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INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
INDRAPRASTHA ESTATE, RING ROAD
NEW DELHI-110002

Minutes of the 262nd Meeting of the Executive Council held on 31st January, 2007 at 4.30 p.m. in the Conference Hall of the Institute

PRESENT

1. **Shri T.N. Chaturvedi** - **Chairman**
2. Dr. K. Malaisamy
3. Dr. S. Subramanian
4. Shri B.V. Krishna Kumar
5. Prof. N.P. Singh
6. Dr. B.P. Mathur
7. Prof. (Mrs.) Noorjahan Bava
8. Shri E. Dasaradhan
9. Dr. R.R. Dhanapall
10. Prof. R.V. Dhanapalan
11. Dr. S.L. Goel
12. Shri M.C. Gupta
13. Dr. Yogendra Narain
14. Shri S. Ramanathan
15. Dr. Agarala Easwara Reddi
16. Prof. (Mrs.) S. Saroja
17. Dr. N. Sethuraman
18. Dr. V. Shanmugasundaram
19. Dr. K.N. Srivastava
20. Dr. Har Swarup
21. Prof. S.P. Verma
22. Shri N.K. Das (In lieu of Chairman, IIPA Assam Regional Branch)
23. Dr. Navanit Sinha (In lieu of Chairman, IIPA Bihar Regional Branch)
24. Prof. S.S. Singh]
25. Prof. Anil C. Ittyerah] Faculty Representatives
26. Dr. V.N. Alok]
27. Dr. P.L. Sanjeev Reddy - Director & Member-Secretary

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Dr. Naresh Kumar, Registrar and Dr. B.D. Singh, Dy. Registrar (AS) were also present.

Before taking up agenda items, the Chairman wished a Happy & Prosperous New Year to all the members and welcomed the newly co-opted members. All the members introduced themselves.

The Director also welcomed the members and conveyed New Year wishes. He mentioned that this is the first meeting in the year 2007 and possibly his last Executive Council meeting as its Member Secretary for which he thanked the Chairman and EC members for their constructive guidance and collaborative assistance. Chairman expressed his appreciation for the services rendered by the Director.

Item No. 262.1 Grant of leave of absence to Members.

The following members who could not attend the meeting were granted leave of absence:

1. Dr. R. Balasubramanian
2. Dr. S.S. Bloeria
3. Prof. B.J. Deb
4. Shri L.K. Joshi
5. Shri B.C. Mathur
6. Dr. Sanjiv Misra
7. Shri S.B. Mishra
8. Shri Suryya Ray
9. Shri R.R. Shah
10. Prof. R.C. Sobti
11. Dr. V.V. Rama Subba Rao

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Item No.262.2 (a) Confirmation of the Minutes of the last meetings of the Executive Council:

(i) Minutes of 260th meeting of the Executive Council held on 27th October 2006.

The minutes, as circulated, were confirmed.

(ii) Minutes of 261st meeting of the Executive Council held on 28th October 2006.

While confirming the minutes a member mentioned that last two paras were not factually recorded. Some members expressed that the minutes were correctly recorded. Dr. S. Subramanian, Vice President clarified that he was asked by various members present to Chair the session after the Chairman left the meeting and lot of discussion took place and thereafter the meeting was adjourned. As such he insisted that these paras are factually correct. The Chairman however mentioned that the sentence "No official meeting was held" may be deleted.

Thereafter the minutes were confirmed.

Regarding the letter dated 5th January, 2007 written by Dr. S. Subramanian, Vice President on the subject of authorization to the Chairman to constitute various Committees and manner of constitution of Committees, the Chairman mentioned that he had got the above letter circulated to all the members. Chairman also mentioned about the letter dated 30th January, 2007 written by three Vice Presidents viz. Prof. N.P. Singh, Shri B.V. Krishna Kumar & Dr. S. Subramanian to re-convene the adjourned meeting of the 261st meeting of the EC by inviting only the elected members to discuss the remaining agenda items. He mentioned that

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as per the past convention and practice the Executive Council authorized the Chairman to constitute various Committees after taking into consideration various views and factors. He clarified that all the members have equal rights and there is no distinction between an elected member or a co-opted/nominated member. The Chairman, Standing Committee explained that the Chairman is very objective and impartial and is totally dedicated to IIPA. He pledged total support to the Chairman in constituting the Committees as hitherto.

Dr. S. Subramanian said that he is withdrawing his letter and said he has full faith in the Chairman. He said that no disrespect or slur is intended. Thereafter the Executive Council unanimously reposed their faith in the Chairman and authorized the Chairman to constitute the Committees. The Executive Council said that they would wholeheartedly accept his decision in this regard.

(b) (i) Action taken on the minutes referred to above.

While confirming the action taken certain observations were made with regard to following items:

Election of the M.P. Regional Branch

It was mentioned that earlier Prof. R.K. Tiwari was sent as an Observer. Based on his report regarding some complaints about the Regional Branch and in the electoral roll, fresh list was provided to the M.P. Regional Branch. And Prof. S.P. Verma was appointed as the Returning Officer to conduct the elections in November 2006. However the Chairman, M.P. Regional Branch Shri Brij Mohan Shrivastava informed that there was some Court case for which details were sought

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from him. In the meantime an interim reply devoid of full facts has been received from him. The Chairman mentioned that full facts may be elicited and if there is no stay from the Court, elections may be got held immediately, as was previously decided by the E.C.

Position with regard to Group `D' (Adhoc/Dailywage Employees)

A detailed discussion took place. And a member enquired that as per Executive Council's decision dated 27th October, 2006, the orders for regularization of 13 adhoc employees were to be issued within three weeks but as to why no regularization orders have not yet been issued?

Director mentioned that relevant facts were not placed before the E.C. and it was his bounden duty as the Member Secretary of the Executive Council to place all the relevant facts as well as the recent five judge Constitutional Bench of the Supreme Court orders and G.P. Mathur and Dalveer Bhandari's judgement (September, 2006) in this regard (Secretary, State of Karnataka vs. Umadevi and others). He also read out the pertinent portions of some Supreme Court judgements and mentioned that any piecemeal regularization involves invidious discrimination and may be questioned in the Court. Prima facie, there was neither administrative and financial sanction by the competent authority and there was no proper procedure followed like advertisement adherence to recruitment rules or intimation to the employment exchange/notice board besides fulfillment of prescribed qualifications, experience etc. He also read out the DoPT's letter dated 27th November, 2006 and their observations on the issue. He said that any hasty regularization would involve violation of Article 14 and 16 of the Constitution. He further

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informed that in the absence of recruitment rules, non observance of prescribed procedures for public employment and the comments of DoPT he sought the advice of Shri P.C. Hota, former Chairman, UPSC and Shri Piyush Sharma of Delhi Labour Department & Registrar of IIPA to suggest a sustainable way forward. It was appreciated that Shri P.C. Hota has been a Life Member of IIPA besides being former Chairman of UPSC, Secretary Personnel and Additional Secretary, Labour with rich experience on recruitment rules and sensitive labour issues. His suggestions are advisory in nature. The Chairman however clarified that the Executive Council or the Chairman has not authorized appointment of any such committee, as these issues were considered by the committee headed by Shri B.C. Mathur of which Director, IIPA and Dr. Yogendra Narain were members. Chairman mentioned that on compassionate grounds as they were working for a long time, it was decided to regularize them in a phased manner. Dr. Yogendra Narain mentioned that the points which are being adduced were already discussed in their committee meetings in which the IIPA's Legal Counsel was also present. He clarified that the committee was asked to regularize 13 adhoc employees and the deliberations of the committee were focussed mainly on the process of regulation. Director clarified that the Executive Council has to do the right thing and in the right way and the Supreme Court judgement suggests only one time regularization. As such the entire problem has to be viewed in totality. He submitted that the Supreme Court has frowned upon **backdoor** entry into public employment notwithstanding the length of their service or any other extraneous grounds. The Executive Council agreed that instead of phased manner the regularization may be done in one go. Alongwith the 13 adhoc employees, all the cases of Group `D'

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dailywage employees may be taken up. Dr. Yogendra Narain mentioned that their committee had examined the regularization of 13 adhoc employees only and not the balance 17 dailywage employees. Dr. R.V. Dhanapalan referred to "irregular" and litigious employment and wondered whether Article 14 and 16 of the Constitution would be applicable to IIPA as it is a Society and not an instrumentality of the State. Prof. Anil C. Ittyerah explained that IIPA is subject to such constitutional obligations as a recipient of large chunk of funds from the Govt. and official participation and patronage through its management structure.

After a detailed discussion, it was decided that the regularization may be done in one go and the committee comprising:

1.	Dr. Yogendra Narain	-	Chairman
2.	Director, IIPA		
3.	Dr. B.P. Mathur	-	Hony. Treasurer
4.	Prof. R.V. Dhanapalan	-	EC Member
5.	Prof. S.S. Singh	-	EC Member
6.	Registrar	-	Convenor

may carefully examine the cases of all Adhoc and Dailywage Group 'D' employees and consider the modalities of implementation of regularization of all the Group D adhoc & dailywage employees barring mischievous employees. Dr. Dhanapalan mentioned that the onus of such a decision shall be only on the Executive Council.

The Chairman also constituted a Rules Committee to update the rules and prepare manuals including for future recruitments, comprising:

1. Prof. R.V. Dhanapalan - Chairman
2. Dr. B.P. Mathur
3. Prof. S.S. Singh
4. Registrar

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Item No.260.10 Major Repairs and Infrastructural Development Works amounting to Rs.36 lakhs approx. from Infrastructure Development Fund.

A member enquired whether necessary advise has been obtained from qualified experts viz. CPWD etc. before awarding the work. The Director mentioned that as already stated in the action taken report, estimates were obtained from CPWD which were more than the double amount of the lowest tenders internally received. The Hony. Treasurer further clarified the position that the works under reference are minor repair works etc. and delegation has been made upto a limit of Rs.5 lakh to an internal committee headed by senior most Professor. He also mentioned that IIPA has also been sanctioned an amount of Rs.1 crore under Plan Grant by DoPT for which delegation of powers is necessary. He also said that services of a competent consultant is required and work orders will be preceded by the approval of Chairman, Standing Committee/Chairman, IIPA. Chairman agreed with the proposal.

Item No.260.13 (iv) Setting up of following Centres:

(i) Centre for Public Policy
(ii) Centre on Value & Ethics

The Chairman, Standing Committee mentioned that the meeting of the committee headed by him will be held on 12th February, 2007 forenoon for the purpose.

The Chairman mentioned that one Centre has come for E-Governance. The Director mentioned that it is the biggest ever consultancy from ICT Ministry amounting to Rs.434.99 lakhs to be completed within 12 months. And that a committee has been suggested by

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them. The Chairman mentioned that Prof. R.K. Sachdeva will be IIPA's representative on the above committee. He should report after each meeting about the progress & outcomes to the Director who will inform to us. Hony. Treasurer should be thoroughly involved. The Committee congratulated the proactive role played by the Director in getting this project sanctioned for capacity building for e-governance as explicitly lauded by the Additional Secretary, Ministry of Information Technology, through his letter dated 29th January, 2007.

The Chairman mentioned that with regard to consultancy project (Restructuring of State Electricity Boards) which was to be completed by September, 2006 has been extended for which further amount of Rs.11 lakh has been got sanctioned from Ministry of Power. This did not have any recommendation from the Committee headed by Prof. S.L. Goel for the purpose and neither any approval was obtained from the Chairman, Standing Committee and Chairman, IIPA. The Director explained that the Ministry of Power had enlarged the scope and the terms of reference of the ongoing study by extending the constituency and the final report has since been submitted after verification and revalidation through consultation to the Minister of Power on 25th January, 2007, which has been widely appreciated through a letter from the Secretary, Ministry of Power dated 29th January, 2007. A special meeting of the Chief Ministers and the Power Ministers is being convened by the Union Power Minister to deliberate the recommendations of the above committee.

Director clarified that this stupendous work covering 60 power utilities spread across 12 States was done, and draft report was submitted on 6th October, 2006. The Ministry, however, discussed the

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recommendation and suggested further authentication of findings through focussed interaction with all the stakeholders which has since been done. This process suggested by the sponsoring Ministry, with sanction of an additional amount of Rs.11 lakhs, led to the final submission of the Report on 25th January, 2007. The Chairman, however, advised that the committee headed by Prof. S.L. Goel which was to go into the terms of the appointment of Consultants may look into various aspects of this project and report to the Executive Council. The process be followed in future too.

(vi) Deemed University status to IIPA.

A detailed discussion took place and Chairman mentioned that the General Body has approved the resolution moved by him and has authorized the Executive Council to take further action in this regard. The Executive Council authorized the Chairman to constitute within one month a panel/committee (small group) of experienced people consisting of outside experts and internal members which may decide the modalities and issues whether to go for Deemed University status or to approach Government for National Institute's status. The committee may also discuss the matter with the faculty and staff. Thereafter their report may be discussed in the Executive Council. to proceed further.

(vii) Honouring of Members.

The Chairman mentioned that now the members who were selected for honouring have since been informed formally and the function will be organized in March 2007. He further mentioned that during the last 2-3 years

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no one was honoured and this year onwards nominations should be invited well in advance.

(viii) Appointment of Search Committee for selection of new Director.

The Chairman announced the names of the members of the Search Committee as follows:

1.	Justice J.S. Verma (Former Chief Justice of India)	-	Chairman
2.	Prof. Pritam Singh (Former Director, MDI)	-	Member
3.	Prof. T.N. Kapoor (Former Vice Chancellor, Panjab University)	-	Member
4.	Dr. K. Malaisamy, Chairman, Standing Committee	-	Member
5.	Prof. S.L. Goel, EC Member	-	Member

The Chairman further mentioned that initially the offer is to be given to the incumbent for three years which may be extended for two years. However one can hold the office of Director till he attains the age of 65 years. Accordingly the person to be selected should be around 62 years of age at the maximum. A mention was made that we may have younger person. However it was left to the Search Committee to recommend suitable name(s).

(ii) Action taken with regard to backlog items of 259th meeting of Executive Council.

Noted.

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Item No.262.3 **Appointment of Committees:**

(a) **Under Rule 18(a) & (b)**
(i) Standing Committee
(ii) Academic Committee

(b) **Under Rule 17(2)(vii)**
(i) Other Committees

The Executive Council unanimously authorized the Chairman to constitute the Committees.

Item No.262.4 **Nomination of a Member of the Executive Council to sign cheques in the absence of the Hony. Treasurer.**

The Executive Council nominated Dr. Yogendra Narain, Member of the Executive Council to sign cheques in the absence of the Hony. Treasurer.

Item No.262.5 (i) **Transfer of ownership right to IIPA over the building vacated by IAMR in our campus and its hiring out by NIDM.**

(ii) Renting out of 20 Hostel rooms to NIDM.

The Executive Council advised that the rent may be negotiated with NIDM on market rate as fixed by CPWD and that the agreement may not be for more than 5 years (including the 3 years of present occupation of the building), as recommended by the committee chaired by the Director.

The Hony. Treasurer mentioned that we are evolving new MDP courses (including residential courses) with revised fee structure for which Hostel accommodation would be required. After detailed discussion, the Council decided that we may not rent out Hostel rooms to NIDM on

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permanent basis as we may require the same for our own purposes. And we may provide Hostel accommodation to them whenever there is a vacancy and that no formal agreement be made with them in this regard.

Item No.262.6 Proposal for formation of IIPA Uttaranchal Regional Branch.

The Executive Council approved the proposal for formation of IIPA Uttaranchal Regional Branch at Dehradun.

Item No.262.7 Signing of MoU with Central Party School (CPS), China and visit of their delegation to IIPA/India.

The Director briefly apprised the Council about the recent visit of the CPS delegation to IIPA and informed that an amount of Rs.2.50 lakh approximately has been spent on their stay and local hospitality. As regards the proposal of visit of 11 members delegation from IIPA to CPS, Beijing and their reciprocal visit, Chairman mentioned that this will be examined and the delegation may not be too large ~~and it may be of 2-3 members only.~~

Item No.262.8 A brief report on the important activities of the Institute during November, 2006 – January, 2007 relating to:

(a) Training Programmes
(b) Status of Research & Consultancy Projects
(c) Seminars/Conferences/Lectures
(d) Visitors to the Institute

Noted.

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Item No.262.9 **Items to report:**

(i) Extension of term of appointment of Prof. Sushma Yadav.

Noted.

(ii) Re-joining of Prof. V.K. Sharma.

Noted.

(iii) Appointment of Consultant (Training Resource Development).

A member mentioned that this appointment has been made without any recommendation from the committee duly constituted by the EC headed by Prof. S.L. Goel. The Chairman mentioned that he had also made some observations in this regard. Since the offer has already been made it was agreed to. And it was advised that in future all such appointment should be made through due procedure.

(iv) Study Leave to Dr. S.K. Bhattacharya.

Noted.

(v) Study Leave to Mrs. Charru Malhotra.

Noted.

(vi) Duty Leave to Dr. R.K. Barik.

Noted.

(vii) Extension of lien of Dr. P. Bapaiah, Dy. Registrar (F&A).

Noted.

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(viii) Visits abroad of Director & Faculty.

Noted.

(ix) Replacement of two old office vehicles with new ones.

Noted.

Item No.262.10 Any other business with the permission of the Chairman.

(i) Dr. V. Shanmugasundaram mentioned that IIPA should publish the publications instead of getting from outside publishers. Faculty should be encouraged to write more books, monographs etc. and the publications should be sold commercially. And if possible 5% of the funds received should be kept aside for publication activities. Chairman said it was a good idea & be examined.

(ii) Shri S. Ramanathan, Chairman, Karnataka Regional Branch mentioned that it is their Golden Jubilee Year and lot of activities are being undertaken by them and it will be a great honour to them if the next E.C. meeting is held at Bangalore. The members congratulated him on the occasion of their Golden Jubilee Year and the goodwill gesture.

The Director once again thanked all the E.C. members for their sustained co-operation and constructive guidance during his tenure as Director, IIPA and Member Secretary of the Executive Council. The Executive Council thanked him and placed on record their deep appreciation for his excellent work and wished him Godspeed.

Chairman and

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The meeting ended with a warm vote of thanks to the Chair.

T. N. Chaturvedi

(T.N. CHATURVEDI)
CHAIRMAN 13/2/07

P L Reddy 03/2/07

(P.L. SANJEEV REDDY)
DIRECTOR &
MEMBER-SECRETARY

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