

MINUTES OF THE 116TH MEETING OF THE BOARD OF MANAGEMENT HELD ON NOVEMBER 24, 2012 AT 11.00 A.M. IN THE BOARD ROOM, NEW VCO BLOCK, IGNOU CAMPUS, MAIDAN GARHI, NEW DELHI-110068

The following were present:

1	Prof. Gopinath Pradhan, Vice-Chancellor	- Chairman
2	Shri Anant Kumar Singh, Jt. Secretary(CU&L), MHRD	- Representative, Secretary, MHRD
3	Prof. Mahendra P. Lama	- Member
4	Prof. D.B. Phatak	- Member
5	Prof. Vinay Kumar Pathak	- Member
6	Prof. G. Sundar	- Member
7	Er.R.K. Gupta	- Member
8	Prof. E. Vayunandan	- Member
9	Dr. Srikant Mohapatra	- Member
	Shri Udai S. Tolia, Registrar (Admn.)	- Secretary

The Secretary, Ministry of I&B, Dr. (Ms.) Ruth Manorama, Prof. Bakul Dholakia, Members, BOM could not attend the meeting.

At the outset, the Chairman welcomed the Members to the 116th Meeting of the Board of Management. The Chairman specially welcomed Prof. D.B. Phatak, a Visitor's nominee on the BOM who was attending the Meeting for the first time. He informed the Board that Prof. Phatak has worked in different capacities in various academic institutions and at present, holding the position of Subrao Nilekani Chair Professor, Department of Computer Science and Engineering, IIT Bombay. The Chairman also placed on record the valuable contribution made by Prof. B.K. Pattanaik whose term on the BOM has expired on 21.9.2012.

In accordance with the decision taken at its 115th Meeting held on 19.9.2012, the Chairman made a power point presentation of the important events/activities undertaken by the University during the period, since the last meeting (115th). The Chairman specially highlighted the following events organized by the University during the period:

- 27th Foundation Day Lecture by Prof. Arun Diwakar Nath Bajpai, VC , Himachal Pradesh University, on the topic "Ethics , Education and

Economy” on 19th September, 2012 where Sh. V. Narayanasamy, Hon’ble MoS, PMO, Ministry of Personnel, Public Grievances and Pensions was the Chief Guest, who delivered the Presidential Address.

- 4th Mother Teresa Memorial Lecture by IGNOU-CBCI Chair by Prof. A.W. Khan (Former VC, IGNOU) on 31.10.2012.
- Signing of the MOC with the Open Polytechnics of New Zealand on 19th October, 2012 in the presence of Hon’ble HRM Shri Kapil Sibal at Vigyan Bhawan, New Delhi.
- IGNOU celebrated 55th World Day of the Deaf organized by All India Federation of the Deaf on 7th October, 2012.

The Vice Chancellor further presented the following brief account of the status of enrollments, consequent upon the decision of the University to review the schemes namely convergence, community college, face to face programmes and MOUs etc., and the infrastructure/facilities for student support systems:

- IGNOU has established 67 Regional Centres, 3300 Learner Support Centres across the country and 81 Partner Institutions abroad.
- The enrollment in the University in July 2012 admission cycle stands at 8 lakh students.
- Though the fresh enrolments of the students under Community College Scheme, Convergence Scheme and Face-to-Face Programmes have been kept in abeyance, this has not impacted much the overall enrollments in the University.
- The Chairman further informed that review process of the Policy concerning the MOUs, Community College Scheme has been completed, the recommendations of the Committees for review of convergence scheme and face to face schemes are under finalization. These will be placed before the next Board.

The Chairman thereafter requested the Registrar/Secretary, BOM to present the items on the Agenda.

The following items were taken up for consideration:

ITEM NO. 1 TO CONSIDER AND APPROVE THE REVISED MINUTES OF THE 115TH MEETING OF THE BOARD OF MANAGEMENT HELD ON SEPTEMBER 19, 2012 FOR CONFIRMATION

BM 116.1.1 The Registrar informed that the Minutes of the 115th Meeting of the Board of Management held on 19.9.2012 were circulated to the Members of the Board. Certain observations were received from

the MHRD and some other Members, namely, Prof. Vinay Kumar Pathak, Er. R.K. Gupta, on these Minutes. Also, the comments were received from Prof. E. Vayunandan, Member, BOM. He further clarified that in view of the comments/observations from the Ministry/Members, no further action on the Minutes of the 115th BOM has been taken and as such, no Action Taken Report has been placed before the Board. Further, the Minutes of the 115th Meeting were also revised, taking into consideration the views/comments of the members, which are also placed before the present Board.

BM 116.1.2 The Board perused the Minutes of the 115th Meeting and confirmed the same with slight modifications. The Minutes were also signed by the Chairman, BOM in the Meeting itself (**Appendix**).

ITEM NO. 2 TO CONSIDER THE RECOMMENDATIONS OF THE ESTABLISHMENT COMMITTEE MADE AT ITS 67TH MEETING HELD ON 15.11.2012

BM 116.2.1 The Board considered the recommendations of the Establishment Committee made at its 67th Meeting held on 15.11.2012. The Board was of the view that (i) the Minutes of the Establishment Committee should be put up before the Board only after confirmation by the Establishment Committee, (ii) items, if any, requiring specific approval of the Board may be put up to the Board, duly supported by a self-contained note, giving full justification/facts and the governing Statutes/Rules position, which were not reflected in the present Minutes/recommendations of the Establishment Committee in future. The Board decided to defer the decision.

ITEM NO. 3 TO CONSIDER AND CONFIRM THE RECOMMENDATIONS OF THE PURCHASE COMMITTEE MADE AT ITS 62ND MEETING HELD ON 17.10.2012

BM 116.3.1 The Item was taken up for consideration. Secretary informed the Board that in accordance with the decisions taken by the Board at its 108th & 109th Meetings, the University has constituted a Committee to review the composition, powers & functions of the Purchase Committee, which were decided by the Board in its 18th, 38th & 73rd meetings earlier. He further informed that the Purchase Committee has recommended that till the review is made and the recommendations are submitted to the Vice-Chancellor/BOM, the

Minutes of the Purchase Committee may continue to be placed before the Board in accordance with the provision under Statute 26(2).

The Finance Officer was also called to explain the position in the matter, vis-à-vis the Delegation of Financial Powers, etc. The Finance Officer invited the reference of the BOM Members to the relevant provisions in the Delegation of Financial Powers and explained that as per the extant delegation of financial powers of the University, the matters with financial implications above Rs.10 lacs are required to be placed before the Purchase Committee of the BOM.

BM 116.3.2

The Board considered the Minutes of the 62nd meeting of the Purchase Committee. The Board noted the provisions under the delegation of financial powers of the University. The Board, however, emphasized that the issue has already been deliberated extensively in the previous meetings of the Board, wherein the Board has very clearly decided that the purchases/procurement of goods and services, etc. are not covered under the powers of the Board, as per the Act, and should be decided/approved by the competent authority. The Board, therefore, directed that the Committee already set up by the University be mandated to review the compositions, powers and functions of all the Standing Committees/Special Committees of the Board which were decided by the Board earlier at its 18th, 38th and 73rd, etc. meetings namely, the Establishment Committee, the Student Support Services Committee, the Works Committee and the Grievance Redressal Committee besides the Purchase Committee, setup from time to time covering, inter-alia, the aspects such as the Competent Authorities to approve the recommendations of the Standing/Special Committees of the Board as has been stressed by the Board at its several meetings in the past.

Similarly, in the matters such as the admission of staff to the GPF/CPF Schemes, counting of past services, etc. of the employees, which are governed under the specific G.O.I. orders/DOPT guidelines and Statute 23 of the University must be decided/implemented with the approval of the Vice-Chancellor. The Board further decided that the Composition of the Committee may also include an external BOM member, nominated by the Vice Chancellor and the recommendations of the Committee as per the modified terms of reference, as above be expedited and placed before the next Board.

BM 116.3.3 The Board decided to defer the decision in the matter.

ITEM NO. 4 TO CONSIDER NOMINATIONS OF MEMBERS OF THE FINANCE COMMITTEE UNDER CLAUSE (1)(IV) OF STATUTE 11 AND THE DISTANCE EDUCATION COUNCIL UNDER CLAUSE (3)(A)(VII) OF STATUTE 28 OF THE IGNOU ACT

BM 116.4.1 The Board considered the proposal. The Board nominated Prof. Mahendra P. Lama on the Finance Committee as a Member under Clause (1)(iv) of Statute 11A.

BM 116.4.2 With regard to the nominations of Members on the Distance Education Council under Clause (3)(a)(vii) of Statute 28, the Board decided to defer the matter.

ITEM NO. 5 TO CONSIDER AND APPROVE THE RECOMMENDATIONS OF THE MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE FOR GROUP-A POSITIONS HELD ON 15.11.2012

BM 116.5.1 The Minutes of the Department Promotion Committee were placed before the Board of Management for its consideration and approval. With the approval of the Chairman, the names of the eligible officials recommended by DPC for promotions were also read by the Member-Secretary. While going through the Minutes of DPC meeting some of the members sought certain clarification with regard to roster points of promotions, seniority lists, etc. The clarifications were given to the members. However, it was decided that a self-explanatory note be submitted giving salient features i.e. rule position, vacancies available, roster points on promotional posts, status of earlier DPC held for similar promotions, etc. along with these recommendations of the DPC meetings and placed before the next meeting of the Board for taking a holistic view before the BOM approves these Minutes/recommendations of the Department Promotion Committee. The Secretary suggested that due to administrative & operational reasons, the DPCs should be convened at regular intervals to draw panels which could be utilized for making promotions against the vacancies occurring during the course of a year. This enjoins upon the concerned authorities to initiate action to fill up the existing as well as anticipated vacancies well in advance of the expiry of the previous panel by collecting relevant documents like seniority list, ACRs, integrity certificates, etc. for placing before the DPCs.

BM116.5.2 After detailed discussion on the item, the Board directed that the meetings of the DPC be convened at regular intervals i.e. twice a year in the months of March/April & Sept./Oct. drawing a time schedule for the purpose, including list of panels of incumbents as suggested by the Secretary.

ITEM NO. 6 TO CONSIDER THE NOMINATIONS OF FIVE MEMBERS ON THE PLANNING BOARD OF THE UNIVERSITY UNDER CLAUSE (IV) OF STATUTE 10(1) OF THE IGNOU ACT

BM116.6.1 The Item was deferred.

ITEM NO.7 TO CONSIDER A DETAILED NOTE IN THE CASE OF PROF. KAPIL KUMAR, PROFESSOR OF HISTORY, SOSS

BM116.7.1 The Item was taken up for consideration. The Board was of the view that Prof. Kapil Kumar is a Teacher and not a technical person, with no technical qualifications about the digging, cables, etc. Even the labour engaged for the spadework, could not be faulted for the damages to the cables as there were no markings or indications on the surface to lead to underground route of the cables or its depth. Therefore, the damages to the underground cables, etc, were not attributable to Prof. Kapil Kumar who was handling the responsibilities of the Horticulture Unit, in addition to his own assignments in the School. The Board noted that the Committees, set up in the past (four) viz Prof. S.C. Garg & Prof. N.K. Ambast Committee, Sh. P.R. Dasgupta Committee; Prof. K.G. Sharma & Prof. S.N. Murthy Committee and Sh. Vikram Sahay Committee to enquire into the matter, from time to time, have also failed to do justice to the case. The Board was anguished to note that none of the Inquiry Committees except the Committee of Prof. S.C. Garg & Prof. N.K. Ambast had physically visited the site of excavations and had given their reports without proper physical study of the site.

The Board also noted that none of these committees have found Prof. Kapil Kumar responsible for damages to the underground cable system, nor have found any malafide intentions on the part of Prof. Kapil Kumar. In fact, the Vikram Sahay Committee in its report has categorically pointed out that no malafide intentions can be attributed to Prof. Kapil Kumar in this case.

The Board also noted the closure of the case by the Central Vigilance Commission at first stage in 2003.

As regards the charge sheet issued on 9.9.10 to Prof. Kapil Kumar under Rule 14 of CCS (CCA) Rule 1965, the Board noted that the charge sheet was issued without the approval of the Board, being the 'Appointing Authority' in respect of teachers which is in contravention of the provision under Statute 19(2) of IGNOU Act. The Board was of the view that action should have been taken in this matter under Section 10(3) of IGNOU Act which empowers the Vice-Chancellor to exercise the powers conferred on any authority of the University by or under this Act and to report to such authority the action taken by him on such matter.

BM116.7.2

After considering the above facts, circumstances and also taking cognizance of the explanations submitted by Prof. Kapil Kumar in response to the charge-sheet issued to him, the Board was of the firm opinion that there is no merit in the disciplinary proceedings initiated against Prof. Kapil Kumar, a Senior Teacher, who though, not technically equipped for the kind of responsibility, had shouldered the additional responsibility assigned to him. The Board was convinced that the case has been un-necessarily built up, which amounted to de-moralization & harassment of a senior teacher. The Board, therefore, decided to close the case against Prof. Kapil Kumar, finally, exonerating him of all the charges in the matter. The charge-sheet issued to Prof. Kapil Kumar in the matter stands withdrawn.

ITEM NO. 8

TO CONSIDER PART-1 OF THE REPORT OF THE COMMITTEE ON REVIEW OF MOUs

BM 116.8.1

The Item was taken up for consideration. The Secretary, Board of Management/Convenor of the MOUs Review Committee explained that as per the decision of the Board taken at its 113th Meeting, the Vice Chancellor had constituted a Committee for Review of MOUs etc. signed by the University. The Committee had seven meetings from July to November 2012, and the issues arising out of the terms of reference of the Committee were extensively discussed in these meetings. Since the number of MOUs was very large, the Committee could finalize only Part-1 of its Report.

The Registrar furnished the following account & status of the existing MOUs, etc. in the University:

- (i) As per records available with Registrar's office, there were 647 MOUs/MOAs/ MOCs signed by the University on date.
- (ii) On preliminary examination of aforesaid MOUs, the

- Committee found that most of MOUs signed before October, 2006 have lapsed.
- (iii) The Committee therefore examined the MOUs /MOCs etc. signed after October, 2006.
 - (iv) It was found that in all, 184 MOUs were signed before October, 2006 and 463 after October, 2006.
 - (v) Of the 463 MOUs, 90 related to agreements for bulk purchase, re-production rights, etc. which were out of the purview of the Committee.
 - (vi) The Committee short listed 373 MOUs/MOAs etc, for comprehensive review, (of which 60 have already expired and 9 stood terminated)
 - (vii) Out of the remaining 304 MOUs, 4 are under inquiry and 129 have been recommended for termination by the concerned schools.
 - (viii) Of remaining 171 MOUs, 52 have been recommended by the committee for review by the schools/centres/ units and 107 MOUs have been recommended for continuance with amendments.

BM 116.8.2

The Board while considering the recommendations of the MOU Review Committee noted as under:

- (i) The full facts/criteria on the basis of which the MOUs Review Committee recommended the MOUs for continuance need to be placed before the Board.
- (ii) The Chairpersons of these Review Committees to sit together and finalise the principles/criteria to ascertain the credentials of the organizations/institutions who are offering the programmes under Community Colleges Scheme, Convergence Scheme and face-to-face On-Campus programmes through collaborative arrangements.
- (iii) For the purpose, a Three-Member Committee to examine the criteria adopted by the MOU Review Committee. The Committee so constituted will interact with the Chairpersons of the Review Committees to inter-alia see if there is any overlapping and take corrective measures, if any. The Committee will submit its recommendations to the Vice-Chancellor/BOM for a final decision.
- (iv) Based on the decision of the Committee, a new policy will be evolved to safeguard the interest of the students, as desired by the Chairman.
- (v) The agenda running into several pages should have been circulated to the BOM members sufficiently in advance, to

enable the BOM Members to go through the findings since the issues are crucial in nature.

Dr. S.K. Mohapatra, Member BOM was of the view that all such Community Colleges offering IGNOU programmes which meet all the requisite IGNOU norms relating to registration, evaluation, etc. may be allowed to continue and the students who have completed such programmes may be issued the grade card/certificate, etc. The Board agreed to the suggestions.

BM 116.8.3 After the detailed deliberations that followed, the Board directed that in order to obviate various differences/overlapping of domain, etc. amongst the respective Review Committees and to take corrective remedial measures for smooth conduct of these Review Committees, the Vice Chancellor shall hold a Meeting with the Chairpersons of respective Review Committees immediately.

BM 116.8.4 The Board further authorized the Vice Chancellor to constitute a Committee consisting of Prof. Mahendra P. Lama, Prof. E. Vayunandan, Er. R.K. Gupta & one outside expert, if required, under the chairmanship of the Vice-Chancellor to examine all the recommendations/parameters of the MOU Review Committee and also the recommendations of the other Review Committees i.e. Community College Scheme, Convergence Scheme and the On-campus face-to-face programmes. The Board directed that the said Committee will also examine/evaluate each of the MOUs/recommendations/parameters, etc. suggested by the respective Committees. The Committee will submit its recommendations with full facts/requisite documents as annexures to the Vice Chancellor/BOM for a final decision.

ITEM NO. 9 **TO CONSIDER AND APPROVE THE DRAFT ANNUAL REPORT OF THE UNIVERSITY FOR THE YEAR 2011-2012, ALREADY CIRCULATED, IN TERMS OF THE PROVISIONS UNDER PARA 7 OF THE REGULATIONS FOR THE MEETINGS OF THE BOARD (FRAMED UNDER SECTION 27 OF THE IGNOU ACT).**

BM 116.9.1 The Board approved the Annual Report of the University for the year 2011-12 and authorized the University to submit the same to the Ministry for placing before both the Houses of Parliament, as required under Section 28, read with provision under Statute 25 of the IGNOU Act.

Before declaring closure of the proceedings of the 116th meeting of the Board, the Chairman requested the Secretary to open the envelop and present the recommendations of the Committee for re-employment of Prof. A. S. Narang who has recently superannuated from the services of the University.

The Board, however, decided that the matter of re-employment of retired teachers should not be tabled and decided as such. The Board, therefore, directed that the matter may be put up to the Board as an agenda item clearly mentioning therein the procedures followed/adopted and related facts/documents, etc, for its consideration. The Board further directed that all the cases for re-employment of teachers/academics shall be examined and processed by the Cadre Controlling Division i.e. ACD.

The following items in the Agenda placed before the Board could not be taken up due to paucity of time.

Item No.10	To consider the Report of the Community College Review Committee
Item No.11	To consider the Autonomy of Indian Sign Language Research and Training Centre (ISLRTC)
Item No.12	To consider the Status Report on Annual Accounts of the University for the Financial Year 2011-12.
Item No.13	To consider the recommendations of the Committee on Community College Scheme for Defence Personnel
Item No.14	To consider and confirm the recommendations of Student Services Committee made at its 29 th Meeting held on 22.11.2012
Item No.15	To consider the request of Prof. Salil Mishra, Professor of History for voluntary retirement

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

(Gopinath Pradhan)
Chairman