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MINISTRY OF HUMAN
RESOURCE DEVELOPMENT
(DEPARTMENT OF EDUCATION)

NAVODAYA VIDYALAYAS

ESTIMATES COMMITTEE
1994-95

FORTY-SEVENTH REPORT

TENTH LOK SABHA



LOK SABHA SECRETARIAT
NEW DELHI

FORTY-SEVENTH REPORT

ESTIMATES COMMITTEE (1994-95)

(TENTH LOK SABHA)

MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(DEPARTMENT OF EDUCATION)

NAVODAYA VIDYALAYAS

*[Action Taken by Government on the recommendations contained in the
Thirty-Sixth Report of the Estimates Committee (Tenth Lok Sabha) on the
Ministry of Human Resource Development (Department of Education)—
Navodaya Vidyalayas]*



Presented to Lok Sabha on 19.12.1994

LOK SABHA SECRETARIAT
NEW DELHI

December 19th, 1994/Agrahayana 19th, 1916 (Saka)

CORRIGENDA TO FORTY-SEVENTH REPORT OF ESTIMATES
COMMITTEE ON NAVODYA VIDYALAYAS.

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**COMPOSITION OF THE ESTIMATES COMMITTEE
(1994-95)**

CHAIRMAN

Dr. Krupasindhu Bhoi

MEMBERS

2. Shri B. Akber Pasha
3. Shri A. Asokaraj
4. Shri Pawan Kumar Bansal
5. Shri Anadi Charan Das
6. Smt. Saroj Dubey
7. Shri Chhitubhai Gamit
8. Dr. Parshuram Gangwar
9. Shri B.S. Hooda
10. Shri Imachalcmba
11. Shri Barelal Jatav
12. Shri Dau Dayal Joshi
13. Smt. Sumitra Mahajan
14. Shri Suraj Mandal
15. Shri K.M. Mathew
16. Shri B.P. Mehta
17. Shri Ajoy Mukhopadhyay
18. Shri K. Purkayastha
19. Shri Mohan Rawale
20. Shri S. Raychaudhuri
21. Shri K.P.R. Yadav
22. Shri R.S. Shastri
23. Shri Rampal Singh
24. Shri Satya Deo Singh
25. Shri K.D. Sultanpuri
26. Shri P.C. Thomas
27. Shri Arvind Trivedi
28. Shri Lacta Umbrey
29. Shri S.R. Vadde
30. Shri D.P. Yadav

SECRETARIAT

1. Shri S.C. Gupta — *Joint Secretary*
2. Shri K.L. Narang — *Deputy Secretary*
3. Shri R.S. Sharma — *Assistant Director*
4. Smt. Abha Singh Yaduvanshi — *Committee Officer*

INTRODUCTION

I, the Chairman of Estimates Committee, having been authorised to submit the Report on their behalf present this Forty-seventh Report on Action Taken by Government on the recommendations contained in their Thirty-Sixth Report (Tenth Lok Sabha) on the Ministry of Human Resource Development (Department of Education)—Navodaya Vidyalayas.

2. The Thirty-Sixth Report (1993-94) was presented to Lok Sabha on 9th December, 1993. Government furnished their replies indicating action taken on the recommendations contained in that Report on 30th August, 1994. The draft Report was considered and adopted by the Committee at their sitting held on 30th November, 1994.

3. The Report has been divided into the following Chapters:—

- (i) Report.
- (ii) Recommendations/Observations which have been accepted by Government.
- (iii) Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies;
- (iv) Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee; and
- (v) Recommendations/Observations in respect of which final replies of Government are still awaited.

4. An analysis of the Action Taken by Government on the recommendations contained in the Thirty-Sixth Report of Estimates Committee (Tenth Lok Sabha) is given in Appendix I. It would be observed therefrom out of 35 recommendations made in the Report, 27 recommendations *i.e.* 77.14 per cent have been accepted by the Government. The Committee do not desire to pursue 8 recommendations *i.e.* 22.86 per cent in view of Government's replies.

5. facility of reference and convenience, the conclusions/recommendations of the Committee have been printed in the thick type in the body of the Report.

NEW DELHI;
December 9, 1994

Agrahayana 18, 1916 (S)

DR. KRUPASINDHU BHOI,
Chairman,
Estimates Committee.

CHAPTER I

REPORT

1.1 This Report of the Estimates Committee deals with Action Taken by Government on the recommendations contained in their 36th Report (10th Lok Sabha) on Navodaya Vidyalayas, which was presented to Lok Sabha on 23rd November, 1993.

1.2 Action Taken Notes have been received in August, 1994 in respect of all the 35 recommendations/observations contained in the Report. These have been categorised as follows:—

- (i) Recommendations/Observations which have been accepted by the Government:
Sl. Nos. 1,2,3,4,5,8,10,11,13,14,15,16,17,18,19,20,22, 23,25,27,28,29,30,32,33, 34 and 35.
(Total 27, Chapter II)
- (ii) Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies:
Sl. Nos. 6,7,9,12,21,24,26 and 31.
(Total 8, Chapter III)
- (iii) Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee.
NIL
(NIL, Chapter IV)
- (iv) Recommendations/Observations in respect of which final replies are still awaited:
NIL
(NIL, Chapter V)

1.3 The Committee will now deal with Action Taken by Government on some of the recommendations.

Establishment of Navodaya Vidyalayas

Recommendation (Sl No.3, para 1.21)

1.4 While emphasising the need for establishment of at least one school in each district, the Committee had observed that:

“The scheme of Navodaya Vidyalayas provided for establishment of one Navodaya Vidyalaya in each district under the Seventh Five Year Plan. The Committee are constrained to note that even after introducing the scheme of Navodaya Vidyalayas in 1986 the Ministry of Human Resource Development had been able to open only 280 Vidyalayas in 443 districts. 32 Vidyalayas are in the process of being opened and proposal for another 55 Vidyalayas is pending with various State Governments/Central Government

authorities. The Committee recommend that at least one school in each of the districts as envisaged in the National Education Policy, 1986 should be started without any further delay and necessary finances provided to the Navodaya Vidyalayas Samiti, an Autonomous Society registered under the Societies Registration Act (XXI of 1860) under the Ministry of Human Resource Development, responsible for running the Navodaya Vidyalayas.”

1.5 The Ministry in their reply have stated as follows:

“It is true that the scheme of Navodaya Vidyalayas provided for establishment of one Navodaya Vidyalaya in each district. The effort of the NVS is to provide a Navodaya Vidyalaya in each district, at the earliest. Upto 1.12.94, 359 Navodaya Vidyalayas have been sanctioned against 444 districts (excluding West Bengal and Tamil Nadu who have not yet opted to join the scheme).

While obtaining approval of the Cabinet during every plan period, as per the policy of the Government for all the ongoing schemes, approval is also obtained for opening schemes, approval is also obtained for opening a specific number of Navodaya Vidyalayas every year because this has implications for creation of new posts and requirement of financial resources. The Cabinet has approved the opening of one Navodaya Vidyalaya on an average in each of the districts with physical target of 50 per year during first three years of the 8th plan period. It is submitted that opening of new Navodaya Vidyalayas is limited by two other factors, firstly availability of sufficient number of offers from the State Governments for land for permanent building and for temporary accommodation and secondly, by the budgetary allocation available to the NVS through the Annual Plan as reflected in the budget of the Government. Within these limitations the NVS has been trying to provide a Navodaya Vidyalaya to every district at the earliest.”

1.6 The Committee in their earlier Report had recommended that at least one Navodaya Vidyalaya in each district as envisaged in the National Education Policy, 1986 should be started without any further delay and necessary finance provided to Navodaya Vidyalayas Samiti. These Navodaya Vidyalayas were to be established in each district under the Seventh Five Year Plan. A physical target of 50 Navodaya Vidyalayas per year has been set for the first three years in the Eighth Plan period. Upto 1.12.94, 359 Navodaya Vidyalayas have been sanctioned against 444 districts (excluding West Bengal and Tamil Nadu who have not yet opted to join the scheme).

1.7 The Committee deprecate the unconscionable delay in establishment and opening of one Navodaya Vidyalaya in each of the districts as envisaged in the National Education Policy of 1986. *They would like to be apprised as to how many Vidyalayas have actually started functioning and what specific measures are proposed to be taken in order to ensure that each district is provided with a Navodaya Vidyalaya. They also desire that a time bound programme be chalked out for the early completion of the Vidyalayas which have already been sanctioned and are at various stages of completion. The Committee would like to be apprised of the same with in a period of six*

months. The Committee also desire that views of the State Government of West Bengal and Tamil Nadu who have not opted to join the scheme of Navodaya Vidyalayas might also be ascertained and furnished to the Committee.

Inclusion of Members of Parliament in the Samiti

Recommendation (Sl. No. 8, Para 2.92)

1.8 The Committee had recommended as follows:

“According to Memorandum of Association, the Society consists of 22 Members with the Minister of Human Resource Development as its Chairman. From the list of Members who can be included as Members of the Samiti, the Committee are surprised to find that there has not been any representation of parents, public men and women of eminence. Even in the Advisory Committee there was no representation for the people’s representatives particularly Members belonging to Lok Sabha and Rajya Sabha. However, the Ministry of Human Resource Development have in a note informed the Committee that the suggestions regarding including elected representatives in the Samiti would be placed before it for its consideration. The Committee would like to know whether the relevant rules in this regard have been amended and if so, whether necessary instructions have been issued for inclusion of elected representatives in the Society. The Committee recommend that 5 eminent educationists of whom at least two are not in Government service, two Members of Lok Sabha and one Member of Rajya Sabha should be included in the Samiti as Members.”

1.9 In their Action Taken reply, the Ministry have stated as follows:

“Rule 2 (XIII-VI) of the Memorandum of Association of the Navodaya Vidyalaya Samiti already provides for nomination of four educationists Scientists in the Samiti. Generally eminent educationists who are not in Government service are nominated. The Samiti in its Vth meeting held on 22nd July, 1994 has approved the amendment of the Rules of Navodaya Vidyalaya Samiti to provide for nomination of one Member of Parliament from Lok Sabha and one Member of Parliament from Rajya Sabha. The decision will be effected within next few weeks.”

Recommendation

1.10 In regard to representation in the Samiti, the Committee in their Report had *inter-alia* recommended that two Members of Lok Sabha and one Member of Rajya Sabha should be included in the Navodaya Vidyalaya Samiti as Members. The Samiti in their meeting held in July, 1994, has approved the amendment to the Rules of Navodaya Vidyalaya Samiti to provide for nomination of one Member of Parliament each from Lok Sabha and Rajya Sabha. In accordance with the established convention of representation of Parliament and keeping in view strength of Members in both the Houses, two Members of Lok Sabha against one Member of Rajya Sabha are always nominated on any Government Body. The Committee, therefore, recommend that two Members from Lok Sabha should be

included in the Samiti. Since Navodaya Vidyalayas are co-educational institutions, the Committee are of the view that one Member from Lok Sabha should be a lady Member. The Committee would also like to be apprised of the decision taken in this regard.

Appointment of Vice-Chairman and Adoption of Rules of Navodaya Vidyalayas Samiti

Recommendation (Sl. No. 10, Para 2.94)

1.11 Regarding the appointment of Vice-Chairman of the Society as per Rule 2 (ii) of the Rules of Navodaya Vidyalaya Samiti the Committee made the following observations/recommendations:

“As per Rule 2(ii) of the Rules of Navodaya Vidyalaya Samiti Vice-Chairman of the Society is to be nominated by the Ministry of Human Resource Development. The Committee are surprised to note that the Ministry have not made any nomination under the Rules so far. During evidence, the representative of the Ministry informed the Committee that the proposal for the appointment of Vice-Chairman was under consideration of the Ministry. The Committee would like to know whether any decision has been taken in the matter. As the Vice-Chairman of the Society has not been nominated so far, the Committee would also like to know whether all the twenty-two Members have been nominated in the Society and if so, their details may be furnished to them. As per rules of the Samiti, meetings of the Samiti are to be presided by the Chairman and in his absence by Vice-Chairman and in the absence of both, Members of the Samiti are empowered to select anybody amongst them to act as Chairman for that meeting. However, in one of the meetings when the Chairman was absent, the Secretary (Education) was called upon to preside over the meeting, inspite of the fact that he was not the member of the Samiti but was present as a special invitee. It is incomprehensible to the Committee as to how the decisions taken in the aforesaid meeting could legally be implemented particularly when it was not chaired by an authorised person. The Committee desire that responsibility should be fixed for the serious lapse under intimation to them.”

1.12 The Ministry in their reply have stated:

“As regards the appointment of Vice-Chairman the matter is still under consideration of the Government.

The Minister as Chairman was not in a position to attend the meeting on 21.3.1991 and he had requested the Education Secretary to conduct the meeting. This was done. The Samiti has ratified the minutes of this meeting in its meeting held on 24.5.93. Thus the proceedings of the meeting of 21.3.91 have been duly validated. The

NVS has taken note of the observations made by the Estimates Committee and it will take care that in future if the Chairman is not available for some meeting, the meeting should be presided over by the Vice-Chairman or a member of the Navodaya Vidyalaya Samiti

Recommendation

1.13 The Committee deprecate that despite the fact that more than two years have elapsed since the oral evidence was taken, the post of Vice-Chairman of Navodaya Vidyalayas Samiti continues to be vacant and the matter is reported to be still under the consideration of the Ministry. It is a sad reflection on the working of the Ministry and is indicative of casual approach on their part. *The Committee desire that the nomination of the Vice-Chairman should now be made without any further loss of time.*

Implementation of Recommendations

1.14 The Committee would like to emphasise that the greatest importance has to be attached to the implementation of recommendations accepted by Government. They, therefore, expect that Government should take steps in this regard. In cases where it is not possible to implement the recommendations in letter and spirit for any reason, the matter should be reported to the Committee in time with reasons for non-implementation.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendations Sl. No. 1 & 2 (Para 1.19 & 1.20)

The Committee note that the National Education Policy 1986 provided for the establishment of pace setting schools where good Quality education could be imparted to talented children from rural areas to enable them to proceed at a faster pace, irrespective of their capacity to pay for it. These schools were to be established in various parts of the country on a given pattern, but with full scope for innovation and experimentation. It was provided in the policy that these schools would be residential and co-educational institutions, primarily for children from rural areas. Education in these schools (Navodaya Vidyalayas) including boarding and lodging, as well as expenses on uniform, text-books, stationery, rail/bus fare from and to the home etc. would be free for all students.

Admission to Navodaya Vidyalayas is made at the level of class VI on the basis of a test designed and conducted by NCERT. Atleast 75% of the seats in a district are to be filled by candidates selected from rural areas. Reservation of seats in favour of children belonging to SC and ST is to be provided in proportion to their population in the concerned district provided that in no district such reservation would be less than the national average. The medium of instruction would be mother-tongue and regional language, upto Class VIII and thereafter the common medium in all Navodaya Vidyalayas would be Hindi for Social Studies and Humanities and English for Mathematics and Science. The National Education Policy 1986 also provides migration of 20% students at the IXth Class level from the Navodaya Vidyalaya to another located in different linguistic region with a view to promote national integration.

Reply of the Government

These are the statements of facts and the Ministry accepts the facts.

[O.M. No. F. 9—17/91. U.T 2, dated 30th August, 1994]

Recommendation Sl. No. .3 (Para 1.21)

The scheme of Navodaya Vidyalayas provided for establishment of one Navodaya Vidyalaya in each district under the Seventh Five Year Plan. The Committee are constrained to note that even after introducing the scheme of Navodaya Vidyalayas in 1986 the Ministry of Human Resource Development had been able to open only 280 Vidyalayas in 443 districts.

32 Vidyalayas are in the process of being opened and proposal for another 55 Vidyalayas is pending with various State Governments/Central Government Authorities. The Committee recommended that at least one school in each of the district as envisaged in the National Education Policy, 1986 should be started without any further delay and necessary finances provided to the Navodaya Vidyalaya Samiti, an Autonomous Society registered under the Societies Registration Act (XXI of 1860) under the Ministry of Human Resource Development, responsible for running the Navodaya Vidyalayas.

Reply of the Government

It is true that the scheme of Navodaya Vidyalayas provided for establishment of one Navodaya Vidyalaya in each district. The effort of the NVS is to provide a Navodaya Vidyalaya in each district at the earliest. At present, 350 Navodaya Vidyalayas have been sanctioned against 444 districts (excluding West Bengal and Tamil Nadu who have not yet opted to join the scheme).

While obtaining approval of the Cabinet during every Plan period, as per the policy of the Government for all the ongoing schemes, approval is also obtained for opening a specific number of Navodaya Vidyalayas every year because this has implications for creation of new posts and requirement of financial resources. The Cabinet has approved the opening of one Navodaya Vidyalaya on an average in each of the districts with physical target of 50 per year during first three years of the 8th Plan period. It is submitted that opening of new Navodaya Vidyalayas is limited by two other factors, firstly availability of sufficient number of offers from the State Governments for land for permanent building and for temporary accommodation and secondly, by the budgetary allocation available to the NVS through the Annual Plan as reflected in the budget of the Government. Within these limitations, the NVS has been trying to provide a Navodaya Vidyalaya to every district at the earliest.

[O.M. No. F. 9—17/91. UT. 2, dated 30th August, 1994]

Recommendation Sl. No. 4 (Para 1.22)

The Committee also desire that the pace-setting role of Navodaya Vidyalayas should be activated and vocational courses started in all these Vidyalayas so that the very purpose of setting up of these Navodaya Vidyalayas is not defeated.

Reply of the Government

The recommendation of the Committee has been accepted and noted for compliance. To promote the pace-setting role of the Navodaya Vidyalayas, the NVS has appointed an expert group to work out a mechanism and guidelines for interaction between the local schools and the Navodaya Vidyalayas so that the benefit of good facilities and arrangements in Navodaya Vidyalayas can be effectively passed on to local schools. Also, the NVS is intending to set up in-service training institutions for its teachers and officers on regional basis. This facility is proposed to be made available on a selective basis to schools of the neighbourhood.

The NVS is trying to provide vocational education in Navodaya Vidyalayas. In this connection, it may be appreciated that a Navodaya Vidyalaya starts with class VI and only one class is added every year. Vocational courses are at +2 level and, therefore, the stage for starting vocational courses comes only five years after a school has been started. Also, to provide competent guidance and support as also to monitor the implementation of vocational courses, Samiti has decided recently to obtain the assistance of a part-time expert educationist (vocational education) in the Headquarters. The Samiti proposes to vigorously pursue arrangements for vocational courses in the Navodaya Vidyalayas.

[O.M. No. F. 9—17/91. UT. 2, dated 30th August, 1994]

Recommendation Sl. No. 5 (Para 1.23)

The Committee may also be informed whether order regarding necessary reservations for SC/ST and rural students as provided in the National Education Policy, 1986, are actually being implemented.

Reply of the Government

The Navodaya Vidyalaya Samiti meticulously observes the provision of reservation for SC/ST and rural students. The scheme of Navodaya Vidyalaya provides at least 75% students to be from the rural areas and each school to provide reservation for SC/ST in proportion to the percentage of such population in the district and subject to the minimum of national norm of 15% for SC and 7 1/2% to be for ST.

In 1992-93, 77.4% of the students in all the Navodaya Vidyalayas were from rural areas. 20.6% of the students were from SC category and 11.7% from ST category. It would be seen that reservation provisions in the scheme are being fully implemented.

[O.M. No. F. 9—17/91. UT. 2 dated 30th August, 1994]

Recommendation Sl. No. 8 (Para 2.92)

According to Memorandum of Association, the Society consists of 22 Members with the Minister of Human Resource Development as its Chairman. From the list of Members who can be included as Members of the Samiti, the Committee are surprised to find that there has not been

any representation of parents, public men and women of eminence. Even in the Advisory Committee there was no representation for the people's representatives particularly Members belonging to Lok Sabha and Rajya Sabha. However, the Ministry of Human Resource Development have in a notice informed the Committee that the suggestions regarding including elected representatives in the Samiti would be placed before it for its consideration. The Committee would like to know whether the relevant rules in this regard have been amended and if so, whether necessary instructions have been issued for inclusion of elected representatives in the Society. The Committee recommended that 5 eminent educationists of who at least two are not in Government service, two Members of Lok Sabha and one Member of Rajya Sabha should be included in the Samiti as Members.

Reply of the Government

Rule 2(XIII-XVI) of the Memorandum of Association of the Navodaya Vidyalaya Samiti already provides for nomination of four educationists/Scientists in the Samiti. Generally eminent educationists who are not in Government service are nominated. The Samiti in its Vth meeting held on 22nd July, 1994 has approved the amendment of the Rules of Navodaya Vidyalaya Samiti to provide for nomination of one Member of Parliament from Lok Sabha and one Member of Parliament from Rajya Sabha. The decision will be effected within next few weeks.

[O.M. No. F. 9—17/91. UT. 2, dated 30th August, 1994]

Recommendation Sl. No. 10 (Para 2.94)

As per Rule 2(ii) of the Rules of Navodaya Vidyalaya Samiti Vice-Chairman of the Society is to be nominated by the Ministry of Human Resource Development. The Committee are surprised to note that the Ministry have not made any nomination under the Rules so far. During evidence, the representative of the Ministry informed the Committee that the proposal for the appointment of Vice-Chairman was under consideration of the Ministry. The Committee would like to know whether any decision has been taken in the matter. As the Vice-Chairman of the Society has not been nominated so far, the Committee would also like to know whether all the twenty-two Members have been nominated in the Society and if so, their details may be furnished to them. As per rules of the Samiti, meetings of the Samiti are to be presided by the Chairman and in his absence by Vice-Chairman and in the absence of both, Members of the Samiti are empowered to select anybody amongst them to act as Chairman for that meeting. However, in one of the meetings when the Chairman was absent, the Secretary (Education) was called upon to preside over the meeting, inspite of the fact that he was not the member of the Samiti but was present as a special invitee. It is incomprehensible to the Committee as how the decisions taken in the aforesaid meeting could legally be implemented particularly when it was not chaired by an

authorised person. The Committee desire that responsibility should be fixed for the serious lapse under intimation to them.

Reply of the Government

As regards the appointment of Vice-Chairman the matter is still under consideration of the Government.

The Minister as Chairman was not in a position to attend the meeting on 21.3.1991 and he had requested the Education Secretary to conduct the meeting. This was done. The Samiti has ratified the minutes of this meeting in its meeting held on 24.5.93. Thus the proceedings of the meeting of 21.3.91 have been duly validated. The NVS has taken note of the observations made by the Estimates Committee and it will take care that in future if the Chairman is not available for some meeting, the meeting should be presided over by the Vice-Chairman or a member of the NVS. The list of the present members of the samiti is placed at page 11.

[O.M. No. F. 9—17/91. UT. 2 dated 30th August, 1994]

NAVODAYA VIDYALAYA SAMITI MEMBERS OF THE SOCIETY

- | | | |
|--------|--|---|
| (i) | Minister in the Ministry of Human Resource Development...Chairman | Shri Arjun Singh |
| (ii) | Vice-Chairman of the Society to be nominated by the Government of India | Vacant |
| (iii) | Representative of the Ministry of Human Resource Development | Shri Y.N. Chaturvedi
Addl. Secretary Deptt. of Education |
| (iv) | Representative of the Ministry of Finance (<i>Ex-officio</i>)...Financial Member | Ms. Sujata Chauhan
Financial Adviser Deptt. of Education |
| (v) | Chairman, Central Board of Secondary Education (<i>Ex-officio</i>) | Shri B.P. Khandelwal |
| (vi) | Director, National Institute of Educational Planning and Administration (<i>Ex-officio</i>) | |
| (vii) | Director, National Council of Educational Research and Training (<i>Ex-officio</i>) | Dr. A.K. Sharma |
| (viii) | Commissioner, Kendriya Vidyalaya Sangathan | Ms. Lizzie Jacob |
| (ix-x) | Two Education Secretaries of State/UT Govts. to be nominated by the Ministry of Human Resource Development | Commissioner & Secretary, Education Deptt. Govt. of Assam |

- | | | |
|---------|---|---|
| (xi) | Two Directors of Public Instructions
or | Education Secretary,
Government of Madhya
Pradesh
Director of Public Instruc-
tions, Govt. of Haryana |
| (xii) | Directors of Education of State/UT
Govts. to be nominated by the Minis-
try of Human Resource Development | Director of Public Instruc-
tions, Govt. of
Maharashtra |
| (xiii) | Four Educationists/Scientists to be
the | Mrs. S. Chona |
| (xvi) | Ministry of Human Resource
Development | Mrs. Zoya Hassan
Shri Vishnu Rajoria, Shri
Sardul Singh |
| (xvii) | Two representatives from the
Industry | Sh. Umesh Babu Patel |
| (xviii) | To be nominated by the Ministry of
Human Resource Development | Shri Kamal Meattle |
| (xix) | Two Principals of Navodaya
Vidyalaya | Ms. R. Nair |
| (xx) | To be nominated by the
Ministry of Human Resource
Development | Sh. K. Sadagopan |
| (xxi) | Director of the Society (<i>Ex-officio</i>) | Ms. Neeru Nanda |
| (xxii) | Joint Director (Admn.) and (<i>Ex-
officio</i>) Secretary of the Society. | Vacant |

Recommendation Sl. No. 11 (Para 2.95)

The Committee note that as per the Rules of the Samiti, the Executive Committee is required to meet once in 3 months and the Samiti once in a year. However, there had been a total of 11 meetings of Executive Committee and 3 meetings of the Samiti during the last 6 years. This is clearly indicative of lackadaisical approach of the Government towards the working of Navodaya Vidyalayas. The Committee desire to know the reasons for not calling for the meetings of the Samiti and the Executive Committee as per the Rules of the Navodaya Vidyalaya Samiti. They need hardly emphasise that the meetings of the Executive Committee and the Samiti should be held as provided in the Rules of the Samiti so that important decisions are not delayed and members of these bodies have a real feeling of participation.

Reply of the Government

Every effort is made to ensure that the meetings of the Executive Committee and the Samiti are held as per provisions of the rules of the Memorandum of Association. The meetings of the Executive Committee and Samiti could not be held regularly in the past. Regular meetings are now being attempted by the Navodaya Vidyalaya Samiti in accordance with Memorandum of Association/Rules of the Organisation. Meeting of the Samiti was held on 24.5.93 and the last meeting was held on 22nd July, 1994. A meeting of the Samiti had also been proposed for August, 1993 and then for October, 1993 but did not materialise because the Chairman was not available.

The Executive Committee has met 14 times since inception, the last being on 22nd July' 94.

[O.M. No. F 9—17/91 UT. 2 dated 30th August, 1994]

Recommendation Sl. No. 13 (Para 2.97)

National Integration is one of the important features of the scheme of Navodaya Vidyalayas. Whereas this objective can be achieved in numerous ways the Navodaya Vidyalaya Scheme considers the achievement of National Integration by providing an opportunity to the students, at an impressionable age, to live and learn alongwith their peers from States other than their own. The scheme, therefore, provides for migration of 20% students at the IXth Class level from one Navodaya Vidyalaya to another located in a different linguistic region. The Committee would like to know as to how many students have been migrated from one school to another and whether there was any hesitation amongst the students for going from one region to another. If so, the steps taken by the Government to make the scheme popular may be intimated to the Committee.

Reply of the Government

The Navodaya Vidyalaya Samiti started by attempting to migrate 20% of the students from one school to another school in a different language zone. This was intended for four years beginning with class IX and going upto class XII. For the purpose of such exchange, pairs of schools were established, with one school in the Hindi-speaking States and the other in a non-Hindi-speaking State. However, there has been reluctance among students and parents in some cases when one of the schools has been in a disturbed area due to terrorist problem or due to law and order problem. For some years, most schools in Punjab and in parts of Haryana were affected like this. Presently schools in Srinagar valley in J&K and some schools in North-East are similarly affected. Recently, another problem has been presented in some States that at the end of class XII many students

want to appear in pre-engineering or pre-medical examination but the concerned State Government requires the students to have studied for four preceding years in the State. The migrated students are put to disadvantage due to this requirement. Due to these reasons, the Navodaya Vidyalaya Samiti has held the scheme of migration in abeyance for schools located in disturbed areas. It is examining in consultation with the CBSE whether to restrict the migration to two years and allow the migrated students to appear for Board examinations from their parent schools. The attempt of the NVS is to finalise the modified scheme of migration in next few months for being implemented soon thereafter.

The scheme of migration began in 1988-89 with 31 students covering two schools. In 1991-92, 3452 students migrated, in 1992-93, 4203 students migrated and in 1993-94, 3079 students migrated.

O.M. No. F. 9-17/91. UT. 2 dated 30th August, 1994.

Recommendation Sl. No. 14, 15, 16 & 17 (Para Nos. 2.98, 2.99, 2.100 & 2.101)

The Navodaya Vidyalayas are residential school and efforts are made by the authorities concerned to ensure that atleast 1/3 of the students in each Navodaya Vidyalayas are girls. During their study tour to various States, there have been complaints of alleged molestation/rape of girls students and lady members of the staff that too in some cases by teachers/principals of these Navodaya Vidyalayas. Such news have been appearing in the Press also from time to time. What is most surprising is the fact that the Authorities concerned have been remiss in taking action against the teachers/principals and other staff involved. The Committee recommend that as and when such complaints are received, the same should be got investigated by a Senior Officer and exemplary punishment imposed on all those who are involved in these cases without any delay. Needless to say, authorities found responsible for suppressing these complaints for not taking action should also be awarded severe punishment. As such cases are of a highly sensitive nature and require to be handled with great care and caution, the Committee recommend that a committee consisting of Members of Parliament, educationists, parents and eminent men and women should immediately be constituted to consider the issue and to suggest remedial measures.

The Committee have also been informed that a high powered committee chaired by the Additional Secretary of the Department of Education went into the question of modifying the existing disciplinary procedure against members of staff involved in moral offence with students or other staff members and it was decided that the Navodaya Vidyalaya Samiti should

adopt provisions similar to those adopted in Kendriya Vidyalaya Sangathan in partial modifications of Disciplinary Control & Conduct Service Rule, 1965. The recommendation of the Committee has also been approved in principle by Ministry of Human Resource Development. The Committee would like to know whether the above provisions have been incorporated in the Disciplinary Rules by the Executive Committee and if so, a copy thereof may be sent to the Committee for their perusal.

The Committee are also of the view that Navodaya Vidyalaya Samiti/the Ministry of Human Resource Development should keep a continuous watch and monitor the action taken on the complaints/allegations of molestation/rape of the girl students irrespective of whether there are written complaints or not. It is also suggested that teachers/principals should be directed not to call a girl student in their room or their houses individually and counselling of these girl students should be done through responsible and senior lady teachers/qualified lady doctors.

Reply of the Government

Whenever a complaint regarding molestation/exhibition of immoral behaviour is received from the Vidyalaya or any other source, the same is immediately investigated. All these cases are attended to on top priority. In case of teachers, necessary disciplinary measures are taken at the level of the concerned regional office and in case of Principals, action is at the level of Samiti Head-quarters.

The Navodaya Vidyalaya Samiti has constituted a Committee under the Chairpersonship of Dr. Padma Seth, Member, National Commission on Women to suggest action points on matters relating to moral offences. Other members of the Committee are:—

1. Padmashree (Mrs) Omen Moyong Deori.
2. Mrs. Protima Bhushan, Chairperson, State Social Welfare Board, Port Blair.
3. Miss Neeru Nanda, Director, Navodaya Vidyalaya Samiti.
4. Dr. M. P. Chhaya, Education Consultant, Vadodara.
5. Shri L. A. Vyas, Educationist, Dehradun.

6. Ms. H. P. Shyamala, Principal, Jawahar Navodaya Vidyalaya, Faridabad (Haryana).
7. Ms. R. Nair, Principal, Jawahar Navodaya Vidyalaya, Ernakulam, Kerala.
8. Shri C.A.S. Raghawan, Deputy Director (Pers), Navodaya Vidyalaya Samiti.

A proposal to provide for summary enquiry in cases involving sexual offences/exhibition of immoral behaviour was placed before Executive Committee in its meeting held on 24th May, 1993 for the suitable amendment of CCS(CCA) Rules, 1965 and to provide for summary trial in certain cases including offences relating to moral turpitude. The proposal has since been approved by the Executive Committee and notified by the Samiti. A copy of the same is placed below.

Strict instructions have already been given vide Samiti's letter dated 8th April, 1993 to the Principals of the Vidyalayas that girl students should not be asked by male teachers to visit their rooms/residences individually and counselling of these girls should be done through responsible lady teachers.

Executive Committee of the Samiti has since approved the creation of posts of Matrons at its meeting held on 24th May, 1993. Further necessary action is being taken to provide Matrons to Navodaya Vidyalayas for looking after the girls students.

No. F. 9-17/91. UT. 2 dated 30th August, 1994.

Notification

The Executive Committee of the Samiti at its meeting held on 12th January, 92 had approved adoption of Central Govt. Rules and Regulations in the service matters of the employees of the Samiti *mutatis-mutandis* till such time the Samiti Framed its own rules and regulations. The above decision of the Executive Committee had been notified to all concerned vide No. F. 6-1/92-NVS(Admn.) dated 30th March, 1993.

It has further been decided with the approval of the Executive Committee that the relevant provisions of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, as amended from time to time, which are applicable to all members of the staff of the Samiti, *mutatis-mutandis*, shall be suitably amended to provide for special procedure in certain types of cases. Accordingly the provisions of Central Civil Services (Classification, Control and Appeal) Rules, 1965 as applicable to the employees of the Samiti, relating to procedure for imposing penalties will stand amended to provide for special procedure in certain types of cases as enunciated below:

- A—(i) In cases of a purely temporary employee who is known to be of doubtful integrity or conduct but where it is difficult to bring forth sufficient documentary or other evidence to establish the charges, and whose retention in the Vidyalaya, etc. will be prejudicial to the interest of the Institution;

- (ii) In the case of a temporary employee suspected of grave misconduct, where the initiation of regular proceedings against him in accordance with the provisions of CCS(CCA) Rules, 1965 is likely to result in embarrassment to a class of employees and/or is likely to endanger the reputation of the Institution; and

The appointing authority may record the reasons for termination of the services of the employee in its own record and thereafter terminate the services of the employee under the terms of appointment without assigning any reason. Where the appointing authority is the Principal, action to terminate the services of an employee under the terms of appointment, shall be taken only after obtaining the prior approval of the Deputy Director.

(B)—Whenever the Director is satisfied, after such summary enquiry as he deems proper and practicable in the circumstances of the case, that any member of the Navodaya Vidyalaya is *prima facie* guilty of moral turpitude involving sexual offence or exhibition of immoral sexual behaviour towards any student, he can terminate the services of that employee by giving him one month's or three months' pay and allowances depending upon whether the guilty employee is temporary or permanent in the services of the Samiti. In such cases, procedure prescribed for holding enquiry for imposing major penalty in accordance with CCS(CCA) Rules, 1965, as applicable to the employees of Navodaya Vidyalaya Samiti, shall be dispensed with, provided, that the Director is of the opinion that it is not expedient to hold regular enquiry on account of serious embarrassment to the student or his guardians or such other practical difficulties. The Director shall record in writing the reasons under which it is not reasonably practicable to hold such enquiry and he shall keep the Chairman of the Samiti informed of the circumstances leading to such termination of services.

The above provisions will take effect from the date of issue of this notification.

Sd.
(NEERU NANDA)
DIRECTOR

Copy to:—

1. All Officer of Samiti.
2. All Regional Offices of the Samiti to bring the contents of this circular to all concerned.
3. Principals of all JNVs to ensure that this notification is read by

all the staff of the Vidyalayas and to obtain their full signatures as a token of having read the same.

Recommendation Sl. No. 18 (Para No. 2.102)

Keeping in view the fact that Navodaya Vidyalayas are set up in remote areas as co-educational institutions, the Committee are of the firm view that a boundary wall around these Vidyalayas should be constructed so as to provide safety and security to the girl students.

Reply of the Government

Due to resource constraints, Samiti had earlier decided to take up the construction of compound wall wherever District Administration deposits 50% cost of construction of compound wall. In most of the cases 50% contribution of local administration was not coming-forth or came very late after a lot of pursuance with them. This was causing considerable delay in construction of compound walls. The matter was reviewed and it has been recently decided that construction of entire compound wall may be taken up by the Samiti without insisting on 50% share of the local administration. Construction of compound walls is being taken up in phases keeping in view availability of funds. Priority is being given to those Vidyalayas located in remote places, Vidyalayas prone to security problems and also to those Vidyalayas where construction work in Vidyalayas is nearing completion.

[O.M. No. F.9-17/91, UT.2 dated 30th August, 1994.]

Recommendation Sl. No. 19 (Para No. 2.103)

From the statements furnished by the Ministry of Human Resource Development, the Committee note with concern that there have been 30 vacancies of Principals, 496 vacancies of Post Graduate Teachers, 738 vacancies of Trained Graduate Teachers and 404 vacancies of other teachers in Navodaya Vidyalayas and the total number of vacancies are about 30% of the sanctioned strength. It is not understood as to how in the absence of the requisite number of teachers the Government could think to make the Navodaya Vidyalaya Scheme a success. The Committee strongly recommend that all these vacant posts in these schools be filled up on priority basis under intimation to them.

Reply of the Government

As noted by the Committee 30% of the posts of teachers were lying vacant in various Vidyalayas at the time of submission of information to the Committee. Sincere efforts have been made by the Samiti to fill up the vacancies in the recent past, notwithstanding the fact that there has been

considerable expansion in the Vidyalayas not only in terms of the number of Vidyalayas but also in upgradation of the Vidyalayas to +2 stage. The position of Vidyalayas during last three years was as under:—

<i>As on</i>	<i>No. of Vidyalayas</i>	<i>No. of Vidyalayas at +2 stage</i>
31.3.92	280	02
31.3.93	324	83
31.3.94	350	179

Opening of new Vidyalayas and upgradation to +2 stage involves creation of more posts of teachers. However, over the years the staff position has improved progressively. The number of vacancies as on 31.3.93 was 25.2% of the sanctioned posts and as on 1.4.94 the number of vacancies came down to 24.5%. It is also submitted that Samiti has issued an advertisement in December, 1993 for making appointments of 485 posts of TGTs and Misc. categories of teachers. Interviews for these have already been held. After joining of the selected candidates the vacancy position is likely to improve further.

The staff position in various JNVs as on 1.1.94 was as under:—

	<i>Sanctioned</i>	<i>In position</i>	<i>Vacant</i>
Principal	328	307	21
PGTs	1954	1345	609
TGTs	2900	2225	675
Misc. Categories	1773	1367	406

From the above, it is submitted that inspite of the increase in the number of Vidyalayas and upgradation of Vidyalayas the number of vacancies in some categories has actually come down. Samiti is issuing another notification very shortly for filling up the existing vacancies and the number of vacancies is likely to come down further.

The Navodaya Vidyalaya Samiti will take care to see that in further the vacancies are filled up expeditiously.

[O.M. No. F.9-17/91, UT.2 dated 30th August, 1994.]

Recommendation Sl. No. 20 (Para No. 2.104)

During the visit of the Committee to various Navodaya Vidyalayas, it was noticed by them that the teachers of the Vidyalayas were more interested in their promotions, postings etc., and they did not care to tell the problems they were facing in imparting good education to the students of their Vidyalayas. The Committee, therefore, desire that Navodaya

Vidyalaya Centre Samiti should give preference to meritorious, devoted and selfless teachers.

Reply of the Government

The recommendation of the Committee has been noted for necessary action. Even more attention will be paid during recruitment in future to recruit such persons.

Steps are also being taken to set up Zonal Training Institutes to provide continuous inservice training for developing necessary motivation and skills in teachers employed in the Navodaya Vidyalayas. Rules relating to promotion/selection and recruitment of teachers are being reviewed so as to ensure selection of teachers who are suitable to work in the Navodaya Vidyalayas.

Monitoring and supervision in the Samiti are also being strengthened to ensure better supervision of teachers' work.

[O.M. No. F. 9-17/91. UT. 2 dated 30th August, 1994]

Recommendation Sl. No. 22 (Para No. 2.106)

As regards opening of new Navodaya Vidyalayas it has been found that the Chairman of the Samiti approved provisional list of schools which are to be opened during the year. However, Director of Navodaya Vidyalayas Samiti processes these cases and obtains Chairman's orders. The Committee are of the view that the list of schools to be opened in ensuing year should be got approved by the Executive Committee/Samiti Members in advance and those Districts, where Navodaya Vidyalayas have not been opened so far should be given priority.

Reply of the Government

As recommended by the Estimate Committee, since 1992-93, the Executive Committee of the Samiti approves the list of districts where Vidyalayas are to be opened. However, the administrative sanction for opening of the Vidyalayas are issued with the approval of the Chairman, only in those districts where the minimum essential physical facilities were provided by the State Govt.

[O.M. No. F. 9-17/91 UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 23 (Para No. 3.23)

From the material furnished to the Committee, it is seen that 213 Vidyalayas out of 261 Vidyalayas opened upto March, 1991, were accorded sanction for the construction of buildings by the Navodaya Vidyalaya Samiti, whereas only 130 Vidyalayas were functioning at the permanent site. The Committee are unhappy on this state of affairs. In this connection, the Ministry of Human Resource Development have stated that works on some Vidyalayas could not be started either due to delay in providing land by the state Governments or due to delay in preparing some special building design by the Central Building Research Institute.

The Committee recommend that any new Navodaya Vidyalaya should be sanctioned only after land has been provided by the respective state Governments and funds for construction of building including construction of wall around the Vidyalayas released at the time of sanctioning of a Navodaya Vidyalaya itself. Central Building Research Institute should also be asked to prepare standard designs for these Vidyalayas so that there may not be any time lag and escalation in cost of construction of buildings for these schools.

Reply of Government

Navodaya Vidyalaya Samiti is giving highest priority to construction of school building. 350 Navodaya Vidyalayas have been opened so far. In 82 Vidyalayas construction of 'o' phase works has been completed and in 28 Vidyalayas 'o' phase works are in progress. In 124 Vidyalayas construction of phase I buildings have been completed and in 151 Vidyalayas phase I construction are in progress. The phase II works are in progress in 155 Vidyalayas.

It may be mentioned that 'O' Phase consists of multipurpose hall, kitchen and dining hall, 2 work shop buildings and temporary toilet blocks, Phase I consists of teaching block, dormitory blocks, principal's residence, staff residence, wardens' residences, external services and other development works and Phase II consists of the balance area of school building and dormitory blocks as per total strength of the students. However, it is submitted that with the priority given by the Navodaya Vidyalaya Samiti, construction work lags behind the need because of the urge on the part of Navodaya Vidyalaya Samiti for starting more new schools. Limited budgetary allocation for the Samiti also restricts the pace of construction. However, the Navodaya Vidyalaya Samiti has now decided not to conduct the admission tests unless the land for construction of buildings has been handed over to it. The delay in preparation of design has now been eliminated and a number of agencies have been engaged to speed up construction work. The Navodaya Vidyalaya Samiti is devoting a large part of total plan budget for construction. In 1993-94, the Navodaya Vidyalaya Samiti spent on construction Rs. 82.72 crores out of the total plan budget of Rs. 132.00 crores.

[O.M. No. F. 9-17/91 UT. 2 dated 30th August, 1994]

Recommendation Sl. No. 25 (Para No. 3.25)

During their study tours to various States, the Committee have found that a number of building contracts had been awarded to such agencies which had no experience of construction work with the result that no construction work was started by these agencies so far. A specific instance is of a project where State Industrial Development Agency which has nothing to do with construction work was given this contract. No wonder, the work has remained in arrears heavily. The Committee are perturbed to

note that no penalty clause has been incorporated in the agreements entered into with the construction agencies for the construction of Navodaya Vidyalayas buildings. This has resulted in blocking of money with construction agencies in Arunachal Pradesh, Himachal Pradesh, etc. The Committee take a very serious view for this lapse and recommend that in future penalty clause should invariably be included in all the agreements entered into with construction agencies for delay in execution of works, etc.

Reply of the Government

The objective of Navodaya Vidyalaya Samiti from the beginning, has been to start one Navodaya Vidyalaya in each district in the Country in the shortest possible time. Since the size of construction for each Navodaya Vidyalaya is a fairly large one and all the Navodaya Vidyalayas are located in the rural areas as a matter of policy, it was decided by the Navodaya Vidyalaya Samiti, to use more construction agencies in different parts of the country so that the construction could be organised efficiently. The State Industrial Development Agency was used in Andhra Pradesh and Orissa on the basis of information collected by the Navodaya Vidyalaya Samiti that these are good construction agencies. It may be noted that these agencies handle construction work of industrial estates and, therefore, are not inexperienced in the field of construction. However, despite the thorough enquiries made by the Navodaya Vidyalaya Samiti, some of the construction agencies did not perform according to expectations. The Navodaya Vidyalaya Samiti has accordingly phased out such construction agencies. Thus Navodaya Vidyalaya Samiti has taken and is taking adequate steps to ensure that construction work assigned to an agency is executed quickly and efficiently.

In view of the experience of delay on the part of some of the construction agencies the Navodaya Vidyalaya Samiti is revising the terms of its agreement with the construction agencies in which penalty has been envisaged for delay in construction. The Navodaya Vidyalaya Samiti will make this agreement applicable to future works.

[O.M. No. F. 9-17/91. UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 27 (Para No. 3.27)

The Committee would also like that maintenance of school buildings should be given due priority and some agency made responsible for proper maintenance in each school.

Reply of the Government

The Navodaya Vidyalaya Samiti had constituted a Technical Committee to design a system which will ensure prompt and efficient maintenance of its buildings. It may be noted that the Samiti cannot employ regular staff for maintenance of school buildings as is done in regular engineering organisations because there is only one Navodaya Vidyalaya in a district

and that too in rural area. Therefore, if regular staff is appointed, it will have only a small quantum of work in school and any staff located in one place will find it very difficult to do maintenance work in distantly located schools. Therefore, the system of maintenance being designed by the Navodaya Vidyalaya Samiti envisages use of technical staff of locally available engineering agencies to whom payment would be on the basis of norms to be designed by the Navodaya Vidyalaya Samiti for various items of work. The Navodaya Vidyalaya Samiti is intending to operationalise such maintenance from the year 1995-96.

[O.M. No. F. 9-19/91. UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 28 (Para No. 3.28)

The Committee may also be informed whether Navodaya Vidyalaya Samiti was maintaining property Assets Registers and Registers for Payment of Work as required in General Financial Rule, 1968.

Reply of the Government

The Navodaya Vidyalaya Samiti is maintaining property assets Registers and Registers for payment of work.

[O.M. No. F. 9-17/91. UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 29 (Para No. 3.29)

The Committee were informed by the tribal leaders at Car Nicobar that inspite of their fulfilling the basic criteria for opening of Navodaya Vidyalaya, there was a proposal for shifting the Vidyalaya to Kamorata Island. Keeping in view the arguments given by the tribal leaders the Committee have come to the conclusion that this Vidyalaya should not be shifted from Car Nicobar to Kamorata Island.

Reply of the Government

It is submitted that there is no proposal at present for shifting the Navodaya Vidyalaya, Car Nicobar to Kamorata Island.

[O.M. No. F. 9-17/91. UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 30 (Para No. 4.21)

The Committee are concerned to note the reply of the Ministry of Human Resource Development that most of the Navodaya Vidyalayas located in rural areas were not getting proper water and electricity supply and to overcome the problem of electricity supply, 75 Vidyalayas have been sanctioned 10 KVA generator sets. Another 90 Vidyalayas have also been recommended by Finance Committee for allotment of generator sets during 1992-93. The Committee recommend that drinking water facilities should be provided in all these Navodaya Vidyalayas on priority basis and where there are no proper arrangements for electricity supply, generator sets should be provided on priority basis.

Reply of the Government

The drinking water facility is provided in all Navodaya Vidyalayas. For this purpose the water is generally obtained from local public health Engineering Department or from nearby source such as canals or by drilling tubewells or open wells within the premises of Navodaya Vidyalayas. Generally the water is made available from one of the above source except in a very few Vidyalayas where all these sources are unsuccessful. In such cases best possible efforts are made to persuade PHE Departments to prepare a scheme and supply the water from nearest available source. Necessary help in implementing such scheme is also taken from state Govt./local administration.

Vidyalayas not having proper arrangements for electricity are being provided generator on priority basis and so far 132 Vidyalayas have been provided with a generator.

[O.M. No. F. 9-17/91. UT. 2 dated 30th August 1994.]

Recommendations Sl. No. 32 & 34 (Para No. 4.23 and 4.25)

The Committee have also been informed that Navodaya Vidyalaya Samiti sanctions an amount of Rs. 10 thousand for each Vidyalaya during academic year for the School library. Out of the amount, the principal has been empowered to purchase the books worth Rs. 5 thousand and books worth another Rs. 5 thousand per Vidyalaya are purchased centrally by the Samiti. The Ministry of Human Resource Development have further informed the Committee that in addition to Rs. 5 thousand provided to each Navodaya Vidyalaya for purchase of library books, an allocation of Rs. 20 lakh was made for purchase and distribution of library books. Out of this amount Rs. 10.68 lakh were spent in 1992-93 and another amount of Rs. 4.75 lakh were released to 7 regional Offices, who were advised to constitute purchase Committee with Members of Sahitya Academy/Educationists/Intellectuals with instructions to give primary importance to purchase of books in regional languages. The Committee feel that amount provided for library facilities is quite meagre and therefore, desire that adequate funds should be provided to each region for providing proper library facility. The Committee find that a sum of Rs. 199.14 lakh has been spent for equipping the science Laboratories in various Navodaya Vidyalayas from 1986 to March, 1992. The Ministry of Human Resource Development have informed the Committee that in the Academic Session of 1992-93 budget provision of Rs. 214 lakh was made for the development of laboratories in these Vidyalayas and that this allocation and release of money in the subsequent years would fully equip the laboratories in course of time. The Committee hope that the Navodaya Samiti would provide adequate funds for science Laboratories in these Vidyalayas.

Reply of the Government

The NVS will increase the availability of money for libraries and laboratories as soon as it is able to obtain additional resources. It may be mentioned that for the present, most of the resources available are utilised for construction of new schools, on salary/allowances and on boarding expenses for students whose number is increasing with the increase in the number of schools.

[O.M. No. F. 9-17/91. UT. 2 dated 30 August, 1994.]

Recommendation Sl. No. 33 (Para No. 4.24)

Although the representative of the Ministry of Human Resource Development had assured the Committee during evidence that they had provided one telephone connection in every Vidyalaya, yet the Committee, during their visit to Navodaya Vidyalayas at Cochin and Cancuna in Goa found that the telephone facilities were not provided in these schools. In a written reply later on, the Ministry admitted that out of 261 Vidyalayas sanctioned upto March 1991, telephone facilities have been provided in 223 Vidyalayas. The Committee recommend that telephone facilities should be provided to each and every Navodaya Vidyalaya on priority basis.

Reply of the Government

Telephone facility has been sanctioned to all functioning Vidyalayas with an extension to Principals' residence. However, where facility is not available it is due to delay in giving the connection to the Vidyalayas by the concerned telephone authorities. The Navodaya Vidyalaya Samiti has been pursuing all such cases for early connection.

[O.M. No. F. 9-17/91. UT. 2 dated 30 August, 1994.]

Recommendation Sl. No. 35 (Para No. 4.26)

Education is a unique investment for Ministry of Human Resource Development and accountability of investment is necessary only through a well planned mechanism of assessments with reference to its objectives. The Committee, therefore, suggest that a process be evolved for continuous comprehensive evaluation of the scheme through independent agencies. They hope that their reports would be submitted to the Committee from time to time.

Reply of the Government

The scheme of NVs was started in the 7th Plan. It may be appreciated that a NV starting with class VI, adds up one class in every subsequent year and, therefore, a NV acquires all the classes upto class XII only seven years after it starts. Also, the construction of a NV takes 3-4 years. In view of these facts, NV can be expected to function optimally only after it has all the classes and it has the necessary school, hostel and residential buildings. Therefore, an evaluation of the scheme will be relevant only

when sufficiently large number of NVs have reached this stage. Accordingly, the Ministry is intending to subject the scheme of NVs to an independent, external evaluation as recommended by the Committee at the end of the 8th Plan period.

[O.M. No. F. 9-17/91 UT. 2 dated 30th August, 1994.]

CHAPTER III

RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF GOVERNMENT'S REPLIES

Recommendations Sl. No. 6+7 (Para 2.90)

Navodaya Vidyalayas are run by Navodaya Vidyalaya Samiti, an autonomous organisation registered as a Society under the Societies Registration ACT (XXI of 1860) on 28.02.86 at Delhi. The Committee find that out of 22 Members only seven Members signed the Memorandum at the time of registration. According to registration rules, the requisite information such as the total number of Member with their names and addresses is to be annexed with the Memorandum of Association. This was not done at the time of registration of the Samiti. What is more disturbing to the Committee is the fact that even the general body of the society was constituted after its registration. Keeping in view the above facts, the Committee have come to the conclusion that Navodaya Vidyalaya Samiti was registered without taking proper preparatory measures.

The Committee are dismayed to find that the rules of the Navodaya Vidyalaya Samiti have not so far been adopted by the Samiti. The Ministry's contention that the rules were also attached with the Memorandum of Association at the time of registration of the Samiti and as such there was no need for their formal adoption by it, is not acceptable to the Committee. During evidence, the representative of the Ministry of Human Resource Development had informed the Committee that they were referring the matter to the Ministry of Law, Justice and Company Affairs for their legal advice in the matter. The Committee would like to be informed of the latest position in this regard.

Reply of the Government

Ministry of Law, Justice and Company Affairs (Deptt. of Legal Affairs) have since been consulted by the Deptt. of Education. Their advice is as below:

"The following two points were framed for legal advice:

- (i) Whether a meeting of the Navodaya Vidyalaya Samiti (Samiti) as per composition laid down in rule 2 of the Rules framed by the Samiti, should have been convened for adopting and approving the Memorandum of Association (MOA) and the Rules even before registration of the Society by the Registrar of the Societies.

- (ii) Whether the consent of the individual Members constituting the Samiti as per composition laid down in rule 2 should have been taken before registration of MOA and the Rules.

Since both the questions are inter-connected, they are being discussed together. According to section 1 of the Societies Registration Act, 1860 (in short called "The Act") any seven or more persons can form a society by subscribing their names to a Memorandum of Association (MOA) and filling the same with the Registrar of the Joint Stock Companies subject to fulfilment of the requirements laid down in section 2 of the Act. **The relevant provisions do not envisage a formal meeting of the persons or formal gathering before registration of the society.** What is required under the said provisions of the Act is that 7 or more persons who went to form a society must subscribe their names to a MOA.

It, therefore, follows that subscription of name to a MOA is a Condition precedent for acquiring founding membership [*vide* Shanti Sarup v/s R.S. Sabha (AIR 1969 ALL. 248)]

A perusal of the copy of MOA shows that 7 persons whose names appear therein had subscribed to the MOA and as such became the first members (founding members) of the Society. **Those persons who had not subscribed their names to the MOA cannot be said to have become founding members of the Society, even though Rule 2 of the Rules of Samiti contained their names.** In other words, merely because names of such persons are included in Rule 2 would not make them founding members of the Samiti if they had not given their consent by subscribing their names to the MOA.

The question of obtaining consent of the individual member before registration of the Society for membership would depend on whether such a person wanted to become founding member or wanted to acquire membership after the registration of the Society. A perusal of Rule 2 of the Rules of the Samiti read with its MOA reveals that the person who had not subscribed their names to the MOA and naturally acquired its membership after registration of the Society by virtue of the procedure of nomination laid down in Rule 2. If such persons did not intend to acquire founding membership of the Samiti, the question of obtaining their consent by way of seeking subscription of their names to the MOA of the rules before registration of the Society did not arise."

It is submitted that **there has been no irregularity or illegality** in the matter of Registration of the Society.

[O.M. No. F. 9-17/91 UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 9 (Para 2.93)

The Committee note that the Minister for Human Resource Development acts as its Chairman and Secretary (Education) as the Principal Advisor to the ex-officio Chairman. The Department of Education in the Ministry is controlling administrative Department of the Samiti and provide 100% grant to it for its operations. The Secretary (Education) tenders advice on all important matters to the Chairman. However, the Samiti rules are silent about his role in the Samiti. The Committee view it as an anomalous situation and recommend that the role of the Secretary (Education) as the Principal Advisor to the Chairman should be defined in consonance with the Principles of autonomy at the earliest.

Reply of the Government

There is no provision of 'Principal adviser' of the Chairman in the NVs. Education Secretary is not a member of the Samiti. However, since all the fundings to NVs is through the Government budget and setting up of Navodaya Vidyalayas is a Govt. Scheme, the budgetary provisions, their utilisation and Govt. policy formulation are done in the Ministry. In these functions Education Secretary as the Head of the Civil Service in the Ministry advises the Minister for appropriate decisions.

[O.M. No. F. 9-17/91 UT. 2, dated 30th August, 1994.]

Recommendation Sl. No. 12 (Para 2.96)

It is seen from the Rules of Samiti that all powers are vested in the Executive Committee. However, it has been noticed that the Chairman of the Samiti, in most of these cases has taken decisions relating to appointments, promotions, etc. During the evidence, representative of the Ministry of Human Resource Development had stated that "the Director and the Chairman have been empowered to take decisions jointly and later on the decisions taken by the Chairman have to be ratified....There have been some occasions where some decisions have been taken by the Chairman in exigency of the situation." The Committee are of the view that experts should be associated with the process of appointments and promotions. They also recommend that the Executive Committee meeting should be convened before appointment/promotions are made and in cases where Chairman has to take decisions in exigency of the situation, the decision should be placed before the Executive Committee in the very next meeting for ratification.

Reply of the Government

The functions and powers of the Executive Committee are laid down in rules 22-23 of the Rules of the Samiti. They don't envisage individual cases of appointments to be decided by the Executive Committee. Rule 24(ii)(d)-(e) require regulations to be framed for creating and filling up posts and to prescribe tenure and terms of appointments. The Samiti has framed recruitment and promotion rules for various posts and appointments are made by the appointing authority designated under the rules. Accordingly the matters of policy and amendments in recruitment rules are considered by the Executive Committee and individual appointments are made by the authority designated in the rules. It is submitted that this is in accordance with the rules.

[O.M. No. F. 9-17/91 UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 21 (Para 2.105)

In accordance with the Memorandum of Association, the Budgets, Annual Accounts and Audit Reports thereon of the Samiti are required to be placed before the Executive Committee. However, the Committee have found that decisions of the Finance Committee for incurring the expenditure is got approved by the Chairman of the Samiti and ex-post facto approval of the Executive Committee is obtained on these decisions. The Committee do not agree with the pleas given by the Government that in view of the day to day necessities of various Vidyalayas, they can not wait for the meeting of the Executive Committee. The Committee recommend that Navodaya Vidyalaya Samiti should prepare their estimated expenditure for every quarter in advance and get it approved by the Executive Committee in their quarterly meetings.

Reply of the Government

As recommended the financial matters are considered in the Finance Committee and its decisions are placed in the next meeting of the Executive Committee directly. It is submitted that the budget for the year as a whole is a unit and the month to month expenditure in the Samiti is dependent on bills presented by large number of construction agencies involved in large number of construction programmes and such claims can not be predicted with any accuracy for every month. Therefore, there is practical difficulty in preparing and approving the estimates of expenditure for every quarter in advance.

[O.M. No. F. 9-17/91 UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 24 (Para 3.24)

The Committee find that technical staff such as Executive Engineers, Assistant Engineers, Junior Engineers etc., were recruited on transfer/deputation basis against some posts of Assistant Director temporarily transferred to the Construction wing of the Samiti. The Construction wing is responsible for supervision of on going construction works only. The Committee desire the Samiti to consider whether that technical staff could be recruited in the construction wing on regular basis, so that it could be utilised for supervision work at present and later on deployed for maintenance and repair works of these buildings.

Reply of the Government

The Navodaya Vidyalaya Samiti has one General Manager in charge of Construction assisted by Executive Engineer and by one Assistant Engineer at the Headquarters. Out of the eight regional offices, in four regional offices, the Navodaya Vidyalaya Samiti is currently utilising the post of an Assistant Director for an engineering post to monitor and supervise construction of schools in the region. The Navodaya Vidyalaya Samiti is trying to cover the remaining regions similarly. The Navodaya Vidyalaya Samiti is also proposing to create regular posts for construction, monitoring and supervision in each region for the duration of substantial construction.

It is submitted that it would be in-appropriate for the Navodaya Vidyalaya Samiti to recruit engineers till superannuation because, firstly it does not have scope to provide enough promotional avenues to engineers if they are recruited on permanent basis and secondly, the requirement of such personnel will go down drastically once the buildings of all Navodaya Vidyalayas are constructed in next few years. Therefore, the Navodaya Vidyalaya Samiti is planning to create permanent posts in the Headquarters for the Senior Engineering personnel which will be required on long term basis but in the regions, only for the duration of the large construction programme. These posts are proposed to be filled up on tenure basis by taking engineers at various levels from other organisations.

[O.M. No. F. 9-17/91 UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 26 (Para 3.26)

Another surprising fact that came to the notice of the Committee was that in two cases, about Rs. 30 lakhs were advanced in 1988 to 2 Agencies for construction of School buildings while no work on these schools had started till 1991. No convincing reasons for this undue favour have been given, the Committee would like to matter

to be thoroughly investigated and responsibility fixed for this serious lapse.

Reply of the Government

The work of construction of Navodaya Vidyalaya at Upper Subansiri, Arunachal Pradesh was allotted to Arunachal Pradesh P.W.D. in 1988. However, the performance of Arunachal Pradesh P.W.D. was not found satisfactory as they could not finalise the lay out plan in consultation with CBRI and delayed the starting of the work for several years. After allotment of work to Construction Agency, part amount was sanctioned as advance payment to the Construction agency for starting the work. In this case, an advance of Rs. 20 lakhs was made to them which remained unutilised due to delay on their part.

The Samiti, therefore, had no alternative but to withdraw this work from the Arunachal Pradesh P.W.D. due to their non-performance and the work was reallocated to Border Road Task Force (BRTF) in December, 1993. BRTF have now initiated action to start the work. Generally such failure on the part of the Govt. Departments does not occur. However, the outstanding advance of Rs. 20 lakhs is being adjusted against the on going works with Arunachal Pradesh P.W.D.

As regards construction of the Vidyalaya at Kangra, the work was allotted to the Himachal Pradesh Housing Board and part amount sanctioned as advance was released to them for starting the work. But after the release of advance to the Agency, the State Govt. has allotted only 13.31 acres against requirement of 30 acres. After hearing from the Himachal Pradesh Govt. that no further land will be available, the planning which was done on the basis of 30 acres of land had to be revised and the buildings were redesigned so as to accommodate them within the available land of 13.31 acres. This process delayed the starting of the project and an advance payment of 10 lakhs could not be utilised by the Construction Agency immediately. Thus, this amount remained with the Himachal Pradesh Housing Board which is an undertaking of the State Govt. However after re-designing of the project, work has already been started by the Himachal Pradesh Housing Board.

Out of the six schools sanctioned in Arunachal Pradesh, construction work for Phase 'O' is in progress in 2 Vidyalayas and Administrative Approval & Expenditure Sanction has been issued for 3 other Vidyalayas. In Himachal Pradesh out of 10 Vidyalayas sanctioned, 'O' Phase has been completed in one Vidyalaya, Phase 'I' has been completed in an-other

Vidyalaya and work of Phase 'I' is in progress in 5 Vidyalayas. For the remaining 3 Vidyalayas land has not yet been transferred to the Samiti.

[O.M. No. F. 9-17/91 UT. 2 dated 30th August, 1994.]

Recommendation Sl. No. 31 (Para 4.22)

The Committee find that there are instructions to the effect that in case where public itself want to participate and give a generator set, the Principal of the school is authorised to accept the generator set for use in the school. However, these provisions have been wrongly applied in a Navodaya Vidyalaya in Imphal where it was alleged that the principal compelled the Students to collect money for a generator set. However, during the evidence, the representative of the Ministry of Human Resource Development stated that since the parents who wanted to donate generator set could not assemble at one point to collect money as per resolution passed by them and therefore the money was collected and given to them and therefore the money was collected and given to the Principal. The Ministry of Human Resource Development have informed the Committee that the Principal had been instructed not to collect money.

The Committee apprehend that as such provisions are likely to be misused, they feel that the Navodaya Vidyalaya Samiti itself may receive the donation, if any on this account either from the parents or from the public and no principal/ or any other person should be authorised to collect money on this account.

Reply of the Government

Participation of local community in the development and welfare of school and school affairs is always welcome and desirable. It would be impracticable for the Samiti Headquarter to accept donations/help from local communities all over the country. Therefore, it is submitted if the local community on its own initiative comes forward to contribute for the school, the school should be encouraged to accept it with the approval of the school level management committees.

[O.M. No. F. 9-17/91. UT. 2 dated 30th August, 1994.]

CHAPTER IV

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH
REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY
THE COMMITTEE

-NIL-

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH
FINAL REPLIES OF GOVERNMENT ARE AWAITED

-NIL-

NEW DELHI:
December 9, 1994

Agrahayana 18, 1916(S)

DR. KRUPASINDHU BHOI,
Chairman,
Estimates Committee.

(Vide Introduction)**Analysis of Action Taken by Government on 36th Report of Estimates Committee (10th Lok Sabha)**

I. Total number of recommendations	35
II. Recommendations/Observations which have been accepted by Government:	
(Sl. Nos. 1, 2, 3, 4, 5, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 27, 28, 29, 30, 32, 33, 34 and 35)	
Total	27
Percentage	77.14%
III. Recommendations/Observations which the Committee do not desire to pursue in view of Government replies:	
(Sl. Nos. 6, 7, 9, 12, 21, 24, 26 and 31)	
Total	8
Percentage	22.86%
IV. Recommendations/Observations in respect of which Governments replies have not been accepted by the Committee:	NIL
V. Recommendations/Observations in respect of which final replies of Government are still awaited:	NIL

Minutes of the Ninth Sitting of the Estimates Committee (1994-95)

Committee sat on Wednesday, the 30th November, 1994
500 to 1630 hours.

PRESENT

Shri Krupasindhu Bhoi—*Chairman*

MEMBERS

Shri Anadi Charan Das
Shri Parshuram Gangwar
Shri Bhupinder Singh Hooda
Shri Barclal Jatav
Shri Dau Dayal Joshi
Shri Bhubaneshwar Prasad Mehta
Shri Ajoy Mukhopadhyay
Shri Mohan Rawale
Shri Sudarsan Raychaudhuri
Shri Rampal Singh
Shri K.D. Sultanpuri
Shri Sobhanadreeswar Rao Vadde
Shri Devendra Prasad Yadav

SECRETARIAT

Shri K.L. Narang — *Deputy Secretary*

Shri R.S. Sharma — *Assistant Director*

The Committee considered their Draft Report on Action Taken by Government on the recommendations contained in their 36th Report (Lok Sabha) on Navodaya Vidyalayas and adopted it with the following modification:

In Para 1.7 *add* sub-para —

"The Committee also desire that views of the State Governments of West Bengal and Tamil Nadu who have not opted to join the scheme of Navodaya Vidyalayas might also be ascertained and furnished to the Committee."

3. ** ** ** **

4. The Committee authorised the Chairman to finalise the Report on the basis of factual verification by the Ministries concerned and to present the same to the House.

5. The Committee then adjourned to meet on 1st December, 1994.

(Vide Introduction)***Analysis of Action Taken by Government on 36th Report of Estimates Committee (10th Lok Sabha)***

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II. Recommendations/Observations which have been accepted by Government:	
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Minutes of the Ninth Sitting of the Estimates Committee (1994-95)

The Committee sat on Wednesday, the 30th Novcmber, 1994 from 1500 to 1630 hours.

PRESENT

Dr. Krupasindhu Bhoi—*Chairman*

MEMBERS

2. Shri Anadi Charan Das
3. Dr. Parshuram Gangwar
4. Shri Bhupinder Singh Hooda
5. Shri Barclal Jatav
6. Shri Dau Dayal Joshi
7. Shri Bhubaneshwar Prasad Mehta
8. Shri Ajoy Mukhopadhyay
9. Shri Mohan Rawale
10. Shri Sudarsan Raychaudhuri
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12. Shri K.D. Sultanpuri
13. Shri Sobhanadreeswar Rao Vadde
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SECRETARIAT

1. Shri K.L. Narang — *Deputy Secretary*
2. Shri R.S. Sharma — *Assistant Director*

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