

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

300 (x) Imposition of Major Penalty to Shri F R Khyriem, U.D.C.,
Planning.

Shri F R Khyriem, U.D.C., while posted in Academic Staff College, Nongshiliang was given an advance of Rs. 3568/- by the then Director, Academic Staff College, the amount was not accounted for by him till it was detected by the Director. Finally, the amount was realised from his salary on monthly instalment basis to make good the University loss.- Annexure 'I & II'.

Again, Shri F R Khyriem, U.D.C while posted in Examination Section in 1994 got himself involved in the following irregularities :-

- (i) Gross irregularity or negligence in the discharge of official duties with dishonest motive.
- (ii) Misuse of his official capacity for personal gain.
- (iii) Cheating the students with dishonest intention by accepting permission form and cash without the knowledge of the Superior Officer and without remitting the same in the office thereby depriving them from appearing in the University Examination.
- (iv) Shri F R Khyriem had also accepted the Examination forms from the students as well as cash to this effect unauthorisedly and he never submitted the form nor remitted the money taken by him to the office. This action on his part has deprived the students to sit in the Examination.

Next Shri F R Khyriem is being reported for unauthorised absence from office without permission nor submission of leave application right from 1988 onwards as can be seen from the Extract below from his personal file.

1. Unauthorised absence	-	1.8.88	to	2.8.88
2. ,, ,,	-	1.9.88	to	28.9.88
3. ,, ,,	-	20.12.92	to	28.1.93
4. ,, ,,	-	1.11.93	to	29.11.93
5. ,, ,,	-	4.3.94	to	28.3.94
6. ,, ,,	-	17.5.95	to	6.8.95

The above complaints and allegations were made known to him in Show Cause Notices. Preliminary and subsequently the allegations of dishonest dealing with the students and unauthorised absence was placed to an Enquiry for which the findings of the Enquiry Officer is placed in Annexure-III. The Enquiry Officer have given his findings that all the charges framed against him are well founded and established against him.

Office accordingly, after perusing all papers findings etc., has placed the report to the Disciplinary authority, who had decided on the Gross misconduct on his part with his dishonest and fraudulent inherent character to award a major punishment as per Rules, in consideration of the morale and conduct of other staff in the University.

Accordingly, the proposed major punishment was placed to the Vice Chancellor who is pleased to approve the same. The punishment - i.e. Reduction to a lower stage in the time scale pay with with-holding increments for a period of 3(three) years under Rule 11 sub-clause(v) of CCS(CCA) Rules. Accordingly after approval an order to this effect was issued on 20.01.97 vide Annexure-IV.

Shri F R Khyriem at every stage of action taken, have been afforded an opportunity to state and defend himself but he never contested, defended but admitted everything.

The action taken by the Disciplinary authority and approved by the Vice Chancellor is thus placed before the Council for favour of ratification.

1	Unauthorised absence	15.8.95 to 15.8.95	1
2	"	15.8.95 to 15.8.95	1
3	"	15.8.95 to 15.8.95	1
4	"	15.8.95 to 15.8.95	1
5	"	15.8.95 to 15.8.95	1
6	"	15.8.95 to 15.8.95	1
7	"	15.8.95 to 15.8.95	1
8	"	15.8.95 to 15.8.95	1
9	"	15.8.95 to 15.8.95	1
10	"	15.8.95 to 15.8.95	1

15.8.97
15.8.97

No.F.37-7/Estt-I/75(Part)-15861st June 1992O R D E R

The Registrar, North Eastern Hill University, Shillong hereby orders that an amount of Rs.3568/- (Rupees three thousand five hundred sixty-eight) only be recovered from F.R.Khyriem, UDC in monthly instalments of Rs.356/- per month for 9 (nine) months and the last instalment @ Rs.364/- per month to make good the amount advanced to him by the then Director Shri.S K John, Academic Staff College, Shillong from ASC Account which is not refunded by him till date.

The recovery may be effected from the salary for the months of June, 1992 and onwards.

SD/- 30/5/92.

(Mrs. S. Rynjah)
Deputy Registrar (Estt-I)

Copy to:-

1. The Finance Officer, NEHU, Shillong. | For favour of neces-
2. The Section Officer, Salary Section, | sary action.
- NEHU, Shillong.
3. The Assistant Registrar, Scheme Section, NEHU, Shillong.
4. Shri. F.R. Khyriem, UDC, NEHU, Examination Deptt., Shillong.
5. Internal Audit Section, This has a reference to Special Audit Note in respect of ASC with reference to the Accounts submitted to the UGC for the year 1988-89 and 1989-90
6. Personal file.

No.F.37-7/Estt-I/75(Part)-15841st June 1992.W A R N I N G

It has been brought to the notice of the undersigned that an amount of Rs.3568/-(Rupees three thousand five hundred sixty-eight) only was advanced to you by the then Director, A.S.C. This amount was not accounted for by you till it was detected by the Director. Thus it is seen that you had retained the University money for a long time without finally adjusting the same as required to be done in all cases of advance.

The above act on your part has been viewed seriously. You are hereby warned to refrain from such conduct in future. If any such misconduct is brought to the notice of the undersigned in future it will be dealt with severely.

Receipt of this warning letter must be acknowledged.

SD/-30/5/92

(Mrs. S. Rynjah.)
Deputy Registrar (Estt-I)

To

Shri. F.R. Khyriem, UDC,
Examination, Deptt., NEHU, Shillong.

Copy to:

1. The Deputy Registrar, Examination Deptt., NEHU, Shillong.
2. Personal file.

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CONFIDENTIAL

Report of the Preliminary inquiry against Shri.F.R.Khyriem on the matters as referred to in the order,

N.F.3-47/Esstt-I/Per/91-4668 dated 29.11.94.

In pursuance of the order No.F.3-47/Esstt-I/per/91-4668 dated 29-11-94, the file/records containing the allegations/complaints etc. against Shri F.R.Khyriem UDC by the students concerned and also the report on his unauthorised absence from duty w.e.f. 4-3-94 to 23-3-94 have been requisitioned from Establishment -I vide U/o note No.FA-2/PI/FRR/94-1940 dated 9-12-94. The file No.F.3-47/Esstt-I/Per/91(confidential) containing 38 pages in all on the correspondence side and 15 pages on the noting side was made available to the undersigned on 17th December, 1994.

On perusing both the noting & the correspondence sides, it is observed that initially there was a complaint(P/ Ic) from the Section Officer Examination Branch against Shri Khyriem in connection with his misuse/defaulting of the fees of students as a result of which those students, concerned were deprived to appear/sit in the examination. Accordingly a memorandum No.F.3-47/Esstt-I/per/91-6900 dated 23.2.94 was issued to Mr.F.R.Khyriem for explanation which are as follows:

1. Why did he fail to deposit & submit a sum of Rs.50/- along with the permission form in the Examination Deptt., in respect to one candidate who had given to Mr.Khyriem in good faith.
2. Similarly, there were four(4) students who were to appear for B.A. Examination, had in the same manner given to Mr.Khyriem in good faith as they are well known to him; their fees amounting to Rs.790/- along with the application forms etc. for depositing/submitting the same in the Examination Deptt. but again Shri Khyriem did not deposit the money as well as submit the forms. The above amount had been misused/defaulted by Mr.Khyriem. As a result of his action, the students concerned were deprived the right to sit/appear in the examination which ultimately caused to them both the loss of precious time & money.

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ANNEXURE-III

3. Not only that, his actions have indirectly affected and also imersely damaged the image&prestige of the University & the examination Deptt. in partizular.
4. During 1991, while Mr. F.R.Khyriem was working in the Academic Staff College, had also misappropriated Rs.3568/-. The University of Course, made good the above amount by recovering from his salary bills vide order No.F.37-7/Esstt-I/75(part) 1584 dated 1-6-92, together with a strong warning.

Mr.F.R.Khyriem was given 12 days time to explain the above charges.

In reply to the charges mentioned above, Mr.F.R. Khyriem vide letter No. Nil dated 9-3-94 (Page/7) admitted of all the charges and submissively asked for forgiveness with a promise never to repeat again in future. As for the defalcated fees etc. which he had defalcated already; he requested the University to recover on instalment basis from his salary bills if permissible. Further he expressed his regret over the negligence of duties again undertakes not to repent the same mistake.

Then again the A.R. Examination vide U/o Note No.F.1-12/Ex/94-94/1052 dated 18-3-94 reported to A.R.Estt-I that Mr.F.R.Khyriem after availing 2 days casual leave on 2nd and 3rd March 1994, had not resumed duty not only on 4.3.94 but till 18-3-94. Accordingly, under memo No.F.3-47/Estt-I/Per-91-62 dated 5-4-94, he was given 7 days time to reply the following charges.

1. That after availing 2 days casual leave on 2nd and 3rd March 1994 why did he fail to join duty not only on 4-3-94 but till 18-3-94 or 5-4-94 without prior permission from the competent authority.
2. That also in the past he was in the habit of absenting himself from duty without prior peraisision or leave a application. For his negligence of duties &irrigularity he was given warning, besides, the period of his absence w.e.f. 1.11.93 to 29.11.93 was treated as Dies-Non.

3. Mr. Khyriem appeared to have not repented nor improved his conduct in spite of Warnings & action taken against him by the University and for that matter he is liable to be considered of unbecoming as an employee of the University.

In response to the charges aforesaid, Mr. F.R. Khyriem vide letter dated 31-5-94 (P/30^c) not serialled in the file) besides admitting of his habitual absenting himself from office without any authority or leave application, also admitted of cheating the students by misusing/defaulting their money given to him in good faith, & thus depriving the students concerned (whose names he had furnished) in the above letter) from their right to sit/appear in the examination as private candidates:

1. Mr. Humphry Fancon, Laitumkhrach, Lomsohra, Shillong-3-
2. Ms Lily Marbaning, Holy Ground Rd, Laitumkhrach, Shg-3.
3. Mr. W.O. Khongkai, Madan Rting, Shillong.
4. Mr. Maxirus Lyngdoh, Laitumkhrach, Shillong-3.

As before, Mr. F.R. Khyriem beg for forgiveness for all his faults & mischiefs which he had committed and promised never to repeat in future with a request to release his salary for April & May, 1994.

When the addresses of the students concerned were made known to the University, the Dy. Registrar (Estt-I) issued a memo to all concerned under No. F.3-47/Esstt-I/Per/91-1435 dt. 16.6.94 to appear before the Dy. Reg (Estt-I) in person at 11.30 A.M. on 23.6.94 in connection with the problem faced by them.

Accordingly, three out of four candidates appeared before the Dy. Reg (Esstt-I) in person and testified in writings vide P/19^c&20^c, the circumstances under which they have been cheated by Mr. F.R. Khyriem & thereby suffered not only financially but loss of precious time. One candidate went to the extent to request the University to get back the certificates, Marksheet alongwith lost money if possible.

In summing up the **allegations** & evidences as a whole, there is a prima facie evidence to prove that the charges are well founded & established against Shri.F.R. Khyriem,UDC.

SD/- 17.1.95

(R.C. Chyne)
Assistant Registrar(Fin-II)
Inquiry Officer.

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ANNEKURE-IV

No.3-47/Estt-I/PER/91-Vol-II/4434

Dt.Shillong,20.1.97.

O R D E R

The Vice-Chancellor,NEHU,Shillong hereby orders that the pay of Shri.F.R.Khyriem,UDC,Planning,NEHU,Shillong be reduced by 3(three) stages from 1470/- to 1380/- in the time scale of pay of Rs.1200-30-1560-EB-40-2040/-for a period of 3(three) years with effect from 1.1.1997.

It is further directed that Shri.F.R.Khyriem will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will not have the effect of postponing his future increment of pay".

SD/-

(L.Marbaniang)18.1.97.
Dy. Registrar, Estt-I.

Copy to :

- 1.Finance Officer,NEHU,Shillong.
- 2.Accounts Section,NEHU,Shillong.
- 3.P.S.to Vice-Chancellor,NEHU,Shillong for information.
- 4.S.P.A to O.S.D,NEHU,Shillong for information.
- 5.Shri.F.R.Khyriem,UDC,Planning Deptt.NEHU, Shillong.
- 6.Asstt.Registrar,Planning,NEHU,Shillong.
- 7.S/B of Shri.F.R.Khyriem,UDC,Planning,NEHU,Shillong.

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following teachers for a period of 6 months upto 30.6.97.

1. Dr.D.P.Sharma,Reader,Department of Physics.
2. Dr.D.N.Upadhyya,Reader,Department of Plant Pathology.
3. Dr.K.K.Singh,Reader,Department of Botany.
4. Dr.B.S.Chauhan,Prof.Soil Conservation.
5. Dr.R.C.Gupta,Lecturer,Department of Chemistry.
6. Dr.D.P.Chaturvedi,Reader,Entomology.
7. Dr.V.Sharan,Lecturer,Department of Agri.Engg.
8. Dr.D.Sanyal,Lecturer,Department of Horticulture.
9. Dr.S.K.Sharma,Lecturer,Department of Agri.Chem.

(viii) Grant of lien to Dr.P.K.Bajpai,Lecturer in Physics.

No:EC:92:97:3:(viii): The Council ratified the action taken by the Vice-Chancellor in allowing Dr.P.K.Bajpai,Lecturer in Physics to proceed on lien for a period of two years with effect from 1.11.96 to enable him to take-up an assignment at the Guru Ghasidas University,Bilaspur.

(ix) Hiring of the Building for Guest House for Tura Campus.

No:EC:92:97:3:(ix): The Council approved the hiring of a building of Mrs.Clodia B.Sangma at Tura at a monthly charge of Rs.3118/- (Rupees three thousand one hundred eighteen) only for a period of one year.

(x) Imposition of Major penalty to Shri F.R. Khyriem,U.D.C.Planning.

No:EC:92:97:3:(x): The Council ratified the action taken in imposing of major penalty in reducing the time-scale pay of Shri F.R.Khyriem,U.D.C. by three stages and withholding his increments for a period of three years.

(xi) Extension of E.O.L. to Prof.(Mrs) Sujata Miri.

No:EC:92:97:3:(xi): The Council approved the action taken in extending the E.O.L. of Prof(Mrs) S.Miri for a period of one year with effect from 1.12.1996.

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