

- (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. L.V. Zodinpuii.

The Agenda placed before the meeting may be seen 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 judgement and order under Civil Rules No.32/1996, Aizawl Bench passed in respect of Ms. L.V. Zodinpuii, the Academic Council resolved to condone the later submission of M.A. Dissertation by Ms. L.V. Zodinpuii in consideration of the seriousness of the injury sustained by the student.

The above decision was confirmed by the 55th meeting of the Academic Council held on 2nd and 3rd May, 1997.

The same is now reported to the Executive Council.

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

Ms L V Zodinpuii had not been allowed to submit her Dissertation since she was late 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 aforesaid, the impugned 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 approach 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 :

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"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. 65/94 clearly discloses that this Court considered the Power of the Respondent University to condone 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.

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

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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 Neurological 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 prolonged 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)

Name of candidates	Degree	Department
1. Sr. Philomena Kharakor	Ph.D	Khasi
2. Ms. Rani S.D.	Ph.D	Education
3. Ms. C. Nongbri	Ph.D	-do-
4. Mr. E.S. Langstieh	Ph.D	Philosophy
5. Arnab Sen	Ph.D	Botany
6. Mamoni Dutta	Ph.D	Zoology
7. Smt. S. Mukherjee	Ph.D	Chemistry
8. Shri B.C. Paul	Ph.D	-do-
9. Adarsh Kaur	M.Phil	Zoology
10. Carina Goswami	M.Phil	-do-

(ii) Miss L.V. Zodinpuui and her M.A. Dissertation.

No:EC:93:97:2:(ii): The Council ratified the action taken in respect of condonation of submission of the M.A. Dissertation of Ms. L.V. Zodinpuui.

(iii) Recommendation of the Selection Committee for the post of Lecturer in Khasi.

No:EC:93:97:2:(iii): The Council RESOLVED not to take any action on the recommendation of the Selection Committee for the post of Lecturer in Khasi as the same is subjudice.

(iv) Gift of Rs. 60,000/- to Department of Linguistics, NEHU, Shillong.

No:EC:93:97:2:(iv): The Council noted the amount of Rs. 60,000/- (Rupees sixty thousand) only donated by Prof. R. Burling, with thanks.

(v) Reporting items

No:EC:93:97:2:(v): The Council noted the action taken on its decisions taken in the last meeting.

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