health, Scouts and Guides, National Cadet Corps and National Service Scheme programmes.

10 (2) The Executive Chairperson referred to in sub-clause (c) of sub-section (1) shall be nominated by the Chairperson from a panel of three persons recommended by the Search Committee appointed under section 7:

Provided that the first Executive Chairperson shall be nominated for a period of two years.

15 (3) Each Member referred to in clauses (j) to (m) of sub-section (1) shall be nominated by the Central Government from a panel of three persons recommended by Search Committee appointed under section 7:

Provided that the first appointment of the Members referred to in this sub-section, shall be made by the Chairperson on the recommendation of the Executive Chairperson from amongst such persons as he thinks fit.

20 **6. (1)** A person to be nominated as an Executive Chairperson under sub-section (2) of section 5, shall,

(a) be a citizen of India;

(b) be a renowned educationist, devoted to educational reforms and innovations;

(c) have proven record of reforms and innovations;

25 (d) have actual experience in experimentation and implementation of reforms and innovations;

(e) be well versed in the educational philosophy of—

(i) pioneering educationist of India, and

(ii) leading pioneers of educational innovations in the world; and

30 (f) have sound knowledge of Indian and universal culture.

(2) A person to be nominated as a Member under sub-section (3) of section 5, shall:—

(a) be a citizen of India;

(b) be a renowned educationist, devoted to educational reforms and innovations;

35 (c) have proven record of reforms and innovations in the relevant fields of sciences, technology, vocational courses, humanities, arts, crafts and other cultural courses and value oriented courses, pedagogical courses and methods, physical education, yoga, health, Scouts and Guides, National Cadet Corps and National Service Scheme programmes;

40 (d) have actual experience in experimentation and implementation of reforms and innovations;

(e) be well versed in the educational philosophy of—

(i) pioneering educationist of India, and

(ii) leading pioneers of educational innovations in the world; and

(f) have sound knowledge of Indian and universal culture.

Qualifications
of Executive
Chairperson
and of
Members.

Search Committee.	<p>7. (1) For the purpose of nomination of Executive Chairperson and Members under sub-sections (2) and (3) of section 5, the Central Government shall appoint a Search Committee consisting of three persons who, in the opinion of the Central Government, are eminent educationists having wide knowledge of educational reforms and innovations and are of high repute and integrity.</p> <p>(2) The Central Government shall designate one of these persons as the Chairperson of the Committee.</p> <p>(3) The Search Committee shall follow such procedure as may be prescribed.</p> <p>(4) A member of the Search Committee shall not be entitled to receive any compensation for his service but shall be reimbursed for the travelling and other expenses incurred by him in discharge of his duties.</p> <p>(5) The expenses referred to in Sub-section (4) shall be paid out of the Fund.</p>	5 10 10
Terms and conditions of office of Executive Chairperson and of Members other than <i>ex-officio</i> members.	<p>8. (1) The term of office of Members, other than <i>ex-officio</i> members, who are appointed on the recommendation of the Executive Chairperson, shall be two years from the date of their nomination.</p> <p>(2) The term of office of the Executive Chairperson and Members, other than <i>ex-officio</i> members, who are nominated on the recommendation of Search Committee, shall be five years from the date of their nomination.</p> <p>(3) The term of office of an <i>ex-officio</i> member shall continue so long as he holds office by virtue of which he is such a member.</p> <p>(4) The terms and conditions of office of the Executive Chairperson and the Members other than <i>ex-officio</i> members shall be such as may be prescribed.</p> <p>(5) The Executive Chairperson and the Members sub-section shall be whole time salaried persons.</p> <p>(6) The salaries and other emoluments of—</p> <p style="padding-left: 40px;">(i) the Executive Chairperson shall not be less than that of the Secretary to the Government of India; and</p> <p style="padding-left: 40px;">(ii) the Members other than <i>ex-officio</i> members shall not be less than that of the Additional Secretary to the Government of India.</p>	15 20 20 25
Filling up of vacancies.	<p>9. (1) On occurrence of any vacancy in the office of the Executive Chairperson due to death, resignation or any other reason, the same shall be filled in by the Chairperson by nominating a person in the manner provided in section 5.</p> <p>(2) On occurrence of any vacancy in the office of the Members due to death, resignation or any other reasons, the same shall be filled in by the Central Government by appointing or, as the case may be, nominating a person in the manner provided in section 5.</p>	30 35
Disqualifications.	<p>10. A person shall be disqualified for being appointed or nominated or being an Executive Chairperson or a Member of the Commission if such person,—</p> <p style="padding-left: 40px;">(a) is, or any time, being adjudged insolvent;</p> <p style="padding-left: 40px;">(b) is of unsound mind and stands so declared by the competent court;</p> <p style="padding-left: 40px;">(c) is or has been convicted of any offence which, in the opinion of the Central Government, involves normal turpitude; or</p> <p style="padding-left: 40px;">(d) has, either directly or indirectly, any financial or other interest which is likely to affect prejudicially his functioning.</p>	40
Removal and resignation of Executive Chairperson and Member.	<p>11. (i) Notwithstanding anything contained in sub-section (1) of section 8, the Chairperson or, as the case may be, the Central Government may, at any time, remove the Executive Chairperson or any Member from office if, in its opinion, such Executive Chairperson or a Member,—</p>	45

(a) is, or has become subject to any the disqualifications mentioned in section 10;

(b) has been guilty of misconduct in discharge of this duties;

5 (c) has become physically or mentally incapable of discharging duties as an Executive Chairperson or member;

(d) has so abused his position as to render his continuance in office prejudicial to the public interest; or

(e) has, without reasonable cause, refused or failed to perform his duties for a period of not less than three months:

10 Provided that the Executive Chairperson or a Member shall not be removed from his office unless an opportunity of being heard is given.

(2) The Executive Chairperson may, by writing under his hand addressed to the Chairperson resign his office.

15 (3) Any Member, who is appointed, may, by writing under this hand addressed to the Chairperson, resign his office.

(4) Any Member, who is nominated may, by writing under his hand addressed to the Central Government, resign his office.

20 **12.** (1) The Commission shall meet at such time and at such place and shall, subject to sub-sections (2) to, observe such rules of procedure with regard to transaction of its business at the meetings as may be provided by regulations:

Meetings of Commission.

Provided that the Commission shall meet at least once in every month.

(2) If the Chairperson, for any reason, is unable to attend any meeting, the Vice-Chairperson or in his absence, the Executive Chairperson shall preside over the meeting of the Commission.

25 (3) All questions at a meeting of the Commission shall be decided by a majority of votes of the members present and voting, and in case when there is an equality of votes, the Chairperson or in his absence, the Vice-Chairperson or in his absence, the Executive Chairperson shall have and exercise a second or casting vote.

(4) The quorum at the meeting of the Commission shall not be less than three.

30 **13.** (1) The Commission, in order to enable it to perform its functions, may—

Officers and employees of Commission.

(a) with the approval of the Central Government.—

(i) appoint a Secretary, and

(ii) determine such number and category of other officers and employees, and

35 (b) appoint other officers and employees so determined.

(2) The manner of recruitment of, the salary and allowances payable to, and other conditions of service of the Secretary, officers and other employees, shall be such as may be determined by the Commission by regulations.

40 **14.** (1) No act or proceeding of the Commission shall be questioned or be invalid on the ground merely of the existence of any vacancy in, or any defect in the constitution of the Commission.

Acts and proceedings presumed to be valid.

45 (2) No act done by any person acting in good faith as an Executive Chairpersons or a member shall be deemed to be invalid merely on the ground that he was disqualified to be an Executive Chairperson or a member or that there was any other defect in his appointment or nomination.

CHAPTER III

OBJECTS, FUNCTION AND POWERS OF COMMISSION

Objects of
Commission.**15.** The objectives of the Commission shall be as follows,—

(a) to conceive, experiment upon and implement such innovative proposals in the field of education and learning as would transform the objective, contents and methods of education in the light of the vision of great pioneers and educationists of freedom movement in the country and of progressive educationists of the world and in light of the needs of the contemporary world in its march towards a future that would be in harmony with the ideals of liberty, equality and fraternity; 5

(b) to introduce and nurture innovations in the educational system so as to reflect perennial spiritual knowledge of the country, robust intellectuality and creativity and the ideals of man-making education, integral development of personality, synthesis of scientific realism and artistic imagination, child-centered education, value-oriented education and skill-oriented education; 10

(c) to study and derive lessons from the ongoing experiments in education that are taking place in the country as also elsewhere and to foster all the valuable innovative work and promote the same for larger expansion and utilization; 15

(d) to develop a system of education that reflects the highest ideals of Indian culture and imparts among students vibrant spirit of patriotism and deepest concern for the highest welfare of humanity, world peace and world unity; 20

(e) to evolve, in particular, programmes and methods of studies that would instill, among students and promote in various sectors of the educational system, devotion to the duties enumerated in article 51A of the Constitution;

(f) to promote, sustain and foster all innovative programmes related to the entire human life-style including earliest stages of pre-natal care and scaling up to the highest levels of excellence and leadership contributing to the growth of the individual, covering thus the entire gamut of the educational system appropriate to a knowledge society and the ideal of unending education. 25

Functions of
Commission.

16. (1) Subject to the provisions of this Act, the Commission shall conceive, experiment upon and implement such innovative proposals in the field of education and learning as would transform the objectives, contents and methods of education so as to promote the objectives of the Commission. 30

(2) In particular and without prejudice to the generality of the foregoing function, the Commission shall perform the following functions, namely:—

(i) to promote experimentation, designing and development of the contents of learning which would inspire pupils to foster the over-arching aims of education to be achieved by the Commission; 35

(ii) to promote, explore and invent new methods of pedagogy and evaluation so as to make the learning process interesting, instructive, experimental and practical;

(iii) to experiment upon the contents and methods of learning at its own innovative institutions or innovative institutions selected by it from those existing; 40

(iv) to promote and recommend, on the basis of results of its experiments carried out on its own innovative institutions or innovative institutions selected by it as are found by it to be appropriate to achieve the objectives of the Commission;

(v) to establish institutions (including institutions for education and training of teachers) for experimentation and implementation of the educational innovations promoted, explored and invented by it and for education and training of teachers for that purpose; 45

(vi) to recognise as a recognised institution, any institution for experimentation and implementation of the educational innovations recommended by it and for education and training of teachers for that purpose;

5 (vii) to withdraw recognition of an institution for breach of conditions of recognition after giving it an opportunity of being heard;

(viii) to establish teachers' education and training institutions of innovative education and to provide for education and training of teachers for implementation of educational innovations recommended by them;

10 (ix) to experiment, promote and develop the courses which facilitate students to switch over from existing system of education to the innovative system of education developed by it;

(x) to promote innovations in evaluations and to establish appropriate testing service;

15 (xi) to support innovations in schools and Universities and educational institutions of research, experimentation, training and extension services;

(xii) to evolve programmes of innovations in regard to the aims, methods and contents of education;

(xiii) to endeavour to enrich the present system of education so as to make it more responsive to the ideals of Indian Nationalism and Internationalism;

20 (xiv) to develop new system of education as supplementary or alternative to existing system of education;

(xv) to perform such other functions as are necessary for, and conducive to, the promotion of the objectives of the Commission.

25 **17. (1)** The Commission shall have the power to do all such things as are necessary for, and conducive to, the efficient performance of its functions under this Act.

Powers of
Commission.

(2) In particular and without prejudice to the generality of the foregoing power, the Commission shall have following powers, namely:—

30 (i) to carry out research in aims and contents of education and methods of pedagogy and evaluation;

(ii) to institute fellowships and scholarships for carrying out research in aims and contents of education and methods of pedagogy and evaluation;

(iii) to organize workshops, conferences, symposia and such other meetings to elicit ideas for educational innovations;

35 (iv) to have access to all the materials, including books, manuscripts, lithographs, inscriptions on walls of ancient buildings and such other places, which are available with, or is in possession of, any authority established, by or under any law within the country and is relevant to the aims and contents of education and methods of pedagogy and evaluation;

40 (v) to recognize or establish and conduct innovative institutions of education with special provision for innovative aims, contents and methods of teaching, learning and evaluation;

(vi) to aim at excellence in the innovative system of education; and

(vii) to grant to the students of that system, certificates equivalent to the certificates granted by the established system of education at the appropriate level;

45 (viii) to determine standards of courses proposed or supported by it under its functions related to innovations;

(ix) to allocate and disburse grants out of the fund—

(a) for its innovations and for innovations in other institutions;

(b) to institutions and courses (including institutions and courses for teachers' education and training) recognized by it for the purpose of developing them so as to promote experimentation and implementation of educational innovations; 5

(c) for grant of fellowships and scholarships to carry out research in areas relevant to the aims and objects of the Commission;

(x) to appoint Secretary and other officers and employees;

(xi) to constitute council as mentioned in section 22; 10

(xii) to temporarily associate persons with the Commission;

(xiii) to appoint committees for performing its functions and exercising its powers;

(xiv) to consult and obtain concurrence of the various bodies in respect of recognition and accreditation granted by the statutory boards and Universities for the purpose of arriving at equivalence of the courses, programmes and evaluation system established by it with the existing standards of education; 15

(xv) to conduct the processes of the consultation in the spirit of cooperation and flexibility and to enhance and encourage innovations by transcending the barriers of rigidity and obsolete methodologies;

(xvi) to promote the spirit of decentralisation, freedom of initiative and strictness in regard to discipline and maintenance of high standards; and 20

(xvii) to collaborate, to negotiate and to arrive at agreements and arrangements with the Government, as also with schools, Universities, centers and institutions (including autonomous institutions).

CHAPTER IV 25

FINANCE, ACCOUNTS, AUDIT AND ANNUAL REPORT OF COMMISSION

Fund of
Commission.

18. (1) The Commission shall have its own fund and all receipts of the Commission shall be carried thereto and all payments by the Commission shall be made therefrom.

(2) The Central Government may, after due appropriation made by Parliament by law in this behalf, grant to the Commission such sums of money as it may consider necessary. 30

(3) The Commission may accept grants, subventions, donations and gifts from a local authority or any individual or body, whether incorporated or not, for the purposes of this Act.

(4) The Commission may spend such sums as it thinks fit for the performance of its functions under this Act and such sums shall be treated as an expenditure payable out of the fund of the Commission. 35

(5) All moneys belonging to the fund of the Commission shall be kept in any corresponding new Bank specified in column 2 of the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, and in column 2 of the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 and approved by the Central Government for the purpose or invested in securities authorised by the Trusts Act, 1882, at the discretion of the Commission. 5 of 1970.
40 40 of 1980.
2 of 1982.

Budget.

19. (1) The Commission shall, by such date in each year as may be prescribed submit to the Central Government for approval a budget in the prescribed form for the next financial year showing the estimated receipts and expenditure and the sums which would be required from the Central Government during the financial year. 45

(2) If any sum granted by the Central Government remains wholly or partly unspent in any financial year, the unspent sum may be carried forward to the next financial year and taken into account in determining the sum to be provided by the Central Government for that year.

5 **(3) No sum shall be expended by or on behalf of the Commission unless the expenditure is covered by provision in the budget approved by the Central Government.**

20. (1) The accounts of the Commission shall be prepared and maintained in such form and in such manner as may be prescribed.

Accounts and
Audit.

10 (2) The Commission shall cause to be prepared for each financial year an annual statement of accounts in such form as may be prescribed.

18 of 2013. (3) The accounts of the Commission shall be audited by an auditor duly qualified to act as an auditor of companies under section 141 of the Companies Act, 2013 and appointed by the Commission.

15 (4) Every auditor appointed to audit the accounts of the Commission under this Act shall have a right to demand the production of books of accounts, connected vouchers and other documents and papers, to inspect the offices of the Commission and to require such information from the Commission as he may think necessary for the performance of his duty as an auditor.

20 (5) The auditor shall send a copy of his report together with a copy of audited accounts to the Commission which shall, as soon as may be after the receipt of the audit report, forward the same to the Central Government.

(6) The Central Government shall, as soon as may be after the receipt of audit report under sub-section (5), cause the same to be laid before both Houses of Parliament.

25 **21.** (1) The Commission shall, during each financial year, prepare, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous financial year and copies of such report shall be forwarded to the Central Government.

Annual
report.

30 (2) The Central Government shall cause every such report to be laid before both Houses of Parliament within a period of six months from the date of its receipt under sub-section (1).

CHAPTER V

EDUCATIONAL INNOVATIONS COUNCILS, COMMITTEES AND FELLOWS

22. (1) There shall be constituted by the Commission, four Educational Innovations Councils as follows, namely:—

Constitution
of Educational
Innovations
Councils.

35 (i) a Council for innovations in programmes relating to science, technology and vocational courses;

(ii) a Council for innovations in programmes relating to languages, humanities, value-oriented education, socially useful work, art, craft and other cultural courses such as music, drama, dance;

40 (iii) a Council for innovations in pedagogical methods;

(iv) a Council for innovations in physical education.

(2) Each Council shall consist of the Executive Chairperson who shall be the Chairperson of that Council.

45 (3) The member referred to in clauses (j), (k) and (m) of sub-section (1) of section 5 shall respectively be the member-secretary of the Councils referred to in clauses (i), (ii), (iii) and (iv) of sub-section (1).

(4) Each Council shall consist of four scholars to be nominated by the Commission as members and shall be selected in such manner as may be prescribed by regulations from amongst eminent educationalists in the subjects of innovations for which the Council is constituted.

(5) The Council shall meet at such time and place and shall observe such rules of procedure with regard to transaction of its business at the meetings as may be prescribed by regulations. 5

(6) The Council shall perform such other functions and exercise such powers as may be prescribed by regulations.

Appointment of committees and delegation of functions and powers.

23. (1) The Commission may appoint one or more Committees consisting of not more than five of its members or members of a Council or both, for performing such of the functions or for exercising such of its powers as may be delegated by it. 10

(2) The Commission shall, while appointing a Committee under sub-section (1), designate one member of the Committee as the Chairperson of the Committee.

(3) The Committee shall meet at such time and place, and shall observe such rules of procedure with regard to transaction of its business at the meeting as may be determined by it. 15

Fellows.

24. (1) For the purpose of carrying out research in educational innovations, there shall be a scheme of fellowships which shall consist of not more than twenty-five fellows.

(2) Each fellow shall be selected by a committee appointed by the Commission for that purpose, from amongst eminent educationists. 20

(3) Each fellow shall,—

(a) carry out research in such subject related to educational innovations as assigned to him by the Commission;

(b) for the purpose of research in the subject assigned to him, organise, consultation groups, seminars, workshops and conferences; 25

(c) during his term, write a thesis on the subject assigned to him; and

(d) make himself available to the Commission for any consultation necessary in respect of the subject of research or thesis assigned to him.

(4) The term of each fellow shall be one year: 30

Provided that where the Commission is of opinion that in order to enable the fellow to complete his research or thesis, it is necessary so to do, it may extend his term for a period not more than one year.

(5) The salary and allowances payable to a fellow shall be such as may be determined by the Commission by regulations. 35

CHAPTER VI

MISCELLANEOUS

Temporary associations of persons with Commission or Council.

25. (1) The Commission may associate with itself in such manner and for such purpose, as may be determined by the regulations, any person whose assistance or advice it may require in performance of its functions. 40

(2) A person associated by the Commission with it under Sub-section (1) shall have the right to speak in or otherwise to take part in the meetings of the Commission but shall not have the right to vote thereat.

(3) The Commission may provide for payment of such allowances and expenses to a person associated with it under sub-section clause (1) as may be determined by regulations. 45

(4) The Council may associate with itself in such manner and for such purpose, as may be determined by the regulations, any person whose assistance or advice it may require in performance of its functions.

(5) A person associated by the Council with it under sub-section (1) shall have the right to speak in or otherwise to take part in the meetings of the Council but shall not have the right to vote thereat.

(6) The Council may provide for payment of such allowances and expenses to a person associated with it under sub-section (1) as may be determined by bye-laws.

26. (1) All orders and decisions of the Commission shall be authenticated by the signature of the Executive Chairperson or any other member authorised by the Commission in this behalf and all other instruments issued by the Commission shall be authenticated by the signature of the Secretary or any other officer of the Commission authorised by the Commission in this behalf.

Authentication of orders and other instruments.

(2) All decisions of a Council shall be authenticated by the signature of the Chairperson of the Council.

(3) All decisions of a Committee shall be authenticated by the signature of the Chairperson of the Committee or any other member of the Committee authorised by the Chairperson in this behalf.

27. (1) In performance of its functions under this Act, the Commission shall be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time:

Power of Central Government to issue directions to Commission.

Provided that the Commission shall be given an opportunity to express its views before any direction is given under this sub-section.

(2) The decision of the Central Government, whether a question is one of policy or not, shall be final.

28. (1) In performance of its functions under this Act, the Council shall be bound by such directions on questions of policy as the Commission may give, in writing, to it from time to time:

Power of Commission to issue directions to Councils.

Provided that the Council shall be given an opportunity to express its views before any direction is given under this sub-section.

(2) The decision of the Commission, whether a question is one of policy or not, shall be final.

29. The Executive Chairperson, member, officer and employee of the Commission shall, when acting or purporting to act in pursuance of the provisions of this Act or of any rules or regulations made thereunder, be deemed to be a public servant within the meaning of section 21 of the India Penal Code.

Members, officers and employees of Commission to be public servants.

30. No suit, prosecution or other legal proceeding shall lie against the Commission or any member, officer or employee of the Commission for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act or any rules or regulations made thereunder.

31. The Commission shall furnish to the Central Government such return or other information with respect to its property or activities as the Central Government may, from time to time, require.

Returns and information.

32. (1) The Central Government may, by notification in the *official Gazette*, make rules for carrying out the purposes of this Act.

Power to make rules.

(2) Every rule 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 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. 5

Power to
make
regulations.

33. (1) The Commission may, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations not inconsistent with the provisions of this Act, and the rules made thereunder for enabling it to perform its functions under this Act. 10

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the matters expressly required or allowed by this Act to be specified by regulations. 15

Power to
remove
difficulties.

34. (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 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 under this section after the expiry of two years from the commencement of this Act. 20

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

STATEMENT OF OBJECTS AND REASONS

The status of the educational system that is prevalent today needs to be innovated. The stake-holders in the field of education have been voicing the need for such appropriate changes that may cater to the multidimensional needs of students of modern India. Such changes are possible only if the primacy of the child and youth is kept in centre of attention of the society. Reformative ideas can be fruitful only if we keep in view the holistic nature of education and indispensable interconnections between various stages of education as also the aims, methods and contents relating to nationalism, internationalism, child-centered education, value-oriented education and skill-oriented education.

Modern developments of communication technology need to be utilized so that the process of transmission of knowledge are enriched. Development of different methodologies need to be employed in order to ensure balanced growth of the Hand, Heart and Head, as also of man-making education and integral education. This necessitates harmonious blending of scientific, philosophical, aesthetic, ethical and spiritual pursuits. Educational researches conducted by pioneering educationists of India and the world need to be pooled together and fresh fields of research need to be developed, monitored and guided on a permanent basis.

The spirit of India's perennial spiritual knowledge, robust intellectuality and abundant creativity needs to percolate and inspire the renewal and updating of the curricula throughout our system of education. At the same time, the ideal of universe as a family contained in the Indian Adage "*Vasudhaiva Kutumbakam*" has to guide the international dimensions of our education system.

Hence this Bill.

VINAY P. SAHASRABUDDHE

FINANCIAL MEMORANDUM

Sub-clauses (4) and (5) of clause 7 of the Bill provides for reimbursement of travelling and other expenses to the members of Search Committee. Sub-clause 4 to 6 of clause 8, sub-clause (2) of clause 13 and sub-clause (4) of clause 24 provide for salaries and allowances of the Executive Chairperson, members other than *ex-officio* member, officers and employees and the fellows of the Commission Clause 18 of the Bill stipulates that the fund of the Commission shall consist of all receipt of the Commission and stipulates that the Central Government shall provide grants after due appropriation by law.

Clause 25 provides for payment of allowance and expenses to the persons associated with the commission or a Council. Initially annual grant of rupees five crores needs to be provided to the Commission. In the circumstances, if the Bill enacted and provisions are brought into force would involve recurring and non-recurring expenditure from the Consolidated Fund of India to that extent.

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves the delegation of legislative powers in the following respects:—

Clause 5.— Item (g) of sub-clause (1) of this clause *inter-alia* empowers the Central Government to prescribe by rules, the manner of appointment by rotation of the Vice-Chancellor of a University as a member of the Commission.

Clause 8.— Sub-clause (4) of this clause empowers the Central Government to prescribe by rules, the terms and conditions of office of the Executive Chairperson and the members other than *ex-officio* members of the Commission.

Clause 12.— Sub-clause (1) of this clause empowers the Commission to prescribe by regulations, the time and the place of the meetings of the Commission and the rules of procedure with regard to transaction of its business at the meetings.

Clause 13.— Sub-clause (2) of this clause empowers the Commission to determine by regulations, the manner of recruitment, salary and allowances and other conditions of service of the Secretary, officers and other employees of the Commission.

Clause 16.— Item(XV) sub-clause (2) of this clause empowers the Commission to prescribe by regulations, such other functions to be performed by the Commission.

Clause 19.— Sub-clause (1) of this clause empowers the Central Government to prescribe by rules, the date for submission of budget of the Commission to the Central Government and the form in which the budget shall be prepared.

Clause 20.— (i) Sub-clause (1) of this clause empowers the Central Government to prescribe by rules, the form and the manner in which the accounts of the Commission shall be prepared and maintained;

(ii) Sub-clause (2) empowers the Central Government to prescribe by rules, the form in which the Commission shall prepare an annual statement of accounts.

Clause 21.— Sub-clause (1) of this clause empowers the Central Government to prescribe by rules, the form in which and the time at which the Commission shall prepare its annual report and submit to the Central Government.

Clause 22.—(i) Sub-clause (4) of this clause empowers the Commission to prescribe by regulations, the manner in which the four scholars for each council shall be selected amongst eminent educationalists in the subject of innovations;

(ii) Sub-clause (5) empowers the Commission to prescribe by regulations, the time and the place of meetings of the Council and the rules of procedure for transaction of business at its meetings;

(iii) Sub-clause (6) empowers the Commission to prescribe by regulation, the other functions to be performed and other powers to be exercised by the Council.

Clause 23.—(i) Sub-clause (1) of this clause empowers the Commission to delegate its functions to be performed and its powers to be exercised by the Committee as may be appointed by the Commission;

(ii) Sub-clause (2) empowers the Committee to determine the time and the place of meeting of the Committee and the rules of procedure to be observed for transaction of business at the meeting.

Clause 24.— Para (ii) of Sub-clause (4) of this clause empowers the Commission to determine by regulations the salary and allowances payable to a fellow.

Clause 25.—(i) Sub-clause (1) of this clause empowers the Commission to determine by regulations, the manner in which and the purpose for which the Commission may associate with itself, any person whose assistance or advice is required;

(ii) Sub-clause (3) empowers the Commission to determine by regulations, the allowances and expenses payable to a person associated with it;

(iii) Sub-clause (4) empowers the Commission to determine by regulations, the manner in which and the purpose for which the Council may associate itself, any person whose assistance or advice is required;

(iv) Sub-clause (6) empowers the Council to determine by bye-laws, the allowances and expenses payable to a person associated with it.

Clause 27.—This clause empowers the Central Government to issue directions to the Commission, on questions of policy as may be required in performance of its functions.

Clause 28.—This clause empowers the Commission to issue directions to the council, on questions of policy as may be required in performance of its functions.

Clause 32.—This clause empowers the Central Government to make rules, by notification in the Official Gazette, generally for carrying out the purposes of the Act.

Clause 33.—This clause empowers the Commission to make regulations, by notification in the Official Gazette, with the previous approval of the Central Government, not inconsistent with the provisions of the Act and the rules made thereunder and to provide for all or any other matters expressly required or allowed by the Act to be prescribed by regulations.

Clause 35.—Sub-clause (1) of this clause empowers the Central Government to remove difficulties, by order published in the Official Gazette, arising within two years from the date of commencement of the Act.

The delegation of legislative powers will relate to matter of default only and is of a normal character.

RAJYA SABHA

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to promote conception, experimentation and implementation of educational innovations in the country by establishing the Educational Innovations Commission and for matters connected therewith and incidental thereto.

(Dr. Vinay P. Sahasrabudhe, M.P.)