


# CENTRAL UNIVERSITY OF GUJARAT

Submitted for approval (A).

Minutes of the 04<sup>th</sup> Meeting (Emergency meeting) of the Executive Council held on 03<sup>rd</sup> May, 2011 at 12:00 Noon in the Conference Room of the University

  
9/5/11

The following were present:

Registrar 9/5/11

1. Prof. R.K. Kale - Chairman  
Vice-Chancellor
2. Shri Anant Kumar Singh, Joint Secretary - Ex-officio Member  
Government of India, Department of Higher Education Ministry of Human Resource Development, Representing the Secretary, MHRD
3. Dr. Hasmukh Adhia, Principal Secretary - Ex-officio Member  
Education Department, Government of Gujarat, Representing the Secretary in-charge of HE, Government of Gujarat
4. Prof. T.K. Oommen - Member  
Professor Emeritus  
Centre for the Study of Social Systems  
School of Social Sciences, JNU, New Delhi
5. Prof. R.S. Deshpande - Member  
Director, Institute for Social and Economic Change  
Bangalore
6. Dr. Gitesh Joshi, Registrar - Secretary

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The following could not attend the meeting:

1. Prof. Chandra Krishnamurthy - Member  
Vice-Chancellor, SNDT Women's University  
Mumbai
2. Prof. Mrinal Miri - Member  
Former Vice-Chancellor, NEHU, Shillong
3. Prof. P. Balaram - Member  
Director, Indian Institute of Science  
Bangalore
4. Shri P. Sainath - Member  
Editor (Rural Editor)  
The Hindu, Mumbai
5. Prof. Jancy James, Vice-Chancellor - Member  
Central University of Kerala, Kasargode
6. Prof. S.P. Thyagarajan - Member  
Former Vice-Chancellor  
University of Madras, Chennai

The following were present as Special Invitees:

1. Prof. E.V. Ramakrishnan, Dean, SLL&CS, and Officiating Finance Officer
2. Prof. Man Singh, Dean, SCS

The following were also present to assist:

1. Col. (Retd.) S.K. Sharma, Special Officer
2. Shri A.N. Kunjunny, OSD(Admn)
3. Dr. Sanjay Negi, Assistant Registrar
4. Shri Arun Kumar Singh, Section Officer

At the outset, the Vice-Chancellor welcomed the members to the meeting. Subsequently he informed them about the communication no. F.42-15/2009-Desk(U) dated 01.04.2011 received from the Government of India, Ministry of Human Resource Development, Department of Higher Education, New Delhi intimating the appointment of Dr Gitesh K. Joshi, Deputy Registrar, Saurashtra University, Rajkot as the first Registrar and Shri A.V. Rajasekhar, Deputy Accountant General (Funds), Office of the Principal Accountant General (A&E), Andhra Pradesh, Hyderabad as the first Finance Officer of this University for a period of three years under the provisions of Section 44 of the Central Universities Act, 2009 (No. 25 of 2009). Further, the members were informed that Dr. Gitesh K. Joshi has assumed charge as the first Registrar on the forenoon of 28<sup>th</sup> April 2011, and that Shri A.V. Rajasekhar is expected to assume charge shortly. The Vice-Chancellor introduced Dr. Joshi to the members. The members warmly congratulated him on his appointment and welcomed him to the University by expressing the hope that he would provide able leadership for creating an efficient administrative structure in the University.

The Vice-Chancellor explained to the members about the need to convene an emergency meeting of the Executive Council (EC) as the matter required time-bound consideration. The members concurred with this and accordingly proceeded to consider the Agenda item.

01. Considered the draft observations of the Executive Council on the inspection report on the accounts of the University for the years 2008-09 and 2009-10, received from the Office of the Accountant General (Civil Audit), Gujarat, Rajkot, as at Annexure – VI.

The Executive Council (EC) took note of the following:

- (i) that the audit of the annual accounts and balance-sheet of the University for the years 2008-09 and 2009-10 were entrusted to the Office of the Accountant General (Civil Audit), Gujarat, Rajkot under Section 19(2) of the Comptroller and Auditor General's (Duties, Power and Conditions of Services) Act, 1971;
- (ii) that the audit was conducted accordingly by that Office in the month of February, 2011;
- (iii) that the Draft Audit Reports for the above periods received from that Office as at Annexures - I and II to the Agenda item were noted and taken on record;

- (iv) that the reply of the University on the audit observations included in the Draft Audit Reports as at Annexures - IV and V to the Agenda item were noted and taken on record; and
- (v) that the inspection report on the accounts of University for the years 2008-09 and 2009-10 received from that Office as at Annexure - III to the Agenda item was noted and taken on record.

After detailed discussions the EC resolved its observations on the accounts of the University for the years 2008-09 and 2009-10 as stated below:

**Part I (A): Introductory**

**Observations of the EC**

Matter of fact. Therefore, no comments are required.

**Part: I (B): Previous Audit**

As the observations are NIL, no comments are required.

**Part: I (C): Persistent Irregularity**

As the observations are NIL, no comments are required.

**Part: I (D): Departmental Audit**

**Observations of the EC**

The University Grants Commission (UGC) had not sanctioned any non-teaching posts at the required level to conduct internal audit of the University accounts while sanctioning the posts in the month of August 2009. Consequently, departmental audit could not be conducted. The UGC has since sanctioned one post of Internal Audit Officer in the pay band Rs. 15600-39100 with Grade Pay of Rs. 7600 vide their letter no. F.63-1/2010(CU) dated 12.11.2010, to be filled on deputation basis. Under Statute 12(2)(i) of the Central Universities Act, 2009, this post, alongwith the other sanctioned posts, has been duly created by the Executive Council (EC) vide Resolution No. 06 dated 12.03.2011. The EC has also approved, in principle, creation of an Internal Audit Section within the Finance and Accounts Department vide Resolution No. 11 dated 12.03.2011. Efforts will be made to fill the post as early as possible. The Internal Audit Officer will be entrusted with the work of conducting audit of the University accounts on regular basis under his direct supervision.

**Part-II: Current Audit**

(A) Major irregularities.

**Observations of the EC**

As the observations are NIL, no comments are required.

(B) Other irregularities.

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Para: I Blocking up of fund of Rs. 1.95 crore

Observations of the EC

The EC was convinced that the premises where the equipment namely, high performance 500 MHZ FT Spectrometer with accessories, was proposed to be installed was already readied for use by the CPWD. As per the completion certificate dated 21.04.2011, the work of the premises was completed by them on 10.12.2010. The completion certificate could not be shown to the audit because it was received on 25.04.2011 only. Thus, it is clear that the University provided proper laboratory building for installation of this equipment.

It may be noted that on arrival of NMR the University immediately initiated the process of installation, which generally takes ~~approximately 8-9 months~~ <sup>longer time. 91</sup>. For such high-end scientific equipment, actual utilization cannot be counted from the date of delivery but from the date on which they become operational. The steps required for installation of NMR are multi-tasked, undertaken in a sequential manner. ~~It is clear that the~~ <sup>It is clear that the</sup> steps required for installation are not only multi-tasked and multi-disciplinary but also time consuming and, therefore, cannot be taken up simultaneously. The NMR, being a specialized instrument, unlike other instruments, cannot be installed by simply mounting on the floor or placing it on table. It involves various multi-task processes, multi-disciplinary approach, assembling and aligning its sophisticated components, followed by testing its each component for synchronization and properly locking the signals of the samples before the whole instrument becomes fully functional. For example, charging the magnet is the most sophisticated operational part. It needs proper filling of liquid helium and liquid nitrogen in a phased manner where filling of liquid gases requires considerable time and technique. Since proper levelling of liquid helium and liquid nitrogen is the crucial part in the process of charging the magnet, this process requires utmost care, precaution and time during the filling of these liquid gases. ~~No metallic part must be brought near the magnet and no movement of magnetic components is permitted.~~ <sup>91</sup>

Different teams of the company consisting of experts and technicians in the areas of mechanical, electrical and magnetic sciences are required to work in a phased and coordinated manner and the entire process takes longer time to have workable alignment. Accordingly, they visited the University at regular intervals to oversee the installation, including specific civil work required for installation. It is on record that the experts and technicians of the Company visited the University frequently, and a few dates of their visit are given below:

- 29.07.2010 – Visit by Mr. Abhijit Naik – Given dimensions of room required, Maint Hook arrangement etc.
- 02.09.2010 – Visit by Dr. Anil Kumar – Inspection of NMR room preparation
- 12.09.2010 – Visit by Dr. Anil Kumar – Inspection of the arrival of NMR package art
- 04.10.2010 – Visit by Mr. Manjunatha – Inspection of NMR room preparation for n
- 29.10.2010 – Visit by Mr. Sachin Kate – Inspection of NMR room preparation
- 31.01.2011 – Visit by Dr. Anil Kumar – Inspection of NMR room, advised the UPS to

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- 9. 2. 2011 - Visit by Dr. Anil Kumar and his engineers for inspection of NMR room
- 10. 2. 2011 - do -
- 25. 3. 2011 - visit by Shri Abhijit for electronic test.
- 26. 3. 2011 - visit by Shri Abhijit for magnet installation

The students were not at all deprived of NMR based practical learning because it is planned to be used from July 2011. As per the academic programme of the University, the students/research scholars are expected to start their practical work from the 3<sup>rd</sup> Semester onwards, i.e. Monsoon Semester beginning on 22.07.2011. ~~Therefore, in reality the students are not deprived of using the NMR.~~ It may be noted that the students were asked to watch and learn some basic facts about the working and functioning of NMR during the installation. At every stage of installation process the students got opportunity to see each and every component along with functionality, as each and every part of the NMR has a critical significance in understanding individually to make the student understand the basic science of NMR as a whole. In fact, this was a rare chance for this batch of students to participate in the installation process. It is a matter of great happiness that this opportunity was fully availed of by our first batch of students and they can now operate and even maintain the instrument independently. Indeed, the first batch of students got training without undergoing separate training programme. 91

Thus, the above facts indicate that the students were not deprived; in fact, they were maximally benefitted. Since, as mentioned above, the students are going to start their practical/research on the NMR in the Monsoon Semester beginning on 22.07.2011, completion of the installation process and academic programmes matches very well. Incidentally, ~~It is emphasized~~ that the students of this particular batch were extremely benefitted because they had an opportunity of knowing the internal critical components during the process of installation.

~~It may be noted that~~ The inspection report acknowledges that the supplier gave warranty period of 5-months from the date of installation or 15-months from the date of supply, whichever is earlier. This statement is self-explanatory, that the installation process takes ~~minimum 6-7 months.~~ <sup>longer time</sup> ~~It may be noted that~~ The supplier has since clarified that the warranty is normally 12-months from the date of installation or 15-months from the date of supply. 92

While procuring the NMR, the University has kept in view the provisions contained in the GFR, 2005 right from opening the tenders to their processing through the duly appointed Tender Committee comprising technical and financial experts. In response to the tender notice the University received only one tender, i.e. from M/s Bruker India Private Limited. Full opportunity had been given for the prospective tenderers to submit their tenders and wide publicity was also given for the tender notice through press and the University website. The only tender that we received from this company was analyzed as per specifications in detail from its technical as well as financial aspects and the Tender Committee unanimously resolved to recommend placing the order with that company. The recommendations were also duly endorsed by the University Level Purchase and Maintenance Committee (ULPMC).

It may be noted that for such highly sophisticated scientific instruments there are not many bidders available in the market and, therefore, number of possible bidders cannot always be the norm. Only three companies manufacture NMR, namely, (i) M/s Bruker India Private Limited, (ii) Varian and (iii) Jeol. The product manufactured by M/s Bruker India Private Limited is widely accepted by the scientific community, and globally trusted. World-wide,

Broker holds upto 70% of market share in NMR. In India it has 80% market share and they have supplied 251 NMR instruments in the country. In Defence laboratories, out of the total NMR, 90% are procured from Bruker. Similarly, out of the NMR procured through DST FIST (Fund for Improvement of S&T Infrastructure in Higher Educational Institutions) almost 80% are procured from Bruker. It is also understood that the ultra-shield magnet system is only available with Bruker NMR. In addition, along with Proton and C-13 lock signals the Bruker NMR machine also has the provision to detect 19-Fluorine de-coupling signal.

It is pertinent to also state that after every 6-8 months helium gas re-filling is required in the NMR. The helium filling is always carried by the technical person of Bruker India Limited. This unique arrangement with the Bruker enables supply to check the maintenance and functioning/working of the NMR. Thus, the instrument always remains under observation of Bruker, which in turn helps in proper maintenance of the instrument.

As far as price is concerned, the price offered by M/s Bruker India Private Limited are comparable with the price at which the same equipment was bought by other institutions. In fact, this was the lowest priced quotation alongwith free supplies such as liquid helium for installation etc. and that such a low price has not been given by the company to other institutions in the recent past. In addition, going for re-tendering the instrument would have adversely affected the academic programme of the University as even after retendering the situation would not have been different. Keeping all these aspects in mind, the Committees which considered the procurement after long discussions recommended procurement of this instrument.

The above facts clearly indicate that there was adequate planning for purchase and installation. There was no blocking of funds for 5-months. To comply with the objectives of the University as laid down in the Act, to attract students from all strata of the society as well as the quality teachers, it is necessary to procure such type of sophisticated and worldly accepted research equipments, which will achieve high standards.

**Para: 2 Irregular Booking of Insurance of Vehicles under Capital Expenditure**

It is stated that the expenditure on insurance of vehicles was only Rs. 25,382/- (Maruti SX4 - GJ-18-AH-528) in the financial year 2009-10 (and not Rs. 1.08 lakh as stated by the audit). It is further stated that the insurance amount was taken into account in the total cost of vehicles included in the invoices of the suppliers and, accordingly, it was taken as capital expenditure. As such expenditures are required to be treated as revenue expenditure, in respect of the remaining two vehicles procured in financial year 2010-11 the audit observations have already been complied with.

**Para 3: Advance Payment made to Private Suppliers (Rs. 20.47 lakh)**

The audit observations are specifically on two issues: (i) purchase of three vehicles for the University and (ii) advance payment of Rs. 20.47 lakhs for their procurement.

With reference to (i) it is stated that the procurement of the three vehicles were effected after the duly constituted University Level Purchase and Maintenance Committee (ULPMC)

considered all aspects of the matter and made recommendations accordingly. As regards Maruti SX-4-Zxi sealed tenders/quotations had been invited vide notice dated 28.06.2009, which was inserted in the University website [www.cuguj.org](http://www.cuguj.org). Quotations were received from the following ~~reputed~~ <sup>from</sup> authorized dealers:

1. M/s Popular Wheeler Pvt. Ltd., Ahmedabad
2. M/s Manan Autolink Pvt. Ltd., Ahmedabad
3. M/s Nanda Automobiles Pvt. Ltd., Gandhinagar
4. M/s Kiran Motors Ltd., Ahmedabad

After comparing the rates offered by the above-mentioned dealers the Committee at its two meetings held on 13.07.2009 and 14.07.2009 recommended purchase of the car from the L-1 tenderer, namely, ~~M/s. Nanda Automobiles Pvt. Ltd., Gandhinagar.~~ As such, there was no irregularity in the procurement of the car. With regard to TATA Indigo (GLX) car, the car was procured from the approved dealer, i.e. ~~M/s. Cargo Motors Pvt. Ltd., Ahmedabad~~ <sup>company authorized</sup> under the DGS&D rate contract on the recommendations of the ULPMC at its meeting held on 09.12.2009. However, the audit observations have been taken note of for future compliance.

With regard to procurement of the passenger bus from M/s Ashok Leyland Limited it is a matter of fact that the decision to procure the bus from this company was taken on the recommendations of an expert committee which included the Depot Manager, Gujarat State Road Transport Corporation and another expert in the OC-II Inf.Div.Camp, Army Headquarters, Gandhinagar. This Technical Committee was in favour of procuring the bus manufactured by M/s Ashok Leyland Limited in preference to the one from M/s Tata Motors Private Limited due to technical reasons and also the after sales support offered by them. Accordingly, there was no irregularity in the procurement of the bus.

With reference to (ii) it may also be noted that advance payments for procurement of the three vehicles were made as a pre-requisite for supplying the vehicles on 'on account' basis. In case of the passenger bus only part payment amounting to 50% was made along with the order ~~and the remaining amount of 50% was made at the time of delivery.~~

#### Para 4: Non maintenance of important basic registers

##### Observations of the EC

As observed by the audit the registers mentioned in the para have been opened and entries made wherever required. ~~The compliance will be shown to the next audit.~~

#### OTHER ITEM CONSIDERED WITH PERMISSION OF THE CHAIR

02. To consider the Minutes of the meeting of the Selection Committee for recruitment to one post of Assistant Librarian (Un-reserved).

Resolved that the Minutes of the meeting of the Selection Committee held on 16.04.2011, as placed on table, for recruitment to one post of Assistant Librarian,

(Un-reserved) in the Pay Band of Rs. 15600-39100 with the Academic Grade Pay of Rs. 6000 be accepted and, accordingly, resolved to appoint Dr. Kotrayya B. Agadi as Assistant Librarian.

Further resolved that, as recommended by the Selection Committee, the following may be kept on panel for a period of one year:

1. Shri Brijpal Singh
2. Ms. Monika Singhai
3. Shri Bhupendra Ratha

Further resolved that, in future a statement giving the prescribed qualifications/experience, advertisement number and date, number of candidates applied and shortlisted for the post and the relevant particulars of the candidates ~~recommended for appointment~~ may be placed on table alongwith the recommendations of the Selection Committee for consideration of the EC.

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The meeting ended with  
Vote of thanks to the Chair

Registrar