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MINUTES OF THE FIFTY-EIGHTH MEETING OF THE BOARD OF MANAGEMENT OF THE INDIRA GANDHI NATIONAL OPEN UNIVERSITY HELD ON SATURDAY, APRIL 4, 1998, AT 10.00 HOURS IN THE INDIA INTERNATIONAL CENTRE, MAX MULLER ROAD, NEW DELHI-110003.

The following were present:

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| 1. | Prof. R.G. Takwale, Vice-Chancellor | - | Chairman |
| 2. | Dr. S.K. Gandhe | | |
| 3. | Prof. Habibur Rehman | | |
| 4. | Shri J.P. Javali | | |
| 5. | Prof. Suhash Chakraborty | | |
| 6. | Prof. M.M. Pant | | |
| 7. | Dr. A.R. Khan | | |
| 8. | Dr. D.D. Kaushik | | |
| 9. | Prof. Afzal Mohammad | | |
| 10. | Prof. R.V.R. Chandrasekhar Rao | | |

Shri K.J.S. Prasada Rao, Registrar - Secretary

Shri P.R. Dasgupta, Education Secretary, Shri C.R. Kamalanathan, Secretary (I&B), Dr. (Ms.) Shakuntala Verma, Dr. A.C. Muthaiah and Shri Kiran Karnik could not attend the meeting.

Shri C.R. Pillai attended the meeting as Special Invitee.

Shri D. Deb, Assistant Registrar (Governance), was present to assist the Board.

At the outset, the Vice-Chancellor welcomed all the members and informed them that this would be his last meeting as he is demitting office on April 10, 1998. He thanked all the members for the co-operation and active support extended to him as Vice-Chancellor of the University.

The Vice-Chancellor informed the Board that Dr. S.K. Gandhe, Pro-Vice-Chancellor and a member of the Board would also be retiring on April 4, 1998. The Board placed on record its deep appreciation of the contributions made by him to the deliberations at the meetings of the Board as also of the services rendered by him to the University. The Vice-Chancellor, in particular, expressed his thanks to Dr. Gandhe for his unstinted support extended to him throughout.

In his introductory remarks, the Vice-Chancellor brought to the attention of the Board members two of his primary concerns, namely, a) denial of grants by the Ministry of HRD to the tune of Rs.4.5 crores in 1997-98 and appropriation of corresponding fee income to the Government revenue; and b) reduction of annual allocation from the initial outlay of Rs.28 crores for the year 1997-98 to Rs.22 Crores, and non-release of about Rs.11.31 crores during the financial year 1997-98 from the reduced outlay.

The Board took up the agenda for consideration.

ITEM NO.1 TO CONFIRM THE MINUTES OF THE 56TH MEETING OF THE BOARD OF MANAGEMENT HELD ON FEBRUARY 26 AND MARCH 8, 1998 AND THE EMERGENT MEETING (57TH) OF THE BOARD HELD ON MARCH 21, 1998 AND TO NOTE THE ACTION TAKEN THEREON.

BM 58.1.1 The Minutes of the 56th and 57th (Emergent) meetings of the Board of Management held on February 26/March 8, 1998 and March 21, 1998 were taken up for consideration.

BM 58.1.2 The comments of the Education Secretary, Dept. of Education, communicated vide letter No.F.5-27/98-Desk-U(A) dated 02.04.1998 (**Appendix-1**) were circulated to the members. His comments on Item No.1 of the Minutes of the 56th and 57th Meetings of the Board of Management relates to-

- i) the question of Outsourcing of Admission Test for Management Programmes;
- ii) Supply of legal opinion received by the University in the case of Prof. Rakesh Khurana; and
- iii) The matter concerning the stay on repatriation of Ms. Urmila Sharma to her parent Department.

BM 58.1.3 The following clarifications were given:

- i) On the question of outsourcing of entrance test for admission to Management Programme 1999, the University has initiated steps to obtain legal opinion on the interpretation of the provisions of the Ordinance;
- ii) As for making available the full text of the legal opinion, there were instances in the past when the confidentiality and secrecy of certain decisions/documents of Board of Management were not fully maintained. It was for that reason that the Vice-Chancellor circulated only those points which were relevant. He, however, emphasised the point that there was no question of holding back any information from the members of the Board and that any member who would like to peruse the report was welcome to do so and the Vice-Chancellor/ Registrar would be happy

to provide access to the report. He also stated that he would through a confidential letter, make the legal opinion available to the Education Secretary.

- iii) Concerning the Board's Resolution No.BM 57.1.2, on which another member had also sent his comments, the Board, after due consideration decided to reformulate the Resolution as below:

"BM 57.1.2 The Board of Managemnet taking all the issues involved into account, resolved as follows:

- i) The University should send a formal reply to the show cause notice issued by the Visitor.
- ii) The decision taken by the Vice-Chancellor under Section 10 (3) of the IGNOU Act on the reversion of services of Ms. Urmila Sharma, Finace Officer to her parent Department is ratified.
- iii) Respecting the preeminent position of the Visitor in relation to the University, the Board further resolved that the action for implementation of the above decision of the Board will be subject to the consideration and disposal of the Show-Cause Notice by the Visitor."

BM 58.1.4

The Board thereafter considered the comments received from another member which related to the exercise of powers by Adviser (Media) and the Chief Engineer and deleting the expression "raising similar points" in Resolution No.BM 56.19.2. The Board, after due consideration and deliberation, decided as follows:

- i) Since Director is a statutory officer of the University, while engaging senior personnel on contract outside the purview of the relevant statutory provisions, it would not be appropriate to specify that such persons would exercise the powers and perform the functions of a Director of the University.
- ii) In such appointments in the future, the functions to be performed and the powers to be exercised by the appointees, should be specifically defined as part of the contract so that there would be no ambiguity about

their roles and responsibilities.

- iii) In the case of Adviser (Media), the powers and functions should be specified, the statutory responsibilities of the Director, EMPC would be vested in the Pro-Vice-Chancellor/Vice-Chancellor.

BM 58.1.5 In the case of Chief Engineer, it was clarified that the position of Chief Engineer is not a statutory position, it was created primarily to liaise with the CPWD which is the executing agency for the Campus Construction Project and also to coordinate the construction work with various Divisions/Schools within the University. These roles and responsibilities were distinctly different from those of the Chief Project Officer whose major function is the maintenance of the University estate. The Chief Engineer has very limited financial powers, and all expenditure on construction was authorised by the PVC, VC or the Works Committee as the case may be depending upon the extent of expenditure. The Board accepted the clarifications and decided that the functions to be performed by the Chief Engineer should also be clearly specified.

BM 58.1.6 The Secretary drew attention to certain typographical errors in the Resolution No.BM 56.9.1. These errors concerning the date of lifting of probation were corrected as 30.04.1997 and 17.11.1997 in respect of Dr. S.P. Padhy and Dr. Kiran Bansal respectively.

BM 58.1.7 With the above observations/corrections the Minutes of the 56th Meeting of the Board of Management held on February 26/March08, 1998 and the Minutes of the Emergent (57th) Meeting held on March 21, 1998 were confirmed.

Before the Board took up the rest of the agenda for consideration, the Vice-Chancellor requested the members to go through a note prepared by him and circulated at the meeting (Appendix-2).

The Vice-Chancellor also circulated a note giving his recommendations on the appointment of Directors, Schools of Studies.

The Vice-Chancellor apprised the Board of Management of the background which led to the decision that he should share his anguish with the members. He said that he felt very much disturbed and concerned about the way in which comments of the

Education Secretary were received just before the meetings of the Board on various items of the agenda. He was categorical that the Act/Statutes empower the Board of Management to take action and/or to do things as they should be done. The manner in which the views of the Education Secretary are communicated by a Desk Officer, is an infringement of the privileges of the members of the Board and its Chairman. He was particularly distressed that through these comments, personal motives have been attributed causing considerable indignity and humiliation to the Vice-Chancellor and his office. The perceptions of the Department of Education about its role in the management of the University have no sanction of any provisions of the Act, Statutes and Ordinances of the University and will have adverse impact on the autonomy and the functioning of the University System.

The Vice-Chancellor was particularly very critical of the position taken by the Ministry in giving credence to a letter addressed to the Central Vigilance Commission reportedly by certain teachers of the University, which came along with the comments suggesting that in view of these complaints, appointments on the recommendations of the Selection Committees should not be considered. He informed the Board that the signatures on the complaints were, on verification with the concerned teachers, found to be forged. He expressed his anguish and dismay at these attempts of the Ministry and informed the Board that since his honesty and integrity have been questioned, he would not like the Board to transact any other business listed on the agenda.

One member suggested that the Vice-Chancellor should go ahead with the business on the Agenda as he continued to be the Vice-Chancellor and Chairman of the Board till he relinquished office on expiry of the term of office. It was argued by the members that the decision-making authority should not stop taking decisions because objections/comments were received on certain items. The members were unanimous in their view that the University should be able to function within the framework of the Act/Organisations and that no external authority should restrict that autonomy.

Eventually, the Board agreed with the Vice-Chancellor that all the items of the agenda (Item No.2 to 14) should now be considered at the next meeting of the Board.

Before the meeting concluded, Prof. Afzal Mohammad, Prof. R.V.R. Chandrashekara Rao, Dr. Kaushik and Dr. A.R. Khan recalled the initiatives taken by Prof. Takwale in giving a new direction to IGNOU's development, addition of new directions to the University's programmes, the restructuring of its organisation, decentralisation of operations and strengthening technology applications in all activities. They made specific mention of the qualities of leadership and dynamism provided by him to the IGNOU and the DEC in all the efforts that placed the Indian Open and Distance Education System in the global context.

The Board unanimously resolved to place on record its appreciation of Prof. R.G. Takwale's leadership, excellent performance and dynamic qualities.

The Vice-Chancellor, while thanking the Board members, acknowledged that their views/opinions were always his source of strength and inspiration. He enjoyed his tenure as Vice-Chancellor of this National Open University. In a world full of expectations, one has to go through periods of pain and happiness and whatever he had achieved was entirely due to the co-operation and support of many.

The Vice-Chancellor also placed on record his appreciation of the contributions made by Pro-Vice-Chancellors, Dr. S.K. Gandhe & Prof. Janardan Jha and Shri C.R. Pillai, Advisor to Vice-Chancellor on Planning & Development.

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

(R.G. TAKWALE)
Vice-Chancellor