

PART II AGENDA PAPERS FOR THE SEVENTY-NINE MEETING OF THE EXECUTIVE COUNCIL

Contents	Page No.
Item No.2 REPORTING ITEMS :	
(i) Action taken on the Minutes of the 78th meeting of the Executive Council.	2:1:(1)
Item No.3 RATIFICATION OF ACTION TAKEN BY THE VICE-CHANCELLOR :	
(xvii) Award of Ph.D Degree	3:17:(1)
(xviii) Additional charge of Deputy Registrar, Mizoram Campus, as P.V.C.	3:18:(1)
(xix) Study leave in respect of Shri A.K.Mishra, Lecturer, Deptt. of Commerce, Mizoram Campus.	3:19:(1)
(xx) Appointment of Prof. S.N.Guhathakurta as Visiting Professor.	3:20:(1)
Item No. 5 ACADEMIC MATTERS :	
5:8-Others -	
(iv) Implementation of Five Days' Week in NEHU.	5:8:4:(1)
Item No. 6 ADMINISTRATIVE MATTERS :	
6:1- Selection Committee -	
(ii) Placement of Dr. K.C.Baral, Lecturer in English, Mizoram Campus, as Reader under Career Advancement Scheme.	6:1:2:(1)
(iii) Recommendation of the Selection Committee	6:1:3:(1)
6:2 - Appointment/Confirmation/Termination etc.	
(v) Promotion in respect of Shri W.M.R.Walla-ng.	6:2:5:(1)
(vi) Invitation of Prof.R.Singh on deputation to NSC.	6:2:6:(1)
(vii) Promotional avenues for teachers-Report of the Committee.	6:2:7:(1)

Contd/.../-

Contents	Page No.
(viii) Confirmation and deputation of Shri. Atul Dev Sharma, Assistant Editor (Publication).	6:2:8:(1)
(ix) Removal from Service-Shri H.G.Momin, Peon, Conference Section, NEHU, Shillong.	6:2:9:(1)
6:6 - Service Condition/Financial & Other Benefits-	
(v) Approval of transfer of service for the purpose of retirement benefits in respect of Dr. R.N.Prasad.	6:6:5:(1)
(vi) Designation of Reader to the Lecturers of the constituent colleges of NEHU Under Career Advancement Scheme.	6:6:6:(1)
(vii) Counting of past service for the purpose of Pension and other retirement benefits, cases of Prof. Vijay Kumar, Department Mathematics, NEHU, Shillong.	6:6:7:(1)
(viii) Pension case of Shri C.P.Tiwari, Ex-Reader, Centre for Continuing and Adult Education, NEHU, Shillong.	6:6:8:(1)
6:7 - Others -	
(i) ANNEXURE 'A' TO ITEM NO:6:7:1:(1) OF THE MAIN AGENDA	6:7:1:(2)

Item No. 2 . . . REPORTING ITEMS:

- (i) Action taken on the Minutes of the 78th meeting of the Executive Council.

Action has been taken on the following resolutions as indicated against each:

1. No:EC:78:93:05:(i) :- Amendment of Ordinance OF-2 to enhance the rate of financial assistance out of the Students Aid Fund- matter submitted to the Ministry.
2. No:EC:78:93:05:(ii):- Revised Ordinance OC-8 on structure of the B.A, B.Sc, B.HSc., and B.Com, submitted to the Ministry.
3. No:EC:78:93:05:8:(i):- Implementation of Five Days' Week-matter taken to Academic Council, committee constituted and report now placed before the Executive Council.
4. No:EC:78:93:06:(ii):- Case of Dr.K.C.Baral for designation of Reader has been considered by the Selection Committee and its recommendation now placed before the Executive Council.
5. No:EC:78:93:06:2:(iii):- Appointment of Acting/Officiating Head of Department-Committee Report now placed before the Executive Council.
6. No:EC:78:93:06:7:(iii):- Annual Report 1991-92-being sent for printing.
7. No:EC:78:93:06:2:(i):- Confirmation order in respect of Prof.M.K. Mahanti issued.
8. No:EC:78:93:06:2:(ii):- Confirmation order in respect of Dr.T.B. Subba issued.
9. No:EC:78:93:06:2:(iv):- Dr.S.Singh has been appointed as Warden in place of Dr.N.Kumer.

Contd/.../-

10. No:EC:78:93:06:2(v):- Dr. R.P.Singh has been released w.e.f. 31.3.93 consequent upon expiry of the term as Visiting Fellow.
11. No:EC:78:93:06:2:(vii):-Prof. H.Barsh will be retiring in December '93.His re-employment case will be taken up then.
12. No:EC:78:93:06:3:(i):-Dr.R.Sachdeva has been informed that his request for lien cannot be acceded to.
13. No:EC:78:93:06:6:(i):-Necessary action for transfer of service in respect of Sh.P.Khare has been initiated and under process.
14. No:EC:78:93:06:6:(iii):-The Committee constituted for the purpose has not yet submitted the report/recommendation.
15. No:EC:78:93:08(i):- The Committee after the inclusion of PVC, N/C and Prof.M.Z.Rahman Khan has not-yet submitted its report.
16. No:EC:78:93:08:(ii):- Leave Encashment to Sh.S.C.Chakrabarty sanctioned.
17. No:EC:78:93:06:3(ii):- Order granting leave to Prof.R.S.Tripathi has been issued.
18. No:EC:78:93:06:3:(iv):- Order granting E.O.L. to Dr.Sajal Nag has been issued.

Item No. 3 - RATIFICATION OF ACTION TAKEN BY
THE VICE-CHA-NCCELLOR:

(xvii) Award of Ph.D Degree :

The following Candidates have been considered by the School Board and Board of Research Studies for award of Ph.D Degree. The respective Boards and also Academic Council have approved award of the degree.

The matter is now submitted for ratification by the Executive Council.

<u>Name of the Candidates</u>	<u>Degree awarded</u>	<u>Department.</u>
1. Mr. B. Deb	Ph.D	Chemistry
2. G.C. Sharma		Chemistry
3. A. Sinha		-do-
4. A.K. Gupta		-do-
5. B. Dey		Physics
6. R. Das		-do-
7. Tawnenga		Botany
8. B.P. Roy		Zoology
9. A. Bhattacharjee		-do-
10. G. Pradhan		Botany
11. S. Ahmed		Bio-Chemistry
12. A. T. Prakash		Zoology
13. M. K. Deb		-do-
14. S. R. Katiyar		Botany
15. D. Ghosh		Zoology
16. U. Shankar		Botany
17. J. Rani Das		Zoology
18. A. L. Paul		-do-
19. R. Synrem		-do-
20. M. Ghosh Hazra		Botany
21. J. Rout		-do-
22. M. Chauhan		-do-
23. S. Kumaria		-do-
24. D. Paul		Zoology
25. P. Rao		Botany
26. V. Belho		-do-

27. S.R.Joshi	Botany
28. S.Changki ja	-do-
29. P.K.Patra	Physics
30. S.Nandi	-do-
31. C.R. Bhattacharjee	Chemistry
32. P.C.Paul	-do-
33. Irbanoris Jyrwa	Political Science
34. T.S.Girish Kumar	Philosophy
35. K.R.Marak	Anthropology
36. Ramesh Chandra Nayak	Sociology
37. Gitashree Das	Economics
38. K.Vanlalmawia	Philosophy
39. Tejemala Gurung	History
40. Meeta Deka	History
41. Keya Sengupta	Economics
42. Henry Lamin	Anthropology
43. Morning Lyngdoh	Philosophy
44. Joshna Thomas	Political Science
45. Medalin Nongrum	Education

(x viii) ~~Additional~~ charge of the Deputy Registrar, Mizoram Campus
As Pro-Vice-Chancellor.

.....

Shri L.F.Sailo, Deputy Registrar, Mizoram Campus, Aizawl was allowed to look after the day to day work of the Campus in addition to his normal duties vide No.F.94-7/Estt-II/82-3942, dt.31.5.86 during the period of absence of Prof.D.P.Singh, Pro-Vice-Chancellor of the Campus w.e.f. 15.5.86 to 13.6.86. Shri Sailo continued to look after the office until Prof.R.R.Mehrotra assumed office as the Pro-Vice-Chancellor, Mizoram Campus. Shri Sailo had therefore looked after the office of PVC for a period of 2 months 11 days i.e. from 15.5.86 to 26.7.86.

In terms of the provisions of FR.49(i), the Vice-Chancellor allowed Shri L.F.Sailo, Deputy Registrar, Mizoram Campus, Aizawl to draw officiating pay as Pro-Vice-Chancellor of Mizoram Campus, Aizawl in the scale of Rs.5900-7300/-p.m. for the above period with restrictions under FR.35.

The matter is placed before the Executive Council for ratification.

.....

- (xix) Study leave in respect of Shri A.K.Mishra, Lecturer, Department of Commerce, Mizoram Campus.

The Executive Council in its 77th meeting approved grant of study leave to Shri A.K.Mishra, Lecturer, Department of Commerce, Mizoram Campus for a period of 6 months w.e.f. 22.2.92 to 22.8.92.

Later it was found that these dates as reflected in the agenda note were wrong and should have ^{been} w.e.f. 22.2.93 to 21.8.93. As such the leave of Shri Mishra was sanctioned w.e.f. 22.2.93 to 21.8.93 instead of 22.2.92 to 22.8.92.

The matter is placed before the Council for ratification.

3:20(1)

(xx) Appointment of Prof.S.N.Guhathakurta as Visiting Professor in the Department of Economics.

Prof.S.N.Guhathakurta, Department of Economics, NEHU, Shillong, will retire on 31.7.93 (AN). Since his services is very much required in the Department, the Head of the Department requested the Vice-Chancellor to retain Prof.S.N.Guhathakurta in the Department after his superannuation, till the end of 1993.

The Vice-Chancellor on the recommendation of the Head of the Department, approved the retention of Prof.S.N.Guhathakurta upto 31.12.93 as a Visiting Professor, with effect from 1.8.93 upto 31.12.93 against one of the vacant floating post of Professor.

The matter is placed before the Council for ratification.

5:8: Others-

5:8:4(1)

(iv) Implementation of Five Days week in NEHU

In its 78th meeting held on 30.3.93 the Executive Council desired to have the views of the Academic Council on the proposal for Five Days' Week. Accordingly the matter was discussed at the 46th meeting of the Academic Council held on 14.5.93 wherein the Council decided to implement the Five Days' Week from the next semester and desired that a Committee be constituted to work out the modalities for implementing the same.

The Committee was constituted for the purpose and its report is placed at Annexure-'I' for consideration of the Executive Council.

5:8:4(2)

MINUTES OF THE COMMITTEE CONSTITUTED TO EXAMINE AND SUGGEST MODALITIES FOR IMPLEMENTING THE FIVE DAY WEEK IN THE UNIVERSITY.

The Committee appointed by the Academic Council to examine and suggest modalities for implementing the five day week in the University, proposed to be made effective from the next semester met on Friday, the 25th June and 5th July, 1993 in the office chamber of the Registrar. The Committee after deliberating in detail the various aspects of the implementation made recommendations as detailed below :-

A) Adjustment of the Academic Calendar:

- i) That winter vacation may be from 20th December to 19th February.
- ii) That the semester examination may commence from the first Monday of July.
- iii) That the semester break may be for one week commencing from the third week of July. However, for this year as semester classes have already commenced, semester break may be prefixed to Puja Holidays.
- iv) That the semester classes may commence from the fourth Monday of July.

B) Office/class timings :

- i) The classes may start from 9.00 A.M.
- ii) The administrative offices may start from 9.30 A.M. to 5.00 P.M. (without lunch break)
- iii) For the teaching departments one additional class may be added to each day of class.
- iv) Library may be kept opened also on Saturdays from 10.00 A.M. to 4.00 P.M. for all purposes.

C) Administrative back up :

- i) In addition to the existing two Buses for the School children at 7.50 A.M. from the permanent campus, two Buses may be provided from the permanent campus at 8.00 A.M.
- ii) Three Buses may leave permanent campus at 8.45 A.M.
- iii) On Saturdays three Buses may be put into service from the permanent campus with necessary frequency. The last Bus service may be at 6.30 P.M. from Nongthymmai to Permanent Campus.
- iv) Two Buses may be put into service on Sundays from permanent campus to the town.
- v) The administration may work out suitable timings for the Buses keeping in view the above provisions.

D) Miscellany :

- i) During days of classes meals for hostellers may be served between 7.15 A.M. to 8.30 A.M. with the duty hours of kitchen staff extending to 9.00 A.M. and in the evening meals may be served from 5.30 - 7.30 P.M. with the duty hours of kitchen staff extending to 8.00 P.M. On holidays, however meals may be served from 8.00 - 10.00 A.M. and 5.30 to 7.30 P.M.
- ii) Administration may make arrangements for kitchen staff to be on duty on all days as at present.
- iii) Other staffs such as Cleaners, Safaiwallas and other essential staffs may be required to work for 6 days a week.

E) Members Present :

1. Prof. R.R. Mishra, Deptt. of Botany.
2. Prof. (Mrs) H.Illa, Deptt. of Chemistry.
3. Prof. M.P. Mahajan, Deptt. of Chemistry.
4. Dr. D.R. Syiemlieh, D.S.W.
5. Dr. A. Patton, Registrar - Convenor.

...

Item No. 6 - ADMINISTRATIVE MATTERS:

6:1- Selection Committee-

Item (ii) Placement of Dr. K.C. Baral, Lecturer in English, Mizoram Campus as Reader under Career Advancement Scheme.

On the representation made by Dr. K.C. Baral to designate him as Reader under Career Advancement Scheme, the Executive Council in its 78th meeting vide resolution No. EC:78:93:06(ii) dated 30.3.93, resolved that the matter may be placed before the same Selection Committee for consideration.

In pursuance of the Council's decision, the matter was referred back to the same Selection Committee. The Selection Committee met on 12.5.93. The recommendation of the Selection Committee is placed before the Council for consideration and approval.

The recommendation of the Selection Committee will be tabled by the Chair.

6:1:3(1)

(iii) Recommendations of the Selection Committee.

The interviews for recruitment to various Teaching and Non-Teaching posts were held recently.

The recommendations of the Selection Committees are placed before the Council for consideration and approval. The recommendation will be tabled by the Chair.

6:2- Appointment/Creation of posts/Confirmation/Termination etc.

(v) ~~AC~~ Promotion in respect of Shri W.M.R.Wallang.

Shri W.M.R.Wallang joined as Asstt.Finance Officer on 1.6.82. He was placed under suspension w.e.f.15.4.85 vide order No. F.14-41/Estt-II/82-5, dt.15.4.85. Subsequently, under the orders of the Hon'ble High Court, dt.15.2.91, the order of suspension was re-voled and Shri Wallang was re-instated in service w.e.f.21.2.91. However, the period of suspension w.e.f.15.4.85 to 20.2.91 could not be regularised pending finalisation of the case against him in the Court.

But under the orders of the Hon'ble High Court dt.13.9.91, the Vice-Chancellor ordered that the period of suspension of Shri Wallang w.e.f.15.4.85 to 20.2.91 be treated as on duty for all purposes and that he will be entitled to full pay & allowances for the period of suspension.

Shri Wallang who joined on 1.6.82 is due for promotion. Had Sri Wallang been in service & not suspended, he would have been promoted to the post of Deputy Registrar, if found suitable. In the meantime, Mr.N.R.Chakraborty who joined as Asstt.Registrar on 18.2.84 & junior to Shri Wallang had already been promoted to Deputy Registrar w.e.f.15.9.89.

The matter was placed before the DPC in its meeting held on 4.8.90. The Committee observed that Shri W.M.R.Wallang at present under suspension, would normally have been due for consideration for promotion to the rank of Deputy Registrar. In view of the court case pending against him, the Committee decided to defer consideration of his case till final disposal of the court case concerning him.

The recommendation was placed before the 74th meeting of the Executive Council and the Council vide resolution No.EC:74:92:06:2(xxvi): noted the recommendations of the DPC and RESOLVED that necessary action may be taken up at an appropriate time.

Shri S.K.Das Choudhury, Advodate issued notice under Sec. 80(1) Civil Procedure Code on behalf of Shri W.M.R.Wallang for his promotion as DR (dt.23.10.92). The matter was referred to the University Legal Adviser for his views & comments. The legal Adviser's view was as follows -

Shri Wallang who joined on 1.6.82 is due for promotion. Had Sri Wallang been in service & not suspended, he would have been promoted to the post of Deputy Registrar, if found suitable. In the meantime, Mr.N.R.Chakraborty who joined as Asstt.Registrar on 18.2.84 & junior to Shri Wallang had already been contd...2/- Deputy Registrar w.e.f.15.9.89.

The matter was placed before the DPC in its meeting held on 4.8.90. The Committee observed that Shri W.M.R.Wallang at present under suspension, would normally have been due for consideration for promotion to the rank of Deputy Registrar. In view of the court case pending against him, the Committee decided to defer consideration of his case till final disposal of the court case concerning him.

The recommendation was placed before the 74th meeting of the Executive Council and the Council vide resolution No.EC:74:92:

- (vi) Invitation of Prof. Raghbir Singh for deputation to Nuclear Science Centre.

Prof. G. K. Mehta, Director, Nuclear Science Centre, invited Prof. Raghbir Singh, of the Department of Physics for deputation to Nuclear Science Centre to do full time research in the Centre. Letter may be seen at Annexure - I.

The Head Department of Physics and the Dean School of Physical Science, recommended for deputation of Prof. R. Singh to Nuclear Science Centre, stating that the teaching in the Department can be satisfactorily carried out. Prof. Raghbir Singh also accepted the invitation for deputation and requested the Vice-Chancellor to release him with effect from August 1, 1993.

On the basis of the recommendation of the Dean, School of Physical, the Vice-Chancellor approved the deputation of Prof. Raghbir Singh to NSC for a period of two years. The same was intimated to the Director, NSC, stating that the matter will be placed before the Executive Council in the next meeting.

The Nuclear Science Centre decided to have the services of Prof. R. Singh and the terms and conditions are spelled out in their letter placed at Annexure - II.

The matter is therefore placed before the Council for consideration.

%%/%

6:2:6:(2)

ANNEXURE - I

NUCLEAR SCIENCE CENTRE
(An Autonomous Inter_University Centre of UGC)

Prof.G.K.Mehta
Director

Ref: NSC/0-21/772

The Vice-Chancellor
North-Eastern Hill University
N.E.H.U Campus Post Office
Shillong - 793 022.

Dear Sir,

I am sure you are aware of this Centre established by UGC as its first Inter-University facility for accelerator based research in various disciplines. I am enclosing a brochure for your perusal. It started functioning as a users facility since July '91 and we already have users from 32 Universities and 14 Colleges besides other institutions.

Prof.Raghubir Singh of Deptt, of Physics, NEHU has been associated with this Centre from the beginning and participated in planning and experimental facility for front ranking experiments in heavy-ion induced fusion reaction studies. This facility named Heavy Ion Reaction Analyzer(HIRA) is now fully operational. I will like to invite Prof, Singh on deputation from NEHU to NSC so that he can do full time research for some time.

I will appreciate it very much if you could kindly consider this proposal.

With regards,

Yours sincerely,

Sd/-
(G.K.Mehta)

C.C. to: Prof.Raghubir Singh
Deptt.of Physics
North-Eastern Hill University
Shillong - 793022.

N U C L E A R S C I E N C E C E N T R E
(An Autonomous Inter-University Centre of UGC)

Ref: NSC/II.149/2659

May 26, 1993.

The Registrar
North Eastern Hill University
Post NEHU Campus
Shillong.

Sub: - Deputation of Prof. Raghbir Singh in the Nuclear Science Centre.

Dear Sir,

Please refer to your letter No.D.O.No.F.17-35/Estt.II/91-670 dated 11.5.93. It has been decided by the Centre to have the services of Prof. Raghbir Singh, Department of Physics, NEHU on deputation on the following terms and conditions.

1. Period of Deputation:

The period of deputation will be 2 years from the date of joining.

2. Pay :

During the period of deputation he will be entitled to draw his basic pay as admissible from time to time at NEHU plus deputation pay as per GOI rule.

3. Dearness Allowances :

He will be entitled to DA as applicable to Nuclear Science Centre which is presently same as in Central Universities.

4. Local Allowance like CCA & HRA etc:

Local Allowances like CCA & HRA etc. will be regulated under the rules of Nuclear Science Centre. However, if accommodation is provided, the house rent will be recovered as per Centre's rules. The accommodation will be provided by leasing a flat in Vasant Kunj.

5. Joining Time/Joining Time Pay :

Joining time and joining pay for joining NSC and reversion therefrom will be regulated in accordance with the rules of the Centre and will be payable by the Centre.

6. Leave Rules :

During the period of deputation he will remain to subject to the leave rules of NEHU and the Centre will pay leave salary contribution according to the rates prescribed by GOI from time to time under FR 6 116.

7. TA/DA:

TA/DA for journey on duty during the period of deputation and joining the post will be regulated under the rules of Nuclear Science Centre.

8. GPF/CPF:

The Centre shall pay pensionary contribution to the NEHU in respect of period of foreign service at the rate enforce time to time, in accordance with FR 116 GOI rule.

NUCLEAR SCIENCE CENTRE

9. Medical facility:

The Centre shall afford the medical facilities as admissible to the Officers of Nuclear Science Centre.

10. Leave Travel Concession.

He will be entitled to LTC admissible to him under the GOI rule in this regard.

11. Service:

The service rendered by him at this Centre will count for seniority/promotions etc. under the parent department.

For the matters not covered under this terms and conditions will remain subject to bye-laws of NSC and GOI rules.

You are requested to convey your acceptance of the above terms and conditions as early as possible so that formal letter can be issued to Prof. Raghbir Singh.

Thanking you,

Yours sincerely,

Sd/-

(G. Dutta)

Administrative Officer.

(vii) Promotional avenues for teachers
-Report of the Committee

In pursuance of the Academic Council decision adopted at the 44th meeting, a Committee was constituted to examine promotional avenues for teachers. The Report of the Committee placed at Annexure-'A', was considered at the 46th meeting of the Academic Council held on 14.5.93 and the resolution of the Academic Council is reproduced below:

"No:AC:46:93:6:02:(ii): The Council considered the recommendations of the Committee appointed to look into the creation of promotional avenues for teachers and RESOLVED that:

1. Qualifications prescribed will be as laid down by the UGC for the purpose.
2. The scale of pay for the promotees will be as laid down by the University Grants Commission/Ministry of Human Resource Development. Promotees are however, eligible to apply for an open post whenever is it available.
3. The selection procedure to be followed will be the same as those laid down by the University Grants Commission/Ministry of Human Resource Development for the purpose.
4. The question of recovery of arrears of salary paid under the new scale of pay was deferred to the next meeting of the Council."

The matter is placed before the Executive Council for Consideration.

6:2:7(2)

REPORT OF A COMMITTEE CONSTITUTED UNDER A.C. RESOLUTION NO.AC:44-92:6:06(iii) TO CONSIDER PROMOTIONAL AVENUES FOR TEACHERS.

1. Meetings of the Committee

The Committee met on 26.11.92 and again on 7.5.93 in the chamber of the Registrar, NEHU. The following members were present :-

- (i) Prof. T.S.B.Narasaraju, Chairman
- (ii) Prof J.B.Bhattacharjee, Member
- (iii) Prof N.Malla, Member
- (iv) Dr. A.Patton, member and
- (v) Shri O.D.Shira, Convener

The Finance Officer expressed his inability to be present at the meetings.

2. Background Information

The following aspects constitute the background information :-

- 2.1. The President, NEHUTA, Dr. S.N.Rai, Prof H.Junjappa, a few senior Readers and Lecturers of NEHU were consulted by the Chairman to elicit their opinions in the context.
- 2.2. A resolution adopted at the 34th meeting of the A.C. held on 5.10.88 states that the new pay scales of teachers were accepted by the University under the condition that additional faculty positions worked out by the University are created.
- 2.3. A letter dated 24.2.92 was sent by 31 faculty members to the Vice-Chancellor requesting for creation of promotional avenues during the 8th plan period through upgradation to avoid academic stagnation.
- 2.4. A letter dated 22.7.92 sent by Prof H.Junjappa to the Vice-Chancellor was discussed at a subsequent meeting of A.C. It was mentioned in the letter that stoppage of MPS after adoption of new pay scales created an unprecedented academic stagnation for deserving faculty members. It was proposed by him that such of the Lecturers and Readers with a basic pay equal to or higher than the starting point of the pay scale of a Reader and a Professor respectively are to be considered for evaluation for promotion as an ongoing process since it does not involve financial commitment by the University. The concerned modalities were suggested by him.
- 2.5. The President, NEHUTA, Dr. S.N.Rai submitted to the Vice-Chancellor a letter dated 27.7.92 suggesting a proposal for promotional avenues approved by the NEHUTA. The following are the salient aspects :-

- (a) An earlier resolution of the A.C. states that promotional avenues for teachers opting for the new pay scale are created.

B:2:7(B)

- (b) No new faculty positions were sanctioned during the entire 7th plan period.
- (c) Modalities for promotions of Lecturers and Readers were suggested.
- 2.6. A note submitted by the university was discussed at a meeting of the A.C. held on 7.8.92. The following are its salient aspects :-
- (a) During the adoption of the new pay scales additional posts of Professors and Readers to be worked out by the university should be created.
- (b) A reference was made to the proposals received from the teachers in the context.
- (c) An ongoing Career Advancement Scheme exists for promotion of Lecturers to Senior/Selection/Reader's grades.
- (d) Adoption of upgradation of posts as suggested by the teachers leads to blockage of promotions at lower levels.
- (e) Any proposal formulated by the university is to have the approval of the UGC before implementation.

3. Basis for Conclusions arrived at

The Committee discussed at length the totality of the aspects mentioned under Item No-2 above.

3.1. It noted that an ongoing process of Career Advancement of Lecturers based on a continuous assessment exists as a promotional avenue while such a provision is denied to a Reader.

3.2. It took into consideration the fact that at the time of implementation of new pay scales and termination of MPS an option was being given to such of the Readers who could not complete the stipulated minimum of 8 years of service for eligibility to be considered under MPS to continue with the old pay scales till attainment of the minimum service requirement and then get eligibility for assessment to promotion as a Professor with a truncated scale of pay, namely, Rs. 4500 to Rs. 5700 as a modified MPS.

3.3. The Committee felt that this option was not used by the majority of the Readers because of the promise of creation of alternative promotional avenues to those opting for the new scales.

3.4. In the light of the present financial constraints being experienced by the university, the committee felt that any recommendation should be free from both shortrange and longrange financial involvement to see the light of the day.

contd/...../-

4. Recommendations

Based on the considerations mentioned under Item No.3 above, the Committee arrived at the following recommendation :-

4.1. It is not correct to state that promotional avenues were not created during the 7th plan since 15 among the Readers were promoted as Professors and the consequent vacant positions of headers are being filled up.

4.2. No academic stagnation exists in reality since pursuit of academic advancement is a continuous process. Stagnation from the point of view of emoluments also does not exist as long as the upper most point in the basic pay of a given scale is not reached.

4.3. For promotion of a Lecturer, Career Advancement Scheme exists and consequently the need to suggest any other promotional avenue does not arise. Since such a scheme is absent in the context of promotion of Readers, such avenues are to be explored.

4.4. A promotional avenue for a Reader to a Professor is to be created on the basis of a provision included in the 4th Pay Commission with a pay scale of Rs. 4500 to Rs. 5700 with a modification that the arrears of salaries paid under the new pay scale need not be refunded.

4.5. The modalities for selection should be the same as those stipulated by the 3rd Pay Commission for promotion of a Reader to a Professor under MPS

4.6. In the case of those teachers promoted as headers under MPS a minimum of 16 years of P.G. teaching out of which at least 8 years must be as header is to be stipulated for inclusion under the scheme.

4.7. This should be an ongoing process in the university

4.8. For Lecturers since any such promotional avenue involves financial implications and since there is an existing provision of Career Advancement, the Committee could not recommend any additional promotional avenue.

4.9. Since there is no financial implication in the creation of such promotional avenues from Readers to Professors the recommendation may be brought to the notice of the UGC only for information.

Sd/- T.S.B.Narasaraju
Chairman.

Sd/- G.D.Shira
(Convener)

Excerpts from a note submitted by Prof. N. Malla,

(i) Any teacher who reaches the last point in a Particular grade shall be automatically shifted to the next higher grade without any assessment. This should be accepted as a standing principle in the University.

(ii) Any teacher who has completed eight years in

Reader(s) grade in NEHU and has adequate number of research publication in standard journals and has effectively supervised research at Ph.D level (at least two Ph.D.) and has not enjoyed the benefits of merit promotion before hand, shall be eligible for evaluation and assessment to the next grade.

Justification:

Though the U.G.C. has done away with the Merit Promotion Scheme, we recommend that NEHU should have its own scheme. The reasons are as follows :

(i) There are a large number of highly qualified teachers who are very active in their respective fields.

(ii) If this is accepted, it follows that they should automatically satisfy certain normal conditions that could be usually expected from any University teachers who aspires and deserves to go to the next higher grade. These are as follows: Appreciable number of years of teaching, some publications and some kind of supervision at the Ph.D level. Can we think of somebody being promoted as a Professor without producing a Ph.D. ? Let us ponder over it.

In principle, a teacher who has enjoyed merit promotion once should not again be considered subject for the same. However, he/she may also be considered subject to the following conditions:

(i) He/she shall have at least 16 years of teaching experience at the Post-graduate level. The reason for fixing years of teaching at 16 is this:

First of all, it is to avoid a peculiar type of incongruity that is likely to emerge if there is relaxation in the years of teaching. Imagine

6:2:7(6)

a hypothetical case. A person who joins this University, say, today, as a lecturer takes sixteen years to reach Reader's grade, where as a person who joined this University say, in 1980 with some teaching experience in some educational institution, gets all the benefits of all the three grade, i.e., Lecturer, Reader and Professor just in 12 years time ! Should it be encouraged in the academic institutions funded by the Government ?

Further, as per the U.G.C. guidelines one can avail of the merit promotion only once in the career. If we relax this condition we should stipulate some other condition in order to justify the case.

(ii) The work and publications submitted for evaluation in the previous case of merit promotion shall not be submitted for evaluation. The reasons are as follows: Some teachers got merit promotion on earlier dates on the basis of work and publications that came out much later. If this condition is not stipulated then there will be cases where teachers will get double benefits on the same piece of work. This type of thing should not be encouraged in Educational institutions.

(iii) Requirement of publications and research supervision shall be the same as in other case.

(viii) CONFIRMATION AND DEPUTATION OF SHRI ATUL DEV
SARMAH, ASSTT.EDITOR(PUBLICATION).

.....

Shri Atul Dev Sarmah joined NEHU as Asstt. Editor on 30.11.85 in the grade of Asstt. Registrar/Lecturer. As no regular vacant post was available, Shri Sarmah was appointed as Asstt. Editor on contract and he served the University continuously since then till 8.3.92, i.e. for more than 7 years. A regular vacancy became available w.e.f. 21.6.88 after the incumbent holding the post tendered the resignation. Shri Sarmah was appointed as Asstt. Editor on a regular basis through the Selection Committee w.e.f. 9.3.92. Considering his continuous service in the University from 30.11.85 i.e., for more than 7 years, it is proposed to confirm him against the post from the date of his joining, i.e. 9.3.92 as is the usual practice in the University.

If the Council approves the confirmation of the services of Shri A.D. Sarmah, it is proposed to allow him to take up a new assignment as Deputy Director(Publication) in the Directorate of Adult Education, New Delhi under the Ministry of Human Resource Development. The Ministry decided to appoint Shri Sarmah as Deputy Director(Publication) on deputation for a period of 3 years on usual deputation terms. A copy of the order of the Ministry of Human Resource Development may be seen at Annexure 'A'. Shri Sarmah is proposed to be released to take up the new assignment w.e.f. 10.8.92.

The case is put up to the Council for favour of consideration for confirmation of the services of Shri A.D. Sarmah and his deputation for a period of 3 years.

6:2:8(2)

F.13-3/91-D-III(AE)

Annexure 'A'

Government of India

Ministry of Human Resource Development

Department of Education

.....

New Delhi, the 8th June, 1993.

O R D E R

Approval of the competent authority is hereby conveyed to the appointment of Shri Atul Dev Sarmah, Asstt. Editor, Estt-II, North-Eastern Hill University Shillong as Deputy Director(Publication) in the Directorate of Adult Education, Jam Nagar House, New Delhi in the scale of pay of Rs.3000-4500 on transfer on deputation basis for a period of three years from the date he reports for duty on usual deputation terms.

2. If Shri Sarmah accepts the offer on the above terms and conditions, he should report for duty to Director, Directorate of Adult Education, Block No.10, Jamnagar House, Hutments, New Delhi by 1st July, 1993 failing which the offer will be treated as cancelled.

Sd/-

(SARADA ALI KHAN)

UNDER SECRETARY TO THE GOVT. OF INDIA

Copy to:-

1. Assistant Registrar, North-Eastern Hill University, Lower Lachumiere Shillong with reference to their letter No.F.15-4/Estt.II/86-9243 dated 1.4.92 with a request that Shri Sarmah may be relieved immediately so as to enable to report for duty in the DAE, New Delhi by 1st July, 1993.
2. Director, Directorate of Adult Education, Jamnagar House Hutments, New Delhi.
3. Shri Atul Dev Sarmah, North Eastern Hill University, Lower Lachumiere, Pin Code 793 001, Meghalaya.
4. Secretary, UPSC, Dholpur House, Shah Jahan Road, New Delhi with reference to their letter No.3-44(2)/92 AU-IV dated 19th April, 1993.

(ix) Removal from service - Shri H.G.Momin,
Peon, Conference Section NEHU, Shillong

Shri Halorine G. Momin, Peon, Conference Section NEHU, Shillong had been in the habit of absenting himself from duty. He had been served with memos, warnings and show-cause notices in the past affording him all reasonable chances to improve himself, but he did not show any sign of improvement. He was a persistent defaulter. During the month of November, 1990 disciplinary proceedings were initiated against him which ended in minor punishment as he had pleaded guilty of the charges.

In spite of all actions against him Shri Momin again absented himself from duty w.e.f. 2.1.92. He was again served with show cause notice, memos, etc. but he neither responded to the correspondence nor appeared in person. As a last resort a notification was published in newspaper but Shri Momin did not report for duty.

Ultimately, a departmental inquiry was again ordered and charge sheet was served to him affording him a chance to submit a written statement in his defence but Shri Momin neither submit any statement nor appeared in person. Hence the departmental inquiry was conducted exparte.

The Inquiry Authority has found Shri Momin guilty of all the charges and recommended for his removal from the services of the NEHU.

The appointing authority has approved the inquiry proceedings and have awarded the major punishment of Removal from service.

The matter is now placed before the members of the Executive Council for their approval.

6:6- Service condition/Financial & Other Benefits-

- (v) Approval of transfer of service for the purpose of retirement benefits in respect of Dr. R.N.Prasad.

Dr. R.N.Prasad was appointed to the post of Lecturer, Department of Public Administration, NEHU, Mizoram Campus with effect from 27.6.85. He is now holding the substantive post of Reader in the same Department with effect from 8.6.89.

Before joining this University, Dr. R.N.Prasad had served as Lecturer in Political Science, Lunglei Government College with effect from 16.8.1968 to 26.6.1985.

The Government of Mizoram had transferred all the past service liabilities viz. Capitalised value of pension, DCRG and Leave encashment, as shown below, for the past service of Dr. Prasad to NEHU.

1. Capitalised value of pension	= Rs.1,07,102.00
2. DCRG	= Rs. 23,078.00
3. Leave encashment for 38 days earned Leave	= Rs. 3,515.00

Dr. R.N.Prasad has now requested the University to count his past service rendered in Lunglei Government College as qualifying towards pension.

Since all the formalities have been fulfilled, the matter is, therefore, placed before the Council for approval of transfer of service for the purpose of retirement benefits.

- (vi) Designation of Reader to the Lecturers of the Constituent Colleges of NEHU under Career Advancement Scheme.

The Executive Council in its 77th meeting held on 11.12.92, vide resolution No:EC:77:92:6:02 (xviii) resolved since under the U.G.C. Guidelines no distinction is made between the University and College lecturers, College Lecturers who possess the required qualification and experience may be designated as Reader on the recommendation of the Selection Committee. Since this Scheme would also apply to teachers of the Affiliated Colleges, the Council therefore resolved to obtain the concurrence of the State Governments before implementation.

In pursuance of the Council's decision, the University had made correspondence with the Governments of Meghalaya, Mizoram and Nagaland. The replies received from the Government of Meghalaya and Mizoram may be seen at Annexure "A" and "B". The Government of Nagaland has not responded till date despite reminders. The Colleges in Nagaland will no longer be under NEHU as soon as the Nagaland University starts functioning.

The matter is therefore, placed before the Council for its consideration.

6:6:6:(2)

(C O P Y)

ANNEXURE "A"

GOVERNMENT OF MEGHALAYA
EDUCATION DEPARTMENT

From: Shri A. Nongrang,
Under Secretary to the Govt. of Meghalaya.

To: The Registrar,
North Eastern Hill University,
Shillong - 22.

Subject: CAREER ADVANCEMENT UNDER U.G.C. SCHEME.

Ref: No.F.5-1/Estt-II(B)/91-5447 dt. 27.2.93.

Sir,

I am directed to refer to your letter cited above and to say that State Government has implemented the Career Advancement Scheme for Lecturers of the Colleges except the post of Readership under the Revised University Grants Commission pay scale 1986 which have not been created.

Yours faithfully,

Sd/-

Under Secretary to the Govt. of Meghalaya
Education Department.

6:6:6:(3)

(C O P Y)

ANNEXURE 'B'

NO.G.12017/1/92-EDN
GOVERNMENT OF MIZORAM
EDUCATION & HUMAN RESOURCES DEPARTMENT

Dated Aizawl, the 26th May '93.

To

Assistant Registrar, Estt-II,
NEHU, Lower Lachumiere,
Shillong 793 001 (Meghalaya).

Ref: Your letter No.5-1/Estt-II(B)/91-5447,
dt. 27.2.93 and dt. 30.3.93.

Sir,

With reference to your letters No. and dated cited above, I am directed to request you to furnish the required informations as follows:-

- (1) The Career Advancement Scheme of College Lecturers has been implemented by the Govt.
- (2) Some Lecturers have undergone Refresher Course/Summer Institutes for a 4 weeks duration.
- (3) Cases of eligible candidates for promotion to Selection grade Lecturers/Readers are presently under process in the Department.

Yours faithfully,

Sd/-

(CHALLIANA)

Under Secretary to the Govt. of Mizoram,
Education & Human Resources Department.

6:6:7(1)

- (vii) Counting of past service for the purpose of pension and other retirement benefits-
Case of Professor Vijay Kumar, Department of Mathematics, NEHU, Shillong.

Professor Vijay Kumar was appointed as Reader in the Department of Mathematics, NEHU, Shillong with effect from 23.3.81(FN) and had since been confirmed in the post.

Before joining NEHU, Dr. Kumar served in the University of Roorkee, U.P. with effect from 2.9.57 to 22.3.81.

The Provident Fund money (a) Own subscription (with interest) and (b) University contribution (with interest) received by Professor Vijay Kumar from the University of Roorkee amounting to Rs.1,50,199/- has been deposited by him to NEHU. However, no retirement gratuity was received from the Roorkee University as payment of retirement gratuity is not admissible under that University.

Professor Vijay Kumar requested the University that his past service rendered in Roorkee University be counted for the purpose of pension and for the purpose of retirement gratuity only his service in NEHU be reckoned.

In view of the above, the past service of Professor Vijay Kumar may be approved for transfer and counted as qualifying service for the purpose of pension only. For retirement gratuity and Leave encashment only his service in NEHU may be taken into account.

The matter is placed before the Council for consideration.

(viii) PENSION CASE OF SHRI C. P. TIWARI
EX-READER, CENTRE FOR CONTINUING AND ADULT EDUCATION
NEHU, SHILLONG.

For Consideration by the Executive Council in its meeting scheduled for 20.7.93

In his letter D.O.No.F.8-18/92-Desk(U) dated 12.3.93, the Director(U), Department of Education, in the Ministry of Human Resource Development has requested that pension case of Shri Tiwari be settled urgently and retirement benefits due to him from the University be paid to him (Annexure-I). Shri.C.P. Tiwari, Technical Assistant in the Ministry of Education and Social Welfare of the Govt. of India joined services with the Govt. of India on 26.8.57 and was appointed Reader, Centre for Continuing Education, School of Education, NEHU, with effect from 21.5.76(AN). This appointment was made under the provision of Statute 21 of NEHU Act, 1973. His pay was fixed at Rs.1200/- per month in the scale of Rs.1200-1900/- (Annexure-2).

The Ministry of Education, Govt. of India has not accepted the above arrangement made by NEHU and has maintained that : (1) Shri C.P.Tiwari would be treated as on transfer on foreign service to NEHU and his lien would be retained for the period of 2 years in the Ministry or till he was permanently absorbed in NEHU, whichever was earlier; and, (2) Shri Tiwari had given an undertaking to the effect that pension and leave salary contribution during the period of his foreign service with NEHU would be paid by him because he was allowed a higher scale of pay (Rs.1200-1900) in relaxation of the restrictions contained in the Ministry of Finance OM.No. F.10(24)-E.III/60 dt. 9.3.64 as amended from time to time and with the concurrence of the Ministry of Finance, Govt. of India (Annexure 3 & 3A) - Annexure 3A page 2 item (iii).

In April 1982, the National Institute of Educational Planning and Administration (NIEPA) New Delhi, offered Shri. Tiwari the post of Associate Fellow on deputation basis without deputation allowance for the period of 2 years. This offer of NIEPA was intimated by Shri. Tiwari to the Vice-Chancellor under letter dated 20.4.82 (Annexure - 4). According to this, NIEPA agreed to remit leave salary and pension/CPF contribution of Shri Tiwari to NEHU for the period of his deputation with NIEPA. In order to obtain release from NEHU, Shri Tiwari applied for extra-ordinary leave for 2 years vide his application dated 6.5.82 (Annexure-5) His case was thereafter put up to the Executive Council, which, under resolution No. 30:82:13 dt. 24.5.82 (Annexure-6), approved the release of Shri Tiwari to enable him to join his new assignment at NIEPA on deputation without deputation allowance. As a follow-up action to this resolution, NEHU Administration released shri Tiwari from his post in the University with effect from 23.6.82 (AN) to join NIEPA vide order dated 23.6.82 (Annexure-7). In this order Shri. Tiwari was also granted extra-ordinary leave for 2 years for this purpose.

On 4.6.84, Shri Tiwari applied for "No objection Certificate" from the University for his permanent absorption in NIEPA. The then Vice-Chancellor noted that the University has no objection below the note submitted by Shri. Tiwari to him (Annexure-8). Under letter No. F.17-20/82-83-Pers dt. 23.1.85 NIEPA requested the Registrar, NEHU, to obtain and communicate the approval of the University competent authority of further extension of the term of deputation of Shri Tiwari as Fellow in NIEPA for another year effective from 8.6.84 (Annexure-9). This was followed by another request contained in NIEPA's letter dated 3.7.85 for Shri Tiwari's extension for a further period of six months up to 27.12.85 (Annexure-10). Although no reply to the above two letters of NIEPA appears to have been made by NEHU, yet in supersession of the request contained in their letter dated 3.7.85 (Annexure-10) NIEPA decided to repatriate Shri. Tiwari to his Parent University with effect from 8.7.85 (AN) under their order dated 8.7.85 (Annexure-11) and Shri. Tiwari was directed by them to report for duty to Registrar, NEHU after availing of usual joining time as admissible under the rules.

Shri Tiwari thereafter requested the Director, NIEPA in his letter dt. 2.8.85 (Annexure-12) to grant him four months leave. Since his term with NIEPA ended on the afternoon of 8.7.85, it is apparent that the leave applied for by him related to the period from 9.7.85 to 8.11.85. Incidentally, NEHU paid him salary amounting to Rs.10,248.40 for the above leave period although no leave was formally sanctioned to him by NEHU (Annexure-13).

Although under the terms and conditions of foreign service governing deputation of Shri Tiwari with NEHU, /vide annexure-3A page 2 item (iii)/ Shri Tiwari was to have contributed towards his own leave salary and pension, yet in December 1984, NEHU remitted to the Ministry the following amounts of contribution in respect of Shri Tiwari's foreign service in NEHU for the period from 18.5.76 to 23.6.82 on which date he was released by NEHU to join NIEPA on deputation :-

i)	Leave salary contribution	=	Rs. 8726. 20
ii)	Pension contribution		8576. 50
			<hr/>
	Total		Rs. 17303. 00
			<hr/>

The above payment stands recoverable from Shri. Tiwari as is his leave salary of Rs.10,248/- mentioned above.

On expiry of the period of 4 months mentioned above, i.e. 18.11.85, Shri Tiwari did not report for duty and wilfully remained absent without intimation till 7.10.86. He reported for duty with NEHU on 8.10.86 (vide Annexure -14). Although he submitted his charge report on 8.10.86, records show that he again remained absent without intimation from 26.10.86 to 9.11.86 and again from 14.11.86 to date vide last paragraph of page 3 of Annexure -15. His un-authorized and willful absence from duty for 11 months from 8.11.85 till 7.10.86 was taken serious note of by the University and Shri Tiwari was asked on 19.12.86 (Annexure-16) to tender explanation in writing as to why disciplinary action as decided under EC resolution No. 54:86:06:2(xi) dt. 5.11.86 (Annexure-17) should not be taken against him for absenting himself from duty without authority. Shri Tiwari submitted his explanation in his letter dt. 27.12.86 (Annexure-18).

The explanation was not found acceptable to the Executive Council, which, in its 56th meeting held on 4.5.87, resolved that : (i) Shri C.P.Tiwari be confirmed as Reader, Centre for Continuing Education with effect from 23.6.82.

(ii) the post held by Shri Tiwari be deemed to have been vacated by him with effect from 22.6.85, besides two other resolutions in the matter (Annexure-19). The administrative order giving effect to the above EC resolution is dt.12.6.87 (Annexure-20). In its 57th meeting held on 2.7.87, the Executive Council resolved to keep its decision made on 4.5.87 in the case of Shri Tiwari in abeyance (Annexure -21). Shri.Tiwari was however informed in unambiguous terms by the Administration in its letter dated 3.10.87 (Annexure-22) that the decision of the Executive Council that Shri Tiwari had been deemed to have vacated his post in NEHU has not been revoked.

The pension case of Shri Tiwari has again been revived by the remittance of Rs.79,373/- by the Ministry to NEHU being pro-rata pensionary benefits in respect of Shri C.P.Tiwari for the period of his service under the Ministry from 26.8.57 to 23.6.82 (AN). Simultaneously, an amount of Rs.14,924/- representing basic salary and pension contribution by NIEPA in respect of Shri Tiwari for the period he was on deputation with them from 23.6.82 (AN) to 8.7.85 (AN) has been received. On queries made by the University as to the date of the deemed retirement of Shri Tiwari from the University, the Ministry has obtained the opinion of the Integrated Finance Division (IFD) of the Ministry and conveyed in their letter dt. 28.5.93 (Annexure-23) the aforesaid advice which is as under :-

- (i) The pension and retirement benefits of Shri. Tiwari should be allowed for the period from 26.8.57 to 8.7.85 as reduced by non-qualifying service, if any, and that Shri Tiwari's request contained in his letter dt. 10.2.92 (Annexure-24) may be treated as his application for voluntary retirement. This letter was forwarded by Shri Tiwari to the Vice-Chancellor, NEHU, on 11.3.92 (Vide Annexure -25). It would be seen from the last paragraph of page 2 of letter dt. 10.2.92 of Shri Tiwari that he has sought voluntary

retirement with effect from the afternoon of 8.7.85
(Annexure-24).

As pointed out earlier, the following amounts stand recoverable from the death cum-retirement gratuity (DCRG) payable to Shri C.P.Tiwari.

1) Leave salary and pension contribution remitted by NEHU to the Ministry, such contribution being payable by Shri Tiwari himself	=	Rs.17,303.00
2) Leave Salary for 4 months for the period from 9.7.85 to 8.11.85 paid by the University to Shri C.P.Tiwari since the payment related to the period when he would be in retirement since his voluntary retirement takes effect from 8.7.85 (AN).	=	Rs.10,248.00
3) Un-adjusted amount of transfer TA advanced by NIEPA to Shri Tiwari at the time of his repatriation to NEHU. This amount of realisation has to be remitted to NIEPA	=	Rs. 7,000.00
		<hr/>
	Total	Rs.34,551.40.
		<hr/>

In view of the above, it is put up for the Executive Council to consider :

- i) to revoke the order dated 12.6.87 under which Shri C.P.Tiwari was deemed to have vacated the post of Reader in the Centre for Continuing Education NEHU;
- ii) To accept Shri Tiwari's offer of voluntary retirement with effect from the afternoon of 8.7.85 as advised by IFD of the Ministry.
- iii) To direct preparation of Shri Tiwari's pension papers and sanction him pension and other admissible retirement benefits for the period of his service from 26.8.57 to 8.7.85 and to recover from his amount of DCRG an amount of Rs.34,551.40 as stated above.

Sd/- 8/7/93
(E.J.Mawlong)
Finance Officer.

Forwarded to Conference Section. This has the V.C's approval.

Sd/-9/7/93
Finance Officer.

GOVT. OF INDIA, MINISTRY OF HUMAN RESOURCE DEVELOPMENT
DEPARTMENT OF EDUCATION, NEW DELHI -110 001.

D.O.No. F.8-13/92-Desk(U)

March 12, 1993.

Dear Prof. Pakem,

I am enclosing herewith a letter from the Ministry intimating the release of pensionary liability in respect of Shri C.P.Tewari, ex-Tech. Assistant, Deptt. of Education for the period 26.8.1957 to 23.6.1982 along with his service Book for further necessary action. Assistant Educational Adviser Shri D.K. Paliwal has also written to Registrar in this connection.

It is requested that pension ase of Shri Tiwari may please be settled urgently and the pensionary liabilities of the University paid to him.

You will also kindly recall that in a meeting on 3rd March in UGC, I had made a personal request to you in this regard.

With regards,

Yours sincerely,
Sd/-
(Uday Kumar Varma)

Prof.B.Pakem
Vice-Chancellor
NorthEastern Hill University
Shillong.

NORTH EASTERN HILL UNIVERSITY, SHILLONG-1

No. F.4-2/Estt/75-1399 Dated Shillong, the 24th May, 1976.

APPOINTMENT ORDER

The Vice-Chancellor, North-Eastern Hill University, Shillong is pleased to appoint Mr. CHANDRA PRAKASH TEWARI in the post of Reader, Department of Continuing Education, School of Education, N.E.H.U., Shillong in the scale of pay of Rs. 1200-30-1300-60-1900/- with effect from 21st May, 1976 (afternoon).

He will also be entitled to other allowances as admissible to Central Government employees of the same grade posted at Shillong.

He will be governed by the terms and conditions of service to be prescribed by this University.

This appointment is made under the provisions of Statute 21 of the North-Eastern Hill University Act, 1973.

He will draw an initial pay of Rs. 1200/- (Provl) in the aforesaid scale, plus other admissible allowance.

Sd/-
(T.K. Tochang)
Officer on Special Duty (Administration)

Copy together with a copy of the charge Report, is forwarded to:

1. The Officer on Special Duty (Finance), N.E.H.U., Shillong.
2. The Accounts Section, NEHU, Shillong.
3. Shri. Chandra Prakash Tewari.
4. The Private Secretary to the Vice-Chancellor, NEHU, Shillong.
5. The Department of Continuing Education, School of Education NEHU, Shillong.
6. The personal File.
7. The Under Secretary to the Govt. of India, Ministry of Education & Social Welfare (Deptt. of Education), New Delhi. This has reference to the Ministry's No. PF/T/31/K.11. dt. 17th May, 1976. (Office order No. 41/76-K.11).

Sd/-
(T.K. Tochang)
Officer on Special Duty (Admn).

Government of India
Ministry of Education & Human Resource
(Department of Education)

New Delhi, the 17th May, 1976.

OFFICE ORDER no. 40/76-E.13

After being relieved by the National Staff College For Educational Planners and Administrators, New Delhi, where he was sent on deputation, Shri. C.P. Tewari, a permanent Technical Assistant (O.C.) and Officiating Tech. Assistant (in the Ministry is taken back on the strength of the Ministry with effect from 17th May, 1976 (A.N).

2 On his having been selected for the post of Reader in the Department of Continuing Education of the North Eastern Hill University, Shillong from which he had applied with effect from 16th May, 1976 (F.N).

Sd/-

(A.K. Banarjee)

Under Secretary to the Government of India.

Copy to :-

1. Sri. C.P. Tewari, Technical Assistant (C.C)
2. Cash Section with one spare cop .
3. Service Book Group/Office Order File/Guard File/
4. The C.C.R., New Delhi.
5. The Officer on Special Duty (Admn), North Eastern Hill University, Lower Lachauiere, Shillong- 1. The terms and conditions governing his transfer wil follow.

MINISTRY OF EDUCATION

TERMS AND CONDITIONS OF FOREIGN SERVICE GOVERNING
DEPUTATION OF SHRI C.P. Tewari, Technical Assistant.

1. Period of deputation : The period of deputation of Shri C.P. Tewari with the North-Eastern Hill University, Shillong will be for two year(s) from 18-5-1976.
2. Commencement/Termination of foreign service: The period of foreign service of Shri Tewari will commence from the date he relinquishes charge of the post under the Government and end on the date of his resuming charge of a post under the Government of India. In case he takes leave on the conclusion of foreign service before joining a post under the Government his reversion will take effect from such date as the Government may decide.
3. Pay and Allowances: During the period of his foreign service, he will draw Rs.1,200/-P.M. (minimum of scale) plus usual allowances. This has been allowed with the concurrence of Ministry of Finance (E.III (B) Branch vide their U.O.No. 3482-E.III(B)/76 dated 20-7-76.
4. Travelling Allowance/Daily Allowances : Shri Tewari will be paid by the NORTH-EASTERN HILL UNIVERSITY, SHILLONG travelling allowance, as admissible under the rules of the N.E.H.U. Shillong respect of his journeys in connection with the affairs of that N.E.H.U. Shillong as also of the journeys undertaken by him to join the N.E.H.U., Shillong and on reversion therefrom to Government service. He will also be entitled to T.A. and D.A in accordance with the rules of the N.E.H.U, Shillong for Journeys, if any, in connection with his work with the NEHU Shillong T.A. (both ways) for the family of the officer will also be paid by the North Eastern Hill University, Shillong.
5. Joining time/Joining time pay: The joining time will be regulated under Central Government Rules. The joining time pay of C.P. Tewari when proceeding on foreign service on reversion therefrom, shall be payable by the North-Eastern Hill University, Shillong.
6. Leave : Shri. Tewari will remain subject to the leave rules of the Government of India, as applicable in his case and the N.E.H.U., Shillong will pay to Govt. of India leave salary contributions according to the rates prescribed by the Government of India from time to time under F.R.116. The whole expenditure in respect of any compensatory allowances for the period of leave in or at the end of foreign service shall be borne by the North Eastern Hill University, Shillong.

The N.E.H.U, Shillong, will be liable to pay leave emoluments in respect of disability leave that may be granted to him on account of any disability under the North-Eastern Hill University, Shillong, even if such disability manifest itself after the termination of his service under the North Eastern Hill University, Shillong.

7. Pension: (i) Shri.C.P.Tewari will not be allowed to join any pension/contributory Provident Fund Scheme of the N.E.H.U.Shillong.

(ii) The foreign employer will be responsible for the payment of any gratuity or pension that may be admissible to him under the Central Civil Service (Extraordinary Pension) Rules, Extraordinary Pension will be admissible under the C.S.Rs. or C.C.S. (Extraordinary pension) Rules, if any injury is sustained or death occurs during the foreign service.

(iii) Shri.C.P.Tewari shall pay pension contributions to the Government of India in respect of his foreign service at the rates in force from time to time in accordance with the orders issued by the President under F.R.116. The amounts of contributions are to be credited under the following Heads of Accounts :-

1. Pension contributions under the Head XLVI - contributions and recoveries towards Pension and other retirement benefits.
2. Leave salary contributions under Major Head 276, Demand No. 26.A-1 Secretariat, Community & Social Services - A.1 - Secretariat - A.1(4) office Expenses (Non-Plan) 1976-77. The leave salary and pension contributions should be paid promptly subject to adjustments and alterations in accordance with final rates, as may be necessary after intimation of rates by the Audit Officer. Penal interest would be levied if payments are delayed.

B. Medical facilities : The N.E.H.U. Shillong.

Shall afford to Shri. C.P.Tewari medical facilities not inferior to those which he would have enjoyed in the Government service but for his transfer to the foreign service.

9. Leave Travel concessions: During the period of foreign service, Shri. C.P. Tewari will be entitled to leave travel concessions admissible to him under the Government of India orders issued from time to time and the liability in this regard shall be borne by the North Eastern Hill University, Shillong.

10. Service: The service rendered by Sri. C.P.Tewari under the North-Eastern Hill University, Shillong will count for seniority, promotion, confirmation etc. under the Government of India.
11. G.P.Fund: Shri. C.P.Tewari will continue to subscribe to the General Provident Fund on the terms and conditions as a Central Government Servant.
12. Accommodation: Shri C.P.Tewari will be governed by the instructions contained in the Ministry of Works Housing and suppl- (Deptt. of V&H) O.M.No.12015(i) 68-Po. (ii), dated 13-12-68.
13. Salary: This will be subject to the recovery of income tax under the normal rules.
14. Children Education Allowance and Re-Imbursement of Tuition Fees: Cost of children's Education allowance, reimbursement of tuition fees admissible under the Ministry of Finance O.M.No. F.10(i)-Ests(Spl./60, dated 30-1-62 and O.M.No.17(i)-E, II(B)/68, dated and O.M. No.8(4)E. I(B)/69, dated 26-5-68 respectively will also be borne by the foreign employer.
15. The instructions issued vide the Ministry of Finance O.M. No.F.1(34)-E II/B/68, dated 15-1-68 regarding treatment of a portion of dearness allowance as pay will be borne in mind.

SE/- A.K. BANERJEE
Under Secretary to the
Government of India.

To

The Vice Chancellor
North Eastern Hill University
Shillong.

Sir,

I am glad to inform you that the National Institute of Education, Planning & Administration, New Delhi has agreed to appoint me as an Associate Fellow in the Institute. You were good enough to allow me to appear for this interview in December, 1981. I enclose a copy of the letter received from the Executive Director of the Institute about my selection.

It will be observed from the appointment letter that the Institute has taken me on deputation for a period of two years. I shall be grateful if I am relieved and my lien maintained in the University. I may mention that I was appointed in the year 1976 under Art. 21 of the University. The Institute is also willing to remit leave salary and pension/CPF contribution to the University for the period of my deputation with them.

It is requested that I may be relieved from my present duty by the 15th of May, 1982 as the Institute wants me to join them as early as possible.

Thanking you,

Yours faithfully,

sd/-

(C.P. Tewari)

Reader-in-Charge
Centre for Continuing Education.

20.4.82.

National Institute of Educational Planning and
Administration.

J. Veeraraghavan
Executive Director

17-B, Sri Aurobindo Marg,
New Delhi - 110016

No. F.19-6/81-82-Admn.

Dated : April 8/16, 1982.

Dear Shri Tewari,

Kindly refer to your letter of 26th March, 1982 regarding your willingness to be considered for appointment to the post of Associate Fellow in the Sub-National Systems Unit of this Institute.

I am glad to inform you that this Institute would be willing to take you on deputation basis for a period of two years as Associate Fellow in the scale of pay of Rs.1100-50-1600. You will be allowed to draw your pay from time to time in the existing scale of pay in the NEHU subject to the conditions that it will not exceed the maximum of the scale of pay of the post of Associate Fellow, i.e., Rs.1600. However, no deputation duty allowance will be paid. The Institute would also be willing to remit leave salary and pension/CPF contributions to the NEHU for the period of your deputation with this Institute. In case these conditions are acceptable to you, you are requested to join this assignment as early as possible after getting proper relief from the North Eastern Hill University.

Yours sincerely,

Sd/-

(J. Veeraraghavan)

Shri Chandra P. Tewari
Reader-in-Charge
North Eastern Hill University
Lower Lachaumiere
Shillong - 793001 (Meghalaya.)

6:6:8(14)

To

To :

The Vice-Chancellor,
North Eastern Hill University,
Shillong.

Dated Shillong, the 6th May, 1982.

Sir,

I am enclosing a copy of the communication received from the Executive Director, National Institute of Educational Planning and Administration, New Delhi offering me an assignment for two years as an Associate Fellow in the Institute. You had very kindly allowed me to appear for interview for the post in December, 1981.

I shall be grateful if I am granted extra-ordinary leave for two years to enable me to take up the assignment. In this connection, it may be mentioned that I was appointed in May 1976 under Statute 21 of this University. My assignment in New Delhi will also enable me to sort out with the Ministry of Education the question of the payment of leave salary and pension contribution etc. I shall be obliged if I am relieved by 20th May, 1982.

Thanking you,

Yours faithfully,

Sd/-

(C.P.Tawari)

Reader-in-charge

Centre for Adult/ Continuing
Education

North Eastern Hill University,
Shillong.

Item No. 13 OFFER OF APPOINTMENT TO SHRI C.P.TEWARI
READER-IN-CHARGE, DEPARTMENT OF CONTINUING
EDUCATION BY THE NATIONAL INSTITUTE OF
EDUCATIONAL PLANNING & ADMINISTRATION:

EC:30:82:13: The Council approved to release
Shri C.P.Tewari, Reader-in-charge, Department of Continuing
Education, NEHU to join his new assignment in the National
Institute of Educational Planning & Administration, on
deputation basis without any deputation allowance.

North Eastern Hill University, Shillong -1

No. F.10-21/Estt-II/ 810

Dated 23rd June, 1982.

ORDER

Shri. C.P.Tiwari, Reader, Incharge, Centre for continuing Education, NEHU, Shillong, is hereby released from his present post in the University with effect from 23rd June 1982 (A.N) to join his new assignment in the National Institute of Educational Planning and Administration., New Delhi. He is granted Extra-ordinary leave for two years with effect from 14th June 1982 for the purpose. This has a reference to the Executive Council resolution No. EC:30:82:13.

Sd -

(Mrs. M.R. Mawlong)

Registrar

Copy to.

1. Finance Officer, NEHU, Shillong.
2. Accounts Section, NEHU, Shillong.
3. Shri. C.P.Tiwari, Reader incharge, Centre for continuing Education, NEHU, Shillong. He is requested to hand over charge to ~~xxx~~ Shri.A.Roy, Lecturer, Dept of Continuing Education.
4. The Executive Director, National Institute of Educational Planning and Administration, 17-B, Sri. Aurobindo Marg, New Delhi - 110 016.
5. Private Secretary to the Vice-Chancellor, NEHU, Shillong.
6. Shri. A.Roy, Lecturer, Dept, of Continuing Education, NEHU Shillong.
7. Section Officer (Conference NEHU, Shillong).
8. Personal file.
9. Dean, School of Education, NEHU, Shillong.

Sd/-

(Registrar).

6:6:8:(17)

ANNEXURE - 8

Subject : Absorption in the service of
NIEPA as Fellow (North Eastern Region) in
the Sub-National systems unit.

In the enclosed note, NIEP has asked for
my option to get absorbed in the service of NIEPA
against the above mentioned post held by me or revert
to NEH. I have opted for absorption and sent a
provisional acceptance to NIEPA.

I shall be grateful if V.C. will very kindly
allow me to confer the option and accord a no
Objection Certificate in this regard. Since I had
been appointed by NEHU under Article 21 of the NEHU
Statute it is requested that the service rendered
by me as the head of the Continuing Education Centre
from 21, May 76 may kindly be transferred to NIEPA.

Sd/-
C.P.Tewari
4.Vi.84.

V.C.

We may have no objection

B.D.Sharma
dt. 4.6.84

NATIONAL INSTITUTE OF EDUCATIONAL PLANNING AND ADMINISTRATION

No. F.17-20/82-83-Pers.

January 23, 1985.

The Registrar
North-Eastern Hill University
Lower Lachauviere
Shillong - 793001.

Sir,

I am to invite reference to this Institute's endorsement of even number dated 26th November, 1982 appointed Shri C.P. Tewari, Reader Incharge, Centre for Continuing Education, North-Eastern Hill University, Shillong, as Associate Fellow in the pay scale of Rs. 1100-50-1600 (since revised to Rs. 1200-50-1300-60-1900 as Fellow w.e.f. 1.4.1982 and applicable in the case of Shri Tewari from the date of his joining NIEPA, i.e. 28th June, 1982) w.e.f. 28th June, 1982 (FN) for a period of two years on deputation on foreign service terms and to say that his term of deputation at this Institute expired on 27th June, 1984. Since the services of Shri Tewari are still required for the tasks in the Sub-National Systems Unit of this Institute where he is currently posted to work but a decision about his absorption in the Institute is yet to be taken, it will be appreciated if you could kindly arrange to obtain and communicate the approval of the competent authority for further extension of his term of deputation as Fellow in this Institute for another year w.e.f. 28th June, 1984 or till a decision is taken regarding his absorption in the services of this Institute, whichever is earlier.

The terms and conditions governing his deputation at this Institute may also kindly be sent urgently.

Yours faithfully

Sd/-

(R.P. Saxena)
Registrar.

NATIONAL INSTITUTE OF EDUCATIONAL PLANNING & ADMINISTRATION

No.F.17-20/82-83-Pers17-B, Sri Aurobindo Marg,
New Delhi - 110016.

Dated: July 3, 1985

The Registrar,
North Eastern Hill University,
Lower Lachauiere,
Shillong - 793001

Subject :- Extension of term of deputation on foreign service
of Shri C.P.Tewari, Reader Incharge, Centre for
Continuing Education, NEHU, Shillong as Fellow in
the grade of Rs.1200-1900 in NIEPA

.....

Sir,

I am to invite a reference to this Institute's
letters of even number dated 23rd January, 1985, 28th March,
1985 and 30th April, 1985 on the subject mentioned above and
to say that the approval of the competent authority for
extension of his term of deputation as Fellow in this Institute
for a further period of six months upto 27th December, 1985
may please be accorded.

Yours faithfully,

Sd/-

(R.P. Saxema)
Registrar.

NATIONAL INSTITUTE OF EDUCATIONAL PLANNING AND ADMINISTRATION

No. F.17-20/82-83-Pers,

17-B, AUROBINDO MAR
New Delhi
110016

Dated : 8-7-1985.

The Registrar
North Eastern Hill University
Lower Lachaumiere
Shillong - 793001Sub: Repatriation of Shri C.P.Tewari Reader-incharge
Centre for Continuing Education, NEHU -

Sir,

In supersession of our letter of even number dated July 3, 1985, the services of Shri. C.P. Tewari, Reader-incharge, Centre for Continuing Education, North Eastern Hill University on deputation to this Institute as Fellow are replaced with your University from the afternoon of 8th July 1985. A copy of the office order issued in this regard is attached for information.

Yours faithfully,

Sd/-

(R.P. Saxena)

Registrar

encl: a.a.

NATIONAL INST

ONAL PLANNING & ADMINISTRATION

17-B Sri Aurobindo Mar
New Delhi - 110016

No.F.17-20/82-83-Pers.

Dated : 8-7-1985.

OF ICE ORDER No. 140/85-86-N.I.E.P-A

It has been decided by the competent authority to repatriate Shri.C.P.Tewari, Reader-incharge, Centre for Continuing Education, North Eastern Hill University, Shillong at present on deputation as Fellow, Sub-National Systems Unit in NIEPA to his parent University. He is accordingly relieved of his duties in NIEPA with effect from the afternoon of 8th July, 1985. He is requested to report for duty to the Registrar, NEHU after availing of usual joining time as admissible under the rules.

(R.P.Saxena)
RegistrarShri C.P.Tewari
Fellow, S.N.S. Unit
NIEPA, New Delhi

CC to:

1. The Registrar, NEHU, Shillong
2. Shri M.M.Kapoor, HEAD, SNS UNIT, NIEPA
3. Finance Officer, NIEPA
4. Administrative officer, NIEPA
5. Librarian, NIEPA
6. PS to Director/ED

Sd/-

(R.P.Saxena)
Registrar.

NATIONAL INSTITUTE OF EDUCATIONAL PLANNING AND ADMINISTRATION

Prof. Satya Bhushan,
Director,
National Institute of Educational
Planning and Administration
17-B Aurobindo Marg, New Delhi.

Ref: NIEPA/SNS/P-3/85

2 August, 1985.

Sir,

With reference to your office order NO:140/85-86-NIEPA dated 8.7.1985 and my subsequent representation to the President dated 9th July, 1985 (copy already sent to you), I have to state that I have since discussed this subject with Shri Herbert Syiem, Registrar and Dr .B.D. Charma, Vice-chancellor, North-Eastern Hill University, Shillong. Since they had already given a no objection certificate to my permanent absorption in the service of NIEPA as fellow as early as 5 June 1984, in response to your communication of April 27, 1984, they were a little intrigued by the suddenness of the aforesaid office order. The Vice-Chancellor, however, decided that I should request you to sanction me long leave instead to facilitate matters.

I would, therefore, request you to grant me four months leave for the purpose.

Thanking you,

Yours faithfully,

Sd/-

(Chandra P. Tewari)

-copy-

NORTH EASTERN HILL UNIVERSITY
LOWER LACHUMIERE, SHILLONG-793001(Meghalaya)

REGISTERED A/D

NO.F-18-21/Estt-II/75/Vol-11/5203 dated the 3rd Oct,1987.

To,

Shri C.L. Negari,
S B. LIG Flats,
Qutab Enclave,
Near Qutab Hotel,
New Delhi.

Sir,

I am directed to enclose herewith a cheque bearing No .BL 006183 dated 11.9.87 for Rs.10,248.40ps(Rupees ten thousand two hundred forty eight and paise forty only) representing the leave salary against 4(four) months leave as applied for by you in your letter Ref.NIEPA/SNS/P.3/85 dated 2.8.85 addressed to the Director, NIEPA and consequent upon your having been repatriated to NEHU with effect from 8.7.85. The amount is subject to adjustment being made on receipt of information from the Ministry of Human Resource Development and NIEPA of the actual amount due to you. The above leave is neither accepted nor rejected by us since as far as NEHU is concerned, we do not have your leave account.

Further, you may kindly note that the decision of the Executive Council that you have been deemed to have vacated your post in NEHU has not been revoked. Paying the above amount should not give you the impression that the above decision has been cancelled. It is only held in abeyance to facilitate sorting out of pending issues.

Kindly acknowledge receipt.

Yours faithfully,

Sd/-
Registrar.

.....

-copy-

NORTH EASTERN HILL UNIVERSITY
SHILLONG.

CHARGE REPORT

CERTIFIED THAT THE CHARGE OF THE POST OF READER
 IN THE NORTH EASTERN HILL UNIVERSITY, SHILLONG HAS
 BEEN/ ASSUMED/RELINGUISIED BY ME THIS FORENOON 8.10.86
 IN ACCORDANCE WITH MEMO NO.PF-5/21/ E-II & F-1-61/86
 DATED 28 JULY & 1 OCT 1986 RESPECTIVELY

OF THE MINISTRY OF H.R.D.

SIGNATURE: SD/-

NAME: CHANDRA P. TEQARI
 (BLOCK LETTERS)

DESIGNATION Reader in charge

DEPARTMENT: Centre for Adult &
 Continuing Education.

Copy to:

1. The Finance Officer, Nehu, Shillong.
2. The accounts Section, NEHU, Shillong.
3. Dr. Chandra P. Teqari, Reader, in-charge, Centre for Adult & Continuing Education NEHU, Shillong.
4. The Head, Centre for Adult & continuing Education, NEHU, Shg.
5. The Private Secretary to the Vice Chancellor, NEHU, Shg.
6. The Pro-Vice-Chancellor, Shillong/Kohima/Aizawl, NEHU.
7. The personal file.

COUNTERSIGNED:

R.K. MISRA
 VICE CHANCELLOR
 NORTH EASTERN HILL UNIVERSITY
 SHILLONG

D.O. No.F.18-21/Estt.II/78-8452
December 19th 1986

Dear

Kindly refer to your D.O. letter No.F.1-61/85-PN.I dated 27th November, 1986 in connection with the case of Shri C.P.Tewari. In this regard your attention is invited to my D.O. letter No.F.18-21/Estt.II/75-3821 dated 12th November, 1986a addressed to Shri Kireet Joshi, Special Secretary and a copy of which is endorsed to Shri J.Veera Raghavan, Special Secretary in response to his D.O. letter referred to in your letter. Through the letter quoted above, copy enclosed for ready reference, the position and facts of the case have been stated in details. However, the salient points are as under :

1. It is incorrect to say that Shri Tewari has not been allowed to join so far. On the other hand, the factual position is that he came to Shillong on 8th October, 1986 after being relieved by NIEPA on 8th July, 1985. Prior to that, on being relieved from NIEPA on 8th July, 1985, he applied for four months leave. No sanction of the said leave was accorded and hence it was incumbent upon him to report for duty immediately but he preferred to remain absent without any intimation till October 8, 1986. As such we cannot issue his joining order till the long gap of fifteen months of absence without leave was decided by the Executive Council which alone is the authority competent to his case being a teacher. Accordingly, the matter in its totality was placed before the immediate next meeting of the Executive Council held on 5th November, 1986 which resolved as under :

"The Council noted that Shri C.P. Tewari is a permanent employee of the Ministry and that the Ministry of Human Resource Development had asked for payment of Foreign Service Contribution upto 21.12.85. I further noted that the extra ordinary leave granted to Shri Tewari for two years from 23.6.82(AN) expired on 23.6.84 and he stayed away from the University without intimation of authority for more than two years, which, under the usual procedure followed by NEHU, would have made his services liable to be terminated or he would have been deemed to have vacated the post of his unauthorised prolonged absence. It was only after a lapse of more than a year from 23.6.84 that he sent his application for leave for four months from 8.7.85 and again remained absent without intimation for another about a year.

6:6:8:(26)

Incidentally, it may be mentioned that after submitting his joining report on 8th October, 1986, Shri Tewari again remained absent without intimation from 2nd October, 1986 to 9th November, 1986 and thereafter from 14th November, 1986 till date. His whereabouts are not officially known to us. If he is in Delhi the decision to stay away is his own. He was not asked to go back to Delhi.

With kind regards,

Yours sincerely,

Sd/- R.K. Mishra

(R.K. Mishra)

Encl: a a

Shri P.K. Patnaik,
Joint Secretary to the
Govt. of India,
Ministry of Human Resource Development,
Department of Education,
New Delhi.

....

CLJ/

Shri C.P.Twari may, therefore, first be asked to elucidate for this lapse on his part so that the case may be properly assessed and an appropriate decision may be taken in the matter".

2. As per the facts quoted in your letter itself the sanction of the President for his permanent absorption in NEHU with effect from 23.6.82 was communicated vide letter No.P/T/21-E.III dt. 20th July, 1986 i.e. after a period of four year. When in the meanwhile Shri Tewari request the University to issue a no objection for his permanent absorption at NIEPA which the University did but instead of receiving his orders for permanent absorption, the University first received a request from NIEPA for extension of his deputation for one more year i.e, upto June 1985 and then his relieving order asking him to report to NEHU on his reversion on July, 1985.

3. The argument that Shri Tewari cannot be allowed to join after three year of E.O.L. derives its strenght from the ordinances of the University which have been duly approved by the Ministry and in one of the communications from the Ministry in its letter No.PF/T/21-E.III dt.25.9.85 in which it has been stated that, "In this connection, it may be mentioned that the maximum period for which the lien of a Government servant while on foreign service can be regained is three years...." . I am quite surprised that the argument quoted in your office letters and having a provision in our ordinances approved by your Ministry is now not taken as correct please advise me this point.

4. Despite all these anomalies the EC considered the case threadbare and has desired that he may be asked to explain the reasons for his absence without intimation which is being done.

In a similar case, the EC in the same meeting has taken a decision that the post be deemed to have been vacated by the person concerned. Under the circumstances the EC as a disciplinary and a controlling authority could not have allowed him to join without even asking its employee to explain the conduct in the best interest of the University. I hope you will kindly appreciate the situation.

....3....

NORTH EASTERN HILL UNIVERSITY
LOWER LACHAUMIERE
SHILLONG-1

No.F.18-21/Estt.II/85-8693

Dated, the 19.12.86

MEMO

Subject : Explanation for unauthorised absence-case of
Shri C P Tewari, Reader, Centre for Adult &
Continuing Education, NEU.

Whereas it has been noted that Shri CP Tewari, Reader, Centre for Adult and continuing Education, NEHU, Shillong was granted extra-ordinary leave for two years with effect from 24.6.82 to enable him to join as Associate Fellow at National Institute of Educational Planning and Administration, New Delhi, which, requested for further extension of his service for one more year upto 28.6.85.

Whereas on the expiry of the above period of leave granted, Shri CP Tewari was reverted back to NEHU and relieved by NEIPA on 8th July, 1985, and directed to report for duty in NEHU on his repatriation vide office order No.140/85-86-NEIPA dt.8.7.85 which was endorsed to Shri C P Tewari.

Whereas, on receipt of the repatriation order, Shri C P Tewari applied for four months leave with effect from 8.7.85, which was forwarded by NEEPA to NEHU and chose to remain absent without obtaining prior sanction of the appropriate authority. It is also observed that after expiry of the four months leave applied for which would have expired on 7.11.85 it was incumbent upon Shri C P Tewari to report back for duty on 8.11.85.

Whereas Shri C P Tewari reported for duty on 8.10.86 i.e. after a long unauthorised absence of 11 (eleven) months (from 8.11.85) without the University knowing of his whereabouts and, neither any application for leave nor any correspondence was received from him.

Whereas, it is observed from the above, that Shri C P Tewari has exercised his ~~own~~ own judgement and choice in the matter relating to his service in the University and has not taken recourse to the normal procedure as laid down, which amounts to misconduct on his part and under usual procedure followed by NEHU would have made his service liable to termination or he would have been deemed to have vacated the post.

54th E.C. 5.

(xi) Case of Shri C.P. Tewari -

EC:54:96:06:2(xi) The Council noted that Shri C.P. Tewari is a permanent employee of the Ministry and that the Ministry of Human Resource Development had asked for payment of Foreign Service Contribution upto 21.12.85. It further noted that an Extra-Ordinary Leave granted to Shri Tewari for two years from 23.6.82(AN) expired on 23.6.84 and he stayed away from the University without intimation or authority for more than two years, which under the usual procedure followed by NEHU, would have made his service liable to be terminated or he would have been deemed to have vacated the post for his unauthorised prolong absence. It was only after a lapse of more than a year from 23.6.84 that he sent his application for leave for four months from 8.7.85 and again remained absent without intimation for another about a year.

Shri C.P. Tewari may, therefore, first be asked to elucidate for this lapse on his part so that the case may be properly assessed and an appropriate decision may be taken in the matter.

NORTH EASTERN HILL UNIVERSITY
MAYURBHANJ COMPLEX
SHILLONG-14

Prof. C P Tewari,
Centre for Adult & Continuing Education

Camp : 8-B, LIG Flats,
Qutab Enclave,
Near Qutab Hotel,
New Delhi-110 016.
Phone 665659 (665659)
Dt. 27.12.1986

Dr. R K Mishra,
Vice Chancellor,
North-Eastern Hill University, Shillong,
Camp India International Centre,
40, Lodi Estate,
New Delhi-110 003.

Subject : Explanation for Unauthorised Absence.

Sir,

With reference to your telegram of 17.12.86 and the following communication No.F.18-21/Estt.II/75/8693 dt.19.12.86, from your office, I have to submit the following explanations:-

2. I was asked by NIEPA on April 27, 1984, i.e. before the expiry of my two years extra ordinary leave granted by NEHU on 24th June, 1982, to exercise my option as to whether I wish to be absorbed in the service of NIEPA. I replied in the affirmative on 30.5.1984 to NIEPA and also obtained the 'No Objection' from NEHU vide letter No.F.18-24/Estt.II/75-4328 dt.5.6.84, copy endorsed to Registrar, NIEPA. As I did not hear anything from NIEPA or NEHU for more than six months. I reminded the Director NIEPA on 14.1.85 as a result of which he wrote to University on 23rd Jan., 1985 asking for extending my term of deputation as fellow at the Institute for another year wef 28th June, 1984 * i.e. till 28th June, 1985.

3. I did not hear anything from the NIEPA or NEHU after the aforesaid letter from NIEPA or NEHU after the aforesaid letter from NIEPA dt.23rd Jan., 1985, asking for extension of my term. Then suddenly, without my notice and in arbitrary manner on 8th July, 1985 in the after noon I was served repatriation orders by NIEPA vide office order No.140/85-86-NIEPA dt.8.7.85. As is usual in such circumstances, I applied for leave for four months w.e.f. 8th July, 1985 which was forwarded by NIEPA to the NEHU. As the repatriation was prima facie arbitrary & malafide in my view, I appealed to the Chairman of NIEPA Council, the Minister of Education also immediately on 9th July, 1985, and have been sending reminders since then. I have not received any reply to these petitions and my repeated personal requests to the Minister and Senior Officers of the Ministry from Secretary downwards so far. I have been visiting the Ministry of Education almost everyday and spending most of my time for Sri K K Khullar, ~~X~~ (Director) Planning.

4. In the meantime, on 29.5.85 I received NEHU's endorsement No.F.18-21/Estt.II/75-9383 and 9284 addressed to the Ministry of Education and NIEPA respectively and copies

...2/P.

endorsed to me stating that I was no longer the employee of the University and that I should revert back to the Ministry of Education. I took these letters and reported to the Under Secretary, Estt.II in the Ministry who promised to look into the matter and write to the University. I was, however, given no letter or endorsement by the Ministry. Nor did I receive any communication from NEHU in regard to my leave application forwarded by NIEPA. Some time late in Sept. this year I happened to visit E-II Section of the Ministry and they told me about formal sanction of my permanent absorption in NEHU vide their letter No.PFT/21/E-II dt.28 h July, 1986 which had already been issued I collected a duplicate copy (the original was sent on my NEHU address) and ~~xxxxxx~~ approached the Special Secretary, Sh. J Veera Raghavan who was Executive Director, NIEPA when I joined there in 1982. He was kind enough to write a DO letter to you on 1.6.86 which I personally delivered to you on the basis on which you allowed me to join provisionally on 8th Oct., 1986.

5. Sir, from the above sequence of events you will very kindly see that due to no fault of mine I was deprived of the opportunity to work anywhere during the period when the New Education Policy was on anvil to which I could have given my humble contribution. I have not been paid since 8th July, 1985 which has thrown my family completely out of gear. I hope that my above mentioned explanation would evoke compassion and consideration at your hands & enable me to continue my work in the area of education which has been my life long passion and concern.

Thanking you,

Yours faithfully
 Sa/-
 (C P Tewari)

56th EC Monday 4th May, 1987

(v) Case of Shri C P Tewari

EC:56:87:06:3(iv) The Council went through the agenda note submitted by the Office in pursuance of the decision taken by the Executive Council earlier vide its resolution No.EC:55:87:01(v) (ii) and resolved to regularise the case of Shri C P Tewari by taking the following action.

1. That Shri C P Tewari be confirmed as Reader in the Deptt. of Continuing Education with effect from 23.6.82.
2. The post held by Shri C P Tewari be deemed to have been vacated by him with effect from 22.6.85.
3. to approach the Ministry of Human Resource Development for transfer of his service records, leave etc. to the University so as to finalise the pending payment consequent upon his having vacated the post and
4. to request NIEPA for remitting the leave salary and pension contribution for the period he was on deputation from the University to NIEPA.

The Council resolved to take the above action for regularising the case and for taking necessary action in the matter.

NORTH EASTERN HILL UNIVERSITY
S H I L L O N G

No. F.18-21/Estt-II/75-1780

Dated the 12th June, 1987 (v)

ORDER

In pursuance of the Executive Council resolution No. EC:56:87:06:3(iv) on 4th May, 1987, Shri. C.P.Tewari, Reader in the centre of Adult and Continuing Education, NEHU, Shillong. who was released on extra-ordinary leave for three years with effect from 23rd June 1982 (AN) to enable him to join as Associate Fellow at the National Institute of Educational Planning & Administration, New Delhi, is hereby deemed to have vacated his post in the University with effect from 22nd June, 1985 (AN) for his unauthorised absence on the expiry of three years extra-ordinary leave.

SD/-

(D.C.Pant)
Registrar

copy to:-

1. Finance Officer, NEHU, Shillong.
2. Accounts Section, NEHU, Shillong.
3. Shri. C.P.Tewari, 8 B LIG Flat, Qutab Enclave, Near Qutab Hotel, New Delhi - 110 016.
4. Head, Centre for Adult & Continuing Education, NEHU, Shillong.
5. Private Secretary, to the Vice-Chancellor, NEHU, Shillong.

57th EC 2/7/87

ITEMS FROM THE CHAIR

EC:57:87:08(i) The Chairman drew the attention of the Council to some more new facts that were brought to his notice in Shri C.P Tewari's case particularly with regard to his locus standii for some time during the period he was neither the Ministry's employee nor that of NEHU and or NIEPA. After ~~xxxxxxxxxxxx~~ considering the matter the Council RESOLVED to keep its decision taken in last meeting (fifty six held on 4th May 1987 vide resolution No.EC:56:87:06:03(iv) in abeyance for some time.

0 7 5

0 A C

6:6:8:(35)

North Eastern Hill University, Shillong- 1.

REGISTERED A/D

No. F-18-21/Estt-II/75(Vol.11)/5203 Dated the 3rd Oct. 1987.

To

Shri. C.P.Tewari,
S B LIC Flate,
Outab Enclave,
Near Outab Hotel

Sir,

I am directed to enclose herewith a cheque bearing No. BL. 006183 dated 11.9.87 for Rs.10,248.40p (Rupees ten thousand two hundred forty eight and paise forty only) representing the leave salary against 4(four) months leave as applied for by you vide your letter Ref.NIEPA/SMS/P-3/85, dt. 2.8.85 addressed to the Director, NIEPA and consequent upon your having been repatriated to NEHU with effect from 8.7.85. The amount is subject to adjustment being made on receipt of information from the Ministry of Human Resource Development and NIEPA of the actual amount due to you. The above leave is neither accepted nor rejected by us since as far as NEHU is concerned, we do not have your leave account.

Further, you may kindly note that the decision of the Executive Council that you have been deemed to have vacated your post in NEHU has not been revoked. Paying the above amount should not give you the impression that the above decision has been cancelled. It is only held in abeyance to facilitate sorting out of pending issues.

Kindly acknowledge receipt.

Yours faithfully,

sd/-

Registrar.

D.O. No.F.8-18/92(Desk-U)

Uday Kumar Verma
Director (U)

Government of India
Min of Human Res. Dev.,
Deptt. of Education,
New Delhi-110 001.

Dated May 28, 1993

Dear Prof. Pakem,

Kindly refer to your letter dated April 8, 1993 regarding the case of pensionary benefits to Dr. C P Tewari vide which the advice of the Ministry was sought on the determination of the date of retirement of Dr. C P Tewari.

The matter was referred to the Integrated Finance Division of the Ministry who have advised (copy enclosed) that the pension and retirement benefits in respect of Dr. Tewari should be allowed for the period from 26.8.57 to 8.7.85 when he was in the service of Government of India, NEHU and NIEPA. IFD has further advised that his request to this effect may be treated as an application for voluntary retirement and his pensionary benefits decided accordingly. However, qualifying service in his case should end on 22.6.1982 i.e. the date prior to his proceeding on EOL and not 8.7.85 as has been contended by him because unregularised EOL/absent from duty is not ~~xxxx~~ treated as qualifying service.

You may kindly convene a meeting of the Executive Council at the earliest to discuss and decide the case of pensionary benefits of Dr. C P Tewari. The matter has been long delayed. The progress in this regard may also be communicated urgently to the Ministry.

With regards,

Yours sincerely,

Sd/-

Uday Kumar Varma

Prof. B Pakem
Vice Chancellor
North-Eastern Hill University,
Shillong.

Case of Prof. C P Tewari - A summary

I joined the Union Ministry of Education on 26 August 1957 as a Technical Assistant in the advisory cadre of the Ministry, was confirmed in the grade on 1.1.1972 and promoted as Senior Technical Assistant on 5.3.1972.

On 1.5.1975, I was deputed to the National Staff College for Educational Planners and Administrators, New Delhi (now called NIEPA as Research Officer and continued to work there till 17 May, 1976 when ~~xx~~ I rejoined the Ministry for a day.

On 18 May, 1976, I was relieved by the Ministry of Education and deputed to the North-Eastern Hill University, Shillong as Reader-in-Charge, Centre for Adult and Continuing Education under Article-21 of the University Act which contained a provision that the Executive Council may invite a person of high academic distinction and professional attainments to accept a post of Professor or Associate Professor and he would be deemed to be permanent absorption in the University as on 8.5.1977 and the University communicated it to the Ministry of Education on 7 September, 1977. I continued to work on the post till 23 June ~~xx~~ 1982 when I was deputed to the National Institute of Educational Planning and Administration for two years.

On 28 June 1982, I joined NIEPA on deputation on foreign service terms for a period of two years. On 27 April 1984, I was asked by NIEPA ~~xxxxx~~ exercise my OPTION for absorption in the service of NIEPA or repatriation to my parent organisation after the expiry of the present term of deputation. I opted for permanent absorption in NIEPA on 30.5.1984 and the North Eastern Hill University also gave a 'No objection' on 5.6.1984. On being reminded by me on the subject of my permanent absorption on 14.1.85, NIEPA wrote to the University on January 23, 1985 asking for an extension of my deputation for a ~~xxxxx~~ further period of one year w.e.f. 28 June 1984 or till a decision was taken regarding my permanent absorption in the service of NIEPA, whichever was earlier. I continued to work at NIEPA thereafter till 8 July 1985.

On July, 8, 1985, abruptly and unilaterally, NIEPA issued an office order repatriating me to the University without assigning any reason whatsoever.

I represented to the President of NIEPA (the Minister for Education) and also applied for four months leave which was due to me. NIEPA forwarded the leave application to the University on 12.9.1985. However, the University refused to take me back on the plea that formal orders for permanent absorption in the University were still pending with the Ministry of Education whereas orders were issued on 28 July 1986, an year after NIEPA had issued the aforesaid order to repatriate me.

Thus it would be seen that the present situation is the result of the abrupt and unilateral repatriation orders issued by NIEPA without ascertaining the position from the University or the Ministry of Education. The University too issued orders terminating my lien from the date which I was still serving at NIEPA in public interest and without any reference whatsoever to me or NIEPA. This was despite the fact that NIEPA had already requested for the extension of my deputation for another year or till or my permanent absorption in the service of NIEPA whichever was earlier.

In view of the above mentioned facts, I would request the following relief at the earliest in order of preference:

1. I should be posted back and absorbed in the service of NIEPA and the interim period from 8 July 1985 to date should be regularised.
2. NEHU Should allow me to join and regularise the interim period.
3. Failing 1 and 2, my pension and retirement benefits should be given to me since from 26 August 1957 to 8 July 1985 I have been in service of the Government of India/NEHU/NIEPA.

Sd/-
(C P Tewari)

Prof. C P.Tewari.

8-B, LIG Flats,
Qutab Enclave
(Near Qutab Hotel)
New Delhi - 110016
Phone- 665659

8, February 1992.

Shri. K.R. Venugopal
Additional Secretary to the Govt. of India
Prime Minister's Office
South Block
New Delhi - 110 011.

Dear Shri. Venugopal Sahab,

I am extremely grateful to you for the patient hearing you gave me yesterday when I called on you in your office.

As discussed I am enclosing an application alongwith the summary of my case for your kind perusal and consideration.

With best regards,

Yours sincerely,

Sd/-

(Prof. C.P.Tewari).

C.C. Dr. B.Pakem, Vice-Chancellor, NEHU, Shillong. for information & n/c.

Sd/-

C.P.Tewari.

11/3/92.

6:7:1:(2)

ANNEXURE - 'A' TO ITEM NO:6:7:1:(1) OF THE MAIN AGENDA

D.K.Paliwal,
Asstt. Educational Adviser
Tele:388030

D.O.No.F.8-19/92-Desk(U)
Government of India,
M/O Human Resource Development
Department of Education
Shastri Bhawan, New Delhi
April 23, 1993.

Dear Shri Patton,

Kindly refer to letter No.E.127-6/Acad/AR/General
90-3266 dated 30.3.93 regarding forwarding of 200 copies of English
Version of Annual Report for 1990-91.

It is stated in the letter that the Report was
already approved by the Executive Council but not yet approved by
the University Court. As you are aware that the Annual Report could
only be laid in the Parliament when it is also approved by the
University Court. In view of this, it is requested to place the
Report before the University Court at the earliest for its approval.
It is also requested to furnish a delay statement about the late
submission of the Annual Report.

With regards,

Yours sincerely,

Sd/-

(D.K.Paliwal)

Shri A. Patton,
Registrar,
NEHU., Shillong.

(x) Appointment of Legal Adviser for the University,

The present Legal Adviser of the University Mr. Biswajit Endow had taken ill in the latter part of February 1993 and since then has not been able to perform his duties as the University's Legal Adviser. The University has a number of cases pending in the Courts of Law and in view of Mr. Biswajit Endow's illness the University had approached Mr. Sunil Ranjan Sen who is one of the Senior Advocates of the Shillong Bar to represent the University in its cases.

The condition of Shri Endow is still not good and he is not been able to attend to the Courts upto date. The agreement between Mr. Endow and the University provides for one months' notice on either side for termination of the contract. As such it is suggested that in view of Mr. Endow's incapability to perform his duties/^{as} the University's Legal Adviser he may be given one months' notice for termination of the contract. And in his place Mr. Sunil Ranjan Sen who has been functioning as our Legal Adviser for the last few months may be considered for the appointment. A brief Bio data of Mr. Sunil Sen will be tabled by the Chair.

The matter is placed before the Council for consideration.