

- (x) Appointment of Shri A.K. Phookan,  
Sr. Advocate, Guwahati High Court,  
Guwahati as University Standing  
Counsel -

In response to the University's offer of appointment of Shri A.K. Phookan, Advocate as the University Standing Counsel vide Annexure-A(enclosed), Shri Phookan has conveyed his willingness to accept the offer on the terms and conditions laid down vide Annexure-B appended herewith.

On scrutiny of the amount of "Fees" chargeable for items 2,3 & 4, it appears that the rate are reasonable. That is, Rs.3000/- as monthly retainership fee, Rs.9000/- as appearance fee per day for conducting cases at Shillong (inclusive of the fees of Jr. Advocate who will be assisting Shri Phookan) and also Rs.3000/- as drafting fee for each Affidavit etc. However, in respect of item 1, i.e., appearance fee of Rs.4,500/- per day/case for cases filed at the Principal Seat of the Guwahati High Court, the rate seems to be a little on the higherside. Since, University will also be paying retainership fee. During his recent visit to Shillong, the matter could be discussed with him, to which he readily agreed to charge the usual lumpsum amount of Rs.10,000/- or Rs.15,000/- per the nature of each case, when the case is finally disposed of. The variation depends on the type of cases filed. This is, considered more economical, as normally it takes about four or five hearings per case before the same is finally disposed of by the Court.

As regards "Costs" - items 1 and 2, i.e., clerical expenses and incidental expenses, it is proposed that for clerical expense the actual expenditure incurred on typing, xeroxing, Court Fee Stamps and miscellaneous expenditures will be charged as per case accordingly. This may perhaps be allowed. As regards incidental expenses whereby, it is proposed that transport for to and fro journey, hotel expenditure for boarding and lodging etc. be provided by NEHU, this may also perhaps be approved subject to availability of University vehicle. Otherwise, actual expense on hiring of a vehicle may be permitted as in the case of clerical expense.

Contd/- ;;;

It is proposed that the term of the contract appointment be initially made for three years as it is done in the case of Shri S. R. Sen, University Legal Adviser at Shillong. And, termination of the term will be only after giving one month's notice by either party.

The matter is placed before the Executive Council for consideration.

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U.O.No.F.1-2/LJU/93/3668

Dt.20.9.97

No.F.1-2/LJU/93-3617

Dated Shillong, the 16th Aug., 1997.

To

Shri A.K. Phookan,  
Sr. Advocate,  
Gauhati High Court,  
Zoo Narengi Road,  
Gauhati - 7810 21.

Sub : Offer of Appointment as North-Eastern Hill  
University Standing Counsel at the Gauhati  
High Court.

Sir,

I am directed to state that the University has decided to engage a Standing Counsel to look after the various Court cases filed against the University at the Principal Seat of the Gauhati High Court, Gauhati and also if occasion arises to represent the University in certain other Court cases filed in the Shillong Bench. As such, I am to convey herewith the University's decision to make an Offer of Appointment to you as the University Standing Counsel on Contract basis, subject to finalisation of the terms and conditions to be kindly laid down by your goodself in this regard. Viz., Term of Contract appointment, Retainership fee, fee for drafting of counter affidavit/additional affidavit/deed and documents/complaints or written statement, conducting cases inclusive of appearance fees (Civil Suits, Appeals and Revisions) and also criminal cases including also fee for adjournment etc. then outstation fee for each visit to Shillong and last of all clerical expense for each case in particular. As regards the provision for termination of the Contract, the University considers it quite sufficient if one month's notice is given by either party, i.e. from the date of receipt of the notice.

Kindly intimate your acceptance alongwith your proposed terms and conditions to enable the University to finalise the matter at an early date.

Yours faithfully,

Sd/-

( P.S. Rynjah )  
Registrar,  
N.E.H.U., Shillong.

To

The Registrar,  
N. E. H. U.,  
Mawkynroh (Umshing)  
Shillong - 793002.

Ref : Your letter No.F.1-2/LJU/93-3617  
dated 16th August, 1997.

Sub : Acceptance of your offer of appointment  
as Standing Counsel for NEHU at the  
Gauhati High Court.

Dear Sir,

In response to your offer of appointment as Standing Counsel for NEHU at the Gauhati High Court I convey my willingness to accept your offer on the following terms and conditions :

- FEES : (1) For appearance in cases before the Principal Seat at Guwahati (Civil/Criminal/Writ Petition/ Appeals) Rs. 4,500/- per day/appearance.
- (2) For drafting and settling of counter affidavits/ additional affidavits/miscellaneous petitions etc. Rs.3000/-
- (3) For conducting cases before the Shillong Bench Rs.9000/- per day/appearance.
- (4) Monthly retainership fee Rs.3000/-.
- COSTS: (1) Clerical expenses, including cost of obtaining certified copies of orders and Court fees will vary in each case and will be charged as per actuals.
- (2) For Conducting cases at Shillong, NEHU shall bear the expenses towards travel to and fro, hotel and other incidental expenses.

The fees mentioned above are inclusive of the fees of the Junior Counsel who will be assisting me.

If the above terms are acceptable to you, then you may kindly issue a formal letter of appointment with a copy to the Registrar(Judicial), Gauhati High Court, Guwahati.

Yours faithfully,  
Sd/-  
(A. K. Phookan )

EC : 94 : 97 : 6 : 2 (v): The Council considered the confirmation of Dr.(Ms)E. Laitflang, as Reader in Political Science with effect from 7.12.95 and RESOLVED to approve the same.

(vi) Recommendations of names by the Executive Council for appointment of Chancellor.

EC : 94 : 97 : 6 : 2 : (vi): The Council considered the appointment of the Chancellor of the University and RESOLVED to recommend the following Panel of names for consideration of the **Visitor**.

1. Prof.(Ms) A.S.Desai - Chairperson, UGC.
2. Prof. D.D. Bhawalkar - Director, Centre for Advanced Technology, Department of Atomic Energy, Indore.
3. Prof. A.L. Nagar - Ex- Professor, Delhi School of Economics.

(vii) Appointment of Prof. T.B. Subba, as Editor, NEHU Publications.

EC : 94 : 97 : 6 : 2 (vii) : The Council considered the appointment of Prof.T.B.Subba as Editor, NEHU Publications on a monthly honorarium of Rs.500/- and RESOLVED to approve the same.

(viii) Resignation of Shri C.Lalramzuava, Ex-Lecturer,PUC.

EC : 94 : 97 : 6 : 2 : (viii) The Council considered the resignation tendered by Shri C.Lalramzuava former Lecturer, Pachhunga University College with effect from 19.7.91 and after a detailed deliberation RESOLVED not to accept his resignation on account of his unauthorised absence from duty. A Show Cause Notice may be served on him and he is required to explain why action should not be taken against him for his unauthorised absence.

(ix) Resignation of Dr.S.N.Rao from the post of Professor, Department of History, NEHU, Shillong

EC : 94 : 97 : 6 : 2 : (ix) : The Council considered the resignation of Prof.S.N.Rao with effect from 16.11.1984 and RESOLVED that his technical resignation may be accepted with effect from 14.11.1984 (F.N.).

(x) Appointment of Shri A.K.Phookan, Sr .Advocate, Guwahati High Court, Guwahati as University Standing Council.

EC : 94 : 97 : 6 : 2 (x) : The Council considered the appointment of Shri A.K.Phookan as the University Standing Counsel and RESOLVED to approve the same as per terms and conditions laid down below:

FEES : (1) For appearance in cases before the Principal Seat at Guwahati (Civil/Criminal/Writ Petition/ Appeals ) lumpsum amount of Rs.10,000/-or Rs.15,000/- per case, depending on the nature of each case, till the case is finally disposed of.

(2) For drafting and settling of counter affidavits/ additional affidavits/ miscellaneous petitions etc. Rs.3000/-

(3) For conducting cases before the Shillong Bench Rs.9000/- per day/ appearance.

(4) Monthly Retainer fee Rs. 3000/-..

COSTS: (1) Clerical expenses, including costs of obtaining certified copies of Orders and Court fees will vary in each case and will be charged as per actuals.

(2) For conducting cases at Shillong, NEHU shall bear the expenses towards travel to and fro, hotel and other incidental expenses.

The engagement can be terminated by either party on one month's notice.

(xi) Consideration of creation of posts as 'Personal' in respect of the repatriated Group B, C, & D employees of erstwhile Nagaland Campus.

EC : 94 : 97 : 6 : 2 : (xi) : The Council considered the creation of sixty four Group B, C & D posts to accommodate the employees of NEHU who had opted for NEHU's service and are now serving NEHU and RESOLVED that the 64 posts may be created on a purely personal basis to accommodate these staff.

(xii) Creation of posts for Teachers and Group A Officers repatriated from Nagaland.

EC : 94 : 97 : 6 : 2 (xii) : The Council considered the letter from the Chairperson of the U.G.C. and RESOLVED that twenty-two teaching posts and five group A Officer's posts may be created as purely personal to accommodate the employees who have opted for NEHU's service from the erstwhile Nagaland Campus depending on the consent of the concerned departments.

6: 3 - Leave Deputation -

(i) Release of Dr .B.K. Tripathy on lien for 2 years.

EC : 94 : 97 : 6 : 3 (i): The Council considered the release of Dr.B.K.Tripathy , Lecturer , PUC, by the Principal of the College without