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

No.AC: 55-2/CONF/97-302 , Dated: 21st.April, 1997.

To

All Members of the Academic Council,
North-Eastern Hill University.

Sub:- Agenda for the 55th. Meeting of the Academic Council.

Sir/Madam,

I am to forward herewith a copy of the agenda for the 55th. meeting of the Academic Council to be held on 2nd. and 3rd. of May, 1997 for favour of your perusal.

Yours faithfully,

J.M.S. Khongwir
Deputy Registrar.

enclo: a.a.

AGENDA PAPERS FOR THE FIFTY-FIFTH MEETING OF THE ACADEMIC COUNCIL

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Item No:2 - REPORTING ITEMS

2:1(1)

i) Introduction of M.A. in Mizo

The Academic Council in its 54th meeting held on 21st and 22nd November,1996 considered the letter received from the chairperson University Grants Commission regarding the introduction of M.A. in Mizo and RESOLVED that the course may be started in the Mizoram Campus by appointing Teachers on contract for a fixed with six months notice for termination on either side and that the appointment would ceased on the setting up of the Mizoram University,The decision of the Academic Council was placed before the 91st meeting of the Executive Council and the Council agreed upon the decision of the Academic Council.

Subsequently the matter was placed before the 92nd meeting of the Executive Council held on 21st March,1997 feeling that the notice period of six months is too long and that it should be brought down to three months with the stipulation that the teacher can not be released in the middle of semister.

As such inview of the above the Executive Council considered the reduction of the notice period for the teacher to be appointed on contract basis and RESOLVED that the notice period on either side may be reduced to three months with the stipulation that they can not be released in the middle of a semester.

The matter is reperted to the Council for information.

BPGS:4-31|Cont|95

ii) Miss L.V.Zodinpuii and her M.A.Dissertation.

An Emergent meeting of the Academic Council was held on 3rd April, 1997 to decide the case of late submission of M.A.Dissertation by Ms Zodinpuii. The agenda placed before the Emergent meeting is at Annexure - 'A'.

The emergent Council meeting after deliberating on the case RESOLVED as under :-

" In considering the Special nature of the case and in view of the Gauhati High Court's Judgement and order under Civil Rule No.32/1996, Aizawl Bench passed in respect of Ms L.V.Zodinpuii, the Academic Council RESOLVED to condone the late submission of M.A.Dissertation by Ms L.V.Zondinpuii in consideration of the seriousness of the injury sustained by the student".

The matter is reported to the Council.

ANNEXURE-'A'

Ms L.V. Zodinpuii and her M.A.Dissertation.

Ms L V Zodinpuii had not been allowed to submit her Dissertation since she was lat in doing so as per Ordinance OC-7 Clause 15 which reads as below :

"No candidate will be allowed to appear any Course more than twice and no candidate shall be allowed to appear in any Course beyond six semesters of his/her first admission to the programme".

Explanation : Ms L V Zodinpuii, having been admitted in September 1989, should have submitted her Dissertation within December 1991. She had, however, submitted on 10.08.93, claiming to be due to unfortunate road accident in March 1991.

The request of Ms L V Zodinpuii for waiver of time limit for late submission of the Dissertation was placed before the BPGS and School Board of the School of Education. The decision of the Boards to regret the waiver as it was not permissible under the provisions of the Ordinances, was communicated to her by the University on 21.07.94.

On receipt of the said letter, Ms Zodinpuii filed a Writ Petition before the Gauhati High Court, Aizawl Bench. The Petition was heard on 22.1.96 and the following Judgement and Order was passed on 23.01.96.

Para 18:
"For the reasons aforestated, the impunged order dated 21.7.94 is hereby quashed and set aside. Petitioner is directed to file a fresh representation before the respondent No.1 stating the entire backgrounds mentioned in this writ petition, particularly in paragraphs 6 and 7 of the petition within a period of two weeks from today. On representation being received, the respondent No. 1 shall cause it to place before the Academic Council alongwith other documents including the recommendation dated 19.11.93 by Dr R. S Wangu, Supervisor of the writ petitioner, within a period of one month from the date of receipt of the representation and the decision shall be taken on the same day. It is made clear that if the petitioner is aggrieved by any decision that may be arrived at by the Academic Council, she is at liberty to approadh this Court again".

In accordance with the order of the High Court as above, Ms L V Zodinpuii appealed to the Vice-Chancellor, with the request that the matter may be considered by the Academic Council.

The appeal of Ms L V Zodinpuii made on the order of the Gauhati High Court, Aizawl Bench under Civil Rule No. 65/94 (AB) was placed to the Academic Council of the University which was held on 28.2.96. The decision of the Academic Council on it was as below :

Contd....

"No:AC:52:96:5:05(I): The Academic Council perused and deliberated upon the representation of Ms L V Zodinpuii and also the Judgement and Order of the Gauhati High Court, Aizawl Bench regarding the case of Ms L V Zodinpuii who on not being allowed to submit her Dissertation beyond the prescribed six semesters, as per the communication made to her under letter No.EX/PG/Repeat/92-93-674 dated 21-7-94 filed a Writ Petition before the Gauhati High Court, Aizawl Bench under Civil Rule No.65/94.

The Council, as directed by the Court, deliberated upon the petition of Ms L V Zodinpuii with special attention to para 6 and 7 of her Writ Petition. The Council, however, while sympathising with Ms L V Zodinpuii, regretted its inability to allow extension of time to her for submission of her M A Dissertation, in view of the provisions of the Ordinance which do not permit extension of time beyond six semesters as stated explicitly in Clause 15 of the Ordinance OC-7"

This decision of the Academic Council was conveyed to Ms L.V. Zodinpuii on the same day i.e. 28.2.96 under letter No.AC:52-3/Conf/96-3895.

Not being satisfied with the decision of the Academic Council and as per the indication given in the Judgement and Order under Civil Rule No.65/94(AB), Ms.L.V.Zodinpuii appealed to the Gauhati High Court, Aizawl Bench, which was heard on 16.1.97 and 20.1.97 under Civil Rule No.32/96. The Para 5,6,7 &8 of the Order say as follows:

Para 5:

" A perusal of the Judgement and Order 23.1.96 of the Civil Rule No. 65094 clearly discloses that this Court considered the Power of the Respondent University to dondone the delay in submitting the Dissertation by the student in the light of the provisions of the Ordinance OC-7 and more particularly the Clauses 7 and 15 of the Ordinance and also the fact that in earlier cases the Respondent University received and accepted the Dissertations submitted by other students condoning the delay in submitting the same, considering the facts and circumstances of each case".

Para 6:

"The question as to whether the Respondent University authority has discretionary power to condone the delay in submitting the Dissertation by the student/examinee is no more res integra as the matter has been decided in the said earlier Writ Petition. And by the Judicial Convention and Prppriety the matter is not to be re-opened by me in absence of any submission from the Learned Counsel for the Parties and also that there is no ground for the Purpose."

Thus it was for the Respondent University to decide as to whether they should accept the Dissertation submitted by the Petitioner, considering the facts and circumstances of the case.

contd.....

Medical History in respect of Ms L.V. Zodinpuii vis-a-vis her submission of MA Dissertation

...

After the completion of her course work relating to all the papers of the three semesters and the two courses of the fourth semester including sessional works and semester examination, Ms Zodinpuii in the month of December 1990 under the faculty Supervisor Dr.R.S. Wangu started her Project/Dissertation on the subject of "A Study of Teenage Mizo Female Dropouts between 13 to 19 Age Group from High School in Aizawl" in partial fulfilment of the requirement for the Degree of Master of Arts in Education.

While Ms Zodinpuii was starting to work on her Dissertation, she was referred to CMC Hospital, Vellore in the month of February 1991. Unfortunately, while coming back from Vellore, she met with an accident on 5.3.91 near Madras, sustaining serious injuries of pelvic fracture and Lumber Disc Prolapse. After taking medical treatment in Shri Balaji Hospital,Madras, she was discharged on 15.3.91 with the advice for complete bed rest. A copy of the Discharge certificate from Balaji Hospital, Madras dated 15.3.91 annexed as Annexure I.**

Ms Zodinpuii could not recover from bodily injury sustained as a result of the accident even after many months and as the actual internal ailment could not be detected at Aizawl Civil Hospital, she was advised to have necessary medical check-up and treatment from the Institute of Neurogical Science, Dispur, Assam. After having undergone the medical check-up it was diagnosed that Ms Zodinpuii was having Lumber Disc Prolapse and Pelvic bone fracture. Accordingly, she was advised " to avoid lifting heavy weights or stooping forward, bending or stooping, to avoid travel over two wheelers or on rough roads, to avoid proponged sitting and standing, to sleep on a firm bed and to wear Lumber belt always except while sleeping or for toilet activities". And during the above period of nine months from 5.3.91 till 12.11.91, she was debarred, due to her ailment from doing her daily/routine works. A copy of the finding report and advice of the institute of Neurological Sciences dated 12.11.91 is annexed as Annexure II.**

Although Ms Zodinpuii had tried her level best to complete her Dissertation within the stipulated period(in 1991), she could not properly pursue her work due to her ailment and she had to take rest for some more time till the middle of 1992.

(** the annexures are in xerox copies and illegible, hence not placed before the Council)

(i) Course on Environment awareness in Linguistics Department, NEHU.

The Expert Committee for Linguistics had formulated a seperate and compulsory Course of 25 marks on Environment awareness in Linguistics on the direction of the Academic Council. The Course which was framed by the Expert Committee is to be taught from the current Semester and the Head of the Department of Linguistics has requested the Chairman of the Academic Council for permission to start teaching the Course from the current semester. The Vice-Chancellor has permitted to start the course from the current semester since it has been framed by an expert committee as desired by the Academic Council vide resolution No. AC: 53: 96: 5: 2: (viii) and No: AC: 53: 96: 8: (i).

The course framed by the Committee placed at Annexure-'A' is referred to the Council for information and ratification of the action taken by the Vice-Chancellor.

BPGS: 4-29/cont/91

Annexure-A

C - 5 Part 2 Linuistics Environment. (25 Marks)

5: 2: i. Interpretation of meaning in different environments : Linguistics, Social, Cultural, Physical. (9)

5.2. ii. Application of semantic Field theory and contextual theory of meaning to Environmental studies, special referance to the NE languages (9)

Internal Assessment.

Analysis of meaning of words/Phrases/sentences/discourses. related to the physical and socio-cultural environments. (7)

5:1- Academic Matters-

(i) Ph.D. Registration case of Shri. Anup Saikia, Geography Department.

Shri. Anup Saikia has been registered Provisionally for Ph.D. (Old Ordinance) on 22-4-92 with information to submit his Final Registration on or before 22-10-93, with date of submission of the thesis within 22-4-96.

The scholar has already submitted his application to the Department of Geography on 20.10.93, before the due date as instructed. However, the department's concerned has not forwarded the application of the scholar to the Dean's concerned due to oversight, and the scholar has not been able to complete before four's years time as per Ordinance.

Then, the scholar has applied for extension of time for submission w.e.f., 8.6.96, and the School Board in its meeting held on 1.10.96 (Annexure - 'A') approved the Final Registration of the candidate w.e.f., October 1993 and noted the administrative delay on the part of the department and also recommended that in future the department may be more careful and not to use it as a precedent. Further, the School Board vide Resolution at Annexure - 'B', approved the Ph.D. Final Registration and extension of time for submission for the period of one year w.e.f., 8.6.96 with date of submission on 7.6.97. Finally, the B.R.S., vide Resolution Annexure - 'C' also approved the registration of Anup Saikia.

Hence, the Ph.D. (Final Registration) of Anup Saikia may be entertained w.e.f., October 1993 with date of submission on 7.6.97, specifically indicated the decision of the School Board that in future the department may be more careful and not to use it as a precedent.

An extract of the Ordinance is placed at Annexure - 'D' for information.

The matter is placed to the Academic Council for its consideration and decision on the matter.

FK/
No.G.26-2/Acad/A.Saikia/Geog.

5:1:1(2)

ANNEXURE - 'A'

School Board Meeting of Human & Environmental Sciences, held on 1.10.96.

Resolution No.SBENS:4:96:3(iv) (Agenda Item No. 3.d)

The Board resolves to accept the final registration of Ph.D. candidate in Geography, Shri. Anup Saikia w.e.f., October, 1993. The Board noted the administrative delay on part of the department and recommends that in future the department may be more careful on these matters and not to use it as a precedent. The revised title of the thesis shall be "Regional Development of North Eastern Region of India". Export base theory, Government Policy and under development" under joint supervision of Prof. A.C. Mohapatra and Dr. B.S. Butola. The revised synopsis was also accepted.

ANNEXURE - 'B'

School Board Meeting of Human & Environmental Sciences, held on 1-10-96

Resolution No.SBENS:4:96:3(v) (Agenda Item No. 4.d(i)

The Board agreed to the extension of Ph.D. submission of two candidates of the Department of Geography, Shri. D.D. Nengnong and Shri. Anup Saikia for one year w.e.f., 8.6.96, the final date of submission being 7.6.97.

ANNEXURE - 'C'

2nd B.R.S. Meeting, held on 6-12-96.

Item No. 6 Ph.D. Final Registration

(i) Ph.D. Final Registration of the candidate of various Departments.

No.BRS:02:96:06:(i) : The Board considered the final registration for Ph.D. of the following candidates and RESOLVED to approved the same.

Name of candidate & Department	Name of Supervisor.	Date of Provisional Registration.	Date of approval by the Board School/ for Final Registration.	Date of submission for Ph. D. final Registration.	Title of Research
7.Sri. Anup Saikia Department of Geography.	Prof. A.C. Mohapatra & Dr. B.S. Butola.	-	1-10-96	-	Regional Development of North-Eastern Region of India. Export base theory, Govt. Policy and under development.

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ANNEXURE - 'D'

NEHU ORDINANCE

Final Registration

5. (1) : The scholar shall submit a report with recommendation of his supervisor through his Department to the School Board as soon after one year of his preliminary registration as possible, but not later than eighteen months, about the progress of his work with reference to the scope of the topic, the provisional hypothesis, research methodology including sampling design, etc., with proposal for modification, if any, in the topic, or its scope, or any other element in his research proposal with reasons therefore. The School Board may forward the same to the Board of Research Studies with their observations who may admit the scholar finally as a candidate for Ph.D.

(2) : If a scholar does not seek final registration within the stipulated period, the provisional registration shall lapse and it shall be deemed that the candidate has discontinued his studies and his registration shall lapse automatically. If a candidate wishes to resume his research, he shall seek fresh provisional admission in accordance with the provisions of this Ordinance.

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5:1:2((i)

ii) Increase in the number of seats in M.A. English in Mizoram Campus.

A request had been received from the Head Department of English Mizoram Campus for permission to increase the present number of 20(twenty) seats in the Department to 25(twenty five) numbers, due to the increase in the number of students seeking admission for Post Graduate Studies.

The matter is placed before the Academic Council for consideration.

No.EX/PE/AC/97/927

5:1:3(1)

iii) Increase in the number of seats in (1) M.A. Public Administration and (2) Diploma in Public Administration in Mizoram Campus.

....

Due to the increase of number of students who sought admission to M.A. in Public Administration and also Diploma in Public Administration the Head of the Department had requested permission to increase the number of seats(1) from 35(thirty five) to 50(fifty) numbers in M.A. Public Administration and (2) from 35(thirty five) to 50(fifty) numbers in Diploma in Public Administration.

The matter is placed before the Academic Council for consideration.

No.EX/PG/AC/97/927

1v) Increase in the number of seats in M.A. Economics in Mizoram Campus.

A request had been received from the Head Department Economics Mizoram Campus for permission to increase the present number of 20(twenty) seats in the Department to 50(fifty) numbers, due to the increase in the number of students seeking admission for Post Graduate Studies.

The matter is placed before the Academic Council for consideration.

No.EX/PG/AC/97/927

(v) Ordinance on maintenance of discipline and proper conduct among students of the University.

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The Vice-Chancellor, NEHU constituted a committee consisting of the following members to draft an ordinance relating to the maintenance of discipline and proper conduct among the students of the University.

1.	Prof.R.R. Mishra	-	Chairman
2.	Prof.M.N. Karna	-	Member
3.	Prof.K.K. Sharma	-	-do-
4.	Prof.P.P.Gokulanathan	-	-do-
5.	Chief Proctor	-	-do-
6.	Dean, Students' Welfare	-	-do-

The committee has since submitted the draft ordinance and the draft rules and these are placed at Annexure-'A' and 'B' respectively.

The same are now placed before the Council for consideration.

Conf./13-1/Ord/87

Annexure - 'A'

NORTH EASTERN HILL UNIVERSITY

Draft Ordinance relating to the maintenance of discipline and proper conduct among the students of the University

OBJECT

1:1 This Ordinance framed under Section 26(i) of the NEHU Act, 1973 shall be called the "Ordinance on Discipline and Proper Conduct" under Section 31(5) of the Statute for the maintenance of discipline and proper conduct among the students of the University and shall come into force with immediate effect.

1:2 The students, for the purpose of this Ordinance, shall include all post-graduate students and full-time research scholars registered for M.Phil/Ph.D degree of the University.

1:3 The University may frame Rules and Regulations from time to time, as it deems necessary.

2:1 DEPARTMENTAL DISCIPLINE COMMITTEE

Every Department shall have a Departmental Discipline Committee. The Committee shall have three members with the Head of the Department as its Chairman. The Committee will be constituted by the Head of the Department in consultation with the Department and with the approval of the Dean of the School. Its term of office shall be two years.

2:2 The functions of the Departmental Discipline Committee shall be as follows :

(i) to oversee general discipline in the Department and assist the Head in ensuring that the Department functions smoothly in accordance with the Act, Statutes, Ordinances, Rules, etc of the University.

(ii) to enquire into cases of indiscipline suo moto, or on report from any student, teacher etc.

2:3 The Committee shall be competent to admonish, and issue written warning in case a student is found guilty of indiscipline. If the act of indiscipline recurs more than twice, the matter shall be referred to the School Discipline Committee.

2:4 The Head of the Department, as the Chairman, will preside over the Departmental Discipline Committee meetings and all communications to the School Discipline Committee will be by him.

contd.....

3:1 SCHOOL DISCIPLINE COMMITTEE

Every School of Studies shall have a School Discipline Committee. It shall comprise the following :

1. Dean - Chairman
2. Two Heads of Departments - Members
3. Head of the Department concerned or his nominee.

The School Discipline Committee shall be appointed by the Vice-Chancellor on the recommendation of the Dean. Its term of office shall be two years.

3:2 The functions of the School Discipline Committee shall be as follows:

(i) to oversee general discipline in the School and assist the Dean in ensuring that the School functions smoothly in accordance with the Act, Statutes, Ordinances, Rules, etc of the University.

(ii) to enquire into cases of indiscipline suo moto, on report from any student, teacher etc .

3:3 It shall have the powers to suspend a student from attending classes for a specified period or award any other suitable punishment and shall report all such action to the University Disciplinary Council.

3:4 The School Disciplinary Committee may where it deems necessary refer cases to the Vice-Chancellor/Proctor.

4:1 MAINTENANCE OF DISCIPLINE IN HOSTELS

Without prejudice to the powers of the Vice-Chancellor and the Proctor, the Central Committee on Residence and the Wardens of Hostels shall exercise such powers and perform such functions as prescribed in the Ordinance on Conditions of the students of University, for the maintenance of discipline in the hostels.

5:1 PROCTOR

All powers relating to the discipline and disciplinary actions in relations to the students of the University shall vest in the Vice-Chancellor in accordance with Section 31(I) and 31 (3) of the Statute. He shall be assisted by a Proctor(s) who shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor and as prescribed in this Ordinance.

5:2 The Proctor(s) shall be responsible for the maintenance of discipline among the students of the University.

5:3 The Proctor(s) shall on behalf of the Vice-Chancellor receive and act upon any report received by him from any Officer of the University, Head of the Department, Teachers, Warden or any public complaint against a student or a group of students.

Contd....

5:4 In the event of breach of discipline and/or misconduct/misbehaviour on the part of a student or a group of student, the Proctor(s) shall have the powers :-

(a) to impose a fine upto Rs 100/- on a student at a time;

(b) to suspend a student or students and to keep the University out of bounds for such student/students until further orders.

5:5 Action taken by the Proctor(s) shall immediately be reported to the University Disciplinary Council. Appeal to be made within one week of the date of receipt of orders by the Proctor(s) shall in the first instance lie with the University Disciplinary Council which may confirm, modify or reverse the decision of the Proctor(s).

5:6 Notwithstanding what is contained in 5:5 above, a student may appeal to the Executive Council against any decision of the Proctor(s) or Vice-Chancellor in accordance of the procedure of appeal and arbitration and right to appeal under Section 31 and 32 of the North Eastern Hill University Act.

5:7 In instances of serious breach of discipline or mis-conduct/misbehaviour where the Proctor(s) is/are convinced that action in excess of powers vested in him is called for, he shall refer all such cases to the University Disciplinary Council for its consideration and appropriate action.

6:1 UNIVERSITY DISCIPLINARY COUNCIL

There shall be a University Disciplinary Council. It shall comprised of the following :

1. The Vice-Chancellor	-	Chairman.
2. Six teachers of the University	-	Members
3. Dean Students Welfare	-	Ex-Officio.
4. Director of Sports	-	Ex-Officio.
5. One other Officer of the University	-	
6. Two Wardens of the Hostels		
7. Proctor	-	Member-Secretary.

All members except the ex-Officio members and the Member-Secretary shall be appointed by the Vice-Chancellor for a term of two years.

6:2 The functions of the University Disciplinary Council shall be as follows :

(i) to advise the Vice-Chancellor in the maintenance of discipline and proper conduct among the students of the University;

(ii) to review from time to time the over-all situation regarding discipline in the University and consider special cases referred to it by the Vice-Chancellor.

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ANNEXURE - 'B'

Draft Rules of Discipline and Proper Conduct for Students of the North Eastern Hill University, framed under "Ordinance on Discipline and proper conduct".

1. An act violative of the provisions of the North Eastern Hill University Act, Statutes, Ordinances Regulations and Rules including those relating to attendance at lectures, tutorials, tests, terminal or preliminary examinations framed thereunder.
2. An act which casuses destruction or defacing of the property of the University.
3. An act amounting to trespass on unauthorised entry into specified premises and areas.
4. False statements or the submission of false documents with a view to securing any benefit.
5. Use of title of the University or title which includes the name of the University for sending any communication for purposes, not specifically authorised by the University.
6. An act which disrupts the smooth functioning of the University, the environment conducive to the pursuit of knowledge, on the harmonious relationship amongst students of the University on any ground whatsoever.
7. An act or statement, distribution of any documents or literature including the issue of circulars, pamphlets, posters, press release, etc, which adversely affects the public image of the University or any individual member thereof.
8. An act of abetting or resorting to ragging in any form.
9. An act of unruly and disorderly behaviour at competitions in sports and cultural activities or other social or educational programmes organised by the University.
10. An act violative of the ordinance or/and Rules framed there under.
11. Disobeying the decisions of Referees/Umpires/Judges appointed at the competitions organised by the University on the field.
12. An act which interferes with the personal liberty of another person or subjects another to indignity, or involves physical violence or use of abusive language;
13. An act which implies interference of outside persons, organisations or authorities in the functioning of the University.
14. Unauthorised collection of funds.
15. Consumption of alcoholic drinks, intoxicants and narcotic drugs;
16. An act involving moral turpitude;
17. Possession of objectionable goods or materials.
18. Any other act which, in the opinion of the Vice-Chancellor/ Proctor(s) Deans of School/Heads of Departments, Warden and Officers of the University is unbecoming of a student.

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Research

1) Regulation for External Research Project.

The existing Regulation for external research project duly approved by the Executive Council No.EC:88:5:01(iv) dated 5.1.89 enclosed at Annexure 'A' was also approved by the Academic Council vide resolution No.AC:35:88:05:1(v) Annexure 'B' and the regulation was implemented for the research project.

However, the Dean, School of Human and Environmental Sciences has pointed out the problems which arises on the Regulation, and suggested to amend the same. The letter of the Dean, School of Human and Environmental Science is at annexure 'C'. For this purpose the matter was referred to the Executive Council and the Council in its meeting held on 18.7.96, vide Resolution No.EC:90:96:5:1:(iii) placed at Annexure 'D' has constituted a committee consisting of all Deans and Finance Officer to look after the Regulation.

Now, the Executive Council vide Resolution No.EC:91:96:5:1:(i) held on 7.12.96 at annexure 'E' considered the recommendation of the Committee and approved the Regulation of the Committee and to repeal the earlier regulation with a further decision to place before the Academic Council for its view.

Hence, the matter is placed to the Academic Council for decision.

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No:G.160-2/Acad/Ex-Res-Project/96

ANNEXURE -'A'

(iv) Regulations on External Research Projects.

EC:64:88:5:1(iv) : The Council RESOLVED to approve the draft Regulations on External Research Project as framed and approved by the Academic Council vide its resolution No.AC:35:88:05:1(v). The Regulation as approved by the Council is at Appendix - II.

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ANNEXURE - 'B'

(v) External Research Projects.

No.AC:35:88:05:1:(v) : The Council considered the two draft Regulations prepared by the Finance Department and the School of Physical Sciences and after examining the two drafts clause by clause, resolved to approve the Draft Regulations with modifications as appended at Appendix-'A'. It further resolved to recommend the Draft Regulation to the Executive Council for consideration and approval.

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3. It is cited (prov.15) that the projects are run as per the guidelines of the funding agencies. While nobody can deny the conditionalities imposed by the funding agencies, the administrative and financial controls are enturusted to the Grantee Institution and no funding agency could ask the University to depart from its administrative and financial rules and practices, the University being an autonomous body by creation by an Act of the Parliament. In such cases, the University may not even forward or accept such conditionalities which impinges on its autonomy. Moreover, the nature or administrative and financial probity is entrusted to the auditing authority which is the University, since most of the research projects are public funded and therefore, the FR of GOI is applicable. This is a serious matter and needs to be looked into.

4. The assets created through such research projects, no records are kept in the departments, nor at the University level. Not even a separate file is being maintained in the departments on individual research projects. The equipments and other materials are not being returned to the departments after the completion of the research projects. The Chief-Investigators, in most cases maintain a separate ledger on their own, the departments not being privy to it. As a result after the completion of the research projects, there are apprehensions that these materials could be very easily upsurped by imprudent CI. The circular of the Finance Officer, NEHU, No.FA-2/Office Order/96 dated April 20, 1996 is extremely relevant here and I fully agree with it. Item 5 of the circular states that the purchases of assets are to be entered in the cetral ledger of the department and then issued to the concerned research Project for the duration of the project after which the assets either become the property of the University or in exceptional circumstances, the FA may take them back, reassign to another project in the University or even may sell it. This needs to be looked into also.

I suggest a committee constituting the Registrar, F.O., two CI, two HODs, two Deans and two external Financial and Administrative experts may look into the problems pointed out and propose relevant amendments of propose a wholly new regulation to effect to the appropriate bodies for their consideration.

I may also suggest that the above committee may also assess the asset records after implementation of the above regulation, because there are genuine doubts about their where abouts.

Thanking you

Yours faithfully,
Sd/- A.C. Mohapatra.

Copy to

Finance Officer, NEHU for information.

A.C. Mohapatra.

Encl. The relevant regulation.

5:3:1(4) COPY

ANNEXURE - 'C'

NORTH EASTERN HILL UNIVERSITY,
SHILLONG

Prof. A.C. Mohapatra,
Professor & Dean.

School of Hu. & Env. Sciences
Tel. 0364-227763

No.SHES/VC/1-96/41

May 11, 1996.

The Vice-Chancellor,
NEHU, Shillong.

Sub :- E:C:Res.EC:64:88:5:01(iv) dt. 5.1.89 (Regulations on External Research Projects).

Sir,

This is to draw your kind attention to the regulation as above. To bring in efficiency in implementation of externally funded research projects the above regulation was made by a committee of research investigators of projects and duly approved by the academic council & the E.C. of the University. With all deference to these august bodies I am dismayed that the regulations were hurried through which may flought the Government of India general financial and administrative rules and also the Statutes & Ordinances of this University resulting in Financial and Administrative mismanagement and thus, needs to be relooked afresh by the appropriate bodies. I am citing below the problems that may arise and therefore, needs to be re-evaluated in amending the above regulation.

1. The creation of regulation has to be under the existing provisions of Act, Statutes and Ordinances on appropriate precedence. In case of the above regulation, the regulation itself does not cite under what provision of the Act, Statutes and Ordinances that it has been created. Therefore, its legal standing is questionable. However, I may point out that Ordinance OB-1-2(d) of the University talks about Research Projects, proposals of which shall be vetted by the "Department" and then only forwarded by the HOD through the University to appropriate funding agencies.

(i) The Regulation first has to take cognisance of its genesis from the above Ordinance, before further elaborating the procedures. The Ordinance therefore, recognises the corporate basis of researches carried out by individual faculty members in the departments of the University.

(ii) The existing regulation contradicts the above Ordinance in Prov. 4, that it will be forwarded by the HOD without being vetted by the department, which has become the practice now after this regulation has come into effect. This needs to be rectified.

2. The Prov.10 of the above regulations says that the Chief-Investigators of the projects have full powers of finance, administration and academic. This contradicts the Government of Indian Finance Rules and the Statutes and Ordinances of the University in regards to powers of the Chief Executive of the University (The Vice-Chancellor), the Finance Officer and other statutory officers like the Deans of Schools and the Heads of Departments. As a results travel plans concerning the projects are not vetted by any body, neither the funding agency, nor any of the statutory officers. The T.A. bills are not countersigned by any controlling officer which is irregular as per GOI FR. The problem arises not intereference in the efficiency in functioning of the research projects, but creation of "independent power centres" in the departments in undermining the authority of the administrative heads. This can have disastrous consequences in functioning of the departments, in running their core programmes. Moreover, the only self sanctioning authority in the University has been assigned to the Vice-Chancellor by the Act and Statutes. This needs to be rectified.

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5:3:1(5)

E.C. Resolution EC:64:88:5:01(iv) dated 5.1.1989 Being followed in NEHU

APPENDIX - IV

Regulations on External Research Projects.

1. Various national and international funding agencies provide attractive research grants to the faculty solely on the scientific standing of the investigator and the merit of the project.

2. Each project proposal is thoroughly refered by experts in respective fields and sanctions are made on the basis of recommendation of the experts.

3. Once the project is sanctioned, the Director/Investigator-in-charge is solely responsible for its successful completion, He is refered to submit periodical progress reports and a final report which are refered by panel of experts.

4. In view of the academic as well as financial responsibilities associated with the Director/Investigator-in-charge, the following regulations are framed for smooth implementation and execution of the project.

   1. These regulations may be called 'Regulations on External Research projects'.

   2. All research projects which may be funded by organisation other than the North-Eastern Hill University shall be called "External Research Projects".

   3. A teacher desirous of seeking financial support from an external financial agency will prepare the project proposal as per the requirements of the funding agency.

   4. The project proposal duly forwarded by the Head of the Department/Institution will be sent to the funding agency.

   5. Action on the project may be initiated by the Director/Investigator-in-charge in Advance, if necessary, with the prior approval of the Vice-Chancellor soon after the receipt of sanction without waiting for the release of funds.

   6. The funds received will be deposited in the "External Research Projects Fund" of the University and a separate ledger maintained in the Finance Branch in respect of each project. The University may support the research work of the project until the funds are received by the funding agency.

      Provided that the Director/Investigator-in-charge may be allowed to oper and operate an account in a Scheduled Bank for drawal of the Contingency Fund upto the extent of 50% of the fund to be decided by him.

   7. Requisition for the selection of the sanctioned staff/research scholar will be sent to the Registrar by the Director/Investigator-in-charge with intimation to the Head of the Department. The sanctioned posts will be advertised by the Registrar within two weeks.

   8. In the absence of any specific procedure laid down by the funding agency, the Director/Investigator-in-charge will constitute a selection committee comprising not less than three members, including the co-investigators if any, and Head of the Department with the Director/Investigator-in-charge as the chairman. The selected staff/research scholar will be allowed all the usual facilities of the University at par with those enjoyed by other regular University Staff.

   9. All the infrastructural facilities shall be provided by the University for smooth running of the Projects.

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10. The Investigator-in-charge shall be the controlling and sanctioning officer for all the financial, administrative and academic matters related to the project. In the absence of Director/Investigator-in-charge and/or any co-investigator, the faculty member nominated by the Director/Investigator-in-charge shall look after the matters related to the project.

11. Purchase of equipment conting up to Rs. 5,000/- shall be made by the Director/Investigator-in-charge as per the requirements of the project. He will draw advance for such purchase in his name.

12. Purchase of chemicals, glasswares and other consumables will be made by Director/Investigator-in-charge from the advance drawn by him in his name after observing codal formalities.

13. Expenditure on analytical services, computer charges, books, secretarial assistance, travel, maintenance of equipment, postage and such of the services related to the project will be incurred by the Director/Investigator-in-charge from the advance drawn by him in his/her name.

14. Utilization certificates on the project expenditure shall be submitted by the Director/Investigator-in-charge to the University to be forwarded within one month to the funding agency.

15. All the administrative, academic and financial matters in relation to the projects shall be governed by the provisions of these regulations and/or the terms and conditions of the concerned funding agency.

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ANNEXURE - 'D'

(iii) Regulation for external Research Project :

No.:EC:90:96:5:1:(iii): The Council considered the issues raised by the Dean, School of Human and Environmental Sciences and also the Finance Department on the regulation for external Research Projects and RESOLVED that a Committee consisting of all Deans, with the Seniormost Dean as Chairman and the Finance Officer as Convener may be constituted to look into the matter and till such time the issue is resolved the procedure laid down in the Regulations will prevail.

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ANNEXURE - 'E'

Item No. 5 ACADEMIC MATTERS :

5:1- Statutes, Ordinances, Regulations and Rules -

(i) Regulation for external Research Project Report of the Committee.

No:EC:91:96:5:1:(i): The Council considered the recommendations of the Committee appointed by it to look into the Regulations for external Research Project and RESOLVED to approve the Regulations proposed by the Committee and ~~xxxxxx~~ repealed the earlier recommendations. However, the same may be placed before the Academic Council for its views.

Item No. 5 ACADEMIC MATTERS :

5:1 Statutes, Ordinances, Regulations and Rules.

(i) Regulation for external Research Project Report of the Committee.

The Executive Council in its 90th meeting had constituted a Committee to look into the matter regarding the Regulation for external Research Project. The Committee met on 15.10.96 and submitted its Minutes/Recommendation for placing before the Executive Council.

The Minutes/Recommendations is placed at Annexure 'A' for consideration of the Council.

ANNEXURE - 'A'

MINUTES OF SUB-COMMITTEE OF THE EXECUTIVE COUNCIL FOR STUDYING PROBLEMS ASSOCIATED WITH REGULATIONS ON EXTERNAL RESEARCH PROJECT HELD ON 15.10.96 AT 11.00 AM AT THE OFFICE OF THE FINANCE OFFICER NEHU (vide EC Reso.No.90:96:5:1:(iii) of 18.7.1996).

1. Prof. S.K. Misra,
2. Prof. A.C. Mohapatra.
3. Prof. A.R. Raghuvarman
4. Shri. L. Nampui - Convener
5. Prof.(Mrs) K.S. Lyngdoh - Chairperson

Prof. S.N. Bhat, Dean, Physical Sciences regretted due to preoccupations. Prof. J.P. Singh was out of Station.

After going theard bare into all aspects of the problem including the two regulations, the representations and the guidelines of UGC & DST, the Sub-Committee recommends the following to the EX for its consideration :

1. The 1989 Executive Council resolution in framing a fresh regulation was found defective on two grounds, i.e. (i) it overrides govt. norms on financial and administrative control system and also the administrative and financial rules and practices of the University, (ii) it suffers from technical/legal problem regarding its creation in neither taking cognisance of an existing regulation to this effect nor citing its ~~xxxxx~~ source of authority.:

The Sub-Committee recommends its abrogration.

2. The Sub-Committee found the old regulation (OC-10, RC-1) a well conveived set of rules complete from technical/legal aspects but needs some amendment for smooth facilitation of ~~xxx~~ ERPs as well as insertion of new sections/provisions on a number of points. The draft amended regulation is enclosed in Appendix - I.

3. The Sub-Committee took cognisance of problems associated with management and operation of ERPs from the date of implementation of the new regulation especially in respect of physical assets and doubts about their where abouts during the operation of the new regulation.

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5:1:1:(3)

It recommends the EX to formulate a suitable mechanism of preparing inventory of such assets between 1989 till date and take appropriate administrative measures in this regard.

4. Most of the ERPs sanctioned to various faculty members from time to time contain a commitment upto 10% of the total sanction as "Overhead Charges". This is an amount compensatory in nature to the University for space, infrastructure & administratives costs to the University in operating the ERPs. University may insist an OC in each and every project for-ward by it. This helps the University to generate resources.

The Sub-Committee recommends that a separate fund be created with a nomenclature of "Technology Develoment Fund" or any other, operation of which will be guided by a separate regulation. However, all OC funds of projects be deducted after fund transmission to the University at source and deposited in the designated fund so created for the purpose.

The meeting ended at 1.30 pm with a vote of thanks to the Chair.

Sd/- K.S. Lyngdoh,
Shillong dated 15.10.96

Sd/- Finance Officer
15/10/96.

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5:3:1(10)

NEHU Ordinance OC-RC-1

ANNEXURE-'I'

REGULATIONS ON EXTERNAL RESEARCH PROJECTS
(Statute 15(c) of the Schedule to the NEHU Act, 1973)

Existing	Proposed amendment
These regulations may be called Regulations on External Research Projects.	1(a) These regulations may be called Regulations on External Research Projects. (b) Definitions: A 'research project is defined hereunder as a 'scheme' or 'project' funded by a Govt. semi-Govt., ~~an~~ autonomous bodies, public sector undertakings, public/private limited company (ies), private trusts/foundations, registered bodies and foreign entities (except individuals) with due permission of the Govt. of India for carrying out the following : i) academic invesgigations, ii) development of technology, iii) monitoring & evaluation work, iv) training & development activities, v) other extension activities including action research and (vi) carrying out surveys and documentation.
2. All research projects which may be funded by organisations other than the North Eastern Hill Univ. Shall be called "External Research Projects".	2. No amendment
3. A teacher desirous of seeking financial from the external organization will prepare the project as per the requirements of the organisation concerned and also prepared a memorandum giving briefly the objectives of the project and also bringing out inter-alia the way it is likely to support the general thrust of research in the University.	3. A teacher desirous of seeking financial support (referred to as Chief/Principal Investigator hereafter) from the external organization will prepare the project proposal as per the requirements of the funding/sponsoring organisation concerned and also prepare a memorandum giving briefly the objectives of the project and also bringing out inter alia the way it is likely to support the general thrust of research in the University.
4. The project will be forwarded by the Head of the and placed before the School Board for its approval. On being satisfied with the recommendations of the School Board, the Vice-Chancellor may forward it, with such remarks as he may consider necessary to the concerned funding organisation.	4. The project will be forwarded by the Department after placing it before the 'department' for formal vetting and then placed before the School Board for its approval. On being satisfied with the recommendations of the School Board, the Vice-Chancellor may forward it, with such remarks as he may consider necessary, to the concerned funding organisation/agency.

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Whereas to expedite the process the School Board may authorise the Dean to recommend the proposal to the Vice-Chancellor and report to the subsequent meeting of the Board.

Whereas, in case of undue delays in processing the proposals at the level of the department, the PI/CI may approach the Vice-Chancellor through the concerned Dean for appropriate administrative redressal. However, in such case all normal administrative methods must have been exhausted to the satisfaction of the concerned Dean of the School.

5. The Head of the Deptt., after recommending the project, shall cause a copy of the memorandum to be placed before the next meeting of the Board of Post-graduate Studies for their information. Likewise, the Vice-Chancellor, after the project has been recommended, shall cause a copy of the memorandum to be placed before the next meeting of the Board of Research Studies for their information.

5. No amendment

6. Action on the project may be initiated by the Chief Investigator in advance if necessary with the prior approval of the Vice-Chancellor soon after the receipt of sanction without waiting for the release of funds.

The Vice-Chancellor may allow an expenditure of a token amount for preliminary action if any. Appointment shall however by processed after the receipt of funds. Copies of the sanction order will be maintained by the Registrar, Finance Officer and the concerned Department.

6. No amendment.

7. The funds received will be deposited in the 'Research Project Fund' of the University and a separate ledger maintained in the Finance Branch in respect of each Project.

7. No amendment.

8. Requisitions for sanctioned staff will be sent to the Registrar by the Chief Investigator through the Head of the Department. All request received in every block of two months beginning with January shall be consolidated by the Registrar and sent for advertisement in the first week of the following month.

8. No amendment

9. The Head of the Deptt. will constitute a Selection Committee on the recommendations of the Cheif Investigator comprising not less than three members with Chief Investigator as the Chairman and at least one member from outside the Department. In case of difference of opinion with regard to any matter connected with the procedure of selection the matter will be referred to the Dean of the School whose decision will be final. Provided that in case the consolidated emoluments in respect of a post exceeds Rs. 1500/- per month, the Selection Committee will be kept informed about the decisions by the Head of the Deptt. Research staff thus selected will be entitled, in addition to the salary in terms of the project sanctioned, to the privileges of the University at par with those enjoyed by the other research staff. Hostel accommodation may also be provided to them if available. Co-Investigators of the project under the overall guidance of the Chief Investigator.

9. The Head of the Department shall constitute a Selection Committee within a period of two weeks after receiving such a request from the Chief Investigator/PI, comprising not less than three members with Chief Investigator as the Chairman and at least one member from outside the Deptt. In case of difference of opinion with regard to any matter connected with the procedure of selection the matter will be referred to the Dean of the School whose decision shall be final. Provided that in case the consolidated emoluments in respect of a post exceeds Rs.3000/- per month, the Selection Committee will be chaired by the Dean of the School. The Vice-Chancellor will be kept informed about the decisions by the Head of the Deptt. Research staff thus selected will be entitled, in addition to the salary in terms of the project sanctioned, to the priviledges of the University at par with those ~~xxxxx~~ enjoyed by the other research staff. Hostel accommodation may also be provided to them if available. Co-Investigators of the project under the overall guidance of the Chief Investigator.

10. All equipment/instruments purchased out of the project funds will become the property of the University once the project is completed unless a specific provision in this respect has been made in the sanctioning letter.

Provided that the University may pool the instruments even during the currency of the project if circumstances so warrant for wider use of the Department/School. The University may, however, decide that the instrument may continue to be under the administrative control of the Chief Investigator on behalf of the Deptt. In case the administration has been taken over by the Department, the Chief Investigator will be given a priority in its use.

10(a) All purchases of equipments, books, chemicals and other consumables and non-consumables concerning the project will be procured by the Chief Investigator/PI out of the project grant through recommendations of a duly constituted "Purchase Committee" with a minimum of 5 members with the Head of the Department as the Chairperson and the CI/PI as a member.

(b) All purchases connected with the project shall be entered in a separate ledger maintained by the Deptt. for projects and the assets issued thereafter to the concerned CI/PI for the duration of the project. After the completion of the project, the unused consumables, equipments, books and such other assets including any vehicle provided by the Funding Agency shall be returned to the Department.

Provided further, that if, the PI/ leaves the University in between the term of operation of the project he/ she shall be required to furnish a "No Due" Certificate in respect of the project as well. The transfer of the project, if any, and its assets could however, be effected through an appropriate request of the Funding Agency to the University and through procedure(s) as laid down by the University for the purpose.

(c) All equipments/instruments purchased out of the project funds will become the property of the University once the project is completed unless a specific provision in this respect has been made in the sanction letter.

Provided that the University may poll the instruments even during the currency of the project if circumstances so warrant for wider use of the Department/School. The University may, however, decide that the instrument may continue to be under the administrative control of the Chief Investigator on behalf of the Deptt., In case the administration has been taken over by the Department, the Chief Investigator will be given a priority in its use.

(d) During the operation of the project, the CI/PI may take an advance against the project funds, not exceeding Rs.20,000.00 or 50% of the sanction under contigent expenses (head) which ever is less for the day to day running of the project.

11. The Principal Investigator will send the half yearly report on the work of the research staff to the Vice-Chancellor through the Head of the Department. The monthly fellowship bill of the research staff will be sent by the Principal Investigator countersigned by the Head of the Department to the Finance Officer for payment.

11. The Principal Investigator will send the half-yearly report on the work of the research staff to the Vice-Chancellor through the Head of the Department with a copy to the Department and the Dean of the School. The monthly fellowship/salary bill of the research staff will be sent by the Principal Investigator countersigned by the Head of the Department to the Finance Officer for payment.

12. All administrative matters in relation to the project shall be within the purview of the University and governed by the provisions of this Regulation. In case of any differences of opinion matter not covered specifically by these regulations, the decision of the Vice-Chancellor shall be final. No reference in regards to any administrative matter whatsoever by the Chief Investigator, Co-Investigator and any other staff connected with the project shall be made with the funding agency not in consonance with provisions of these regulations shall prevail, provided that the Vice-Chancellor may agree to make an exception in specific case, before a project is sanctioned on a specific request by the funding agency.

12. All ~~xxxxx~~ administrative and financial matters in relation to the project shall be within the purview of the University and governed by the Provisions of this Regulation. In case of any differences of opinion or matter not covered specifically by these regulations, the decision of the Vice-Chancellor shall be final. No reference in regards to any administrative matter whatsoever by the Chief-Investigator, Co-Investigator or any other staff connected with the project shall be made with the funding agency not in consonance with provisions of these regulation, the provision of these regulations shall prevail, provided that the Vice-Chancellor may agree to make an exception in a specific case, before a project is sanctioned on a specific request by the Funding Agency.

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5:7 - Affiliation etc.

i) Report on the functioning, Governing Body, etc of the Shillong Law College, Shillong.

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The Academic Council in its 54th, meeting held on the 21st. and 22nd. of November, 1996 constituted a Committee consisting of the following members for inspection of the Shillong Law College and look into the legal status of the Trust of the College and constitution of the Governing Body.

1. Prof.A.C.Sinha - Chairman
2. Prof.J.P.Singh - Member
3. Prof.P.Passah - Member
4. Prof.V.K.Kumar - Member
5. Prof.A.C.Mohapatra - Member

The Committee has submitted its recommendations and report which are placed at Annexure 'A' and 'B'. The Memorandum and Articles of Association of the College is also placed at Annexure 'C'.

In the meantime vide letter dated 2nd. December, 1996 (copy at Annexure 'D') the Bar Council of India had issued a Show Cause Notice to the Principal, Shillong Law College directing to show cause as to why the approval of affiliation in respect of the College should not be discontinued on the grounds of (i) Problem of audibility while teaching and (ii) that the College does not have even a single full time lecturer.

The Director, College Development Council, NEHU was requested for a copy of the reply of the Principal, Shillong Law College to the Show Cause notice, to which, he replied on 14.3.97(copy of letter at Annexure 'E') that no reply was received from the Principal. He, however, stated that the Bar Council of India vide letter dated 2.1.97 has approved all the four Law colleges under NEHU for the time being in response to a request made by the College Development Council on 20.12.96.

Subsequently,a copy of the reply of the Principal, Shillong Law College to the Bar Council's Show Cause notice was received from the College Development Council's office on 9.4.97 and the same is placed at Annexure 'F' for perusal.

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It may be stated herein, that the Shillong Law College was previously affiliated under the Gauhati University and the affiliation may have been granted in accordance with their Ordinance(copy of the relevant Ordinance obtained from the Director, College Development Council is placed at Annexure 'G'). Some of the important clauses for affiliation may be seen under Clause 6(A) and (B), 7(A) and (B), 8(A) and (B) and Clause 14(i),(ii) and (iii). Copy of some relevant documents supplied by the Shillong Law College while the college was under the Gauhati University are placed at Annexure 'H' and 'I' for perusal.

When the NEHU came into being, the initial document granting provisional affiliation tothe Shillong Law College may be seen at Annexure 'J'. Perhaps, question also arises whether the other Law Colleges under NEHU fulfills the condition(s) of the Bar Council of India.

The matter is placed before the Council for consideration.

AC:55-2/Conf/97

ANNEXURE-'A'

RECOMMENDATIONS OF COMMITTEE CONSTITUTED BY NEHU ACADEMIC COUNCIL TO INSPECT SHILLONG LAW COLLEGE(Under NEHU Statutes 33(4)

1. Terms of Reference(No.AC:54:96:5:8:(iii)

(i) To look into the problems of the Shillong Law Coll.

(ii) The legal status of the Governing Body of the coll. and

(iii) The overall requirements of affiliation of the college to NEHU.

2. Members:

1. Prof.A.C.Sinha (Chairman)
2. Prof.K.Kumar (Member)
3. Prof.J.P.Singh (Member)
4. Prof.P.M.Passah(Member)
5. Prof.A.C.Mohapatra(Member)

3. General Background :

(i) The Shillong Law College was established on 26.9.1964 under the Societies Registration Act,1860 with a Memorandum and Articles of Association with 22 articles.

(ii) The College was affiliated to Gauhati University till 19.7.1973 when jurisdictional changes took place resulting from enactment and establishment of NEHU under NEHU Act, 1973 and the college came under affiliation to NEHU.

(iii) The college formally approached for affiliation to NEHU and was granted provisional affiliation in 1973(Let No.AFF/MEG/LC/72/73/5183 dt.Dec.10,1973)*. The last available document on affiliation made available to the Committee was of 19.1.79(Let No.F.45/145F/78-79/102.52-81) for renewal of affiliation for 1979-80.

*Ann-'J'

(iv) Art 4 of the Memorandum & Articles of Association states ".. Governing Body shall be reconstituted from time to time according to the rules of the University to which the College is affiliated ". It may be noted that the college has been reconstituting its Governing Body at interval of 3 years by a "practice" of the outgoing Governing Body suggesting the new Governing Body except for University nominees etc.

Contd/...

(v) An exception took place to this practice in 1991 when the out going Governing Body did not suggest the name of the new Governing Body. Under the principle of Institutional Continuity, since there is no other transitional provision exists in the Memorandum of Association, the Governing Body of the college is a perpetual body, renewing itself from time to time. However, in this case the Secretary of the GB himself suggested a list of members to NEHU which NEHU accepted by nominating two members to the GB for a term of three years. This has been a matter of dispute between several parties from within & outside the College.

(vi) Between 1991 and 1995 the GB Sof Shillong Law College has been meeting regularly with participation of NEHU nominees. In 1995 the outgoing GB has suggested the names of the new GB, as was the practice earlier.

4. Member present on Inspection of SLC on 16.12.1996

1. Prof.A.C.Sinha(Chairman) 2. Prof.J.P.Singh(Member)
3. Prof.P.M.Passah(Member) 4. Prof.A.C.Mohapatra(Member)

Prof.K.Kumar was out of station.

5. The Committee could only visit the college under TOR of the Academic Council on 16.12.96 and not before 10.12.1996 due to administrative delays, met the Principal, called for relevant documents, inspected the Library and other infrastructure of the college which is appended in NEHU College Inspection Report Format separately for ready reference. The Committee also met some teachers and students of the college on 16.12.96 and on 17.12.1996.

6. It recommends the following to the council:

(i) The constitution of the Governing Body of the Shillong Law College is guided by the "Memorandum and Articles of Association of Shillong Law College, Shillong " of September 26, 1964, duly registered under the Societies Registration Act 1860 vide Reg.No. 93 of 1971-72 of 3.9.1971.(Copy of Reg.Certificate and the Memorandum & articles of Association enclosed).

Contd/.../-

(ii) It appears that there is a breakdown of communication between the Principal and the teaching staff of the college which has vitiated the academic and administrative atmosphere of the college and construe perhaps the main problem in the running of the college.

(iii) The inclusion of Mr.B.K.Debsarma(the then CDC,NEHU, Shillong) in the GB of SLC as per notification No.LCS (91)9 dt.19.8.1991 created an impression that perhaps he along with the other two NEHU representatives into the GB were NEHU representatives(three).Since the Director,CDC administers the affiliation relationship between the University and the college,normally,unless otherwise so desired by the Executive Council of NEHU,should not be a member of the Governing Body of a college.

(iv) In light of representations from various quarters regarding reconstitution of the GB of SLC,the University may consider requesting the outgoing GB to be reconvened and reconsider a list of members and office bearers of the new GB and also may consider the opinion of the teaching staff of the college on the matter while preparing the new list.

Sd/-Prof.A.C.Sinha(Chairman) Prof.J.P.Singh

Prof.P.M.Passah Prof.A.C.Mohapatra

ANNEXURE-'B'

FOR NEW COURSE/UPGRADATION

INSPECTION REPORT

1. Name of the college : SHILLONG LAW COLLEGE

2. a) Year of affiliation & corresponding University Notification No.AFF/MEG/LC/72/73/5183 dt.10 December,1973.

b) Level to which affiliation:BA/B.Sc/B.Com./LL.B. LL.B Course(Preliminary,Inter Final) have also applied for Permanent affiliation.

3. Affiliation/Permission sought to upgrade to or B.A/B.Sc/Pass Course in

Introduction No

Introduce(a new subject

B.Sc.Hons in No

B.Com.in

4. Admission (for the last three years)

YEAR	LL.B Ist Yr.	IInd Yr.	IIIYr.	Total	
1994-95	644	312	166	-	1122
1995-96	427	393	199	-	1019
1996-97	390	248	235	-	873

5. Result of University examination during the last three years.

EXAMINATION	YEAR	PERCENTAGE PASS
Preliminary	1994(Jan.)	28.04%
Intermediate	"	37.5%
Final	"	28.81%
Preliminary	1994(Oct.)	17.10%
Intermediate	"	61.72%
Final	"	28.81%
Preliminary	June/95	15.9%
Intermediate	"	43.85%
Final	"	11.66%

Contd/.../-

Preliminary Law	Jan/96	22%
Intermediate	"	38%
Final	"	37%
Prelimary Law	July/96	20.00%
Intermediate	"	10.98 %
Final	"	35.94%

6. In case the College is seeking Honours in a subject(s) for which it has already a Pass Course please give below the No.of students admitted in the last three years and their results for these years in the SUBJECT in which College has applied for Honours.

YEAR	NO.OF STUDENTS APPEARED	% SUCCESS

7. F U N D S

(a) Whether the college is having a Reserve Fund in long term Fixed Deposit : Yes

If yes, the details thereof: (Bank, No.of Term Deposit Receipt, etc.) Rs.20,00,000 Lakh till S.B.I., SHILLONG Branch

(b) Present working fund : (a) No(1) TR.107616-107618 dt.8.1.96(3Nos)

(2) TR No.107626 dt.12.1.96 Rs.9,57000/-

8. Qualification/Specialization of the teaching staff of the relevant subjects only)

NAME AND DESIGNATION		QUALIFICATION(WITH GRADE & SUBJECT IN P.G.	
1.Mr.H. Ahmed,Principal		M.A.LL.B	Part time
2.Mr.L.Marbaniang-Vice-Principal		M.A. LL.B	"
3.Mr.B.P.Dutta	Lecturer	M.A,LL.B	"
4.Mr.V.K.Jindal	Lecturer	M.A.LL.M	"
5.Mr.K.Rahman	Lecturer	B.A. LL.B	"
6.Mrs.M.Sarma	Lecturer	B.A. LL.B	"
7.Mr.S.C.Shyam	Lecturer	M.A. LL.B	Contract

Contd/.../-

8. Mr.D.P.Chakravorty	Lecturer	M.A LL.B	Contract
9. Mr.B.N.Dutt	Lecturer	B.A.LL.B	"
10.Mr.S.P.Sharma	Lecturer	B.Com.LL.B	"
11.Mr.J.W.Kharir	Lecturer	B.A.LL.B	"
12.Mrs.R.A.Begum	Lecturer	M.A.LL.B	"

Attach extra sheets if necessary

From Sl.No. 1 to 6 Part time Lecturers.
From Sl.No. 7 to 12 on contract basis.

Note: The Principal acts as whole time and takes no remuneration for his Lectures.

NOTE: THE UNIVERSITY REGULATION STIPULATES THE FOLLOWING STAFFING REQUIREMENT

LEVEL/CLASS	MINIMUM NO.OF TEACHERS IN EACH SUBJECT
a) Degree Non-Laboratory(Pass)	Two in all subjects & 3 in English
b) Degree laboratory(Pass)	Six of whom four should be lects.
c) Degree Non-Laboratory(Pass) + Hons.	Four in all subjects other than English & other Elective languages in which there should be at least five.
d) Degree laboratory(Pass) +Hons.	Seven of whom six shall be lects.

9. LAND AND SITE

a) Whether the college is having permanent building on its own land : Yes

b) Area of the college campus 1.60 (Acres)

c) Accommodation(give size):-

1) One room for the Principal 300 sqf 36 sqf

2) One room for the Vice-Principal No

3) One room for the college office 360 sqf

4) For Staff Common room ---------- Adequate 600 sqf 72 sqf.

5) Common room for boys and girls 1,500 sqft

6) Library with reading room 3,900 sqft.

7. Class room 1500 sqft each adequate For 6 Class

10. Workload of Teachers : 6 Lectures Per weeks each

11. Library books: More than 5000 Volumes

Total Volumes.

Subjectwise break-up(of relevant subjects only):

(1) Law subjects as per University Syllabus (2) Journal and Law reports.etc.

Contd/.../-

Whether the College has a trained Librarian :- No

12. Laboratory facilities
a) Whether accommodation is adequate or not : Yes

b) No.of shifts the students do their practicals: NA

13. When was the last Governing Body meeting 1.11.95

14. Any other relevant information(s)/Point(s)

RECOMMENDATIONS

Please make your recommendation without any ambibuity.In case you suggest provisional affiliation for a particular period,please mention the academic year specifically.Please also mention the conditions,if any,to be fulfilled if extension of affiliation is to be considered.

1. There are no full time regular teachers.
2. The number of the students is large and the college should follow NEHU norms for the class rooms.
3. Library facilities are adequate
4. It appears that since 1980-81 the college has not sought for adademic affiliation. If so,the NEHU may ask for the college seeking affiliation

Sd/-A.C.Sinha
Sd/-J.P.Singh
Sd/-A.C.Mohapatra

Signature of the members
of the Inspection Team

Annexure 'C'

Memorandum and Articles of Association of Shillong Law College, Shillong.

Estd - 26th September, 1964.

1. Name :- The name of the Society is Shillong Law College (Hereinafter known as the College).

2. Situation :- The Head office of the College is situated in Shillong within the State of Assam.

3. Object :-The objects of the College is (I) to propogate the study of law according to syllabus prescribed by the University (2) to propogate education in general.

4. Governing Body :- The College shall have a Governing Body for administration of affairs of the College. The Governing Body shall be reconstituted from time to time according to the rules of the University to which the College is affiliated. One third of the members of the Governing Body shall form a quorum.

5. Power to hold property and to enter into contract :- The Governing Body shall have power to hold or dispose of property and enter into contract on behalf of the College. All properties shall be held and contracts entered into in the name of the Secretary.

6. Meeting of the Governind Body :- The Secretary shall call meetings of the Governing Body as and when necessary. One third of the members may requisition a meeting at least ten days before the date of meeting.

7. Names and address of the members of the Governing Body :- The following are the members of the Governing Body of the College :-

	Name	Address & Occupation	Description.
1.	Shri Maham Singh	Advocate, Shillong.	President
2.	" Aaran Alley	-do-	Member
3.	" D.N. Dutt	-do-	-do-
4.	" N.M. Palit	-do-	-do-
5.	" N.Ahmed	-do-	-do-
6.	" L.Sharma	Principal	Secretary
7.	" P.K.Choudhury	Frontier Times, Shillong.	Member
8.	D.P.I., Assam, Shillong	Shillong	Ex-Officio Member
9.	Advocate General Assam, Shillong.	Shillong	-do-

contd....

8. Office bearers of the Governing Body :- The Governing Body shall have a Secretary and a President elected by it.

9. Office bearers of the College :- The College shall have a Principal, Vice-Principal and Teachers and other staff as required from time to time under rules of the University and also according to the volume of the administrative works.

10. Funds :- The principal sources are :(I) Grants from the Government, University Grants Commission and Charitable bodies.
(II) Tuition fee and other fees levied by the College.
(III) House rent income.
(IV) Donations from the members of the public or public bodies.

11. Accounts :- The funds of the College shall be deposited in such banks as approved by the Governing Body. There shall be as many accounts in the bank as may be necessary.
The Secretary and the President shall jointly sign cheques for withdrawal from the general fund. The Principal shall sign cheques for withdrawal from other funds e.g. Building Fund, Annual Social Fund, Exam Fund, Scholarship Fund etc.

12. Annual general meeting :- An annual general meeting of the College shall be held with students and teachers' participation. There shall be a President for the General meeting and the President shall be selected by the teachers and the students. 50 members of which at least 3 are teachers shall form the quorum.

The Secretary shall present an annual report in the annual meeting. A revenue account of the College for the year under report shall be presented in the meeting.

13. Budget :- The Governing Body shall sanction annual budget for the College.

14. Salary :- The Principal, Vice-Principal, Teachers and the staff shall be paid such salary or remuneration as may be sanctioned by the Governing Body from time to time.

15. Audit :- The accounts of the College shall be audited annually by the qualified auditor to be appointed by the Governing Body but the auditor will be eligible for reappointment for another term for a period not exceeding three years.

contd....

16. Qualifications :- Any person of either sex having passed any degree examination of a recognised University is eligible for admission in to the College. Admission shall however be conducted by the Principal according to time schedule laid down by the Governing Body. A member convicted of offence involving moral turpitude or guilty of gross misconduct is liable to expulsion by the order of the Governing Body.

17. Fees from Students :- Student admitted into the College shall be liable to pay fees for tution, admission library, common rooms, games, building, examination, annual social, magazine and such other purpose at rates as may be determined by the Governing Body from time to time.

18. Collection and deposit :- The collection shall be made by the senior Assistant of the staff. All moneys received by the College shall be deposited in the respective accounts of the banks on the next opening day following the collegtion.

19. Suit by and upon the College :- The college may sue or be sued in the name of the Secretary.

20. Correspondences :- All correspondences of the College shall be made by the Principal and Secretary as the case may-be.

21. Winding up :- If upon the dissolution of the College there shall remain after satisfaction of all its debts and liability any property whatsoever, the same shall not be paid to or distributed among the members of the Governing Body of the College or any of them, but shall be given to some other College to be determined by the votes of not less than three fifths of the members of the Governing Body present personally and voting at the time of the dissolution, or in default thereof by court of competent jurisdiction.

22. Amendment :- The memorandum and Articles of Association can be amended by 2/3rd majority of the members of the Governing Body.

Form of certificate of Rules and Regulations :-

Certified to be true copy of the Rules of the

1. Sd/-Maham Singh. 2. Sd/-L.Sharma. 3.Sd/-D.N.Dutta.

Dated 19.7.91 Members of the Governing Body.

contd...

We, the undersigned, are desirous of forming a Society in pursuance of this Memorandum of Association.

Signature	Address, Occupation & description of signator	Name, Address Occupation and description of witnesses.
1.Sd/-Tuahid Ali Laskar	Accountant General's Office Shillong.	
2.Sd/-Helen Datta	Assam Civil Sectt., Shillong U.D.A. Rev(G) Deptt.	1. Sd/-Illegible, Govt.Servant, Assam Sectt(C) Appot.(B)Deptt.
3.Sd/-Dipti Roy	A.G.'s Office, Shillong.	
4.Sd/-Errol Majan	MismiCompound Shillong-2	2. Sd/-B.C.Bhowmik C/O Directorate of Admn.Assam, Shillong.
5.Sd/-Illegible	Meghalava Civil Sectt.Law Deptt., U.D.A.	
6.Sd/-Juanuddin Ahmed	L/D Asstt.ASRTC, Shillong.	
7.Sd/-R.Thangkanglova	Tribal Hostel, Shillong-3	
8.Sd/-Mithu Kumdandar	Asstt.Divn. Acct.CHIEF ACCOUNTS OFFICE ASEB, SHILLONG.	

ANNEXURE-'D'

THE BAR COUNCIL OF INDIA

BCI:DL 1996(LE/Mtg.)

Dated 2nd Dec.,96.

The Principal,
Shillong Law College,
SHILLONG

Sir,

Sub: SHOW CAUSE NOTICE.

You may recall that your college was inspected by Shri Arun Mishra,Member,Bar Council of India on 27.8.96. The report submitted by Shri Arun Mishra points out certain serious defects with reference to the imparting of legal Education in your college. The report reveals that there is a problem of audibility while teaching.Another point mentioned in the Inspection report is a more serious one i.e. your Law College does not even a single full time lecturer. This is a violation of the Rules of the Bar Council of India. The College is also not functioning in accordance with the norms laid down by the Bar Council of India. In view of the findings you are hereby required to show cause as to why the approval of affiliation of your Law College should not be discontinued with immediate effect. You are further directed to send your reply within a month from the date of the receipt of this notice to enable the Council to consider the matter further.

I am herewith sending a copy of the Rules of the Bar Council of India in Part-IV for your ready reference. These Rules have already been supplied to all the Law Colleges including your Law College on earlier occasions.

Yours faithfully,

Sd/-C.M.Balaraman,
Officiating Secretary.

Enclo: As above.

Copy to:

The Registrar,
North-Eastern Hill University,
SHILLONG.

ANNEXURE-'E'

Department of College Dev.Council March 14,1997.

No.CDC/A.10/95-96/291

To

Shri J.M.S.Khongwir,
Deputy Registrar,
NEHU,Permanent Campus,
Umshing.

Sir,

It has a reference to your letter No.AC:54-4/Conf/95-237 dated 26th February,1997 received by us a few days back. No reply has been received by against the Show cause notice of B.C.I. from the Principal,Shillong Law College as yet. However, vide letter dated 2nd January,1997, the Bar Council of India has approved all the four Law colleges under NEHU for the time being in response to our request made on 20.12.96 and as such it appears that the reply of the Principal,Shillong Law College to the Bar Council of India has been redundant. This is just for your information.

Yours faithfully,

Sd/-Dr.B.K.Dev Sarma,
Director
College Development Council.

ANNEXURE-'F'

SHILLONG LAW COLLEGE SHILLONG
(Estd: 1964)

No: LC/BC/2-d/97 Date: 16th Jan.1997.

To

The Secretary,
Bar Council of India,
21,Rouse Avenue,Industrial Area,
New Delhi-110 002.

Sub: Show Cause Notice dated 2.12.96 vide your letter No.BCI/D/4032.1996(LE/Mtg) dated 2.12.96.

Sir,

With reference to your above quoted Show Cause Notice we are submitting herewith the Written Statements showing causes,by Speed Post,which please find.

Your aforesaid Notice was received by the College on 2.1.97. As the College is presently on long Winter Vacation the Written Statement could not be sent immediately. The delay,if any,may kindly be excused.

Please acknowledge receipt.

Yours faithfully,

Sd/-Principal
Shillong Law College

Memo No.LC/Bo/2-A/97

Copy forwarded for information and necessary action to:-

1. The Registrar,NEHU,Shillong,Meghalaya.
2. The Director of College Development Council, NEHU,Shillong Meghalaya.

Sd/-Principal,
Shillong Law College

From : The Principal,
Shillong Law College,
Shillong-793 001.
Meghalaya.

To

The Secretary,
Bar Council of India,
21 Rouse Avenue,
Industrial Area,(near Bal Shawan),
New Delhi-110 002.

Sub: Show Cause Notice dated 2.12.96 received by the Shillong Law College,Shillong,Meghalaya on 2.1.1997.

Ref: Your letter No.BCI:D:4032:1996(LE/Mtd) dt.2.12.96.

Dated Shillong the January 1997.

Respected Sir,

In complience with your above quoted letter and the Show Cause Notice,the Shillong Law College most respectfully begs to submit the following facts and submissions for your very kind and sympethetic consideration and necessary favourable orders in the interest of justice and in the larger interest of the college which has usefully served the entire North East Hill Regions for the last more than 32 years :-

1. Shri Arun Misra made a surprise visit of the Shillong Law College on the evening of 27.8.96,and he also inspected the Class rooms,the Library and the buildings of the College.But very unfortunately the College was not favoured with any inspection report,which created a communication gap for fulfilling any shortfall found in the College in the inspection.

2. That from the Show Cause Notice under reference the College noted that there is a problem of audibility while teaching,and that the College has no full time lecturer,and also that the College is not functioning in accordance with the norms laid down by the Bar Council of India.

3. That it is respectfully submitted that the College has twelve lecturers who are designated as "Part time Lecturers",

Contd/.../-

but in effect they fulfill the requirements of "Full time Lecturers" as they attend and take classes on every day of the week. In this connection it is also submitted that in the entire Khasi Hills Region of Meghalaya the qualified practicing lawyers are not willing to serve as full time lecturer giving up their legal profession. Therefore the short-fall of the "Full time Lecturer" has to be made up by employing a larger number of "Part time Lecturer". However, as per the suggestion made by Shri Arun Misra during his discussion in the said visit the College has appointed two lecturers with the designation of "Full time Lecturer" on provation in the month of October 1996, and they have intimated their willingness to join the college from the beginning of the next academic session from July, 1997. This action taken by the College was intimated to Shri Arun Misra on 28.10.96 in his address left by him vide our letter No. LC/BC/1/96 dt.28.10.96. A Photostant copy of the said letter is enclosed herewith for ready reference.

In this connection it is further submitted that keeping in view the introduction of 5 years LL.B Course and also of the future well being of the college, it is under active contemplation to offer the College with all its assets, land, buildings etc. Although the NEHU has no faculty of Law at present, the offer is likely to be considered favourably.

Under these circumstances the allegation made to the effect that the College has no "Full time Lecturer" is not wholly correct, and in any case, considering the prevailing circumstances in these Hilly regions of North East India, and the reasonably good performances of the College as would be found reflected persistantly in the University LL.B.Exams results, and the services rendered in the field of legal literacy for the last more than 32 years, the Shillong Law College deserves to be treated with sympathy and give time till the next academic year to enable the College to employ "Full time Lecturers" to meet the requirements of the Bar Council Rules.

...

Contd/.../-

4. That with regard to the complaint of audibility of lecturers in the class rooms, it is submitted that the class rooms of the College are large enough to accumodate 150 students in a class, but admissions are not made to its full extent and 1/3rd. of the class room remain vacant . Keeping in view that the Rules provides only 80 students in a class, the College has already substancially reduced the number by distributing the students in seperate Sections. It is in the contemplation of the College that from the next academic Session the admission of the students will be severealy restricted with the requirements of the Rules and the Norms of the Bar Council of India, although it may cause students unrest and agitations, as the Shillong Law College is the only College of its kindly adequately equipped to impart legal education. The College attracts students not only from the entire State of Meghalaya, but also from Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura and Assam. The College has students also from West Bengal, Bihar, U.P., and Southern States of India. The College is a Private Law College registered under the Societies Registration Act, and gets no financial grants or aids from the Government or elsewhere, and depends entirely on Tution Fees from the students.

5. With regards to the allegation to the effect that the College is not functioning in accordance with the Norms laid down by the Hon'ble Bar Council of India, it is respectfully submitted that the allegations are vague and indifinite, as it is not stated which of the Norms, the College is not observing. However, if any Norms which is not followed is specifically pointed out, the College shall comply forthwith.

In this connection it is submitted that the College is functioning for the last more than 32 years under the guidance of a competent Governing Body and as per the Resolutions taken in the meetings of the Governing Body, and observing the Norms of the Bar Council of India and the University as far as Practicable. The College has its own land measuring 1.6 Acres

Contd/.../-

and a big College building of its own with adequate Library facilities and amenities for the students, teachers and office staffs. The strict discipline is maintained for class attendence both by the teaching Staffs and the Students. The College has vast potentalities to develop itself as a model institution for legal deucation.

The College will be obliged if a proper inspection is made by a team of members from the Bar Council of India, and give the necessary directions, advice and suggestions for the development of the College as a Model Institution.

In the premises it is prayed that the Hon'ble Bar Council of India will be graciously pleased to consider the above Show Cause and be kind enought to pass the necessary orders and directions allowing the College time as stated above for employing "Full time Lecturers" as mentioned above, and pass such further orders and directions as may be deemed fit and proper under the circumstances of the case, and in the best interest of the College, and for this act of kindness the College shall, ever remain greatful to the Hon'ble Bar Council of India.

Yours faithfully,

Dated Shillong
the 16th January, 1997.

Sd/-Principal
Shillong Law College

SHILLONG LAW COLLEGE SHILLONG
(Estd: 1964)

No.LC.BC/1/96 Date 28.10.96

Dear Shri Mishra,

This is to refer you to your verbal suggestion made during your visit to the Shillong Law College on 27.8.96 for employment of two "Full-time" Lecturers for the College, You are aware that in this region Competent practising lawyers do not prefer to join the post of lecturer on full time basis. However, the College has now appointed two lecturers on full-time basis, and they have intimated that they will be joining the College from the next academic session-i.e.July,1997.

I therefore request you to kindly recommend to the Bar Councel of India to allow us to take into the Service the Full-time lecturers with effect from the beginning of the next academic Session.

Please favour us with a reply and advice.

Thanking you in anticipation

Yours faithfully,

Sd/-Principal
Shillong Law College

To

Shri Arun Mishra,
Advocate,
Justice H.G.Tisra Colony,
Near Telephone Exchange,
Gwalier-474009.

ANNEXURE-'G'

UNIVERSITY ORDINANCES

II
ON

AFFILIATION OF LAW COLLEGES

(Under Section 23(e) of the Gauhati University Act, 1947, as amended upto date)

(Passed by the Executive Council held on 30.7.68)

This Ordinance may be called "The Ordinance on Affiliation of Law Colleges" which shall come into force from the date of its adoption by the Executive Council.

1. ESTABLISHMENT OF A NEW LAW COLLEGE :

When it is proposed to establish a new Law College the sponsoring body or, in the case of a Government College, the Head of the Department concerned shall submit an application in triplicate to the Registrar not later than January 31st of the year in which it is intended to start the college. The application should contain the following particulars:

(i) Need of the proposed college in the area;

(ii) Particulars of the sponsoring body;

(iii) Distance of the proposed college from the existing Law College/Colleges in the neighbouring area with present enrolment in each;

(iv) Particulars about land with site plan and proposed accommodation of the college along with a copy of the Line plan of the proposed college building ;

(v) Financial resources of the college ;

(vi) Number of Degree colleges in area ;

(vii) Number of Degree Examination passed students from the Degree Colleges of the area in the preceding 3 years, yearwise;

(viii) Provision for a library ;

(ix) Any other relevant matter :

Contd/.../-

2. SCREENING OF APPLICATION :

Every such application shall at first be screened by the Inspector of Colleges of the University. In screening the application, the Inspector shall examine the informations supplied by the sponsoring body as required under clause 1 above with particular reference to the following :

(i) Need of the college in the area, distance from neighbouring Law Colleges and number of Degree Examination passed students in the preceding 3 years in the area ;

(ii) Whether enrolment in any neighbouring College has exceeded its in take capacity ;

(iii) Financial resources on the proposed colleges with particular reference to provision for buildings, library and working fund.

The Inspection shall submit the screening report to the Registrar within 15th of March of the year.

3. PERMISSION TO START CLASSES:

(a) The Registrar on the satisfactory screening report from the Inspector as to the need and feasibility of the proposed college shall cause an inspection to be made of the preparations for starting the college by the Inspector of colleges or a Board of Inspectors for the purpose of granting permission to start classes. Where the screening report does not satisfy the essential requirements laid down under Clause 2 the application shall be rejected straighaway.

(b) On a satisfactory inspection report, the Executive Council may grant permission on or before 31st of May of the year to start the classes in the case of application for new affiliation.

Contd/.../-

Sunch a college shall be required to submit a progress report within 31st of July of the year showing date of commencement of the class, number of students admitted, number of volumes and journals in the library with cost and Principal and teachers a appointed (while-time or part-time) giving names, qualifications, joining dates and salaries.

4. FIRST PERMISSION:

A new Law College may be permitted in the first instance for the Preliminary Course only.

5. TEMPORARY AFFILIATION :

(A) A Law College permitted to start classes upto any standard shall be inspected for the purpose of temporary affiliation on any working day or days within 31st of October of the year.

(B) On a satisfactory report from the Inspector or a Board of Inspectors, the Executive Council may, at its discretion, grant temporary affiliation to a Law College upto the relevant standard specifically mentioned in the report for one year at the first instance.

(C) If in the opinion of the Executive Council the report is not satisfactory in the case of affiliation upto Preliminary standard, the students of the college may be allowed to appear in the following Preliminary Law Examination as non-collegiate candidates on payment of usual non-collegiate fee. In the case of such colleges the same consideration may apply in the following year also, if applications for affiliation are duly received in time as provided. If, however, the report of the Inspector or Board of Inspectors continues to be unsatisfactory for two succeeding years no further application will be entertained for affiliation of the same college.

Contd/.../-

(D) If, in the opinion of the Executive Council, the inspection report is not satisfactory in the case of affiliation for the Intermediate standard the students concerned may be allowed to continue in that college till the end of the session, but shall have to take their examination through any other duly affiliated college and the college shall not be permitted to start the Final Year Class in the following year in any circumstance whatsoever.

(E) Affiliation upto the Intermediate standard shall not automatically imply permission to start the Final Year Class also in the following year for which necessary application must be submitted by the college concerned in time and necessary permission and affiliation must be obtained for the Final Year Class as in the case of the Intermediate Class, failing which the students concerned may be allowed to appear in the Final Law Examination as non-collegiate candidates on payment of usual non-collegiate fees.

(F) If a Law College fails to obtain affiliation upto the Intermediate standard for 3 consecutive years its affiliation for the Preliminary course shall also be withdrawn.

(G) For affiliation at every stage the college shall abide by the specific directives of the University regarding the permissible course or courses as the case may be and the maximum number of students to be admitted in each case.

(H) Notwithstanding anything contained above no Law College shall be granted affiliation if such affiliation is likely to affect adversely any neghbouring Law College or the Law College of the University.

Contd/.../-

6. REQUIREMENTS FOR PRELIMINARY CLASS :

(A) for permission upto the Preliminary course the following requirements must be fulfilled :

(i) Satisfactory arrangements for accommodating the college office, classes, library and common rooms :

(ii) A fund of Rs.25,000.00 in the name of the proposed college invested in postal/savings bank or a Schedule bank.

(iii) Availability of a suitable plot of land for the college.

(B) A Law College permitted to start the Preliminary Course must fulfil the following conditions to obtain temporary affiliation :

(i) A full-time college meant exclusively for teaching Law with at least 18 periods of teaching in a week and 200 working days in a year ;

(ii) A whole-time Principal on at least Professor's scale of pay of the University or a provisional Principal for purely temporary period of not more than three years with such qualifications and on such terms and conditions as the University may prescribe :

(iii) At least one third of the teaching staff as prescribed be whole-time teachers with Master's Degree in Law or with a First Class Bachelor's Degree in Law and with at least 5 years' experience at the Bar on at least Lecturer's scale of pay of the University ;

(iv) Part-time teachers with Bachelor's Degree of Law having a minimum practice of 7 years at the Bar on a pay of not less than Rs.300/- per month ;

(v) A work load of not more than 12 hours a week for each whole-time teacher and not more than 8 hours a week for each part-time teacher ;

Contd/.../-

(vi) At least 500 standard volumes on Law in the library worth not less than Rs.10,000.00 plus adequate number of Law journals and Law Reports.

(vii) Regular payment to the staff in full amount as prescribed above.

(viii) Proper arrangement for accommodation of the classes,office,library and common rooms ;

(ix) Proper maintenance of essential records such as Admission Forms,Admission Register,Fee Register, Seminar Records,Students' Attendance Registers,Cash Book,Stock Register and general accounts of the college,etc.

(x) Investment of a Reserve Fund of Rs.15,000/-in N.P.C.besides a regular monthly working fund of at least Rs.10,000/- deposited in a Schedule bank.

(xi) That the college rules fixing the fees to be paid by the students do not generate undersirable competition with the existing colleges in the neighbouring areas ;

(xii) A clear assurance that all changes in the management and the teaching staff shall be forthwith reported to the University and that a copy of the audited annual accounts shall be submitted to the University regularly ;

(xiii) Satisfactory provision for recreational facilities including indoor and outdoor games and sanitary facilities for both men and women separately ;

(xiv) An undertaking that all returns and statements etc. due to be submitted to the University of any information called for by the University shall timely and regularly by submitted.

Contd/.../-

(xv) The college shall also undertake to follow the Statutes, Ordinances Rules and Regulations of the University as may be laid down from time to time and all other conditions that may be laid down from time to time and all other conditions that may be laid down at the time of granting permission to start classes.

7. RE UIREMENTS FOR INTERMEDIATE CLASS:

(A) For the purpose of pormission to start the Course the college must have already obtained temporary affiliation upto the Preliminary standard and must fulfil the following additional requirements:

i) Possession of own building on own land or acquiring the right to permanent full-time use of a building owned by others by written agreement with at least the minimum accommodation prescribed under Clause 16 ;

ii) A Reserve Fund of at least Rs.15,000/-invested in National Defence Certificates ;

iii) A monthly working fun of not less than Rs.10,000/- deposited in a Schedule Bank, but sufficient for the regular payment of salaries to the staff ;

iv) A full-time college as defined under Clause 6(B)(i) ;

v) A well arranged library with at least 1000 volumes of standard works worth not less than Rs.20,000/-of which not less than 800 books must be on Law and adequate number of journals and Law Reports together with a suitable reading room attached ;

vi) A regularly constituted Governing Body under such rules as may be prescribed ;

(B) A Law College permitted to start the Intermediate course must fulfil the following conditions to obtain temporary affiliation ;

Contd/.../-

i) A whole time Principal on at least Professor's scale of pay of the University ;

ii) Requisite teaching staff as prescribed under clause 15 and as provided under clause 6 (B)(iii) and (iv) ;

iii) Work load as provided under clause 6(B) (v) ;

iv) Regularity in payment to the staff in full as prescribed ;

v) Proper arrangement for accommodation of classes,etc ;

vi) All other requirements as laid down in clause 6(B)

vii) All other conditions that may have been laid down at the time of granting permission.

8. REQUIREMENTS FOR THE FINAL YEAR CLASS :

(A) For the purpose of permission to start the Final Year Class the college must have already obtained temporary affiliation upto the Intermediate class and must fulfil the following requirements.

i) All the requirements laid down under clauses 6 & 7 read together with clauses 15,16,17 ;

ii) Fulfilment of all the conditions laid down at the time of granting permission or affiliation earlier by the University ;

(B) A Law College permitted to start the Final Year Course may be granted temporary affiliation upto that standard only on fulfilment of all the earlier requirements and conditions.

9. RENEWAL OF TEMPORARY AFFILIATION :

A Law College seeking renewal of temporary affiliation shall submit an application in triplicate not later than January 31st of the year in which the renewal of affiliation is required. Such renewal of affiliation may, subject to the fulfilment of the conditions laid down by the University at the time of earlier temporary affiliation and to a satisfactory inspection report,be grnted by the Executive Council at its discretion for another year or more.

Contd/.../-

10. PERMANENT AFFILIATION :

No Law College shall be granted permanent affiliation upto any specific course unless the Executive Council is satisfied through an inspection report that the college has been working on sound lines,has good management,is properly staffed,has well-equipped library,financial stability,its own land and permanent building and has complied with the relevant University rules,regulations,Statutes,Ordinances and all other directives issued by the University from time to time; provided that no Law College shall be granted permanent affiliation before the expiry of 6 years from the first temporary affiliation of the Final Year Class.

11. POWER TO LAY DOWN CONDITIONS :

The Executive Council shall have the power to lay down from time to time further general or specific conditions of affiliation regarding staff,building,equipments,library, Finance or any other relevant matter and to specify the dates by which such conditions must be fulfilled.

12. ADMISSION OF STUDENTS :

No student shall be admitted to any class of a Law College before permission to start the same class is granted by the University.Breach of this rule may be sufficient ground for refusal of any permission.

13. AFFILIATION FEE :

Applications for affiliation or renewal of affiliation shall be submitted with a fee at rates prescribed below. Such fee shall not be refunded under any circumstances.

i) Application for first affiliation upto Preliminary standard. Rs.300/-

ii) First Affiliation upto Intermediate or Final Year Standard. Rs.250/-

iii) Renewal of affiliation. Rs.100/-

Contd/.../-

No application fee shall be required for permanent affiliation.

14. WITHDRAWAL OF AFFILIATION :

The Executive Council shall have the power to withdraw any permission or affiliation granted to a Law College and may do so at any time whenever -

i) in the opinion of the Executive Council the College has failed to comply with the rules, regulations, Statutes or Ordinances or any other directives of the University, or

ii) there is an adverse report from the Inspector or a Board of Inspectors, or

iii) The Bar Council of India, after inspection of the College as envisaged by the Advocates' Act, 1961, submits an unsatisfactory report.

15. MINIMUM STAFFING REQUIREMENT :

The staffing requirements shown in the following schedule are to be regarded as the basic minimum for a single section only without which affiliation cannot be granted :

Upto Preliminary class	:	Principal plus 2 Lecturers
Upto Intermediate class	:	Principal plus 4 Lecturers
Upto Final Year Class	:	Principal plus 6 Lecturers

(A section shall not ordinarily consist of more than 80 students).

16. BUILDING :

The minimum accommodation required in the college building shall be as follows:-

Class rooms-at least 3 rooms each of 800 sft. plus additional rooms for Seminars.

Principal's Office room 300 sft.

Contd/.../-

Professor Common rook	600 sft.
Office room	400 sft.
Library & reading room	1800 sft.
Boys' Common room	600 sft.
Girls ' Common room	30. sft.

17. LIBRARY :

Besides what has been prescribed above for the purpose of first affiliation regular budget provision should be made for the library subject to an accession rate of around 50 standard volumes per year.

18. INSPECTION REPORT :

The inspection report shall not be communicated to the College,but shall be regarded as a confidential document until it has first been considered by the University. After the decision regard permission or affiliation has been made,a copy of the report will be sent to the college for information,guidance and record.

.....

ANNEXURE-'H'

11/206(i) .Read the report on Shillong Law College,Shillong which was inspected by Shri D.Pathak,LL.M,Bar-at-Law on 14.5.66 in connection with permission to start 3rd year LL.B.class from session 1966-67.

N.B. The college was permitted to start Second year Law Classes from session 1965-66 vide Res.No.10/235(c) of the Executive Council dated 18.12.65.

Resolved that Shillong Law College,Shillong be permitted to start Ist year to 3rd year Law Classes from session 1966-67 with permission to present candidates in Preliminary, Inter & Final Law examinations of 1967 as regular candidates subject to following conditions:

1) One properly qualified whole-time Principal is to be appointed and the fact reported to the University.
2) The college shall have its own building on college land with adequate space for office,class rooms Library, common rooms etc.
3) Reserve fund deposited in F.D. A/C shall be invested in N.D.C.and the fact reported to the University with particular.
4) Number of books in the Library to be raised to atleast 1000 volumes.
5) Governing Body is to be constituted according to the Govt. Rules(if aided by Govt.)

Resolved further that a copy of the inspection report be sent to the college for implementation of the recommendations made by the Inspector.

5: 7: 1: (35)

GAUHATI UNIVERSITY
Gauhati-781014::Assam: India

No.Aff/OU/79/3990

From:

Dr.K.C.Bhattacharyya,M.A.Ph.D,
Registrar,Gauhati University.

To

Date 28.3.79

The Principal,
Shillong Law College,
Shillong-3.

Sub: Affiliation of Shillong Law College.

Ref:

Sir,

With reference to your No.LC-1(64)/277 dated 24.2.79 I am to state that your College was permitted to start Preliminary Law Course from session 1964-65,Intermediate class in 1965-66 and final year class from 1966-67 subject to fulfilment of conditions as laid down in the Ordinance on Affiliation of Law Colleges. The students were permitted to appear Law examination till 1968 as non-collegiate candidates.

The college was granted temporary affiliation up to LL.B.standard from session 1969-70 vide Res.No.123/5/70 (f) of the Executive Council dated 27.6.70.

Yours faithfully,

Sd/-Registrar
Gauhati University.
26/3

ANNEXURE-'J'

North-Eastern Hill University
Headquarters: Shilllong, Meghalaya

C.C.David, M.A,
Officer on Special Duty

No: AFF/MEG/LC/Z2/73/5183

"Dulcie Lodge"
Laiaw Lymsyntiew
Shillong-793 002

December 10, 1973.

ORDER

Subject: Shillong Law College, Shillong-Provisional affiliation of.

Reference: 1. Request dated 29.9.73 of the Principal of the Shillong Law College for the affiliation of that College to the North-Eastern Hill University.

2. This Office letter No: AFF/LC/Meg./Z1/73 dated 4.10.73 addressed to the Principal.

The last date Statuterily fixed for submitting application by Colleges/Institutions for affiliation to the North-Eastern Hill University during the academic years 1973-74 and 1974-75 was 15.9.73. But the Principal of the Shillong Law College could submit the application for affiliation of his College to the North-Eastern only on 29.9.73. Hence the delay in the submission of application for affiliation had to be condoned by the Executive Council of the North-Eastern Hill University. Accordingly the application was submitted for the consideration of the Executive Council at its meeting on 30.11.73. After due deliberations the Executive Council decided that the delay in the submission of application may be condoned.

Accordingly the Shillong Law College is granted affiliation for LL.B Course(Preliminary, Intermediate and Final) till the end of the academic year 1973-74.

(By Order of the Vice-Chancellor).

Sd/-C.C.David
Officer on Special Duty
(Affiliations & Examinations)

6:3- Leave/Deputation etc.-

(i) Study leave in respect of Dr.R.C.Gupta, Lecturer, Department of Chemistry, SASRD.

Dr. R.C. Gupta, Lecturer, Department of Chemistry, SASRD, applied for study leave for a period of one year w.e.f. 5.1.97 to enable him to do research work at the Centre for Chemistry IVIC Venezuala.

Dr. Gupta was on deputation with the Nagaland University upto 31st December, 1996.

The application for study leave has not been approved by the School Board as required as per Ordinance since SASRD was not included in any School of this University. For this purpose the department has referred the case to the Dean, School of Physical Science, to intimate under which School the Department of Chemistry, SASRD belong. However, the Dean informed that the Board of Physical Science after deliberation decided that since the case does not come under the jurisdiction of the School the application of R.C. Gupta was redirected to academic Department.

Hence, the matter was decided to place direct to the Executive Council for decision. And the Executive Council in its meeting held on 7.12.96 approved the study leave case of R.C. Gupta with a decision to refer the case to the Academic Council to decide as to which School Board the case of R.C. Gupta, Lecturer, Department of Chemistry, SASRD be processed.

The matter is thus placed to the Academic Council for decision.

No.G.7-37/Acad/SL/87-9432 .....