

6:3:7(1)

(vii) Subject Extension of deputation for the 6th year in respect of Shri Atul Dev Sarmah, Assistant Editor, NEHU, Shillong.

Shri Atul Dev Sarmah, Assistant Editor, NEHU, Publication, Shillong was initially allowed to proceed on deputation term to join as the Deputy Director(Publications) in Directorate of Adult Education, New Delhi for a period of three years w.e.f. 25.8.93 to 24.8.96 subsequently extended for a period of one year w.e.f. 25.8.96 to 24.8.97 and further extension for the 5th year was granted by the Vice-Chancellor and since ratified by the 93rd Executive Council under resolution No:93:97:3(xxi) at(annexure-I)with a condition that no further extension will be given and Shri Sarmah had either to resign or revert back to NEHU on completion of the extended term of the 5th year i.e. 24.8.98.

The Director General, National Literacy Mission in his D.O. letter No.F.14-6/93-D.III(AE) dated 17.6.98 had requested for further extension of 1 year period. Accordingly, the Director General was informed vide this Office D.O. letter No.F.14-94/Estt.II/85-209 dated 7.7.98(Annexure-II) of the above decision of the 93rd Executive Council and also with reference to the G.O.I. rules, where no extension beyond the 5th year can be granted. This is, however, subjective to extension beyond the 5th year if allowed only in cases where prior approval of the Department of Personnel and Training is obtained (Rule 8.4 of GOI, Department of Personnel and Training O.M. No.2/12/87-Estt. (Pay-II) dated 29.4.88 of appendix 5- Section-I) at annexure-III. On frequent requests, the Deputy Secretary, Govt. of India, Ministry of Human Resource Development, Department of Education, the Director General, National Literacy Mission and the Private Secretary, Minister of State, Ministry of Personnel, Public Grievance & Pensions were intimated of the University's decision on the similar line. The Deputy Secretary, Govt. of India, Ministry of Human Resource Development, Department of Education vide letter No.F.14-6/93-D-IIT(AE) dated 11.9.98 (Annexure-IV) has now intimated of the proposal for extension of deputation in respect of Shri Sarmah for the sixth year with the approval of the Hon'ble Minister for Human Resource Development and requested the University to give their consent. It may be recalled that on a similar situation, the case of Prof.M. Miri for further extension beyond the 5th year was rejected by.....

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the University and requested Dr. Miri to resume his duties on expiry of the term after 5th year. But with the intervention and as cleared by the Cabinet appointment Committee, Govt. of India and approved by the Department of Personnel & Training, Govt. of India further extension of one year for the sixth year was granted by the 96th Executive Council resolution No. EC:96:98:6:3:9(v).

The matter is placed before the Executive Council for consideration.

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6:3:7(3)

ANNEXURE - I

93rd Executive Council held on 15th July, 1997

- (xxi) Extension of deputation term in respect of Shri Atul Dev Sarmah, Assistant Editor NEHU Publication, Shillong.

No:EC:93:97:3:(xxi): The Council ratified the action taken by the Vice-Chancellor in extension the period of deputation of Shri A.D. Sarmah, Assistant Editor and R SOLVED that no further extension will be given . Shri Atul Dev Sarmah will either have to resign or revert back to NEHU on completion of this extended term.

6:3:7(4)

ANNEXURE - II

D.O.No.F.14-90/Estt-II/85-209

The 7th July, 1998

Dear Shri Chatterjee,

Kindly refer to your letter D.O. No.F.14-6/93-D-III(AF) dated 17.6.98 regarding extension of the deputation term in respect of Shri . Atul Dev Sarmah beyond a period of five years. I am to inform that the Executive Council of this University held on 15.7.97 had considered your request for extension of deputation term for the fifth year period, i.e upto 24.8.98 and further resolved that no further extension will be given to Shri Atul Dev Sarmah and he will either have to resign or revert back to NEHU on completion of his extension term. Secondly, the University follows the G.O.I. Rules in respect of non-vacation staff and the maximum period of deputation stipulated therein is for five years only.

In view of the above, I regret to inform you that no further extension can be granted and request you kindly release him to resume his duties at NEHU on the expiry of the said deputation term.

With regards,

Yours sincerely,

Sd/-

( B. Pakem )

Shri Bhaskar Chatterjee,  
Director General,  
National Literacy Mission,  
Joint Secretary, Adult Education,  
Wing Shastri Bhavan,  
New Delhi.

## 8. TENURE OF DEPUTATION

8.1. The period of deputation shall be subject to a maximum of three years in all cases except for those posts where a longer period of tenure is prescribed in the Recruitment Rules.

8.2. The Administrative Ministries may grant extension beyond this limit up to one year after obtaining orders of their Secretary, in cases where such extension is considered necessary in public interest.

8.3. The borrowing Ministries/Department may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in the Recruitment Rules, where absolutely necessary subject to the following conditions:-

(i) While according extension for the fifth year or the second year in excess of the period prescribed in the Recruitment Rules, the directive issued for rigid application of the tenure rules should be taken into consideration and only in rare and exceptional circumstances, such extension should be granted.

(ii) The extension should be strictly in public interest and with the specific prior approval of the concerned Minister in the borrowing Ministry/Department.

(iii) Where such extension is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance.

(iv) The extension would be subject to the prior approval of the lending organisation of the officer on deputation, and wherever necessary, the U.P.S.C.

8.4. In case, where the extension is beyond the fifth year or beyond second year in excess of the period prescribed in the Recruitment Rules, the same would be allowed only after obtaining the prior approval of the Department of Personnel and Training, Proposal in this regard should reach this Department at least three months before the expiry of the extended tenure.

8.5. When extension of the period of deputation is considered, the period of extension may be so decided upon as to enable the officer concerned to continue on deputation till the completion of the academic year in cases where the officer has school/college going children

8.6. For computing the total period of deputation, the period of deputation, including the period of deputation in another ex cadre post held immediately preceeding the current appointment in the same or some other organisation/department of the Central Government shall also be taken into account.

8.7. If during the period of deputation the basic pay of an employee exceeds the maximum of the scale<sup>of</sup> pay of the post or the fixed pay of the post, on account of pro forma promotion in his cadre under the Next Below Rule or otherwise, the deputation of the employee should be restricted to a maximum period of Six months from the date on which his pay thus exceeds such maximum and he should be reverted to his parent department within the said period.

8.8. If during the period of deputation, on account of pro forma promotion in the parent cadre under the Next Below Rule the employee becomes entitled to a scale of pay higher than the scale of pay attached to the ex cadre post, he may be allowed to complete the normal tenure of deputation subject to 8.7 above but no extension of the period of deputation should be allowed in such cases.

I am directed to refer to D.O. letter of even number dated 15th August 1988 from DG(NM) (copy enclosed) on the subject mentioned above and to request that consent of MHDU for extension on deputation term of Shri Sarman for one more year may please be conveyed to this Department at the earliest. Minister for Human Resource Development has approved the proposal for extension of deputation period of Shri Sarman for one more year i.e. 6th years.

Yours faithfully,  
sa/-  
(P.K. Tripathi)  
Deputy Secretary

Encl: 1

6:3:7(7)

Annexure-IV

Sep -14-98 10:07

FAX NO.0364 250076

F.14-6/93-D-IIT(AE)  
Government of India,  
Ministry of Human Resource Development  
Department of Education

New Delhi  
the 11th Sept, 98.

To,  
Prof. B. Pakem,  
Vice-Chancellor,  
North-Eastern Hill University,  
Shillong,  
Meghalaya.

Sub : Extension of deputation term of Sh. Atul Dev  
Sarmah for sixth years.

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Sir,

I am directed to refer to D.O. letter of even number dated 5th August, 1998 from DG(NLM) (copy enclosed) on the subject mentioned above and to request that consent of NEHU for extension on deputation term of Shri Sarmah for one more year may please be conveyed to this Department at the earliest. Minister for Human Resource Development has approved the proposal for extension of deputation period of Shri Sarmah for one more year i.e. 6th years.

Yours faithfully,  
sd/  
( P.K. Tripathi)  
Deputy Secretary

Encl : a.a.

EC:98:98:6:3:(iii): The Council considered the grant of sabbatical leave to Dr. MK Parida and RESOLVED to approve the same, however, the Dean, School of Physical Sciences is to place the matter before the School Board for ratification.

(iv) Leave case of Dr. R. Khongsdier, Lecturer in Anthropology.

EC:98:98:6:3: (iv): The Council considered the grant of leave not due to Dr. R. Khongsdier and RESOLVED to approve the same.

(v) Request of Dr. AC Mohapatra for the benefit of EL to the Deans for performing duties during Vacation period.

EC:98:98:6:3:(v): The Council considered the proposal of Prof. AC Mohapatra for consideration for grant of Earned Leave during vacation period for the Deans of Schools and RESOLVED that the provisions of Ordinance OE-6(5) may be applied to any teacher who is required to be on duty during vacation period.

(vi) Grant of lien to Dr. BS Butola, Reader in Geography Department.

EC:98:98:6:3:(vi): The Council considered the grant of lien to Dr. BS Butola for a period of two years w.e.f. 1.12.98 to enable him to take up an assignment at the Jawaharlal Nehru University and RESOLVED to approve the same.

(vii) Extension of deputation for the 6<sup>th</sup> year in respect of Shri Atul Dev Sarmah, Assistant Editor, NEHU, Shillong.

EC:98:98:6:3:(vii): The Council considered the extension of deputation to Mr. Atul Dev Sarmah, Assistant Editor and RESOLVED that since the period of deputation had exceeded five years his request cannot be accepted. The Council further RESOLVED that the Ministry should repatriate him immediately or alternately they may absorb him w.e.f. the date of expiry of the date of deputation.

#### 6:6- Service Condition / Financial & Other Benefits.

(i) Recommendation of the Vth Pay Commission decision to the grant of children Educational Assistance.