

- (viii) Confirmation of service in r/o Dr. H. Kayang, Lecturer, Deptt. of Botany, NEHU, Shillong.

Dr. H. Kayang was appointed as Lecturer, Deptt. of Botany on the recommendation of the Selection Committee w.e.f. 26.3.97 and placed on probation period of two years. He has now completed the probation period on 25.3.99 and has submitted the Self-appraisal report as required for confirmation.

In this connection, it may be pointed out that the appointment of Dr. H. Kayang as Lecturer, Deptt. of Botany was subjected to the result of the Writ Petition as per Honourable High Court (Shillong Bench) interim order in C.R.No.40(SH) of 1997 in view of the Writ Petition filed by Dr. A.L.S. Rajee against the appointment of Dr. H. Kayang (Annexure-I). Subsequently, the court vide judgement and order dt.2.7.98 had arrived to a conclusion that the writ petition finds no force in the Writ petition which is accordingly dismissed with cost. The petitioner shall pay Rs. 5000/- way of cost to the respondent, namely NEHU and respondent & 5. On receipt of the judgement, the University had made the appointment order vide order no. F.19-340/Estt.II/97-21 dt. 9.7.98 withdrawing the condition as indicated in the first appointment order (Annexure-II). Dr. A.L.S. Rajee then appealed his case to a two Division Bench, for which no hearing & order has been received till date.

Subsequently the office had called for opinion from Sh. A.K. Phukan, Standing Counsel whether Dr. H. Kayang can be confirmed to the post of Lecturer as he has completed the probationary period. As per advice of the Standing Counsel, he has stated that there is no bar in confirming Dr. H. Kayang as Lecturer, provided that there is no interim order by the Division Bench placing a bar on his confirmation. He further

Contd/.....2.

-2-

added that the confirmation will be subject to the ultimate result of the Writ Appeal. The above should be indicated in the order to avoid complications later.

The factual data at 'F' of part-II of the self-appraisal form submitted by Dr. H. Kayang has been verified by the HOD which will be tabled by the Chair.

Till today, there is no stay in the Court's order dt.2.7.98. The matter is placed before the council for considering the confirmation of Dr. Kayang w.e.f. 26.3.97, subject to the ultimate result of the Writ Appeal filed by

Dr. A.L.S. Rajee.

6:2:8(3)
Annexure-I

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

NO.F.19-340/Estt.II/97-280

Dated : 24.5.1997

O R D E R

On the recommendation of the Selection Committee, the Executive Council vide resolution no.EC:92:97:6:1:(1) taken in its meeting held on 21.3.97 is pleased to appoint Dr/Shri/Smti. Highland Kayang as Lecturer in the Department of Botany, NEHU, Shillong in the scale of pay of Rs. 2200-75-2800-100-4000/- plus usual allowances admissible under the rules to the Central Government employees of the same grade posted at NEHU, Shillong with effect from 26.3.97. The appointment is subject to the result of the Writ Petition as per Honourable High Court (Shillong Bench) interim order in C.R no.40(SH) of 1997.

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

The initial pay of Dr/Shri/Smti. H. Kayang is fixed at Rs.2500/- of the scale with increment anniversary on 1st of the month of March.

Deputy Registrar
Establishment-II

Copy to :-

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

Annexure-II

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

NO.F.19-340/Estt.II/97-213

Dated, the 9th July,1998

ORDER

In partial modification to this office order of even no.280 dated 24.5.97 and in compliance with the Hon'ble High Court (Shillong Bench) order dated 2nd July, 1998 against Civil Rule No.40(SH) of 1997, the appointment of Dr. Highland Kayang to the post of Lecturer in the Department of Botany which was subject to the final decision of the Hon'ble Gauhati High Court of Civil Rule No.40(SH) 1997 is hereby withdrawn.

The other terms and conditions as pointed out in the order of even no.280 dated 24.5.97 will remain the same.

Deputy Registrar
Establishment-II

Copy to :-

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

(v) Re-employment of teachers.

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

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

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

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

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

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

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

(ix) Appointment of Head, Department of Hindi.

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

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

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