

INDIAN INSTITUTE OF ADVANCED STUDY
RASHTRAPATI NIVAS, SHIMLA 171005

MINUTES OF THE MEETING OF THE 88TH MEETING OF THE GOVERNING BODY OF THE INDIAN INSTITUTE OF ADVANCED STUDY HELD AT INDIA INTERNATIONAL CENTRE, NEW DELHI, ON 3 APRIL 1996 AT 3.00 P.M.

Members Present

1. Professor S. Gopal (in the Chair)
2. Professor P.S. Bisen
3. Professor T.R. Natesan
4. Professor R.P. Kaushik
5. Shri P.R. Dasgupta
6. Shri S. Sathyamoorthy
7. Professor Mrinal Miri

Professor J.S. Bajaj, Professor A.S. Desai, Professor R.A. Mashelkar, Dr. Pradeep Khandwalla and Professor D.C. Tiwari could not attend the meeting.

Before taking up the agenda, the Director apprised the Governing Body of the situation arising out of the latest Supreme Court order in the Public Interest Litigation (No. 862/90) concerning Rashtrapati Nivas filed by Shri Rajiv Mankotia against the Secretary to the President of India and others. The Director pointed out that in the latest hearing of the case, a reference was made by the Additional Solicitor General, advocate for the respondents, to the Institute's Writ Petition against the CPWD and others before the High Court of Himachal Pradesh, and that this reference was extremely misleading. The Director, therefore, made the request to the Governing Body that the Institute be allowed to intervene in the Public Interest Litigation before the Supreme Court of India so as to place on record, in clear terms, the actual facts concerning the Institute's Writ Petition in the High Court of Himachal Pradesh at Shimla. In view of the importance that the Institute attached to its position in the Shimla case, the Director's view was that an intervention in the Supreme Court proceedings was obligatory for the Institute.

Shri P.R. Dasgupta, Secretary (Education) and Member, Governing Body of the Institute, was, however, of the opinion that a legal intervention by the Institute in the Supreme Court case might not be the wisest course of action for the Institute. Shri Dasgupta also assured the Governing Body that any future plan for constructional activity on the Rashtrapati Nivas estate would be preceded by consultation with Indian Institute of Advanced Study, the Ministry of Human Resource Development and environmental experts. Shri Dasgupta informed the Governing Body that a mechanism would be created to ensure that in future construction on the Rashtrapati Nivas estate would be in the strictest conformity to the norms set up for such construction by the Government, both at the centre and state level.

In view of Shri Dasgupta's observations and assurances given by him, the Governing Body decided that the Institute need not, at this stage, enter into a legal dispute with the Government in the Supreme Court of India.

The Director also informed the Governing Body that in pursuance of the order of the High Court of Himachal Pradesh on the Institute's Writ Petition against the CPWD and others, efforts are on to reach a negotiated resolution of the dispute.

The Governing Body then took up the agenda for discussion.

Item No. 1 : To confirm the minutes of the 87th meeting of the Governing Body held on 28 December 1995.

The minutes were confirmed.

Item No. 2 : To note and consider the action taken on the minutes of the 87th meeting of the Governing Body held on 28 December 1995.

The report on the action was noted. The representatives of the Government assured the Governing Body that the matter relating to the consultancy fee payable to INTACH would be resolved speedily, so that the work on restoration could be resumed without further delay.

Item No. 3 : To consider the grant of extension of the term of Fellowship of Dr. K.C. Rauta, Fellow.

Dr. K.C. Rauta's term of Fellowship was extended till 31 March 1997.

The Governing Body also decided that Dr. Kumkum Yadav, whose term of Fellowship at the Institute ended on 31 March 1996 and who has also applied for an extension of her term of Fellowship for a further period of one year, may be allowed to continue as Fellow from 1 April 1996 until such time as the Chairman, Governing Body of the Institute, takes a decision on her request on the basis of the evaluation report on Dr. Yadav's work which is awaited.

Item No. 4 : To consider the request of Dr. Ramesh Chandra Shah to allow him to join his Fellowship in 1997.

The Governing Body did not agree to the request of Dr. Ramesh Chandra Shah, but suggested that Dr. Shah may be requested to make a fresh application for a Fellowship at a time when he would be free to join the Institute. The Governing Body was also of the view that if and when Dr. Shah did make a fresh application, his case should be considered with sympathy.

Item No. 5 : To consider the request of Dr. Som Raj Gupta to allow him to join his Fellowship in 1998.

The Governing Body did not agree to the request of Dr. Som Raj

Gupta, and suggested that Dr. Gupta might be asked to apply afresh at the end of his tenure as Nehru Fellow.

Item No. 6 : To consider the request of Professor G.C. Gupta, formerly Professor of University of Delhi to invite him as Visiting Fellow at the Institute.

The Governing Body could not agree to Professor G.C. Gupta's request in view of the fact that the Institute did not have a scheme of Visiting Fellowship. The Director was, however, asked to ascertain what the terms and conditions were of the UGC sponsored project which Professor Gupta is directing, and also to explore the possibility of introducing a scheme of Visiting Fellowships in the Institute's academic programme.

Item No. 7 : To consider proposals for holding Seminars.

In view of the fact that several proposals for Seminars for 1996 have already been approved by the Governing Body, it was decided that no more fresh proposals for Seminars could be considered for the current academic year.

Item No. 8 : To consider amendment to Bye-Laws as suggested in the letter No. 7(14)-E.Coord./94, dated 15 April 1994 issued by the Ministry of Finance (Department of Expenditure), Government of India, in connection with creation of posts at the Institute.

The Governing Body approved the inclusion of the following Bye-Law in the Bye-Laws contained in the Memorandum of Association and Rules & Regulations and Bye-Laws of the Institute:

Bye-Law No. 37

- (i) "Posts equivalent to Group 'A' may be created by the Governing Body with the approval of the Secretary (Expenditure) through the Financial Adviser of the Ministry of Human Resource Development".
- (ii) Posts equivalent to Group 'B', 'C' and 'D' may be created by the Governing Body with the approval of the Secretary, Department of Education, in consultation with the Financial Adviser, Ministry of Human Resource Development provided that provisions contained in the Schedule of Powers of the Director remain as they are".

Item No. 9 : To consider the writing off of the irregular payment of cash equivalent of leave to Professor B.B. Lal, former Director and Fellow of the Institute, amounting to Rs. 23,353.50, as pointed out in audit note for the year 1984-85.

The Governing Body decided that the case be referred to the Ministry of Human Resource Development for taking it up with the Ministry of Finance.

Item No. 10: To consider the proposal for giving recognition to IIAS Employees Association.

The Governing Body approved the proposal for giving recognition to "IIAS Employees Association".

Item No. 11: To consider the regularisation of Fellowship Grant in respect of Mr. Jyotirmaya Sharma, Fellow of the Institute.

The Governing Body approved the fixation of Fellowship Grant to Shri Jyotirmaya Sharma as proposed.

It was further pointed out that in the Schedule of Powers (as proposed to be amended), the Director will have full powers in respect of fixation of Fellowship Grant to Fellows of the Institute.

Item No. 12: To consider the amendments to the Schedule of Powers of the Director/Secretary and Librarian at the Institute.

The Governing Body approved the proposed amendments to the administrative powers of the Director/Secretary and Librarian mentioned in the proposed Schedule of Powers. In respect of the proposed amendments/enhancements of the financial powers, the Governing Body decided that the proposals should first be considered by the Finance Committee of the Institute.

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

Mrinal Miri
(Mrinal Miri)
6.4.1996

S. Gopal
(S. Gopal) 2/4/96