

1. I was appointed a member of the University Grants Commission on July 27, 2011 for a period of three years and have been functioning in that capacity since then. This is a non-executive honorary position that carries no salary or perks. I have never accepted the routine honorarium/sitting fee of Rs. 2000 per meeting that a Member is entitled to.
2. In my capacity as a citizen, I joined the anti – corruption movement demanding a Jan Lokpal and was one of the signatories to the appeal for the formation of a new political party. The new party, the Aam Aadami Party was announced on 2nd of October 2012 and was launched on 26th of November 2012. I was one of the founding members and serve on its National Executive. As in the case of University teachers, my service conditions do not bar me from active participation in democratic politics.
3. In the first week of October 2012, as soon as the new party was announced, I contacted the then Minister of HRD, Mr. Kapil Sibal through his PS Mr. Uma Shankar, IAS to inform him that I was resigning from all the advisory bodies of the GOI of which I was a member. Since the UGC is an autonomous, statutory body created by an Act of the parliament, I checked with him if my membership of the then proposed Party violates any rules or conventions of a Member of the UGC. I offered to step down, if the Minister thought so. Mr. Uma Shankar sought a day's time and reverted the next day, clarifying that the Minister has no objection to my continuation in the UGC since this government respects the autonomy of statutory bodies. In fact he cited the example of National Advisory Council where some of the members took part in political protest against the government. I discussed this response with the Chairman UGC and the Secretary(HE) and decided to continue my work at the UGC. My membership of Aam Aadmi Party was widely known and referred to in the Commission meeting, including in the meeting attended by the new Minister fro HRD, Mr. Pallam Raju. Meanwhile, in an email dated 30 October 2012 (Appendix), I informed the MHRD about my political involvement and tendered my resignation from other advisory bodies of the Ministry.
4. The trouble began when I requested that the introduction of the Four Year Undergraduate Program at University of Delhi be placed for consideration at the 493rd meeting of the Commission held on May 10th 2013

(Annexure...). I was away to the US at that time. The matter was not taken up despite my formal request. This also coincided with my objection to the manner in which the recommendations of the Commission's sub-committee were sidestepped in the notification on the API scores for the appointment of teachers. In this meeting a number of far-reaching decisions (like closing down Centres for Social Inclusion and Exclusion) were also rushed through without due deliberation or following standard procedures. Strangely, the draft minutes of this meeting were not marked to me, deviating from the standard practice.

5. When I came to know of the decisions of this meeting through the UGC's website I registered my objection to serious procedural irregularities and substantive errors concerning the following : (Annexure)
 - a. Non consideration of request for inclusion of DU's FYUP in the agenda
 - b. Post-facto dilution of the minimum requirements for twinning arrangements with foreign institutions
 - c. Non-recording of my dissent on the notification about API scores
 - d. Discontinuation of schemes like Centre for the Study Of Social Inclusion and Exclusion

6. The matters came to a head when I requested these matters to be taken up in the next Commission meeting held on 30th of July 2013. I also raised some additional matters including the progress of FYUP in that meeting. (Annexure...). In this meeting the Chairman brought up an unusual proposal, drafted in unseemly haste, to set up an Inter-University Centre (IUC) on Teacher Education at JN Technical University, Kakinada. I objected to the proposal both on procedural and substantive terms and said that I would record my dissent if the proposal were to be pushed through. Eventually the item was deferred.

7. The minutes of this meeting were heavily doctored, including on the item related to the IUC. I strongly objected to the minutes and demanded complete redrafting of the minutes (Annexure). Two other honorable members of the commission endorsed this request. Yet these disputed minutes were placed on the Commission's website even before the deadline for comments on draft minutes was over. I sent revised minutes well in time and requested that no action be taken on those items where the minutes were disputed. I requested an emergency meeting of the commission to resolve this extraordinary impasse. The chairman acceded

to holding a meeting but requested for some time in view of his proposed visit abroad. However no date was fixed for the meeting. In the meanwhile the commission issued orders on some of the disputed matters. I again objected to this and requested an early meeting.

8. Instead of a response from the UGC to my repeated request for correcting gross irregularities, I suddenly got a letter yesterday evening from the ministry asking me why I should not be retired from the Commission with immediate effect. The letter says that my credentials and antecedents have altered since my appointment because I have joined a political party. It also says that my continuation in the UGC has created a situation of conflict of interest. The letter asks me to respond within seven days.
9. The UGC Act 1956 specifies a tenure of three years for a member “ unless he sooner becomes disqualified for continuing as such”. The University Grants Commission (Disqualification, Retirement and Conditions of Service) Rule, 1992 provide for the following grounds of disqualification:

"(a) if he becomes of unsound mind and stands so declared by a competent court; or

(b) if he is an undischarged insolvent.

If any member is, without permission of the Commission, absent from any four consecutive meetings of the Commission, he shall cease to be the Member of the Commission". There is no mention of participation in political activity or a political party as a ground for disqualification. Service conditions of a Government Servant apply to the Chairman and Vice-Chairman who are full time employees, but not to members.

10. As for Conflict of Interest, the UGC has adopted a formal Policy on Conflict of Interest and Code of Conduct for the Members of the Commission. This policy does not mention political activity as a potential conflict of interest.

Table of Contents

Annexure - I

From: Yogendra Yadav <yogendra.yadav@gmail.com>
Date: Tue, 30 Oct 2012 10:45:26 +0530
X-Google-Sender-Auth: 6cMuovl-1_KI52MtUL0kOO4Q_kY
Message-ID:
<CABBv1ByrB2z7XtJFa2Fhb44AfKjX+X9PJ3DWE3+CgW9fxBsP4Q@mail.gmail.com>
Subject: Re: Meeting of the Committee for Research in Elementary Education (CREE).
To: EE17 SSA <ssaee17@gmail.com>
Cc: khan.farida@gmail.com, jimtharu@rediffmail.com, sardab@csds.in,
erudelhi@gmail.com, dsankar@worldbank.org, psarangapani@hotmail.com,
sdesai@ncaer.org, anuradhed@gmail.com, amitadhanda@gmail.com,
"maninder.edu" <maninder.edu@nic.in>
Content-Type: multipart/alternative; boundary=f46d0407144ba0ef7a04cd3fe088

Dear Shri Tiwari,

A few weeks ago, I had communicated to the Ministry that I would like to step down from all the advisory Committees of the government, given my current political involvement in the anti-corruption movement. This applies to the CREE as well.

Could you treat this as my letter of resignation from the Committee for Research in Elementary Education. I am separately sending my resignation from the National Advisory Council for Right to Education.

I deeply regret losing this opportunity to work with this wonderful group of academics. Wishing the Committee all the best and my apologies,

Yours

Yogendra Yadav,

*Senior Fellow, Centre for the Study of Developing Societies, 29 Rajpur Road, Delhi 110054 India

Office Phone: 23981012 (telefax Lokniti, CSDS), 23942199 (PBX, CSDS)*

On 26 October 2012 21:49, EE17 SSA <ssaee17@gmail.com> wrote:

To,

*As per list below:- *

1. Prof. Yogendra Yadav, CSDS, New Delhi, Ph-
2. Prof. Farida Khan, JMI, ND, Ph- 9868946414.
3. Prof. Jacob Tharu (Retd.), CIEFL, Hyderabad, Ph- 09391042313
4. Prof. Sarada Balagopal, CSDS, Delhi, Ph- 9811097039,
5. Ms. Vimala Ramachandran, National Fellow, NUEPA,
6. Dr. Hridakant Dewan, Vidya Bhawan , Udaipur, Ph- 0294-2451815
7. Dr. Anuradha De, CORD, New Delhi,
8. Sonalde Desai, University of Marland, NCAER, Delhi,
9. Ms. Deepa Sankar, World Bank, New Delhi, Ph- 9811439287
10. Dr. Padma Sarangapani, TISS, Mumbai, Ph- 09740010510,
11. Prof. Amita Dhanda, NALSAR

Subject:- Meeting of the Committee for Research in Elementary Education (CREE).

Dear Sir/ Madam,

I am directed to inform you that the meeting of the *Committee for Research in Elementary Education (CREE)* will be held on 30th October, 2012 at 3.30 PM in the Conference Room No. 112-C at Shastri Bhawan, New Delhi.

With regards,

*(A.K. Tewari)

ANNEXURE 2: EMAIL TO UGC SECRETARY WITH COPY TO ALL MEMBERS

Yogendra Yadav <yogendra.yadav@gmail.com>

29 Apr

to Ved, Dr, meenug11, seh, M, sheriffofmumbai, virander, secy.dhe, bcc: Krishna, bcc: Satish

Daar Akhilesh ji,

I am writing to request that the Delhi University's proposed Four Year Undergraduate Programme should be placed on the agenda of the Commission's forthcoming meeting on the 10th of May. Normally, a change in course and syllabi in a university need not be discussed by the Commission. But there are two aspects in this case that merit the Commission's urgent attention:

1. From the news reports it appears that the FYUP will be an integrated programme with a single curriculum but with three different degree options and "exit points": an Associate Baccalaureate in two years, a Baccalaureate in three years and a Baccalaureate with Honours in four years. Do these new degrees, especially the Associate Baccalaureate figure on the UGC's list of approved degree? If not, has the DU made a request for its approval?
2. This is a major initiative in India's higher education and is being seen and presented as a model for the rest of the universities. This has also been questioned and debated in the public domain. (I attach a very perceptive editorial in the EPW, the country's leading social science journal on this subjcet) If so, it is important for the Commission to discuss it and arrive at a policy view that can inform decision by other universities.

Given the urgency of the matter, I do hope that the Commission will find time to discuss in on the 10th.

YOurs,

Yogendra Yadav,

Senior Fellow, Centre for the Study of Developing Societies, 29 Rajpur Road, Delhi 110054 India

Office Phone: 23981012 (telefax Lokniti, CSDS), 23942199 (PBX, CSDS)

ANNEXURE 3: LETTER TO CHAIRMAN UGC AND MEMBERS

Yogendra Yadav <yogendra.yadav@gmail.com>

10 Jun

to Ved, Dr, cm, Secretary, reddydn, achyuta, Dean, Ansari, meenug11, principal, dhe, seh, sheriff ofmumbai, virander, duggal

Dear Professor Ved Prakash,

I should have normally written this mail to the Secretary and not bothered you, but the nature of the disquiet I record here forces me to write to you and share this will all the colleagues on the Commission. As you know I am in the US these days and had sent my detailed inputs for the 493rd meeting that I could not attend (the first time I missed a meeting in the last two years). I was therefore keenly awaiting the minutes of the meeting. I did not receive the minutes that I usually get by email. I thought there was some procedural delay, till I noticed some reports about the decisions in the media and discovered today that the minutes are very much on the website. I am surprised and unable to understand if there is a special reason why the minutes were not shared with me.

But this letter is not to complain about this procedural lapse. The main reason is to record my sense of disappointment at what I read in the minutes. I wish to place on record my thanks to you for placing my note (that contained my point by point inputs for the agenda for the day, attached here again) on the table. The minutes duly record this fact, but I am surprised to see that the content of the note are nowhere reflected in the discussion or the minutes. Please allow me to draw your attention to the following:

1. NON CONSIDERATION OF REQUEST FOR INCLUSION OF DU's FYUP IN THE AGENDA: I had sent a written request to the Secretary (with a copy to you) on 29th April, with a reminder on 10th May itself, requesting the Commission to consider the DU's proposed Four Year Undergraduate Programme in its meeting. I am surprised to see that there is no mention of this in the minutes. Was my request not placed before the Commission? (if so, is it appropriate?) Did the Commission decide not to accede to it? (If so, should this not be recorded in the minutes?) Or did the Commission discuss this matter informally and decide that it was beyond the Commission's powers? (if so, should this not be recorded? And if so, how can the

Commission now decide to intervene in this matter by appointing a committee as reported in the press?)

2. POST-FACTO DILUTION OF THE MINIMUM REQUIREMENTS FOR TWINNING ARRANGEMENTS WITH FOREIGN INSTITUTIONS: I notice that the minutes of the previous meeting (492nd) have been amended on item 2.05. This pertains to the keenly debated provision about allowing twinning arrangement with foreign universities. You would recall that in the 492nd meeting I had strongly objected to the dilution of our originally agreed position of permitting twinning only among the top 500 foreign institutions with our A rated institutions. But the Commission agreed to dilute the requirement to "highest grade" for foreign institution and this is how it was recorded in the minutes. But there was no discussion, or even a proposal, for diluting the requirement for Indian institution. Now I discover that the minutes of the 492nd meeting have been amended to allow all institution with a grade "not less than B or its equivalent in respect of institutional accreditation or a threshold level of accreditation in respect of program accreditation, as the case may be". Allow me to point out that the minutes cannot be amended to insert something that was not even discussed in the meeting. Besides, this current amendment, if accepted, would open this provision to misuse by precisely the kind of institutions that this Regulation was meant to prevent. I may also point out that the parliament has been very concerned about the possibility of back door entry of foreign institutions.

3. NON RECORDING OF MY DISSENT ON THE NOTIFICATION ABOUT API SCORES: In my note, I had recorded my strongest objection to the manner in which the amendments were notified to the UGC Regulations (Minimum Qualifications for Appointment of Teachers, Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standard in Higher Education), 2010. I had objected to item 1.01(b) of Action Taken Report on the ground that the "decision taken by the Commission was (not) implemented in letter and spirit". I had pointed out (and provided documentary evidence) that the decisions of the sub-committee that was meant to finalise the amendments were not minuted properly and appear to have been modified subsequently without any due process. I had drawn attention to how regressive these amendments were and had requested that the amendments be reviewed. More importantly, I had requested that if my views were not agreed to by the majority within the Commission, then my "dissent should be formally recorded". You would understand my disappointment when I read that the Action Taken Report was "noted" and that the notification was post-facto approved (item 1.02(b)) without any mention of my dissent.

4. DISCONTINUATION OF SCHEMES LIKE CENTRE FOR THE STUDY OF SOCIAL INCLUSION AND EXCLUSION: In my note, I had raised procedural and substantive objections to the manner in which many schemes were sought to be discontinued in the 12th Plan. I had requested that such a decision must not be taken without a careful, evidence based review of these schemes and had suggested a special meeting of the Commission to carry out such a review. In particular, I had registered my disagreement with the

discontinuation of CSSIE (Centre for the Study of Social Inclusion and Exclusion) scheme. The institution of CSSIE was a significant and much delayed recognition of the need to study the condition and concerns of socially excluded groups like the SC/ST/OBC/Minorities. The minutes simply record that the proposal was "approved". I can only infer that my point of view did not find favour with other colleagues. I do not know if I would be allowed to record my dissent here, but I find it difficult to associate myself with such a major and regressive decision taken apparently without much deliberation.

5. TRANSFER POLICY FOR UGC STAFF: I am unable to comment on this part of the minutes for these have been recorded separately i.e confidentially. I wait to have a copy of the minutes to be able to comment on this.

Sir, I feel very sad about putting all this on record. In the last two years or so that I have served in the Commission, all of us have maintained an exception degree of collegiality, trust and civility. Working with a group of first rate, broad minded and publicly spirited academics on the Commission has been a privilege and a delight for me. You (along with the previous and the current Secretary Higher Education) have been most accommodating and tolerant of criticism. This is why the development leading up to and following the 493rd meeting (held on 10 June) have been such a big disappointment for me. Ordinarily, I would have kept quiet in the spirit of collective functioning. But the significance of these decisions and the manner of arriving at these forces me to write to you and all the colleagues on the Commission.

Just one final point. Several colleagues and I have often underlined the need for the Commission to retain its autonomy vis-a-vis the Government in general and the MHRD in particular. It is with concern that I read the recent announcement in the media about the decision by the MHRD to grant autonomy to some named colleges. I have nothing against the decision, but I thought this was for the UGC to decide. (Forgive me if the media reports are inaccurate or if I have missed some decision in the Commission). I know that many colleagues on the Commission share this concern about the erosion of the Commission's autonomy and would like an open discussion about this.

Thanks for reading this long missive. Operationally, then, may I request you to:

1. Instruct the office to send me a copy of the full minutes of the 493rd meeting.
2. Modify the minutes on point 1.02(b) to record my dissent.
3. Revisit the recording of minutes of item 2.05 of the 492nd meeting and record the decision as was taken in the meeting.
4. Permit a discussion in the next meeting procedural norms about how a member's request for considering an agenda item should be treated.
5. Place on the Agenda of the next meeting a discussion on the larger question of relationship between the UGC and the MHRD and ways to protect the autonomy of the UGC.

I am sure you would respond to this request in the graceful manner in which you have always conducted the affairs within the Commission. I am grateful to you for accepting my request for holding the next meeting after July 1st so as to give me a chance to participate. I look forward to discussing these matters in the meeting of the Commission in the spirit of free, frank and public spirited deliberations that have characterized our meetings.

Thanking you again,

Yours sincerely,

Yogendra Yadav,
Senior Fellow, Centre for the Study of Developing Societies, 29 Rajpur
Road, Delhi 110054 India
Office Phone: 23981012 (telefax Lokniti, CSDS), 23942199 (PBX, CSDS)

COPY TO NOTE ATTACHED WITH THIS EMAIL
YOGENDRA YADAV'S COMMENTS ON THE AGENDA ITEMS FOR THE 493RD
MEETING

1.01(a) I feel that the quality of minutes this time leaves a lot to be desired. I have sent my specific comments in a separate doc. But I would urge the Commission to find a mechanism so that the operative points are recorded carefully in the meeting itself and we do not have similar problem again.

1.01(b) On page 19, point 2.08 I do not think the decision taken by the Commission was duly implemented in letter or in spirit. The Chairman was authorized to finalize the matter in the light of the sub-committee's recommendations. This is not what appears to have happened. The Chairman invited the JS of HRD, who was not a member of the sub-committee, to the meeting held on 18th of March. After long and intense discussion it was decided that Prof Chauhan/Hasnain and I would amend Tables I, II and III of the new regulation in the light of our oral agreement in the meeting. Prof hasnain sent the inputs on 19th. I worked through the night to send the inputs by the 20th. The Secretary asked for one minor clarification on March 20 and wrote on 25th to all members saying that he now presumes that everyone agrees with the drafts sent by me and Prof Hasnain. Prof Hasnain sent a clarification on the 25th. On 30th march Prof Gopinath wrote to the Chairman (with a copy to all of us) requesting that "we get a final document from you with the necessary changes incorporated **before** the chairman issues the notification".

Suddenly we got a mail on April 4th from the Secretary with "draft amendments to the regulations". This draft did not take any of our inputs (which were presumed to be acceptable to everyone on the sub-committee). As soon as I noticed this mail after settling down here in US, I duly registered my objections (email of 14th April with copies to members) and requested for a review before the notification is made. On 17th April Professor Hasnain also wrote to the Chairman with a "request not to finalize the decision on the API till we have had a chance to reject or incorporate suggestions". There was no response to any of these messages from the Chairman or the Secretary (which I very unusual, I must add). Now I am told that the Regulations have been framed and this is for my information.

I have narrated this entire story to say why I am very disappointed with this procedure. Therefore I would like to know the following:

- When exactly was the decision taken to notify the Amendment? Were the pleas of the members of the sub-committee to not notify the Amendments taken into account?
- What was the final decision of the sub-committee of which I was a member? Where are the minutes?

- If there are no minutes, then who decided to over-rule the sub-committee members consensus?
- At what stage was the Ministry consulted on this matter? What was their input? (or was this discussion all informal?)

Therefore I am of the opinion that the decision reported at 1.02(b) (i) is in violation of the spirit of the Commission's decision 2.08 at its 492nd meeting. If the Amendment has not been formally notified, they should be reviewed immediately. If it has already notified, a committee to review it should be constituted in this meeting. If this is not agreed upon, **I would request that my dissent should be formally recorded.** (My remarks above should serve as a Note of Dissent)

1.02(a) (i) OK

1.02(a) (ii) OK

1.02(a) (iii) OK

1.02(a) (iv) I have no opinion

1.02(a) (v) OK

1.02(b) (i) I have already commented on the procedural impropriety of this decision. Let me mention a substantive concern here. The amendment to 6.0.2 says "While adopting this, universities shall not change any of the categories or scores of the API given in Appendix-III." This is not what the sub-committee of the Commission had decided. This wording takes away the whole spirit of this clause. In fact this is worse than the existing provision which grants some autonomy to the institutions in adopting the API scores. The formulation arrived at by the sub-committee was the following: "An indicative PBAS template proforma for direct recruitment and for Career Advancement Schemes (CAS) based on API based PBAS (As in Appendix III) shall also be sent separately by the UGC to the Universities. The universities may adopt the template proforma or may devise their own self-assessment cum performance appraisal forms for teachers. While adopting this, universities shall not change the three broad categories of the API given in Appendix-III, raise the maximum score for each category or lower the minimum required score prescribed therein. The universities may adopt, adapt or modify the sub-categories proposed in Model tables of Appendix III, change the scores and the scoring pattern or requirements. A university will be free to formulate a common API for the university as a whole or formulate differential versions for different institutions, faculties or departments within the university. The universities can, if they wish so, increase the minimum required score or devise appropriate additional criteria for screening of candidates at any level of recruitment.

The sub-committee also agreed to insert 6.0.3 as follows: "The API scores as per Appendix III will be applicable only for screening candidates to be called for interview and shall have no bearing on the interview and the final recommendations of the selection committee." This is also missing from the final draft.

Tables I and II are about points for teaching and extra-curricular activities of the teachers. The sub-committee agreed that we need to include the entire range of teaching and teaching related activities in this and make this as non-subjective as possible. I had accordingly revised the entire table in the light of the committee's

view. This appears to have been completely overlooked. In the case of Table III, Prof Hasnain and Chauhan were to give the caps for each category and I was to give suggestions about how to avoid ISSN number based recognition which has spawned an industry and to make the system relevant for social sciences and publications in Indian languages. Again none of the suggestions find any reference. My point is not that my suggestions were not accepted. My concern is that at the end of two committees and a long and much awaited debate on API, the UGC would appear not to have learnt anything at all.

1.02(b) (ii): OK

Volume 2

2.01: Yes

2.02: I have a procedural and the substantive problem with this. Procedurally, the decision to continue or discontinue schemes is a vital decision, one of the reasons why we are there in the UGC. Such a decision (I call this decision, for this is what the minutes claim) must not be taken in a meeting with Bureau heads. It calls for a careful review of these schemes based on detailed report filed by Bureaus and not a summary trial. Also, the Commission has appointed several committees pertaining to many of these schemes like Awards, Fellowships, Area Studies, CPE etc. We must not take a decision without consulting these committees. Substantively, I am not in favour of discontinuing schemes like CSSIE and would like to discontinue many other schemes. **May I suggest that a full meeting of the Commission be called for this purpose or a sub-committee of the Commission be asked to go into this matter and make a proposal to the commission based on a detailed assessment.**

2.03 This is a very major decision and should be taken after more deliberation.

Ideally, if we can hold a special meeting for 2.02, then it should be deliberated upon in the same meeting. But I have the following remarks:

- a) The allocation for state universities is very disappointing (less than a quarter of our money will go for universities and colleges that serve 90% students). They have got a bad deal so far and the whole point of the 12th plan was to do more justice to the state universities. RUSA will partly attend to that. But we must try to correct the situation and the allocation for state universities and colleges must be enhanced by at least 25% with a minimum of 10 crores for each state university. We can do so by:
 - i) shifting all the grants to the colleges of Delhi University to the budget head of "Central Universities" which is where they belong
 - ii) all the funds that central universities get from UGC schemes should also be shifted to support for Central Universities
 - iii) we can economize on some UGC schemes.
- b) The principle of minimum of 10 crores should be applied to all the 26 (19+7) universities which have been brought under 12B in XI or XII plan.
- c) Similar 25 % increase should be made for all regional offices for their allocation to colleges
- d) UGC schemes should be carefully reviewed and rationalized so as to reduce some expenses and to allow for some new schemes

- e) Some money needs to be earmarked for new fellowships and earn and learn schemes which the Commission has given in principle approval in its Shimla meeting
- f) We have no option except to give old central universities whatever they got in XI plan. But we must not make ANY exception to this formula without giving a fair chance to other central universities. The special allocation made to Delhi University, UCMS and AMU and BHU opens to to charge of favouring them. If they have special reasons, everyone else must be given a chance to present their special needs.
- g) If the government makes declarations about opening new campuses etc, then surely they must provide additional funds. That cannot be a good reason for us to make big allocations while we have no funds for other very valid claims.

2.04 The direction suggested is fine, but we need to work it out in detail. The present formulation is not adequate. Which of the AICTE guidelines should we adopt? Do we have the jurisdiction to instruct universities not to affiliate new colleges? In the meanwhile, can we take a decision that the UGC will “act on advise from AICTE” in matters involving affiliation of technical colleges.

4.01 IUC on Teacher education is a good idea. I am sure it has been worked out well, but I don't have the appendices to be able to comment on this. I have some questions:

- a) How was this decision taken? The agenda papers give an impression as if the MHRD took the decision and simply conveyed it to the UGC. I hope I am wrong.
- b) Did the UGC get some committee to verify the idea and check the budget etc?
- c) How was the decision about the location at JNUTU taken? Were alternatives considered?
- d) Should we revisit the idea of IUC and think about giving existing institutions the status of IUC. The Committee under Prof Chauhan has been thinking about it

If all this deliberation has not taken place, I suggest that we set up a committee to take this decision early. I may also suggest that MHRD should not be able to give us deadlines to set up IUC.

4.02 Yes

5.01 Yes

5.02 Yes, but the quality of report leaves something to be desired (reads like an advertisement for the university)

5.03 yes

5.04 We must impose strong penalty which we are entitled to under the Deemed University regulation. MAHE escaped penalty by taking temporary stay from the court but now that the final judgment has upheld our position, we are bound to take action. Our earlier concession to MAHE has already earned us bad press and we must not give an impression that any institution is above law. I would suggest that we re-impose the penalty that the ICMR had originally imposed, namely that they should not be allowed any NRI seats for three sessions beginning with the current one. [PRO ANSARI HAD MENTIONED A VERY SENSITIVE MATTER REGARDING

MAHE WHICH I HAD BROUGHT TO THE ATTENTION OF THE CHAIRMAN AND MR THAKUR. THAT MAY BE ALSO BE DISCUSSED]

5.05 yes

5.06 yes

5.07 yes

5.08 yes, but the report leaves something to be desired.

5.09 yes

6.01(i) Cant say, for I don't have the appendix, but this was needed

6.01(ii) Yes

6.01(iii) Yes, if Ms Duggal agrees

6.01(iv) Yes, but there should be a clear Transfer Policy before any officer is transferred.

6.01(vi) Diamond Jubilee at 60? Did we say we have no money?

6.01(vi) Yes, but the transition should be overseen by a committee and should not be left to some consultants and a bureau.

ANNEXURE 4: EMAIL TO UGC CHAIMAN REQUESTING CERTAIN ITEMS TO BE PLACED ON THE AGENDA OF 49TH MEETING

Yogendra Yadav <yogendra.yadav@gmail.com>

31 Jul

to Meeting, rpsisodia.edu, achyuta, Daggula, Dean, Ansari, meenug11, principal, dhe, seh, sheriff ofmumbai, virander

Dear Professor Ved Prakash,

This is to seek your permission to raise the following matters under "any other matter" in today's meeting:

1. The FYUP in Delhi University:
 - a) Constitution of the Committee by the UGC and its progress
 - b) Fulfillment of regulatory requirement by the DU before launching the course
 - c) National policy implications
 - d) Funding implications for the UGC
2. Non-filling of large number of vacancies in Central Universities, especially DU
3. Constitution of Subject Panels
4. Communication from Prof Armaity Desai regarding merging of Scheme for Women Managers in Higher Education with Women's Studies.
5. Announcement regarding granting of Autonomous Status to some leading Colleges

Yours,
Yogendra

Minutes of 494th meeting need radical revision

4 messages

Yogendra Yadav <yogendra.yadav@gmail.com> 7 August 2013 00:46

To: M M Ansari <mm.ansari@nic.in>

Cc: Dr Akhilesh Gupta <akhilesh.g@nic.in>, Ved Prakash <profved@gmail.com>, cm <cm@ugc.ac.in>,

hdrajum@yahoo.com, Daggula narasimha reddy <reddydn@gmail.com>, achyuta <achyuta@kiit.ac.in>,

meenug11 <meenug11@gmail.com>, seh <seh@bioschool.iitd.ac.in>, chib.duggal@nic.in, sheriffomumbai

<sheriffomumbai@gmail.com>, "secy.dhe" <secy.dhe@nic.in>, Seyed Hasnain <seyedhasnain@gmail.com>,

virander <virander@icgeb.res.in>, Secretary UGC <secy@ugc.ac.in>, indushahani@gmail.com

Dear Dr Gupta,

As I went through the minutes of the 494th meeting, I was sad to note a large number of omissions and commissions.

There are half a dozen items where the minutes are substantially at variance with what was decided in the meeting. I may be other flaws that I may not have noticed.

I would suggest (if other colleagues agree with what I have to say) that the minutes should be re-written and re-circulated. This is a radical suggestion, but the only one appropriate for the nature of discrepancies that these minutes contain.

Do other colleagues share this sense?

Yogendra Yadav,

Postal Address: 29 Rajpur Road, Delhi 110054 India

Office Phone: 23981012 (telefax Lokniti, CSDS), 23942199 (PBX, CSDS)

ANNEXURE 5: EMAIL TO SECRETARY UGC WITH REVISED MINUTES FOR 494TH

Minutes of 494th meeting need radical revision

Yogendra Yadav <yogendra.yadav@gmail.com> 12 August 2013 02:54

To: Secretary UGC <secy@ugc.ac.in>

Cc: Dr Akhilesh Gupta <akhilesh.g@nic.in>, Ved Prakash <profved@gmail.com>, cm <cm@ugc.ac.in>,

hdrajum@yahoo.com, Daggula narasimha reddy <reddydn@gmail.com>, achyuta <achyuta@kiit.ac.in>,

meenug11 <meenug11@gmail.com>, seh <seh@bioschool.iitd.ac.in>, chib.duggal@nic.in, sheriffomumbai

<sheriffomumbai@gmail.com>, "secy.dhe" <secy.dhe@nic.in>, Seyed Hasnain <seyedhasnain@gmail.com>,

virander <virander@icgeb.res.in>, indushahani@gmail.com, M M Ansari <mm.ansari@nic.in>

Dear Dr Gupta,

Further to my previous mail, I am sending you my corrections to the draft minutes of the 494th meeting. My file includes the Notes of Dissent submitted by Prof Ansari and the myself. This is within 7 days of receiving the minutes, as advised by you. I was surprised to see that even before the expiry of this period, the draft minutes have been published on the website.

I have a special request. Given how disputed these minutes are, could you please not go ahead with any of the decisions here until the minutes have been cleared by

the Commission.

Yours,

Yogendra Yadav,

Postal Address: 29 Rajpur Road, Delhi 110054 India

Office Phone: 23981012 (telefax Lokniti, CSDS), 23942199 (PBX, CSDS)

[Quoted text hidden]

UGC draft minutes 494th meeting with YY corrections.docx

COPY OF THE ATTACHED FILE WITH THIS EMAIL

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CONFIDENTIAL

UNIVERSITY GRANTS COMMISSION

BAHADURSHAH ZAFAR MARG

NEW DELHI-110 002

MINUTES OF THE 494TH MEETING OF THE UNIVERSITY GRANTS COMMISSION

HELD ON 31ST JULY, 2013.

The 494th Meeting of the Commission was held on 31st July, 2013 in which the following

were present:

1. Prof. Ved Prakash Chairman
2. Dr.H. Devaraj Vice Chairman
3. Sh. Ashok Thakur Member
4. Smt. Anjuly Chib Duggal Member
5. Prof.Dr. Seyed E. Hasnain Member
6. Prof. Meenakshi Gopinath Member
7. Dr. Indu Shahani Member
8. Prof. Yogendra Yadav Member
9. Prof. V. S. Chauhan Member
10. Prof. D. Narasimha Reddy Member
11. Prof. M.M.Ansari Member

Prof Achyutananda Samanta who could not attend the meeting due to pre-occupation

was granted leave of absence.

The following officers of the UGC also attended the meeting.

Secretary

Dr. Akhilesh Gupta

Financial Adviser

Shri Upamanyu Basu

Director

Shri Vikram Sahay 2

At the outset, Chairman, UGC welcomed Prof. H. Devaraj, Vice Chairman, UGC

and Shri Vikram Sahay, Director (Admin.) who have recently joined. While welcoming the

members of the Commission, the Chairman briefed the members with important developments which had taken place in the recent past. He mentioned that significant

progress has taken place in the fraudulent cheque matter and that effective coordination

by UGC administration and prompt intervention by the Secretary (Higher Education),

Ministry of HRD have helped making good progress in the matter. The Chairman

informed that the entire amount which was fraudulently encashed by the ex-Principal,

Patel Memorial College, Rajpura, has been recovered with interest from him.

Chairman, UGC mentioned that Hon'ble Prime Minister has kindly consented to be

the Chief Guest for the UGC Diamond Jubilee Celebrations being organized at Vigyan

Bhawan, New Delhi on 28th December, 2013. The UGC is taking all necessary steps for

the successful organization of the event. He also informed that the DRDO has agreed to

construct the new UGC building in JNU Campus, New Delhi. While elaborating on the e-governance measures undertaken in UGC, Chairman mentioned that a fact sheet on

each University funded by the UGC has been developed and posted on the UGC's

website to keep the vital information in public domain. On the administrative front biometric attendance system has been brought in force from 1st July 2013 which has led to

improvement in both punctuality and regularity. The UGC has also held interviews and

meetings of the DPC for filling up of vacant posts of Joint Secretaries, Deputy Secretaries

and Under Secretaries, and steps are under way for filling up the posts of Education Officers and LDCs.

The Commission Members have placed on record their appreciation for the recent three publications brought out by the UGC as also the excellent work done by the Administration as enumerated by the Chairman. 22223

AGENDA

SECTION-1

1.01(a) To confirm the minutes of the 493rd meeting of the University Grants

Commission held on 10th May, 2013.

The Minutes of the 493rd meeting were confirmed with the following amendments:
1.01(a) Should read "The minutes of the 492nd meeting were confirmed with following amendments in items No. 2.01 and insertion of a new item 1.01(a)a." Para beginning with "Item No. 2.01..." would read as in draft minutes
Para beginning with "Item No. 2.05.." stands deleted. Instead it would read "A new item 1.01(a)a 'Items arising out of Minutes of the last meeting' may be inserted. Under this item, the decision earlier recorded as amended 2.05 should be recorded as under: "The Commission resolved that ... as the case may be."

1.02(b) The decision should read “Approved. However Professor Yogendra Yadav recorded his dissent both on procedure adopted to arrive at this decision as well as the substantive justification of the said Amendment. (Note of dissent appended)”

2.03 The last line of decision should read “appropriately revised by the Commission once the final decision on RUSA is known.”

. It was decided that

from the next meeting, a separate Agenda item should be included

titled “Matters arising out of Minutes of the last Meeting”.

It was also decided that the summary form of recording decisions as “Approved” etc. will be replaced by a full recording of the decision so that the entire decision can be understood without reference to the original agenda item.

1.01 (b) To receive the action taken on the minutes of the 493rd meeting of the

University Grants Commission held on 10 May, 2013.

Noted. The Commission expressed concern at the inordinate delay in implementing the decision [6.01 (v)] to issue a memorandum to Dr. (Mrs.) Pankaj Mittal. The Chairman assured the Commission of swift action on this matter.

1.02(a) To ratify the action taken on certain matter

(i) To report the issue regarding to transfer an amount of Rs.7.00 Lakh

per paper (each Pls) to Host Institute of the Principal Investigator

through INFLIBNET Centre, Gandhinagar.

Approved

Action: Director (Admin.)

(ii) Commemoration of Diamond Jubilee of the University Grants

Commission.

The Commission approved the decision to take forward the

suggestions given by the Hasnain Committee on Diamond Jubilee

celebrations, and further steps taken by the UGC office. With

regard to instituting of various awards, it was decided that the

Awards Committee under the chairmanship of Prof Hasnain may take up the agenda and suggest guidelines and procedure for the 4 purpose, which would be discussed in the next meeting of the Commission.

Action: Director (Admin.)

(iii) To ratify the matter regarding the accreditation of Andhra Pradesh SET, Karnataka SET, West Bengal SET and North-Eastern SET to the Commission.

Approved

Action: DS(NET)

(iv) To report the inclusion of 152 Colleges (as approved by the Chairman, UGC) under Section 2(f) and 12(B) of the UGC Act, 1956 between 01.04.2013 to 30.06.2013 as per authorization given by the Commission at its meeting held on 24.08.2011.

Approved.

Action: JS (CPP I)

(v) To ratify the decision taken to approve the creation of new nonteaching positions in newly established Central Universities under XII

Plan on the basis of the recommendations of the Committee.

Approved

Action: JS (CU)

(vi) To ratify the decision regarding the Continuation of the scheme of Centre for Study of Social Exclusion and Inclusion Policy.

Approved

Action: JS (SCT/OBC)) 255

(vii) To Ratify Rules, Terms & Conditions and Tripartite MoA on Faculty Recharge Programme

Approved

Action: JS (BSR)

(viii) To report the recommendations of the Expert Committees' meetings held w.e.f. 04.02.2013 to 08.02.2013 for establishment of Study Centres under the scheme of Epoch Making Social Thinkers of India during XIIth Plan.

Approved. The Commission decided that hereafter no more grants will be made under this scheme, except for the institutions that applied for establishing study centres in response to the present call and whose applications were not entertained in the present round. The Vice-Chairman, UGC was requested to undertake a review with regard to the eligibility of around 450 applicant institutions whose applications were not entertained in this round.

Action: JS (NFE)

(ix) To report the status of Distance Education program and (a) ratification of the decision taken with regard to the recommendations of the Expert Committee constituted for processing all pending applications with the erstwhile DEC; (b) approval for Constitution of a Committee for taking decisions on distance education programs; (c) ratification for Deemed Deputation of officials of the erstwhile DEC and filling of posts on deputation basis.

The Commission ratified the decision taken with regard to the recommendations of the Expert Committee as proposed under

item (a).

The proposal of constitution of a Committee for taking decision on distance education programs as proposed under item (b) was approved. However, it was suggested that the decision taken by the Committee may be brought to the Commission for ratification. 6

With regard to item (c), the Commission decided that the present arrangement may continue for the next three months; a request may be made to Secretary (HE), Ministry of HRD to convene a meeting with Vice Chancellor, IGNOU and Chairman, UGC to address the various personnel issues, after which appropriate steps may be taken for creation and filling up of posts in UGC to deal with the additional work pertaining to Open and Distance Learning (ODL).

However Professor M M Ansari recorded his note of dissent on this issue. (Note appended)

Action: Director (Admn.)

1.02(b) To receive the items of information.

(i) National Innovation Scholarships- this is the subject matter of an assurance for which an immediate reply is to be given.

It was decided that clarification/additional information may be obtained from the Ministry of HRD.

Action: JS (SA III)

(ii) Setting up the national portal for student entitlement and prevent unfair

practices as per the direction of the Cabinet.

It was decided to provide the updated information on the matter to the Ministry of HRD.

Action: Director (Admn.)

1.03 To receive the position of funds of UGC and Related Issues.

Approved. It was decided that in the next meeting IFD may provide

information with regard to (i) refund of unspent balance (HRD) Non-Plan and Plan; (ii) increase in legal expenses over last year – reasons and break-up thereof; (iii) refund of unspent balance to Ministry of Rural Development, (iv) NET (secret Exp. A/c) – volume of expenditure and oversight procedures.

and advised that in future Financial Statement should be presented in a standardized and reader-friendly format.

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Action: FA 7

SECTION-2

(MATTERS RELATING TO STANDARDS)

2.01 To consider the requests received from Vice-Chancellor, Gujarat Vidyapeeth, Ahmedabad and Registrar, Goa University to grant exemption from NET to cases which are similar to those cases which were granted exemption in the State of Maharashtra by the Commission.

(Deferred Item No.2.03 of 17th December, 2012 meeting)

Approved. It was decided that all such cases where faculty appointment were made by colleges prior to 2000 with prior approval of the affiliating University may be considered for similar exemption.

The Commission authorized Chairman to take these decisions on behalf of the Commission which can be brought to the Commission

subsequently for ratification.

Action: JS (PS)

2.02 To consider the draft notification on Specification of Degrees under section 22 of UGC Act, 1956.

Approved

Action: JS (CPP II)

2.03 To consider the Report of the UGC Expert Committee on the issue of allowing students to pursue two or more degrees simultaneously on regular/distance/private/online/part time basis.

Approved.

Action: JS (CPP II)

2.04 To consider the final UGC [Minimum Standards of Instructions for the Grant of the Masters Degree through Formal Education] (First Amendment) Regulations, 2013.

Approved

Action: JS (CPP II) 8

2.05 To consider the issue of grants to self financing colleges

It was decided that Grants should not be given by UGC to any selffinanced institution, even though such institutions are included under

section 12B of the UGC Act. Further, it was also decided that wherever

first installment has been given to such an institution, the subsequent

installments should not be disbursed. The Commission however

reiterated its earlier decision of providing assistance to teacher centric

and student centric schemes to all 12B institutions.

Action: JS (CPP I)

2.06 To consider the Amendment in the UGC Regulations on “Mandatory Assessment and Accreditation” of all Higher Educational Institutions Regulations, 2012.

Approved. However, the amendment should read as “Assessment and Accreditation Agency’ means any agency

recognized by the University Grants Commission, or any agency established by an Act of Parliament to carry out accreditation.’

Action: JS (IUC) 299

SECTION-3

(REFERENCE FROM GOVERNMENT AND OTHER NATIONAL BODIES)

(There is no item in this section)

SECTION-4

(SPECIAL PROGRAMMES, QUALITY PROGRAMMES ETC)

4.01 To consider the Report of the Review Committee which visited the Centre with Potential for Excellence in Laser & Opto-electronics Sciences at Cochin University of Science and Technology, Kerala.

Approved

Action: JS (NS/PE)

4.02 1. To approve the 12th Plan Guidelines of Major Research Projects in Science & Humanities subjects.

2. To approve the 12th Plan Guidelines of Minor Research Projects in

Science & Humanities subjects.

The Commission authorized the Chairman to finalise the Guidelines in consultation with Professor Yogendra Yadav. It was also decided that Minor

Research Projects in Sciences should be restricted to colleges only.

Action: JS (MRP)

4.03 To consider the Guidelines for the UGC Chairs in Universities during the XII Plan (2012-17).

It was decided that the guidelines for the UGC chairs be re-visited.

Action: JS (NS/PE) 10

4.04 To consider XII Plan Guidelines for Universities with Potential for Excellence (UPE)/ Universities of Excellence (UE).

The Commission approved the revision of the Guidelines for the XII plan with the following modifications : (a) The UPE, if declared eligible for the second phase, may be termed as “University of Excellence” from Phase II onwards (after 5 years of existence); (b) The ceiling of assistance for an UPE would be Rs 60 crore in Phase I, Rs 60 crore in Phase II and Rs 100 crore in Phase III. The Commission also decided that State private Universities and Deemed to be Universities covered under section 12B of the UGC Act may also be considered for grant of status of ‘University with Potential for Excellence’ and ‘University of Excellence’, provided they fulfill the various conditions under the Scheme; however, no financial assistance under the Scheme would be made available to them.

Action: JS (NS/PE)

4.05 To consider the matter regarding setting up of an Inter-University Centre for Teacher Education.

After discussion, the item was deferred.

Action : JS (IUC)

4.06 To consider the matter regarding Testing Agency for Outsourcing of NET.

It was noted that the issue of outsourcing of the logistics of NET is already under consideration of the NET Review Committee Chaired by Professor D N Reddy and Professor Yogendra Yadav. So, this item was referred to the Committee.

4.07 To consider the impact of programmes launched under BSR and reconstitution of the Empowered Committee.

Approved. The Commission placed on record its appreciation for the

outstanding services rendered by the Empowered Committee and

decided that the present Empowered Committee may continue till a

new Committee is constituted. In view of the success of this experiment, the Commission requested the MHRD to set up a similar empowered Committee for Social Sciences and Humanities.

Action: JS (BSR)

4.08 To consider XII Plan Guidelines on “Colleges with Potential for Excellence (CPE) / Institutions of Excellence (IE)”.

The Commission approved the revision of the Guidelines for the XII plan with the following modifications : (a) The CPE, if declared eligible for the second phase, may be termed as “College of Excellence” from Phase II onwards (after 5 years of existence); (b) The ceiling of assistance for a CPE would be Rs 1.5 crore in Phase I, Rs 1.5 crore in

Phase II and Rs 2.0 crore in Phase III. The Commission also decided that self-financing colleges covered under sections 2(f) and 12B of the UGC Act may also be considered for grant of status of 'College with Potential for Excellence' and 'College of Excellence', provided they fulfill the various conditions under the Scheme; however, no financial assistance under the Scheme would be made available to them.

Action: JS (NS/PE)

4.09 To consider the recommendations of Standing Committee on Academic Staff Colleges in Universities.

Approved

Action: JS (ASC)12

4.10 To consider implementation of the Ministry's scheme of Community Colleges.

Approved, with a cap of Rs 1 crore per college, overall cap of Rs 100 crore for the Scheme, and review/evaluation may be reported to the Commission. MHRD may be requested to provide funds for implementing the Scheme.

Action : FA

SECTION-5

(GRANTS TO UNIVERSITIES AND COLLEGES)

5.01 To consider the compliance report submitted by Integral University, Lucknow (Uttar Pradesh) in respect of the observations/suggestions given by UGC Expert Committee which visited the Private University to assess

fulfillment of criteria in terms of programmes, faculty, infrastructural facilities, financial viability, etc., as laid down from time to time by the UGC and other concerned statutory bodies.

Approved

Action : JS (CPP I)

5.02 To consider the compliance report submitted by Mewar University (Private University), Chittorgarh (Rajasthan) in respect of the observations/suggestions given by UGC Expert Committee which visited the Private University on 15th to 17th April, 2010 to assess fulfillment of criteria in terms of programmes, faculty, infrastructural facilities, financial viability, etc., as laid down from time to time by the UGC and other concerned statutory bodies.

Approved

Action : JS (CPP I)13

5.03 To consider the compliance report submitted by Nirma University of Science & Technology (Private University), Ahmedabad (Gujarat) in respect of the observations/suggestions given by UGC Expert Committee which visited the Private University to assess fulfillment of criteria in terms of programmes, faculty, infrastructural facilities, financial viability, etc., as laid down from time to time by the UGC and other concerned statutory bodies.

Approved

Action : JS (CPP I)

5.04 To consider the report of the UGC Expert Committee which visited

Rayalseema University (State University), Kurnool (Andhra Pradesh)

on 31st May & 1st June, 2013 to consider inclusion under Section 12(B) of the UGC Act, 1956.

Approved the request of Rayalseema University to be included under Section 12(B) of the UGC Act, 1956. Observations and Recommendations of the Expert Committee may be sent to the University.

Action : JS (CPP I)

5.05 To consider the report of the UGC Expert Committee which visited Amity University, Uttar Pradesh located at NOIDA, Dt. Gautam Buddha Nagar, Uttar Pradesh to verify the compliance submitted by the University in respect of the deficiencies/suggestions made by the earlier UGC Expert Committee and also to conduct inspection as per the recommendations of the Inspection Committee.

University may be asked to submit compliance report with regard to the observations and suggestions made by the

UGC Expert Committee.

Action : JS (CPP I) 14

5.06 To consider the issue regarding admission of students under NRI Quota in excess of 15% by Manipal Academy of Higher Education (MAHE), (Deemed to be University) during the year 2004-05, 2005-06 and 2006-07 in its two constituent units – Kasturba Medical College, Manipal and Kasturba Medical College, Mangalore. (Deferred Item No.5.04 of 10th May, 2013 meeting)

The Commission was of the view that the UGC should impose the same penalty on the institution as was originally imposed by the MCI. However, Legal Advice from a Senior Counsel may be taken with regard to the legal sustainability of this

action by the UGC

Action : JS (CPP I)

5.07 To consider the Report of the UGC Expert Committee to consider the proposal received from Jodhpur National University (Private University), Jodhpur (Rajasthan) for recognition under Section 12-B of the UGC Act, 1956 to become eligible to receive central assistance.

Not approved

Action : JS (CPP I)

5.08 To decide further course of action in the matter of Thapar Institute of Engineering & Technology (Deemed to be University), Patiala (Punjab) in the context of order dated 11.07.2013 passed by Punjab and Haryana High Court in CWP No. 5987 of 2012 and Civil Misc. No. 4928 of 2013.

The decision of the High Court may be appealed against in the Apex Court.

Action : JS (CPP I)

ANY OTHER ITEM:

The following items were raised with the permission of the Chair:

(i). Request for inclusion in agenda: The Commission decided that a request by any member for inclusion of any issue in the agenda of a forthcoming meeting of the Commission shall be accepted. If such a request is not entertained, the reasons for that shall be reported in the next meeting of the Commission.

(ii) Communication from Prof Armaity Desai, former Chairperson, UGC, regarding merging of Scheme for "Capacity Building for Women Managers in Higher Education" with "Women's Studies".

The Commission decided that

- a) The Standing Committee on "Capacity Building for Women Managers in Higher Education" may be reconstituted;
- b) The decision to merge the scheme, Capacity Building for Women Managers in Higher Education" with "Women's Studies" may be reviewed by the Commission

after an independent evaluation of the Scheme 'Capacity Building for Women Managers in Higher Education'.

(iii) The FYUP in the University of Delhi:

After discussion, it was decided that

- a) The mandate of the UGC Committee for Monitoring the Implementation of FYUP Launched by the University of Dehi should be expanded to include any short and long term funding implications of the FYUP for the UGC
- b) The Committee's interim and final report should be regularly placed before the Commission
- c) The Chairman may be requested to examine whether the DU fulfilled its obligation under Regulations for Award of Degrees to inform the UGC six months prior to offering the new courses of studies under the FYUP
- d) The Commission may consider appointing an expert committee to examine the merits and demerits of the FYUP for universities other than the University of Delhi

(iv) Non-filling of large number of vacancies in Central Universities, especially the University of Delhi: The Chairman informed that he has already written to the VCs of Central Universities drawing their attention to this and requesting them to fill up the vacancies urgently.

(v) Constitution of Subject Panels: An agenda item in this regard will be presented in the next meeting of the Commission.

(vi) Announcement regarding granting of Autonomous Status to some leading Colleges: The Secretary (HE) clarified that the matter has been misreported in the media and that there is no question of bypassing the UGC standing committee in this regard or of conferring this status on institutions that may not have applied for this.

(AKHILESH GUPTA) (VED PRAKASH)

SECRETARY CHAIRMAN

NOTE OF DISSENT BY PROFESSOR YOGENDRA YADAV ON ITEM 1.02(b) (i) of the 493rd Meeting held on 10 June 2013

I wish to record my dissent at the Notification of the 2nd Amendment to UGC Regulations (Minimum Qualification for Appointment of Teachers, Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standard in Higher Education), 2010. My objection pertains to the amendments related to the API scores. I am constrained to record my dissent, for this decision suffers from grave procedural flaws and serious errors of judgment that has long-term consequences for the quality of higher education.

This subject has been examined at length by two Committees and was extensively discussed at the Commission's 482nd meeting. In that meeting, the Commission constituted its sub-committee and the Chairman was authorized to finalize the matter in the light of the sub-committee's recommendations. This is not what actually happened. The Chairman invited the JS of HRD, who was not a member of the sub-committee, to the meeting held on 18th of March. After long and intense discussion it was decided that Prof Chauhan/Hasnain and I would amend Tables I, II and III of the new regulation in the light of our oral agreement in the meeting. We submitted our inputs by the 20th. The Secretary asked for one minor clarification on March 20 and wrote on 25th to all members saying that he now presumes that everyone agrees with the drafts sent by me and Prof Hasnain. Prof Hasnain sent a clarification on the 25th. On 30th March Prof Gopinath wrote to the Chairman (with a copy to all of us) requesting that "we get a final document from you with the necessary changes incorporated **before** the chairman issues the notification". Suddenly we got a mail on April 4th from the Secretary with "draft amendments to the regulations". This draft did not take any of our inputs (which were presumed to be acceptable to everyone on the sub-committee). As soon as I noticed this mail, I duly registered my objections (email of 14th April with copies to members) and requested for a review before the notification is made. On 17th April Professor Hasnain also wrote to the Chairman with a "request not to finalize the decision on the API till we have had a chance to reject or incorporate suggestions". There was no response to any of these messages from the Chairman or the Secretary. Now we are being informed that the Regulations have been framed. This begs many questions:

- What was the final decision of the Commission's sub-committee? Where are the minutes?
- If there are no minutes, then who decided to over-rule the sub-committee members consensus?
- At what stage was the Ministry consulted on this matter? What was their input?
- Why was this Amendment notified despite written pleas to the contrary by three members of the Commission and its sub-committee?

Clearly, the decision reported at 1.02(b) (i) is in violation of the letter and the spirit of the Commission's decision 2.08 at its 492nd meeting. It is sad that such a crucial

and controversial issue was settled by the Commission in such a non-transparent manner, giving rise to serious concerns about the Commission's autonomy vis-à-vis the MHRD.

Let me add substantive reasons to disagree with the present decision regarding the API scores. The amendment to 6.0.2 says "While adopting this, universities shall not change any of the categories or scores of the API given in Appendix-III." This is not what the sub-committee of the Commission had decided. This wording takes away the whole spirit of this clause. In fact this is worse than the existing provision that grants some autonomy to the institutions in adopting the API scores.

The formulation arrived at by the sub-committee was the following: "An indicative PBAS template proforma for direct recruitment and for Career Advancement Schemes (CAS) based on API based PBAS (As in Appendix III) shall also be sent separately by the UGC to the Universities. The universities may adopt the template proforma or may devise their own self-assessment cum performance appraisal forms for teachers. While adopting this, universities shall not change the three broad categories of the API given in Appendix-III, raise the maximum score for each category or lower the minimum required score prescribed therein. The universities may adopt, adapt or modify the sub-categories proposed in Model tables of Appendix III, change the scores and the scoring pattern or requirements. A university will be free to formulate a common API for the university as a whole or formulate differential versions for different institutions, faculties or departments within the university. The universities can, if they wish so, increase the minimum required score or devise appropriate additional criteria for screening of candidates at any level of recruitment." The sub-committee also agreed to insert 6.0.3 as follows: "The API scores as per Appendix III will be applicable only for screening candidates to be called for interview and shall have no bearing on the interview and the final recommendations of the selection committee." The final Amendment does not reflect any such provisions for institutional autonomy.

The Amendments do not change what badly needed to be changed in the existing API matrix. Table III retains the ISSN number based recognition which has spawned an industry. The current classification is not quite appropriate for social sciences and humanities and fails to do any justice to publications in Indian languages. Suggestions made by me in this regard appear to have been overlooked. My concern is that at the end of two committees and a long and much awaited debate on API, the UGC would appear not to have learnt very much from the feedback received from all over the country.

I am therefore of the opinion that the 2nd Amendment should not have been notified. The UGC must urgently review this Amendment.

NOTE OF DISSENT BY PROFESSOR M M ANSARI ON 1.02(a) (ix)

"I expressed the view that the proposed agenda for ratification of the action taken by the UGC's Secretariat should not be approved for the following reasons.

First, the action of taking over the functions of DEC-IGNOU is untenable because the Parliament has mandated IGNOU "*to encourage the Open University and distance education systems in the educational pattern of the country and to coordinate and determine the standards in such systems*".

And the UGC has the mandate for "*the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching, examination and research in Universities*".

Clearly, the power and functions of promoting ODL systems are vested with IGNOU or its constituent body like DEC. As the Parliament alone can amend the respective Acts of IGNOU and UGC to authorize as to which body should regulate ODL systems, any attempt to dilute this authority of IGNOU through administrative order of the Department of Higher education of MHRD would tantamount to both misuse of authority and encroachment of privileges of the Parliament. Besides, it would violate healthy practices of our democratic principles.

The MHRD has invoked section 20(1) of the UGC Act to direct the UGC to regulate ODL systems, which is untenable under law. This section reads as under: *In the discharge of its functions under this Act, the Commission shall be guided by such directions on questions of policy relating to national purposes as may be given to it by the Central Government.*

Obviously, the Central Government may guide the UGC on **policy matters**, but it cannot assume the role and authority of the Parliament. The authorization to take over the responsibilities of DEC-IGNOU cannot be considered as a policy matter for intervention under the said provision. The MHRD and UGC have therefore erred on this issue. The body that should regulate ODL is already settled.

It is pertinent to mention that the MHRD issued direction to UGC on December 29, 2012, u/s 20(1) of the UGC Act, to take over the functions of DEC-IGNOU. This was done without completing necessary formality of amending the IGNOU' Act or through passage of an Ordinance. However, after the lapse of four months of the said direction, a notice of dissolution of DEC-IGNOU was issued on May 1, 2013. During the period when there was no regular VC of IGNOU, and the Parliament was also not able to effectively functioning for different reasons to pass the pending education bills, the facts and situations were maneuvered by the vested interests to illegally transfer the IGNOU's powers, to regulate ODL, to the UGC. This act is unjustifiable because a VC (in charge) IGNOU should not have taken the decision to dissolve DEC-IGNOU and the bureaucratic action of MHRD cannot substitute the Constitutional provisions.

Second, all the three members of the UGC's Expert Committee, whose recommendations are to be ratified by the Commission on the matter of granting approvals to ODL institutions, are associated with dual and mono mode institutions. The institutions of their affiliations, namely MANUU, AP OU and University of Bombay, are also the applicants for approval of their ODL programmes. There is clear conflict of interest as they themselves are the major stakeholders and players in the ODL systems.

And, factually speaking, this Committee has done nothing new; rather it has endorsed what DEC-IGNOU has been doing. In effect, the prevailing mess in the management of ODL has been perpetuated. A number of institutions are operating in contravention of relevant guidelines. There is no clear identification of institutions, which are violating the accepted norms and guidelines nor there is any punitive action against such institutions, which are violating the norms of quality assurance. The Committee's recommendations should therefore be rejected.

Third, in an earlier meeting of the Commission held on May 10, 2013, an impression was given that an Ordinance would be brought out to transfer the regulatory powers from IGNOU to UGC. Accordingly, Commission was required to initiate the process of recruitment of staff. In effect, what the Commission has done is to forcefully take over all the DEC staff on deemed deputation. Neither the Commission's approval was obtained on such a major issue nor the DEC staff was consulted in terms of service interests of the employees. As the recruitment rules of UGC and IGNOU widely differ, the policy of forced deputation or absorption of staff will always be a contentious issue. In fact, employment and career prospects of staff have been jeopardized.

In view of the foregoing, the proposed agenda item for ratification of the illegal and inappropriate action should not be ratified or approved”.

MM Ansari

ANNEXURE 6: EMAIL TO THE CHAIRMAN, UGC

Requesting redrafting of minutes or an emergency meeting of the

Commission

Yogendra Yadav <yogendra.yadav@gmail.com> 12 August 2013 02:48

To: Ved Prakash <profved@gmail.com>, Dr Akhilesh Gupta <akhilesh.g@nic.in>, Secretary UGC

<secy@ugc.ac.in>, cm <cm@ugc.ac.in>

Cc: achyuta <achyuta@kiit.ac.in>, Daggula narasimha reddy <reddydn@gmail.com>, Dean

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<sheriffofmumbai@gmail.com>, virander <virander@icgeb.res.in>, duggal@ias.nic.in

Professor Ved Prakash

Chairman, UGC

Dear Professor Ved Prakash:

As I had pointed out in my previous mail, the minutes of the 494th meeting are full of serious errors of omissions and commissions (I counted 24 errors; please see attached file with amended minutes). One could put this down to human error, but for the following:

Professor Ansari had mentioned his dissent and had duly sent a formal note of dissent; this is not mentioned. Similarly, my plea for my dissent to be recorded has been overlooked.

Professor Gopinath, Prof Ansari and I had raised at least six matters under "any other matter". One of these (FYUP in the University of Delhi) took nearly one hour of the Commission's time. The minutes are silent about all these items.

Several crucial decisions have been misrecorded, including the one on IUC in Teachers' Education where we debated for long on how the decision should be recorded.

Professor Hasnain and I requested that the minutes should be drafted afresh, but we have had no formal response from the Secretary (informally you told both of us that minutes once drafted cannot be redrafted).

Not just that, these confidential draft minutes have been put on the UGC website without waiting for the mandatory seven day period. It seems the UGC is going ahead with taking action on these faulty minutes and the whole point of correcting these minutes may be lost.

You would recall that I rang you up as soon as I received these minutes and registered my sense of shock. I was hoping that this would be an inadvertent error and you would find a way to make amends quickly. That has not happened so far. Allow me to request you once again to please get the minutes drafted afresh (my amended text may be useful) and stop action on any of the disputed items till this difference can be resolved.

If you do not agree with this and would like to go ahead with the draft minutes till they come up for discussion in the next meeting, may I request you to hold an emergency meeting of the Commission to discuss this matter.

I am sorry to take this formal route, but I am truly shocked and baffled with this turn of events and do not know what else to do.

Yours sincerely

Yogendra Yadav,

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