

6: 4 - Discipline-

- (i) Review of the E.C.'s Decision in the matter of Imposition of Minor Penalty.

It may be recalled here that the Disciplinary Authority had proposed imposition of minor penalty on Shri.L.H. Mawrie, Peon, Sports Deptt. and Shri. Chawngmingthanga, Peon, Eco-Dev., NEHU, Shillong.

The imposition of the proposed penalty in accordance with the Rule 11 of CCS (CCA) are as follows :-

- (A) -"Withholding of next increment for three years without cumulative effect."

The aforesaid minor penalty imply that the delinquent employees will not draw increment for a period of 3 (three) years falling during that period, because without getting the next increment, an employee can not get the next increment falling after the 'Next Increment'.

The above proposed was placed before the E.C. in its 92nd Meeting held on 21.3.97 for approval as per agenda note (Annexure-I and II).

The E.C. while considering the above proposal resolved as follows (Annexure-III).

- (B) -One Increment may be withheld for a period of three years without cumulative effect.

The above decision of the E.C. as at (B) is ambiguous and not in accordance with the Rule 11 of CCS (CCA) as proposed at (A) above.

The matter is placed before the E.C. to review its earlier decisions and to accord approval in consonance with the Rule 11 of CCS (CCA) as decided by the Disciplinary Authority for imposition of the Minor Penalty on Shri.L.H.Mawrie Peon, Sports Deptt. and Shri. Chawngmingthanga, Peon, Eco-Dev., NEHU, Shillong, respectively.

: Imposition of Minor Penalty on Shri. L.H.Mawrie, Peon.

Shri.L.H.Mawrie was appointed as Peon in the University long back as 1988 (with effect from 06.02.88). While he was posted to Administration, he was found to have absent from duty without permission and applications.

As per records in Establishment-I(Personnel), Shri.Mawrie have been found to be a habitual absentee without permission or leave application as long back as 1992 for which ANNEXURES from 'A' to 'G' appended proved that habit.

Subsequently, the office accordingly, vide Annexure-'H' dated 06.04.94 issued the Fourth and last Warning letter and duly got a bond executed by him for good conduct and application for duty by Annexure 'I' on 29.03.93.

Thereafter, Shri.Mawrie while posted to Sports Department, NEU was again found absent from duty without authority from 12.02.96 for which a Show Cause Notice vide Annexure 'J' dated 23.03.96 and Annexure 'K' dated 27.05.96 had been served upon him. To this he submitted an explanation Annexure 'L' dated 04.06.96.

As being habitual, Shri.Mawrie continued with his habits of remaining absent from duty without any authority which ultimately culminated him being charge-sheeted vide Memorandum of even No. 3455 dated 13.11.96 at Annexure 'M'.

In response to the above Memorandum, Shri.Mawrie, in his defence Statement (Annexure-'N') accepted the Articles of Charges.

With this the case was placed before the Disciplinary Authority who has decided to impose on Shri.Mawrie, the minor penalty of withholding of increment for 3(three) years without cumulative effect in terms of Rule 11 of CCS(CCA) Rules.

The above decision was communicated to Shri.Mawrie (Annexure-'O') affording him with an opportunity to make such representation as he may with against the above decision of the Disciplinary Authority.

Shri.L.H.Mawrie in his relevant representation dated 27.1.97 (Annexure-'P') accepted imposition of the aforesaid minor penalty.

Hence, the case is now placed before the Council to accord its approval to the imposition of the aforesaid penalty on Shri. L.H.Mawrie.

Imposition of minor penalty on
Shri. Chawngmingthanga, Peon.

Shri. Chawngmingthanga was appointed in this University w.e.f.24.4.86. It has been revealed from the records available that Shri. Chawngmingthanga has been in the habit of absenting himself from duty frequently and unauthorisedly on some pretext or the other. For such lapses on his part he was served with a number of memos and several warnings have also been served to him (Annexure-A-E) but all efforts proved futile as no improvement could be seen in his conduct.

As being habitual, Shri. Chawngmingthanga again absented himself from duty wef.29.1.96 to 21.4.96 wef. 24.5.96 to 12.7.96 and wef. 3.8.96 to 8.1.97 without prior intimation or permission being obtained from the competent authority. For the above lapses on his part he was served with a memo of even No.5945 dated 11.3.96 (Annexure F). Subsequently, he was served with Show Cause Notice vide even No.959 dated 3.6.96 (Annexure.G) .His explanation as submitted vide his letter dated 19.4.96 and dated 15.7.96 (Annexure.H & I) were examined but the same were not found satisfactory. Ultimately, Shri. Chawngmingthanga was charge sheeted, vide Memorandum along with Statement of Articles of Charges vide even No.3236 dated 1.11.96 (Annexure.J), giving him 15 days time to submit his representation. In his defence statement vide his letter dated 9.1.97 (Annexure.K) Shri. Chawngmingthanga accepted all the charges framed against him and rendered an Undertaking on 14.2.97 for keeping good conduct (Annexure.L). On this the case was placed before the disciplinary Authority who decided to impose on the above official the minor penalty--"Withholding of Increment of Pay" for a specified period of 3 (three) years without cumulative effect as provisioned under CCS(CCA) Rule 11-sub clause (iv). This decision of the disciplinary authority was duly intimated to Shri. Chawngmingthanga affording him 7 days time to make an representation against the above proposed action as he may wish to make (Annexure-M). In this context, Shri. Chawngmingthanga has accepted the said penalty vide his letter dated 6.3.97 (Annexure.N).

Now the matter is placed before the Council for favour of its decision and approval to the proposed imposition of the aforesaid minor penalty of "Withholding of Increment of Pay" for a specified period of three years without cumulative effect on Shri. Chawngmingthanga.

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No.F.21-63/Estt.I/Per/91-4815.

dt. 18th March ,1997

~~1997~~ Dispt No:

(i) Imposition of minor penalty on Shri.Chawngmingthanga Peon.

No:EC:92:97:6:4:(i): The Council considered the imposition of minor penalty on shri. Chawngmingthanga, Peon, and RESOLVED that one increment of his pay may be withheld for a period of three years without cumulative effect.

(ii) Imposition of Minor Penalty on Shri.L.H.Mawrie, Peon.

No:92:97:6:4:(ii): The Council considered the imposition of minor penalty on Shri. L.H. Mawrie, Peon, and RESOLVED that one increment of his pay may be withheld for a period of three years without cumulative effect.

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6:4: Discipline

(i) Review of the E.C's decision in the matter of imposition of Minor Penalty.

No:EC:93:97:6:4:(i): The Council reviewed its earlier decisions in regard to the imposition of minor penalty on Shri L H Mawri Peon, Sports Department and Shri Chawngmingthanga, Peon, Eco-Development, NEHU, Shillong and RESOLVED that the wording of the penalty be read as under :

"Withholding of next increment for three years without cumulative effect" in accordance with Rule 11 of CCS(CCA)

6:6 Service Condition/Financial & Other Benefits-

(i) Grant of Annual allowance to Central Health Service Doctors for Academic and Research pursuits.

No:EC:93:97:6:6:(i) The Council considered the grant of annual allowance to Dr V S V Prasad, SMO, for holding a Post-Graduate qualification and RESOLVED that he may be granted an annual allowance of Rs.1200/- per annum in terms of the Government of India's Guidelines.

(ii) Merit Promotion Scheme for NEHU Teachers.

No:EC:93:97:6:6:(ii): The Council considered the introduction of Merit Promotion Scheme for NEHU Teachers and RESOLVED that due to constraints, implementation of the same would not be feasible for the present . However, the Council RESOLVED to constitute a Committee to be known as "NEHU Promotion Scheme" comprising of the following members, for formulating schemes to run professional courses in order to raise fund.

1. Prof A L Verma Chairman
Physics Department.
- 22 Prof S N Bhat Member
Chemistry Department.
3. Prof J P Singh Member
History Department
4. Prof S K Misra Member
Economics Department.
5. Mr L Nampuii Convener
Finance Officer.

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