

6:2: Appointment/Creation-Up-gradation of posts/
Confirmation/Extension/Option/Transfer/Release/
Termination.

(vi) Confirmation of service in r/o Dr.(Ms) Suman Kumaria, Lecturer, Deptt. of Botany, NEHU, Shillong.

Dr.(Ms) Suman Kumaria was appointed as Lecturer, in the Department of Botany on the recommendation of the Selection Committee w.e.f. 27.3.97 and placed on probation period of two year. She has completed the probation period on 26.3.99 and submitted the self-appraisal forms required for confirmation.

In this connection, it may be pointed out that the appointment of Dr.(Ms) Suman Kumaria as Lecturer, Deptt. of Botany was subject to the result of the Writ Petition as per Honourable High Court (Shillong Bench) interim order in C.R. No.40(SH) of 1997 in view of the Writ Petition filed by Dr.A.L.S. Rajee against the appointment of Dr.(Ms) Suman Kumaria (Annexure-I). Subsequently, the Court vide its judgement and order dated 2.7.98 had arrived to a conclusion that she finds no force in the Writ Petition which is accordingly dismissed with cost. The petitioner shall pay Rs.1000/= by way of cost to the respondent namely NEHU and respondent no. 4 & 5. On receipt of the judgement, the University had modified the appointment order vide order no.F.19-339/Estt-II/97-212 dated 9.7.98 withdrawing the condition as indicated in the first appointment order (Annexure-II). Dr. A.L.S. Rajee then appealed his case to a two Division Bench for which no hearing & order has been received till date.

Subsequently, the office had called for opinion from Sh.A.K. Phukan Standing Counsel whether Dr.(Ms) Suman Kumaria can be confirmed to the post of Lecturer as she has completed the probationary period. As per advice of the Standing Counsel, he has stated that there is no bar in confirming Dr.(Ms.) Suman Kumaria as Lecturer provided that there is no

Contd.....2.

(v) Confirmation of service in Dr. (Ms) Suman interim order by the Division Bench placing a bar on her confirmation. He further added that the confirmation will be subject to the ultimate result of the Lit Appeal. The above should be indicated in the order to avoid complications later.

The factual data at para 'B' of part-II of the self-appraisal form submitted by Dr. (Ms) Suman Kumaria has been verified by the HOD which will be tabled by the chair.

Till today, there is no stay in the Court's order dated 2.7.98. The matter is placed before the council for considering the confirmation of Dr. (Ms) Suman Kumaria w.e.f. 27.3.97 subject to the ultimate result of the writ Appeal filed by Dr. A.L.S. Rajee.

Subsequently, the Court vide its judgement and order dated 2.7.98 had arrived to a conclusion that she finds no force in the writ petition which is accordingly dismissed with cost. The petitioner shall pay Rs.1000/- by way of cost to the respondent namely MNU and respondent no. 2 & 5. On receipt of the judgement, the University had modified the appointment order vide order no. F.19-339/Estt-11/97-212 dated 9.7.98 withdrawing the condition as indicated in the first appointment order (Annexure-II). Dr. A.L.S. Rajee then appealed his case to a two Division Bench for which no hearing order has been received till date.

Subsequently, the office had called for opinion from Sh. A.K. Prukar Standing Counsel whether Dr. (Ms) Suman Kumaria can be confirmed to the post of Lecturer as she has completed the probationary period. As per advice of the Standing Counsel, he has stated that there is no bar in confirming Dr. (Ms) Suman Kumaria as Lecturer provided that there is no

ANNEXURE-I

NORTH EASTERN HILL UNIVERSITY
P.O. NEHU CAMPUS::: SHILLONG-22

NO.F.19-339/Estt-II/97-281

Dtd. 24.5.97.

O R D E R

On the recommendation of the Selection Committee the Executive Council vide resolution no.EC:92:97:6:1:(1) taken in its meeting held on 21.3.97 is pleased to appoint Dr/Shri Suman Kumaria as Lecturer in the Department/Centre of Botany NEHU, Shillong in the Scale of pay of Rs.2200-75-2800-100-4000/- plus usual allowances admissible under the rules to the Central Government employees of the same grade posted at NEHU, Shillong with effect from 27.3.97. The appointment is subject to the result of the Writ Petition as per Honourable High Court (Shillong Bench) interim order in C.R. No.40(SH) of 1997.

Dr. Shri/Smti. S. Kumaria will be on probation for a period of two year(s) and the services will be governed by the Act, Statutes, Ordinances, Rules and Regulations of the University as amended from time to time. He/She will have to sign a contract with the University.

The initial pay of Dr/Shri. S. Kumaria is fixed at Rs.2425/- of the scale with increment anniversary on 1st of the month of March annually.

Sd/- Smti B. Barch
Deputy Registrar
Establishment-II

Copy to :

1. The Finance Officer, NEHU, Shillong.
2. The Section officer, (Fund Section), NEHU, Shillong
3. The Dean, School of Life Sciences, NEHU, Shillong.
4. The Head, Deptt. of Botany, NEHU, Shillong.
5. Dr/Shri/Smti. S. Kumaria, Deptt. of Botany, NEHU, Shillong.
6. The P.S. to V.C., NEHU, Shillong.
7. The Deputy Registrar, Planning, NEHU, Shillong.
8. The Deputy Registrar, Legal Cell, NEHU, Shillong.
9. The Section officer, Estt.I(P), NEHU, Shillong.
10. The personal file.

ANNEXURE - II

NORTH EASTERN HILL UNIVERSITY
 MAWLAI ::::::: SHILLONG - 793022.

NO.F.19-339/Estt.II/97-212

The 9th July, 1998

ORDER

In partial modification to this office order of even no.281 dtd.24.5.97 and in compliance with the Hon'ble High Court (Shillong Bench) order dated 2nd July, 1998 against Civil Rule No.40(SH) of 1997, the appointment of Dr. S. Kumaria to the post of Lecturer, in the Department of Botany, which was subject to the final decision of the Hon'ble Guwahati High Court of Civil Rule No.40(SH) 1997 is hereby withdrawn.

The other terms and conditions as pointed out in the order of even No.281 dated 24.5.97 will remain the same.

Sd/- Smti. B. Barih,
 Deputy Registrar,
 Establishment-II

Copy to :-

1. The Finance Officer, NEHU, Shillong.
2. The Dean, School of Life Sciences, NEHU, Shillong.
3. The Head of the Deptt. of Botany, NEHU, Shillong.
4. The D.R. (Planning), NEHU, Shillong.
5. The D.R. (Legal Cell), NEHU, Shillong.
6. The P.S. to the V.C., NEHU, Shillong.
7. The S.O. (Fund Section), NEHU, Shillong.
8. Dr. S. Kumaria, Deptt. of Botany, NEHU, Shillong.
9. The Personal file.

Sd/- Smti. B. Barih
 Deputy Registrar,
 Establishment-II

(v) Re-employment of teachers.

EC:108:2000:6:2:(v): The Council considered the letter of Prof. AK Baruah on the re-employment of teachers and RESOLVED that his letter may be placed before the Academic Council.

(vi) Confirmation of service in respect of Dr.(Mrs) Suman Kumaria, Lecturer, Department of Botany, NEHU, Shillong.

EC:108:2000:6:2:(vi): The Council considered the confirmation of service in respect of Dr. (Ms) Suman Kumaria, Lecturer in Botany w.e.f. 27.3.1997 and RESOLVED to approve the same subject to final disposal of the Writ Petition pending in the High Court.

(vii) Confirmation in respect of Dr. (Mrs) M. Marwein, Medical Officer.

EC:108:2000:6:2:(vii): The Council considered the confirmation of service in respect of Dr.(Ms) M. Marwein, Medical Officer, w.e.f 24.1.1991 and RESOLVED to approve the same.

(viii) Confirmation of service in respect of Dr. H. Kayang, Lecturer, Department of Botany, NEHU, Shillong.

EC:108:2000:6:2:(viii): The Council considered the confirmation of service in respect of Dr. H. Kayang, Lecturer in Botany, w.e.f. 26.3.1997 and RESOLVED to approve the same subject to final disposal of the Writ Petition pending in the High Court.

(ix) Appointment of Head, Department of Hindi.

EC:108:2000:6:2:(ix): The Council considered the appointment of a Head, for the Department of Hindi and RESOLVED that since there is neither a Professor or Reader in the Department of Hindi, Dr. MP Pandey may continue as Teacher In-charge of the Department till a regular Head is appointed.

(x) Reinstatement of Shri SL Marbaniang as Lecturer, Department of Mathematics.

EC:108:2000:6:2:(x): The Council considered the rejoining of Shri SL Marbaniang Lecturer in Mathematics and also the legal advice on the matter given by the University's Standing Counsel at Guwahati High Court and RESOLVED that in view of the fact that Clause -3 (iii) of Regulation RE - 6 has been repealed and also