



## **Guidelines for carrying out Research/Survey activities through Civil Society Organizations/Research Institutions/ University Departments etc**

The National Commission for Protection of Child Rights is mandated under sec 13(1)(g) of the CPCRA Act 2005 to undertake and promote research in the field of Child Rights in order to achieve this mandate NCPCR has framed general guidelines in consonance with the provisions of the NCPCR Rules, 2006 (R.24), and General Financial Rules 2017 (R.177-196) and prescribed broad guidelines to be followed:

### **1. Objective :**

The objective of these guidelines is to promote research, in areas concerning Child Rights. The Commission may consider promoting research projects, with an aim to translate the research findings into concrete recommendation for formulating an action plan to protect and promote child rights.

### **2. Areas of Research/Studies:**

A research project on any of the following issues would be undertaken:

- Issues of children of migrant labourers, children in distress, marginalized and disadvantage, children in conflict with law, juveniles, children without family and children of prisoners.
- Issues affecting rights of children by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution.
- Issues relating to Right to Education of Children.
- Issues relating to Child Marriages and other practices in vogue due to custom, tradition and /or socio-religious beliefs.
- Issues of children working in Hazardous Industries.
- Study of juvenile's custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority, including any institution run by a social

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organization; where children are detained or lodged for the purpose of treatment, reformation or protection.

- Any other issue considered directly related to promoting Protection of Child Rights as per the mandate of the Commission.

**3. Research/Survey/Study Project would be assigned to:**

- (i) A Research and/or training institution set up and fully or partially funded by the Central Government/ State Government/ Public Sector Undertaking;
- (ii) An institution/organization registered under Societies Registration Act, 1860 (Act XXI of 1860);
- (iii) A registered public trust registered under India Trust Act, 1882;
- (iv) A university or a deemed university registered under the UGC Act;
- (v) Individual experts with proven track record in Research work.

**4. Project Size and duration:**

The Project undertaken may be

- (i) a small size project with the duration of upto 3 months and costing upto Rs. 2 lakhs
- (ii) a medium size project with duration of 3-6 months and costing upto Rs. 5 lakhs; and
- (iii) a large size project exceeding 6 months duration and estimated cost above Rs. 5 Lakh.

The concerned Division shall estimate reasonable expenditure for the research/study by consulting other organizations engaged in similar activities and prevalent market conditions. Such estimates may be inclusive of all applicable Taxes and levies including GST.



## 5. Procedure

### 5(a) small size projects:

- (i) A small size research/ survey/study project may be undertaken on the proposal /recommendation of a Member of the Commission with the approval of the Chairperson or decided to be taken by the Commission in its meeting on of the subjects /areas referred to above.
- (ii) The Divisions concerned shall prepare a comprehensive list of agencies having potential to take up the study on the basis of formal or informal inquiries from other Ministries or Departments or Organizations involved in similar activities or Associations of consulting firms etc.
- (iii) Technical and Financial bids will be invited from the short listed agencies as per procedure laid down in the succeeding paras.

### 5(b) Medium size projects:

- (i) A medium size research/ survey/study project may be undertaken with the approval of the Commission.
- (ii) The Division concerned will prepare a note on need, objective and scope of the project to be undertaken along with estimated cost details, proposed time-frame etc. While conceiving a project due care shall be taken to avoid duplication to the studies already undertaken on the subject by any other agency including Ministry of HRD, WCD, State Commission and the state Government Departments concerned with Child Welfare, Child Labour or any other statutory body. The proposal shall be placed before a **Project Appraisal Committee (PAC)** constituting of the following:
  - (a) Two members of the Commission including one initiating the proposal.
  - (b) Subject expert to be nominated by the Chairperson/A Representative of the concerned domain Ministry.
  - (c) One Officer not below the rank of Director in NCPCR.

Recommendation of the PAC will be placed before the Chairperson for approval.

- (iii) Technical and Financial bids will be invited from the short listed agencies referred to in para 5 (a)(i) as per procedure laid down in the succeeding paras.



**5(c) Large size projects**

- (i) A Large size research/ survey/study project may be undertaken with the approval of the Commission on the recommendation of the PAC. The PAC for this purpose will have three Members instead of two as specified in Para 5(b) (ii)(a) above.
- (ii) For Projects with estimated cost of less than Rs. 10 lakhs agencies short listed as at 5(a) (ii) above may be asked to submit technical and financial bids as per procedure laid down in the succeeding paras.
- (iii) In all cases where the estimated cost of the Research / Study is Rs. 10 lakhs or more ,Expression of Interest (EOI) may be invited from open market by publishing the same on the Commission's website and also on Central Public Procurement Portal (CPPP) by giving the broad scope of the study and pre qualification criteria. Short listed agencies may be asked to submit technical and financial bids as as per procedure laid down in the succeeding paras

**6. Single source selection/Consultancy by nomination:**

Selection by direct negotiation/nomination may be strictly avoided .In any exceptional circumstances, full justification for single source selection should be recorded in the file and approval of the competent authority obtained before resorting to such selection. This will have to be ratified by the Commission in its Statutory Meeting.

**7. General Conditions:**

- (i) The service shall be hired for specific job well defined in terms of content and time frame for its completion on the terms and conditions agreed to in advance.
- (ii) As three years is the term of the Commission, effort should be made that the task is completed within the term of the Commission awarding it.
- (iii) The term of the medium and large size projects may be extended for 1 or 2 months under exceptional circumstances only with the prior approval of the Chairperson.
- (iv) Hiring of such services shall be resorted to only when the requisite expertise is not available in house in the Commission.



**8. Funding**

- (i) Project costs shall be met out of the budget Estimates / Grants at the disposal of the Commission within its Financial Powers as stipulated in Rule 24 of the NCPCR Rules, 2006 and subject to the provisions laid down in General Financial Rules (GFR) of Government of India for procurement of goods and services and Expenditure Management guidelines.
- (ii) Budget allocations for research activities may be scrupulously followed Division wise.

**9. Inviting Technical and Financial Bids:**

- (i) The concerned Division shall prepare in simple and concise language the requirements, objectives, scope of the assignment, the eligibility and pre qualification criteria to be met by the consulting agencies.
- (ii) Terms of Reference (TOR) and Request for Proposal (RFP) may be prepared and sent to the short listed agencies to seek their Technical and Financial proposals on or before a specified date :

**TOR shall include:**

- ❖ Precise statement of objectives.
- ❖ Outline of the tasks to be carried out.
- ❖ Schedule for completion of the task.
- ❖ Support or input to be provided by the Commission to facilitate the study.
- ❖ Expected outcomes/Final output.

**RFP should contain:**

- ❖ Letter of invitation.
- ❖ Procedure of submission of proposal
- ❖ List of key position whose CV and Experience would be evaluated.
- ❖ Bid evaluation criteria and selection procedure including respective weightage to be given to quality and cost.
- ❖ Standard formats for Technical and Financial proposals.
- ❖ Proposed contract terms
- ❖ Procedure for mid-term review final/draft report.



- (iii) A responding agency through its designated officer may submit its proposal to NCPCR clearly stating the objectives, methodology, stages of the project, item-wise budget, project team with CV of key personnel, tenure of the project, etc. as may be prescribed in the RFP (Request For Proposal).

**10. Selection of Agency / Evaluation of Bids:**

- (i) No bids may be entertained after the closing date specified in the bid invitations
- (ii) Technical bids may be opened first which may be evaluated by a consultancy evaluation committee (CEC) constituted by the Commission. The committee shall record in detail the reason for the acceptance or rejection of the technical proposals evaluated by it. Responding Agencies may be asked to give a Presentation, if so required.
- (ii) Financial bids only of those bidders who qualify the technical evaluation by the CEC will be opened.

(iii) Standard or routine nature assignment (where established methodology, practices and standards exist) there will be no weightage for the technical score and the technically qualified proposal with lowest cost shall be selected. Costs exclusive of applicable taxes and levies including GST may be taken into account.

(iv) In the proposal where quality of the consultancy is of prime concern only those proposals that have achieved at least minimum specified qualifying score in quality of technical proposal (benchmark) are considered further. Final combined score will be arrived at on the basis of pre-defined weightage for quality and financial scores (weightage of technical parameters should not exceed 80%). Financial scores exclusive of all applicable taxes and duties including GST will be taken into account.

(vi) Decision of the Commission to Accept or not accept any proposal shall be final.

**11. Signing of contract, Release of Funds and other related obligations:**

- The selected agency shall be required to sign an Agreement / MoU with the NCPCR giving inter-alia the project details, costs, TORs and other related conditions including a provision for mid-term review by NCPCR of progress made in implementation of the project and extension of time, if the occasion so arises.
- The 1<sup>st</sup> Installment of the value of 10% of the total project cost shall be released after signing of the agreement.

- The terms of payment in respect of subsequent releases shall be based on the nature and requirement of the project and as per mutually agreed payment schedule as entered in the Agreement signed with the organization. 40% should normally be kept for payment on acceptance of final report.
- To ensure due performance of the contract the organization shall furnish a performance security equivalent to 10% of the contract value rounded off to the nearest thousand Indian Rupees on signing of Agreement, in any of the forms prescribed in GFR 171 . Performance Security should remain valid for 60 days beyond the completion of all contractual obligations. Performance Guarantee would be returned only after successful completion of tasks assigned and after adjusting/recovering any dues recoverable /payable from/by the organization on any account under the contract. This clause shall however, not be applicable to the organizations fully funded by the Government.
- The organization shall ensure that the ceiling(s) for various items of expenditure do not exceed the budget approved by NCPCR. Deviation from the item-wise budget approved, if any, shall be with prior approval of NCPCR.
- The organization shall be solely responsible for payment of all applicable taxes, duties including GST and all other Government levies in relation to the task which shall be a part of the approved budget.
- The organization shall be solely responsible for the management of manpower and their conduct, payment of remuneration in respect of person(s) engaged by it.
- The organization shall work in close coordination with/ under the directions of NCPCR and the NCPCR reserves the rights to suggest changes as deemed fit for the purpose of its use for dissemination of information.
- All plans, designs, data collected, reports and other documents and software related to Study shall become and remain the property of the NCPCR, and the Consultant shall, upon termination or expiration of this Contract, deliver all such documents and software to the Commission, together with a detailed inventory thereof. The Consultant shall not use it for any purpose without written permission of NCPCR.



## 12. Utilization Certificate & Statement of Expenditure

Expenditure incurred by the organization shall be guided by government financial rules/GFRs and guidelines issued from time to time for the purpose for which it is intended.

After completion of the task, the organization will submit a Utilization Certificate as per GFR along-with a detailed 'Statement of Item wise Expenditure'.

The un-utilized funds, if any, shall be refunded immediately through demand draft in favour of the National Commission for Protection of Child Rights, payable at New Delhi.

## 13. Outcome

1. On completion of the assignment the organization is expected to submit two copies of the draft report of the project. The draft report will be scrutinized in the Commission. Commission may suggest any changes which in turn will be incorporated in the final report.
2. On acceptance of the Report, the organization is required to submit mutually agreed number of copies of the Report to the Commission.
2. The Report should be comprehensive to serve as a definite record and generally cover all major aspects relating to the study. Recommendations, conclusions and limitations, if any, should be brought out clearly. An Executive Summary should also be appended to the Report.

## 14. Follow up action on study report:

The Division concerned would ensure that necessary follow up action is taken on the major findings and recommendations on the issues for which the study was instituted. Action taken report will be placed before the Commission in its next statutory meeting.

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