

6:3- Leave  
Deputation (i)

6:3:1:(1)

Absence without leave in respect of Dr. K.K. Dwivedi, Reader, Deptt. of Chemistry, Shillong.

1. Dr. K.K. Dwivedi, Reader, Deptt. of Chemistry, NEHU., Shillong on the invitation of the D.A.A.D. visited Germany during the month of January 97 without prior permission/leave of the competent authority and resumed duties in the Deptt. w.e.f. 7.4.97.
2. On 28th February 97 a fax message was received from Dr. K.K. Dwivedi by the V.C.'s office addressed to the Head of the Deptt. along with leave application and requested for 1 (One) month's leave upto 30.3.97 (Annexure I).
3. The Head of the Deptt. of Chemistry in his letter dt. 1.3.97 has reported to have taken a serious note of the invitation to DAAD, not being brought to his notice by Dr. Dwivedi which has hampered the assigned teaching, programmes w.e.f. 21.2.97 to 6.4.97 and did not recommend the leave as requested by Dr. Dwivedi which is placed at Annexure II.
4. An explanation call letter was issued to Dr. Dwivedi to state the reasons of his unauthorised absence and directed the Finance to withhold his salary w.e.f. March 97 onwards (Annexure III).
5. Dr. K.K. Dwivedi in his letter dated 12.4.97 through the Head has tendered apology for the delay in joining the Deptt. after the winter vacation due to unavoidable technical reasons and health problems and submitted a medical certificate with a request for grant of 45 days commuted leave w.e.f. 21.2.97 to 6.4.97 (Annexure IV).
6. To avoid financial hardship to the teacher, the Vice-Chancellor approved the release of his salary from the date Dr. Dwivedi resumed his duties i.e. w.e.f. 7.4.97 onwards.
7. In terms of Clause 19(10) of the Ordinance OE-6 'a teacher who absents himself without leave or remain absent without leave after expiry of the leave granted to him shall be entitled to no leave allowance of salary for the period of such absence. This is subject to the provisions of 19(2) of the Ordinance OE-6 where leave though cannot be claimed as a matter of right but if the competent authority considers to be in the interest of the university can refuse or revoke to grant it without assigning any reasons.

In view of the above, the case is placed before the Executive Council for a decision in respect of the request of Dr. K.K. Dwivedi for grant of 45 days commuted leave with effect from 21.2.97 to 6.4.97.

MAX-PLANCK-INSTITUT  
BERLIN

Telefax

An/To Prof. M.K. Mahanti, Head  
Shillong, 0091-364-250076From : Dr. K.K. Dwivedi  
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To

Prof. M.K. Mahanti,  
Prof. & Head, Deptt. of Chemistry,  
NEHU., Shillong.

Dear Prof. Mahanti,

I am leaving Germany on 4th April and will reach Shillong on Sunday the 6th April. I will assume my duties from 7th April. I am very sorry for not being able to return earlier due to unavoidable reasons. I assure you that I will take extra load to complete all my teaching responsibilities in time.

With my best regards to all the colleagues in the Deptt.

Sincerely Yours

Sd/- (K.K. Dwivedi)

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NORTH-EASTERN HILL UNIVERSITY  
SHILLONGDr. M.K. Mahanti  
Prof. & HOD

1 March 1997

Chem No. 372

To

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

Sub : Absence of Dr. K.K. Dwivedi from the Deptt. without official permission.

Sir,

In my earlier letter addressed to you on the above subject (Ref.No. Chem/97/355 dt. 22 February, 1977), I had informed you that on the re-opening day (21 February 1997), Dr. K.K. Dwivedi, Reader in Chemistry, did not report for duty in the Department. At that time, he had not sent any official communication to us regarding his absence from the Department and the University on the re-opening day (21 February 1977).

On 28th February 1997, a fax message was received from Dr. K.K. Dwivedi by your office, addressed to me. This message was dated February 27, 1997 (copy of the Fax message enclosed). In this message, he has referred to his letter and leave application which he was supposed to have sent to the Deptt. on 10 Feb, 1997. In this connection, he has also attached a fax message dated February 8, 1997 requesting for one month's leave of absence (till 31 March 1997). A copy of this fax message, received on 28 February 1997 is also enclosed.

I wish to bring to your kind attention that prior to the start of the winter vacation, Dr. Dwivedi did not inform me regarding his visit to Germany. He did not apply for any kind of leave of absence from the Deptt. and the University prior to the onset of the winter vacation. Hence, I had no information about his visit to Germany during the period of January-February 1997. Prior to the start of the winter vacation, we had distributed the course load for the teaching programmes of our Department for the forthcoming II and IV Semester courses due to commence from 21 February 1997. Dr. Dwivedi had been assigned duties for two courses of the IV Semester programme (Chem 464 and Chem 501). In addition, all Faculty Members of our Department share the responsibility of supervising the Project work of the M.Sc students for the IV Semester. Dr. Dwivedi had been assigned the supervision of the Project work of three M.Sc students. Dr. Dwivedi was thus fully aware of the teaching responsibilities that had been assigned to him for the present Semester, which he had already accepted.

Our classes have already started for the II and IV Semesters, and I have been forced to make alternative arrangements to run the teaching courses which had been assigned to Dr. Dwivedi. This has created a

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difficult situation for one of my colleagues, whom I have requested to take up the additional responsibilities of Dr. Dwivedi. In the absence of any official permission having been granted to Dr. Dwivedi to be away from the Department and the University. It has put me into a difficult situation as far as the teaching of the courses which had earlier been assigned to Dr. Dwivedi.

The present Faculty strength in our Department does not in any way permit any Faculty member to proceed on long leave, as it would adversely affect the running of the courses and the interests of the students in our Department. Hence, the request of granting leave to Dr. Dwivedi till the end of March 1997 cannot be recommended. Further, I have taken a very serious note of the fact that Dr. Dwivedi had not informed me regarding his absence from the Department, and his proceeding to Germany without official permission from the Department and the University. While not recommending leave from the Department and the University to Dr. Dwivedi, I am herewith placing all the papers before you for your kind perusal and necessary action.

Thanking you and with kind regards,

Yours sincerely,

Sd/- M.K. Mahanti.

encl. Fax messages received from Dr. Dwivedi.

NORTH-EASTERN HILL UNIVERSITY  
SHILLONG

No. F. 18-169/Estt. II/88-5130

Lt. 27.03.97.

It has been reported that Dr. K.K. Dwivedi, Chemistry Deptt. visit Germany during the month of January, 1997 without prior permission of the Competent Authority before leaving the station nor a leave application has been received in the Deptt.

The Head of Deptt. has also assigned Dr. Dwivedi with the work load for the forthcoming II and IV Semester courses commence from 21st February, 1997 and supervision of the Project work of three M.Sc. students, but failed to join duty till date.

In view of the above, you are hereby directed to explain in writing for the unauthorised absence. The explanation may be routed through the Head of Department and should reach the undersigned within 7 days from the date of received of this letter. The prescribed leave of application is enclosed herewith for your necessary action.

Sd/- Deputy Registrar  
Establishment-II

To

Dr. K.K. Dwivedi,  
Chemistry Deptt.,  
NEHU., Shillong.

Copy to :-

1. The Head, Deptt. of Chemistry, NEHU., Shillong. This has reference to his letter No. Chem-372 dt. 1.3.97.
2. The Asstt. Registrar, Finance, NEHU., Shillong with a request to withhold his salary for the month of March '97 onward till finalisation of his periods of absence.

Sd/- Deputy Registrar  
Establishment-II

From :- Dr. K.K. Dwivedi  
Chemistry Deptt.

To :- The Vice-Chancellor  
NEHU., Shillong

April 12, 1997.

Subject : Request for commuted leave

Ref. : F.18-169/Estt.II/88-5130 dt. 27.3.97.

Sir,

With reference to the above, letter, I would like to express my apology for the delay in joining my duties after the winter vacation. The reason for the delay is as follows. After informing Head the Deptt. , I left for Germany on Jan 9, 1997, on the invitation of DAAD to carry out a short term research programme. I intended to split my 3 months invitation and to return back before Feb 20th to join my duties in time, but due to some unavoidable technical reasons and my health problems, I could not do so, I had written a leave letter to the head of the department on Feb 8 which was followed by 2 FAX on Feb 27, 1997. I would like to inform you Sir, that I could not complete my planned research work due to my health problems for which I consulted doctor in Germany.

I am enclosing medical certificates from the doctor and request you to grant me 45 days commuted leave (Feb 21 to April 6, 1997) on medical ground for which I remain obliged.

I have resumed my duties from April 7, 1997 and assure you Sir, that I will complete all my teaching responsibilities in time.

Faithfully yours,

Forwarded (Comments attached)

Sd/- K.K. Dwivedi

Sd/- M.K. Mahanti

22/4/97 (Seal)

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6:3: Leave/Deputation

- (i) Absence without leave in respect of Dr K K Dwivedi, Reader, Department of Chemistry, Shimla.

No:EC:93:97:6:3:(i): The Council considered the absence without leave of Dr K K Dwivedi, Reader in Chemistry and while RESOLVING to regularise the period of absence by Earned Leave further RESOLVED that he informed that the Council has taken serious note of his absence without prior permission and warned that he should not repeat the same in future.

- (ii) Deputation of Prof M Miri to I.I.A.S., Shimla.

No:EC:93:97:6:3:(ii): The Council considered the request of Prof M Miri for extension of the period of Prof M Miri beyond the prior of five years and RESOLVED to advise him to resume duty on expiry of the deputation term. The Council, further RESOLVED to seek for advice from the Ministry of Human Resource Development for advice in reply to Letter No.F.8-9/97-Desk( U) dt.17.3.1997 since as per Government of India's Rule as well as the University rule, the maximum period of deputation is five years only.

- (iii) Study leave in respect of Shri B K Gupta, Lecturer for Applied Statistics.

No:EC:93:97:6:3:(iii): The Council considered the grant of study leave in respect of Shri B K Gupta, Lecturer in the Centre for Statistics and RESOLVED to approve the same for a period of one year with effect from 10.9.97.

- (iv) Invitation of Prof A C Sinha to Taleem Foundation.

No:EC:93:97:6:3:(iv): The Council considered the grant of lien to Prof A C Sinha to enable him to accept the invitation for an assignment at Taleem Foundation and RESOLVED to grant him lien for a period of one year only as per University's terms and conditions agreed to by him vide his letter dated 1.1.1997. The Council further RESOLVED that he should also give an undertaking that he will continue to pay his Provident Fund Contributions to NEHU every month.