

Report of the
Andhra University Enquiry Commission



Mr. JUSTICE K. V. GOPALAKRISHNAN NAIR

ANDHRA UNIVERSITY PRESS

WALTAIR

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UNI-A, 1966

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ANDHRA UNIVERSITY ENQUIRY COMMISSION**

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REPORT OF THE
ANDHRA UNIVERSITY ENQUIRY COMMISSION

PART - I

INTRODUCTORY

During the last about three years or more, persistent imputations have been made against the administration of the Andhra University. Almost a campaign has been carried on in a section of the press against the alleged maladministration of the University. The Vice-Chancellor, Dr. A. L. Narayan, came in for special criticism in the several articles published in the press. The matter was repeatedly raised on the floor of the Andhra Pradesh Legislature by several members. The Syndicate of the Andhra University set up a committee to examine into the truth and validity of the allegations levelled against the University administration. After deliberations extending over a period of several months, the Syndicate Committee made an ad interim report. But this did not abate the criticism to any extent. On the contrary, the critics became more vociferous and persistent. The Government, therefore, considered it expedient in the interests of the University to cause an enquiry to be made in respect of the matters connected with the University. A notification under Section 8 (1) of the Andhra University Act was issued by the Government for this purpose. A Judge of the Andhra Pradesh High Court was appointed as the Authority to make the enquiry. A Judge was chosen obviously because it was thought that he, by his training and temperament, will be able to bring to the enquiry a high degree of objectivity and impartiality. It appears that this choice was expressly welcomed by the Vice-Chancellor and at least tacitly approved by the critics of the University administration who did not demur to it in any manner. Even so, some voices were heard doubting the wisdom and propriety of the action taken by the Government under section 8 (1) of the Andhra University Act. They apprehended that an enquiry caused to be made by the Government under Section 8 (1) will adversely affect the prestige of the University and tend to undermine the cherished principle of the autonomy of the University. I think this view, while seeking to emphasize one important aspect of the matter, wholly ignores another equally important aspect. No doubt, the Government should preserve, safeguard and strengthen the autonomy of Universities as a matter of irrefragable principle and policy. Only this will ensure the academic freedom so essential to the healthy growth and fulfilment of the true objects and ideals of Universities. One of the most important objects and ideals of a

University is to impart sound instruction of a high order in sciences and humanities, to disseminate valuable knowledge and encourage, promote and unfold real talent which can be of service to the nation. It is equally, if not more important, for a University to focus its attention on the building of the character of its alumni. This perhaps is the surest way to build a wholesome national character which will ensure impregnable national solidarity and phenomenally add to the glory of our nation. Furthermore, it is the Universities, more than any other institution, that we have to look up to for providing selfless and patriotic future leadership of the country, for contributing eminent men of science and technology to the nation and for bringing forth considerable men of light and learning destined to play leading roles in the many departments of national life and national achievement. It cannot, therefore, be said with any show of reason that the Government of a State should be content to remain indifferent and aloof and should not step in and cause an enquiry to be made into the affairs of a University when allegations of serious malpractices and gross maladministration are so loudly and so insistently brought to its notice almost incessantly for a period of over three years. This is especially so when the very Act of the Legislature under which the University is constituted makes express provision for such interference by the State Government. I consider it to be in the interests of the University itself that an enquiry like this should be made. If the allegations and imputations made against the University administration are found to be false in the enquiry, the vicious allegations and imputations could be buried deep and the harmful rumours set afloat by them effectively killed. That would greatly enhance the prestige and stature of the University. If, on the other hand, some or all of the imputations made against the University administration are found to be true and justified, steps could be taken to rid the University of the ills which afflict it and the University could thus be restored to its high place of respect and esteem. It seems to me therefore that, far from injuring the prestige of the University or undermining its autonomy, an enquiry like this will eventually serve to make the University a stronger, brighter and more respected autonomous institution.

It is said that only a handful of persons have been making adverse propaganda against the administration of the University and that the large majority in the campus have no quarrel whatsoever with the administration. This argument seems to overlook the feelings of the general public, primarily for whose benefit the University exists. The educated or literate members of the public have been

reading in the press for a considerable time, quite a number of things said against the University and the Vice-Chancellor. They have also been informing themselves through the medium of the press of the frequent interpellations raised on the floor of the Legislature regarding the administration of the University. One should reasonably expect doubts to have beset their minds as to whether all is well in the University. It is necessary to give an early quietus to these doubts so that the general public may have confidence and esteem for the University. Otherwise, these vague doubts and apprehensions are likely to take deeper root and also spread far and fast. That would not be a good thing for the University. If the members of the public come to know that all that had been said against the University has been proved to be baseless or that steps have been taken to set right the acts of commission and omission on the part of the University administration, they would feel much relieved and will be happy to think that their University has been properly and efficiently administered or that appropriate action has been taken to cure the irregularities in the administration which came to light as a result of the enquiry. This is an added reason which to my mind, goes to justify the setting up of this enquiry under section (8) 1 of the Andhra University Act.

I must now say a word about the nature of this enquiry. It is different from any recognised Judicial or quasi-judicial enquiry. This difference has made the task of the enquiring authority all the more difficult. In a civil action in a Court of Law there is a plaintiff who makes a specific claim and a defendant who contests it. There is a *lis* between the contesting parties. In a criminal prosecution, there is a prosecutor and an accused. The prosecutor has to prove his case to the hilt before the accused can be asked to enter upon his defence. In both civil and criminal actions, well-established rules of evidence including burden of proof, and enacted rules of procedure, not to speak of presumptions of law known to the Evidence Act and certain special statutes, can usefully be relied on. But in an enquiry like this, practically none of them is of any use. Nor is there any person here who comes forward with a specific claim which alone the opposite party need be asked to meet. The primary task in this enquiry is to discover what actually happened by wading through a large mass of files and correspondence in the office of the University. After obtaining a clear picture of the true state of facts, one has to proceed to fix the responsibility and perhaps to stigmatise conduct which, although not a criminal offence or a civil wrong, falls short of the requisite standards

of our public life. The question as to whether the rules and regulations of the University and the Provisions of the Act have been properly adhered to by the administration has also to be gone into somewhat minutely. Thus, this enquiry has cast a much larger responsibility on the enquiring authority than a judicial or a quasi-judicial enquiry would ordinarily impose on a Judge or a Tribunal. This feature has made the task of the enquiring authority somewhat difficult and also delicate. Another difficulty has been to adhere firmly to the fundamental canons of natural justice. Quite a few persons, at a belated stage, made certain oral and written representations. They considered that their part ended with this. It was for the enquiring authority to give notice of these representations to the Vice-Chancellor and obtain his answers. Thereafter, the relevant and aforesaid files had to be called for and scrutinised and further clarification and information sought from the University. Each matter, which deserved consideration, had then to be discussed with the learned counsel who appeared on behalf of the University. This discussion very often took the form of a prolonged dialogue between the enquiring authority on the one hand and the University counsel on the other. This was because there was no counsel to present the opposite point of view and so the enquiring authority had to assume the role of the counsel on the opposite side. This had to be done so carefully and discreetly as to eliminate the possibility of the counsel for the University forming the wrong impression that the enquiring authority had some preconceived notions against the University administration. The aforesaid processes entailed long hearings spread over a number of weeks. Before arriving at a conclusion, the practice and conventions of the University had to be ascertained to see whether a particular action taken by the University was justified in the light of them. Then, the relevant provisions of the Act, Statutes and Ordinances, etc. had to be examined to find out whether the practice and conventions of the University were in conformity with them. On top of all this, several administrative difficulties were mentioned to me on behalf of the University in justification of certain actions taken by it. The various difficulties of the Vice-Chancellor as the Academic Head and the Principal Executive Officer of the University were particularly stressed before me. I have taken due note of them also in arriving at my findings. But I must say that none of these rather secondary considerations has deflected me from assessing to the best of my ability the true merits of each matter connected with the University that came to my notice during the enquiry. I hope the best that could be done in the circumstances has been done in this enquiry.

PART - II**THE BACKGROUND**

Dr. A. L. Narayan, the present Vice-Chancellor, has earnestly asked me in his written representations to bear in mind the somewhat peculiar circumstances which attended his assumption on 17th June 1961 of the high office of Vice-Chancellor of the Andhra University. According to him, these circumstances constitute the background against which the affairs of the University during his Vice-Chancellorship have to be considered.

Dr. Narayan was appointed Vice-Chancellor in accordance with the provisions of section 12 (1) of the Andhra University Act. Section 12 (1) (a) and (b) read :

(a) "The Vice-Chancellor shall be appointed by the Chancellor from a panel of not less than three persons selected by a committee as constituted under clause (b) ;

x x x x

(b) The Committee referred to in clause (a) shall consist of three persons, two of whom shall be nominated by the Syndicate from among persons who are not connected with the University or any College or recognised institution, while the third person shall be nominated by the Chancellor. The Chancellor shall appoint one of the three persons to be the Chairman and Conve-ner of the Committee."

According to these provisions, two members of the Three-man Committee, were duly nominated by the Syndicate and the third member by the Chancellor. The Committee selected a panel of three persons. They were Sri M.R. Appa Rao, Sri K.V. Gopaldaswamy and Dr. A. L. Narayan. I am not certain whether these three names were put down in the panel in the alphabetical order or not. Nothing has been brought to my notice to suggest that the three names were mentioned in the order of merit. This is not, however, of any importance in this enquiry. What is material is that even before the Chancellor appointed one of the persons included in the panel as Vice-Chancellor or perhaps even before the Committee's recommendations reached to the Chancellor, the panel of three names selected by the Committee is said to have been published in the press. What was worse, a controversy ensued in the press regarding the merits and demerits of the persons selected by the Committee. Articles supporting one and denouncing the others are alleged to have appeared in the public press. This controversy, it is said, took

in its sweep some of the members of the then cabinet of Andhra Pradesh. This further embarrassed an already difficult situation. The attempt of the then Chancellor to get the Committee to make a fresh selection or to get a new Committee appointed under Section 12 (1) (b) failed. Eventually, Dr. Narayan was appointed Vice-Chancellor by the Chancellor under Section 12 (1) (a). His rival Sri K.V. Gopaldaswamy who was the then Registrar of the Andhra University continued to be the Registrar. Sri Gopaldaswamy was appointed Registrar on 1-4-1942 and had functioned as such for nearly two decades when Dr. Narayan took over as Vice-Chancellor. Within a few months, the divergence between the Vice-Chancellor and the Registrar widened. It would appear that by about the middle of 1962, quite an abyss divided them. Sri Gopaldaswamy, by his long association with the University as its Registrar, had considerable influence in the University campus. When the differences between him and the Vice-Chancellor deepened, a distinct faction appears to have grown in the campus. The Vice-Chancellor had no doubt superior powers and authority in the University. But the Registrar too had influence in the campus, especially a Registrar like Sri Gopaldaswamy who had been continuously there for two decades. The Vice-Chancellor, in his written representations, has stated that Sri Gopaldaswamy is an avowed hater of brahmins. I am not inclined to attach much importance to this statement; nor am I satisfied that I should accept this to be the reason for the cleavage between him and Dr. Narayan, the Vice-Chancellor. It seems to me that the main reason was that of the two persons who were considered by the Committee constituted under Section 12 (1) (b) to be equally good and eligible for appointment as Vice-Chancellor, one eventually became the Vice-Chancellor while the other continued to remain Registrar. This unhappy situation would have ordinarily engendered a strong psychological reaction in the mind of the less lucky person against the more lucky one. A good deal of bitterness and a deep sense of discontent could have emanated from this unhappy mental reaction and led to differences and dissensions between the two concerned persons. Perhaps neither of them had sufficient time or opportunity to get over their feelings of rivalry because they were dealing with each other in the University almost daily, if not hourly. And in a University campus comprising of many hundred persons, it is not difficult to find some who have their own axe to grind or their own grievances, real or imaginary, to ventilate. Such persons would be inclined to rally round any person who is known to be unfriendly to the Vice-Chancellor. And the Vice-Chancellor, in

his turn, with his large powers, influence and authority, would naturally attract the loyalty and kindly attention of a number of persons in the campus. There would be many who would be anxious to come into contact with him or to make it known to him that they are his ardent supporters. It is not surprising in such a situation if a group of persons report to the Vice-Chancellor about what is said against him by the Registrar and his friends. Thus, gradually the chasm between the Vice-Chancellor and the Registrar would have gradually widened. It is only reasonable to expect in such circumstances that one would not let go an opportunity to hit the other. Thus it appears to have had become unhappy both for the Vice-Chancellor and the Registrar. The longer this unhappy situation continued, the more entrenched the groupism in the campus became. This, I should think, was the main reason for the unhealthy atmosphere in the University campus. This undoubtedly affected the administration of the University. The Vice-Chancellor had little confidence in his Registrar Sri Gopaldaswamy, and the Registrar, wherever possible, made it difficult for the Vice-Chancellor to carry on smoothly. I have heard both of them at some length and I have also gone through the representations in writing made by them and I am convinced that the acrimony and bitterness between them is yet unabated, although Sri Gopaldaswamy ceased to be Registrar with effect from 18-12-1963.

Sri M.V. Rajagopal, who succeeded Sri Gopaldaswamy, appears to have been the victim of the unhealthy atmosphere which prevailed in the University when he took over as Registrar. It is my shrewd guess that Sri Rajagopal, without being quite aware of it, was subtly influenced by a group which was hostile to the Vice-Chancellor. By stating this, I am not trying to justify all that the Vice-Chancellor said or did, or to criticise the action or conduct of the Registrar, Sri Rajagopal. An amount of tact and adaptability on both sides would have enabled them to get on well together. But the atmosphere in the campus was such that a new comer who took over as Registrar could have been led to believe that there was something radically wrong with the Vice-Chancellor and his administration. A new and enthusiastic Registrar, lent by the Government, would therefore have considered it his task to cleanse the Augean stables. This perhaps coloured his approach and attitude towards the Vice-Chancellor. He was perhaps a little too stiff and also somewhat suspicious of his Vice-Chancellor. The Vice-Chancellor, who wielded considerable authority in the University as its Principal Executive Officer and Academic Head, probably thought that his new Registrar

was refractory and obstructive. This I think was how the disharmony between them started. A stage was soon reached when anything recommended by the Registrar was turned down by the Vice-Chancellor, partly to assert his authority and put the Registrar in his proper place and partly as an expression of mistrust. I must also state that the Registrar did not fail to reciprocate by putting a spoke wherever he could. The ultimate picture that emerged was one of disharmony between the Vice-Chancellor and the Registrar.

Several persons from the campus told me in this enquiry that when Sri Gopaldaswamy was the Registrar, all his friends suffered because they were in disfavour with the Vice-Chancellor. I was also told by several others that Sri Gopaldaswamy did not let go an opportunity to openly traduce the Vice-Chancellor in the campus and to oppose him in the files. The same description was given to me by a number of persons of the relations that developed between the Vice-Chancellor and Sri M.V. Rajagopal, a few months after the latter assumed the Office of Registrar.

When there was such a lack of concord between the Vice-Chancellor and the Registrar and when there was a group in the campus openly unfavourable to the Vice-Chancellor, one would ordinarily expect the Vice-Chancellor to have been very wary and scrupulously correct in everything he did. He ought to have known that even a small irregularity or lapse on his part would have been harnessed for use as a handle against him. But the Vice-Chancellor did not adequately reckon with this. The result was that even venial faults of the Vice-Chancellor in his administration were highlighted and exaggerated. No doubt, there were some irregularities which deserved criticism and adverse comment. But the fact was that almost everything done by the Vice-Chancellor was attacked, thereby making it difficult for one to distinguish readily between the important and the unimportant or between a permissible act of discretion and an impermissible act of arbitrariness.

Although the lack of harmony between the Vice-Chancellor and the Registrar has helped to bring to light the serious as well as the slight irregularities and acts of commission and omission on the part of the University administration, one cannot fail to notice that for a successful and efficient administration of the University, it is necessary that the Registrar and the Vice-Chancellor should not be at loggerheads. A tussle between the two, although unequal, will be extremely unseemly and will surely corrupt the academic atmosphere and promote fissiparous tendencies in the campus. This is the lesson

one has inevitably to draw from the history of the administration of the Andhra University in the recent past.

PART - III

EXAMINATIONS & EXAMINERSHIPS

In this part, I propose to deal with certain matters relating to examinations and the appointment of examiners.

In the M.Sc. Chemical Technology examination of June 1961, one Atchutharamaiah got a Second class. Some time after the results were published by the University, Atchutharamaiah made a written representation to the Vice-Chancellor stating that he was a poor man and had spent considerable money for his education and that he expected a first class in the June 1961 examination. He pointed out that if nine marks were given to him as a matter of grace, he would get a first class. In November 1961, the Vice-Chancellor passed orders adding nine marks to the total number of marks secured by Atchutharamaiah in the June 1961 examination and thereby placed him in the first division. Neither the Results Committee nor the Board of Examiners appeared to have considered that Atchutharamaiah deserved the award of nine marks in order to enable him to secure a first class. The Vice-Chancellor however thought fit to act on grounds of sympathy or compassion.

In the M.Sc. Chemical Technology Examination in June 1962, one Sriramamurty failed. After the results were published, he approached the Vice-Chancellor with a petition alleging that he was an employee and that he joined the course with a view to better his employment prospects and that his failure in the examination has disappointed him. He urged that if seven more marks were given to him, as a matter of grace, he would be entitled to be declared as having passed the examination. The Vice-Chancellor agreed to this and gave him seven grace marks and declared him to have passed the examination. The alleged justification for this is that he belonged to the last batch of students under the old regulations and if he chose to sit for the examination again, the University might have had to conduct the examination only for him. This argument of convenience does not appear to me to accord with the salutary principle of upholding the sanctity and finality of the results already published by the University of the examinations held by it. Other considerations might arise, if there was any lapse on the part of the examiners or

any error in the addition of marks, etc. But in the instant case, there was absolutely no irregularity or lapse in the conduct of the examinations or in the evaluation of the scripts of the examinee or in the addition of marks. In such a case, I think it was an improper exercise of sympathy or discretion to revise the results already published with due care and attention, and to declare a candidate who had already failed to have come out successful in the examination. It is well to note that the system of examinations is such that if the Board of Examiners or the Results Committee considered that a candidate deserved to be awarded a few more marks, it could be done even before his results of the examination were published. But after the case had been scrutinised by them and the results duly published, there should be no occasion for *ex gratia* award of additional marks to a candidate. But in both these cases, irregularity was permitted to occur by the conferment of additional marks to candidates whose results had already been published. Considerations of compassion or convenience should not be made the criteria for pushing up an undeserving candidate to success or what is worse, to distinction, in a University Examination. To my mind, what has happened in these two cases is indefensible. I think the safe and proper rule is to adhere firmly to the results of the examinations already published by the University, save in cases where there has been a serious lapse in the evaluation of answer papers of a candidate or an arithmetical error in the adding up of the marks secured by him. For such exceptions, it is desirable to make a suitable provision by making a candidate who asks for revaluation or retotalling of marks to deposit a fairly heavy sum of money which he would forfeit in case his attempt failed. But in cases like the present where there was no lapse at all either in the evaluation of the answer papers or in the totalling of marks, there should be no occasion under any circumstances to revise the results published by the University.

Another case that has come to my notice relates to the conferment of a Ph.D. Degree in Chemistry on one Sri V. Ramachandra Rao. His thesis for the Ph.D. Degree was entitled "Studies in rare earths." All the three examiners appointed to evaluate his thesis were Professors of Universities in the United Kingdom. Prof. R. Nyholm was the Chairman of the Board of Examiners. He was the Professor of Chemistry in the London University. The other two examiners were Chemistry Professors of the Universities of Cambridge and Leeds. The report of the examiners signed by Prof. Nyholm as Chairman stated:

"The thesis is very much on the border line between an M.Sc.

and Ph.D. The experimental work is adequate and has been well done. However there is insufficient evidence of understanding of the subject or of the interpretation of the results. As a result the examiners can recommend the award of Ph.D. Degree only if the candidate performs satisfactorily in a written paper or an oral examination consisting of the following questions.”

Prof. Nyholm, the Chairman of the Board of Examiners, in a separate letter said as follows :

“I regret to say that we were not too happy about this thesis but will be willing to recommend the award of the degree provided that his performance in a written paper is satisfactory. To minimise further delays, this written paper is enclosed, and if you agree, I suggest that the candidate be required to do this and the results sent to us as soon as he completed it.”

The Andhra University did not hold any subsequent written examination, but nominated Prof. Shankar of Bombay and the local Research Director of the candidate as examiners to conduct a viva voce examination of the candidate by putting to him the questions which had been sent by Prof. Nyholm. It is said that these two examiners were satisfied as a result of their viva voce examination that the candidate could be awarded a Ph.D. Degree, and the degree was accordingly conferred on him. The irregularity in this procedure was that the original examiners from United Kingdom who were asked to evaluate the thesis of the candidate were not consulted before he was awarded Ph.D.; the answers of the candidate to the questions suggested by the original examiners were not forwarded to them – not even the results of the viva voce examination were sent to them. The position therefore was that the thesis was evaluated by three Professors of the United Kingdom and a viva voce examination on the questions suggested by them was conducted by two other examiners including the candidate’s Research Director in the Andhra University. It strikes one at once that it was inappropriate that the thesis was valued by one set of three examiners from United Kingdom and the degree was awarded on the opinion of another set of two examiners from India who had merely conducted the viva voce examination. In this context, it is well to reiterate that Prof. Nyholm, the Chairman of the Board of Examiners, had himself asked that the results of the subsequent examination of the candidates suggested by him should be sent to him, obviously to enable him to consider whether the candidate deserved the conferment of a Ph.D. degree. But that was not done. The result was that neither the examiners

who evaluated the thesis of Ramachandra Rao nor those who conducted the viva voce examination had a complete picture of his ability and merit. Nevertheless, Ramachandra Rao was awarded the Ph.D.

Another instance of irregularity that has come to my notice relates to the P.U.C. Examination conducted in March, 1963. Some candidates failed in that examination in French, which they had voluntarily chosen as one of their subjects. Dr. Narasimha Rao, who was a member of the Syndicate, wrote a letter to the University that the P.U.C. results in the French Paper were unsatisfactory and that it might be considered by the Syndicate. Even before this letter was written, the results of the P.U.C. examination had been published. Yet, the consideration of the case of the candidates who failed in French in that examination was included as an item in the agenda for the meeting of the Syndicate on 15-6-1963. The Syndicate resolved that ten grace marks in French should be given to every P.U.C. candidate who had failed in French. While this question was being considered by the Syndicate, another member of the Syndicate suggested that ten grace marks should be given to those who failed in French in the Matriculation examination that year. No such question was included in the agenda. Nor was there any previous intimation to the University or the Syndicate that the question of Matriculation candidates was required to be considered by the Syndicate. Yet, the Syndicate in its resolution dated 15-6-1963 decided that ten grace marks in French should be given to every candidate who failed in French in the P.U.C. and the Matriculation examinations held in 1963. Thus, long after the results of the Matriculation and P.U.C. examinations were published, some candidates who failed in French in those examinations were caused to be declared to have passed in French. This revision of examination results by the Syndicate appears to me to be an unwholesome precedent. The question whether there should be a higher percentage of passes in the examinations and whether there are any good reasons for "moderating" the results must be left to the Board of Examiners and the Results Committee. But after the matter has passed through them, I do not think it is fair or proper for the University authorities to interfere and revise the published results. A procedure like this will detract from the prestige of a University and the sanctity and finality of examinations conducted by the University. It is also likely that a particular influential candidate who has failed in an examination could manage to get the published results revised through the intervention of University authorities, whereas a poor and uninfluential candidate

will be obliged to reconcile himself to the published results. This aspect of the matter would introduce into the system of examinations extraneous considerations of social influence and patronage. I am firmly of the view that the reopening of the results already published by the University should never be resorted to by the University Authorities.

The other case I would like to mention relates to one Sivakesava Prasad who took his B.A. Hons. Examination in Economics in April, 1961. One of the external examiners as also the Chairman of the Board of Examiners categorically stated that the student had been guilty of malpractice in the examination hall. They strongly suspected that he had brought into the examination hall answer papers written outside the hall and submitted them as written by him in the examination hall itself. The matter went before the Syndicate. It gave notice to the student and considered his written explanation dated 26-6-1961. Thereafter, it passed a resolution dated 22-7-1961 debarring the student for one year. The candidate made a fresh representation called an appeal to the Syndicate on 1-8-1961. The Syndicate considered and rejected it on 21-10-1961. Subsequently on 30-10-1961 the candidate made a mercy petition to the Syndicate. The Syndicate by its resolution dated 10-2-1962 decided to give him the benefit of doubt and to publish his results on the basis of the answer papers submitted by him at the examination of April, 1961. The Professor of Economics of Andhra University who was also the Chairman of the Board of Examiners was asked to value his answer papers. He refused to do so stating as follows :

“To my mind this is an undoubted case of malpractice The most generous favour that can be extended to the candidate is to permit him to appear for the examination again ... If the University has no confidence in the Board of Examiners or if it finds it difficult on legal or technical grounds to agree with the view of the examiners, the proper course would be to refer all the answer scripts of the candidate to any senior Professor of Economics of any University not connected with our University.”

In spite of this strong letter of the Chairman of the Board of Examiners, the Vice-Chancellor, without reference to the Syndicate, appointed Dr. D. V. Ramana who was the then Reader of Economics in the Andhra University to evaluate the candidate's scripts of April 1961. Eventually, the candidate was recommended for only a B.A. degree. But this does not cure the apparent irregularities in the matter. The

irregularities to my mind are, first, the Syndicate ought not to have entertained a mercy petition and revised its previous orders. Secondly, the Vice-Chancellor ought not to have appointed a Reader of the Economics Department of his University, to value the papers, when the Professor and Head of the Department of Economics had declined on good grounds to evaluate the answer scripts. What is more, the Vice-Chancellor did not refer the appointment of Dr. D.V. Ramana as examiner to the Syndicate and obtain its prior approval. It is somewhat unusual that the Syndicate reviewed the concurrent and considered decisions previously taken by it, on the mere mercy petition of a candidate who was clearly charged with gross malpractice at the examination! It is worthy of note that the revision by the Syndicate of its previous orders took place in February, 1962 in respect of an examination held in April 1961. The proper course would have been to ask the candidate to appear for the examination in April, 1962 and not to exercise mercy in a case of malpractice. I should like to say that it would have been more in keeping with the prestige of the University and in consonance with propriety, if the Syndicate had declined to interfere on the mercy petition of the candidate.

I shall now turn my attention to the awarding of grace marks *before* the publication of the results of the University examinations. It is complained to me by more than one person (Sri G. Atchutarama Raju, Advocate and Senator was one of them) that no uniform policy has been followed in awarding grace marks to students before their results are published by the University. In a number of cases, grace marks up to 2%, if not more, were awarded to enable a student to get a First Class. This was done also for conferring a second class and for giving a pass. It is said that grace marks are awarded on the recommendation of the Board of Examiners and the Results Committee. On the other hand, it is claimed that the Vice-Chancellor has been exercising a large discretion in this matter. Whatever this be, it is necessary that a uniform principle in the matter of awarding grace marks should be laid down so that the University may not be open to the attack of discrimination or arbitrariness. I think it is incorrect to make a person secure a first class by merely awarding him grace marks. I am told that in August 1964 certain principles governing the award of grace marks were evolved at a meeting of the Heads of Departments of the University. They decided that in no case should grace marks be given to enable a candidate to get a first class. I think this principle should be extended to the award of 2nd class also. No candidate should be given a second class by merely awarding him grace marks. In the case of

giving a mere pass, I think it should be laid down that in no case should grace marks in excess of 1% be given to any candidate. It is necessary that these principles should not depend merely on an informal decision at a meeting of the Heads of Departments. They should be laid down in a Standing Order of the Syndicate without avoidable delay.

One Sri J. Narayanamurthi was enabled to obtain a first class in his M.A. Final examination in History in April 1964 by giving him grace marks of 2%. I am assured that such instances would not occur in future because it has already been decided by the Heads of Departments that in no event would grace marks be given for upgrading a second class to a first class. But it was complained to me that even in April 1963, there was an instance where even $\frac{1}{3}$ % was not given to a candidate to help him secure a first class. This candidate is Sri Kodanda Rao who appeared for the M.A. (Anthropology) Final Examination in April, 1963. This instance is compared with that of Sri Narayanamurthy (already adverted to) to make out a case of unjustified discrimination against Sri Kodanda Rao. I am not satisfied there is substance in this grievance. The fact of the matter is that Kodanda Rao had been given an increase of marks by 5% in view of his having been in the N.C.C. Yet, he was not able to secure a first class. The complaint that $\frac{1}{3}$ % more would have enabled him to secure a first class does not, therefore, appeal to me. His case cannot really be compared with the case of Sri Narayanamurthi who required only a 2% increase to reach the first class level.

Another matter relating to examinations which I would like to refer to relates to the appointment of Sri B. R. L. Rao, Pool Officer, Council of Scientific and Industrial Research, as one of the Examiners for the M.Sc. Final Examination in Nuclear Chemistry in April 1964. Sri Ramaswamy Sastry who is the husband of one of the granddaughters of the Vice-Chancellor had appeared for that examination. The charge is that Sri B. R. L. Rao who was not in the panel of examiners recommended by the Board of Studies and approved by the Syndicate was given the examinership just to help Sri Ramaswamy Sastry. This manipulation is laid at the doors of the the Vice-Chancellor. *I am not satisfied there is sufficient evidence to prove this charge.* Ramaswamy Sastry got a first class in that examination. Sri B. R. L. Rao was only one of the three examiners appointed to conduct the practical examination. The other two were external experts, namely, Dr. H. B. Mathur and Dr. J. Shanker. The reason for picking out Sri B. R. L. Rao for examinership was that the person whom he

replaced was not versed in the particular subject and had not been teaching it. This fact came to the notice of the Vice-Chancellor when a complaint was made to him by one of the examiners about the distribution of valuation work by Prof. G. Gopal Rao, who was the Chairman of the Board of Examiners. In that connection, the Vice-Chancellor is said to have gone into the whole matter and found that the Board of Examiners did not contain persons qualified in the particular subject in which Sri B. R. L. Rao was qualified. Therefore, the Vice-Chancellor included him in the Board of Examiners. *I am not in position to say that all this was sheer manipulation. If manipulation was indeed, one would expect it to have been done much earlier and in a quieter manner than was done in this case.* Moreover, it is difficult to say that Sri B. R. L. Rao by himself could have helped Ramaswamy Sastry to get a first class by influencing the other external examiners who were men of reputation and standing. Besides, the obtaining of a first class by Sri Sastry seems to indicate that he was a candidate of merit and talent who did not need manipulation or rigging to come out well in the examination.

But it appears to be clear that sufficient care was not bestowed on the constitution of the Board of Examiners for the M.Sc. Final Examination in Nuclear Chemistry held in April 1964. I say this because the requirement that a person qualified to be examiner in a particular subject had to be added and another unqualified person removed from the panel of Examiners already approved by the Syndicate came to the notice of the Vice-Chancellor only at a very late stage. The Vice-Chancellor and his office should have paid attention to the composition of the panel of Examiners at a much earlier stage and brought the defects to the notice of the Syndicate. I am led to think that if somebody had not complained about the distribution of work by the Chairman of the Board of Examiners, the deficiency in the constitution of the Board of Examiners would not at all have come to light. Carelessness on the part of the University authorities in these matters should be avoided and the Registrar who is the Secretary of the Syndicate and the Vice-Chancellor, who presides at the Syndicate meeting should, in future, be made responsible to carefully scrutinise the list of Examiners so as to ensure that the Syndicate approves only a fully qualified panel of Examiners. The appointment of Sri B. R. L. Rao as one of the Examiners was later approved by the Syndicate.

Two other cases relating to examinations relate to the refusal by the Vice-Chancellor to have certain scripts valued by a third examiner

from outside. In the M. A. History Examination of 1963, the marks awarded to Miss Pratibhakumari by the External and Internal Examiners varied somewhat widely. The Chairman of the Board of Examiners who was also the Head of the Department of History, recommended a third valuation by another *internal* examiner. This recommendation was accepted by the Vice-Chancellor. Eventually, Miss. Pratibhakumari obtained a first class in the examination. The attack is that the opinion expressed by the Chairman of the Board of Examiners was not in accordance with the standing instructions issued to the examiners and ought not to have been accepted by the Vice-Chancellor. It is claimed that in a case where the marks awarded by the external examiner and the internal examiner differ widely, a third valuation should necessarily be done by another *external* examiner. It is suggested by Sri G. Atchutarama Raju, a Member of the Senate, that by not referring the particular paper to an external examiner for a third valuation, the Chairman of the Board of Examiners who was the Head of the Department of History in the Andhra University was in a position to influence the third examiner and thereby secure a first class for the lady student. Apart from the circumstance that the suggestion comes from a Member of the Senate, *I do not think there is anything to support it.* I cannot take my stand on mere suspicion or surmise. Indeed, if any particular "Instruction to the Examiners" was infringed or disregarded in this case, I would certainly have regarded this as a case of clear irregularity which leads one to doubt the bonafides of the action taken. But the relevant part of the printed "Instructions to Examiners", issued by the Andhra University quite a number of years ago and which prevail even today, runs as follows :

"If the marks awarded by the two sets of Examiners differ, the Chairman shall credit the candidates with the averages of the two marks. In cases where the discrepancy between the marks assigned by the two Examiners is great, the Vice-Chancellor may appoint a third person for valuing afresh such papers if he deems it necessary but the Chairman shall ordinarily draw the attention of the concerned Examiners to the disparity in their marking and get the papers revalued by them ; in doing so, the Chairman shall simply indicate on what lines the papers have to be revalued and he should not intimate the marks given by the other Examiners."

There is nothing in this instruction which rendered it obligatory upon the Vice-Chancellor to ask an external examiner to revalue the particular script of Miss Pratibha Kumari. Nor am I able to see any infirmity in the recommendation made by the Chairman of the

Board of Examiners in the case. I am not therefore prepared to say that there was anything irregular in this case. I do not also share the view that if a third valuation is done by an internal examiner (in this case Dr. Chandrasekhara Rao) it would necessarily lead to any malpractice or favouritism.

A similar case relates to the M.A. Previous and Final Examinations in Anthropology held in 1964. In respect of one candidate in M.A. Final (Anthropology) there was a difference of 37 marks in the evaluation made by the internal and the external examiners. There was also somewhat wide discrepancy in the marking of the external and internal examiners in regard to ten students in the M.A. Previous examination. The discrepancy in all these cases related not to the total marks obtained in all the papers, but only to one paper. Dr. M.V. Moorthy, who was the Chairman of the Board of Examiners, did not take any steps to get the papers revalued by the same examiners as provided in the "Instructions" quoted above. Nor did he refer the cases to the Vice-Chancellor for appropriate action. But when the marks came to the Results Committee of which also Dr. M. V. Moorthy was the Chairman, he recommended to the Vice-Chancellor that the papers be referred to a third examiner. The Vice-Chancellor did not do so. The reason was, this recommendation was made only in August, and reference to a third examiner would have entailed further delay leading to the publication of the results being held up for an inordinately long period of time. Therefore, he directed that the candidates be credited with the averages of the two marks. I do not think that under the circumstances, this course should be found fault with. It was in accordance with the spirit of the relevant instruction to the examiners extracted above. Furthermore, there is nothing in any rule, regulation or the instructions to the examiners issued by the University that a third valuation should necessarily be done or that it should be done only by an external examiner. Taking all the relevant aspects into consideration, I am not satisfied this case calls for any adverse comment.

The other case I desire to deal with under the head of examinations relates to the publication of the results of M.S. Examination held in June 1964, in spite of a dissenting note of one of the examiners. Four examiners were appointed for the M.S. Examination in General Surgery held in June 1964. The evaluation of these four examiners was to be submitted to the M.S. Degree Board of Examiners consisting of six members and a Chairman. The Four Examiners for general Surgery were among these six members. The four examiners

duly submitted their evaluation to the full Board. The written recommendation of the Board was sent to the University and was signed by all the seven members of the Board including the Chairman. But one of the four General Surgery Examiners, Dr. Sundararama Murty, some days after signing the recommendation of the Board as one of its members, sent a dissenting note to the University stating that two more candidates who appeared for the M.S. Examination deserved to pass. This recommendation was not agreed to by any other examiner. On the contrary, the other examiners attacked this recommendation with varying degrees of vigour. It is well to state here that among the examiners who strongly disagreed with the note of Dr. Sundararama Murty was also an external examiner, Dr. Raghavachari. The Chairman of the Board also opposed the view expressed by Dr. Sundararama Murty in his dissent. The question was whether the announcement of the results of the M.S. Degree Examination should be held up merely because Dr. Sundararama Murty had expressed the view that two more candidates ought to have been given higher marks in the examination. The University decided that there was no case for holding up the results, and therefore published them. I am unable to see how the adoption of this course can be said to be irregular. Subsequently, the University placed the dissenting note of Dr. Sundararama Murty before the Syndicate and it is being considered by a Syndicate Committee. This case raises a question of principle as to what should be done when one of the four or one of an even larger number of examiners disagrees with the rest on a matter of evaluation of the merits of the candidates. There is no rule or regulation now in the University to cover such a case. Regulation No. 9 of the "Regulations relating to M.D. and M.S. Examinations" does not say that the view of the majority of examiners shall prevail. Nor does it provide that the Syndicate or the medical wing of the Academic Council shall take a final decision in case of a difference of opinion between the examiners. Bringing in another examiner or referring the matter to another Body of Examiners would not only be inconvenient but would surely be resented by the majority of the examiners. It would be legitimate for them to say that just because one examiner happens to take a peculiar view, the opinion of the overwhelming majority should not be discounted or disregarded. The circumstance that the dissent was voiced by a junior member in the profession would cause the senior examiners (all of them doctors) to raise in issue of prestige and propriety. I think it is therefore desirable to formulate a rule that the majority view of the examiners should prevail. The rule may say

what should be the size of the majority to make its view acceptable. For instance, the rule may well say that if three out of four examiners hold the same view, it should be accepted. I think such a provision will eliminate the possibility of one of the examiners taking a peculiar view and thereby creating confusion and difficulty for the University.

An impression appears to have been created in a small section in the campus that the Vice-Chancellor took a personal interest to eliminate the external examiner, Dr. Raghavachari, from the Board of Examiners for the diploma examination in General Surgery held in September 1964 in order to help his son-in-law, Sri Subrahmanyam, who had failed in the examination held in April 1964. This allegation is manifestly intended to besmirch the Vice-Chancellor. But it overlooks the inescapable fact that Sri Raghavachari has done his normal term of three years even before September 1964, and that therefore he had in the normal course to be replaced by another external examiner. Normally, I would not have noticed this allegation but for the fact that it embodied a personal imputation against the Vice-Chancellor.

Another allegation of irregularity is that in the M. B. B. S. examination of 1964, the Vice-Chancellor arbitrarily issued instructions to the examiners to ignore three questions in a question paper relating to a particular subject and evaluate only the rest of the questions. The fact of the matter was that Dr. Narasimharao who was the Chairman of the Board of Examiners for M. B. B. S. complained in writing to the Vice-Chancellor that three of the questions in a particular paper were outside the prescribed syllabus. On this report of the Chairman of the Board of Examiners, the Vice-Chancellor gave a directive to the examiners that those three questions be ignored in evaluating the answer papers on the particular subject. I think the Vice-Chancellor *did nothing irregular in doing so*. But it is pointed out that in the M. B. B. S. examination of 1965 one question was outside the prescribed syllabus and yet no action was taken by the Vice-Chancellor. Here again, *I do not think the Vice-Chancellor deserves to be blamed*. Nobody brought it to his notice that one question in a particular paper was outside the course. He could not, therefore, be expected to take any action in a matter of which he was not aware.

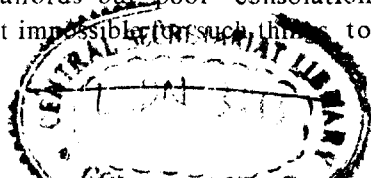
Five of the answer books submitted at the P. U. C. Physical Sciences Part I examination held in 1964 and also five answer scripts in Hindi 2nd paper of the B. Sc. degree examination came to be somehow lost in the confidential section of the University of which Dr. P. V. Avadhani was in charge and the Registrar in overall con-

trol. After the examinations, the confidential section assigns code numbers to all the answer papers by removing the original Register Nos. so as to make the evaluation of answer papers impervious to possible attempts at malpractices. In the course of assigning code numbers ten answer papers referred to above came to be lost. The Registrar, Sri Rajagopal, made an enquiry into the matter and reported that "blame could not be apportioned". So far as the examinees were concerned, it appears that the other answer papers of theirs in the relevant group of subjects were evaluated and they were all declared to have passed on that basis. In other words, they were not made to suffer any serious detriment on account of the loss of their answer papers. This instance points to a considerable degree of negligence and somebody should, in such a case, have been punished and steps should have been taken to make the system thoroughly fool-proof. But neither of these things was done. Indeed, *the Registrar was not the proper person to conduct the enquiry into the matter because he was the person in over-all charge of the confidential work of assigning code numbers to the answer papers and was given a special allowance of Rs. 1,000/- for it.* Lack of proper supervision and care on his part could possibly have contributed to the loss of the scripts. When there was such possibility, it was inappropriate to have entrusted the enquiry to him. Further, to report in such a case that the blame could not be apportioned cannot be said to be a satisfactory mode of dealing with the matter. It seems to me that a proper and effective attempt was not made to ascertain the truth. In future, the Vice-Chancellor must deal with such matters through an efficient committee appointed by him, and steps should also be taken to ensure that such lapses do not recur.

It is complained that the Chairman of the Board of Examiners in History and Politics, made an uneven and arbitrary distribution of answer scripts for valuation among the examiners. The answer scripts relating to a majority of subjects in the M. A. (Final) History Examination of 1964, it is said, were distributed between the Chairman and his friend, the Reader in Politics. By doing so, it became possible for these two examiners practically to control the results of the examination.

The Vice-Chancellor has stated that no complaint about the uneven distribution of valuation work among the Examiners by the Chairman of the History and Politics Board of Examiners was brought to his notice by anybody. This answer affords but poor consolation. I think it is very necessary to make it impossible for such things to

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occur in future. The Registrar and Vice-Chancellor should devote particular attention to the matter and go through the lists of distribution of answer scripts among the Examiners for each examination and satisfy themselves in good time about the fairness and propriety of the distribution.

I shall now turn to allegations relating to irregular appointments of examiners. It is stated that Dr. Venkateswara Rao, Hon. Physician at Hyderabad and Mr. Marulasiddhiah of the Karnatak University were appointed examiners although they were outside the panel of examiners recommended by the concerned Boards of Studies. This allegation does not appear to be correct. I have gone through the papers and I am satisfied that both of them were qualified to be appointed Examiners and were also recommended by the respective Board of Studies.

Some irregularities however appear to have occurred in the appointment of certain Examiners. Section 16 of Chapter XXII of Andhra University Code, Vol. (page 182) runs as follows :

“A Chief Examiner who is appointed, but not in consecutive years, shall not hold office for more than three years in any period of five years; and an Assistant Examiner who is reappointed, but not in consecutive years shall not hold office in any period of four years”.

This rule has not been observed in some cases. Some Chief examiners were discontinued after one or two years whereas certain others were allowed to function for a continuous period of four or five years at a stretch. The established convention also appears to have been that a Chief Examiner will be allowed to continue for three years unless there is some good reason to discontinue him earlier. But Mrs. Ahmed Bibi, Principal, Women's College, Kakinada who was appointed in 1963 as a Chief Examiner for B. Sc. in General Education was discontinued the next year and was removed from the list of examiners for no obvious reason whatsoever. The Examiner for Hindi for P. U. C. Examinations was allowed to continue for two years, viz., 1962-63 and 1963-64. He was then discontinued. In certain other cases, the same person was appointed as Chief Examiner for four or five years continuously, without a break. The instances are of Rev. Father Gordon and Sri V. Lingamurty who were Examiners in Geography and History continuously for more than three years. Sri G. P. Ramesam was appointed Chief Examiner in Mathematics for more than three years at a stretch. Similar treatment had been accorded to certain examiners in English and Telugu also. It is not easy to see a uniform principle running through these diverse

instances. It is surely desirable that a uniform principle in the matter of appointment of Examiners should be followed and any departure from it must be justified on good grounds to be stated in writing in the relevant proceedings.

Another feature of the appointment of examiners is that certain teacher members of the Syndicate have been appointed as Examiners in respect of non-professional examinations. Ordinance I-A (ii) of the Andhra University Code, Vol. I expressly states that no Member of the Syndicate shall function as an Examiner except in respect of professional examinations or in cases of proved necessity. In spite of this prohibition contained in the above ordinance, several teacher members of the Syndicate were appointed Examiners in respect of non-professional examinations. They were

Sri D. S. Subrahmanyam
 Sri V. Subba Rao
 Sri T. Rama Rao
 Sri K. V. Punniah
 Rev. Father Gordon and
 Sri R. Subbaiah

What is somewhat remarkable is that the number of these persons is larger than the teacher members of the Syndicate who were appointed Examiners in respect of professional examinations.

Dr. P. Narasimharao, Dr. M. V. Ramanamurthy and Dr. D. Jagannadhareddy were members of the Syndicate who were appointed Examiners for professional examinations. It is very desirable that the prohibition contained in the above Ordinance should be rigorously enforced. Reliance is however placed on behalf of the University on a resolution of the Syndicate dated 27-11-1962 which reads :

“Resolved that the Members of the Syndicate also be considered for appointment as Examiners for a period of two years wherever necessary in view of adequate number of qualified and eligible persons being not available.”

This resolution of a broad and general character can hardly justify the appointment of so many members of the Syndicate as Examiners for several non-professional examinations. There is nothing on record to show that there was ‘proved necessity’ for each of these appointments. I am also not able to read the resolution of the Syndicate as amounting to a declaration that there was ‘proved necessity’ within the meaning of the Ordinance mentioned above. The underlying object of the prohibition contained in the Ordinance cited above appears to be that the members of the Syndicate should not, as

far as possible, be placed in a position of obligation to the Vice-Chancellor or to the University administration. This is undoubtedly a salutary principle and everything must be done to maintain and uphold it. I like to emphasise this point because criticism about conferment of examinership on the members of the Syndicate has appeared in a section of the press and was also expressed to me at the enquiry. According to the critics, the giving of examinership to the members of the Syndicate is one of the means by which the Vice-Chancellor consistently keeps the Syndicate favourable to him. What they want is that every member of the Syndicate must be thoroughly independent and must be able to judge the matters coming before them purely on merits uninfluenced by the inclinations or expressed views of the Vice-Chancellor.

A complaint was made to me that in spite of the recommendation of the Head of the Department of Technology suggesting the appointment of Dr. V. G. Krishnamurty as Examiner for 1964, he was not appointed Examiner. But instead, Dr. A. Venkateswarlu, against whom the Head of the Department had expressed, was appointed. It was also stated to me that Dr. V. G. Krishnamurty was removed from the Board of Examiners for M. Tech. in Chemical Engineering. The answer of the Vice-Chancellor is that the Head of the Department has no authority to recommend a particular person for being appointed as an Examiner or to suggest that another teacher should not be appointed Examiner. Besides, there appears to have been a good deal of bad blood between Prof. Venkatarao, the Head of the Department of Technology and Dr. Venkateswarlu. The latter had made certain charges against the former and they were considered by a sub-committee of the Syndicate which after enquiry held that both of them should be removed from the panel of Examiners for V-B Technology Examination of May 1962. It appears that during this ban, Dr. V. G. Krishnamurty was included in the Board of Examiners for Technology Examination. After the period of the ban expired, Dr. Venkateswarlu who was definitely senior to Dr. Krishnamurty was reinstated on the Board of Examiners. So was Prof. Venkatarao. I do not think, that in the circumstances, Dr. V. G. Krishnamurty who was included in the Board of Examiners for just an interim period, has a legitimate ground to complain.

The grievance raised on behalf of Ch. Umamaheswara Rao, lecturer in the Department of Commerce, is equally untenable. It is claimed that although he was appointed Chief Examiner for M. B. A. examinations of June 1964, he was not continued as Chief Examiner

for the subsequent years. This complaint overlooks the important fact that Sri Umamaheswararao was appointed only in a casual vacancy caused by the unexpected death of Prof. Datta of the Commerce Department. Therefore, the Syndicate was justified in recommending in the subsequent year, a senior teacher for Chief Examinership.

The non-appointment of Sri Y. Sivaramamurty as an Examiner in American History also appears to me to be justified. There were already six internal examiners and there was really no scope for appointing one more. Besides, there were several persons senior to Sri Sivaramamurty to be given Examinerships.

An objection was raised regarding the appointment of Sri G. Gollareddi as Chief Examiner in Anthropology. It was alleged that if Sri Gollareddi could be appointed as Chief Examiner for Anthropology, Sri Y. Sivaramamurty could equally well have been appointed Chief Examiner in American History. The attempted comparison does not at all hold good. Unlike in the case of history where there were already six internal examiners, there was a dearth of internal examiners in Anthropology. Furthermore, Sri Gollareddi was qualified to be the Chief Examiner. *I am not therefore satisfied that these two cases can reasonably be compared and a charge of discrimination against the one and of favouritism to the other sought to be made out.*

Sri Gopalaswamy, Ex-Registrar of the Andhra University, has brought to my notice that Sri V. S. Venkateswar, who was an erstwhile lecturer in Mrs. A. V. N. College was appointed Examiner to conduct the practical examinations in Zoology for the B.Sc. examinations held in September 1961. When he acted as an Examiner, he was the Principal of the Narsapur College, having severed his connections with Mrs. A. V. N. College. Further, he was not the sole Examiner appointed to conduct the practical examination in Zoology. There was another qualified co-examiner who hailed from Rajahmundry College. The implication of the allegation made by Sri Gopalaswamy is that Sri V. S. Venkateswar who was the Zoology Lecturer of the Mrs. A. V. N. College in the previous year would have been partial to the students of that college and ought not, therefore, to have been appointed to conduct the practical examinations in that College. It is seen from the files that Sri Venkateswar was appointed Examiner for both Visakhapatnam and Vizianagaram Colleges. I am not satisfied the mere circumstance that he was previously a lecturer in Mrs. A. V. N. College is sufficient to conclude that he would have

been partial to the students of that college. A teacher of the right type is not expected to show partiality or favouritism in examinations. That is one of the first principles of academic ethics. Nothing has been brought to my notice to show that Sri V. S. Venkateswar had, at any time, failed to maintain this high ethical standard of the teaching profession. There is nothing before me to show that because of the appointment of Sri V. S. Venkateswar as Examiner in practical examinations in September 1961, the Zoology students of Mrs. A. V. N. College who appeared for the examination were particularly benefited. Any way, in order to remove even a shadow of possible suspicion it is very desirable that the University should refrain, in future, from making such appointments of Examiners for practical examinations.

PART - IV

APPOINTMENTS

I shall devote this part to the irregularities in making certain important appointments in the University.

I shall first take up the appointment of *Dr. M. V. Moorthy* as the Professor of Sociology and Social Work. *This appointment was made by negotiation.* Dr. Moorthy was previously a Reader in the Tata Institute of Social Sciences, Bombay. There were two officers above him in that Institute. One was a Professor and the other was the Director of the Institute. Some time before the post of Professorship was offered to him by the Andhra University, one Dr. N. S. Gore who was younger in years than Dr. Moorthy, had been appointed as the Director of the Institute, Dr. Moorthy did not therefore have reasonable chance of occupying the post of a Professor, much less of a Director in the Tata Institute. As a Reader in that Institute, Dr. Moorthy's salary was Rs. 810/- per mensem. It appears that he had also been drawing a monthly allowance of Rs. 140/-. *But Dr. Moorthy was invited by the Andhra University to take up a Professorship on an initial salary of Rs. 1,000/-.* He was also given the concession of not having to undergo the usual probationary period which ordinarily a Reader promoted as Professor has to undergo under the rules. The Syndicate, while deciding to appoint Dr. Moorthy, as a Professor, directed that he should undergo a period of six months' probation. But even this period of probation was subsequently waived on the insistence of Dr. Moorthy who claimed that in view of his long experience

in the Tata Institute of Social Sciences, no period of probation should be prescribed for him. But the important fact of which the Syndicate did not apprise itself and which does not appear to have been brought to its notice was *that Dr. Moorthy did not have the basic qualification for being appointed as a Professor.* Section 2 of Chapter V of the Andhra University Administration Manual prescribes the following minimum qualifications to render a person eligible to be appointed as a Professor :

- (a) "A first or high second class Master's Degree of an Indian University or an equivalent qualification of a foreign University.
- (b) A research degree of a Doctorate standard or published work of a high standard.
- (c) FOR SCIENCE at least five years experience of teaching Honours and Post-Graduate Classes and guiding research.
For HUMANITIES at least ten years experience of teaching Honours and Post-Graduate Classes and some experience of guiding research."

Dr. Moorthy was only a B. A. He did not, therefore, satisfy the prescribed minimum qualification of possessing a first or high second class Master's degree, and could not have been appointed as a University Professor. The University counsel has brought to my notice the following words which occur in Section 2 of Chapter V of the Administration Manual :

"except in special cases in which a departure from the conditions could be justified by the Syndicate."

It is plain that this provision which enables the Syndicate to make an exception presupposes that the Syndicate should apply its mind to all the material facts of the case. But in the case of Dr. Moorthy, there is nothing to show that the Syndicate ever knew that Dr. Moorthy was not the holder of an M. A. Degree as required by the rules. It did not therefore have an occasion to apply its mind to the question as to whether the condition requiring a first class or a high second class M.A. Degree should be departed from in the case of Dr. Moorthy. The provision cited above which permits of a departure being made in a special case also requires that the Syndicate should be satisfied that the departure could be justified. Whether the Syndicate was so satisfied or not can appear only from the resolution passed by it. In other words, the resolution must indicate the reasons for making a departure from the ordinary rule. But the resolution passed by the Syndicate appointing Dr. Moorthy as Professor is completely devoid

of any statement of reasons. It does not contain even a bald statement that the Syndicate was satisfied that a departure from the ordinary rule was justified in the case of Dr. Moorthy. This emphasises the fact that the want of minimum qualification on the part of Dr. Moorthy was not brought to the notice of the Syndicate and that the Syndicate did not apply its mind to it. I have read the resolution carefully and I am not satisfied that it gives any indication that the case of Dr. Moorthy was considered as one of departure from the prescribed rule regarding minimum qualifications.

But an attempt was made by the University counsel to justify the resolution of the Syndicate by relying on an old Standing Order of the Syndicate which states that "the Syndicate being an executive body, reasons and arguments will not go into the records". This very general provision cannot successfully be invoked when dealing with a case of exception, regarding which, provision to the contrary is made. I have no doubt that this general S.O.S. cannot apply to the special and exceptional case of departure from the conditions as to qualification contemplated by Section 2 of Chapter V of the Administration Manual adverted to above. Now that the question has been raised, I should point out that the general S.O.S. cannot validly be applied to cases where the Syndicate gives decisions as a statutory appellate authority or where its decision affects the vested rights of others by imposing a penalty or inflicting a punishment or withholding a benefit to which another person is entitled. In short, whenever the decision of the Syndicate adversely affects the rights of others, or subjects them to detriment or hardship of any sort, the decision to be valid will have to embody the reasons for reaching the decision. I must repeat that the *general S.O.S. cannot be sought to be followed in a case where a resolution passed by the Syndicate affects the vested rights of others by the denial of benefits due to them.*

Returning to the instant case, I should reiterate that I am by no means satisfied that the Syndicate was apprised of Dr. Moorthy's lack of the prescribed minimum qualification to be appointed Professor. It is interesting to note that even the "questionnaire" addressed to the external experts for an opinion as to the merit of Dr. Moorthy for being appointed as Professor *was couched in such a manner as to show Dr. Moorthy in an extremely favourable light.* Any person who reads the "questionnaire" (letter) addressed to the experts cannot help feeling that its tone and trend *were deliberately designed to influence the experts in favour of Dr. Moorthy.* The questionnaire spoke about Syndicate's decision to appoint Dr. Moorthy as Professor

because of his personality and past achievements. But not a word was mentioned to suggest that Dr. Moorthy's basic *qualification was only a B.A.* and he did not therefore satisfy the minimum qualification prescribed by Section 2 of Chapter V of the Administration Manual. Nor was the lack of minimum qualification on the part of Dr. Moorthy brought to the notice of the Board of Appointments or the Syndicate as already stated.

What I have stated above is sufficient to bear out that specially favourable treatment was given to Dr. Moorthy and in doing so, rather serious irregularities were allowed to creep in.

A somewhat similar case is the appointment of Dr. Sivayya as Professor in the Commerce Department. He had only 6½ years of teaching experience in the Andhra University. The minimum qualification prescribed in Section 2 of Chapter V of the Administration Manual is 10 years of teaching experience. Even accepting that Dr. Sivayya had taught Post-Graduate students in the Department of Business Economics in the Illinois Institute of Technology for more than one semester before he was appointed in the Andhra University, he did not satisfy the required minimum qualification of ten years teaching experience. Yet, he was appointed as Professor. In justification, it is stated that there were only three applicants for the post and the Board of Appointments adjudged Dr. Sivayya to be the best and the Syndicate subsequently approved the recommendation of the Board of Appointments. The redeeming feature in this case as contra-distinguished from the case of Dr. M. V. Moorthy is that the Board of Appointments as well as the Syndicate was made aware of the position that Dr. Sivayya did not have the required qualification of ten years teaching experience. But as in the previous case, the resolution of the Syndicate appointing Dr. Sivayya does not give any reason whatsoever for condoning the want of minimum qualification on the part of Dr. Sivayya. It also occurs to one to ask as to why Dr. Sivayya who was already a Reader in the same Department should have been appointed Professor when he had not had the required ten years of teaching experience. It is not known how the Department was benefited by promoting Dr. Sivayya as a Professor before he completed 10 years as a teacher. True, that Dr. Sivayya although promoted as Professor started only on Rs. 800/- unlike Dr. Moorthy who was given an accelerated start of Rs. 1000/-. Dr. Sivayya was also asked to undergo the prescribed period of probation of one year whereas no period of probation at all was prescribed in the case of Dr. Moorthy. On a comparison, it may be said that the appointment of

Dr. Sivayya as a Professor was somewhat less irregular than the appointment of Dr. Moorthy. But the irregularity yet remains.

I shall next deal with the appointment of Dr. Jogarao and Sri Donappa as Readers in the Telugu Department. There was only one post of a Reader to be filled and it was duly advertised. The qualifications for appointment as a Reader as stipulated in section 2 of Chapter V of the Administration Manual are as under :

- (a) A first or High Second Class Master's degree of an Indian University or an equivalent qualification of a Foreign University.
- (b) A Research degree of a Doctorate Standard or published work of a high standard.
- (c) At least five years experience of teaching post-graduate classes and some experience of guiding research.

Dr. Jogarao was the only person who fully satisfied all these requirements. So he was to be selected. But while selecting him, the Board of Appointments expressed the view that Sri Donappa also was good for being made a Reader and that therefore one more post of Reader should be created and given to him. Sri Donappa did not hold a research degree of a doctorate standard. Nor did the Board of Appointments say that Donappa had to his credit published work of a high standard. However, the Syndicate accepted the recommendation of the Board of Appointments and decided to appoint both Dr. Jogarao and Sri Donappa as Readers in the Telugu Department. But while Dr. Jogarao's appointment was to take effect immediately, Donappa was told that his appointment as Reader will take effect only from the date he submitted a thesis for Ph.D. This approach appears to me to be irregular and fraught with possible future difficulty. Suppose Sri Donappa, just for enabling him to get the post of the Reader, submitted a poor thesis which finally was not accepted by the Examiners. Even then, according to the decision taken by the Syndicate, Sri Donappa will have to be continued as a Reader. This would be anomalous. The proper course would have been to ascertain whether Sri Donappa had to his credit published work of a high standard so as to render him eligible for appointment as Reader. But to say that his appointment as Reader will take effect on the mere submission of a thesis by him is neither here nor there. If Sri Donappa was really a person of outstanding merit and ability so as to merit appointment as Reader even without his having a research degree of a Doctorate standard, the Board of Appointments and the Syndicate could well have said so and appointed him as a Reader. To my mind, there was no other way out to raise Sri Donappa to the status of a Reader.

A rather similar case occurred in the appointment of Sri R.V.R. Chandrasekhara Rao as Reader in the Department of History and Politics. The post of a Reader in this Department was advertised in July, 1962. But the advertisement did not expressly mention that a minimum qualification of five years of teaching experience was necessary to render a candidate eligible for the appointment. Dr. R.V.R. Chandrasekhara Rao and Sri K. Sambasiva Rao were both lecturers in the Department. Sri Sambasiva Rao had at least 13 years of teaching experience to his credit whereas Dr. Chandrasekhara Rao did not have even the minimum of five years teaching experience. But Sri Sambasiva Rao did not guide any research or hold a doctorate which qualifications Sri Chandrasekhara Rao did possess. Therefore from a strict point of view, both were ineligible to be promoted as Readers. But the Board of Appointments which included two external experts, namely, Dr. K. K. Pillai and Dr. S. Gopal, selected, Dr. Chandrasekhara Rao. The case of Sri Sambasiva Rao was not at all referred to the external experts on the mere ground that he did not have a doctorate or experience in guiding research. This omission has given a handle to Sri Sambasiva Rao to agitate the matter in this enquiry. I have gone through the qualifications of both Dr. R. V. R. Chandrasekhara Rao and Sri Sambasiva Rao. I have no doubt that Sri R.V.R. Chandrasekhara Rao has much higher qualifications than Sri Sambasiva Rao. The only deficiency of Dr. R. V. R. Chandrasekhara Rao was that he did not have the prescribed length of teaching experience which Sri Sambasiva Rao had. No doubt, the Syndicate which appointed Dr. R. V. R. Chandrasekhara Rao as Reader could have condoned the want of the prescribed period of teaching experience on his part, but it does not appear that this matter was expressly placed before the Syndicate so as to enable it to apply its mind and to come to a decision that a departure from the ordinary rule was justified in the case of Dr. R. V. R. Chandrasekhara Rao. This certainly was an irregularity. Perhaps, Sri Sambasiva Rao would not have had any grievance if his name also had been referred to the Board of Appointments including the external experts. That was not done. The omission in advertisement of the requisite period of teaching experience and the omission to refer the case of Sri Sambasiva Rao to the Board of Appointments have given rise to the grievance that some favouritism was shown to Dr. Chandrasekhara Rao. The other aspect of the matter is that though the appointment of the Reader was made in the Department of History and Politics, the Readership itself was in Political Science. The main specialisation of both the external experts, Dr. K. K. Pillai and Dr. S. Gopal was

History and not Political Science. It would surely have been better if the external experts were persons who had Political Science as their main specialisation.

It emerges from the above instances that it must be made obligatory upon the Vice-Chancellor and his office to clearly state in the advertisements for posts of Professors and Readers what the prescribed qualifications are and also to point out to the Board of Appointments the want of prescribed qualification on the part of any of the candidates. It should also be observed as an inescapable imperative that the Syndicate should be fully posted with the qualifications or the lack of qualifications of a candidate whom it is invited to appoint as a Professor or a Reader. In no case should any departure be made from this procedure. If it is desired that the Syndicate should make a departure in a particular case although the concerned candidate did not satisfy the prescribed minimum qualifications the reasons for making the departure should be brought up before it and discussed by it and embodied, at least briefly, in its (Syndicate's) resolution authorising the departure. I repeat, that the ordinary rule in Section 2 of Chapter V of the Administration Manual should not be departed from, save in exceptional cases and that too only for justifiable reasons to be stated in the resolution of the Syndicate. It is also necessary that the external experts on the Board of Appointments should be specialists in the particular branch of learning to which the appointment of a Professor or a Reader relates. No relaxation should be permitted to be made in this regard.

It is alleged that to make it possible to appoint Dr. D.V. Ramana, who was a Reader in the Department of Economics, as Professor of Economics in the Department of Rural Development and Co-operation the Vice-Chancellor deliberately played up his qualifications and played down the qualifications of the other applicants for the post. I have carefully gone through the file and I am able to say that there is no truth in this allegation. The qualifications which were mentioned in the application of each of the applicants were faithfully forwarded to the experts for their opinion. It is therefore unfair to attribute to the Vice-Chancellor any bias in favour of Dr. D. V. Ramana or any animus against any other applicant.

I have also gone through the recommendation of the experts, viz., Dr. Kusroo and Dr. Lokanathan. They expressly preferred Dr. D. V. Ramana to Dr. Parthasarathy. It cannot be gainsaid that Dr. Kusroo and Dr. Lokanathan were eminent persons competent to adjudge the merits of the respective candidates. It is said that adver-

tisement for the post mentioned the special subject as Agriculture Economics or Economic Development. The addition of Economic Development is alleged to have been designed to exclude Dr. Parthasarathy who had specialised in Agricultural Economics. This charge is made on the assumption that the University Grants Commission itself had previously taken the view that persons who had specialised in Agricultural Economics should be recruited to the post. This assumption is not borne out by the facts and the relevant records. In fact it was Dr. Kusroo who, as the representative of the U. G. C., had a hand in suggesting the need to create this post and also in formulating the qualifications of the person eligible to fill the post. The same Professor Kusroo was one of the experts who selected Dr. D. V. Ramana. I am devoting some attention to this case because of the feeling in a section in the University campus that this is a case of blatant favouritism. Any further elaboration of this case would perhaps be only academic, considering the fact that Dr. Parthasarathy was appointed the next year as Professor of Agricultural Economics in the same Department. I may also state here that the Department itself has been renamed as "Department of Cooperation and Applied Economics" on a suggestion which appears to have come from the U. G. C. itself.

Before leaving the case of Dr. D. V. Ramana, I must notice the complaint made by Dr. K. V. S. Sastri regarding his appointment. Both of them were, to begin with, lecturers in the Department of Economics. Both of them had five years teaching experience in the year 1958. That year, a Reader's post fell vacant in the Department. Sri Ramana, who had by then secured the award of Ph. D. in Economics was selected as a Reader by the Board of Appointments and the Syndicate duly appointed Dr. Ramana as Reader. The first grievance of Dr. K. V. S. Sastri is that his name was not referred to the Board of Appointments for being considered for Readership. I think, this grievance has no substance. At that time Sri Sastri had not obtained his Doctorate and so had not the minimum qualification prescribed in Section 2 of Chapter V of the Administration Manual. Therefore, I do not think it was improper or irregular not to have referred Sri Sastri's name to the Board of Appointments, along with the name of Dr. Ramana who was fully qualified for the appointment. This is not a case where the name of one of the ineligible persons was referred to the Board while withholding the name of another ineligible person. Here is a case of a person who was fully qualified under the rules and a person who was not qualified. There was therefore no point in both their names being referred to the Board of Appointments

which was constituted to select a Reader in the Department of Economics. True, the Syndicate in its first resolution appointed Dr. Ramana as Reader without prejudice to the claim of seniority of Sri Sastri. But by a later resolution, the Syndicate removed this clause and confirmed the appointment of Dr. Ramana on a permanent basis without any reference to the seniority of Sri Sastri who was not then qualified for the appointment. Later, Dr. Ramana was appointed Professor in the Department of Rural Development and Co-operation. Dr. Sastri, who subsequently obtained his Ph.D., was also promoted as Reader and then as Professor.

Dr. Sastri's claim appears to be that as he was senior to Dr. Ramana as Lecturer, the benefit of the seniority should have ensured to him even as a Reader. I think this claim is plainly untenable, because Dr. Ramana was appointed validly at a time when Sastry was not qualified for being appointed Reader. A precedent in the Engineering College is relied on by Dr. Sastri. But this is misleading, because, in Engineering, unlike in, Humanities, the minimum qualification prescribed by Section 2 of Chapter V of the Administration Manual for Readership is only a B. E., and not a Ph. D. or the like.

The other point raised by Dr. Sastri is that although he was appointed Reader only in May 1962, his Readership should have taken effect from the date he submitted his thesis for Ph. D. in Economics. For this position, he relies upon the precedent of Sri Donappa of the Telugu Department where the Syndicate stated in its resolution that he will be entitled to take over as Reader in the Telugu Department from the date he submits his thesis for Ph. D. I have earlier pointed out the irregularity of this resolution and the anomaly it is likely to lead to. I do not think this should be taken as a precedent at all. It should be left alone as an instance of irregularity never to be repeated.

Criticism has been heard on the appointment of Sri P.V.B. Bhushana Rao as Professor in Mechanical Engineering. Sri Lakkaraju Subba Rao, who has been long associated with the University, is one of the persons who has written to me against the propriety of this appointment. I have gone through the concerned files in detail. It appears that since 1956, the University has been making an attempt to get a suitable Professor in Mechanical Engineering. They did not however succeed. In 1959, the Syndicate passed a resolution dated 30-4-59 that the State Government be requested to lend the services of Sri P.V.B. Bhushana Rao who was the then Professor of Mechanical

Engineering in the Kakinada Engineering College, for a period of three years to serve as a Professor in the University Engineering College. But the then Vice-Chancellor ordered, "The file may be submitted to me before action is taken in the matter". Accordingly, the file was sent to Dr. Krishna, the then Vice-Chancellor on 9-5-59. Later, Dr. Krishna noted on the file as follows :

"As the matter was discussed at the last Syndicate meeting, no action need be taken on this".

There is no record to show what discussions took place at the Syndicate meeting referred to by Dr. Krishna. However, no action was taken on the Syndicate resolution of 30-4-1959 to request the State Government to lend the services of Professor P.V.B. Bhushana Rao. From the orders of Dr. Krishna, it can perhaps be inferred that he was not in favour of getting Sri P.V.B. Bhushana Rao as Professor of Mechanical Engineering for the University. That post was kept vacant for a long period of time. In the year 1961, the post was advertised. There was only one application, and that was of Sri Bhushana Rao. A statement of his qualifications and experience was circulated to the members of the Board of Appointments for being considered by them in connection with the selection of Sri Bhushana Rao as Professor. There was a divergence of opinion as to his suitability among the expert members on the Board of Appointments. The Director of Technical Education, Sri C.V.D. Murthy, said that Bhushana Rao was not suitable for post-graduate teaching and that he might be given only undergraduate teaching work. Another expert, Sri P. Govinda Krishnaiah, Principal of the Regional Engineering College, Warangal also said that Sri Bhushana Rao was not fit for teaching Post-graduate classes. However, Sri Sitapathi Rao, Chairman of the Board of Studies in Engineering, Andhra University expressed the view that Sri Bhushana Rao could be entrusted with the post graduate teaching. Sri R. Natesan, Principal of Tyagaraja College of Engineering, Madurai, agreed and recommended him for appointment as Professor. When the matter went before the Syndicate, it took the view that Sri Bhushana Rao might be appointed on a contract basis for a period of two years. That was how Sri Bhushana Rao came to be appointed as Professor, although there was no unanimity among the expert members of the Board of Appointments regarding his suitability. It is well to state here that Sri Bhushana Rao has been teaching post-graduate classes in spite of the definite view expressed by two experts that he was not qualified for that work. This apart, when the contract period of two years expired, the Syndicate passed another resolution renewing the tenure

of Professor Bhushana Rao for a further period of three years ending with 27-11-1966, when he would attain the age of 60. There appears no reason why the post of Professor in Mechanical Engineering was not advertised at the expiry of the first two year contract in favour of Professor Bhushana Rao. It is sheer conjecture to say that the post was not advertised because it was thought that no suitable candidate would be forthcoming. In the circumstances of a case like this, the wise and proper course would have been to advertise the post far and wide in an attempt to secure the services of an unquestionably qualified person for the post. The question of giving a further tenure to Professor Bhushana Rao should have been taken up only after the University was fully satisfied that no other candidate was available for the post. It could have been so satisfied only after widely advertising the post and calling for applications. That was not done and consequently the University administration laid itself open to criticism.

The other point of importance in Sri Bhushana Rao's case is that when he was first appointed on a two-year term there were certain charges pending against him before the Government. If only the Government had been addressed regarding the antecedents of Sri Bhushana Rao the pendency of these charges against him would have been known to the University authorities. I should think it is a healthy practice to make a reference to the previous employer before a person is entertained in service in a new institution for the first time. Even that prudent step was not adopted in this case.

I shall now go into the case of Professor Avadhani. Sri T. V. Avadhani who was a Reader in the Department of Statistics took over as a Professor on 25-1-1965 pursuant to a previous resolution of the Syndicate. There was already a Professor in the Statistics Department who was the Head of that Department. The Department of Statistics is a relatively small one which one should think, did not need the services of two Professors. But the Vice-Chancellor has stated that due to the increase of work in the Department and the importance of the subject of statistics had gained in recent years, it was necessary to strengthen the staff of the Department. At first, the concurrence of the U. G. C. was obtained for the creation of a Reader's post in the Department. But there was allegedly no response to the advertisement for a Reader's post. The Vice-Chancellor therefore successfully wrote to the University Grants Commission for the creation of another Professor's post in the Department. This move is said to have been actuated by the desire to attract real talent by

holding out good service prospects. Yet, only one person, Sri Avadhani, applied for the post of Professor in Statistics, and he was selected. It is interesting to note in this connection that the Board of Appointments, especially the experts on it, were not satisfied that Sri Avadhani was really qualified to be appointed Professor. Therefore they suggested what was more or less a compromise. Instead of rejecting him, the experts said he be appointed Professor of Statistics for a period of only two years. They recommended that at the end of two years, an expert committee be constituted to "examine and assess the work done by Sri Avadhani during the two years on the following points" :

- (a) Publication or acceptance for publication of papers in recognised journals of statistical research in India or abroad.
- (b) guiding of students for doctorate degree.

They made it crystal-clear that the continuance of Sri Avadhani as Professor of Statistics shall depend entirely on the recommendation of the expert committee referred to above. The recommendation of the Board of Appointments, if anything, shows that Professor Avadhani was not good enough to be appointed as Professor of Statistics. He was already a Reader in the University. I am not able to see how his promotion as Professor benefited the University or the students. I am led to think that the only person benefited was Avadhani himself. His services were already available to the University as a Reader. Then why upgrade him as Professor? I can understand a case where a Reader is eminently qualified to be a Professor but has no chance at all of becoming Professor because of the presence in the Department of a Professor of almost equal age. In such a case, a point might be stretched and another professorship created. But Sri Avadhani's case was so different.

Besides, if at the end of two years of professorship, the expert committee finds that Sri Avadhani has not come up to the mark, an embarrassing situation will arise. He may have to be sent down to his original post of Reader. This may create heart-burning and discontent. All this could have been avoided, if the appointment of Sri Avadhani as Professor was delayed by a couple of years to enable him to acquire the merit and qualification which, according to the Board of Appointments, he lacked.

I shall now take up the appointment of Dr. J. Venkanna Panthulu as Reader in Botany in July, 1963. It has been represented to me by Dr. Bathini Venkataraju, a Member of the Senate, that in the advertisement for the post, it was mentioned that the applicants must have

specialised in cytogenetics. This, according to him, was a deliberate manipulation intended to select Dr. Venkanna Panthulu in preference to Dr. Siva Rao and Dr. Hrishi. This accusation does not appear to be well-founded. In its report, the University Grants Commission Review Committee for Botany in Indian Universities discussed the nature of development of Botany in different Universities. Each of the Universities was asked to do intensive research in certain branches of Botany. Cytogenetics was the branch on which the Andhra University was advised to focus its attention. The Department of Botany of the Andhra University had acquired special apparatus from the University Grants Commission for carrying out research in cytogenetics. Professor J. Vekateswarlu, who had special training at Cambridge, was carrying out research in cytogenetics and training a number of research workers. He submitted a scheme to the University Grants Commission and asked for a Reader in cytogenetics to help him in training research workers. This request was in accordance with the recommendation contained in the report of the University Grants Commission Review Committee for Botany in the Indian Universities. Consequently, the University Grants Commission sanctioned the post of a Reader in cytogenetics. It is therefore idle to say that as Professor Vekateswarulu himself was a specialist in cytogenetics it was unnecessary to have a Reader also in that speciality.

The post of Reader was duly advertised and on the recommendation of the Board of Appointments, which adjudged Dr. Venkanna Panthulu the best among the applicants, he was appointed. His rival Dr. B. Siva Rao was a specialist in wood anatomy and not in cytogenetics. Dr. Hrishi had no teaching experience at all which Dr. Venkanna Panthulu had in an ample measure. Therefore it is not tenable to say that favouritism was shown to Dr. Venkanna Panthulu by making a tendentious advertisement, or in any other manner.

I shall now take up a few cases of lecturers.

A permanent vacancy of a Supervisor-cum-Lecturer in the Department of Sociology and Social Work was advertised prescribing that a candidate who had specialised in Labour Welfare and personnel management was required. The other qualifications were M.A. in Social Work, etc. At that time, one Sri K.V. Ramana, was acting as a lecturer in a lien vacancy in the department. If the requirement of specialisation in Labour Welfare and personnel management was left out of account, Sri K.V. Ramana was superior to Sri N.S.R. Krishna Murthy who was eventually appointed. The question

is whether the requirement of a specialisation in Labour Welfare and personnel management was not intended to prefer Sri N.S.R. Krishna Murthy and exclude others particularly Sri K.V. Ramana. Both Ramana and Krishna Murthy had passed M.A. (Social Work) in first class but Ramana stood first and Krishna Murthy came only next. Both had also passed B.A. (Hons.) in Economics. Ramana secured a high second class whereas Krishnamurthy got only a third class. Ramana was a University Grants Commission Scholar whereas University Grants Commission scholarship was refused to Krishna Murthy who also had appeared at the interview for this scholarship. Ramana had also held the office of a Research Officer, Panchayatiraj under the State Government whereas Krishna Murthy had worked for a year and a half as an Investigator in the Cultural Research Institute of the Andhra University. A comparison of their respective merits shows that Sri Ramana was a superior candidate. But what tilted the balance in favour of Krishna Murthy was the advertisement which required specialisation in Labour Welfare and personnel management. Krishna Murthy was held to have this specialisation because for the M. A. (Social Work) examination he had offered a paper in Labour Welfare and personnel management, Whereas Ramana had offered a paper in Rural Welfare. Labour Welfare and Personnel Management was one of the several papers for the M.A. (Social Work) examination. I am not at all certain that by offering just one paper in Labour Welfare and Personnel Management Krishna Murthy became a specialist or that Ramana became ineligible merely because he offered a paper in Rural Welfare instead of Labour Welfare and Personnel Management. Apart from this, I am not at all clear and it has not been convincingly shown to me that for the post of a Supervisor-cum-Lecturer in the Department of Sociology and Social Work, specialisation in Labour Welfare and Personnel Management was so very essential and made all the difference. I am equally unconvinced that, if a real specialist was so necessary for the post, Sri Krishna Murthy could properly be regarded as one. I am led to think that the advertisement in this case was manipulated though subtly, in favour of Sri Krishna Murthy. I must not fail to mention here that even earlier a preference had been shown by Dr. M.V. Moorthy to Sri N.S.R. Krishna Murthy by appointing him as a Research Officer in the Research Scheme (R.P.C.) ignoring altogether Sri M. Gopalakrishna. I am inclined to think, this preference shown to N.S.R. Krishna Murthy at the earlier stage, was given fuller play by the Head of the Department in advertising the post of a permanent lecturer with Sri N.S.R. Krishna Murthy in view.

Any way, Ramana has since been given an equally good permanent berth in the University without any loss in emoluments.

For another post of lecturer in the same Department, the qualification specified in the advertisement was specialisation in Community Organisation and Rural Social Work. I was not able to understand, in spite of repeated queries to the University counsel and the Deputy Registrar who was assisting him, as to why or how this specialisation was necessary for the particular post. I pursued this aspect because I was told by more than one person that the advertisement was made only to make it possible to appoint Sri B. Ramakrishnam Raju, although he was only a second class M.A. It appears that the Head of the Department, Dr. M.V. Moorthy, took a personal interest in the matter. He informed the Vice-Chancellor that Sri Ramakrishnam Raju had submitted a thesis for a Ph.D. in the Karnatak University. The Vice-Chancellor in his answer has made a mention of this. It is not stated by the Vice-Chancellor whether Sri Raju has since obtained Ph. D. or not. Some point is lent to the criticism raised against this appointment because Sri Raju was first appointed in a temporary vacancy on the recommendation of Dr M. V. Moorthy, although it appears, persons with first class in M.A. were available, namely, Ch. Venkateswarlu, B. Suryanarayanamurty and M. Gopalakrishna. It is however stated in support of the appointment of Sri Ramakrishnam Raju that although there were three applicants including him, the two did not turn up for being interviewed by the Selection Committee. According to some persons, their failure to appear before the Selection Committee must be attributed to their belief that the selection of Sri Raju was a foregone conclusion. Whatever this be, I am not satisfied that the specialisation set down in the advertisement for the post was not specially intended to benefit Sri Raju.

Another case relates to the recruitment of a lecturer in Oceanography, one Subrahmanyam who was a D.Sc. was a candidate for the post. Sri Jaganmohan Rao who was only a second class M. Sc. was the other candidate. At the meeting of the Selection Committee which interviewed the candidates there was difference of opinion between the members. The Principal of the University Colleges made a dissenting note in which he disparaged Sri Jaganmohan Rao and supported Sri Subrahmanyam. This led to the selection of a candidate being deferred. Later, the Senate directed that the post be advertised and so, an advertisement was put out in 1965 prescribing as preferential qualifications cruising experience, collection of geophy-

sical data, etc. These preferential qualifications are said to have been incorporated in the advertisement to help Sri Jaganmohan Rao. It is said these preferential qualifications are not of any real importance to the successful functioning of a lecturer in Oceanography and that the advertisement is only an instance of manipulation to favour a particular candidate. In view of this criticism, I think it is necessary for the Selection Committee to consider at the outset whether the preferential qualifications set down in the advertisement are of real importance to the post advertised. I need not say the Selection Committee must be guided entirely by the merits of the candidates in making the selection. I do not think it is necessary to observe further upon this case in which the selection has yet to be made.

As criticism has been raised that certain posts of Readers and Lecturers have been advertised in a tendentious manner with a view to favour particular candidates in whom the Head of the Department or some other authority is interested, I think some effective method should be devised to make it difficult, if not impossible, for such things to happen in future. As it now stands, the specification of the particular branch of specialisation in the advertisement is left mainly to the head of the concerned department. No doubt, the broad qualifications have been prescribed by the rules and regulations. But this does not exclude the possibility of manipulating the advertisement in such a manner as to suit a particularly favoured candidate. If at the time of sanctioning a teaching post, the particular branch of specialisation necessary for that post is precisely laid down, I think it will be difficult to devise advertisements to favour one candidate to the exclusion of others. I see no harm if the Academic Council prescribes in advance the particular and precise branch of specialisation which is needed for a post and the Syndicate after considering it sends it on to the Senate for sanctioning the post. All this must be done, except perhaps in exceptional cases of unforeseen emergency much in advance of advertising a particular post. I think it will be a good thing if the University gives thought to this aspect of the matter.

I now proceed to consider the appointment of Sri Gollareddi as a Lecturer in Anthropology towards the end of 1961. The post was duly advertised and 30 candidates applied. The interview was held on 16-10-1961. The person then in-charge of the Department of Anthropology was Dr. N. Subbareddy. Practically at the last minute he was asked that he should also sit on the selection committee. According to Dr. Subbareddy, only three candidates turned up at the interview. One of them had a first

class Master's degree and another had a high second class having secured 59%. The third candidate was Sri Gollareddi who was a low second class with 50.1%. The Vice-Chancellor and the then Principal of the University Colleges, Dr. Mahadevan, chose the least qualified candidate, namely, Sri Gollareddi and he was finally appointed. Soonafter the meeting of the selection committee Dr. N. Subbareddy who wrote a letter bringing it to the notice of the Principal that Sri Gollareddi had only a low second class in M.A. and that he ought not to have been selected in preference to the other two candidates who were much better qualified. But nothing happened. However, the aftermath of it was somewhat ugly. It came to be talked about loudly and widely in the campus, probably because of the initiative taken by Dr. Subbareddy. What is even worse, it figured in the proceedings in the High Court in W.F. No. 62/63 which was filed by Dr. Subbareddy for seeking redress in a matter which was personal to him. While stating things against the Vice-Chancellor, mention was made in Dr. Subbareddy's affidavit of this arbitrary and unjustified selection of Sri Gollareddi as lecturer, overlooking the superior claims of the other candidates. Partiality and favouritism on the part of the Vice-Chancellor were freely hinted at. To make matters worse, the then Registrar, Sri Gopaldaswamy who had been impleaded in the writ petition as a respondent filed an affidavit in the High Court supporting this part of the allegations made by Dr. Subbareddy. The awkwardness of this was too glaring because the Registrar's affidavit was filed after the Vice-Chancellor had in his counter-affidavit as a respondent in the writ petition already averred that Sri Gollareddi had obtained a high second class securing 59% of the marks in the M.A. examination of the Saugar University. This was sharply contradicted in the affidavit of the then Registrar, Sri Gopaldaswamy. Dr. Subbareddy produced before me a memorandum obtained from the Saugar University showing the marks secured by Sri Gollareddi in the M.A. examination held by that University. He also gave me a true copy of it which clearly showed that Sri Gollareddi had obtained only 501 out of 1000 marks in his M.A. examination. This purely is not 59%. But the Vice-Chancellor has stated that he was misguided by a letter written by the late Professor Mahadevan according to which Sri Gollareddi had secured 59%. As against this Dr. Subbareddy stated that the Memorandum of marks obtained by Sri Gollareddi had been appended to his application and that a true copy of it had been placed before the Vice-Chancellor and Professor Mahadevan who was the Principal of the University Colleges, when

they sat on the selection committee. It is very unfortunate that there should have been so much debate and sharp difference on a simple point like this. If a person who had only a very low second class was selected under the wrong impression that he had secured a high second class with 59%, one should deeply regret it. The matter could have been clinched by perusing the relevant file. But strangely enough that file has been missing! It was represented to me by the counsel for the University that the file could not be traced in spite of best efforts. I do not wish to comment on the loss of this file. I got the impression at the hearing that the University administration does not now seriously contest that Sri Gollareddi had obtained only 501 out of 1000 marks in his M.A. Examination. This belated recognition of the fact cannot cure the mischief already done. What is of importance now is to ensure that similar things do not recur. For this, a fool-proof method has to be devised. It must be made the responsibility of the Registrar to keep the original files in such cases in his personal custody. The Registrar must make it part of his duty to be present at every selection of a University teacher. In case of difference of opinion between the members of the selection committee, which does not contain an external expert, the matter must be referred to a disinterested and qualified external expert giving him correct particulars relating to each candidate. And an even more important matter is that a lecturer should be selected only by a committee appointed for that purpose. There does not now appear to be any rule or regulation or statutory provision making it obligatory that a lecturer could be appointed only on the recommendation of a selection committee. In the case of Professors and Readers, there is a provision that they can be appointed by the Syndicate only on the recommendation of the Board of Appointments, the composition of which is laid down. A similar provision must be made for recruiting lecturers also. It must not be left entirely to the Vice-Chancellor to appoint lecturers. Nor should the choice of the members of the selection committee be left to his unguided discretion. I may point out here that during the regime of Dr. Krishna the general practice was not to appoint a selection committee for lecturers. It must be said in fairness to Dr. Narayan that he in a large number of cases, constituted committees to select lecturers. The Board of appointments and the Selection Committees should have external experts on it. The practice now obtaining in the case of Board of Appointments seems to be, to have at least two external experts on it. This practice must be given a statutory basis, if it has not already been done. In the

case of selection committees, it must be insisted by an appropriate rule or regulation that at least one external expert should sit on it.

It is necessary that a reasonable length of time is allowed to the several applicants to go to Waltair to appear at the interview. A period between ten days and two weeks must be given to the candidates to go from their native places to Waltair for the interview. I am saying this because more than one case has come to my notice, where several eligible candidates who applied for the posts, did not turn up at the interview. I think lack of sufficient time must have contributed to this.

Another aspect which I like to emphasize is that senior posts like Readers and Professors must be advertised throughout India and not only in the State of Andhra Pradesh or in one or two neighbouring States. In more than one case, it has been said (Professors in Statistics and Mechanical Engineering, for instance) that there was only one candidate who applied. It is not easy to believe that in the whole of India, there was no other person eligible for the post or interested in it. I am inclined to think that the post was not advertised sufficiently widely and effectively throughout the country. I would strongly suggest that in future in every case of Professorship and Readership, there must be effective All India advertisement. Besides, in the case of Professors and Readers, clear 15 days must be given to the applicants to appear before the Board of Appointments.

Sri B. Venkataraju, a member of the Senate, has stated in his written representations that the Vice-Chancellor selected Readers in Technology although the Principal and the Head of the Department were not present at the selection. It appears to me that this allegation does not take note of all the facts. At the time when the selection was made by the Vice-Chancellor, there appears to have been some discord between the Principal of the University Colleges and the Vice-Chancellor. The Head of the Department of Technology sailed with the Principal. They did not want the selections to be made. It is not necessary for me to go into the motives which inspired them. On the day the Board of Appointments was to meet, neither the Principal nor the Head of the Department turned up. They excused themselves on some pretext which was subsequently shown to the Syndicate to be lame. At the last minute, the Principal and the Head of the Department of Technology wanted the selection of Readers in Technology to be deferred. But the Vice-Chancellor was not prepared to agree to it. So, on the appointed day, he made

the selections guided by the previously obtained written opinion of a qualified external expert. The selection so made by the Vice-Chancellor was placed before the Syndicate and was approved by it. The Syndicate also practically reprimanded the Principal and the Head of the Department of Technology for their non-co-operative attitude for "malingering", as the Syndicate put it. I have gone into the merits of the selected candidates and I am satisfied they are fully qualified persons.

Some representations have been made to me regarding the promotion of certain employees in the Library and the appointment of Sri Somayajulu as a clerk in the Library and the appointment of an Assistant Librarian in the Engineering College. I have gone through the concerned files and I am satisfied that these promotions and appointments were regular and that the best men were chosen.

Some dissatisfaction was expressed to me regarding the appointment of a lecturer in Sanskrit, ignoring the departmental candidates. The impression that the candidates already working in the department as tutors and who were aspiring to be promoted as lecturers were not at all taken into consideration is not correct. The applications of all of them along with the applications of outsiders were scrutinized by the Head of the Sanskrit Department and the Principal of University Colleges and as suggested by them were referred to a qualified external expert for opinion. The appointments were eventually made on the basis of the opinion of the expert. Of the two posts of lecturers, one was given to a departmental candidate and the other to an outsider. I have not been able to see anything irregular in these appointments.

I shall next turn my attention to the appointment of Sri Muthuswami as the Director of the University Press. Sri Muthuswami, who was a Reader in English, was first appointed as part-time Press Officer on an additional monthly allowance of Rs. 250/-. Recently he has been appointed full-time Director of the University Press on a salary of Rs. 1,000/- per mensem. Questions have been raised as to his suitability for this appointment. The Vice-Chancellor in his written representations which were received by me on 7th October, 1965, has fully explained the suitability of Sri Muthuswami for the new post. It appears that even the late Vice-Chancellor Dr. V. S. Krishna fancied him as the fit person to be in charge of the University Press and took steps to help him gain sufficient experience and expertise. He was sent to some foreign countries to study the working of the University Presses there. He also toured the whole

of India and studied the working of University Presses in the country, under a scheme sponsored by the Rockefeller foundation. He has to his credit editorial experience involving books and journals. He has also administrative experience. He was on the staff of 'The Hindu' in 1935-36. He was the Editor of the University Colleges Magazine and Chronicle from 1938 to 1946. He is proficient not only in English but also in Telugu and Sanskrit. The Vice-Chancellor has stated that the Director of the Press is to be responsible for the programme of publications of scholarly editions in English, Telugu and Sanskrit and that he has also to supervise and in some cases edit the monographs prepared on different subjects, both in Science and Arts. In the opinion of the Vice-Chancellor, with which I am inclined to agree, the Director of the Press has preferably to be an experienced teacher conversant with putting together the research material in a form suitable for the publication. Furthermore, he was in charge of the University Press from its inception in 1962, as a Special Officer thereof. In view of the antecedents of Sri Muthuswami and his capabilities spoken of by the Vice-Chancellor and the resolution of the Syndicate appointing him as the Director of the University Press, I cannot say that his was a wrong appointment or that it was a case of a square peg in a round hole.

Regarding the appointment of the University Physician, I am told that a M.B.B.S. candidate has already been called for interview. The continuance of a L.M.S. was due to the non-availability of M.B.B.S. candidates on the terms and conditions offered by the University.

The other matter to which I wish to refer in this part is that the posts of the Registrar and the Deputy Registrar are now held by a Reader in Zoology and a lecturer in Economics, respectively. These are mere interim arrangements. I think it is necessary, before long, to appoint a permanent Registrar and a permanent Deputy Registrar. Steps have therefore to be taken to this end without avoidable delay.

CONFIRMATION OF LECTURERS

I think it is well to examine now certain cases relating to confirmation of lecturers.

Sri Y. Sriramamurthy who held a M.A. degree was appointed as a lecturer in History. He was however told that he will not be confirmed unless he passed M.A. (Hons.) in History. This degree could be obtained only by doing research in History. But M.A. (Hons.) is not

at all a necessary qualification for confirmation of a History lecturer. There are a number of other lecturers in History who have been confirmed as lecturers without their obtaining M.A. (Hons.) degree. Sri A. Prasannakumar who was appointed subsequently was confirmed without his securing a M.A. (Hons.) degree. In his case also it was first made a condition of confirmation that he should secure a M.A. (Hons.) degree. But subsequently that was waived on his representations. But the representations of Sri Y. Sriramamurthy to the same effect were turned down. This was unfair. In defence of this action, it is stated by the University that even at the time of the appointment of Sri Sriramamurthy, Dr. Krishna, the then Vice-Chancellor, had recorded that Sri Y. Sriramamurthy would be confirmed as a lecturer only if he secured his M.A. (Hons.) degree. The reason for this appears to have been that before he was selected as acting lecturer, he was a Research Assistant in History. The Head of the Department had reported that he was neglecting his research work. Therefore when he was selected as a lecturer in History, a condition was imposed on him that he would be made permanent, only if he secured the M.A. (Hons.) by doing research. This condition was not only unjustified under the relevant rules and regulations, but was also much too harsh on an acting lecturer. Such instances of discrimination and arbitrary imposition of conditions should not occur. However, Sri Y. Sriramamurthy ultimately secured his M.A. (Hons.) degree as he was compelled to and was made a permanent lecturer.

The allegation that a similar condition was waived in the case of Sri A. Prasannakumar by the present Vice-Chancellor because of oblique motives seems to my mind, to be wholly unfair. Not only in the case of Sri Prasannakumar but also in several other previous and subsequent cases History lecturers with only M. A. degree and not M.A. (Hons.) have been confirmed as lecturers. The condition initially imposed on Sri Prasannakumar that he should secure M.A. (Hons.) degree was obviously inspired by the wrong precedent of Sri Y. Sriramamurthy. I do not therefore think that any extraneous considerations weighed with the authorities in confirming Sri Prasannakumar as a lecturer in History.

The other case I would refer to is that of Sri S. Ramana Rao. He has made an elaborate written representation expressing certain grievances regarding the fixation of his seniority. This matter has been carried by Sri Ramana Rao to the Syndicate by way of "Appeal" and it is pending. I do not therefore consider it proper to express my

personal opinion on the merits of the case. But I may briefly state that Sri Ramana Rao and some others were appointed as temporary lecturers. Subsequently, three permanent vacancies of lecturers arose and the posts were advertised. Sri Ramana Rao as also the other temporary lecturers applied for the permanent posts. But the selection committee, after going into the merits of each candidate, did not select Sri Rao. He got only the 5th rank; the first three were appointed. Thereafter, Sri Rao was given the post of an Associate Lecturer which is a cut below a full-fledged lecturer. In the circumstances I am not clear in my mind as to how the determination of the question of seniority of Sri Ramana Rao in relation to his erstwhile appointment as a lecturer in a temporary vacancy can be helpful to him. But the one feature I would like to comment upon is that the representation of Sri Ramana Rao 'by way of appeal' to the Syndicate has been pending for nearly three years now. The Syndicate has not yet disposed of it. This is indeed a long delay and could have been avoided.

The complaint of delay in the confirmation of Sri B. V. Bhavanarayana and Kumari K. Syamasundari, who were originally appointed as lecturers in Zoology does not appear to be well-founded. They continued to act in lien vacancies till 1964. When the permanent vacancies arose, they were duly advertised and the selection committee interviewed candidates and selected Sri Bhavanarayana and Kumari Syamasundari, who were consequently appointed in the permanent vacancies. It is irrelevant for the purpose of their confirmation to take into consideration the period during which they were acting in lien vacancies. Their probation will start only from the date of their appointment in permanent vacancies. As they have completed this period of probation, their confirmation is now under consideration.

Sri R. V. Krishna Rao became due for confirmation in October 1964, he having been appointed as a lecturer in a permanent vacancy in October 1962. But there was delay in getting the reports from the Head of the Department and the Principal regarding his confirmation, and when the reports reached the Registrar, he found that they were vague and ambiguous. So, he addressed the Principal on 7-7-1965 for clarification. The matter of confirmation now rests there.

The only thing I wish to say in this case is that the Head of the Department and the Principal should avoid all delays in making their reports for the confirmation of teachers. What is equally important is that their recommendations must be clear and unambiguous and must not be shrouded in vagueness or be susceptible of doubts.

Part – V**PERSONAL IMPUTATIONS**

I propose here to deal with certain matters on the basis of which imputations of nepotism, favouritism and lack of scrupulous honesty have been raised against the Vice-Chancellor.

Srimati Bhanumathi, one of the grand-daughters of Dr. A. L. Narayan, Vice-Chancellor, applied for the post of a lecturer in Physics, pursuant to an advertisement made by the University. More than one vacancy appears to have been advertised. There were several applications for the posts among whom was the aforesaid Smt. Bhanumathi. The selection committee which met on 18-8-1964 was presided over by the Vice-Chancellor. This he usually does and is entitled to do. But the question is whether he should have done so when his grand-daughter was one of the candidates for the post. However, the selection committee selected Smt. Bhanumathi. The Vice-Chancellor's participation in the selection committee caused the then Registrar, Sri M. V. Rajagopal, to write to the Government and also inform the members of the Syndicate about it. In fact, quite a furore was raised over it. In his written representation, the Vice-Chancellor has stated that when his grand-daughter came in for being interviewed, he told the members of the selection committee that she was his grand-daughter and that he would not take part in the proceedings. The version of Sri M. V. Rajagopal was however different. According to him, the Vice-Chancellor deliberately chose to participate in the deliberations of the selection committee. It is not necessary to go into the question as to which of the versions is the true one. But the crux of the matter is that the Vice-Chancellor ought not to have in any manner associated himself with the selection committee before which his grand-daughter was to appear. The golden maxim is that justice must not only be done but must also appear to be done. The situation was subsequently remedied by the Vice-Chancellor himself by ordering that the selections made by the particular selection committee be cancelled and that a fresh selection committee be constituted to interview the candidates. This new selection committee with Dr. B. Gopala Reddi as Chairman and the District Collector, the Principal of the University Colleges and the Head of the Department of Physics as members, interviewed the candidates on 26-6-65 and Smt. Bhanumathi was assigned the second rank in the order of merit. The first place was given to a Pool Officer. I have gone into the papers relating to the application and appointment

of Smt. Bhanumathi. I have no doubt that she was fully qualified for the appointment. I am also satisfied that the selection committee headed by Dr. B. Gopala Reddi made a fair and proper selection. The appointment of Smt. Bhanumathi as lecturer by the Syndicate does not, therefore, reasonably admit of adverse criticism. But I cannot help observing that the participation of the Vice-Chancellor in the abortive deliberations of the first selection committee was rather indiscreet.

The second case relates to the selection of Sri D. G. V. Prasada Rao as a lecturer in the Department of Zoology. Sri Prasada Rao was the son-in-law of the brother of the present Vice-Chancellor. The interview was conducted by the selection committee presided over by the Vice-Chancellor on 26-8-1964. I am satisfied that Sri Prasada Rao was qualified to be appointed lecturer in a permanent vacancy. He had been associated with the Department of Zoology as Demonstrator and Research Fellow much before he became the son-in-law of Dr. A. L. Narayan's brother and much before Dr. Narayan became Vice-Chancellor. Sri Prasada Rao had been appointed as a temporary lecturer on 6-6-1962. On 11-1-1963, he was reverted as Demonstrator as there was no vacancy of a lecturer. In 1963, specialisation in Hydrography and Animal Physiology at the M.Sc. level was introduced in the University. So, need for more lecturers arose. The Head of the Department of Zoology and the Principal of the University Colleges recommended immediate creation of a post of a lecturer in animal physiology for M.Sc. in view of the starting of the diversified courses of specialisation at the post-graduate M.Sc. level in Zoology. They also recommended that the four posts of Demonstrators be converted into posts of two lecturers—one in Hydrology and another in Animal Physiology without imposing additional financial burden on the University. These recommendations were accepted and the posts were advertised. Sri Prasada Rao was the only candidate with the requisite specialisation in Animal Physiology who had applied for the post. He was, therefore, selected. I think all this was in order. The only objectionable aspect was that the Vice-Chancellor presided over the selection committee which selected Sri Prasada Rao as lecturer. Discretion as well as a high sense of administrative propriety demanded the non-participation of the Vice-Chancellor in the selection as lecturer of his brother's son-in-law. An invariable convention, if not an imperative Standing Order of the Syndicate or an appropriate Statutory Provision, should be made prohibiting any person who is closely related to or personally interested in a candidate from sitting on the selection committee which is to interview him.

Another instance brought to my notice relates to the appointment of Kumari S. K. Valli, who was one of the grand-daughters of the Vice-Chancellor, as a History lecturer in the A. S. D. College, Kakinada. This was an appointment made not by the University, but by an affiliated college. But one of the members on the selection committee is said to have been a member of the Syndicate who was nominated by the University on the Governing Body of the college and that therefore he could influence the selection of the lecturer. The other allegation is that Kumari Valli in her application stated that her grand-father was Dr. A. L. Narayan. I have perused all the relevant papers including the application of Kumari Valli. In the application form, there is a separate column entitled 'family background'. There, she mentioned that her grand-father was Dr. A. L. Narayan. He was her maternal grand-father. She had also mentioned her paternal grand-father's name in that column. I think Kumari Valli was entitled to make mention of her grand-father's name in the relevant column relating to 'family background'. I do not think this can legitimately be held against the Vice-Chancellor. Further nothing except the statement of Kumari Valli in her application that she was the grand-daughter of Dr. A. L. Narayan, is alleged to have been a factor which influenced the selection committee of the Affiliated College at Kakinada. I am not able to appreciate how such a statement by itself would have influenced a selection committee. The fact remains that Kumari Valli was fully qualified. The lecturers who were previously selected by the selection committee were not available to the college. Therefore, a fresh selection was made and Kumari Valli who was qualified was selected. I do not think there was anything wrong in this. The Governing Body of the affiliated college constituted the selection committee and the selection committee was responsible to the Governing Body. There is not even a suggestion that the Vice-Chancellor in any manner influenced the Governing Body to select his grand-daughter, Kumari Valli. In the circumstances, I am not satisfied this charge against the Vice-Chancellor has any substance. I may add that the mere circumstance of her being the grand-daughter of the Vice-Chancellor should not debar her from seeking appointments in affiliated colleges or even in the University itself for that matter. The suggestion that the University representative on the Governing Body would have influenced Kumari Valli's selection is built on sheer surmise. It is also somewhat far-fetched. I would therefore ignore it.

The other case relates to the appointment of Sri Ramaswami Sastri, who was the husband of one of the grand daughters of the

Vice-Chancellor, as a lecturer in Chemistry in the W. G. B. College of Bhimavaram which is an affiliated college, Sri Ramaswami Sastri was a first class M.Sc. in Chemistry. But it is pointed out that his appointment in the Bhimavaram college was influenced by the circumstance that about three weeks prior to it, the Vice-Chancellor had sanctioned three extra seats for each of the ten sections of the Pre-University Course in Bhimavaram College. The suggestion is that the sanctioning of these extra seats was an inducement or a quid-pro-quo for the appointment of Sri Ramaswamy Sastry as lecturer in that college. I do not find any material to connect directly the appointment of Sri Sastri with the sanction of extra seats by the Vice-Chancellor. It will be hazardous and unfair to build on more suspicions. The Syndicate subsequently approved the sanction of extra seats to the Bhimavaram College. The reason for the grant of extra seats as stated by the Vice-Chancellor was the great pressure of students for admission to the P.U.C. in the college. Considering all the aspects of the matter, I am not able to say that the Vice-Chancellor caused the appointment of Sri Ramaswamy Sastri to be made by sanctioning extra seats to the college. Nor am I satisfied that the grant of extra seats was uncalled for or unjustified, considering the growing rush of students for admission in the recent years.

No doubt, when an additional seat to accommodate the son of a transferred officer was sought for by the Narasaraopet College, it could not be granted because no reply was sent by the Principal of that college regarding the subject in which the additional seat was required. The prompt telegram of the University making the enquiry was not at all answered by the Narasaraopet College which did not pursue the matter further, presumably because the need for an additional seat did not then arise. This episode cannot, therefore, be harnessed for use in an attempt to make out that some extraordinary treatment was accorded by the Vice-Chancellor to Bhimavaram College in the matter of granting extra seats.

The next case to be noticed relates to appointment of Sri M. V. Satyanarayana, who held an M.A. Degree, as a Pundit Clerk on a starting salary of Rs. 70/- in the scale of Rs. 50-5-100/-. Sri K. V. Gopalaswamy has accused the Vice-Chancellor of nepotism in this case on the ground that Sri Satyanarayana was a relative of the Vice-Chancellor. The Vice-Chancellor in his written statement has denied any manner of relationship between him and Sri Satyanarayana. Therefore, the charge of nepotism loses a good deal of its force. Yet, it is pointed out that ordinarily, a Pundit Clerk is started at Rs. 50/-.

But the Vice-Chancellor gave Sri Satyanarayana four advance increments and also allowed him to do research for his Ph.D. in the University in Telugu and overlooked the fact that he was working as a clerk in the Faculty Club for remuneration.

The Vice-Chancellor has denied knowledge of Sri Satyanarayana being employed in the Faculty Club. In view of the allegations made, the Vice-Chancellor should ascertain in the immediate future as to whether Sri Satyanarayana's admission to research for Ph.D. will in any manner interfere with his functions and duties as a Pundit Clerk. If he is satisfied that Sri Satyanarayana's being a research student will effect his work as Pundit Clerk, it will be necessary to issue immediate instructions to prohibit him from working as a research student. The Vice-Chancellor will also ascertain whether Sri Satyanarayana is working as a paid clerk in the Faculty Club, and if so, take appropriate action in the matter. Regarding the initial start of Rs. 70/- instead of Rs. 50/- granted by the Vice-Chancellor, I think it was a matter which rested with the discretion of the Vice-Chancellor. Considering his high office, his undoubted powers and the circumstances of the case, I do not think the exercise of discretion by him should be called in question.

The other case relates to a T.A. claim made by the Vice-Chancellor in connection with his journey from Waltair to Masulipatam in December 1963. Part of this journey, namely, from Vijayawada to Masulipatam and back, was done in a private car which was placed at his disposal by the Andhra Scientific Co., Masulipatam, which had invited him for a function. But the Vice-Chancellor claimed T.A. for this part of the journey also. The Vice-Chancellor has stated that his steno prepared the bill with reference to his tour programme which stated that he was to go from Waltair to Masulipatam. The point in favour of the Vice-Chancellor is that even before anybody raised any question and within a short time after the T.A. bill was cashed, that is on 19-1-1964 he refunded the excess amount drawn by him. Interpellation in the Senate was raised by Sri Sundariah much later suggesting that the Vice-Chancellor had made a false T.A. claim. To a written question as to whether he had drawn a false T.A., the Vice-Chancellor made the written answer of 'No'. The technical inaccuracy of this monosyllabic answer in the negative given by the Vice-Chancellor was made much of in the Senate. Strictly speaking the Vice-Chancellor had drawn an excess T.A. although he refunded the excess soon afterwards. This circumstance is now sought to be made a ground to charge the Vice-Chancellor with lack of honesty

I think an attack like this deserves to be described as rather malicious. The amount involved was a paltry sum of about Rs. 19/- (nineteen). I do not think it is reasonable to say that a person occupying the position of a Vice-Chancellor tried to gain such a small sum of money by dishonest means. The proper view to take is that this petty amount was overdrawn by inadvertence. This is confirmed by the circumstance that it was refunded soon after it was drawn.

The other allegation brought against the Vice-Chancellor is that before he became Vice-Chancellor, he, as a Syndicate member, had claimed T.A. from Manipal (in Mysore State) to Waltair for attending a Syndicate meeting held at Waltair. It was an emergency meeting of the Syndicate and the Vice-Chancellor had informed the University Office in advance that he was going to his son who was at Manipal and that in case an emergency meeting of the Syndicate was to be called and he was required to attend it, a telegram should be sent to him to his Manipal address. In pursuance of this arrangement, telegraphic notice was sent to Dr. Narayan to his Manipal address. This telegram was received by him the day he arrived at Manipal. The same day he returned to Waltair and attended the Syndicate meeting and claimed T.A. from Manipal to Waltair. Dr. Krishna, who was the then Vice-Chancellor, had noted on the relevant file that Dr. Narayan should be given this T.A. Sometime after the said Syndicate meeting, Dr. A. L. Narayan was appointed Vice-Chancellor. Subsequently, he took his T.A. for the journey from Manipal to Waltair. This is attacked as irregular, if not dishonest. I am not satisfied this attack can succeed in view of the circumstances stated above.

Another case relates to the lending of the Vice-Chancellor's car to Sri P. V. Ratnam, the then Collector of Visakhapatnam, for his private journeys from Visakhapatnam to Vijayawada on the 29th, 30th and 31st May, 1962. The established rule is that any person using the Vice-Chancellor's official car should pay the proportionate charges. The Vice-Chancellor on the account of the University, supplied 142 litres of petrol to the Collector for performing his journeys, from Visakhapatnam to Vijayawada and back on the three days already referred to. The charges for this use of the University car admittedly came to Rs. 217/-. But this amount was not paid to the University account. It appears that the amount was not collected from Sri Ratnam who was a member of the Syndicate by virtue of his office as Collector of Visakhapatnam. The failure to bring this amount to account caused an interpellation to be raised in the Senate. The matter was also brought to the notice of the Abbasi Committee which

was then conducting an enquiry into the matters connected with the University. It was only thereafter on 12-2-1964 that the amount was brought to the account of the University. The fault of the Vice-Chancellor in this case was that he too readily obliged the Collector, Visakhapatnam, who was also a member of the Syndicate. He ought to have brought it to the notice of the Collector that charges had to be paid to the University for the use of the car which belonged to the University, and collected the amount from him. He did not do so for nearly an year and nine months. He waited till the matter was sharply brought up before the Senate. This surely was wrong. I am not able to say whether eventually the payment was made out of the pocket of the Vice-Chancellor or whether the Vice-Chancellor collected the money from Sri Ratnam who had already been transferred from Visakhapatnam. Whatever this be, what actually took place did not redound to the credit of either the Vice-Chancellor or the Collector. In future, it is desirable that members of the Syndicate do refrain from making use of the University car for purely personal needs totally unconnected with University work. Any member who uses the University car must pay the charges within a reasonably short time, say within 15 days, and the Vice-Chancellor must cause prompt steps to be taken to collect the money. It is perhaps desirable to get a resolution passed by the Syndicate to this effect.

The other awkward situation which has been brought to my notice is that the Vice-Chancellor called Dr. Venkateswarlu, who was the husband of one of his grand-daughters from Bombay to Waltair and paid for his journey from the University funds, when, as a matter of fact, his journey was mainly for the purpose of attending the marriage of another grand-daughter of the Vice-Chancellor which was celebrated at Waltair. Dr. Venkateswarlu was invited to attend the meeting of the Board of Studies in Chemistry in June 1963. Usually, such meetings of the Board of Studies take place only on the last Saturday of July, every year (vide Section 6 of Chapter X of University Code Vol. I). An important expert who was to participate in the meeting of the Board of Studies in Chemistry was Dr. Sankar from Bombay. It is alleged that he expressed his inability to come to Waltair in July. Therefore, the meeting of the Board of Studies was fixed in June. Dr. Venkateswarlu had participated in March 1963 in a meeting of a special committee of the University appointed for drafting the syllabus for Nuclear Chemistry. At that time, he was in Waltair on a holiday. Therefore his presence in Waltair was made use of by the Vice-Chancellor. Dr. Venkateswarlu was considered specially qualified to help in drafting the syllabus for Nuclear Che-

mistry, in view of the office he held in the Atomic Energy Commission, Bombay. The circumstance that he had participated in an earlier meeting of the University special committee was considered to be sufficient reason for inviting him for the Meeting of the Board of Studies in Chemistry held in June 1963, along with Dr. Sankar who appears to have been the Head of the Nuclear Chemistry Department of the Atomic Energy Commission, Bombay. But the question arises as to why the meeting of the Board of Studies in June 1963 was fixed to coincide with the marriage of the Vice-Chancellor's grand-daughter. This is not easy to answer. It appears to me that the date of the meeting was so arranged as to enable Dr. Venkateswarlu to be present at the marriage also. This could well have been avoided, especially when the Vice-Chancellor must have been aware that there was a section in the University campus which was hostile to him and which was intent on finding his faults. I would characterise the action of the Vice-Chancellor as another act of avoidable indiscretion.

Yet another attack is that the Vice-Chancellor issued orders asking Sri Padmanabham, who was his relative, to take charge as a temporary lecturer in March 1965 just before the Colleges were to close for the year. The ordinary practice in such cases has been to ask the new appointee to join the post after the reopening of the college. But in this case, it is alleged that favouritism was shown to Sri Padmanabham because he was related to the Vice-Chancellor. I am not able to say that the relationship between Padmanabham and the Vice-Chancellor materially influenced the orders passed by the Vice-Chancellor. But the fact remains that the orders passed by the Vice-Chancellor laid him open to a plausible attack. The brief facts of the case are that Sri Padmanabham was selected as a temporary lecturer in January 1965. At that time he was working in a private college. He therefore applied for time till 1st March to join his post in the University and that was granted. In view of the fact that about the middle of March the University Colleges will be closed to enable the students to prepare themselves for the ensuing examinations, the practice of not making new appointments in March appears to have come to stay. A deviation in the case of Sri Padmanabham ought not to have been made. More especially so, when he was related to the Vice-Chancellor. No doubt, Sri Padmanabham did not eventually join, apparently because he had obtained berth elsewhere. But this circumstance cannot obscure the violation of a healthy practice which had been observed in the University. I am therefore inclined to characterise this also as an indiscretion on the part of the Vice-Chancellor.

Sri B. Venkataraju, a member of the Senate, has complained in his affidavit that in order to help Dr. S. L. Sarada, a grand-daughter of the Vice-Chancellor, in securing admission to M.D. in Paediatrics, the following irregularities were committed :

- (i) The period of training for candidates who register themselves for M.D. was reduced from two years to one year ; and
- (ii) The number of admissions in 1963 were increased to 11, that is, to the extent that was necessary to enable the Vice-Chancellor's grand-daughter to get a seat in order of merit.

I have gone through all the relevant papers and I think this complaint is not well founded. First, M.D. Paediatrics was started only in July 1963. Therefore, it is not correct to say that prior to 1963 candidates who registered themselves for M.D. Paediatrics were to undergo training for two years. Secondly, for M.D. Paediatrics, only one year's training was prescribed for those who had passed a post-graduate diploma examination (vide. Syndicate's resolution dated 17-8-63). Dr. Sarada had obtained the post-graduate diploma of D.C.H. Therefore, she had to undergo training for only one year. The allegation that the number of seats was increased to accommodate Dr. Sarada does not also appear to be tenable. The Selection Committee constituted by the State Government selected 15 candidates in 1963 for the M.D. Paediatrics course. Four did not join. Of the 15 candidates selected 11 were service candidates. Dr. Sarada was given the sixth rank in the order of merit. It is well to state here that although the Standing Order of the Syndicate provided for the admission of only six candidates for M.D. Paediatrics, the Selection Committee constituted by the Government decided that 15 admissions should be made. In view of these facts, the insinuation made against the Vice-Chancellor that he pulled strings or arranged behind the scene for the admission of his grand-daughter, Dr. Sarada, to the course in M.D. Paediatrics does not appear to be sustainable.

Another instance is the admission in July-August 1963 to the M.B.B.S. course of the Andhra Medical College, Visakhapatnam of a lady candidate who had passed the Senior Cambridge Examination without Zoology as one of the subjects. The candidate concerned is Kumari Lalasa. She had passed her Senior Cambridge Examination with *Health Science* and *General Science* as special subjects. In the year 1961-62, there was a precedent of admitting to the M.B.B.S. course a boy who had passed his Senior Cambridge Examination without Zoology. The Health Secretary, in connection with Kumari Lalasa's application, sent a telegram to the University

on 18-7-63 calling its attention to the precedent of the year 1961-62. It is not necessary to go into the details of this precedent. Suffice it to say that the Academic Council approved the exemption granted by the Syndicate to Kumari Lalasa. I think in view of the fact that she had passed in Health Science in her Senior Cambridge Examination, there was some ground for according exemption to her and admitting her to the M.B.B.S. course. I am not satisfied the Academic Council and the Syndicate were clearly wrong in sanctioning the admission of Kumari Lalasa to the M.B.B.S. Course as a special case. I do not consider this instance can form the basis of any successful attack of favouritism against the Vice-Chancellor.

Another instance of favouritism is said to consist in nominating Sri Somanadha Sastri for University Grants Commission Scholarship without consulting the Principal of the University Colleges. Sri Somanadha Sastri was a first class first in M.A. and the recipient of Venkataratnam Medal. He was recommended by the Head of the Department for the University Grants Commission scholarship but the Principal suggested that the scholarship be advertised. This suggestion was over-ruled by the Vice-Chancellor who nominated Sri Somanadha Sastri for the scholarship. Thereafter Sri Sastri asked to be permitted to join as a University Grants Commission Fellow on 1-7-65 and not earlier. The Vice-Chancellor recommended his request and the University Grants Commission granted it. I am not satisfied there is any ground in this case to find fault with the Vice-Chancellor.

PART - VI

ADMISSIONS TO RESEARCH AND DISCRIMINATION

I shall examine here the subject of admission to post-graduate research and also go into certain allegations of discrimination and victimisation.

ADMISSION TO RESEARCH

There does not appear to have been a firm and consistent principle underlying admissions to research. It has come to my notice that certain applications for research have been rejected on the sheer ground of delay. What length of delay should lead to the rejection of an application seems to vary from year to year and perhaps from case to case. In some cases, the applications of students of higher

merit have been rejected and those of lesser merit accepted. The relevant section bearing on the matter and the prevailing practice have not been in accord. Section 22 of Chapter XI of the University Code Vol. I reads :

“Applications from persons desirous of doing research in the University Colleges shall be made in the prescribed form accompanied by a Treasury or Bank Challan for Rs. 10/- towards Registration Fees to the Principal so as to reach him not later than the 15th June each year. If their applications are accepted for registration a sum of Rs. 25/- shall be paid in respect of each application towards Registration fee. No admissions shall be made after the 5th July. But it shall be open to the Vice-Chancellor to relax this rule in exceptional cases.

The application fee of Rs. 10/- and the registration fee of Rs. 25/- shall not be refunded under any circumstances, provided, however that the application fee need not be paid by teachers of the University Colleges.”

But the admitted practice has been to receive applications to admit students for research in January and June every year. No specific date has been fixed as a matter of practice for such applications either in January or in June. In some cases, applications made at the end of January or even in February have been accepted while in other cases, they have been rejected on the ground of delay. The inclination of the Vice-Chancellor as can be gathered from the reply given by him to question No. 40 at the meeting of the Senate on 6th December, 1963 recorded at pages 54-55 of the printed minutes appears to have been not to reject applications for research but to entertain them as far as possible by stretching a point in favour of applicants. In spite of this healthy attitude voiced by the Vice-Chancellor, the treatment of applications for research has been too strict in some cases and somewhat liberal in other cases.

Two candidates—one Sri Y. Gouri Sankar and the other Sri P. Eswara Reddy applied for doing research for Ph. D. in 1964. Sri Gouri Sankar had been enabled to take his degree on account of ex-gratia grant of seven marks whereas Sri Eswara Reddy had passed without this special aid and had also secured a fourth rank in the April 1964 Examination. Yet Sri Gouri Sankar's application was accepted and he was admitted to research and Eswara Reddy's application was turned down. Judged by their performance in the University examination, one cannot reasonably doubt that Eswara Reddy was superior to Gouri Sankar. There does not appear to have been any good

reason for rejecting Sri Eswara Reddy's application while accepting that of Sri Gouri Sankar. The only answer given is that the Director of Research must be given untrammelled discretion in selecting students for research because he is in a position to judge of the aptitude of the students. I am led to think that this is a slippery and precarious test, which if encouraged, is likely to lead to abuse.

Sri Gouri Sankar had not obtained the requisite minimum marks in certain subjects and so had to be helped with seven grace marks to enable him to pull through. It is, therefore, only a special plea to say that the total difference in the marks obtained by Sri Gouri Sankar and Eswara Reddy was only 2%. I think the rejection of Sri Eswara Reddy was plainly unfair.

The concerned Director of Research has not given any reason on the application of Sri Eswara Reddy or on that of Sri Gouri Sankar to justify the rejection of the one and the acceptance of the other. In such circumstances to state now that it must be left to the Director of Research to accept a particular candidate or reject another is far from satisfactory. I think it is necessary in future that if the Director of Research rejects a student who had secured higher marks in the University examination and accepts a candidate whose performance in the University examination was of a lower order, he must be required to state full and convincing reasons for his choice and bring the case pointedly to the notice of the Vice-Chancellor for being ratified or over-ruled. If the Vice-Chancellor also agrees with the Director of Research and rejects a better candidate to accept a worse candidate, the rejected candidate must be given an express right to appeal to the Chancellor against the order of the Vice-Chancellor. I suggest that a separate provision be made in this regard. I conceive this to be the minimum that can be done to prevent the possibility of partiality, favouritism or prejudice in the matter of selection of candidates for research.

In another case, Sri G. Chiranjeeva Rao and Kumari Ramadevi applied in December, 1962 for doing research for their Ph. D. in Physics. Both had obtained first class in M. Sc. The Director of Research, Prof. Ramachandra Rao, agreed to take them and guide their research. But the Vice-Chancellor rejected their applications asking them to apply next year, if they so desired. Admittedly, at least two second class M. Sc. students were admitted for research in Physics in the same term, though under some other professors of Physics. The reason for rejecting the first class students is now stated to be that Prof. Ramachandra Rao had already taken eight students

for research under him and that there was no scope for two more. But, Prof. Ramachandra Rao himself had expressed in writing his willingness to take these two first class students also for research under him. But it is stated that the Vice-Chancellor had a subsequent discussion with Prof. Ramachandra Rao, who agreed that these two first class students need not be taken. It is not recorded on the file that there was a discussion and that subsequently Professor Ramachandra Rao went back upon his previous view which he had expressed in writing. Nor were the students whose applications were rejected told the reason for the rejection. The result of according such treatment to really deserving students would be to damp their enthusiasm for research and scotch their legitimate ambition. I must also state here that no rule had been made or a convention established as to the number of students to be admitted for research under a particular Professor or in a particular department. This serves to make the rejection of the applications of the two first class students look all the more unjustified. Considering all the aspects, I am of the view that the two first class students could well have been admitted.

Sri Kameswara Rao applied on 12-11-1964 for registration for Ph. D. in the Commerce Department. Sri B. K. Unni also made an application for the same registration on 11-2-1965. Dr. Sivayya under whom he wanted to do research had endorsed on his application, even at the outset, that he has no objection to guide Sri Unni for Ph. D. Degree. The third applicant was Smt. Vimala Devi who asked for registration for Ph.D. in Pharmacy Department. Her application was dated 25-1-1965. All these applications were forwarded by the Principal to the concerned Directors of Research. The Directors had agreed to guide the research of the applicants. The concerned Heads of Departments also endorsed this. The Principal sent all the three applications to the University Office only on 10-3-1965. There was considerable delay in the Registrar's Office. Eventually, all the three applications were submitted to the Vice-Chancellor only on 28-7-1965. The Vice-Chancellor passed his orders on 9-8-1965 advising all the three applicants to apply in time for the next batch. This case shows the rather enormous delay in processing and forwarding research applications for the final orders of the Vice-Chancellor. I do not see how from any point of view Sri Kameswara Rao's application dated 12-11-1964 could have been rejected on the ground of delay. Smt. Vimala Devi's application d/ 25-1-65 could also have been accepted. And the delay in the application of Unni dated 11-2-65 could have been overlooked by stretching a point in his favour,

because the delay involved was not too long. I am speaking of delay on the assumption that the applications ought to have been submitted before the end of January. Even if it was necessary that the applications should have been sent in before the end of December, the application of Sri Kameswara Rao dated 12-11-1964 could not have been rejected. The applicants ought not to have been made to suffer for the delay in the Office of the Principal and of the University. I am not also able to see why these applications could not have been kept in the University Office for being considered for the June admissions.

Towards the end of 1964, S. S. Prabhakar Rao, M.A. and S. Srinivasa Rao, M.A. both of whom were lecturers in English in the College of Engineering, Kakinada and the P. R. Government College, Kakinada, respectively, applied to join the Research Course in Ph.D. (English). Their applications were accepted by the University. Subsequently, they asked by an application dated 27-1-65 to be permitted to join the Research Course in June, 1965. That was allowed by the Vice-Chancellor. But Sri D. L. Narasimham and Sri M. Satyanarayana whose applications for doing research in Nuclear Physics had also been admitted, were refused permission to join the Research Course in February 1965. The reason for granting the request of the literature candidates and rejecting the request of the science candidates is alleged to be that the latter had not paid the necessary research fees. I think this was taking too strict and narrow a view. It appears to my mind these two science students also could well have been granted permission to join the Research Course in February 1965 and asked to pay the research fee within a short time. Instead, they were asked to take their chance next year along with others. This was surely on the harsh side and could well have been avoided.

It seems to me that an amount of arbitrariness has been brought into play in dealing with applications for admission to research courses. I do not think it is healthy or proper to permit this state of affairs to continue. I think it is necessary to fix the dates before which applications for research should be submitted for the January and June sessions and also the dates for the payment of registration fee and research fee, so that every applicant for research may know in good time as to where he stands and, when exactly he should apply and remit the requisite fees. Putting the matter on a firm basis by an appropriate Standing Order of the Syndicate or other suitable rule or regulation will be desirable. I would like to repeat that as far as possible, qualified applicants, desirous of doing research, must be encouraged and in no way disparaged by seeming to make invidious distinction or discrimination against them.

DISCRIMINATION AND VICTIMISATION

Sri A. Ramachandra Rao and Sri V. Lakshmana Rao were both Lecturers in the same Department. But Sri Ramachandra Rao was appointed in 1952 whereas Sri Lakshmana Rao was appointed only in 1954. Since 1961, the Junior, Lakshmana Rao, was drawing a higher salary than the senior Ramachandra Rao. This is a clear instance of discrimination. It is not easy to see how this was allowed to happen. Not even inadvertence was pleaded in extenuation of this anomaly. However, the position is said to have been rectified by a resolution passed by the Syndicate in May 1965 giving retrospective effect from 1-4-1964. I am not sure that this resolution has given full recompense to Sri Ramachandra Rao, so as to put him back in the same position which he would have occupied, had he been given the benefit of increased salary from 1961. I think the pecuniary benefits which Sri Ramachandra Rao lost from 1961 should be fully restored to him as a matter of sheer justice and fairness. This aspect of the matter may be examined by the Vice-Chancellor and if necessary placed before the Syndicate.

Dr. K. Venkata Reddi has been given the third plan University Grants Commission scales of pay only from the date of his return from abroad and not from 1-4-64 when the third plan scales of pay were brought into effect. Dr. Venkata Reddi has claimed that some other persons have been given the new scales of pay from a date anterior to their return from abroad and that an unfair discrimination has been made in his case. The learned counsel for the University has assured me that the case of Dr. Venkata Reddi will be thoroughly examined and all that is due to him will be given to him and that he will be treated on a par with other persons similarly circumstanced. In view of this undertaking, I do not think it is necessary to go into the details of this case.

Sri K. V. Gopaldaswamy, Ex-Registrar has very forcefully placed before me that Smt. Vimala Devi was transferred from the Department of Pharmacy to the Department of Engineering as a matter of sheer victimisation. Although this complaint looked plausible at the outset, I could find no merit in it when the facts were scrutinised. Smt. Vimala Devi was acting as a Lecturer in a lien vacancy in the Pharmacy Department where her husband also was a Lecturer. The lien vacancy which was filled by Smt. Vimala Devi arose on account of the departure of Dr. E. Venkata Rao for further studies abroad. But Sri Venkata Rao subsequently returned to his post and the lien vacancy came to an end. Therefore, Smt. Vimala Devi had

no place in the Pharmacy Department. It was only a good thing done to her to give her a Lecturer's post in the Micro-biology Division of the Engineering College. I do not think there was any element of victimisation in her case. The other grievance placed on her behalf is that she was not granted the post-maternity leave which she had applied for. No doubt, there was some delay in granting the leave. The leave sought was rather long and an attempt was perhaps made by the Head of the Pharmacy Department to see whether she could be persuaded to join duty by foregoing a portion of the leave sought by her. I think it was this object which caused delay in passing final orders on her leave application. However, eventually, she was given all the leave to which she was entitled. She could not reasonably expect anything more.

Dr. Subba Reddy who is Reader in Anthropology has complained that although he had been placed as 'in charge Head of the Department' from July, 1961 till January 1963, he was not made the Chairman of the Board of Studies in Anthropology or a Member of the Academic Council. He contrasts his case with that of Dr. A. Narasinga Rao who has been a Reader in the Geology Department. He was made the Chairman of the Board of Studies in Geology. He was also a Member of the Academic Council. Therefore, Dr. Subba Reddy complains that he was discriminated against. This complaint makes it necessary to compare the standing of Dr. Subba Reddy and Dr. A. Narasinga Rao as Readers. Dr. Subba Reddy appears to have joined the University as a Lecturer in 1960. He was made a Reader in the Anthropology Department on 1-7-1961, when the Anthropology Department itself was set up. Dr. Narasinga Rao joined the University as a Lecturer in 1948 and was promoted as a Reader in Geology in the year 1954. The Syndicate, in view of his long service as Reader, appointed Dr. Narasinga Rao as Chairman of the Board of Studies for Geology. The Headship of the Board of Studies did not ipso facto lead to his membership of the Academic Council. Sri Narasinga Rao co-opted as a member of the Academic Council in 1959. Therefore, Dr. Subba Reddy cannot say that Sri Narasinga Rao became a Member of the Academic Council by virtue of his being the Chairman of the Board of Studies. Dr. Subba Reddy was not made the Chairman of the Board of Studies because his service as Reader was very short. I am not satisfied that this is a case of discrimination or victimisation.

The other grievance for Dr. Subbareddi is that his salary was not fixed on the same basis as the salary of Dr. Sivayya or of

Dr. Chandrasekhara Rao. The salaries of those persons were fixed in pursuance of a resolution passed by the Syndicate on 27-11-62. That resolution prescribed two years' service in the cadre and a doctorate as the conditions for getting benefit under it. Dr. Sivayya and Dr. Chandrasekhara Rao had completed two years as Readers on 27-11-1962. Both of them had also doctorates. Therefore the benefit of the Syndicate's resolution was given to them straightaway. But Dr. Subbareddi completed two years of Readership only on 1-7-1963. Therefore, the benefit of the new scale of pay contemplated by the resolution of the Syndicate dated 27-11-62 was given to him with effect from 1-7-1963. It is not necessary for me to go into a legal construction of the resolution of 27-11-62. What I have stated above is sufficient to show that there was no victimisation of Dr. Subbareddi or discrimination against him. Dr. Sivayya and Dr. Chandrasekhara Rao were decidedly senior to him.

Another case of alleged discrimination relates to condonation of the shortage of attendance of two Anthropology students, Satyanarayana and Balakrishna Rao. Orders condoning the shortage of attendance of Satyanarayana were passed earlier than the orders in the case of Balakrishna Rao. The reason for this was that the recommendation of the Principal of the University Colleges in the case of Balakrishna Rao came later. This satisfactorily explains the slight delay in passing orders of condonation in the case of Balakrishna Rao. I do not think Balakrishna Rao, in any manner, suffered by this delay. Both he and Satyanarayana were permitted to appear for the University Examination. Ordinarily, condonation of shortage of attendance is a matter of course when it is recommended by the Principal of the University Colleges.

Another case of alleged victimisation is raised by Dr. Gopala Rao, the Head of the Department of Chemistry, who was appointed Principal of the University Colleges. After his appointment as Principal, the Syndicate passed a resolution on 18-6-64 relieving him of the Headship of the Chemistry Department. According to him this was done at the instance of the Vice-Chancellor who bore a grudge against him. He has further pointed out that in the past the Principal of the University Colleges had invariably held charge of his department also. He says his duties as a Principal will not suffer by undertaking the added responsibility of the Head of the Chemistry Department because, as a Principal, he is assisted by two senior Professors of other departments and that therefore there was really no good ground to relieve him of the Headship of the Chemistry

Department. Dr. Gopala Rao stated all this and more in a petition presented by him to the Syndicate for reconsideration of the question. He also asked for stay of the orders passed by the Syndicate on 18-6-64 relieving him of the Headship of the Chemistry Department. The Syndicate granted an order of stay. Thereafter it went into the representations of Dr. Gopala Rao and came to the conclusion that the same person should not combine in himself the two responsible offices of the Head of Department and the Principal of the University Colleges. This was really a policy decision and I see no sound reason for taking exception to it. Indeed, previously, the Headship of a Department and the Principalship were allowed to reside in the same individual. But this is no argument for saying that an innovation should not be made in order to lighten the burden on the Principal, and thereby enable him to give single-minded attention to his multifarious duties and functions as Principal. Sometime or other an innovation has to be made and merely because it was made when Dr. Gopala Rao happened to be the Principal, it does not necessarily point to any victimisation of him on account of the alleged prejudice of the Vice-Chancellor. Assuming that in the first instance the Syndicate allowed itself to be guided by the one-sided views of the Vice-Chancellor, it cannot reasonably be said it was influenced by those views when it considered the matter on the second occasion on the elaborate representations made by Dr. Gopala Rao. In the circumstances, it cannot but be held that the final decision passed by the Syndicate was the result of its own independent judgement. Consequent upon this decision, Dr. Gopala Rao chose to resign the Principalship to retain the Headship of the Chemistry Department. It is interesting to note in this context that subsequently on 23-5-65, the Syndicate passed a resolution giving Sri Gopala Rao an *ex gratia* allowance of Rs. 150/- a month till his retirement in view of his "long and devoted service to the department" of Chemistry. This appears to me to be an exceptional thing to do. One can understand an honorarium or an *ex gratia* allowance being given to an eminent Professor as a special case on the eve of his retirement. But Dr. Gopala Rao has several years to go before he retires. I am not able to appreciate the specially favourable treatment meted out to Dr. Gopala Rao by the Syndicate in its resolution of 23-5-1965. I am afraid this may prove to be an inconvenient and unhealthy precedent. Other Professors are likely to claim similar treatment, and if it is not granted they are likely to complain that they have been discriminated against.

After Dr. Gopala Rao resigned the Principalship, it is now being

held by Professor Ramanadham who was the Head of another Department but who agreed to give up the Headship to assume the office of Principal. A proposal has already been made by the University for the appointment of more than one Principal for the University Colleges and that is under the consideration of the Government and is perhaps embodied in a draft bill for amending the University act.

The last case that could be brought under this part is the termination of the services of Sri Gopaldaswamy as Honorary Professor in Theatre Arts. A resolution to this effect was passed by the Syndicate, which is the authority empowered to appoint Honorary Professors. As Sri Gopaldaswamy was appointed by the Syndicate, it had the power to terminate his appointment. I do not, therefore, think Sri Gopaldaswamy can successfully challenge the authority of the Syndicate. Further, his being an Honorary Professorship which carried no emoluments, I do not think Sri Gopaldaswamy can say that he suffered any pecuniary loss or detriment by its termination. Moreover, when the Syndicate took this action, Sri Gopaldaswamy had already attained 60 years of age which is the normal age for the retirement of a Professor unless his tenure is further extended by a special resolution of the Syndicate. I do not think anybody can claim a special treatment as a matter of right. No doubt, the termination of the Honorary Professorship of Sri Gopaldaswamy can, from one point of view, be considered to be a reflection on him—on his ability or usefulness to the Department of Theatre Arts. If the Syndicate was so satisfied, it could have continued Sri Gopaldaswamy as Honorary Professor. The Syndicate had equally the right to terminate his Honorary Professorship if it considered it was necessary to do so. From the written answer given by the Vice-Chancellor it appears that the Honorary Professorship of Sri Gopaldaswamy was terminated because Sri Gopaldaswamy was considered to be of little use to the Department of Theatre Arts. Indeed, I cannot arrogate to myself the role of an authority sitting in appeal over the Syndicate. Sri Gopaldaswamy must be left to seek appropriate remedy elsewhere.

PART - VII

CONTRACTS FOR WORKS WITHOUT CALLING FOR TENDERS

Section 28 of Chapter XIX of the University Code Vol. I embodies elaborate rules which *inter alia* enjoin that tenders shall be called for in respect of all purchases and works of the University of

the value of Rs. 500/- and above. It is well to quote the relevant portion of this section :

“28. Tenders shall be called for in respect of all purchases and works of the University of the Value of Rs. 500/- and above.

All tenders shall be invited by the Registrar and such other person authorised by the Vice-Chancellor to do so.

All tenders shall be sent to the Registrar or any person inviting the tender in sealed covers in the form and in accordance with the units of work that may be prescribed.

All tender notices in respect of works estimated to cost Rs. 1,000/- and above shall be published in the *Daily News Papers approved by the Vice-Chancellor for the purpose*, at least one month before the latest date for the receipt of tenders in the prescribed manner.

Provided, however, the Vice-Chancellor at his discretion and in view of the urgency of the work send the tender notice to the local approved contractors without publishing it in the newspapers.

Other conditions being equal, the lowest tender shall be accepted, but the acceptance or rejection of any tender is left to the absolute discretion of the Syndicate whose decision shall be final and no tenderer shall be entitled to be informed of the reasons for the rejection of any tender. In all cases in which the lowest tender has not been accepted by the Syndicate, there shall be a specific resolution of the Syndicate to that effect stating the reasons for its decision, which shall be kept confidential.”

These rules permit of no evasion or escape.

The New Technology Building situated in the North Campus had to be electrified. Tenders were called for in three separate units,—(a) the electrification of the main building and the installation of fans in the building; (b) the electrification of the workshop and the electrical laboratories and the installation of fans; and (c) the electrification of Fluid Flow and Heat Transfer laboratory.

For the first unit, namely, electrification of the main building and installation of fans therein, the lowest tender was Rs. 1,13,634-25 by Messrs. Lumen Electric Company. Deducting the fans, the amount for electrification alone was stated in the tender schedule to be Rs. 88,202-25. For the second unit also (electrification of Workshop and Electrical Laboratories and installation of fans) Lumen Electric Company had made the lowest tender of Rs. 65,875-75 and

they had separately shown in the tender that for the electrification alone exclusive of fans, the amount would be Rs. 59,836-75. For the third unit (electrification of Fluid Flow and Heat Transfer laboratory including fans) the lowest tender was that of Premier Engineering House, namely, Rs. 40,191-00. Deducting the item of fans, the amount came to Rs. 33,351-00. Messrs. National Radio & Television Corporation quoted Rs. 40,220-00 for the entire work and Rs. 33,200-00 for the work minus the fans. So, if the fans were to be excluded, the tender of the National Radio & Television Corporation was the lowest. Otherwise, the tender of Premier Engineering House was the lowest. After receiving all the tenders, the University separated the items relating to supply and installation of fans and considered the tenders as though they were confined only to electrification. The contract for the electrification of the main building was given to Lumen & Company and that was in order because theirs was the lowest tender. The contract for the electrification of the Workshop of Electrical Laboratories was given to Premier Engineering House, who had made the lower tender. But the contract for electrification of the Fluid Flow and Head Transfer Laboratory also was given to the Premier Engineering House, although the lowest tender was of National Radio and Television Corporation. It was stated on behalf of the University in this enquiry that the fact that National Radio and Television Corporation had made the lowest tender for the work excluding the fans was missed by the concerned officers of the University and consequently a mistake crept in. I do not want to comment on this except to say that in such matters one will not reasonably expect mistakes of this nature to creep in. What is the more important aspect is that the entire contract for the supply and installation of fans in the main building, the Workshop and Electrical Laboratories and the Fluid Flow and Heat Transfer Laboratory was given to Messrs. Southern Agencies who did not make any tender whatsoever. It is stated that they wrote a letter making open quotations, at a somewhat late stage, for the supply and installation of Usha Fans in which they held an agency. The giving of this contract to Southern Agencies in this fashion was clearly contrary to the tender rules extracted above. What is more, the University sustained a loss in the bargain. In justification of this action, it was stated the Southern Agencies had offered a discount of $2\frac{1}{2}\%$ on the value of the fans, if the price was paid by the University within a month of their supply. But strangely, the University did not take advantage of this $2\frac{1}{2}\%$ discount. No

explanation was forthcoming as to why the offered discount was not duly availed of by the University. This transaction thus brings to light more than one irregularity. It appears that the University went out of its way to favour Messrs. Southern Agencies. Before leaving this subject I must point out that it was not shown to me that the tender notices were published in daily newspapers as required by the tender rules. The omission in this regard must have kept several prospective tenders in the dark and thereby deprived them of the opportunity to make competitive tenders which would probably have been of advantage to the University.

For the electrification of the hostel for 200 students in the North Campus, no tenders were called for. The work was given to nominated contractors. Lumen & Co. was given electrification of ground and second floors including kitchen, and National Radio and Television Corporation were entrusted with the work in the first floor, and Premier Engineering House was given the external electrification. Proposals to this effect were made by the University Engineer to the Registrar on 18-5-62. On the same day, National Radio and Television Corporation informed the University Engineer of their willingness to undertake the electrification of the entire hostel at lower rates. But no action was taken on this offer, and Lumen & Co. was given the contract on higher rates. The University sought to justify the omission to call for tenders on the ground of urgency. But actually the contractors took quite a long time to complete the work. Lumen & Co. completed the work only on 8-12-62, i.e., after nearly six months when the time allotted to them was only 60 days. Premier Engineering House took an even longer time and they completed the work allotted to them only on 27-2-1963, that is, after nearly 8 months. Two aspects emerge. First, the justification of urgency falls to the ground when as a matter of fact the nominated contractors took quite a long time for executing their contracts. The other aspect is that by the failure to accept the offer made by National Radio and Television Corporation to do the work at lower rates, the University incurred an additional expenditure of about Rs. 3000/-. Regarding this aspect, it was stated to me on behalf of the University that the University Engineer to whom the Corporation had addressed a letter dated 18-5-62 did not bring it to the notice of the Registrar or the Vice-Chancellor. If the University Engineer did not do so, he should be held to have been guilty of deliberate suppression. Any way, one cannot fail to notice the irregularity of this transaction.

It is worthy of note that although the total cost of the internal electrification of the hostel building was estimated at Rs. 39,280/-, no tenders were called for, whereas for the supply of tube lights to the Zoology Department which was estimated to cost about Rs. 12,000/- tenders were duly called for. If the plea of urgency in the case of the electrification of the hostel is discounted, one is apt to say that it is a clear instance of deliberate disregard of salutary rules. After all, by calling for tenders, just another month might have been lost. But one should think it was worthwhile to incur this delay to avoid a violation of the rules. As I already stated, eventually much more time was lost on account of the delay in the execution of the work by the chosen contractor.

I must also say that steps could have been taken well in advance to call for tenders. Possible loss of time could thus have been avoided.

In May 1962, tenders were called for the electrification of 20 lecturers' quarters in the Sea Sands area. The lowest tender of Premier Engineering House was accepted and they were given the work. In June 1963, it was considered that five lecturers' quarters in the Pithapuram area should be electrified immediately for temporary accommodation of students. The Premier Engineering House was given this work along with the work of electrifying five other lecturer's quarters in the Sea Sands area, for Rs. 15,000/- as quoted by them. No tenders were invited in respect of the electrification of these ten lecturers' quarters. The only argument advanced to justify this is that the five lecturers' quarters in the Pithapuram area were urgently needed to accommodate students. But this argument does not hold good in respect of the other five quarters in the Sea Sands area. There is no explanation whatsoever for not calling for tenders in respect of the electrification of the five quarters situated in the Sea Sands area.

The argument of urgency put forward in respect of the five lecturers' quarters in the Pithapuram area does not appear to be satisfactory because the warden or the other concerned officers could have visualised early enough that these five quarters would be needed to accommodate students. Why did this idea dawn upon them only at the last moment in June 1963 and not sufficiently earlier is not explained. It is interesting in this context to note that the five lecturers' quarters in the Pithapuram area which were considered to be urgently required to accommodate the students were eventually electrified only in October-November, 1963, whereas the work was entrusted to Premier Engineering House on 26-6-1963. This delay

does not accord with the plea of urgency. I am *inclined to hold that the tender rules were infringed in this case also.*

Complaints have been made about the contracts entered into by the University for the construction of Venkateswara Prayer Hall. The two tenderers to be mentioned here are T. Kurma Rao and V. Veerabhadra Rao & Sons. The tender of T. Kurma Rao was for Rs. 1,87,751/- while that of V. Veerabhadra Rao & Sons was for Rs. 2,08,842/-. The matter was referred to the Superintending Engineer, Waltair Circle who is also the Assessor of the Andhra University Sites and Buildings Committee of the Syndicate. In his letter dated 22-3-63 the Superintending Engineer unequivocally stated that the rates for many items in Kurma Rao's tender were unworkable and that Kurma Rao was not a P. W. D. contractor and did not execute any works. He added that "it is doubtful if he can execute the work to specification with the tendered rates". Regarding Messrs. Veerabhadra Rao & Sons, the Superintending Engineer pointed out that they were "major contractors and contractors of P.W.D. building works", that the rates shown in their tender were reasonable, that they could be relied upon for good and quick work and that they were financially sound. In view of this strong certificate of the Superintending Engineer, the contract was given to Messrs. V. Veerabhadra Rao & Sons, who by then agreed to reduce the amount quoted by them by Rs. 8,000/- odd. The Syndicate in its resolution dated 27-4-63 decided that Kurma Rao's tender should not be accepted in view of the opinion expressed by the Superintending Engineer. I think the Syndicate was right.

Regarding the Convocation Theatre, M/s V. Veerabhadra Rao & Sons, M/s. B. Narayana Murthy & Co. and M/s K. B. Krishnayya tendered. The lowest tender was that of B. Narayana Murthy & Co. But they had not tendered for all the items. Further, the Superintending Engineer, P. W. D. recommended Veerabhadra Rao & Sons, and they were given the contract. They were, at that time, executing other works in the University and had previously executed works of 40 lakhs in the University. But what is really important is that Veerabhadra Rao & Sons, by negotiation, reduced their amount of tender by a sum of Rs. 6,008/-. By this reduction, their tender became lower than that of B. Narayana Murthy & Co. Thus, in accepting the tender of Veerabhadra Rao & Sons, one could say that theirs was the lowest tender. The Syndicate approved of the recommendation of the Superintending Engineer that the contract be given to Veerabhadra Rao & Sons, after reducing their original amount by Rs. 6,008/-. This was in order.

It was represented to me that Messrs. Rao Electrical Works were unfairly dealt with by the University. The facts are briefly as follows : Tenders were called for rewiring the first floor of Erskine College. Messrs. Rao Electrical Works tendered for Rs. 11,399-10. The next higher tender was of Messrs. Premier Engineering House for Rs. 12,614-60. The University Engineer first recommended the acceptance of the tender of M/s. Rao Electrical Works. But later on 28-3-63, the same Engineer noted on the file that Rao Electrical Works was not a reliable firm and that it had been blacklisted by the P. W. D.

In accordance with the tender rules made by the Senate, the matter was placed before the Syndicate and it passed a resolution dated 27-4-60 giving the reasons for not accepting the tender of Messrs. Rao Electrical Works even though it was the lowest tender. The reasons given by the Syndicate were that Messrs. Rao Electrical Works had not executed any major Electrical Works in the University and the execution of minor works entrusted to them was considerably delayed whereas Premier Engineering House had executed major works satisfactorily in the University. It appears from the written answer of the Vice-Chancellor that the Premier Engineering House had completed the work in August, 1964.

On the above facts, I am not satisfied that the rejection of the lowest tender of Messrs. Rao Electrical Works was unjustified or that the rejection was in violation of the relevant tender rules.

I shall now deal with the purchase of machinery for the University Press and the purchase of paper by the University.

About four lakhs of Rupees was given as a grant by the University Grants Commission for the purchase of machinery for the University Press. The press was formally inaugurated on 10th April, 1963, by Dr. Kothari, Chairman of the University Grants Commission, although the press had actually started work a few months earlier. From the figures given to me by the Vice-Chancellor it appears that this Press has been earning substantial income for the University. The machinery for the Press was purchased from (i) Indo-European Machinery Company, Private Ltd., Madras; (ii) Manubhai & Sons, Bombay, and (iii) J. Mahabeer & Co., Delhi. All these firms were agents of foreign manufacturers, Competitive quotations were invited from the agents dealing in printing machinery manufactured in foreign countries. A Press Advisory Committee consisting of Mr. Phillip, Superintendent, Diocesan Press, Madras,

Mr. N. Narayana Rao, Superintendent, Text Books Press, Hyderabad, and the Special Officer, Andhra University Press, Waltair, was constituted and orders for the purchase of printing machinery were placed on their unanimous recommendation. Instructions had previously been taken from the University Grants Commission to purchase the machinery by inviting quotations from various agents dealing in printing machinery. In the circumstances, I do not think the action taken by the University in this regard should be challenged.

Since the establishment of its own press, the University has been purchasing every year paper worth Rs. 1,50,000/—, if not more. The purchases have mainly been made from Messrs. J. B. Advani & Co., and Sirpur Paper Mills, both of which are situated in Andhra Pradesh. Tenders have not been called for. I think it is desirable to call for tenders for the supply of paper every year. Tender notices should be sent to all the established dealers within the State as well as outside the State. Publication in daily papers should also be resorted to. Considering the large quantity of paper purchased by the University every year, it is very likely that some dealers may offer to sell at more favourable rates than have till now been available to the University. The lowest should be accepted, other things being equal. To assume that Advani & Co., and Sirpur Paper Mills have been selling or will sell at the most favourable rates is not wise or prudent. Attempts should be made to adhere scrupulously to the tender rules to which I have already adverted. The University authorities must also explore the possibility of obtaining a 'C' certificate so as to enable them to purchase paper from outside the State without having to pay a high rate of Central Sales-Tax. I understand that Osmania University has obtained a 'C' Certificate and that they are purchasing paper from Titaghar Paper Mills, Calcutta, with advantage. The Andhra University may take steps to inform themselves of the action taken by the Osmania University in the matters, and if they consider it to be of benefit, take similar action. All that I am concerned to suggest here is that every possible avenue should be explored by the University to make sure that they get the paper required by them on the most favourable terms.

Before leaving the subject, I should point out that I did not have the advantage of going through the report of the Local Fund Auditors regarding the commercial transactions entered into by the University in the recent past. It is seen that the audit work is lagging far behind. The pace of this work should be considerably quickened and the transactions entered into in the previous year should be

audited at least before the end of the next year. This will bring to light within a reasonable time, the financial irregularities, if any, committed by the University and enable the University to take early steps to correct them and to avoid their recurrence in future.

PART – VIH

IS THE SENATE TREATED AS A NOMINAL BODY ?

In this enquiry, I have heard some complaints that the approval of the Senate is taken for granted, that its powers are encroached upon by the Syndicate and that it is sought to be reduced to a nominal authority. These complaints were voiced particularly by one of the Members of the Senate. It is not very unusual for the Senate and the Syndicate to come to some mild clash over their respective powers. Each is likely to interpret the provisions of the University Act in a manner most favourable to it and thereby seek to exercise as wide powers as possible. But it cannot be overlooked that the Senate is “the supreme governing body” of the University, although wide executive and administrative powers vest in the Syndicate. A weak and emasculated Senate is likely to impair the vitality of a University by depriving it of the essential democratic element in its constitution. The powers and functions of the Senate have therefore to be jealously safeguarded and this renders it necessary to go into the complaints of the Senator at some length.

Under Section 16 (2) (b) of the Andhra University Act, the Senate is given the power “to provide instruction and training in such branches of learning as it thinks fit”. Clause (e) of the same sub-section empowers the Senate “to institute Professorships, Readerships, Lecturerships, and other teaching posts required by the University”. But the practice in this University appears to have been to institute a new course of study or a Professorship and to refer it to the Senate long afterwards as a *fiat accompli*. This practice ill-accords with the powers unequivocally conferred upon the Senate by the Act constituting the University. I shall now proceed to give some instances which have come to my notice :

A new M.A. Degree course in Sociology was started in July, 1964, without any reference to the Senate. The matter was placed before the Senate for approval only in December 1964, months after the course was actually started. This I think, was irregular. It was also unwise from a practical point of view.

Suppose the Senate refused to accord permission for the new M.A. course in Sociology. That would have created an awkward situation in that course which was going on and to which students had been admitted would be required to be terminated in the middle of the academic year. I am not able to see any good reason as to why the matter was not placed before the Senate before the new course was started. It could not be that the idea of starting a new course suddenly occurred to the authorities just in June or July 1964. Under the statute, the Senate has to meet in March and December every year. In the instant case the proposal to start the new course of M.A. in Sociology could have been brought before the Senate when it met in March, 1964. This aspect becomes particularly pronounced when it is remembered that the new course was started and got into its stride in July, 1964. This was surely a pre-meditated action, but the Senate was unaccountably kept in the dark about it.

A practice which is in contravention of the mandatory provisions of the University Act cannot be allowed to stand. The Vice-Chancellor has, in justification, brought to my notice a ruling given by a previous Vice-Chancellor in 1945. Dr. C. R. Reddi who was the then Vice-Chancellor did not deal with a case like the present in that ruling. There, the Senate initiated a motion for starting a new course of study. In that connection, Dr. C. R. Reddy ruled that the initiating authority was the Syndicate in view of the provisions of Section 19 of the University Act and not the Senate and that therefore the Senate had to await the recommendation of the Syndicate before taking a decision that a new course of study be started in the University. This ruling has no application to the case on hand and is therefore of no assistance in the instant case.

Another case relates to the suspension in July 1964, of admissions to the two-year Diploma Course in Theatre Arts which was validly started in 1961. This suspension was ordered without any intimation whatsoever to the Senate. What I have stated regarding the starting of the M. A. Course in Sociology will in principle apply equally to this case also. But it is stated on behalf of the Vice-Chancellor that the sanction of the Syndicate was obtained for suspension of admissions to the Diploma course in July, 1964. I do not think the Syndicate was the proper authority to accord this sanction. When the power to institute a course is given to the Senate under Section 16, the power to suspend or terminate that

course should also be held to be vested in the Senate. But the Vice-Chancellor seeks to rely on a precedent of 1941 where a course of study was abolished by the Syndicate and subsequently reported to the Academic Council and the Senate for approval. This isolated precedent which was not followed at any time till July 1964 ought not to have been invoked at all. It ought to have been confined to the peculiar facts of that case. Another precedent pointed out by the University counsel is that in December, 1959, the Senate resolved that M.A. course in Anthropology be started in the academic year 1960-61. But Dr. Krishna, who was the then Vice-chancellor directed that it need be started only in 1961-62. The reason for so doing was that adequate staff was not available for starting the M. A. course in Anthropology in the year 1960-61. It was therefore impossible for the Vice-Chancellor to implement the December 1959 resolution of the Senate. These facts were placed before the Academic Council, the Syndicate and eventually the Senate and the Vice-Chancellor sought the Senate's ratification of his direction that the M.A. course in Anthropology be started only in the academic year 1961-62. All the University authorities, including the Senate accorded their approval. This precedent is absolutely irrelevant to the present case. There, the Vice-Chancellor found it impossible to implement the resolution of the Senate. But in the instant case, there was no such difficulty. The two year degree course in Theatre Arts could have gone on as usual in the academic year 1964-65 also without causing any great harm to anybody. The reason which necessitated the suspension of the course is said to be the need to revise the existing syllabus for the two-year diploma course in Theatre Arts. This could have been done before July 1964, if it was so urgent. That it was not done prior to July 1964 indicates, if anything, that there was no imperative or pressing need for it. Besides, the syllabus can well be revised in the course of the current academic year without having to suspend the course. The course under the new syllabus could be started in the next academic year. The students admitted this year could have continued under the old syllabus for their second year also. That would not have upset anything or prejudiced anybody. There was no pressing or even plausible need to suspend admissions to the Diploma Course in July 1964 thereby effectively suspending the course itself.

The other instance is the institution of a Professorship in Statistics towards the end of 1964, without the prior sanction of the Senate, which in view of Section 16 (2) (c). is the authority competent to

institute Professorships. As against this, it is urged that the new Professorship in Statistics was instituted on an arrangement with the University Grants Commission that one half of the Professor's salary would be met by them for a period of two years, and that therefore the institution of this Professorship fell outside the jurisdiction of the Senate. Reliance for this proposition is placed on Section 6 of Chapter XXIX of the University Code Volume I which runs thus :

“The Senate shall have power, on the motion of the Syndicate, to determine, from time to time, after considering the proposals of the Academic Council, Emeritus Professorships, Professorships, Readerships, Lecturerships or other teaching posts that should be instituted.

Provided, however, it shall be competent to the Syndicate to institute in accordance with the arrangements that might be made between the Syndicate on the one part and Government or other donors on the other teaching posts, the expenditure connected with which, including salaries, are met by Government or the donor concerned and to report the institution of such teaching posts to the Academic Council and the Senate at their next meeting”.

Considerable stress is placed on the proviso. The main Section 6, I must say, fully comports with Section 16(2)(e) of the University Act. Assuming that the proviso also is good and valid, I am not satisfied that a true construction of it is helpful to the University administration. I say so because the proviso can successfully be invoked only in a case where the entire expenditure connected with a teaching post including salaries, are undertaken to be met by the Government or a donor. In the present case, the University Grants Commission, even if it can be called a donor – it cannot in any event be called the Government – did not undertake to meet the entire expenditure, including salaries, connected with the new Professorship. The true construction of the proviso extracted above is that it can apply only where the entire expenditure is to be met by a donor or the Government. If it were otherwise, a donor need only offer a paltry sum of a few rupees for the institution of a Professorship to enable the Syndicate to by-pass the Senate. Such a result could not have been contemplated by the framers of the proviso to Section 6 of Chapter XXIX of the University Code Volume I. If they did contemplate it, the proviso would be obnoxious and repugnant to section 16 of the Act. I do not wish to expatiate upon the legality of the matter. But

I cannot refrain from saying that the matter was, to put it at the lowest, not so clear as to persuade the University administration to institute the new Professorship in Statistics without obtaining the prior sanction of the Senate. From a pragmatic and practical point of view also, I think there was no occasion for such haste and hurry in instituting this Professorship. Sri Avadhani who was promoted from Readership to Professorship was working in the Department of Statistics. Correspondence with the University Grants Commission to convert his Readership to Professorship must be necessarily have taken some time. Simultaneously with that correspondence, steps could also have been taken to place the matter before the Senate. Instead, additional Professorship in Statistics was advertised and interview was held by the Board of Appointments and Sri Avadhani was selected. It was only thereafter that the matter went before the Senate. The only redeeming feature here was that it came about that Sri Avadhani actually took over as Professor in Statistics only after the approval of the Senate for the creation of the post was obtained. But the point is that the administration did everything much before the permission of the Senate for instituting a new Professorship was obtained. This indicates that the requirement of Section 16 (2) (e) of the Act was not given the weight and regard it deserved.

It is said that the Senate which usually meets only twice a year and that too for one day on each occasion, has hardly time to discuss the long agenda placed before it. I think there is substance in this grievance. I do not see any reason why the meetings of the Senate should not last for as many days as the business before it reasonably requires. A long agenda and a brief meeting would naturally make it difficult for the Senate to properly discuss and debate the various items on the agenda. It will be a step in the right direction if the Vice-Chancellor can, at the next meeting of the Senate, ascertain the views of the Senate on this matter and take appropriate steps at an early date to ensure that the Senate is not obliged to hurry through the many items on its agenda but that its meetings are of sufficient duration to afford it reasonable time to discuss and deliberate upon all the items on the agenda.

I am not satisfied that the suggestion that the Chancellor or the Pro-Chancellor and not the Vice-Chancellor should preside at the meetings of the Senate, deserves serious consideration. The convention is well established in all the Universities that ordinarily the Vice-Chancellor presides. On an exceptional occasion when the Chancellor or the Pro-Chancellor happens to be present at the meet-

ing, he will preside and not the Vice-Chancellor. Provision for this is expressly made in the Act. A Vice-Chancellor, in view of his high office, outstanding culture and rich academic background, cannot ordinarily be expected to take an unreasonable or partisan attitude when presiding at the meetings of the Senate. Therefore, the apprehension that the Vice-Chancellor may, by his unfair rulings, stife honest, useful and legitimate discussion on the floor of the Senate does not appear to be well-founded.

PART - IX

MISCELLANEOUS

In this part, I would first like to point out certain delays. There has been considerable delay in filing up certain vacancies of teaching posts and in recruiting teachers to the posts newly created.

Public Administration is a special subject in the Department of Politics. Since October, 1963 a Diploma-holder has been teaching the subject in the University. It is said that the post of a Reader in Public Administration with Ph. D. qualification has been advertised.

On 27-11-1962, the Syndicate resolved that a lecturer be appointed temporarily as a suitable Professor could not be obtained in spite of an advertisement. But no action has been taken on it till now. The explanation of the Vice-Chancellor is that the Department did not send in its proposal to him. But in view of the Syndicate's resolution, I think the Vice-Chancellor should have pursued the matter and specifically asked the Department why it did not move in the matter.

The Head of the Department of Commerce died in May 1964. The vacancy was filled up only in February 1965 by promoting a Reader. The vacant post was advertised only in October 1964.

The vacancy caused in December 1962 by the death of Professor Naidu, Head of the Department of Rural Welfare and Co-operation, was filled only in January 1965.

The post of a Reader in the Physics Department which had been held previously by Dr. Ramakrishna Rao fell vacant on 5-5-1960. It was not filled till 1-9-1963, although the Department had asked for the vacancy being filled much earlier.

The contract of the Head of the Department of Sanskrit expired by efflux of time on 4-9-1963. Some months prior to it, he had

asked for information as to whether his contract would be renewed or not. This gave advance notice to the University that the Sanskrit Professor's period of contract was soon coming to an end. Yet, no steps were taken in good time to find another Professor of Sanskrit so as to prevent the post remaining vacant for any avoidable length of time. Even after the departure of the Professor, prompt steps were not taken to secure the services of another Professor. The result was that there was no Professor of Sanskrit in the University from 5-9-1963 to 1-6-1964. A good part of an academic year was allowed to pass without a Sanskrit Professor.

The Professor of Nuclear Physics retired on 31-3-1965. The post was advertised after several months prescribing 6-10-1965 as the last date for receipt of applications. In this case, as also in the case of the Sanskrit Professor mentioned already, the University could well have continued the incumbent in service until a new person was recruited for the post. There would not then have been an interregnum which surely prejudiced the students in the Sanskrit Department as well as in the Nuclear Physics Department. The University office should surely know when a particular Professor is to retire or when his period of contract is to expire. In all such cases, it is the duty of the University administration, in the interests of teaching in the University, to take early steps to recruit qualified persons to fill the ensuing vacancies.

Connected with the question of delay in filling vacant teaching posts is the practice of appointing teachers of other Departments to be 'in-charge' of Departments with which they are not concerned. For instance, the Principal of the University Colleges, who was a professor of Chemistry, functioned for several months as the Head of the Departments of Sanskrit and Hindi. The Department of Political Science which was constituted in 1963 was put in charge of the Professor of History for a considerable time. Anthropology Department was placed under the Professor of Sociology and Social Work who is essentially a specialist in Labour Welfare and Sociology. The Department of Rural Development and Co-operation was likewise placed for a considerable length of time under the Headship of the Professor of Economics who had not specialised in Agricultural Economics or in Co-operation. It may be said in the last three cases, the Professors placed in charge of the Departments of Anthropology, Politics and Rural Welfare and Co-operation were not utter strangers to the Departments in their additional charge. But the point is that none of them undertook teaching in the Departments placed in their

additional charge. Indeed, they were not specialists in the particular subjects to undertake teaching work in the Departments placed in their additional charge. The result was that the students were deprived for a considerable period of time of the benefit of being taught and coached by Professors. The teaching suffered as also the direction of research work in the concerned Departments. All this was the result of delay in filling the vacancies of Professors in the several Departments. Such delays should be avoided in future and the administration should not be content with placing an irrelevant Professor 'in charge' of a Department as a stop-gap merely for routine administrative purposes. The most important function of a University is to teach and guide research in the several Departments and not just to carry on routine administration.

Even in respect of clerical and office-staff, the practice of appointing persons 'in charge' appears to have grown. There are five or six superintendents in the University office who are designated 'In-charge Superintendents'. They are Upper Division Clerks who are not regularly promoted as Superintendents. But they carry on the work of superintendents for which they get an additional allowance of Rs. 25/- a month. It seems to me that this is not a good practice. The persons designated as 'In-charge Superintendents' are not the seniormost Upper Division Clerks. There are several Upper Division Clerks who are their seniors. These senior clerks apprehend that when the question of promoting Upper Division Clerks as Superintendents comes up for consideration, their juniors, who are now designated as 'In-charge Superintendents' may be preferred to them. This apprehension creates discontent in them. This could have been avoided by making regular appointments of Superintendents by promoting qualified Upper Division Clerks, the seniors being preferred, other things being equal.

PRINTING OF THE MINUTES OF THE SENATE MEETINGS

Sri K. V. Gopalaswami has made written representations to the Chancellor on this matter. I should therefore deal with his grievances at some length.

Under Section 60 of Chapter VI of the University Code Vol. I, the minutes of each meeting of the Senate shall be signed by the Chairman of the meeting and the Registrar shall send within six weeks after a meeting, a printed copy of the minutes of that meeting so signed by the Chairman to each member of the Senate. But the printed copies of the minutes of the meeting held on the 6th and 8th December,

1963 were not sent to the members of the Senate till 6th March, 1965. This delay of nearly 14 months ought to have been avoided. The reason that the minutes were too voluminous does not appear to be quite satisfactory considering the long period of time taken and the plentiful staff available in the University office for doing the work. The office should see to it that the printed copies of the minutes are sent to the members of the Senate within the time prescribed by Section 60 of Chapter VI of the University Code Vol. I. In no event should delay of such enormity, as in the instant case, be permitted to occur.

By the time the minutes of the December 1963 Senate meeting were approved for printing, the Ex-Registrar Sri Gopaldaswamy had retired. The draft minutes were not sent to him for approval or signature. Yet, they were printed and sent to the members of the Senate as though they had been signed by Sri Gopaldaswamy, the Registrar. At the foot of the printed minutes the name of Sri K. V. Gopaldaswamy, Registrar, appeared. This ought to have been avoided and the minutes ought to have shown that they were signed by Sri M. V. Rajagopal, who was the Registrar, when the minutes were approved and printed. The other aspect is that the printed minutes contained inaccuracies and important omissions. Some attempt appears to have been made by the office to correct the printed minutes by issuing a corrigendum. But the complaint of Sri Gopaldaswamy still is that all that he said in his speech on the floor of the Senate in December 1963 has not been included in the printed minutes. This complaint overlooks the fact that only an abstract will be included in the minutes and not a verbatim report of the proceedings of the Senate. This permissible practice gives scope for honest difference of opinion in assessing the relative importance of the several statements contained in a particular speech. A passage which the speaker perhaps considered to be of importance may be regarded as of comparatively less importance by the persons who abridges the speech and compiles the minutes of the meeting. The complimentary references made by the Vice-Chancellor to Sri Gopaldaswamy on the eve of his retirement, which were first omitted from the printed minutes, have now been included by way of an addendum. But Sri Gopaldaswamy is not satisfied and he has represented to me that the printed minutes have wholly omitted the idea strongly expressed by him on the floor of the Senate that the resignation by Dr. P. V. Rajamannar of his office of Chairman of the Board of Studies in the Department of Theatre Arts was directly due to the refusal of the Vice-Chancellor to allow Dr. Rajamannar to hold the meetings of the Board of Studies at Madras as had been

done on previous occasions. The learned counsel for the University has told me that if, after going through the notes of the shorthand writers who took down the several speeches delivered at the particular meeting of the Senate, it is found that statements to the above effect had been made by Sri Gopaldaswamy, steps will surely be taken to include them also in the printed minutes by issuing necessary corrections. I think this is a fair attitude to adopt and I have no doubt that the undertaking given by the University administration through their counsel will be carried out in letter and spirit. This should give a quietus to the grievance of Sri Gopaldaswamy.

SERVICE RULES

More than one person has represented to me that Service Rules which affect the teachers and other employees of the University have been kept confidential. This has been denied by the Vice-Chancellor. A member of the Senate has suggested that Service Rules should, in future, be framed by the Senate and not by the Syndicate. I do not think I should recommend a departure from the practice obtaining in several Universities in this regard. But I should strongly say that all the Service Rules must be duly published so that every person sought to be affected by them may know what precisely they are. In the Government, the Service Rules are separately printed and published in handy volumes which are available to the Government servants. If this has not already been done in the University, it must be done very soon, so that every employee may know what are the rules governing the conditions of his service. No amendment to the Service Rules must be kept a secret. On the contrary they must be published as soon as they are made. This will allay and remove the fear that a particular service rule of which the employee is not aware may be invoked against him whenever the University administration thinks fit to do so. The impression that different Service Rules govern employees of the same kind and category will also be removed by the due and prompt publication of the Service Rules and the amendments made to them from time to time.

ELECTIONS TO THE SENATE AND THE SYNDICATE

Some members of the Senate and the Ex-Registrar (Sri K. V. Gopaldaswamy) have told me that the Vice-Chancellor had unfairly interfered and taken a partisan attitude in the elections to the Senate and the Syndicate. These allegations have been firmly repudiated by the Vice-Chancellor in his written reply. It may therefore be only a

homily to say that the Vice-Chancellor should keep a scrupulously dispassionate attitude in regard to the elections and should in no manner interfere with the course of free elections, by favouring one candidate and denouncing another, overtly or otherwise. The principle is so important that it can never be considered unnecessary to state it, if only to help keep it constantly in view.

Indeed, any candidate aggrieved by any malpractice or wrong interference of the Vice-Chancellor in the elections is entitled to approach the Chancellor for setting aside the elections. I should expect the aggrieved persons to resort to this remedy.

This leads me to another kindred question. In challenging the fairness and validity of an election, it may often be necessary to record evidence and assess it and to come to a conclusion. Considering the existing rules relating to the elections in the University, I am not satisfied that an adequate machinery for recording evidence is provided. Arriving at a conclusion on mere affidavits and counter-affidavits may not always be quite satisfactory. The decision of the Chancellor is rightly given finality under the relevant election rules. This makes it all the more necessary that proper investigation should be made which may require the taking of evidence. It is a matter to be considered whether such a machinery should be provided to assist the Chancellor. Perhaps, the Chancellor may appoint an authority of his choice to take evidence and make a report to him which he may consider in arriving at a conclusion, although he will not be bound by the opinion or the findings of that authority. Suitable provisions to this effect may be made by amending and adding to the existing election rules. The qualifications of the authority to be appointed by the Chancellor to record evidence and make a report in an election dispute and perhaps also the class of persons from among whom such authority may be selected, may well be specified in the rules.

S.K.B.R. COLLEGE, AMALAPURAM

The representations made by Sri Ramars, Treasurer of the Governing Body of the Amalapuram College and by Sri G. V. Subba Rao, relate largely to the fight between the two factions in the Governing Body of the College. The efforts of the University to restore harmony did not initially meet with success. Meanwhile, the report of the Auditor appointed by the University disclosed several financial irregularities such as Capital Fund of Rs. 50,000/- being diverted by the College and not reimbursed even after the receipt of the grants

from the Government. The funds out of which the salaries of teachers were to be paid also happened to be diverted for other purposes. The salaries of the teachers were not regularly paid. In view of these and other irregularities, the Syndicate caused a notice of disaffiliation to be issued to the College and appointed a five-man committee to enquire into the affairs of the College and make a report. The Committee submitted its report in August 1963 making certain specific suggestions for the satisfactory administration of the College and for restoring harmony in the Governing Body. The suggestions of the Committee were accepted by the Governing Body. Thus, the discord among the members of the Governing Body ended, and the College has since been working more or less satisfactorily. If the old quarrels are raked up now and blame sought to be apportioned between the several members of the Governing Body, it will serve no useful purpose. On the contrary, it may tend to upset the existing equilibrium and disturb the satisfactory state of affairs now prevailing. I do not therefore think it is necessary or desirable to go into many of the representations made by Sri Ramars and Sri Subba Rao.

I shall however notice the allegation that the two Representatives of the University on the Governing Body of the College have not been adopting a dispassionate attitude but had been taking a partisan interest in the affairs of the college. Even this allegation relates largely to the past period. But by way of abundant caution, I would say that the Vice-Chancellor should impress upon the Representatives of the University who sit on the Governing Body of the college that they should take an impartial attitude and be guided only by the interests of the college. I do not think anything more than this is called for in this case.

I would add that I am not satisfied that the Vice-Chancellor had taken any partisan attitude in the affairs of this college or that he was guided by anything other than the interests of the institution itself. I must also say that I am not satisfied that the Syndicate was influenced by any extraneous considerations in taking action against this college. Notice of disaffiliation was no doubt a rather serious step to take. But I am not able to say the conditions which then prevailed in the college did not justify this step. Indeed, it does not appear that the intention of the University was really to disaffiliate the college but only to restore order and normalcy in its administration. And the action taken by the University eventually succeeded. In the circumstances, I am not inclined to say that the notice of disaffiliation issued by the University was unjustified.

TRAVELLING ALLOWANCE PAID TO A SYNDICATE MEMBER

Dr. P.V.N. Raju, a member of the Senate, has asked me in writing that I should enquire into his allegation that Dr. B. Gopala Reddi was given excess T.A. by the University. I have carefully considered the answer of the Vice-Chancellor and also the oral representations made by the Counsel for the University. I am not satisfied there was any excessive or irregular payment of T.A. to Dr. Gopala Reddi. Nor is there any shread of evidence before me to conclude that Dr. Gopala Reddi claimed T.A. to which he was not entitled under the relevant rules and regulations of the University. It will be unfortunate if any person, from some undisclosed private motive, tries to make use of this enquiry for conducting a veritable inquisition against a person of status and standing in the public.

AFFILIATED COLLEGES

It is perhaps trite to say that affiliation should be accorded only to such colleges which, on proven facts, really merit affiliation. A committee of inspection is usually set up to ascertain all the relevant facts before considering whether a particular college should be given affiliation or not. Such a committee should be composed of eminent and impartial persons such as outstanding Professors in Arts and Sciences and leading educationists. The report of the Committee should be given due weight by the Syndicate. No attempt should be made to bypass the report of the Committee. Nor should an effort be made to neutralise or supersede the report of one committee by appointing another committee, probably comprising of convenient men or men who do not have an open mind. Before another committee is set up, solid reasons must be given by the Syndicate for doing so. If a second inspection is considered necessary, the same committee which made the first inspection should be chosen to make the second inspection also. It is only in a case where the first committee is proved to be disqualified on stated grounds, that a second committee can be thought of. The grant of affiliation to under-serving and ill-equipped colleges will bring down the standard and quality of higher education and impair the reputation of the University. Utmost care and attention should therefore be bestowed by the University on the question of according affiliation to private colleges. In this matter, the Syndicate and the Vice-Chancellor should resist pressures of all kinds and be guided purely by the merits of the case. I am stating all this because disparaging allegations have been made before me regarding the grant of affilia-

tion to J. M. J. College for Women, Tenali and the College of Arts and Sciences, Bapatla. I do not wish to go into the question whether these two colleges were really qualified for affiliation when it was accorded to them. I am more concerned with what should happen hereafter than with what has already taken place. After going through the files relating to the grant of affiliation to these two colleges, I have gained the impression that strict academic tests had not been applied to them before they were accorded affiliation. I must state however that it was only correct that affiliation was refused to them in degree courses in Sciences. They were rightly asked to confine their degree courses to History, Politics and Economics. But one glaring procedural irregularity took place in granting affiliation to Bapatla College in degree courses. That item was not included in the agenda of the Syndicate Meeting held on 25-7-1964. Yet, at that Meeting, Bapatla College was given affiliation in degree courses in History, Politics and Economics. What happened was that affiliation of the J. M. J. College, Tenali was put down in the agenda for the Syndicate meeting of 25-7-1964. While the granting of affiliation in degree courses to that college was being discussed by the Syndicate, the question of according affiliation to Bapatla College was informally raised, and eventually Bapatla College too was granted affiliation. This informal treatment of an important matter like the granting of affiliation to a private college leads one to think that the question was not regarded with the seriousness it deserved but was dealt with rather casually and lightly, although the particular case admitted of doubt and debate. I am sure such lapses will not be permitted to occur in future.

ISSUE OF ORAL ORDERS

It has come to my notice that in a few cases, the Vice-Chancellor had issued oral orders. The reason for so doing is said to be urgency. I am not satisfied this reason is good enough in an established administrative set-up. If a particular matter was considered to be urgent, equally urgent steps should have been taken for the issue of formal written orders. "Urgent files" and "immediate files" are well-known in any administration. The issue of subsequent written orders, after the oral orders have been acted upon, does not cure the irregularity. Written orders should be the inflexible rule. This is especially feasible in a University where the offices of the Vice-Chancellor, the Registrar, the Principal and the Heads of Departments are situated in the University campus itself within a short distance from each other. From a practical point of view, the practice of issuing

oral orders is likely to lead to abuse and confusion. Method and procedure are so important in an administration; and oral orders have no place in its working. That issue of oral orders has not so far led to any evil effects or that it was resorted to by the previous Vice-Chancellor also is but poor consolation. At any time, this practice can lead to awkward situations. It should therefore be eschewed in future.

Another aspect I like to glance at is that none should be permitted to obtain orders directly from the Vice-Chancellor over the heads of his Registrar and other concerned officers of the University. True, the Vice-Chancellor is entitled to overrule his Registrar or the Principal or the Heads of the Departments. But the point is they should be permitted to express their views in writing which the Vice-Chancellor must take into consideration and either accept or reject. This I think is the correct and proper procedure. If this is strictly followed, much suspicion and speculation can be avoided. It will eventually serve to strengthen the administration and to establish a sense of participation and co-operation among all the important officers of the University.

PART - X

CONCLUSION

In the foregoing pages, I have paid attention to almost all matters of importance that came to my notice. I am free to confess that a few minor and unimportant matters have been omitted by me for fear of unprofitably lengthening this report.

The overall picture is, that despite the lapses and irregularities I have discussed in these pages, the University is healthy and strong and has been making steady progress, especially in the field of research in Sciences.

The criticism that the present Vice-Chancellor has been making appointments only on a communal basis and that the community to which he belongs was unduly favoured is not borne out by the statement of facts and figures which I have obtained from the University in respect of the present regime as well as the previous regime. I am sending that statement along with this report. It will show that the difference in this regard between the two regimes is not so great as to call for such a plethora of adverse criticism against the present regime.

Before concluding, I must express my unstinted thanks to the State Government for placing at my disposal an adequate staff to assist me in this enquiry. I must also thank the members of the staff for helping me in this enquiry. I must here record my special appreciation of two members of the staff, namely, the Secretary, Sri Kanaya Pershad and the Personal Assistant, Sri N. Ramachandra Rao. The Secretary, by his pleasant and affable manners and tact in dealing with a number of persons who came to make representations at the enquiry and also by his assiduity and grasp of things, proved himself to be of assistance to me. The Personal Assistant Sri Ramachandra Rao has toiled almost incessantly in connection with this enquiry. In doing so, he cheerfully submitted himself to a great deal of personal inconvenience and also incurred some financial loss.

HYDERABAD }
28-10-1965 }

(Sd.) K. V. GOPALAKRISHNAN NAIR

APPENDIX

PERIOD FROM 1-6-1961 to 31-7-1965

(During the tenure of the present Vice-Chancellor)

Number of appointments made	179
Brahmins	116
Brahmins belonging to the sub- sect of the V.C., i.e., Velanadus	36
Non-Brahmins	63
Non-Brahmins belonging to the Kamma Community	13

PERIOD FROM 1-7-57 to 31-5-1961

(During the tenure of the previous Vice-Chancellor)

Number of appointments made	188
Brahmins	112
Brahmins belonging to the sub- sect of the V.C., i.e., Velanadus	34
Non-Brahmins	72
Non-Brahmins belonging to the Kamma Community	21

NOTE: Information could not be obtained regarding the community of four persons.

