

(v) Term of Office of the Head of Department.

According to the existing provisions of Statute 7 Clause (2) a person appointed as the Head of the Department shall hold Office as such for a period of three years and shall be eligible for reappointment.

The Executive Council in its 38th meeting held on 14.2.84 approved the amendment of Clause (3) of Statute 7 so as to provide for extension of the term of the Head of Department till the end of the concerned Semester subject to the approval of the Academic Council.

The Academic Council in its 20th meeting held on 5th and 6th April, 1984, approved the proposed amendment.

The Executive Council in its 86th meeting held on 18th July, 1995 further resolved that the question of the Heads of the Departments continuing upto the end of the Academic Session be taken up with the concerned authorities.

The consent of the Visitor was sought in September 1995 and the Ministry vide its letter at Annexure 'A' conveyed the Visitor's consent.

In this connection it may be stated that the Executive Council in its 76th meeting held on 14.8.92 resolved to accept the recommendation of the University Grants Commission that a teacher may retire on the date of the month on which he is due to retire i.e. on the afternoon the last date of the month in which he/she attains the age of 60 years.

Ordinance OE-5 Clause 9 reads as under :-

Subject to the provisions of Statute 27, every teacher confirmed in the service of the University, shall retire from such service on the afternoon of the last date of the month in which he/she attains the age of 60 years or if the date attains 60 years falls on the first day of the month, the teacher shall retire on the afternoon of the last day of the preceding month. Continuation of service thereafter may be considered only under rules of re-employment.

Provided that no teacher re-employed after attaining the age of superannuation shall hold appointment as Head of Department or Dean of Faculty or any other such administrative position.

From the above it may be seen that a teacher retires on attaining the age of 60 years after which he can be reemployed but cannot hold such appointment as Head of Department, Dean of School or any other such administrative position.

If the Statute prevails over the Ordinance then the proposed ammendment may give a notion to a teacher who is a Head of the Department that though he attains the age of 60 year yet by this provision his appointment stands extended till the end of the concerned Semester which may be after his attaining of 60 years and hence may give rise to some anomaly to the existing Ordinance.

The matter was then placed in the 96th meeting of the Executive Council held on 24.3.98 and the Council resolved that the following sentence may be added at the end of the amendment.

" Provided that the teacher appointed as Head has not attained the age of 60 years"

The proposed amendment is placed at Annexure 'B'

The matter was placed before the 57th meeting of the Academic Council and the Council considered the amendment to the statutes on the term of Office of the Head of the Department and Resolved to accept the decision of the Executive Council as at Annexure-I.

The matter is placed before the Council for consideration.

Ordinance OE-5 Clause 9 reads as under :-

Subject to the provisions of Statute 27, every teacher continue in the service of the University, shall retire from such service on the afternoon of the last date of the month in which he/she attains the age of 60 years or if the date attain 60 years falls on the first day of the month, the teacher shall retire on the afternoon of the last day of the preceding month. Continuation in service thereafter may be considered only under rules of re-employment.

Provided that no teacher re-employed after attaining the age of superannuation shall hold appointment as Head of Department or Dean of Faculty or any other such administrative position.

From the above it may be seen that a teacher retires on attaining the age of 60 years after which he can be reemployed but cannot hold such appointment as Head of Department, Dean of School or any other such administrative position.

S: 1:5(3)

31 1997

Annexure-A

No.F.8-35/95-Desk (U)  
Government of India  
Ministry of Human Resource Development

New Delhi, dated the 25th September, 1997.

To

The Registrar,  
North-Eastern Hill University,  
Shillong-793 022.

Sub: Amendment in Clause 3 of Statute 7 on the term of  
Officer of the Head of the Department.

Sir,

I am directed to refer to North-Eastern Hill University's letter No.Conf/15-1/STAT/87 (Vol.II)-3686 dated 5.9.1995 on the subject mentioned above and to say that the President of India, in his capacity as the Visitor of North-Eastern Hill University has been pleased to assent to the amendment in Clause 3 of Statute 7 made by Executive Council of the University on the terms of Office of the Head of the Department.

Yours faithfully,

Sd/-

(D.K. Paliwal)  
Asstt.Educational Adviser  
Tel.NO.3388030

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5:11:5(4)

5-1-11

ANNEXURE "A"

AMENDMENT OF CLAUSE (3) OF STATUTE 7 ON THE TERM OF OFFICE OF THE HEAD OF DEPARTMENT

EXISTING PROVISION

PROPOSED AMENDMENT APPROVED  
BY THE VISITOR

AMENDMENT PROPOSED FURTHER

(3) A person appointed as the Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.

A person appointed as the Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.

Provided that if the term of the Head ends during academic session, it shall automatically stand extended upto the end of the concerned semester.

A person appointed as the Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.

Provided that if the term of the Head ends during academic session, it shall automatically stand extended upto the end of the concerned semester provided that the teacher appointed as Head has not attained the age of 60 years.

Item No.5 **ACADEMIC MATTERS**

**5:1- Statutes, Ordinances, Regulations and Rules.**

- (i) Ordinance on advertisement of vacancies for the teaching posts- Report of the Committee.

EC:97:98:5:1:(i): The Council considered the recommendation of the Committee constituted by it to examine the Ordinance on advertisement of vacancies for the teaching posts on the direction of the Visitor and RESOLVED that the amendment to Clause 2 (1) of the Ordinance OE-4 vide EC Resolution No:84:94:6:7: (iii) dated 8.12.94 be annulled and advertisements may be sent to the University News if necessary.

The Council further RESOLVED that Para 3 of the Report regarding reservation of the Committee be taken up separately.

- (ii) Amendment to the jurisdiction of the NEHU Sports Board.

EC:97:98:5:1:(ii): The Council considered the amendment to the jurisdiction etc. of the Sports Board and RESOLVED to approve the same as per Annexure 'A'.

- (iii) Report of the Committee appointed by the Academic Council / Executive Council to look into AC /EC decisions on Ordinance, Regulations etc.

EC:97:98:5:1:(iii): The Council considered the recommendations of the Committee appointed by the Executive and Academic Councils to look into the inclusion of the EC/AC decisions in the Ordinances and Statutes and RESOLVED that the word Rules appearing in Clause 9 of Ordinance OE-5 be retained.

- (iv) Duty leave Rules, amendment thereof;

EC:97:98:5:1:(iv): The Council considered the amendment of Clause 4 (1) of Ordinance OE-6 and RESOLVED to accept the recommendations of the Academic Council.

- (v) Term of office of the Head of the Department.

EC:97:98:5:1:(v): The Council considered the term of office of the Head of a Department and RESOLVED to approve the amendment as per Annexure 'B'.