

KRISHNA KANTA HANDIQUI STATE OPEN UNIVERSITY GUWAHATI

**Proceedings of the 54th meeting of the Board of Management held on
01.03.2020 in the Conference Room of Housefed Complex, Dispur,
Guwahati at 03:00 PM**

Members Present:

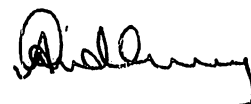
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| 1) | Vice Chancellor | : Chairman |
| 2) | Prof. Amarjyoti Choudhury | : Member |
| 3) | Shri Jahnu Baruah | : Member |
| 4) | Prof. Munin Kakati | : Member |
| 5) | Shri Ramendra Narayan Kalita | : Member |
| 6) | Dr. Atindra Kumar Adhikari | : Member |
| 7) | Shri Ramen Sarma | : Member |
| 8) | Ms. Tarali Das, ACS
Deputy Secretary
Representative from Principal Secretary
Education (Higher), Govt. of Assam | : Member |
| 9) | Ms. Geetanjali A. Nayar, Jt. Secretary
Representative from Principal Secretary
Finance, Govt. of Assam | : Member |
| 10) | Dean (Academic) | : Member |
| 11) | Registrar | : Member Secretary |

Shri S. N. Misra, Secretary to Vice Chancellor and Public Relations officer was present for recording the proceedings.

Item No. 1 : Vice Chancellor's address of welcome and introductory briefing.

Before calling the meeting to order, the Vice Chancellor who is also, the Chairman of the Board of Management, welcomed all the esteemed members of the Board. He apprised the following before the Board of Management:

1. The Commissioner & Secretary to the Governor, Raj Bhavan, Guwahati vide his confidential letter No. GSA. 117/2018/Pt.II/252 dated February 12, 2020 forwarded three enquiry reports submitted by the CVC, Assam, views of the Adviser, Education, Government of Assam and the report of the Chief



Engineer, PWD, Building, Government of Assam on the allegations made by Prof. Srinath Baruah, former Vice Chancellor of Krishna Kanta Handiqui State Open University. On examining the reports, the Hon'ble Chancellor is of the view that:

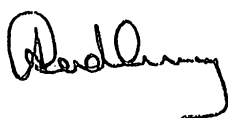
(i) Expenditure of Rs. 35,03,283/- (Thirty Five Lakh Three Thousand Two Hundred and Eighty Three) in the year 2015-16 in repairing the building hired for the city office of the university without calling tender and without observing the Govt. guidelines were irregular. Provision of Section 9 (3) of the University Act does not allow deviation from the mandatory procedural steps.

(ii) The Contractual appointment of Shri Jyoti Kahtaniar and Smti Dopati Choudhury was irregular.

The Hon'ble Chancellor, KKHSOU, desires that the above two matters be communicated forthwith to the Board of Management, the results of the inspection/inquiry and the views of the Hon'ble Chancellor to fix up the responsibility and take appropriate punitive actions within 30 (thirty) days as per Sub-Section (6) of Section 8 of KKHSOU Act, 2009. Accordingly, the meeting has been convened and all papers received from the office of the Chancellor pertaining to the above matters were placed before the Board of Management for kind perusal and necessary action. The decision taken in this regard will be intimated to the Hon'ble Chancellor forthwith as desired by him.

Before the meeting formally proceeded, Dr. Hitesh Deka, Vice Chancellor, KKHSOU who is also the Chairman of the Board of Management requested that as the above letter was addressed to him directly and in view of free and fair deliberations, he may be permitted to leave the meeting so as to facilitate a proper decision in the matter. Accordingly, appreciating the request so made, the members unanimously accepted the request of Dr. Hitesh Deka, Vice Chancellor and permitted him to leave the meeting. The discussion thereafter proceeded in absence of Dr. Hitesh Deka, Vice Chancellor. However, the members of the Board of Management in unison nominated Prof. Amarjyoti Choudhury, former Vice Chancellor, Gauhati University and Hon'ble member of the Board of Management to act as the Chairman on behalf of Dr. Hitesh Deka, Vice Chancellor.

The enquiry reports forwarded vide the communication dated 12.02.2020 along with the advice thereon rendered by the Hon'ble Chancellor were duly perused by the members and the same were deliberated upon. Upon due



deliberations on the issues involved, the Board observed that the enquiry reports available, while opining that the repairing/renovation activities involved were carried out, without resorting to any tendering process, have not denied the fact that the repairing/renovation activities were in fact carried out as per the urgent requirement of the University. It was also brought on record that the overall quality of work was good and that the work was executed at an amount of Rs. 35,03,283/- (Thirty Five Lakh Three Thousand Two Hundred and Eighty Three) while the estimated amount for the work was Rs. 43,25,315/- (Rupees Forty Three lakh Twenty Five thousand Three hundred and Fifteen). Further, the reports reveal that the estimates for the work were prepared as per APWD SOR 2013-14 and payments made after physical verification of the work by a registered Architect and records of the progress of the works and payments made have been properly maintained. No financial misappropriation is mentioned in any of the reports.

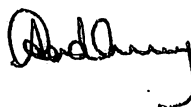
After threadbare and detailed deliberations, the Board resolved as follows:

Resolution No. BM/54/1(a)/2020: *It is resolved that the work relating to repair of the building hired for the City Office of the University having been approved by the 30th Board of Management meeting held on 31.03.2016, the Board therefore feels, that the entire action was with the collective responsibility of the Board given the necessity for carrying out the works in question on an emergent basis.*

Resolution No. BM/54/1(b)/2020: *Further resolved that henceforth all construction/renovation/repair works to be undertaken by the University shall be strictly in accordance with the provisions of the Krishna Kanta Handiqui State Open University Act, 2009 and the government guidelines.*

Regarding engagement of Shri Jyoti Khatanar and Ms Dopati Choudhury

The Board perused all the papers and observed that Shri Jyoti Khatanar and Ms. Dopati Choudhury were initially engaged on contractual basis against non-sanctioned posts in view of the exigencies of work in exercise of powers conferred upon the Vice Chancellor under the provision of Clause 6 of the "Ordinance on Appointment on Contract Basis or Fixed tenure Contract Basis." The initial engagement being absolutely in accordance with the provision of the said Ordinance, the same was permissible. However, on perusal of the




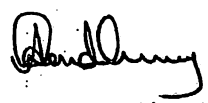
records it is revealed that the Deputy Registrar, (Admn.), who was entrusted with the work of processing such extensions, failed to put up any note stating the relevant provision of the Ordinance that does not permit extension beyond one year in the matter and resultantly such lapse has undermined the status of the University. The Board of Management discussed the matter at length and decided to fix the responsibility on the Deputy Registrar (Administration) and accordingly disciplinary proceedings be initiated against the Deputy Registrar, (Administration). The Board further decided that pending drawal of such disciplinary proceedings, the Deputy Registrar, (Administration) be placed under suspension forthwith. The Board resolved as follows:

Resolution No. BM/54/1(c)/2020 : Resolved that pending drawal of disciplinary proceedings Dr. Ratul Patowary, Deputy Registrar, (Administration) be placed under suspension with immediate effect.

Resolution No. BM/54/1(d)/2020 : It is further resolved that any engagement and extension thereof, henceforth made shall be so made strictly in accordance with the provisions of Krishna Kanta Haniqui State Open University Act, 2009 and the "Ordinance on Appointment on Contract Basis or Fixed tenure Contract Basis" and no violation in this connection would be permissible.

The Board was of the view that Sri Jyoti Khatanar and Ms Dopati Choudhury having been subsequently appointed against sanctioned posts, by following due process of selection, their such appointments effected on assessment of their merit, having not been questioned by any other candidate, such subsequent engagement are not required to be interfered at this stage.


(Prof. Amarjyoti Choudhury)
Chairman (i/c)
BoM, KKHSOU


(Arupjyoti Choudhury)
Registrar & Member Secretary,
BoM, KKHSOU