

# INDIAN INSTITUTE OF PUBLIC ADMINISTRATION

## Special Meeting of the General Body

Date: January 16, 2015

Time: 2.00 P.M.

Venue: IIPA Auditorium  
New Delhi

## (TRANSCRIPT OF PROCEEDINGS)

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Chairman: Shri T.N. Chaturvedi

DR. T. CHATTERJEE, DIRECTOR, IIPA: Good afternoon, ladies and gentlemen, and a Happy New Year from IIPA. I welcome our Presiding Officer and respected Chairman of IIPA, Chaturvedi Ji and the hon. members present here at this Special Meeting of the General Body. This has been convened by our President, the Vice-President of India under rule 21 of the Memorandum of Association of the Institute. The requisition for this meeting was signed by 45 members and presented to the President of IIPA vide requisition dated 9<sup>th</sup> and 10<sup>th</sup> October, 2014. The provision of rule 21 of the Memorandum of Association is as under:

“The President of the Institute may of his own accord and shall if required to do so by requisition in writing signed by not less than thirty members of the Institute, call after notice of at least fourteen days, a Special Meeting of the General Body.”

On the orders of the hon. Vice-President of India and President, IIPA, this meeting was notified to all the members through post, through our website and also through IIPA’s Newsletters of December, 2014 and January, 2015. It is pertinent to mention here that hon. President of IIPA, although he wished to be here present with us, but

due to his prior commitment, he has expressed his inability to be present at this meeting. I read out his message for the benefit of the members present here. I quote:

“Dear Shri Chaturvedi Ji,

I thank you for your invitation to preside over the Special Meeting of the General Body of IIPA convened for the 16<sup>th</sup> January, 2015 at 2.00 p.m. While it would be my pleasure to be with the members of IIPA on the occasion, due to my prior commitments, I am not able to preside over the meeting. I, however, authorize you in the capacity of the Chairman, IIPA under rule 22 of the Memorandum of Association to Chair the Special Meeting of the General Body on my behalf.

I convey my best wishes to all the members of the IIPA and wish the meeting a success.

Sd/-”

With that introduction, I would request our Presiding Officer and Chairman, IIPA to kindly take on the proceedings.

CHAIRMAN: Hon. Members, wish you all a very happy New Year. All of us are aware why we have assembled this afternoon. Before we begin our proceedings, Mr. Mahesh Narain Chaudhary, who is one of our life members, has requested to play on flute *Vande Matram*, as he had done last year. I think he should be permitted to do that, and I think we should all stand up while he is playing *Vande Matram*.

**(MEMBERS THEN STOOD UP AND VANDE MATRAM  
WAS PLAYED ON FLUTE BY SHRI MAHESH NARAIN  
CHAUDHARY)**

CHAIRMAN: Thank you, Mr. Chaudhary. Friends, because we started our meeting also late since there were very few members at two o'clock and some people took some time in registering their names etc., so I thought that I might inform you. I request you that I seek your cooperation so that the meeting is conducted peacefully and all the members who want to speak are in a position to speak on the resolution before us.

As all of you are aware of the background, I do not want to go into it. I might mention only a few developments which took place later on. One of them was that there was a request made to me as Chairman of the IIPA that an Executive Council meeting may be called. Since the Director had mentioned to me that there was no item

for the agenda as such, it was not necessary and we shall meet later on when the office is able to collect the items on which we have to have a discussion. I was told that ten members can requisition a meeting, but when I saw the rules, ten members of the Executive Council is the quorum prescribed, that is not for requisitioning a meeting. That is why I had informed the concerned members. First, one or two members - I would not name them - requested me and I said I will consider, and then later on a written requisition was sent by ten or 11 members, which is all on record. So, that came and the Director asked me as to what ought to be done. Naturally, it is not possible for the IIPA to foot all this type of expenditure and we said that since there is no agenda, it is not an officially called meeting; it is only a get together of some EC members. That is all we can do. They could avail all the facilities for the meeting so far as the IIPA is concerned, but it is not possible to do anything more, including the supporting staff to go and write the minutes, etc. etc. I am not aware of what exactly transpired because it was a get together of some of the individual Executive Council members. All I was told was that 11 persons were present during the discussion. Thereafter we also received some copies of the letters addressed to the hon. Vice-President that this meeting is not necessary, the time is not opportune and so on. The Vice-President had himself received the letter and I got copies and personal requests were also made to me. So, I sought an interview with the hon. Vice-President and conveyed all the feelings and sentiments of the people who had asked for the adjournment of this particular meeting. The Director had also suggested a later date in this month, in the last week, but somehow that could not be done for security reasons. We were told that the security people will almost take possession of the IIPA office quite a few days before the Republic Day and a bit later also. All this was conveyed to us. I took all those papers with me, particularly regarding the adjournment of this meeting, though he himself also had received all these letters. He said that he had got an RTI also as to why there was delay in calling this meeting that the members had been requesting. Naturally then, he said that 'under these circumstances I do not want to postpone it any more and I think that this date stands.' So, this is what the situation is. Only yesterday afternoon I learnt that some members have also gone to the court and filed a civil suit. Dr. K. Malaisamy and others as plaintiff through Mr. G.D. Goel

and others and the Indian Institute of Public Administration in the court of Hon. Mr. Justice Manmohan. The Director got a copy of this by e-mail through one of the members, Dr. K.N. Srivastava who is the Treasurer of the Institute, so, he sent a copy of that to me. I do not know whether the office has got it or not yet. I am told we have not got any intimation of this. But naturally, in view of what was sent to us, we thought that there is a correct position and in deference to the hon. High Court's orders, we have to proceed. Nothing more than that I have to say. The request was made for restraining this meeting, which the hon. High Court did not accept. The court observed that--

“ Since in the present case, “Having perused the papers book, the court is prima facie of the view that the General Body of the defendant is the supreme body and it can consider any business on its agenda or any other business that is brought forward with the permission of the Presiding Officer as provided in rule 24. Since in the present case a proper agenda has been circulated, this court is prima facie of the view that it will not be proper to interdict the democratic functioning of the defendant. . However, to ascertain full facts, issue notices on the application to the defendant by all modes, including *dasti* returnable on 29<sup>th</sup> March, 2015 before Joint Registrar.

“It is clarified that the aforesaid observations are tentative and shall not prejudice the rights and contentions of either of the parties, either at the time of final disposal of the suit or at the time of final hearing of the application.”

So, this is now listed on 23<sup>rd</sup> of April. But the hon. High Court did not restrict or stop the holding of this particular meeting. A copy has been just handed over to me by one of our Vice-Presidents and signed by Mr. Awasthi, the advocate. So, I thought I might bring this to your notice as such, though I was to tell you that this is what transpired. This was the later development. The resolution is before you and I do not want to take more time

I have got a number of requests from the members to speak. Mr. P.L. Banga is the first person to move the resolution, and after the resolution, I am told that Mr. Kaushik, or I do not know who else, will like to support this resolution. I will give time to all those who want to speak. My request is that please try to be brief, point-wise so that all the other members can get a chance to speak and at a reasonable time the meeting can also end.

SHRI P.L. BANGA: Respected Chairman and dear friends. First, please allow me to read rule 17(1). It says:

“Subject to the general control and directions of the General Body, the Executive Council shall be responsible for the management of administration of the affairs of the Institute in accordance with these Rules and the bye-laws made thereunder for the furtherance of the objects and shall have all powers which may be necessary or expedient for the purpose.”

The purpose of this meeting is to consider the report of the three-member high power committee which consists of Mr. A.N. Tiwari, former Chief Information Commissioner, Mr. Pratyush Sinha, former Central Vigilance Commissioner and Dr. Vivek K. Agnihotri, former Secretary-General of Rajya Sabha. They conducted the proceedings and a report has been submitted. I shall, in brief, read out the conclusion of the Committee. It says:

“Be that as it may, we are of the view that the electoral process was seriously compromised on account of more than one-third of the ballots (684 to be exact) having been found to be invalid in the forensic examination conducted by a national agency (Central Forensic Science Laboratory, Chandigarh). It leaves us with no option but to come to the conclusion that the election to the Executive Council of IIPA, conducted on September 21, 2012, was – in a significant measure – in violation of the Election Byelaws 5(7)(a) & 5(19) of the IIPA.

We, therefore, recommend that the said election be declared null and void. The Management of the IIPA may consider taking further appropriate action under rule 5(20) of the Election Byelaws in this regard.”

Second is the case of Mr. N.P. Singh. It says:

“While the Committee was deliberating on the issues of malpractices in the Executive Council elections, the Chairman of IIPA on April 4, 2013, forwarded another complaint regarding the genuineness of Professorship of Shri N.P. Singh, one of the Executive Committee members who was also elected in the impugned election.

CHAIRMAN: Please do not go into the details of the report of the Committee.

SHRI BANGA: I am reading it because they have not been given any paper about the recommendations of the Committee. They do not know why they have been called over here. The Committee’s report has not been given to any member.

CHAIRMAN: Please do not take too much of time.

SHRI BANGA: I will just take five minutes more.

“The Committee considered the subject and observed that the evidence submitted by Shri N.P. Singh is a Diploma holder of Honorary Doctorate given by a foreign university. As such, the Committee decided to leave it to the IIPA to take further action in accordance with law, after ascertaining whether an honorary doctorate will qualify a person to be appointed as a Professor. It also recommends that further enquiries with the UGC/AICTE/AIU in this regard may be made, as deemed proper, by the authorities of the Institute.”

Now, the agenda item No. 1 says:

“To consider report of the three members’ High Power Committee and take action as suggested by the high power committee appointed by the Chairman, IIPA”

In this regard, my proposed resolution is:

“Resolved that the Report dated 15.1.14 submitted by the three members High Power Committee appointed by Chairman, IIPA to look into the complaints by members pertaining to the elections to the Executive Council in 2012 be and is hereby accepted and accordingly the aforesaid elections are declared null and void as held by High Power Committee.

“Further Resolved that Shri T.N. Chaturvedi, a member of the General Body, along with other ex-officio members and representatives of the faculty, shall continue to exercise all powers of the Executive Council as provided in the Memorandum of Association and Rules of IIPA till the fresh elections are held as early as possible.”

This resolution is seconded by.....(INTERRUPTIONS)

CHAIRMAN: Please, there should not be a cross talk. Why are you coming here?..... (INTERRUPTIONS)

SHRI BANGA: Court has not given any stay. Proceedings of the meeting will go on.

CHAIRMAN: You are a lady and a professor. You should not do like that. Please take your seat.....(INTERRUPTIONS). Dr. Kaushal, you also take your seat.

SHRI BANGA: I again read out the proposed resolution.

CHAIRMAN: Only first resolution.

SHRI BANGA: I shall read out the first resolution:

“Resolved that the Report dated 15.1.14 submitted by the three members High Power Committee appointed by Chairman, IIPA to look into the complaints by members pertaining to the elections to the Executive Council in 2012 be and is

hereby accepted and accordingly the aforesaid elections are declared null and void as held by High Power Committee.”

CHAIRMAN: That is all.....

**(INTERRUPTIONS)**

CHAIRMAN: Mr. Kaushal, the first item of the agenda I have taken up. Please do not come like this. You are a Vice-President of the Executive Council. You are a professor. At least behave with some decorum.

SHRI BANGA: The first item of the agenda is:

“To consider report of the three members’ High Power Committee and take action as suggested by the high power committee appointed by the Chairman, IIPA”

CHAIRMAN: Who is the seconder?

SHRI BANGA: Shri Bangia.

SHRI BANGIA: I am seconding the resolution.

SHRI PRITHVI DAS: I am Prithvi Das. I am life member No. 3451. I am practicing in high Court and Supreme Court. I am Standing Counsel for Maharashtra Government in the Supreme Court of India. I am seconding this resolution. For the information of the members of the AGM, I may invite the attention that under such critical situation, there have been towering personalities who *suo motu* have taken cognizance. One of the illustrations I will give. I was elected twice to the State Bar Council of Maharashtra and Goa. I was Chairman and Vice-Chairman and during my tenure as Vice-Chairman..... **(INTERRUPTIONS)**. Kindly appreciate. Please do not create uproar. Mr. Bhattacharya – I am naming – who was Chief Justice of Bombay High Court had accepted royalty of 80,000 pounds from a British firm. I had moved a resolution before the Bar Council of Maharashtra that action is warranted against him, and for the information of this august body, before our minutes came, hon. Mr. Bhattacharya resigned from the seat of Bombay High Court as Chief Justice. In the 150 years’ history of Bombay high Court, he was the only Chief Justice of Bombay High Court who had resigned, and here are this august body’s members, the so-called elected members, a galaxy of members and in spite of the High Power Committee observing something and a Special General Body meeting having been

asked for and invited, it is not being discussed. This is a prime institution. Unfortunately, if such is the state of affairs, it is a very sorry state of affairs.

I am seconding the resolution put by Mr. Banga.

CHAIRMAN: Now, I call Mr. K.K. Sethi to speak on this resolution.

SHRI K.K. SETHI: Mr. Chairman, Sir, and friends. We are discussing the petition which has been submitted by Mr. Banga to the Vice-President. I, along with my other colleagues, had also submitted a petition to the Vice-President of India, though that of Mr. Banga has taken precedence and that is the item of agenda today. However, some of the points that I had made in my resolution were more specific and, therefore, I would like to place them before you. I have circulated my resolution to some of the members and I want this AGM to consider them.

The point is that my resolutions are not in contradiction with what Mr. Banga has said. I have elucidated it so that concrete action in a practical way can be taken. I will just read out my resolution:

“The Annual General Body Meeting, after due consideration, resolves that the report of the three-member Committee, as constituted under rule 5(20)(2) of the Election Byelaws of IIPA to consider the irregularities in elections held in 2012 be adopted and its recommendations accepted. Consequently, the members elected in the said election, their post shall stand vacated. The remaining members shall form the ad hoc Executive Council till fresh elections are held and will elect other office bearers as per the law in force.”

The Annual General Body meeting resolves that rule 14(4) shall be replaced with following, viz.:

The election shall be held by means of electronic voting in such a manner as the Executive Council may decide.”

CHAIRMAN: We have taken up item No. 1 only - the report as such.

SHRI K.K. SETHI: Okay. Thank you very much.

DR. K. MALAISAMY: Revered, respected Chairman, beloved Director, elite, enlightened Executive Committee members, ladies and gentlemen. At the outset, I want to convey a glad news to the extent that I shall be as brief as possible and I shall be as quick as possible. I shall stick to the points and I will not test the patience of our Chairman. I shall go off before he gives a ring.



Before I start, I thought I should convey my New Year greetings, though it is belated. But I am bound to give the Pongal greetings and the Sankranti greetings. We are on the way of celebrating our Pongal. At this stage, I want to convey one adverse impression that the meeting has been convened at a time when we are celebrating Pongal in Tamil Nadu and South, and Sankranti in North. So, this festival is an all-India festival. Today is the very very important festival as far as Tamil Nadu is concerned. So, the timing and the date of the General Body meeting has been the most inconvenient for such of those people who are celebrating.

CHAIRMAN: I have already mentioned all this; do not repeat it. Please go to the substantive motion.

DR. K. MALAISAMY: Okay. Whatever the Chairman has already mentioned, I do not like to repeat. My only point is that the date and timing of the meeting is not at all palatable. That is the point I want to make. That is number one.

Number two is, as far as the issue is concerned, there was a lot of generation of heat when he moved the resolution. This Special Meeting of the General Body is going to consider the agenda. The persons who have come over here can propose that this is the point on which they want to pass a resolution. But a resolution is passed only after listening to others' views also. Just because you say that a resolution is passed, it is not correct. So, a lot of generation of heat was there but I do not like to go into that. On the other hand, I like to say that a three-member committee had been appointed. The Committee had gone into the issue and the issue had been discussed, and based on that, they have observed that the election of the Executive Council members should be held null and void. This is the observation made by the three-member committee. Whether the three-man committee's report is to be accepted or not, it had been rightly referred to the Executive Council. The Executive Council is the final authority – underline the word .....(INTERRUPTIONS)

SOME MEMBERS: No, AGM is the final authority.

DR. K. MALAISAMY: I am able to assess your reaction. The law is very specific. It was referred to the Executive Council. The Executive Council has held that this report of the three-man committee should be thrown out. Whether it is right or wrong, the Executive Council has decided the issue. After having been decided by the Executive

Council, it went on to the General Body. The General Body in its meeting has approved or endorsed or agreed. What I am trying to say is, the Executive Council has decided and that is the final authority. If you are not concerned with the Executive Council, if you are questioning the Executive Council's decision, then where is the appellate authority? There is no appellate authority as per the law. When there is no appellate authority, what is to be done? You have to put a court of law to interpret it....(INTERRUPTIONS)

SOME MEMBERS: No, AGM is the final authority.

DR. K. MALAISAMY: Please listen to me. I am speaking, you are not speaking. What I am trying to say is, according to me, Executive Council is the final authority.

SOME MEMBERS: No, AGM is the final authority.

DR. K. MALAISAMY: Okay. The AGM has approved..... (INTERRUPTIONS)

CHAIRMAN: Please let him have his say. You can later on come and refute it, if you want. Let us proceed.

DR. K. MALAISAMY: If you interfere like this, I may take a long time. The Chairman should excuse me. I want to place my views and you can counter it in your turn. So, the Executive Council is the final authority. Assuming, for the sake of argument, that it is questionable, then the General Body also has approved the Executive Council's decision on 10.10.2014. It has been recorded. It was presided over by the Chairman himself. What I am trying to say is, the matter has been decided by the Executive Council, the matter has been approved and endorsed by the General Body, now this General Body meeting has been convened. What for? To review a decision already taken by the General Body earlier. Have you got any powers to do that? This is too much. Based on my background of law, politics and administration for 37 years, I am talking with all seriousness and authority that it is neither legal nor regular. This is the main point I want to make.

One more important point is that the Vice-President of India has been given a memorandum signed by 45 members. I am told - kindly underline the word 'told' - that several members who have signed the memorandum and given to the Vice-President of India, our President of IIPA, have withdrawn in the sense that they are

not willing to support what they say. Many people have been singled out. In such a situation, what is the position? You kindly think over on the legal side of it.

My last point is, I am sorry to say that this is not the usual way of passing a resolution or bringing in any issue. On the other hand, there are some vested interests - I am sorry to say that - against the Executive Council members. The elected Executive Council members are 20 and the total number of the Executive Council members is about 37. So, still the majority is there. When the majority of the people are aggrieved, in such a situation, what is to be done? I am sorry to point out to the administration and the Director that when a matter relating to 20 elected Executive Council members comes to their notice and the election is questionable, what should have been done? The Executive Council members, before coming to a forum like this, should have been given an opportunity to explain what is their stand. Has an opportunity been given? The fundamental opportunity to be given to each and every Executive Council member who is supposed to be aggrieved, has not been given. It is totally irregular, illegal and what not. So, in nutshell, what I am trying to say is, whatever you may be, you have convened a meeting at a most inconvenient time. You have convened in such a way that the people in and around Delhi can be gathered and you can gang. Rightly or wrongly - I use the words rightly or wrongly - in IIPA, there are two groups now. Now the matter has gone to a court of law. Two parties have been created. So, in the long run, in the IIPA, is it healthy? As far as you are concerned, one issue is very clear. You are questioning the election. In election, malpractices have been there. I honestly concede that not only in this election, in every election, all malpractices are to the fore. They are trying to correct it. Whether the system of election procedure should be corrected? Yes. But do it in a proper way. Secondly, you also say that one member should not be there for more than two terms. I am individually in agreement with that. So, all the things are there. If you want to correct the system, we have no objection. But go by a proper procedure. If you want to fight, fight. They have decided to fight unto the last. Thank you.

SHRI J.C. BATRA: Respected Chairman, distinguished Director, my dear members of the IIPA. I am grateful for the opportunity given to me. I feel we are all responsible for what has been done before and we can correct ourselves in future. In

the past, something has happened, thereby electing a body which has perpetuated, unfortunately, for more than three years now. The term is four years. We are already in 2015 and next year itself the election is due. But then I feel that the Executive Council must be replaced by a new election. It happened some time, it should happen this time also. We can immediately go for new election. Let the Chairman of this meeting take the responsibility along with other people who feel that they can assist him to conduct a new election for the new Executive body.

As far as the postal ballots are concerned, I am not satisfied with the system. It creates corruption in the system. So, I plead to all of you to accept the report of the High Power Committee and request the Chairman to hold a new election with less ballots. Thank you very much, Sir.

PROF. (MRS.) NOORJAHAN BAVA: Hon. Chairman, Director, esteemed members of the General Body, ladies and gentlemen. Mr. Chairman, thank you very much for giving me this opportunity to share my views on the report. The first point of discussion today on the agenda is to take action on the report of the Committee. I went through the report. The Committee has done a marvelous job. The three men who had been appointed by the Chairman are stalwarts and I appreciate the independence given by the Chairman of the Institute to the Committee. They have carried out their task, the most difficult task, in a scientific manner, leaving nothing outside the purview, and they have submitted the report. Since I deposed before the Committee, I have got a copy of the report and I totally agree with it. The last election held in September, 2012 has been declared null and void. I urge you people not to throw mud or indulge in face appeasement. They have left the decision to us, to the General Body. They did not say you accept our decision. It is a recommendation. So, you are the supreme body. You have the right and you can agree or not. I agree totally with the report because they went into the nitty-gritty of everything. One-third of the members among the voters are really the black sheep who have thrown all the ethics and rules and regulations to the wind. They wanted to get into power and they succeeded, and they are ruling over this institute. They have tarnished the image of this highest national organization. The Chairman may kindly take necessary steps to conduct a new election.

On the use of ballot paper, I proposed long ago that the postal ballot should be abolished. In a General Body meeting like this, the members who are present should come and vote. We are already carrying with us the voter IDs and everything is available in the records of the IIPA in the Membership Section. Then and there you can identify the member and allow him or her to vote. Therefore, there is no problem. It is the simplest system, that is, voting taking place in the General Body meeting at the IIPA. Now, the Committee has also recommended online voting and there are four or five methods they have indicated.

CHAIRMAN: We are not discussing about the elections. I will also clarify that I do not want any movement now. If somebody has to go for any urgent requirement, then he can go but the door should be closed and there should not be a general movement from here or there. Please take your seats.

I might also clarify that the Government of India itself has appointed a committee to look into this and their recommendations will come. One hon. member also wrote to the Director that that committee is illegal. Those were his words, forgetting that it is the Government of India which supports this institution and that is how it is working. Even earlier also so many committees have been appointed by the Government of India because the autonomy was for academic working and for the day-to-day management to be done in an efficient and effective manner by the managing authorities. That is the only purpose of the autonomy given to the Institute.

The other thing is that I had mentioned, and members will recall, that last time when I had informed that so far as the people had asked me what had happened in the Executive Council, I said, the Executive Council has rejected the report, because this demand had been going on for the last two or three years. I had said that so far as I am concerned, I am helpless and it is for the AGM to take a decision. Probably because of this, they have sent their requisition to the Vice-President, who is the President of the Institute. So far as the office is concerned, we have no information of anybody withdrawing his name - the point that Malaisamy made. There is nothing on record. I again checked up and I find that not a single present out of that has withdrawn. That is the clarification I thought I might give.

PROF. NOORJAHAN BAVA: Thank you, Mr. Chairman, for giving me this opportunity.

CHAIRMAN: Thank you, Ms. Bava. Now, Captain Raja.

DR. (CAPT) D.V.P. RAJA: Most respected Chairman of our IIPA. As far as I am concerned, I consider this IIPA as a prestigious body because, I think, it is above local politics. This is an advisory body to the Government of India and to all the States, as far as the political system is concerned. I also join with you and respect the Committee's report. But that does not mean that we have to act immediately with 45 people. The membership of the Institute is more than 11,000 and only 45 people are sitting here, taking a decision and sending out all the twenty elected members of EC! My good friend Bangia came to me and said, 'People like you are for the right cause and along with all the 20 members, how can you go?' But I cannot understand how you are taking this kind of a decision at the last minute. We have already spent about three years and twice all the 35 members of the EC jointly rejected the three-member Committee's report to take any action now. Not once, twice it was rejected. Now, at the last minute, 45 or 50 people are coming here, out of which, we, about 25 or 30 people are also here. How can it be considered as a General Body? Such kind of issues come only to the Annual General Body, but in the last Annual General Body meeting held on 10.10.2014, we did not talk anything about it. In fact, as my good friend Malaisamy said, the decision of the two Executive Council meetings was accepted. What can our respected Chairman do at this stage? At this age, is it necessary that we give this kind of a trouble to him and to all the members? I request all the members, my dear brothers and sisters, to consider this. I am also one among you to correct the election system. We must make it a model for the whole country. My good friend Mr. Malaisamy is the Election Commissioner for Tamil Nadu. He told last time also that he was prepared to come and work with you, but you did not accept that. I cannot understand what is the emergency here to accept this resolution. Is it necessary? Even today we can sit down with our respected Chairman and work out a plan and we will evolve a system for 2016 election. Gupta Ji also spoke and other good friends also spoke in the EC meeting. They said that this is not the right way of doing things. What we must do is, we should sit down. This is not like local political

parties fighting; we must be a model for them. Therefore, what I want to say is, this General Body should consider that we must prepare a better system and after that only, we go ahead. Now the case is also pending in the Delhi High Court - it is very clear. It is not proper to go to the court and fight. You should not make all the 20 people to go to the court. We also join with you and we should work out and create a better system. If you are prepared, we will do that. It is not power politics. We are not very happy to be here as Vice-Presidents or as Executive Council members if we fight like this. Why should we come here all the way? Therefore, my dear brothers and sisters, I request you that it is right time to work out a better system. I request the Chairman that it is high time that we should all sit together and work out a new system. Thank you very much.

DR. P. KAUSHAL: Hon. Chairman, the Director, my fellow colleagues of this august body who have gathered here for this special meeting of the General Body. At the beginning, I would like to draw the attention to certain things which our hon. Chairman has mentioned and which I would like to share with this august body.

Sir, you have mentioned that there was a get together of the Executive Council. I am not going to say anything which is not in the purview of today's meeting. Having received the notice for this Special General Body meeting, being an Executive member of the Council and the Vice-President, we discussed it and a request was sent to the Institute that yes, if this meeting is to be held, let the meeting of the Executive Council, which is also answerable as per the Memorandum and the Rules – it is the responsibility of the Executive Council to safeguard the rules and regulations of the Institute – be held. The time was very short and it was requested by 10-11 members, which is the minimum quorum required as per the Memorandum of Association and the Rules. It was clearly written what was the objective. But this was not accepted. If the hon. Vice-President of India, who is the President of the Institute, can accept the requisition by 30 members, which is the minimum quorum required for this meeting, why not the Institute could have accepted a meeting of the EC? This is very unfortunate. People came, we had a meeting and there were certain minutes prepared, which I would like to hand over to the hon. Chairman.

**(A PAPER WAS HANDED OVER TO THE CHAIRMAN)**

DR. P. KAUSHAL: I am not going into the details. It has been presented to the hon. Chairman what happened on that day.

CHAIRMAN: There was no Executive Council meeting. I do not accept it. It was not called by the Director. This is a non-paper. You please speak to the point.

SHRI P. KAUSHAL: Yes, I am speaking to the point, Sir.

Then, Sir, you have mentioned at the beginning of this meeting that there were certain developments and one was that the matter has gone to the High Court. Yes, the matter has gone to the High Court and the High Court has allowed this Special General Body Meeting to be held under rule 24. We all agree that General Body is the supreme body. There is no point on that. But there are the Memorandum of Association, Rules and Regulations, and Election Byelaws. The agenda for this meeting is contradictory to certain rules and regulations, which is already on the record, so I need not repeat it. The hon. High Court has said that the meeting is allowed because it is a democratic process. The circular has gone, so it has been allowed. Then again, the court ordered on certain points. One was that court's observation is tentative. Mr. Chairman has said that it is routine. I agree. He is a knowledgeable person. But I would like to underline it that it is a tentative observation of the High Court. The observations are tentative and are subject to hearing on 23<sup>rd</sup> when the case will come up for consideration of the issue that we are discussing today. So, what we are discussing, what we decide today will be taken care of by the hon. High Court of Delhi on the day of further hearing.

Then I come to the agenda of this Special General Body meeting. I need not comment on it. Although I feel I am a responsible member of the Executive Council but because it is sub judice, because it has gone to the court, specially on the issue which we are discussing today, so it is our duty not to debate the issue. Yes, we can discuss the things but the matter of election has gone to the court and the hon. court is going to take notice of this. I just wanted to share all this information with you. I personally agree with certain observations made by Mr. Malaisamy, Mr. Raja and my personal view is that the election of anybody should be conducted in a democratic manner and in a proper way. This Institute of Public Administration is an institute of excellence and we all are responsible for the growth of this Institute. That is prime



duty of everybody, whether life member or annual member. So, we should discuss all those issues. It is my feeling that the issue that we are debating today is very unfortunate. As I do not agree for the resolution and for the agendas, I register my protest against this meeting and I may be going forward.

CHAIRMAN: Regarding the minutes of the so-called Executive Council meeting, I might clarify to the General Body because it is extremely important, that I did not agree to the holding of the Executive Council meeting because a superior authority, the President of the IIPA, had issued an order in accordance with the rules of this Institute and was backed also by the RTI. So, I did not want that the Executive Council should discuss, comment and criticize the orders of the higher authority, the President of the Institute. Now, the so-called minutes given to me says: "Dr. Malaisamy also questioned the way the hon. Vice-President of India and the President of IIPA has been informed by the Director and/or the Chairman about the motive of the Special Meeting and whether the President of the IIPA has been told that this report has already been rejected by the Executive Council." Everybody knows that copies of all proceedings, whether of the Executive Council or others, go to the hon. Vice-President of India and he takes note of them. So, it is not a fact that he has not been kept informed about this. I had informed the members and I said in writing also – I would not like to name them here – that I conveyed all the sentiments, all the things which were brought to my notice, repeated and reiterated again, which had already been in the knowledge of the Vice-President because those communications were originally sent to him and only copies were sent to me. I spent quite a lot of time. I myself had come to Delhi after about ten days and I requested specially the Vice-President and on my repeated requests, I was given time the next day at 12.30 p.m. I went there and conveyed everything to him. He was good enough to listen to me for about 40-45 minutes and then he took a decision. Mr. Srivastava said, intention of the Director has been established mala fide. Director had no mala fide intention. I am afraid that this kind of things are not good.

So far as the General Body was concerned, last year they did not agree. You know there was a shouting going on and I had said, I am helpless because the Executive Council has rejected, and now it is for you people to decide. That is why

they went specially for this meeting after all these months. I do not know what happened. I have to act according to the rules and in deference to High Court's observation. I made a reference to it even earlier. It is known that the high Court will take the final decision and the General Body will accept that decision, as and when it comes. That nobody disputes. So, that is not very relevant at this particular moment.

Now, Mr. Jairam Tiwari.

SHRI JAIRAM TIWARI: Respected Chairman and members of the General Body. Many questions have been raised against the bona fide of the meeting, against the so-called Executive Council meeting, and the Executive Council rejecting the recommendation of the three-main committee. Before I go further, I would like to say that in 2012 AGM, during my speech, the hon. Chairman declared for the formation of a three-member committee. It is given on page 46 of the proceedings of AGM, 2012. Accordingly, the committee was formed. It was the duty of the IIPA to place the report of the committee before the AGM and it was the property of the AGM, not of the Executive Council.

Secondly, Section 17 of the Byelaws clearly says that the Executive Council is to function under the control and direction of the AGM. AGM has already directed for the formation of the committee, and the Executive Council has no right to reject it without placing it before the AGM.

Thirdly, with all my respect to all the three Executive Council members who opposed and who reiterated its rejection by the Executive Council. There are many legal luminaries here. All are intelligentsia. Only one question I would like to ask them. When there is a contest between principle of jurisprudence and the law, which should get the precedence? Principle of jurisprudence is very clear. No one can be judge of his own action. I had been a member of the syndicate. Many allegations had been leveled against me. I myself said that during the consideration of allegations against me, Mr. Vice-Chancellor, please excuse me, I would not like to be a party to the deliberations. Vice-Chancellor rather thanked me and said, 'Tiwari, we were a bit hesitant to tell you. This is the principle of jurisprudence which you have yourself said.' So, as per the principle of jurisprudence, those 20 members should themselves have told not to be a party to the decision of the Executive Council. They have

violated the principle of jurisprudence and they say they are intelligentsia, they say that they are the members of the Executive Council of this Institute of international repute!

Regarding the Government of India inquiry, I have not withdrawn anything signed, written and sent. I have written to the Prime Minister and the Government of India in September this year. I have played my duty as a catalyst for the Society to reform IIPA and now it is the duty of the Union Government and the Society to act. Since the Society is not acting, it is the Union Government which must supersede IIPA. Its autonomy should be restored only when its byelaws are amended suitably. I have written and I am thankful to the Prime Minister and the Government of India.

Fourthly, my friend Mr. Kaushik has sent a mail yesterday. Better he will explain it himself. One of the members of the Executive Council said that this a Government of India organisation. All right, if he says so, what Kaushik has said in yesterday's mail is, 'most of the grants come from the Government of India'. Is he right to refer the matter to CBI for inquiry? Because the Government of India's money is involved, the whole matter should be referred to the CBI. Why not? There are many ill practices taking place. Many Executive Council members have drawn TA - I have the papers with me - to the tune of Rs.30,000 to Rs.60,000. I do not know they have drawn or not but they have shown the ticked and cancelled. Is the IIPA for loot? On the Facebook, I have said that Ketelbey has written in his book *History of Modern Times* - I have sent a message to Mr. Malaisamy also; you kindly see my Facebook because my Facebook is open for public - "Letters of all kinds prepare different solutions". Here, in IIPA, letters of all kinds of IIPA are creating the dirtiest mud on the society of India, and they say 'no, no'. What no? The superior body has already ordered the Chairman. The Vice-President of India is the President of the Institute. He has been kept informed. Vice-President's office is itself a secretariat. After examining all the records, it is presumed that he has ordered for this Special General Body meeting. Knowingly I did not come in the last General Body meeting since the Society was not acting. I have already successfully played the role as a catalyst, now is the turn of the Government of India and the Society to act. Nobody was acting, therefore, I wrote to the Prime Minister to supersede it. If the people do

not listen here, they will listen in the CBI, they will listen in the Government of India. If they want this fate, I have nothing to say.

I want to give one more advice to my Executive Councils' friends. I have many friends here and I have many well-wishers also here. I know that. This is an opportunity for you to clear up your sins - this is my sincere request - or I pray to God that let wisdom prevail upon them, failing which, what Kaushik has said, that is going to come. That is all.

One thing more, Sir. Yesterday Mr. Banga had authorized me and Mr. Kaushik to reply at the end. Right to reply is with us, with the requisitionists. Therefore, at the end, I and Mr. Kaushik, if you like, may be given the opportunity to reply to the questions raised by the members. That has already been given to you, Sir.

CHAIRMAN: Now, Mr. P.R. Shampath.

SHRI P.R. SHAMPATH: Respected Chairman, Director, hon. members. The first point for clarification is, the summary of recommendations says, "The election to the Executive Council of IIPA was conducted in violation of Byelaws, therefore, it should be removed." The second point is, "We, therefore, recommend that the said election be declared null and void. The management of IIPA may consider taking further appropriate action under rule 5(20) of the Election Byelaws." We have the election byelaws, according to which the elections are being conducted. So, when the complaint was raised, it was referred to a three-member committee. I read section 5(20) because it has been put in the recommendation. Section 5(20) says:

"The Committee so appointed shall" – it is not will - "after giving adequate opportunity to the petitioner, the concerned candidate and others of being heard, shall submit its report to the Executive Council."

Not to the AGM. It has been very clearly mentioned, it has to be submitted to the Executive Council only, not to the AGM. It also says:

"The Executive Council shall consider the matter and take appropriate decision. The decision of the Executive Council in such matters shall be final."

This is the election byelaw according to which only we have been conducting all the elections so far. I tell you, the committee so appointed, has not given an opportunity to any of the members. There were 70 candidates who had contested the election.

The Committee has not heard even a single person and they have not been given any opportunity, as the principle of natural justice demands. This is total violation of the law and it will not stand in the court of law because in the matter of election, only the election byelaws will stand and nothing else. As a principle of natural justice, we must have been heard. Even a person who is to be hanged on the charge of murder is given an opportunity to be heard but here there was no opportunity given to us. So, on that count itself, the three-member committee's report cannot be null and void.

I tell one more point because most of the members may not have seen the report. 7,600 ballot papers were sent to all the persons concerned, 2,300 ballot papers were received here, 300 papers were rejected on one or the other ground, and 2,000 ballot papers were handed over to the 3-member committee for verification. Mind that 2,000 ballot papers were given to the committee for inquiry. It is there in the report. Out of that, they say 1,316 ballot papers were reported to be free from blemish as they conformed to the requirement of election byelaws. So, out of 2,000, two-thirds ballot papers were genuine ballot papers. It was accepted by the three-member committee. Then how can you say that all the 20 elected members have done something to win the election? It is the three-member committee which said that 2/3<sup>rd</sup>, that is the majority, of the ballot papers were genuine. That means, according to the byelaws, they are correct. In a democratic set up, when there is 2/3<sup>rd</sup> majority, everything is accepted. So, 2/3<sup>rd</sup>, that is, majority of the ballot papers were found to be correct according to the byelaws and only 684 ballot papers were found to be having multiple handwritings. Only on this ground, do you mean to say that all the 20 members have done something nonsense and have become members? How can you say that? That is why we are not accepting the three-member committee's report. When the three-member committee itself says that 2/3<sup>rd</sup> of the ballot papers are genuine ballot papers, will you stand in the court of law? This is one point that I am making. Similar point has been raised by Mr. Tiwari in 2012 AGM, and in 2014 AGM, the Annual Report was placed here which says:

“The Committee submitted its report to the Chairman, IIPA” - not to us – “on 15<sup>th</sup> January, 2014. The Report was placed before the Executive Council for consideration in its meeting on 27<sup>th</sup> March, 2014 and it has rejected the report”

It was reported in the Annual Report, and the Annual Report was placed in the AGM in October, 2014 and it was accepted. When the Annual report was accepted and it was reported, then how can you say that this report is totally acceptable and all the members become null and void?

This Committee gives not only the first point that the Executive Council becomes null and void? That is not the only recommendation given by it. They have given so many recommendations. One of the recommendations is reform of election. You have not spoken anything about the recommendation given by the three-member committee. We all agree that you make any reforms for the elections to be conducted in the future. In 2016, there is an election. By that time, they have recommended to go to NIC, Election Commission of India and find out how it can be done online. We all accept that. But instead of doing that, you are throwing out the genuinely elected members, having genuine ballot papers according to the Committee. Leave alone that, if you want me to resign, I will resign, but do not throw me out through backdoor. If all the member ask me to resign, I will resign. I will not say anything. But do not throw us like that. We will face it in the court of law. Lot of things are with us and we will fight to the last. We have lot of opportunity to fight ourselves. We are not saying that do not do anything. Do whatever reforms you want to do. Lot of information has been given in the three-member committee. Do not take only the first thing. What I want to say is, you consider the report of the three-member committee. I have given there some of the points in the three-member committee. We will adopt the three-member committee report on the election reforms, not on the members concerned. Thank you.

SHRI M.C. GUPTA: Respected Chairman, IIPA, Mr. Director, and hon. members of the IIPA. As I take this stand, I immediately say that I endorse the resolution which has been moved by Mr. Banga, and also the two resolutions which Mr. K.K. Sethi has read out. He was advised not to follow through with the remaining resolutions; these will come up at the appropriate time. As I stand before you, ladies and gentlemen, and as I heard Shri Malaisamy, Capt. Raja, Mr. Kaushal and lately, Mr. Shampath, I was reminded of what Shakespeare said in Julius Caesar. When Brutus came to the Pulpit at the invitation of Mark Antony and he made a reference to his relationship

with Julius Caesar, he said that he did what he did, not because he loved Caesar less but because he loved Rome more. So, Mr. Malaisamy, Mr. Raja and the other 20 elected members to the Executive Council, I would say in all humility that what I am going to say is because I love IIPA more and not because I love them less. Many of them have been my very good friends and I am sure, irrespective of the outcome of today's deliberations, they will continue to be friends.

I was present, Mr. Chairman, at the meeting of the Executive Council in which this report was taken up for consideration. Sir, you will kindly recall and some of my colleagues would recall that even at that meeting, a question had been raised about the admissibility of the elected members to the Executive Council, 18 of whom were present at that meeting, that they really should not participate when the hon. Chairman put this subject to vote. But that objection was overruled and the voting that followed saw that there were 18 votes in favour of rejection and only six votes for accepting the report. This conclusion was obvious, and as Mr. Tiwari said, the principle of natural justice – not really of jurisprudence but principle of natural justice - demands that nobody should be a judge in his own case. This is what happened, and I think this was *ab initio* vitiated. If that had not happened - it is a little more than hypothetical - if the Executive Council had taken a sagacious view, then the need for convening this special meeting of the General Body would not have arisen. It has arisen because, in my humble judgement, the Executive Council, as it was constituted at that time, went ahead considering the report and rejecting it, which was most unfortunate. The hon. Vice-President of India, who is the President of the Society, in my humble judgement again, took the right decision, and if I could venture to say in all my humility, he had no option because the rule is so clear on the subject that if 30 or more members send a requisition, the President shall convene a special meeting of the General Body after giving a minimum two weeks notice, and that is what has been done. I do not really want to go into the text of the report or the recommendations. It is enough that it has been read, it has been debated, it has been circulated, and very valuable comments have come from many sides. I join Mr. Tiwari on this and I make a very impatient appeal to all the 20 elected members – I believe, there are 19 now - that they should themselves come forward and say that fine, even if we do not agree with the method

or with the outcome, we respect the verdict and we ourselves say that we demit office. It is a matter of supreme sacrifice and, maybe, I can see Mr. Shampath perhaps telling himself that since Mr. M.C. Gupta himself is not one of them, he can jolly well say that.....(INTERRUPTIONS) Shampath, I have no argument with anyone of you.....(INTERRUPTIONS). Kaushal, do not waste your breath. If I am wrong, I am wrong. Leave it at that.

CHAIRMAN: Please go ahead.

SHRI M.C. GUPTA: Distinguished ladies and gentlemen and Mr. Kaushal, I would say in all modesty that it is unfortunate that things have come to this pass. In the last 18 years of my close association with the IIPA, it is the first time that such an event is taking place. I wish it had not taken place. And it is most ironical, Mr. Chairman, Sir, that this is happening in the Diamond Jubilee Year of this great institution. Imagine, Mr. Krishna Kumar is here. He was designated Chairman of the Diamond Jubilee Committee and many of us enthusiastically joined him when he chalked out very elaborate and ambitious plans to celebrate the Diamond Jubilee. I do not think what we are going through is a fitting finale to the Diamond Jubilee year of this institution.

I would not tax the patience of this august house. I would say that the resolution which was moved by Mr. Banga and which has been ordered by the Vice-President of India and the President of the Society to be considered by this august house, may be carried, and I endorse it.

Just one issue on the appropriateness of the meeting of the Executive Council. It has been mentioned as a meeting of the Executive Council. Hon. Chairman has already said that it is not so. I see more than one flaws in the logic that it is the EC meeting because if we recall, if you look at the rules of the Institute, the President of the Society is the first member of the Executive Council. It is another matter that in the last 18 years, the hon. President of the Society has not joined or presided over such meeting, but it does not take away from the substance or legality of that provision that he is the first member of the society. So, if a meeting is to be convened, I would say that either the Chairman or the number one member should say that yes, the meeting can be held. In this case, even the Member-Secretary had not accepted or endorsed the suggestion. I am not joining an issue because I have not gone through



the Civil Miscellaneous Petition which Mr. Malaisamy and others have filed. I am not aware of what the prayers are. I certainly do not know what the grounds are. But fine, it has been filed and the Chairman has made a reference to it. Mr. Shampath mentioned that the word used by the hon. judge of the High Court is that the meeting is 'tentative'. I have not even seen that part of it. But I would say only one thing generally, and that is that all executive action is subject to judicial scrutiny and certainly, since this institution is in public domain, all decisions taken by the management of this Institute, and certainly that includes the Executive Council also, are liable to judicial scrutiny. So, that is where we are and any decision that is taken even today will obviously be subject to judicial scrutiny. I do not have to say that; it is very clearly understood.

Thank you very much, ladies and gentlemen, and thank you very much, Mr. Chairman.

CHAIRMAN: Mr. Krishnasagar Rao from Hyderabad – Not present.

Dr. Ghanshyam Singh.

DR. GHANSHYAM SINGH: Mr. Chairman, the Director of the Institute and hon. members. I was listening very patiently to all the submissions made by the persons who are for the resolution and who are against the resolution. But before I come to the agenda, Mr. Chairman, I would like to clear the mist created by the members, that is, the Executive Council vs. General Body. All the time the Executive Council used to take the decision. They are answerable to the General Body. But this was a separate case. This was a case in the sense that the Executive Council took a decision on the issue which was annulled by the three-member eminent committee, meaning thereby that a culprit is sitting to make judgement on their own guilt and all that. My submission, therefore, would be that whatsoever decision the Executive Council has taken by annulling the report of the committee, that was unjustified. Most of the Executive Council members are my good friends, like Capt. Raja, Mr. Navin and all that and, for that matter, I must appreciate them. But my submission is for the issue and the issue is that the Executive Council was illegal in the sense that their election itself was declared null and void by the committee appointed by the Chairman.

So, Mr. Chairman, therefore, I think this house is competent enough to take a decision and this house only is competent enough to take a decision, and for that matter, I hereby submit that the recommendation of the Committee, the operative part, that 'we, therefore, recommend that the said election be declared null and void', should be taken care of and we must pass it. I very much appreciate Capt. Raja, Mr. Shampath and others also that they believe in the democratic system. I submit that if you believe in the democratic system, and honesty also demands that if you feel that a finger is raised against you, then ethics demand that on your own you should submit your resignation. Well, if you have got the solid support of the members, you can come back here and we will welcome you. So, in that sense, either the committee, in all honesty should resign themselves or, in case they do not resign, then I appeal to Mr. Chairman, that this recommendation made by the three-member committee should be accepted. I support the resolution submitted by Mr. Sethi and what Gupta Ji has said.

CHAIRMAN: Now, Shri Prithvi Das. Please be brief. You have already seconded the resolution.

SHRI PRITHVI DAS: Hon Chairman, Indian Institute of Public Administration is an esteemed institution. Fortunately, we have got the present Chairman who, on several occasions, has proved himself to rise above self. He has sacrificed on a number of occasions in the interest of the institution. Now, after the constitution of the committee, the strangers in the committee have recorded objective satisfaction with reasons and record. We will not go into that. They have passed left-handed comments which I would not like to utter. Tiwari Ji has said that that report says that this institution is a muddled institution. If such commends are being instituted, I appeal to my fellow brothers, and more particularly to hon. EC members, to rise above self. Let the things come out. Let chaff be separated from the grain and the things be set right. We have noticed that in every AGM, outcry has been made in respect of the administration, and particularly the elections. We have also noticed that there are a number of irregularities in the elections. Least said is better in respect of the elections. If that be so, why do we discuss more and more. Now, the matter is not sub judice. The hon. High Court has considered every aspect and thereafter permitted this General

Body meeting to be held today. Having regard to all these, my request would be, kindly appreciate the report and support the institution. I also appeal to the EC members to rise above self for the purpose of the institution and volunteer to resign. As I already said, I had moved a resolution in respect of the Chief Justice of one of the High Courts. He did not dispute that. He did not say he was not given a chance in the interest of natural justice. When I see that something is being reflected on the institution, I will rise above myself, like our hon. Chairman has rose on several occasions, and volunteer to resign. Please follow this precedent and all Executive Council members should come forward, resign voluntarily and opt for fresh elections. Thank you very much.

DR. RAGHVENDRA SHUKLA: ekuuh; lHkkifr th] funs"kd egksn; vkSj gekjs lnL;x.kA

SOME MEMBERS: Please speak in English.

CHAIRMAN: He is free to speak in Hindi. Earlier also people have spoken in Hindi. In the minutes we can translate it. But please let him speak.

DR. RAGHVENDRA SHUKLA (LUCKNOW: vki ,sls vkWCtsDV djsaxs] vki ;g lkspSaxs fd vkidk Qsoj fd;k tk,A vki fganh esa cksyus ugha nsaxsA vki vkWCtsDV dj jgs gSaA CHAIRMAN: If he wants to speak in Hindi, let him speak.

In earlier years also some people have done it.

DR. RAGHVENDRA SHUKLA: vkids tks ,XthD;wfVo esaclZ gSa] mUgksaus tks vHkh&vHkh lqcg lhu fdz,V fd;k gS] vki dksVZ esa tkus ds fy, Lora= gSaA eSaus vHkh&vHkh gkse fefuLVj ls Vkbe fy;k gSA ge Hkh ogka tkus ds fy, Lora= gSaA ;s tks bjsX;qysfjVht gq;h gSa] fiNys pkyhl lky ls gks jgh gSaA bldks ;fn vkt can ugha fd;k x;k rks ;s ges"kk pyrj jgsaxhA tks fjtkSY;w"ku vHkh ckaxj lkgc us izLrqr fd;k gS] ge mldk leFkZu djrs gSaA gkse fefuLVj ls ckr djus ds fy, gesa Vkbe fey x;k gSA vki dksVZ esa tk jgs gSa] vki tkus ds fy, Lora= gSaA eSa Hkh dgha tkus ds fy, Lora= gwa] eSa tkmaxk vkSj viuh ckr dgwaxkA tks bjsX;qysfjVht gq;h gSa] tks oksVIZ gSa] ge ;g dg jgs gSa fd oksV ds lkFk f[kyokM+ gqvK gS] oksV ds lkFk NsM+[kkuh gq;h gS] ;g iDdh ckr gSA

CHAIRMAN: Mr. Shukla, you address the gathering.

DR. RAGHVENDRA SHUKLA: ge ;g dguk pkgrs gSa fd bl laca/k esa gekjh tks fxzosalst gSa] tks Hkh phtsa geus j[kh Fkha vkSj Fkzh&esaciZ desVh us mls j[kk gSA og vki dg jgs gSa fd lgh gS ;k xyr gS] mldh ge fQj ls tkap djks;saxsA gkse fefuLVj ls ckr djsaxs vkSj ;g fMekaM djsaxs fd fQj ls tkap djsaA

CHAIRMAN: Bhd gS] og rks tks pkgs djsa] vki liksVZ dj jgs gSa ;k vikst dj jgs gSaA

DR. RAGHVENDRA SHUKLA: ml desVh dh tks fjdesaMs"kal gSa] mudks ge liksVZ djrs gSaA

DR. R.K. VERMA: Mr. Chairman, Sir, Director, Sir, and all the hon. members and EC members. I have nothing to say about what has been done but I have to express some observations and feelings that I have been observing for the last few years.

The cleaning of electoral process of IIPA has been like Clean Ganga Project. It is never being cleaned. I am not telling what had been done but I would tell what we did not do. Firstly, the high-power committee's report was not discussed widely in the General Body, which should have been done. I have not gone through the report but I heard here itself that two-thirds of the ballots were genuine and one-third were not genuine. I wonder, this is an unscientific conclusion. Which two-thirds were genuine and which one-third were not genuine, this should have been made clear.

So far as the reforms in electoral process is concerned.....

CHAIRMAN: That is a separate issue. The question before us is resolution, whether you support it or you oppose it. That is all.

DR. R.K. VERMA: Before I say that, I must put my arguments in brief, Sir. I will take only one minute, not more than that.

So far as the reforms in the law is concerned, it should be taken seriously. What happened last year or what happened three years before is less important than making a pure system to make the IIPA elections genuine. The spirit of the law is more important.

CHAIRMAN: That is being taken care of. Again you are talking on the same point.

DR. R.K. VERMA: My third point is, this General Body which has come to discuss such a serious issue, should have had wider representation from all over the country.

We have 44 branches. How many branches are represented, I do not know, but I know that it is not properly represented. Thank you, Sir.

CHAIRMAN: Thank you. The problem is, many regional branches are dead and many local branches are dead. People do not come. There may be 11,000 members but in the General Body never more than 300 people come. That is why the membership of the Institute also is connected with the same electoral process.

Now, Dr. K.N. Yadav.

DR. K.N. YADAV: Hon. Chairman, Mr. Director, and respected members. Sir, I have to mention some points with regard to the two agendas.

CHAIRMAN: Only on agenda point No.1.

DR. K.N. YADAV: Yes. But before that I want to go into some background also.

Before I proceed to these two agendas, I must mention that we are not getting the larger participation of members due to some important festivals like Pongal and Makar Sankranti, and also there is fog problem. That is why the trains are coming late and that is why the representation of members is very low. So, it is an important point and, in that context, I would like to mention that if you take a decision, it will be improper in the eyes of law and justice.

Now I want to come to the point that if you want to consider the three-member high-power committee's report, I must mention, the recommendations of the high-power committee cannot be considered as magna carta. There might have been mistakes on their part also. If we have some doubts about the election, those can be rectified in the coming elections also because if we conduct fresh election, it will cost additional expenditure on IIPA. So, it will not be good for the health of IIPA.

So far as rule 13 and 14 are concerned, I must mention that rule 14 must be taken up before the larger participation of members in the next AGM because this institution is the dream of Jawarhal Nehru and Dr. Rajendra Prasad, and we cannot allow the dream of Dr. Rajendra Prasad and Jawaharlal Nehru to be demolished. So, this rule 14(4) must be considered before the larger participation of members in the next AGM meeting which will be conducted in 2015.

So far as rule 14(3) is concerned, we are living in a parliamentary democracy. When an MP or an MLA can contest ten times or till his life, why not the members of

this organisation also contest time and again? If the members like them, they will be elected time and again, otherwise not. So, this will be against the spirit of democracy. Please note it down that this is against the spirit of democracy if you restrict the term of any member and say that no member can be elected for more than two times.

Next, I would like to mention before you that please wait for the order of the High Court also.

Lastly, I would like to mention that if we want to keep the motto and objectives of Pt. Jawaharlal Nehru alive, then we must make the larger participation of members. Due to festivals, very small number of members have come here. So, this will not be justified in the eyes of law and justice. Thank you.

CHAIRMAN: Thank you Dr. Yadav. Now, Shri H.N. Sharma. I have finished the list but Dr. K.N. Srivastava, who is the Treasurer, has also come, so I will give him also the chance to speak, and after that, Yogendra Narain will speak. I shall give priority to Dr. Srivastava.

SHRI H.N. SHARMA: ekuuh; v/;{k egksn; vkSj lkFk;ks] eSa tks vkidk ,tsaMk gS] mlds Åij rks ugha tk ik jgk gwa] ysfdu vki yksxksa ls ;g izkFkZuk djrk gwa fd bl baLVhV~;w”ku esa tc eSa esacj cuk Fkk rks i<+us ds fy, cuk Fkk] tkudkj izklr djus ds fy, cuk FkkA fganqLrku esa esjs tSls ikap gh vkneh gSaA eSa vkidks crkrk gwa] ftl le; eSa iSnk gqvK Fkk] ml le; esjh eka tsy esa Fkha] esjs firk tsy esa Fks] essjs xzSaM Qknj tsy esa Fks] esjh xzSaM enj tsy esa Fkha] u gekjs ckck lk<+s Fks vkSj u esjh eka i<+h&fy[kh FkhaA ikap vkneh bl rjg ds vHkh gSaA geus dksbZ ISdzhQkbt ugha fd;kA vkils vkxzg gS fd vkidk fu.kZ; vxj fdlh gkbZ dksVZ ;k mPp U;k;ky; esa pyk tk,] ;g cM+s nqHkkZX; dh ckr gSA blesa cgqr ls yksx fn[kk;h ns jgs gSa] [kqn “kkld jgs gSa vkSj [kqn fu.kZ; fy, gSa] D;ksafd eSa iz/kkuea=h th dk ikWfyfVdy ,Mokbtj Hkh Fkk] ftl le; vkfFkZd ,Mokbtj Jh eueksgu flag th FksA eSa panz”ks[kj th dk ikWfyfVdy ,Mokbtj Fkk vkSj eueksgu flag th ml le; vkfFkZd ,Mokbtj FksA vkils esjk vkxzg gS] vkiesa dqN ,sls yksx cSBs gq, gSa] ftuds fu.kZ; gekjs ikl vkrs Fks vkSj eSa mldks le>rk FkkA eq>s dgka yxkuk Fkk] dgka ugha] ;g tkurk FkkA

prqosZnh th ;gka mifLFkr gSa] og gekjs ps;jeSu gSa] eSa vkils ;g vkxzg djuk pkgRk gwa fd vius dsl dks vnkyr esa er ys tkb,A ,d nksLr us ;gka dgk fd

lhchvkbZ ns[ksxhA ,d “kghn Lekjd cfy;k esa gSA t;izdk”k ukjk;.k ds tekus ls og py jgk gSA vkt mldh lhchvkbZ] pwafd panz”ks[kj mlds izslhMsaV Fks] vc mlds dey eqjkjdk izslhMsaV gks x, gSa vkSj eSa tujy lsdzsVjh gks x;k gwaA tkurs gSa fd lhchvkbZ dk dkSu vkneh baDok;jh djrk gSA ,d dkaLVscy] tks vkidks cSBk;sxk ?kaVksa] vki izksQslj gSa] MkDVj gSa ;k dqN vkSj gSa] og vkidk c;ku yrsk jgsxkA bldks vius esa] bl gky esa tks dqN djuk vki pkgrs gSa] jk’Vz~fgr ds fy, vkils vkxzg vkSj esjh izkFkZuk gS fd IHkh yksx feydj bldks ;gha [kRe djsaA u bls dksVZ esa ys tkb, vkSj u lhchvkbZ esa ys tkb,A vki IHkh yksxksa us lhchvkbZ dks Hkh ns[kk gS vkSj dksVZ dks Hkh ns[kk gS] blfy, ;gh vkxzg djus ds fy, eSa [kM+k gqvk gwaA eq>ls dksbZ xyrh gks x;h gks rks eSa IHkh esaclZ vkSj v/;{k th {kek pkgrk gwaA

t;fganA

CHAIRMAN: vkidks cgqr vIZs ls tkurk gwa] /kU;oknA Dr. K.N. Srivastava.

DR. K.N. SRIVASTAVA: vknj.kh; ps;jeSu lkgc vkSj MkW;jsDVj lkgc] eSa btkr pkgwaxk] D;ksafd ;gka cgqr ls yksx gSa vkSj eSa viuh Hkk’kk esa “kk;n viuh ckr cgqr vPNh rjg ls dg ldwaxkA

eSa ;gka ls “kq:vkr djrk gwa] ;g tks ehfVax cqyk;h x;h gS] blds laca/k esa esjh MkW;jsDVj lkgc ls] MkW;jsDVj ds dejs esa ckrphr gq;hA bUgksaus eq>s crk;k fd] I was about to conduct this meeting in the month of December but since I am going on leave, this meeting is extended to January. When he told me this date, I very very humbly requested him that, ‘Sir, this is not a suitable date. Four very important festivals are there. Fog also is creating a lot of problem.’ I was to reach here at 6.00 a.m. but I have reached at 4.30 p.m. You can imagine how many persons, who have even booked their tickets, must not have reached by this time. So, I requested the Chairman and I wrote a letter also submissively. I said, ‘I am not against this meeting. If you want to discuss something in this particular meeting, you just defer this meeting to another date that is suitable’. And it has been the past practice that such type of meetings were always kept at a time when AGM was held. Last time we held that particular meeting. There are so many regional branches. As the Chairman has said, how many are active or how many are not active, that is not

the question. How many members are attending the Parliament and how many are not attending, that is not the question. The question is, this is Parliament.

CHAIRMAN: You speak on the agenda item, not on other things.

DR. K.N. SRIVASTAVA: Now, coming to the agenda, the first agenda item is regarding the constitution of the three-member committee. This committee is altogether illegal. Its decisions are not corroborated by law. I am telling you one thing, ;g desVh tc cuk;h x;h rks bl desVh dks cukrs le; ,d fizfyfeujh baDok;jh gksuh pkfg,] fizfyfeujh MkW;]sDVj ds }kjk gksuh pkfg,] og ugha dh x;hA ml le; tks fjVfuZax vkfQlj Fks] mUgksaus cgqr esgur ds lkFk ;g dke fd;k Fkka ps;]eSu lkgc us] MkW;]sDVj lkgc us ikap vknfe;ksa dk xzqi cuk;k Fkk] tks ;gha ij fyQkQs psd djrs Fks] ftlesa gekjs Lo:lk lkgc cSBs gq, gSa] ;s Hkh esacj Fks] fuxe lkgc Hkh esacj Fks] ;s ckgj ls vkWCtoZj FksA jftLVz~kj esacj Fks] nks fMIVh jftLVz~kj esacjZ Fks vkSj djhc rhu lkS fyQkQs mUgksaus ckd;nk ;gka ls gVk fn,A uks MkmV] bV~l vkWy jkbVA ,sV nh Vkbe vkWQ bysD"ku] gekjs fjVfuZax vkfQlj lkgc Hkh lkeus cSBs gq, gSa] fnl bt , fcx ydA bl ds ckn iqu% nks jkbfVax ,DliV~IZ cqyk;s x,A mudks cqykus ds ckn muds fQj ls fyQkQs ns[ks x,A ftUgksaus tks Hkh vkWctsD"kal fd, Fks] os fyQkQs ns[ks x, vkSj mlesa Hkh eSa le>rk gwa fd 90 ls 100 ds djhc fyQkQs gVk fn, x,A vkus iwjh rjhds ls fizdkW"kal fy,A vkus LihM iksLV ls Hkstka ;gka ls iksLV ekLVj tujy dks fy[kka ;s lkjh dh lkjh ckrsa gks x;haA Now, all the power comes to the Returning Officer. The Returning Officer has altogether declared the result, and if the result of the election has been declared, there should be no question other than going to the court.

Secondly, the committee which has been constituted, in that committee also two things have been clubbed. igyk rks tks vkidh Fkzh&esu desVh dh fjiksVZ Fkh] ftlesa vkus ;g Hkh ns fn;k fd dkaLVhV~;w"ku y vesamesaV ds Hkh izksohtal j[k fn, tk,aA There is no such type of regulation in the byelaws fd dksbZ Hkh vf/kdkj tks ps;]eSu dks fn;k x;k gS] og dsoy fijfax ds laca/k esa fn;k x;k gSA There is no other right. It shows what is your intention behind this, what you want to have. Where is the question of amendment of the Constitution when one year back, the constitutional proposal of amendment has been put here and it has been defeated, except on one point?



Now, coming to the ballot boxes, the seals of the ballot boxes were opened but we were not consulted at all. avki tkurs gSa] fjVfuZax vkfQlj vki Hkh jgs gSa] MkW;jsDVj lkgc Hkh jgs gSa] vki Hkh jgs gSaA lhy esa vkus ckdk;nk nLr[kr dj;] lhy yxk;hA ;gka ij vkus lhy rksM+ nhA ml lhy esa vkus fdlh ls dqN ugha iwNk fd dkSu cSBk gS] dkSu ugha cSBk gqv k gS\ vkbZ ,se ukWV VkfdaX ,ckmV nSV fFakax] vki ugha tkurs gSa] vki dSlS dg ldrs gSa fd ;w vkj jkbV] vki ogka ugha FksA vkidks fy[kdj cqykuk pkfg, fd vki vkb, ftu yksxksa us fjlhfoax ij nLr[kr fd, gSa] [kSj mls NksfM+,A

My next point, is, the Committee itself has reported that one box was missing. ,d ckWDI fel gks x;k] vki dg jgs gSa fd ,d ckWDI fel gks x;k] vxj dgha ij dksbZ pht dkmaV gksrh gS vkSj ;g bysD"ku dk ekeyk gS] ftlesa brus vknfe;ksa dk ckdk;nk Hkfo'; fuHkZj gS vkSj vki dgSa fd og xk;c gksA xk;c gqv k gS] ;g mlesa fy[kk gqv k gS] desVh dh fjiksVZ esa fy[kk gqv k gS fd ,d feflax gSA vki mldks Bhd ls if<+,A mlesa fy[kk gqv k gS] vkWy jkbV] nsu ;w gSo fxosu vkWy VwxSnj] bV bt vkWy jkbVA blesa ukWyst okbM gksus dk loky ugha gS] tc xk;c gks x;k rks xk;c gks x;kA bldk eryc mlds ihNs dqN gSA

Regarding the case of rigging, you have written that so many ballots were found genuine and so many were found to be non genuine. dkuwu dk ,d fu;e gS fd fdlh Hkh O;fDr dks vki xyr ltk ugha nsaxsA vxj nl vijk/kh NwV tk,a rks mudks NwVus nhft,] ysfdu ,d fujijk/k ugha NwVuk pkfg,A ;gka ij nks cV k rhu fujijk/k NwVs tk jgs gSaA os dkSu ls gSa] vki crkb,] ge ogh tkuuk pkgrs gSa] ftUgksaus ;g fjfxax dh gS] muds uke Li'V dhft, fd bu yksxksa us fjfxax dh gS] budks gV k nhft,] gedks blds ckjs esa dksbZ Hkh leL;k ugha gSA

CHAIRMAN: There is no confusion about that. One paper, when it was sent to the forensic people, it was misplaced there. Later it was traced and it was all recorded.

DR. K.N. SRIVASTAVA: I do not know whether it is traced or not. The matter is subject to court decision now. vki fMlhtu nss jgs gSaA

CHAIRMAN: eSa ugha ys jgk gwa] ,th,e fMlhtu ysxhA gesa ugha djuk gSA I am only presiding. I am neither here nor there.

DR. K.N. SRIVASTAVA: lj] ,th,e rks gS gh ugha] because nobody has been informed, vkus 15 rkjh[k dks mudks Hkstk gS] ipkl yksxksa dks og feyk ugha

gSA gesa ijksa gh dkxt feyk gSA How can you say that it is General Body meeting? brus vkneh ,th,e gSa] 2200 ykxksa us oksV fn;k gSA

CHAIRMAN: vkidks ijksa feyk gS] ysfdu 5 rkjh[k dks ,XthD;wfVo dkmafly dh ehfVax blh ds fy, dh FkhA Anyway, please be brief and finish it.

DR. K.N. SRIVASTAVA: lj] eq>s ,d ckr dk tokc vkSj nhft,] tks vHkh gekjs igys ds oDrk us crk;k] ;gka rks vkidh iwjh Vhe cSBh gq;h gS] gesa ,slk yx jgk gSA mUgksaus ;g dgk fd eq>s cgqr nq[k gS fd ;gka ls dksVZ] gkbZ dksVZ dslst tkrs gSaA gesa Hkh bldk nq[k gSA ge ykx tc vk,] rks ge ykxksa us ;gh pkgk fd tks reke dslst ;gka ds v;/kidksa ds f[kykQ gSa] os Hkh okil fy, tk,a vkSj ge ykx mldk fuiVkj djsaA dsl D;ksa tkrk gS] ge dkuwu ds ikl D;ksa tkrs gSa] tc gesa U;k; ugha feyrk gSA ge vkils vk"kk djrs gSa fd blesa gesa U;k; feyuk pkg, vkSj blh ds fy, gekjh vkils izkFkZuk gSA

CHAIRMAN: esjs gkFk esa U;k;&vU;k; dk loky ugha gSA ;g loky ,th,e ds ikl gS] Whatever the President of the Institute said, that is being carried out. That is all. Whatever happens is not my concern.

Dr. Navanit Sinha has now sent his name. He also happens to be the Chairman or Secretary of a regional branch.

SHRI H.R. BANGIA: I have also given my name, Sir.

CHAIRMAN: I am sorry, there was some confusion. Please come. I will allow Dr. Navanit Sinha after Shri Bangia.

SHRI H.R. BANGIA: Thank you so much, Mr. Chairman. I had raised my hand to speak. By raising hand also one can be allowed, not necessarily by sending a slip.

Thank you, Chairman and Director, and my friends. One thing is very clear that one cannot challenge the high-power committee members for whatever decision has been taken. Secondly, when this Committee has decided that this is null and void, the Committee has no power. Third is that a culprit cannot say or a thief cannot say that he has stolen the thing. Fourthly, when the decision was taken about the ballot papers, my complaint on the same date when this was done, was that one person had given vote to one person only, not to 20 persons. In twenty bundles, 8-9 persons were there whom one person had given the vote. I filed an RTI to the Director and I was informed that this information we cannot give because these papers are locked. Then



DR. HAR SWARUP: vknj.kh; ps;jeSu lkgc] MkW;jsDVj lkgc vkSj fo}ku lkfFk;ks] eSa Hkh vkbZvkbZih, ls yxHkx rhl lky ls tqM+k gqvk gwaA bl volj ij eSa Hkh cksyuk pkgrk Fkk] ysfdu ;g lkspdj fd tks Fkzh&esacj desVh gS] og ge ykxksa ds fy, ,d lqizhe dksVZ dk ofMZDV gS vkSj fcuk fdlh fookn ds ge ykx mls Lohdkj djsaxsA eSa bls fy, ;g pkgrk Fkk fd dk;Zdkfj.kh ds InL; Lo;a viuh bPNk ls in R;kx djsa vkSj eSa ;g Hkh fo"okl djrk Fkk fd os iqu% pqus tk,axsA

eSa vki lcdks c/kkbZ nsrk gwa fd vius&vius [kpZ ij vki bruh la;k esa ;gka ij mifLFkr gq, gSaA esjh vki ykxksa ls ,dek= izkFkZuk gS fd vkbZvkbZih, ftl mn~ns"; ds fy, LFkkfir gq;h Fkh] og xqM&xousZal Fkka ,XthD;wfVo dkmafly dh ehfVax esa ;k vkSj ehfVaXl esa ;g xqM&xousZal vkSj :jy MsoyiesaV misf{kr jgrk gSA eSa vkidks cM+s fo"okl ds lkFk dg ldrk gwa vkSj ;g vkbZvkbZih, dks Hkh lkspuk gS] vknj.kh; ps;jeSu lkgc ds ,XthD;wfVo dkmafly esa esjs i{k esa rhu ckj fu.kZ; Hkh gq, gSaA vkbZvkbZih, dqN bl rjg ls dke djs fd ;g premier national institute of public administration ds :lk esa dk;Z djsA ,d vuvkfQf"ky lkslZ ls eq>s ;g fo"okl fnyk;k x;k gS fd vxj vkbZvkbZih, xqM xousZal] ekWMMy foyst MsoyiesaV esa dke djsxh rks ge mls lk;kZlr lgk;rk nsaxsA

Cka/kqvksa] vkf[kj esa eSa dguk pkgrk gwa fd vki ykx tks vkbZvkbZih, ds fy, brus lefiZr gSa vkSj vkidh bPNk gS fd xqM&xousZal gks] ysfdu xqM xousZal dk eryc ;g gS fd tks y{; gS] og Hkh iwjk gksuk pkfg,A vkt iz"kklu esa Hkz'Vkpkj gS] odZ dYpj ugha gSA vkbZvkbZih, dh tks ewy iz"kklu dh leL;k;sa gSa] mUgsa gy djuk pkfg,A blesa jhtuy vkSj yksdy czkapst dk lg;ksx ysuk pkfg, vkSj eSa le>rk gwa fd blesa yksdy jhtuy czkapst vkbZvkbZih, dk cgqr lg;ksx dj ldrh gSa vkSj vkbZvkbZih, ,d us"kuy baLVhV~;wV vkQ ifCyd ,MfefuLVz~s"ku ds :lk esa dk;Z dj ldrh gSA

lkfFk;ks] cgqr&cgqr /kU;oknA

CHAIRMAN: Now, Dr. Yogendra Narain. He is the last speaker. After that there is the right to reply.

DR. YOGENDRA NARAIN: Hon. Mr. Chairman, Mr. Director, members of the IIPA, ladies and gentlemen, and my dear members of the faculty. We are meeting today to discuss certain agenda items as laid down by the President of the Institute,

that is, the Vice-President of India. As you, Mr. Chairman, have rightly stated that we are on item No., I will speak very briefly only on that.

I would like to disabuse our members of two notions. One is that the Executive Council is supreme. Under the Societies Registration Act and even under rule 17(1) of the Memorandum of Association, it is very clear that the Executive Council shall act under the general supervision and directions of the General Body. Therefore the General Body is supreme and I think our Executive Council members should consider this because today they are in the Executive Council, tomorrow they might not be in the Executive Council. Therefore, the question is of principle. Do you or do you not accept the fact that the General Body is superior to the Executive Council?

The second point is, what is the relationship between the Executive Council and the General Body. Mr. Malaisamy is here. He has a Member of Parliament when I was the Secretary-General. But somehow I see that there is a relationship between the Council of Ministers and Parliament. Yes, the Council of Ministers is competent to take decisions, but Parliament has every right to discuss the pros and cons of that decision. You cannot take away that right from Parliament.

Thirdly, like the President of India sometimes directs Parliament that they should consider the following issues - it is laid down in the Constitution - here also the Vice-President of India, who is our acknowledged President of the Institute, has issued a directive saying that we must consider these three points. Is it for us to say that he is wrong? Is it for us to say that no, the Executive Council has taken a final decision and nobody else can consider that decision now? I would beg to differ and I would request the hon. elected members of the Executive Council that as a principle, please accept the fact that the President of the Institute has the powers, both under the Memorandum of Association as well as being the President of the Institute, to hold a special General Body meeting on any issue which has been raised by more than 30 members. You cannot challenge that decision. I am very concerned that because the Executive Council members are responsible members, why did they raise this very point.

I am also going to raise another issue which has, of course, been raised earlier but I would also like to join hands with that, that when the three-member committee

set up to consider and analyse the election that took place in 2012, submitted its report, it declared in its report that the elections are ab initio null and void and should be declared null and void. I join hands with Mr. M.C. Gupta that at that time the elected members of the Executive Council should have recused themselves, should have said that we abstain from taking a view on this because it is affecting us. It happens everywhere. I am, therefore, very surprised why the Executive Council elected members took part in those deliberations, and that is also another ground why this matter should be considered in the Special General Body meeting. I, therefore, to be brief, would like to support the resolution which has been raised by Mr. Sethi and Mr. Banga, and I would request the entire house to support that resolution in the interest of the institution.

CHAIRMAN: Mr. Banga, you have the right to reply. Do you want to say anything? The person who moves the resolution and one more person have the right to reply. Because Mr. Tiwari is also the co-sponsor, he can also speak.

SHRI BANGA: Mr. Chairman, I have moved the resolution and most of the members agree with that resolution. That is why it should be accepted.

Secondly, it is a General Body under the law and every decision has to be taken.

CHAIRMAN: It is a General Body in terms of the rules and regulations of the Institute and as directed by the President of the Institute. That is all I can say.

One thing more I will say that this is the second time that some Executive Council members have gone to the court. The same people are going to the court or threatening to go to the court who had done it earlier also. That is what I want to clarify. One member has used the word 'vested interest'. That Executive Member has worked with me as the Standing Committee Chairman and had no difficulty at that time. I will very much like to assure the house that as far as I am concerned, I have always made it clear that I am not interested in continuing. Again and again he has used this phrase 'vested interest'.

SHRI P. KAUSHAL: Mr. Chairman, we are going out, you take the decision.

CHAIRMAN: It is the General Body; it is for you to decide.

SHRI P. KAUSHAL: Mr. Chairman, we participated in this process honouring the court's decision of having this meeting, but we are not party to the decision of this house. So, we are going out. It may be recorded, Sir. Thank you.

SHRI BANGA: They may go. This is a meeting as per the law.

**(SHRI P. KAUSHAL AND SOME OTHER MEMBERS  
THEN LEFT THE AUDITORIUM)**

SHRI BANGA: I think the resolution is passed, except by the EC members who are affected. One thing more I want to add. There are three EC members who have claimed false TA bills from IIPA. The papers have been given to you. Please examine those and take action against those EC members. It is clear that the resolution is passed. The number of members in the house is more than the number of those who have gone out. So, it is passed.

CHAIRMAN: Now, Mr. Jairam Tiwari, have you to say anything. After that there will be a vote.

SHRI JAIRAM TIWARI: Mr. Kaushik's name was also there. He will be replying now.

CHAIRMAN: I had called Mr. Kaushik a number of times but he did not come. Please come, Mr. Kaushik. in place of Mr. Tiwari.

SHRI KAUSHIK: Hon. Chairman, Director of the Institute, esteemed members, ladies and gentlemen. It is very unfortunate that some of us are walking out from the place when voting is going to take place. I wanted to reply to all the issues which had been raised by them legally. One is, as far as the General Body is concerned, the General Body is supreme under rule 17. Rule 17 is our Bible. As far as the rules and regulations of the Society are concerned, that is our Constitution. As far as election rules are concerned, those were framed by the Executive Council, which is a subordinate legislation, which cannot override the rules and regulations of the Society. The rules and regulations of the Society say that the President has the power to call the Special General Body meeting at any time either *suo motu* or on the request of the requisite number of members. I would request the Director to kindly note three or four rules so that you can consider them while drafting the regulations. One is rule 19(e). Rule 19(e) gives the powers for any other business on the agenda. What they were

raising is that this is not included. Then, rule 16 deals with function - the function read with rule 17. As far as the Executive Council is concerned, that is subject to the decision of the General Body. The General Body is supreme. General Body is the management as far as the Society is concerned. What happens is, you cannot decide your own cause. If our elected members were not satisfied with the report of the Executive Council, they could have done what? They could have submitted their report saying that these are our observations on the report. Then we could have considered both the things. Unfortunately, they have not done anything. It means they are not interested to reply to the allegation made in the report itself. Kindly see, as far as the 2008 and 2012 elections are concerned, 13 members were elected. These 13 members, out of 18, were elected this year also. Nobody can deny one small fact. I am not going issue by issue, whether report is right, whether report is wrong, or what is this and what is that. The fact is that they were in the management of the IIPA when the election took place. Nobody can deny that they were not at the helm of affairs. There were 13 members, and I can read out the names.

CHAIRMAN: All names are known. Please be brief. We have to save time. The names will not be recorded.

SHRI KAUSHIK: My request to this house is that this resolution which has been proposed by Mr. Banga and Mr. Sethi should be accepted by us. That is my request to all of us.

CHAIRMAN: I am sorry, one Mr. B.K. Mohanty was left out. I apologise. If you want to say something, you can come and speak.

SHRI B.K. MOHANTY: No, it is all right. I am supporting the resolution.

CHAIRMAN: Thank you very much. There is also the arrangement for voting. Now, please go and check up, if there are any members outside, then call them. Somebody might have gone out for some urgent reason.

I would like to mention one fact that out of 150 members who were present, 65 are from outside Delhi. So, nobody can say that it is only Delhi-focused or Delhi-centered meeting. This is what I just want to mention.



Now, the so-called Executive Council which met on the 5<sup>th</sup>, I cannot take note of it. This should have been given to the Director even earlier. Now, what would you like to do? Would you like to vote by voice or by ballot?

DR. T. CHATTERJEE: Voice means we will not have any evidence. Since we have to go to court on this, we have to take some evidence with us. Unfortunately, we may have to go for 'yes' or 'no'.

CHAIRMAN: I think it is much better if we can have voice vote first. But because, as you know, already a few of the Executive Council members have gone to the court and they have again threatened do go to the court and they have walked out, I think in all fairness, it is better that all of you who are here sign the slips. The format is ready. You can come one by one and sign the list and indicate yes or no on the slip. But by voice vote, those who support the resolution, may say 'Yes'.

SEVERAL HON. MEMBERS: Yes.

CHAIRMAN: Those who oppose the resolution will say 'No'.

**(NONE OF THE MEMBERS SAID 'NO')**

CHAIRMAN: Now, the members will come one by one and get their slips. You have waited for so long. Just wait for another 15 minutes and please do the needful in the correct manner. Those who want to go for tea, they can go but after taking tea, please come back.

Now, please sit down. The proceedings are being recorded, video also is there, so I want everybody to sit down.

There is item No. 3 also – 'Any other item with permission of the Chair'. Does anybody want to say anything?

SHRI K.K. SETHI: Yes, I want to say something. Friends, we were discussing item (1) right now and the voting will take place on that. But there are other subsequent resolutions also. The other resolutions which will follow from the resolution No. 1 and which are before you, I will read out those:

2. The General Body further resolved that with immediate effect, the affairs of the IIPA will be conducted by the remaining members of the Executive Council till fresh elections are held and the new Council takes over.

3. The General body further resolved that the elections shall be held by online voting system and that the Executive Council will finalise the details for such

elections which shall be held as soon as possible. The members so elected will hold office till the AGM of year 2016.

4. The General Body further resolved that no member shall be eligible for election as a member of Executive Council consecutively for more than two terms.

5. The General Body further resolved that the necessary amendments to the Memorandum of Association, rules and the election byelaws be carried out by the Director, IIPA on the above basis.

Thank you.

DR. T. CHATTERJEE: Hon. members, can you kindly bear with us and take your seats? We will have a voting now on the agenda issued today, that is, for agenda item No. 1 and agenda item No.2 on a yes/no basis. The elaboration of agenda No.2 will be done based on the resolutions given to us on file, not what was sent. What was sent is only 1 and 2, and in the 2 it only says what are the amendments required in all rules. Under rule 36(1), we will need two-thirds majority. So, the voting pattern will be different than what we are doing today. Today is only yes or no, and on (1) and (2) both – do you agree or do you not agree? If you agree, then we will go into the details which are given to us by both the proposers of today's agenda, Mr. Banga and also supported and elaborated by Dr. Sethi, following Mr. Banga. So, both these will be taken and added as elaboration of item No.(2). But on items No. (1) and (2), you have to at least say yes or no. If you say yes or no, based on that, we will do the elaboration. I will request the Registrar, who is our Returning Officer, to give you the details of how to vote.

DR. C. GIRI: Thank you, Sir. With the permission of the Chair, may I request all the hon. members to kindly be seated so that I am able to explain the voting procedure.

CHAIRMAN: Please sit down for voting. Please take your seats.

DR. T. CHATTERJEE: We are all on video, so kindly sit down and finish this voting and then we can take it on later.

DR. C. GIRI: As desired by the hon. Chairman, I will explain the voting procedure. There are two resolutions which are there, which we have notified and, those resolutions have been printed here on the voting paper. These voting papers will be signed by only one officer, Mr. Amitabh Ranjan, Deputy Registrar. This voting paper

will be given to you and you have to collect it from him by signing on the sheet of paper. After casting your vote, kindly put it in the box which is placed before you. This box has been shown empty by us and if anybody wants to verify that, we will again show it to you. The voting will start now.

CHAIRMAN: You have to sign only on the sheet, not on the ballot. You have to sign as an evidence that you have got the ballot paper.

DR. C. GIRI: The voting has to be done with the stamp that has been provided there. Please use the stamp only.

CHAIRMAN: Please be seated and come one by one.

**(VOTING THEN STARTED)**

DR. C. GIRI: Hon. members, the voting is by secret ballot. Kindly do not show your paper to others.

CHAIRMAN: Please do not show your vote to anybody. Please maintain confidentiality. It is through secret ballot.

**(VOTING CONTINUED)**

DR. C. GIRI: Have all the members exercised their vote? If any hon. member is left, he may kindly come to cast his vote.

Since no other member is left, the voting is over now. Kindly proceed for tea and then reassemble here after fifteen minutes so that we start the process of counting in your presence. Thank you.

**(AFTER TEA BREAK)**

DR. C. GIRI: Hon. members, with the permission of the Chair, I am directed to announce the result of the counting.

**Resolution No.1**

Total number of votes cast ...	83
Yes ...	82
Abstained ...	1

**Resolution No.2**

Total number of votes cast ...	83
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Yes	...	69
No	...	1
Abstained	...	13

So, this is the result of the voting. For the second resolution, many members have left the column blank, which means they have abstained from the voting. Everything is there on our record.

I thank all the hon. members who have come and participated in the voting

**(MEETING WAS THEN OVER)**

**DIRECTOR**

**CHAIRMAN**