

PART III AGENDA PAPERS FOR THE ONE HUNDRED AND FIFTEENTH MEETING OF
THE EXECUTIVE COUNCIL.

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Item No.6.ADMINISTRATIVE MATTERS

6:2: - Apptt./Confirmation/Release/Termination etc.

- (x) Confirmation of service in respect of Dr.Moon Moon Mazumdar Reader deptt.of English.

Dr.Moon Moon Mazumdar department of English, NEHU, Shillong appointed as Reader on the recommendation of the Selection Committee committed with effect from 15.2.2002 has completed the probation period of One year on 14.2.2003 and her service is due for confirmation. The Head of the department has verified the factual data at 'F8 of Part-II of Self appraisal report and ~~xxx~~ forwarded the same to the office.

The matter is placed before the council for consideration of confirmation of service with effect from 15.2.2002.

No.F.18-280/Estt.II/2002

6:3:2(1)

Item No.6. - ADMINISTRATIVE MATTERS.

6:3: - Leave/Deputation

1.5.2003

(ii) Grant of 2 (two) years lien to Professor L.N. Singh, Psychology, Mizoram University.

Professor L.N. Singh, Deptt. of Psychology, Mizoram University (presently on deputation pending disposal of the Court case) had applied for the post of Professor of Psychology in Mahatma Gandhi Kashi Vidyapith, Varanasi and the same was forwarded directly by the Mizoram University without having routed through NEHU (Annexure-I).

Consequent upon his appointment against the applied post, the Mizoram University released Professor L.N. Singh w.e.f. 19.3.2003 by granting him 2 (two) years lien subject to the approval of NEHU (Annexure-II).

In the first instance since Prof. L.N. Singh is on deputation, and as per rules, his application should have been routed through NEHU. Secondly, Subsequent to his appointment, NEHU's approval ought to have been obtained prior to his release.

Since the incumbent is not at fault, action taken by the Mizoram University by granting 2 years lien w.e.f. 19.3.2003 to Professor L.N. Singh may therefore be regularized. However, the Mizoram University may be informed that in future application of deputationist be routed through NEHU and the incumbent be released with the approval of NEHU.

The matter is placed in the Executive Council for consideration.

No.F.17-200/Estt.II/2001 - 358

6:3:2(2)

Annexure-I

Mizoram University
Aizawl Mizoram -796 012

Registered A/D

No. 19-1/6-01-Estt/6890-'91

Dt. Aizawl, 11th March 02.

To

The Registrar, Mahatma Gandhi Kashi Vidyapith,
Varanasi (U.P.) - 221001.

Subj : Application for the post of Professor of
Psychology.

Sir,

I am directed to forward herewith the application of Prof. L.N. Singh, Deptt. of Psychology of this University alongwith its enclosures for the post of Psychology under your University for favour of necessary action.

Yours faithfully,

Sd/-

(Smt. S. Sailo)
Deputy Registrar (Adm)

Enclo : a.a.

Copy to :- Prof. L.N. Singh, Deptt. of Psychology, Mizoram University, Aizawl for information with reference to his application stated above.

Sd/-

(Smti. S. Sailo)
Deputy Registrar
(Adm)

6:3:2(3)

Annexure-I

Mizoram University

Aizawl Mizam -700 012 -2-

- 6. The Registrar, Mahatma Gandhi Kashi Vidyapeeth, Varanasi.
- 7. Prof. L.N. Singh, Head, Deptt. of Psychology, Mizoram University, Aizawl. This has a reference to his letter no. nil dt. 17.3.2003.
- 8. The Consultant, Central Library, Mizoram University, Aizawl.

sd/-

(P.C. Lawmkunga)
Registrar.

Application for the post of Professor of Psychology

I am directed to forward herewith the application of Prof. L.N. Singh, Deptt. of Psychology of this University along with its enclosures for the post of Professor of Psychology under your University for favour of necessary action.

Yours faithfully,

sd/-

(Smt. S. Sajo)
Deputy Registrar (Adm)

Copy to :- Prof. L.N. Singh, Deptt. of Psychology, Mizoram University, Aizawl for information with reference to his application stated above.

(Smt. S. Sajo)
Deputy Registrar (Adm)

6:3:2(4)

Annexure-II
Mizoram University
Aizawl : Mizoram

No.19-1/6/01-Estt/16132-'39
Dt. Aizawl, 20th March, 2003.

ORDER

Subject to approval of North -Eastern Hill University, Shillong, the Vice-chancellor, Mizoram University, Aizawl is pleased to release Prof. L.N. Singh, Department of Psychology, MZU, Aizawl w.e.f. 19.3.2003 (FN) to enable him to join his new assignment as Professor of Psychology in Mahatma Gandhi Kashi vidyapeeth, Varanasi.

The grant of lien for a period of 2 years w.e.f. the date of his release requested by him also is subject to approval of the North Eastern Hill University, his parent department, since he is on deputation to Mizoram University w.e.f. 2nd July 2001 as per NEHU's notification no.F.12-24/Estt.II/96/3790 dt. 1.8.2001.

This is in partial modification of earlier order of even no.16039-46 dt. 18.3.2003.

(P.C. Lawmkunga)
Registrar.

Copy to :-

1. P.S. to Vice-chancellor, Mizoram University, Aizawl.
2. P.A. to Finance Officer, Mizoram University, Aizawl.
3. All Deans of Schools, Mizoram University, Aizawl
4. All Heads of Academic Deptts., Mizoram University, Aizawl
5. The Registrar, North Eastern Hill University, Shillong for favour of kind information and further necessary action. Prof. L.N. Singh, NEHU on deputation to Mizoram University has been released in anticipation of their approval. Grant of lien asked for by him may also be processed further from their end. Copy of application of Prof. L.N. Singh for the said post of Professor forwarded to Mahatma Gandhi Kashi Vidyapith alongwith copy of forwarding letter of even no. 6890-91 dt.11.3.2002 is enclosed herewith for ready reference.

Contd/.....2

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

- (iv) Regularization of the period of service from 20.5.2000 to 10.3.2003 and release of salary etc for the said period in respect of Dr.Aravamudhan, lecturer Chemistry.

Dr.S.Aravamudhan, lecturer department of Chemistry has not been paid any salary by the University since May 2000 for not performing duties as reported by the Head of the Department.

The matter was placed before the Executive Council where the Executive Council Resolved vide 109:2001:6:7:(V) to pass a severe structure on him and further Resolved should any further complaint be placed before the Council with substantive evidence, the Council shall be constrained to terminate his services. The Council further Resolved that his pay and allowances may be released only after receipt of a certificate from the Head that he has started taking classes and is continuing with his normal activities in the department.

In view of the communication order No.F.1-I/Chemistry/Admn/2002-421 dated 17.3.2003 from Prof.R.K.Poddar, Head department of Chemistry intimating that Dr.S.Aravamudhan has started taking classes regularly from 11.3.2003 as well as continuing with his normal activities, the University released his pay and allowances with effect from 11.3.2003 (Annexure I).

Pay and allowances as well as the period of non-functioning of the normal activities from 20.5.2000 to 10.3.2003 require to be regularized.

Executive Council may like to decide whether period from 20.5.2000 to 10.3.2003 is to be treated as E.O.L, or otherwise or treating the period as duty for all purpose.

It may be pointed out that during the period order reference occasionally he applied for leave but since leave application was not routed through the Head no action could be taken. He submitted his joining reports to duty which were duly countersigned by the Head. He applied for no objection certificate for pass port which was granted to him. He was also allowed to participate in seminar outside.

The above depiction appears that though Dr.S.Aravamudhan was not taking his teaching assignment but he was involved in other academic activities. Thus Clauses F(10) of Ordinance OE-6 and Clause 4(2) and Clause 5(1) of Ordinance OE-5 don't attract in their totality.

The matter is placed before the Council for a decision whether the period from 20.5.2000 to 10.3.2003 is to be treated as duty for all practical purposes or otherwise.

6:6:4(2)

ANNEXURE - I

NORTH EASTERN HILL UNIVERSITY
SHILLONG.

No.F.96-135/Estt-II/88/Vol.II/6033

Dated the March 2003

To,

The Finance Officer,
North Eastern Hill University
Shillong.

Subject:- Release of salary in respect of Dr.S.Aravamudhan.

Sir,

Please refer to this office Memo No. of Even No. 2189 dt. 20.5.2000 copy endorsed to you. I am to inform you that the Vice-Chancellor has approved the release of the withheld salary in respect of Dr.S.Aravamudhan only with effect from 11.3.2003 onwards in the pay last drawn by him prior to withheld of his salary with effect from May 2000. Order for the release of his salary for the period w.e.f. May 2000 up to 10.3.2003 will be issued seperately.

Yours faithfully

Sd/-

Assistant Registrar
Establishment-II

Copy to:-

The Head department of Chemistry with reference to his letter No.F.1-1 Chemistry Admn/2002/421 dt. 17.3.2003 for information

Sd/-

Assistant Registrar(Establishment-II)

(10) Retirements benefits requested by Prof. A.G. George.

Prof. A.G. George, who joined NEHU in the Department of English NEHU Hq on 31.07.74. has requested for reconsideration of his service benefits after retirement (in May 1993) and consider ex-gratia payment of approximately the amount of total retirement benefit (Annexure-I).

In this context the office is unable to trace his personal file inspite of all out effort made. According to his version vide letter dated 11th June 2001(Annexure-II), he resigned from the post of professor during the period 1979-80 as there was threat to his life. But the same was withdrawn before its acceptance by the competent authority. However he was not allowed to rejoin and was appointed as professor on contract though under protest in NEHU Nagaland Campus from 1984-1993

In another letter dated 24th January, 1988 addressed to the Chairman of the executive Council, NEHU, Annexure-III) he has stated that he resigned on 6.11.1981 on health grounds but was duly withdrawn in writing on 12.1.1982 however, the University wrote to him back that his resignation was accepted in May 1982. He was then appointed on a contract basis wef. April 1984 in NEHU Nagaland Campus.

Further, in his letter dated 9.11.2001 (annexure-IV) he has stated after his retirement in May, 1988, he was appointed Professor of English (On contract) between 1988 and May 1993 in NEHU Campus of Nagaland.

In absence of official records, the information furnished by Prof. A.G. George which are contradictory cannot be verified by the office and no proposal can be suggested on his request.

As per rules, the retirements benefits are payable basing the length of service whether on voluntary or on superannuation. But since he has stated that he resigned and was also accepted by the University, question for granting retirement benefits does not arise. However the Executive Council may like to decide on his request. The matter is placed before the E.C. for a decision.

No.F. 17-2/Estt.II/75(Part file)

6:6:5(2)

(COPY)

ANNEXURE-I

From

2nd April, 2003

George A.G. (Retd. Professor of English, NEHU)
C/o Patkai Christian College,
B.P.O. Patkai,
District-Dimapur, Nagaland-797103

To

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

Sir,

My earlier petitions for reconsideration of my service benefits after retirement (in May 1993) are still pending at the NEHU Office.

Mine is a very old case. So, if all the required papers cannot be traced out for necessary action. I request the Vice-Chancellor to be good enough to consider ex-gratia payment of approximately the amount of total retirement benefit which your office can work out.

This will be a great help and relief for me in old age.

Furthermore, the balance of my Provident Fund transferred from Delhi University is still with the NEHU Office. This may also be kindly sanctioned for payment.

I do hope our NEHU Office will expeditiously and favourably consider my prayers. I do not have any major source of income. Help from NEHU will be a welcome relief.

With my best regards and thanking you much in anticipation.

Yours faithfully,

Sd/-
(George A.G.)

....

(COPY)

11.6.2001

From
George A.G.
(Retd. Professor of English, NEHU)
Professor of English
Patkai Christian College, Dimapur.

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

Sir,

This is further to my personal request for a reconsideration of my service problems vis-a-vis NEHU. My earlier requests were not answered satisfactorily. Consequently I have not received any of the retirement benefits. Please look into this matter carefully and sympathetically.

During the crucial period of 1979-80, I resigned my Professorship, as there was threat to like. But the same was withdrawn before its acceptance by the competent authority, namely, the Executive Council. And in one meeting of the F.C. which I attended, the E.C. clearly rejected my resignation, and had asked me to report for duty on the expiry of my earned leave.

However, Dr. B. D. Sharma, the then Vice-Chancellor could not allow me to rejoin probably due to the pressure of circumstances then on him. It has been further argued that he (Dr. Sharma) had made somewhere some private nothing signifying his personal acceptance of my resignation. He did not intimate this to me, though both of us were in close touch with each other. Nor did he place his decisions before the E.C. meeting (in March or so) which I attended as a member. It was my letter of resignation itself which was placed before the E.C. for its consideration (without any indications of his earlier acceptance of the same by him). And the E.C. did not accept my resignation.

So the story of the acceptance of resignation before my withdrawal does not hold water, and it is not worthy of serious consideration. One could easily see that some kind of negative pressures from some quarters were making it impossible for successive Vice-Chancellors to consider my prayer impartially and justly.

Therefore, I beg the favour of granting (and sanctioning for payment) the following claims:

1. Continuity of service from July 1974 (when I joined NEHU from Delhi University) till I attained the age of retirement in 1988).

Contd...

2. Payment of regular salaries during the period (from 1997 till 1988) when I was not allowed to join duty, according to my grade and seniority. (I may incidentally mention that my service were utilized on a contract basis though under protest from me from 1984 - 1993 in the Kohima Campus, NEHU).

3. Payment of all my retirement benefits, provident fund, annuity or gratuity, considering of my services in Delhi University from 1959 onwards, and all other incidental or ancillary benefits accruing there from.

I request you to consider these matters, above, sympathetically so that a helpful decision could be arrived at. Let not negative pressure and forces of darkness lead to the harassment and victimization of a University teacher especially in old age.

I thank you much in anticipation of a favour able decision

With my best personal regards,

Yours faithfully

sd/-
George A.G.

Therefore, I beg the favour of granting and sanctioning for payment the following claims:

1. Continuity of service from July 1974 (when I joined NEHU) from Delhi University till I attained the age of retirement in 1988.

Contd.:

(6) 6. 5 (5)
6. 6. 5 (5)

Ann III
Shillong

From

George A.G.,
Professor of English,
North-Eastern Hill University,
Shillong.

To

The Vice-Chancellor and
The Chairman of the Executive Council,
North-Eastern Hill University,
Shillong

Sub:- Regularization of my services with effect from April, 1982 – the payment of Salaries etc.

Sir,

I am annexing herewith a copy of my petition dated 26 March 1985 on the above subject. My petition is self-explanatory. I regret to have to have to say that I have so far received no reply for my petition mentioned above, although three years have now lapsed. In the meantime, I have been frequently sending reminders to the University, but without the favors of as reply so far.

I shall therefore be very grateful to you, Mr Vice-Chancellor, if you kindly place my petition (annexed herewith) for favorable consideration and redress of grievances at the next meeting of the Executive Council.

I wish to re-state, the main points below:

1. I resigned on 6.11.1981 on grounds of health.
2. It was duly withdrawn in writing on 12.1.1982. The resignation was not accepted till I withdrew the resignation in writing. It is explicitly clear from the letter of the University that my resignation was accepted only in the month of May 1982. Long before May 1982, the resignation was duly withdrawn.
3. There is neither logic nor reason in the contention that my resignation was secretly accepted in the interim period before its withdrawal. Even if this be so, this was not at all communicated to me although I was in regular touch with the Vice-Chancellor and the University.
4. As a regular member of the Executive Council of NEHU, I attended its meeting held in March 1982 and the Executive Council at this meeting did not accept my resignation.
5. After the expiry of my earned leave on 12 April 1982, I reported to the then Vice-Chancellor for joining duty.

Page 111
Shillong

From
George A.G.
Professor of English
North-Eastern Hill University
Shillong

To
The Vice-Chancellor and
The Chairman of the Executive Council

- 6. But he advised me to complete my visiting professorships in the University of Kerala and in the University of Delhi (in 1982) for which purpose, he assured that I would be granted sabbatical leave.

Sub-Registration of my services with effect from April, 1982 - the payment of Salaries etc

I am enclosing herewith a copy of my petition dated 30 March 1982 on the above subject. My petition is self-explanatory. I regret to have to say that I have not received a reply for my petition mentioned above, although three years have now lapsed in the meantime. I have been repeatedly sending reminders to the University, but without the favour of a reply so far.

I shall therefore be very grateful to you, the Vice-Chancellor, if you kindly place my petition (annexed herewith) for favorable consideration and refer the same to the next meeting of the Executive Council.

I wish to re-state the main points below.

I resigned on 11.11.1981 on grounds of health. It was duly withdrawn in writing on 12.1.1982. The resignation was not accepted till I withdrew the resignation in writing. It is explicitly clear from the letter of the University that my resignation was accepted only in the month of May 1982. Long before May 1982, the resignation was duly withdrawn.

There is neither logic nor reason in the contention that my resignation was not accepted in the interim period before its withdrawal. Even if this be so, this was not at all communicated to me although I was in regular touch with the Vice-Chancellor and the University.

As a regular member of the Executive Council of NEHU, I attended its meeting held in March 1982 and the Executive Council at this meeting did not accept my resignation.

After the expiry of my sabbatical leave on 12 April 1982, I reported to the then Vice-Chancellor for joining duty.

- (7) Accordingly, I applied for sabbatical leave. But I was taken back when some months later, the University wrote to say that my resignation was accepted in May 1982 and that sabbatical leave could not be granted.
- (8) I immediately returned to Shillong, and asked for permission for joining duty in my substantive post as Professor of English. But I was kept waiting till March 1984 (without salary) when I was appointed on a "contract" basic. I, however, accepted this, under protest and without prejudice to my original claims on the explicit promise by the then Vice-Chancellor that all matters relating to my service in NEHU would be regularized without delay.
- (9) This has not been done so far, although I have been again and again petitioning the University for redress of grievances.
- (10) I fail to understand why I should be appointed on 'contract' basis when there is a continuity of service in my case. As a regular Professor, I claim that under out statutes and ordinances, I am entitled to all the emoluments, benefits and salary that any professor is entitled to :
- (11) The acceptance of visiting professorships in India (or abroad) with the consent of the University authorities, is in accordance with our statutes and regulations. Further more, when I was placed on a contract status, I believed in good faith, according to the assurance given by the then Vice-Chancellor that the so-called 'contract' appointment would be only to regularize my services, and solve all the difficulties.
- (12) In short, for 23 months from April 1982 to March 1984, I was kept back (without pay) from joining my substantive post. During this long period, I was in regular correspondence with the Vice-Chancellor on this issue. I was meeting him frequently. I therefore claim full salary for this period of 23 months, in addition to my increments (which have been withheld since 1982) and all other benefits.
- (13) My petition dated 9 March 1968 for voluntary premature retirement stands withdrawn as the University has not acted upon it so far. And besides, the University has unilaterally (without my consent) extended the contract period beyond the date from which I had requested to be retired. I, therefore, withdraw this letter for voluntary, premature retirement.
- (14) Under the circumstances stated, I would request the Vice-Chancellor to regularize all these matters and kindly to take the necessary action in regard to my salary all along, increments, emoluments etc. according to the Fourth Pay Commission Report so that I will be in a position to retire after superannuation with all the latest benefits that any professor in NEHU is entitled to on the date of superannuation.

Thanking you,

Yours faithfully,
Sd/-
GEORGE A.G.

Copy to : Members of the Executive Council.

(COPY)

ANNEXURE-IV

From 9.11.2001

George A.G.
Professor, Patkai Christian College,
Dist: Dimapur, Nagaland.

To
The Vice-Chancellor,
NEHU, Shillong.

Sir,

I am a retired Professor of English (NEHU). After my retirement in May, 1988, I was appointed Professor of English (on contract) between 1988 and May 1993 in our former NEHU Campus of Nagaland (Kohima).

The provision for encashment of earned leave was, perhaps inadvertently, not included in the letter of appointment. When I took up this matter with the Nagaland University, I was advised to approach my parent employer NEHU.

I have about seventy days of earned leave. Permission for the encashment of the same may kindly be sanctioned.

Thanking you,

Yours faithfully,

Sd/-

George A.G.