

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

**Minutes of the 293rd meeting of the Executive Council held on
March 27, 2014 at 4.00 p.m. in the Conference Hall of the Institute**

PRESENT

1. **Shri T.N. Chaturvedi**
2. Prof. R.V. Dhanapalan
3. Shri B.V. Krishna Kumar
4. Prof. Brij Mohan Sharma
5. Shri Suryya Ray
6. Prof. S.N. Mishra
7. Prof. S.L. Goel
8. Dr. Parvinder Kaushal
9. Shri M. Krishnan
10. Shri Subodh Kumar
11. Dr. K. Malaisamy
12. Dr. A.V. Narsimha Reddy
13. Dr. Sunita Roy
14. Shri P.R. Shampath
15. Prof. V. Shanmugasundaram
16. Prof. N.P. Singh
17. Dr. Navanit Sinha
18. Dr. K.N. Srivastava
19. Shri V. Veerabadran
20. Dr. V.N. Vishwanathan
21. Shri Shekhar Dutt
22. Shri A.K. Joshi, Director (Trg.) - Representing Secretary, Personnel, DoPT
23. Shri R.K. Kureel, Dy. Secretary - Representing Secretary (Exp.)
24. Shri B.D. Virdi, Adviser - Representing Secretary, Planning Commission
25. Shri M.C. Gupta (Chairman, Haryana Regional Branch)
26. Shri S. Ramanathan (Chairman, Karnataka Regional Branch)
27. Dr. A.K. Bhan (Chairman, Jammu & Kashmir Regional Branch)
28. Shri K.K. Sethi (Chairman, Madhya Pradesh Regional Branch)
29. Prof. C. Lalkima (Chairman, Mizoram Regional Branch)
30. Prof. J. Guha Roy (Chairman, Delhi Regional Branch)
31. Dr. V.N. Alok - Faculty Representative
32. Dr. T. Chatterjee - Director & Member-Secretary

Dr. C. Giri, Registrar, Dr. B.D. Singh, Dy. Registrar (AS), Shri Amitabh Ranjan, Dy. Registrar (Finance) and Shri Bhim Singh, Consultant were also present.

The Chairman, IIPA extended welcome to all the members to the 293rd meeting of the Executive Council especially to Prof. C. Lalkima, Chairman of Mizoram Regional Branch who has attended the EC meeting for the first time and the three officers representing three Secretaries to the Govt. of India. Thereafter the Executive Council condoled the sad demise

of Shri G.C.L. Joneja, former Hony. Treasurer, Vice President and Chairman, Standing Committee of IIPA and observed a minute's silence as a mark of respect to the departed soul. The Executive Council also desired that the resolution may be sent to the members of the bereaved family.

The agenda notes and supplementary agenda were perused along with the minutes of the Standing Committee meeting held on 26th March, 2014 which were circulated at the beginning of the meeting.

Before starting the regular agenda Shri P.R. Shampath requested the Chairman to take up the report submitted by the three member committee first as he mentioned that in the Membership Admission Committee meeting held on 26 March, 2014 validity of continuation the Membership Admission Committee was questioned by one of the members in view of the report of the three member committee. Similar requests were made by Prof. N.P. Singh, Dr. K. Malaisamy and Dr. K.N. Srivastava. Chairman was of the view that the Executive Council should go by the regular agenda first and then should discuss the report of the committee as regular agenda may not take much time but there are important items requiring decision such as finalization of the subjects for Annual Essay, Annual Conference, and Special Issue of IJPA and Lok Prashashan etc. The Executive Council agreed to go by the agenda.

Item No.293.1 Grant of leave of absence to Members.

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

1. Justice E. Padmanabhan
2. Dr. (Capt) D.V.P. Raja
3. Prof. Arun Kumar Grover
4. Prof. Sushma Yadav
5. Prof. Rakesh Gupta

Item No.293.2 (a) Confirmation of the Minutes of the last two meetings of the Executive Council:

- (i) Minutes of the 291st meeting of the Executive Council held on October 17, 2013.
- (ii) Minutes of the 292nd meeting of the Executive Council held on October 18, 2013.

The minutes as circulated, were confirmed.

(b) Action taken on the minutes referred above.

While on action taken on the minutes of 291st meeting of the Executive Council, Dr. K. Malaisamy desired to know the status of the sanction of funds for the Diamond Jubilee Commemoration. The Director informed that the sanction letter has been received for Rs. 25 lakh and funds are going to be used for the programme scheduled for 30th March, 2014, and whatever is left will be used for subsequent events over the year. This is not going to be enough obviously. So, we are going to be making proposals and going back to the Department of Personnel and Training for support. Chairman felt that if some substantial amount is received from the Government the branches may be provided with some assistance. However he requested that the branches may also make efforts to raise funds for the purpose. He acknowledged that a few Regional and Local Branches have contributed towards celebrations of the Diamond Jubilee.

Dr. K. Malaisamy also mentioned that there was no intimation to the E.C. members about the celebrations of Diamond Jubilee by IIPA. Chairman clarified that the function planned for 30th March is of symbolic importance. Though nowadays the President and the Prime Minister do not visit outside venues, as a special case, the President of India has been good enough to have agreed to come to our premises. That is why the Chairman was keen about organizing this symbolic function at IIPA because it highlights the importance of the Institute and the Institute gets into some limelight. Chairman also clarified that this matter has already been brought to the notice of the E.C. in its 290th meeting held on 20 August, 2013. The Chairman of the DJ Committee Shri B.V. Krishna Kumar also endorsed that the Diamond Jubilee inaugural function has the approval of the Diamond Jubilee Committee and the committee is fully satisfied with the action taken by IIPA. With this the action taken report was approved.

Item No.293.3 (i) Subjects for (a) Annual Essay Prize Competition, 2014 (b) Members' Annual Conference 2014, (c) Special Issue of IJPA (July-Sept. 2014) and (d) Special Issue of Lok Prashashan (July-Dec. 2014).

The Executive Council took note of the recommendations of the Editorial Board IJPA and Lok Prashashan and also recommendations of the Standing Committee and approved the topics as under:

(a) Annual Essay Prize Competition 2014

Social Harmony and Inclusive Development

(b) Members' Annual Conference 2014

Trends in Centre-State Relations

(c) Special Issue of IJPA (July-September, 2014)

Women's Empowerment

(d) Special Issue of Lok Prashashan (July-Dec. 2014)

नागरिक समाज और प्रजातंत्र की प्रासंगिकता

(ii) Appointment of Judges for the Annual Essay Competition, 2014.

The Executive Council decided that as was done in previous years the names of Judges may be finalised by the Director in consultation with the Chairman, Standing Committee and Chairman, IIPA.

Item No.293.4 Dates for the Annual General Body Meeting and Members' Annual Conference.

The Executive Council approved the recommendation of the Standing Committee, that the Annual General Body Meeting may be convened on Friday the 10th October, 2014, subject to the convenience of the Hon'ble Vice President of India (President of IIPA) and Chairman of the Institute. The Members' Annual Conference may be held on the subsequent day i.e. on Saturday the 11th October, 2014.

Item No.293.5 Draft Agenda for the Annual General Body Meeting.

As recommended by the Standing Committee, the Executive Council approved the Draft Agenda of the Annual General Body Meeting as per the agenda notes in accordance with Rule 19 of the Memorandum of Association & Rules of IIPA.

Item No.293.6 Enhancement of DA for Executive Council/Standing Committee members who make their own arrangements for stay in Delhi for attending the meeting, from Rs. 800/- to Rs.1100/- per day.

The Executive Council after discussion on the proposal, decided to approve the recommendations of the Standing Committee that every member is entitled to stay in the Hostel which offers a comfortable facility. As such the members of the EC may be encouraged to stay in IIPA Hostel. The Council decided that a uniform D.A. rate i.e.

Rs.800/- per day for all members coming to attend the E.C. and various committee meetings may continue irrespective of their stay in IIPA or outside in Delhi.

Item No.293.7 Recommendations of the Membership Admission Committee meeting held on 26 March, 2014.

The Executive Council took note of the recommendations made by the Membership Admission Committee. After some discussions, the Council accepted the recommendations of Membership Admission Committee and hoped that this will balance the present membership position in the regional/local branches.

Shri M.C Gupta, informed that he had spoken to the Chairman of the committee, and conveyed his view that in view of the report of the three-member committee, it was not quite appropriate to hold the meeting of the Membership Admission Committee because the subject is very closely related to the EC itself. Chairman clarified that till a final view is taken on that report, every committee has the right to perform its functions and the decision of the Committee stands.

Item No.293.8 A brief report on the important activities of the Institute during October, 2013 – March, 2014 relating to:

- (a) Training Programmes,
- (b) Status of Research Projects,
- (c) Conferences/Seminars,
- (d) Visitors to the Institute.

The Director apprised the Executive Council that IIPA is on a positive trajectory in training and research areas in 2013-14. 120 training programmes have been organized by IIPA in 2013-14 and more than Rs.6 crores earned from training programmes alone. This is the highest revenue ever earned from training programmes in IIPA as also the highest number of programmes conducted in a financial year. From research also IIPA has earned Rs.4.75 crores so far which is the highest in the last five years. Director also informed the Committee that several important training/research projects such as NeGP, Ganga Knowledge Centre, the National Grievance Redress Cell etc. have been freshly sanctioned, totaling over Rs.10 crores over the next two years. Almost Rs.2 crores are expected to be released towards the ongoing Consumer project. All the money may not come in March itself, but over the year 2014-15, IIPA is likely to get into positive cash flows.

The Council appreciated the efforts of the Director, the teaching, non-teaching staff of IIPA in supporting academic activities. Dr. K. Malaisamy desired to know whether we have any forum to review whether the trainings imparted by IIPA are good, relevant and useful. It was clarified that system of evaluation of training exists in the Institute and the concerned sponsoring agencies are involved in developing course content.

Dr. V.N. Vishwanathan while appreciating the efforts, expressed his views that IIPA could apply for funds from UGC for training or research programmes. IIPA could also explore the possibility of inclusion under section 12 B and 2 F of UGC so that it gets the funds from UGC. However it was clarified by Prof. S.L. Goel that 12 B and 2 F apply to the Universities and IIPA not being a University will not be eligible for such funds.

Shri Subodh Kumar suggested that the Institute should take the help and the expertise of the respective regional branch in project management and should conduct some courses. On the research part, he suggested that there is scope for improvement especially on quality and time line. Chairman conveyed that IIPA would take all these into account while assessing the performance of the faculty. Shri M.C. Gupta suggested that as in the past the system of peer review of faculty work may be revived.

Prof. V. Shanmugasundaram was of the view that the EC should have enough time to discuss academic matters for which it may consider having morning sessions. While congratulating the Director for the performance on training and research he also mentioned that IIPA could use the talent available in General Body of IIPA for training and research. He further mentioned that IIPA being run by an IAS Director for a very long time to which the Chairman replied that there has not been any discrimination for the post of Director between IAS, non-IAS officers and Professors etc. and the Director is selected on merit by a high level Search Committee comprising a Supreme Court Judge preferably retired Chief Justice, Chairman, Standing Committee, Vice Chancellors of reputed University who all are persons of eminence.

The Chairman informed that a proposal was mooted in the Standing Committee that corpus to the extent of 50% of the membership capital fund should be distributed among the Regional and the Local Branches for two reasons, one, the Regional Branches may compete

among themselves to increase their activities, and the other, it reduce the burden of IIPA. Chairman clarified that he has no objections to what the Sanding Committee has recommended. But there are two caveats:

1. First caveat is that this has to be screened properly by the office and by a committee which he will constitute later on, so that money is not sent to defunct Branches. He clarified that there will be no defalcation, but the money should not go to the Branches who cannot use it. It is no use having the Branches which are just for namesake and not doing anything.
2. The second caveat is that the Branches, should also maintain a nucleus corpus with this money, and not just spend on seminars and lunches. This should strengthen their financial position. It will have to be a condition.

The Chairman also felt that it can be referred to the Finance Committee also for their views. At this point the Chairman while complimenting the suggestions made by the Finance & Economy Committee and Audit & Account Committee mentioned that there are a number of things which have been taken up by the Finance Committee and by the Audit Committee which do not fall in their purview. Just because somebody raised it, they have taken it up. So, this also is another wrong way to get things done in a roundabout way which cannot be done straight which should be avoided.

He also recalled that as was mentioned earlier, IIPA does not fall under UGC but we have all along maintained that we will follow UGC rules as they are suitable to us keeping resilience, flexibility and discretion with us. Similarly, as far as possible we will follow the Government rules, but keeping in view the character and nature of the rule. This has been there for the last 60 years and that will continue. While lauding the efforts of the Audit & Account Committee on its recommendation for internal audit through Institute of Public Auditors of India (IPAI), he desired that they should not only do the internal audit but also recommend us the internal financial system to be set up in IIPA which should reduce any chances of financial aberrations. Some members wanted to have clarifications whether the work expected from IPAI would be overlapping with functions of the Audit and Account Committee. The Chairman clarified that there is no overlapping. As suggested by Shri Veerabadran, IPAI is the proper authority and is doing internal auditing for a large number of other establishments also and even for the PPP projects. The Government itself is utilising

them for their audit and for many other things because they are familiar with the GFR and other rules and regulations. So there will not be any duplication. He further mentioned that the committee will become defunct after helping us in setting up effective internal financial system in IIPA.

The Audit and Accounts Committee's suggestion that the Executive Council meets at least every quarter would be examined by Chairman. Chairman however agreed that there should be a periodical check and monitoring of the financial position.

Item No.293.9 Items to Report:

(i) Appointment/Joining of new faculty.

Noted.

(ii) Relieving of Dr. Sushma Yadav, Prof. in Public Policy & Governance to join Indira Gandhi National Open University, Maidan Garhi, New Delhi.

Noted.

(iii) Advertisement for the post of Chair Professor (Dr. B.R. Ambedkar Chair).

Noted.

(iv) Placement of Dr. C. Giri in the next higher scale of pay under Career Advancement Scheme of Non-faculty.

Noted.

(v) Placement of Dr. B.D. Singh in the next higher scale of pay under Time Bound Personal Promotion Scheme and also clearance of his probation period to the post of Dy. Registrar.

Noted.

(vi) Placement of Shri H.C. Yadav, Assistant Librarian (Sr. Scale) in the Academic Grade Pay of Rs.8000 and designated as Assistant Librarian (Selection Grade) under Career Advancement Scheme.

Noted.

(vii) Placement of Shri Hari Om Goel, Assistant Executive Engineer (personal to him) in the next higher pay band under Time Bound Personal Promotion Scheme of IIPA.

Noted.

- (viii) **Appointment of Prof. S.N. Mishra, Hony. Treasurer as Director in an honorary capacity during leave period of Dr. T. Chatterjee, Director IIPA.**

Noted.

- (ix) **Constitution of a Committee of EC Members regarding UGC regulation on minimum qualifications for appointment of teachers and other academic staff in IIPA.**

Noted

- (x) **Constitution of a committee for revision of Hostel Rates.**

Noted.

- (xi) **Constitution of Audit & Accounts committee.**

Noted.

- (xii) **Foreign visits of Faculty.**

Noted.

Item No.293.10 Any other business with permission of the Chairman.

- (i) **Retirement of Prof. R.K. Barik from the services of the Institute w.e.f. 28.2.2014.**

Coming to the case of retirement of Prof. R.K. Barik, the Chairman emphasized that there has been an environment of grave indiscipline in IIPA presently. The Chairman explained the background for taking such action and conveyed that Prof. Barik has been giving wrong information. Everyone knows that he has not been coming to office for days together. Prof. J. Guha Roy questioned the procedure followed in this case and expressed his opinion that since the appointing authority is the Executive Council then any disciplinary action like removal should be taken by Executive Council itself to which the Hony. Treasurer conveyed that there is already a provision that Chairman can take decision in the absence of the Executive Council.

Shri M.C. Gupta opined that there should not be any argument over the authority of Chairman, but removal or dismissal from service is somewhat a different matter and there should be a detailed discussion on it. He was of the opinion that Executive Council should have been consulted before taking such a major decision. The Chairman also informed that the position of the Chairman is the collective face of the Executive Council. A duly appointed committee has investigated the case of Prof. Barik and recommended for Prof.

Barik's dismissal. He elaborated the many past and present misdemeanors committed by Prof. Barik like going to Moscow without permission and abstaining from duty for months, not submitting the report of the Ravindranath Tagore Seminar to the Ministry of Culture in spite of several reminders and requests by the Director etc. As such the committee recommended for a major punishment like dismissal from service in case of Prof. Barik. The Chairman informed the members that in spite of serious observations against Prof. Barik, and recommendations of dismissal by the committee, he took a highly compassionate view and ordered only for his retirement from the service, and that too with full pensionary benefits. Shri V. Veerabadran conveyed that he has not seen the report and he is not aware of the things and how can he discuss the matter. To this it was brought to the notice that the detailed proceedings had already been sent by speed post to all the members and majority of the members confirmed that they have received the report.

Dr. V.N. Alok was of the opinion that Prof. R.K. Barik did not get the chance to be heard so a three member committee may be formed to review and give the report to the Executive Council. Dr. P. Kaushal conveyed that Prof. Barik met him five minutes before the Executive Council meeting and he said that he did not receive any letter since the first letter was not received by him, a second chance should be given to him. After hearing the members, the Chairman clarified that letters were sent to Prof. Barik again and again but he avoided receiving the letter under one pretext or another. As such the letters were sent to his home which was received by his daughter and also sent by regd. Post which was delivered to his address, so this argument of non-receipt of communication about the inquiry carries no weight.

Shri Veerabadran was of the opinion that the appointing authority is competent to take decision regarding removal or dismissal from service and whoever is the appointing authority can dismiss the employee.

At this point of time a communication was sent by Prof. Barik mentioning that he wanted to represent his case before the Executive Council. Dr. V.N. Alok supported that he should be heard by the Executive Council otherwise it is likely to escalate the tension and an atmosphere of confrontation may prevail. The Chairman objected to these remarks and said they were improper. All the Executive Council members present strongly objected to this and were unanimous regarding the view that there is no point listening to Prof. Barik here in the Executive Council meeting. The members authorized the Chairman to give Prof. Barik an audience and take a decision, as he considers after hearing him.

However, the Executive Council ratified the decision of the Institute as recommended by the Standing Committee regarding retiring Prof. Barik from IIPA.

The Chairman desired that this message may be conveyed to Prof. Barik by the Registrar and the Registrar immediately complied with the direction and reported back to the Chairman about compliance. While accepting the opinion of Executive Council members for granting an audience to Prof. Barik, the Chairman stated that he could meet Prof. Barik in the presence of witnesses preferably after 31st March, 2014.

The Chairman was very concerned at the prevailing state of indiscipline in IIPA and expressed his opinion that some younger members of the faculty wanted to denigrate the reputation of the Institute. He informed the Executive Council that they have sent e-mails to the President, Vice President and other dignitaries and the language of the mails is highly derogatory. He also emphasized that he had devoted the highest attention and time to their programmes and helped them in each and every matter on numerous occasions and they are the ones behaving in this indisciplined fashion.

Coming back to Prof. Barik, he conveyed that there had not been slightest remorse on his part. Rather, he is reported to have barged into the room of Director and threatened to take him to the Court. He would however gave a patient and fair hearing to Prof. Barik. He mentioned that some members of faculty wanted to meet him before the start of the meeting. He had conveyed that he did not have any problem in meeting anyone. However, if he knew this in advance, he would have arrived at IIPA at least half an hour before. Just in time of the EC meeting, if someone wants to meet him it is not practically possible.

In the context of faculty privileges, the Chairman dwelt upon the constitution of the Prof. B.M. Sharma Committee. He emphasized that there had been many committees like the Prof. M. V. Mathur Committee, Shri B.C. Mathur Committee, Prof. S. Saroja Committee etc. in the past which have held one point of the view or another. As such, the Prof. B.M. Sharma committee has been constituted to reconcile all these and it is, by no means any encroachment over any one's rights or privileges. The Chairman also highlighted the facts that Prof. B.M. Sharma had himself been a Vice Chancellor and Chairman of the Public Service Commission and the committee has highly eminent and relevant members. Dr. V.N. Alok expressed his opinion that this committee has been constituted eight years after the Sixth Pay Commission when the Seventh Pay Commission Panel has already been constituted. The Chairman replied that there is absolutely no need of worry for anyone and we will adopt the recommendations according to our needs. Shri M.C. Gupta opined that there is a need to have a relook at the constitution of committees as we are already having so many committees.

To which the Chairman replied that the Prof. B.M. Sharma committee is linked to its terms of reference like other specific-purpose committees of the Executive Council. After its recommendations are submitted to the Executive Council, it will dis-engage.

Shri Shekhar Dutt, eminent member of the Executive Council and Governor of Chhattisgarh mentioned that he had been associated with IIPA since 1970s. IIPA has a special place in the country's governance agenda and it has been an Institute of excellence for several decades. He conveyed that he had been telling everybody in Chhattisgarh that they have to collaborate with an institution like IIPA but there is a major caveat, the IIPA has to remain an institution of excellence. He opined that we have to make our own choices whether to live in dirt or lift ourselves. As such IIPA has to lift itself and there is no place for indiscipline in IIPA. As such we cannot afford to lower our level. In the interest of the institution, hard decisions have to be taken sometimes but there is enough evidence in this case to suggest that the person has not been unduly harmed. We all have to rise to the occasion.

The members once again reiterated their approval of the decision taken regarding the retirement of Prof. Barik, and authorized the Chairman to take any decision in future after giving him a hearing, in view of his request for an audience.

(ii) Report of the three-member Committee constituted by the Chairman, IIPA under Rule 5(20)(2) of Election Byelaws of IIPA.

The Chairman apprised the Executive Council that the report of the three-member Committee constituted to inquire into election complaints has been received and it was sent to all the members for their perusal. As such the Executive Council now may discuss the report if it so desires.

The discussion was started by Shri P.R. Shampath. He was of the opinion that the constitution of the Committee was in contravention to the rule 5(20) of the Election Bye-laws and the Committee itself is totally invalid. The normal process is that, on receipt of any such complaint, the Director would hold a preliminary investigation. In this case no preliminary investigation has been conducted and the Committee has been constituted straightaway. The Committee has not even heard the elected members and the information regarding the constitution of the Committee has not been placed before the Executive Council. Moreover the Committee has gone beyond the terms of references given to it. In fact the Committee has found that 684 ballot papers had double or overwriting but 1316 ballot papers are reported to be valid. As such the majority (nearly two third) of the ballot papers have been

found valid, so there is no question of malpractices. The fact that majority of ballot papers have been found valid has not been taken into account by the Committee while declaring its verdict that this election should be held null and void. As such the report of the Committee should be completely ignored.

The Chairman conveyed that the appointment of high power committee has been conveyed to the members time and again and in fact it was reported to the E.C. in its meeting held on 3 April, 2013. There has been a preliminary investigation by the Director also as supported by office records.

Dr. K.N. Srivastava voiced his opinion that it is a normal practice that the defeated keep on complaining about malpractices etc. That the electoral reforms and inquiry into electoral malpractices should not be clubbed together.

Dr. Ashok Bhan was of the opinion that the committee has been lawfully constituted and it has given a very comprehensive report about the malpractices in the election of 2012 which have been heavily rigged. It is not against the individual members. In this Diamond Jubilee year this is completely shocking. We must own the responsibility and step down voluntarily. He also opined that the committee had left us very lightly. So it is a time we show some moral values.

Dr. K. Malaisamy conveyed that out of the presently 37 Executive Council members, 20 are elected members. As such fate of the majority is at stake now. While insisting that he is not justifying the irregularities, these things have been in existence since a long time. He emphasized that the Committee Report is totally illegal and irregular and Executive Council is the competent forum to decide this. If the report is accepted, nominated members would try to influence the proceedings. Majority is always right and the Chairman should be kind enough to see the majority point of view.

Prof. S.L. Goel expressed his opinion that the Committee has recommended maximum two or three terms to the members but in Regional/Local Branches there is no such practice, no elections are being held and the office bearers are there for life.

Shri S. Ramanathan raised the matter of electoral malpractices and expressed his opinion that assurance was given in the AGM regarding constitution of the Committee and the Committee was constituted with three high profile members whose competence is beyond question. Now the fait-accompli is that there is a report. We have to either accepted the report or reject the report. He was of the opinion that the electoral process has been vitiated and malpractices were there. As such there is a need to take legal advice on the report from an outside agency not connected to IIPA like Attorney General or Solicitor General. Then

the legal opinion should be placed before the Executive Council and the matter should be decided then.

Sri W.C. Gupta expressed his opinion that it was not a question of 'they vs. us'. The so-called nominated members are not nominated but they are co-opted members. Dr. Ashok Kumar clarified that not only elected members but the co-opted members also should count the votes. Dr. Madhusany was of the view that in any democratic system what the majority says is the law. To which Sri W.C. Gupta told the Council that that is the problem that anything which the elected members do not want to happen will never happen as elected members are in majority. His suggestion was to get the whole case examined through CAG if they are also the stakeholders.

Prof. N.P. Singh was of the opinion that the report is completely illegal and it should be rejected. There is no need to refer the case to CAG if CAG is engaged in deal with the matter.

Sri K.K. Sethi held that the members from Regional Level Branches do not have a choice of election as they are co-opted in nature. Also, there is a provision in regard to CAG for inquiry into electoral malpractices, if not fulfilled. To which Prof. N.P. Singh questioned as to why the representative from Jammu & Kashmir State is not in Sri Sethi have been given chance over in continuity. The Chairman replied that Jammu & Kashmir are special consideration.

Sri Subodh Kumar was of the opinion that the question is not of electoral malpractices but why the voting percentage is decreasing continuously. The matter that the members now have no faith and they have been discredited. So if something constructive has to be done it has to start from the first point i.e. from the time of nomination.

Sri B.C. Krishna Kumar was of the opinion that restricting the number of terms for Executive Council members is illegal as per the constitution, legal experts on this matter. To which Sri W.C. Gupta replied that the Delhi High Court has recently upheld the guidelines of Ministry of Youth Affairs and Sports for restricting the term of anybody who is above 70 years or has completed two terms of four years each. He said restricting of the term is not illegal.

The Chairman after listening to all the views expressed that electoral reform should be upper most objectives for all of us.

At this point, Sri V. Veerabhadran quoted Rule 16 of the Model where the Executive Council shall function even if any vacancy or any defect in its constitution is there. The Chairman said that it was noted.

The representative from Mizoram Regional Branch Prof. C. Lalkima thanked all the Executive Council members for providing special consideration to the North East. The Chairman was also of the opinion that more representation and involvement of North East should be ensured. The Chairman mentioned that we were keen but there should be adequate response. He felt happy that at least now Prof. Lalkima managed to attend.

Dr. V.N. Alok emphasized the need to process the report and insisted that it has emanated from the AGM of 2012 with the remarks of the Returning Officer himself. He was of the opinion that we could not be the judge of our own collective wisdom. There is an urgent need to process the report and it cannot be dismissed lightly otherwise there may be wider repercussions. A Special meeting of the General Body may be convened to discuss and take a decision regarding the same.

At this point of time Shri Shampath emphasized that as per the byelaws Executive Council resolution shall be final. The terms of reference were not at all considered by the committee as such it is totally invalid.

Dr. Srivastava was of the opinion that it is not a matter of morality alone. That the ballot boxes were opened without our presence and some are missing also as reported. In any case majority of the ballot papers have been found correct. So the election cannot be declared null and void. As such the report of the committee should be rejected outright.

Dr. Malaisamy proposed a resolution that 'we the elected members of the Executive Council resolve to hold the report invalid'. To that Dr. Alok objected that he is also an elected member and he is not supporting the resolution.

Dr. Ashok Bhan conveyed that he is aggrieved with the notion that the final decision has to be taken by the Executive Council. As it is proved beyond doubt that elections were rigged and there is a report declaring the elections regarding the Executive Council null and void, who will now take the decision as the Executive Council itself is not valid now.

Prof. R.V. Dhanapalan emphasized that the three-member committee had been constituted validly and what the committee had said, everyone now knows. But declaring the election completely null and void was not in the jurisdiction of the committee. As per byelaw 5(20) of the Election Byelaws, the Executive Council is the final authority. Moreover the committee has recommended to adopt modern communications technology for casting the ballots but the MoA had provided the provision only for using postal ballots. As such the MoA has to be amended first, before any alternative process of election can be considered.

The Chairman expressed that there is divided opinion regarding this matter. As such either the matter should go to a special AGM or we may discuss it later. To which many

members voiced their opinion that the matter should be decided here and now and should not be left for another time. The Chairman then called for voting on this matter. In the voting, the majority view was to reject the report. As such, the report was rejected by the Executive Council.

(iii) **Letter from Shri V. Veerabdran suggesting the following two points:**

- (a) **Internal Audit of the accounts**
- (b) **Holding the E.C. meetings quarterly and Standing Committee meeting 4 times a year.**

Already discussed under Item No.293.8.

(iv) **Revision of Honorarium and Local Conveyance Charges to Guest Faculty.**

Noted.

(v) **Minutes of the Audit and Account Committee meeting held on 24 March, 2014.**

Already discussed under Item No.293.8.

(vi) **Minutes of the Academic Committee meeting held on 25 March, 2014.**

Already discussed under Item No.293.8.

(vii) **Minutes of the Finance & Economy Committee meeting held on 25 March, 2014.**

Already discussed under Item No.293.8.

(viii) **Proposal from Chairman, Standing Committee for consideration of the Standing Committee/ Executive Council regarding payment of half of the membership capital fund amounting to Rs.75,72,307/- to Regional & Local Branches as per their respective shares.**

Already discussed under Item No.293.8.

(ix) **Proposal from Chairman, Standing Committee for consideration of the Standing Committee/Executive Council regarding elections of the Regional & Local Branches.**

Already discussed under Item No.293.8.

(x) **Minutes of the Diamond Jubilee Committee meeting held on 25 March, 2014.**

Noted.