

GOA STATE RESEARCH FOUNDATION

BILL, 2022

(Bill No. 19 of 2022)

A

BILL

to provide for the establishment of Research Foundation in the State of Goa and for the matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of Goa in the Seventy-third year of the Republic of India as follows: -

1. Short title and commencement. – (1) This Act may be called the Goa State Research Foundation Act, 2022.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Definitions. – In this Act, unless the context otherwise requires, –

(a) “Chairperson” means the Chairperson of the Foundation;

(b) “Governing Council” means the Governing Council constituted under section 7 of this Act;

(c) “Finance Committee” means the Finance Committee constituted under section 3 of this Act;

(d) “Government” means the Government of Goa;

(e) “Managing Director” means the Managing Director of the Foundation;

(f) “Foundation” means the Goa State Research Foundation established under section 3;

(g) “Rules” means rules made under this Act;

(h) “Research” means a systematic approach for the generation, augmentation, or improvement of knowledge in any discipline.

3. Establishment of Foundation, –

(1) There shall be established by the Government, by notification in the official Gazette, a foundation by the name Goa State Research Foundation.

(2) The Foundation shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by its name.

(3) The Foundation may establish a headquarter and campuses at such places as it may deem fit.

4. Objects of the Foundation. – The objects of the Foundation shall be, –

(a) to inculcate, facilitate and promote a research culture in the State with a state-of-the-art infrastructure;

(b) mentoring of educational institutions by eminent research scholars, by hiring, with the approval of the Government, talented young research students, Ph.D students, postdocs and faculty, and by funding, strengthening, and growing already existing high-quality programmes at such institutions;

(c) to promote high quality knowledge creation in the State and link academia, Government, industry and society;

(d) to fund competitive, peer-reviewed grant proposals of all types including seed grant, mid-career and multidisciplinary proposals, submitted by individuals or groups of individuals from institutions across all disciplines (including inter-disciplinary research); doctoral and post-doctoral fellowships;

(e) to provide fellowships for researchers, visiting researchers, faculty and students during summer vacation;

(f) to seed, grow, and facilitate research at all academic institutions including schools, higher secondary schools and higher educational institutions;

(g) to fund research infrastructure (e.g., computing facilities) at individual institutions as well as infrastructure such as laboratories and other research equipment that can be shared across multiple institutions;

(h) to increase the role and participation of State in key areas of national and global importance, and in major national and international collaborations, through large-scale mission projects and megaprojects;

- (i) to act as a liason and co-ordinator amongst researchers, relevant Central and State Government bodies, industry and society, so that researchers are constantly connected with each other and with potential collaborations (including Government and industry);
- (j) to support the development of the next generation of researchers and long-term development of global-quality research and innovation through innovative initiatives in education, including enhancing the cognitive and research and innovation skills of students and new researchers through various online and offline courses, workshops, and conferences on topics of current research interest, and through hackathons & competitions;
- (k) recommend and support various activities and initiatives for increasing the participation of women and other under-represented groups in research;
- (l) create and maintain a State level registry for the collection, interpretation, and analysis of information and data surrounding all research being conducted in the State which may be used by Governmental bodies and industry to guide their policies and directions;
- (m) provide incubation centers, computing-data analysis centers, and research laboratories;
- (n) provide exchange facilities among the researchers, faculties with national and international institutions/bodies/industries;
- (o) recognize outstanding research and progress achieved by means of funding/mentoring across subjects and categories, through various prizes and special seminars recognising the work of the researchers;
- (p) provide mechanisms for ranking of research institutions and individuals;

- (q) serve as a high level think tank for the co-ordination and short and long term planning of research in the State and for the recommendation of key policy initiatives to the Government regarding research, innovation, and education;
- (r) to publish periodicals, treatises, reports, journals and other literature on all subjects;
- (s) to take suitable measures to conceptualize, introduce, and implement research methods at schools, high schools, higher secondaries, and higher educational institutions in the State;
- (t) to do all such things as are incidental, necessary or conducive to the attainment of all or any of the objectives of the Foundation;
- (u) to collaborate with any other colleges, universities, research institutions, non-profit organizations, industries, professional associations or other organizations in India or overseas to conceptualize, design, develop and offer specific educational and research programmes, training programmes and exchange programs for research students, faculty and others;
- (v) communicate and popularize new discoveries, inventions, and research-related progress to public at large via different media;
- (w) to undertake necessary or expedient action to pursue and promote the objectives of the Foundation.

5. Powers and functions of the Foundation.– The powers and the functions of the Foundation shall be, –

- (i) to administer and manage the Foundation and such centers for study, research, education and instructions as are necessary in furtherance of the objects of the Foundation;
- (ii) to make provisions for research and for the advancement and dissemination of knowledge;
- (iii) to inculcate and promote research culture at all levels;
- (iv) to provide funding for research degrees, titles, diplomas, certificates and other distinctions;
- (v) to appoint researchers and fill other positions, with the approval of Government, confer any distinctions subject to such conditions as the Foundation may determine and to withdraw any grant, titles, and other academic distinctions subject to such conditions as the Foundation may determine;
- (vi) to supervise and control the residents of the Foundation and to regulate the discipline of the researchers and staff of the Foundation and to make arrangements for promoting their health and general welfare;
- (vii) to create research, academic, technical, administrative, ministerial and other positions and to make appointments thereto, with the approval of Government;
- (viii) to regulate and enforce discipline among the employees of the Foundation and to take such disciplinary measures as may be deemed necessary;
- (ix) to institute necessary teaching, academic or research posts required by the Foundation, with the approval of Government;
- (x) to institute and award fellowships, grants, scholarships, prizes and medals;

(xi) to provide for printing, reproduction and publication of research and other works and to organize exhibitions, competitions, and hackathons;

(xii) to co-operate with any other organizations in the matter of education, training and research for such purposes as may be agreed upon on such terms and conditions as the Foundation may from time to time determine;

(xiii) to co-operate with institutions of learning in any part of the world having objects wholly or otherwise similar to those of the Foundation by exchange of faculties, scholars and generally in such manner as may be conducive to the common objects;

(xiv) to regulate the expenditure and to manage accounts of the Foundation;

(xv) to establish and maintain within the premises of the Foundation or elsewhere such research centers as the Foundation may consider necessary and adequately furnish the same to establish and maintain such libraries, digital databases and reading rooms, laboratories as may appear convenient or necessary for the Foundation;

(xvi) to receive funds, grants, subventions, subscriptions, donations and gifts for the purpose of the Foundation consistent with the objects for which Foundation is established;

(xvii) to purchase, take on lease, or accept as gifts, or otherwise any land or building or works, which may be necessary or convenient for the purpose of the Foundation on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such building or works, with prior approval of Government;

(xviii) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the Foundation, moveable or immovable, with prior approval of Government, on such terms and conditions as it may think fit and proper without prejudice to the interests and activities of the Foundation;

(xix) to draw and accept, to make and endorse, to discount and negotiate Government of India and other promissory notes, bills of exchanges, cheques or other negotiable instruments;

(xx) to execute conveyances, transfers, re-conveyances, mortgages, leases; licenses and agreements in respect of property, moveable or immovable including Government securities belonging to the Foundation or to be acquired for the purpose of the Foundation, with prior approval of Government;

(xxi) to appoint in order to execute an instrument or transact any business of the Foundation any person as it may deem fit, with the approval of Government;

(xxii) to start or discontinue any program offered by the Foundation;

(xxiii) to enter into any agreement with the Central Government, other State Government, or any other authorities, institutions, and industries for receiving grants;

(xxiv) to accept grant of money, securities or property of any kind or description on such terms and conditions as it may be deem expedient;

(xxv) to raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the Foundation or without any securities and upon such terms and conditions as it may think fit and to pay out of the funds of the Foundation, all



expenses incidental to the raising of money, and to repay and redeem any money borrowed or debt made with the prior approval of Government;

(xxvi) to invest the funds of the Foundation or moneys entrusted to the Foundation in or upon such securities or deposits and in such manner as it may deem fit and from time to time transpose any investments with the prior approval of Government;

(xxvii) to make such regulations for regulating the affairs and the management of the Foundation and its properties and to amend and to repeal them;

(xxviii) to constitute for the benefit of the academic, research, technical, administrative and other staff, in such manner and subject to such conditions as may be prescribed, pension, insurance, provident fund and gratuity and other schemes as it may deem fit and to make such grants as it may think fit for the benefit of the staff of the Foundation and to aid in the establishment and support associations, institutions, funds and trusts for the benefit of the staff and the students of the Foundation;

(xxix) to confer rankings and other distinctions in such manner as may be prescribed;

(xxx) to delegate all or any of its powers to the Chairperson or any committee or to any one or more members of its body or to its officers;

(xxxi) to form a State level Ethical Review Committee to administer approval of research projects/proposals that include human/animal subjects;

(xxxii) to administer and facilitate sharing/use of any data that has received from public or Government funding, for the purpose of research, academic use after the end of the proprietary data period;

(xxxiii) to do all such other acts and things as the Foundation may consider necessary, conducive or incidental to the attainment or enlargement of the aforesaid objects or any of them.

6. Authorities of the Foundation. – The Authorities of the Foundation shall be as follows, namely: –

- (i) The Governing Council;
- (ii) the Finance Committee; and
- (iii) such other authorities as prescribed.

7. Governing Council. – (1) The Governing Council shall be the supreme authority of the Foundation. The Governing council shall be constituted by the Government which shall consist of, –

- (a) the Chairperson;
- (b) vice-Chairperson of the State Higher Education Council;
- (c) Secretary, Higher Education, Government of Goa;
- (d) Director of Higher Education, Government of Goa;
- (e) Director of Education, Government of Goa;
- (f) three outstanding academicians in various disciplines to be nominated by the Government;

(g) four persons having outstanding research work in the field of science, technology, social science and humanities, to be nominated by the Government;

(h) three members, one each from the research institutes in the State of Goa, namely, National Institute of Oceanography, National Centre for Polar and Ocean Research, and Central Coastal Agricultural Research Institute;

(i) three eminent persons from Industry/Profession to be nominated by the Government; and

(j) Managing Director.

(2) Where a person has become a member of the Governing Council by reason of the office or appointment, he shall hold the membership till he ceases to hold that office or appointment.

(3) The term of office of the members of the Governing Council other than the ex-officio members shall be three years.

(4) A member of the Governing Council shall cease to be a member if he resigns or becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude.

(5) A member of the Governing Council, other than an ex-officio member, may resign his office by a letter addressed to the Chairperson and such resignation shall take effect as soon as it is accepted by the Chairperson.

(6) Any casual vacancy in the Governing Council shall be filled by nomination by the Government.

(7) The Chairperson shall chair the meeting of the Governing council and in his absence the vice-chairperson of the State Higher Education Council shall chair the meeting.

8. Chairperson of the Foundation. – (1) The Chairperson shall be appointed by the Government.

(2) The Chairperson shall be a full-time position.

(3) The person to be appointed as a Chairperson shall be a serving/retired Vice Chancellor of any Central/State University, or Director of any National Level academic/research Institution established under the Act of Parliament, **or** an outstanding academic scholar with minimum experience of ten years as a Professor and shall have a minimum of 15 research publications in any of the journals listed in Group II of UGC CARE (University Grants Commission Consortium for Academic and Research Ethics).

(4) The salary and other emoluments of the Chairperson shall be equivalent to that of the Director at Indian Institute of Management (IIM) / Indian Institute of Technology.

(5) The Chairperson shall hold office for a term of three years from the date on which he enters upon his office, and he shall be eligible for re-appointment for further term till he attains the age of seventy years.

(6) If the office of the Chairperson becomes vacant due to death, resignation or otherwise or if he is unable to perform his duties due to ill health or any other cause, the vice-chairperson of the State Higher Education Council may perform the functions of the Chairperson and in absence of both of them, the

Government may authorize any other member of the Governing Council to perform the functions of the Chairperson until the new Chairperson is appointed and he assumes his office or until the existing Chairperson attends to the duties of his office, as the case may be.

9. Functions of Chairperson. – The Chairperson shall, –

(i) be the competent authority to appoint researchers, staff, librarians, finance officer and other officers on the recommendation of the Governing Council, in accordance with the guidelines as may be framed by the Governing council.

(ii) be the competent authority to take disciplinary action against the officers of the Foundation as prescribed;

(iii) have all powers relating to the maintenance of proper discipline in the Foundation;

(iv) if, in his opinion, any emergency has arisen which requires that immediate action be taken, take such action as he may deem fit and report the same for confirmation in the next meeting of the authority which, in the ordinary course, would have dealt with the matter.

10. Meetings of Governing Council. – (1) The Governing Council shall meet at least once in three months and not less than fifteen days notice shall be given of such meetings to the members. In case of any exigencies a meeting can be called without giving fifteen days prior notice.

(2) The meeting of the Governing Council shall be called by the Managing Director under instructions of the Chairperson.

(3) One-half of the members of the Governing Council shall form the quorum at any meeting.

(4) In case of difference of opinion among the members the opinion of the majority shall prevail.

(5) Each member of the Governing Council shall have one vote and in the case of equality of votes, the Chairperson of the Governing Council or the member presiding over that meeting shall, as the case may be, have a casting vote.

(6) If urgent action by the Governing Council becomes necessary, the Chairperson may permit the business to be transacted by circulation of papers to the members of the Governing Council. The action so proposed to be taken shall not be taken unless agreed to by a majority of members of the Governing Council. The action so taken shall be forthwith intimated to all the members of the Governing Council. In case Governing Council concerned fails to take decision, the matter shall be referred to the Chairperson whose decision shall be final.

11. Powers and functions of the Governing Council. – The Governing Council shall be the chief executive authority of the Foundation and shall have all powers necessary to administer the Foundation subject to the provisions of this Act and the rules made thereunder. The Governing Council shall be the plenary authority of the Foundation and shall formulate and review from time to

time the broad policies and programmes of the Foundation and devise measures for the improvement and development of the Foundation and shall also have the following powers and functions, namely :-

(i) to provide academic and administrative structure of the Foundation with the approval of Government;

(ii) to consider and pass the annual report, financial statement and the budget estimates;

(iii) to make rules concerning the administration of the affairs of the Foundation including prescribing the procedures to be followed by the authorities and the officers of the Foundation in the discharge of their functions;

(iv) to manage and regulate the finances, accounts, investments, properties, business and all other administrative affairs of the Foundation and for that purpose, to constitute committees and delegate the powers to such committees or such officers of the Foundation as it may deem fit;

(v) to invest any money belonging to the Foundation, including any unapplied income, in such stock, funds, shares or securities, as it may, from time to time, think fit, or in the purchase of immovable property in India, with the like power of varying such investments from time to time with the approval of Government;

(vi) to transfer or accept transfer of any moveable or immobile property on behalf of the Foundation with the approval of Government;

(vii) to enter into, vary, carryout and cancel contracts on behalf of the Foundation and for that purpose to appoint such officers as it may think fit;

(viii) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the Foundation;

(ix) to entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the officers, teachers, students and employees of the Foundation;

(x) to create academic, research, administrative, ministerial and other necessary posts, determine the number and emoluments of such posts, specify the minimum qualifications for appointment to such posts on such terms and conditions of service as prescribed.

(xi) to appoint examiners and moderators, and to remove them if necessary, and to fix their fees, emoluments and travelling and other allowances;

(xii) to select a common seal for the Foundation; and

(xiii) to exercise such other powers and to perform such other duties as may be considered necessary, or imposed on it by or under this Act.

12. Managing Director . – (1) There shall be a Managing Director of the Foundation.

(2) The Managing Director shall be appointed by the Government, on the recommendation of the Chairperson, subject to fulfilling selection criteria specified in sub-section (3) and on such terms and conditions as prescribed;

(3) The person to be appointed as a Managing Director shall be an academic person/ eminent researcher in any field not below the rank of Professor with administrative experience; **or** an academic person/ eminent researcher not below the rank of Associate Professor with minimum of 10 years of

Teaching/Research experience, a minimum of 10 research publications in the Journals listed in Group II of UGC CARE (University Grants Commission Consortium for Academic and Research Ethics), and shall have administrative experience;

(4) The term of office of the Managing Director shall be three years or till he attains the age of sixty five years, whichever is earlier, and he shall be eligible for another term on recommendation of the Chairperson.

(5) The salary and other emoluments of the Managing Director shall be at the level of Professor Grade in accordance with guidelines of University Grants Commission, at the Level 14 of Pay Matrix issued by University Grants Commission under 7th Pay Commission.

13. Functions of the Managing Director. – The Managing Director shall,–

(i) be the ex-officio Secretary of Governing Council, all the committees and other bodies of the Foundation and shall also be the Convenor of all the meetings. He shall note and maintain the minutes of the meetings;

(ii) be the principal adjutant of the Chairperson in all matters pertaining to the administration of the Foundation. The Governing Council may entrust to him any other special responsibilities and powers;

(iii) have the power to appoint, with the approval of Government, the non-teaching staff and contingent staff in pursuance of the recommendations of the selection committee, appointed for that purpose, in such manner as prescribed. He shall be the competent authority to take disciplinary action against employees in accordance with such procedure as prescribed;

(iv) comply with all direction and orders of the Governing Council and Chairperson;

(v) be the custodian of records, common seal and such other property of the Foundation as the Governing Council shall commit to charge.

14. Finance Committee. –There shall be a Finance Committee constituted by the Governing Council consisting of, –

(a) The Chairperson ;

(b) The Managing Director;

(c) Representative of Department of Finance, Government of Goa;

(d) Representative of Directorate of Higher Education, Government of Goa;

(e) One member nominated by the Governing Council from amongst its members who shall hold office so long as he continue as member of the Governing Council; and

(f) One member nominated by the Governing Council from outside of the Foundation, with knowledge in Finance.

15. Functions and duties of the Finance Committee.– The functions and duties of the Finance Committee shall be, –

(1) to examine and scrutinize the annual budget of the Foundation and to make recommendations on financial matters to the Governing Council;

(2) to consider all proposals for new expenditure and to make recommendations to the Governing Council;

(3) to consider the periodical statements of accounts and to review the finances of the Foundation from time to time and consider re-appropriation statements and audit reports and make recommendations to the Governing Council;

(4) to give its views and make recommendations to the Governing Council on any financial question affecting the Foundation either on its own initiative or on reference from the Governing Council or the Chairperson.

(5) The Finance Committee shall meet at least, thrice in a year. Three members of the Finance Committee shall form the quorum.

(6) The Chairperson shall preside over the meetings of the Finance Committee, and in his absence, a member nominated by the Chairperson among the members of the Finance committee shall preside. In case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

16. Other Authorities, Officers and Employees: -

(1) The Foundation may appoint any other authorities, officers or employees as prescribed.

(2) Every officer or employee of the Foundation shall be appointed after executing a contract between the Foundation and the officer/employee, and a copy thereof shall be furnished to the officer or the employee concerned.

(3) Any dispute arising out of a contract between the Foundation and any of its officers or employees shall, at the request of the officer or the employee concerned or at the instance of the Foundation, be referred to a Tribunal for arbitration consisting of three members appointed by the Governing Council in such manner as prescribed.

17. Sponsored Schemes - Whenever the Foundation receives funds from any Government, or other agencies sponsoring a scheme to be executed by the Foundation, notwithstanding anything in this Act or the rules, the amount received shall be kept by the Foundation separately from the Foundation fund and utilized only for the purpose of the scheme; and the staff required to execute the scheme shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organization.

18. Selection Committees: - The Governing Council shall constitute various selection committees for appointment of officers and employees. The procedure for appointment of members of selection committees and the procedure to be adopted by the committees shall be such prescribed by the Government.

19. Power to make rules:- The Government may, by notification, make rules for carrying out all or any of the provisions of this Act.

20. Vacancy, etc. Not to Invalidate any act or proceeding - No act or proceeding of the Governing Council, or any other authority or officer or body of the Foundation

shall be invalidated or questioned on the ground merely due to existence of any vacancy or defect in the constitution thereof.

21. Indemnity against General Proceedings - No suit, prosecution or other legal proceedings shall lie against the Foundation or any authority or officer or employee of the Foundation for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act, or the rules made thereunder.

22. Power to remove Difficulties - If any difficulty arises as to the first constitution or reconstitution of any committee, or Governing Council of the Foundation after the commencement of this Act or otherwise in giving effect to the provisions of this Act, the Government may, by order, make such provisions not inconsistent with the provisions of this Act, as may appear 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 date of the commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

The Honourable Prime Minister of India in his address at the 106th Indian Science Congress on 3rd January 2019, emphasized the need for establishing an expanded research ecosystem. There is a need to build a strong research ecosystem at all educational institutions in the State of Goa. It is considered necessary to encourage excellence in innovative research in the State of Goa and to provide the state-of-the-art research facilities to researchers, faculty and the students of Goa.

The National Education Policy (NEP 2020) aims to bring significant changes in education in India, and therefore emphasizes on research and innovation at all educational levels. To bring the State of Goa at the forefront of research and innovation, the sub-committee entrusted to prepare a roadmap for the implementation of NEP 2020 in the State of Goa has recommended to establish Goa State Research Foundation.

The Foundation shall function to inculcate, facilitate and promote a research culture in the State of Goa, and establish a state-of-the-art research infrastructure. This will help produce world-class researchers to achieve sustainable economic growth, enhance national security, promote well-being and societal progress, and elevate Goa's position as a global leader in frontier areas of science, technology, humanities, social sciences, etc.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

During initial years an expenditure of about Rs. 25 Crores is expected, which would be increased subsequently after the establishment of the Foundation. However, the exact funding to the Foundation shall be decided in consultation with Department of Finance from time to time.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1 (2) of the Bill empowers the Government to appoint a date by Notification in the Official Gazette for bringing into force the Act.

Clause 19 of the Bill empowers the Government to frame rules for carrying out priorities of the Act.

Porvorim Goa
20th July, 2022

Dr. Pramod Sawant
Hon'ble Minister for Education

Assembly Hall,
Porvorim, Goa
20th July, 2022

Namrata Ulman
Secretary (Legislative Assembly
of Goa)

**Governor's Recommendation under Article 207 of the Constitution of
India**

In pursuance of Article 207 of the Constitution of India, I, P. S. Sreedharan Pillai, the Governor of Goa, hereby recommend the introduction and consideration of the Goa State Research Foundation Bill, 2022, by the Legislative Assembly of Goa.

RAJ BHAVAN
Date: 20-07-2022

P. S. SREEDHARAN PILLAI
Governor of Goa