

(x) Reinstatement of Shri S.L. Marbaniang as Lecturer, Department of Mathematics, NEHU.

Shri S.L. Marbaniang, Ex-Lecturer, Deptt. of Mathematics, NEHU had earlier applied for permission to contest the Meghalaya Legislative Assembly Election, 1993 but in view of the addition to Clause-3(iii) of Regulation RE-6 and notified vide No. Conf/Ord/86/-535 dated 18th Dec. 1997, faculty members were restricted to be elected/nominated only for a maximum period of 10 years and as Shri Marbaniang had been continuously elected for 2(two) terms of 5(five) years in 1983 and 1998, his request for permission was therefore regretted. He accordingly, tendered his voluntary retirement or otherwise which ever is applicable to enable him to contest the 1998 election (ANNEXURE-I). Since there was no scope of permitting him to contest election during service in view of the addendum to Clause-3(iii) of RE-6, the Vice-Chancellor, NEHU accepted his voluntary retirement w.e.f. 19.1.98 and the same was ratified by the 96th Executive Council resolution No. 96:93:3:(xiv). However, settlement of pension etc., is pending for want of clarification from Meghalaya Legislative Assembly in regard to his pension during his 2 terms elected as a member of the Meghalaya Legislative Assembly.

The University had issued a notification vide No. Conf/22-2/Reg/2000 dated 21.8.2000 in supersession of the earlier notification No. Conf/Ord/86/535 dated 18.12.97 regarding addition of Clause-3(iii) to Regulation RE-6 on terms and condition of services of teacher elected/nominated to Parliament/State Legislative/District Council where the Vice-Chancellor, NEHU is pleased to notify that pending further guidelines from the UGC, status quo as on November, 97 be maintained. On the basis of the above notification, Shri S.L. Marbaniang on his letter dated 22.8.2000 has requested the University to allow to withdraw his voluntary retirement and resume duties in the Department of Mathematics.

Now the main administrative problem cropped up as to how to treat the period from 19.1.98 from the date of acceptance of his voluntary retirement to the period of he is allowed to join back NEHU.

The second question also arise whether retrospective effect can be given to the notification dated 21.8.2000. Neither the notification dated 21.8.2000 did not mention the effective date of implementation of the notification.

The legal advise opinion of Shri A.K.Phukan has been obtained for and his advise will be tabled by the Chair.

The A.A.P. views has also been called for as to how to treat the intervening period and has suggested that for the period beyond 10 years till the date of absorption by NEHU, the E.C. may adopt another resolution stating that the period will be treated as EOL but will count for increment seniority and length of permissible services.

The matter is placed before the E.C. for a decision.

The University had issued a notification vide No. Conf/22-2/Reg/2000 dated 21.8.2000 in supersession of the earlier notification No. Conf/013/86/235 dated 18.12.97 regarding addition of Clause-3(11) to Regulation RE-6 on terms and condition of services of teacher elected/nominated to Parliament/State Legislative/District Council where the Vice-Chancellor, NEHU is pleased to notify that pending further guidelines from the UGC, status quo as on November, 97 be maintained. On the basis of the above notification, Shri S.L. Mathanand on his letter dated 22.8.2000 has requested the University to allow to withdraw his voluntary retirement and resume duties in the Department of Mathematics.

Now the main administrative problem cropped up as to how to treat the period from 19.1.98 from the date of acceptance of his voluntary retirement to the period of he is allowed to join back NEHU.

6:2:10(3)

ANNEXURE-I

- COPY +

Phone(Off.226888)
(Res.222389)

(EMBLEM)

Date 19th Jan.98.

MEMBER
MEGHALAYA LEGISLATIVE
ASSEMBLY

To

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

Ref: Your letter No.F.19-5/Estt-II/82-801
Dated 19/12/97.

Madam,

Apropos the above reference, I would like to submit my application here for voluntary retirement or otherwise, whichever is applicable, so as to enable me to contest in the coming M.L.A. Election which will be held on 16.2.98. Soliciting an expeditious action from your end since the matter is quite urgent.

Yours sincerely

sd/-

(S.L.MARBANIANG)
Senior Lecturer, Mathematics Deptt.
NEHU

Copy for information and necessary action to :

1. The P.S. to the V.C., NEHU.
2. The Head of Mathematics Deptt., NEHU.

(S.L.Marbaniang)

.....

(v) Re-employment of teachers.

EC:108:2000:6:2:(v): The Council considered the letter of Prof. AK Baruah on the re-employment of teachers and RESOLVED that his letter may be placed before the Academic Council.

(vi) Confirmation of service in respect of Dr.(Mrs) Suman Kumaria, Lecturer, Department of Botany, NEHU, Shillong.

EC:108:2000:6:2:(vi): The Council considered the confirmation of service in respect of Dr. (Ms) Suman Kumaria, Lecturer in Botany w.e.f. 27.3.1997 and RESOLVED to approve the same subject to final disposal of the Writ Petition pending in the High Court.

(vii) Confirmation in respect of Dr. (Mrs) M. Marwein, Medical Officer.

EC:108:2000:6:2:(vii): The Council considered the confirmation of service in respect of Dr.(Ms) M. Marwein, Medical Officer, w.e.f 24.1.1991 and RESOLVED to approve the same.

(viii) Confirmation of service in respect of Dr. H. Kayang, Lecturer, Department of Botany, NEHU, Shillong.

EC:108:2000:6:2:(viii): The Council considered the confirmation of service in respect of Dr. H. Kayang, Lecturer in Botany, w.e.f. 26.3.1997 and RESOLVED to approve the same subject to final disposal of the Writ Petition pending in the High Court.

(ix) Appointment of Head, Department of Hindi.

EC:108:2000:6:2:(ix): The Council considered the appointment of a Head, for the Department of Hindi and RESOLVED that since there is neither a Professor or Reader in the Department of Hindi, Dr. MP Pandey may continue as Teacher In-charge of the Department till a regular Head is appointed.

(x) Reinstatement of Shri SL Marbaniang as Lecturer, Department of Mathematics.

EC:108:2000:6:2:(x): The Council considered the rejoining of Shri SL Marbaniang Lecturer in Mathematics and also the legal advice on the matter given by the University's Standing Counsel at Guwahati High Court and RESOLVED that in view of the fact that Clause -3 (iii) of Regulation RE - 6 has been repealed and also

since Shri Marbaniang has all along been associated with the academic activities of the Department of Mathematics he may be allowed to rejoin and further RESOLVED that regularisation of the period from the date of his voluntary retirement and date of re-joining may be examined and placed before the Council in its next meeting.

(xi) Re-employment of Prof. JP Singh, Deptt. of History.

EC:108:2000:6:2:(xi): The Council considered the re-employment of Prof. JP Singh and RESOLVED that in view of the divisive opinion in the Department he may be granted extension for a period of one year only subject to review after a period of six months and on condition that he completes all the teaching and other assignments.

(xii) Appointment of Head, Department. of Education,
NEHU, Mizoram Campus, Aizawl.

EC:108:2000:6:2:(xii): The Council considered the appointment of the Campus Head for the Department of Education, Aizawl, and RESOLVED that Dr. PK Gupta may be appointed as the Head of the Department for a period of three years.

6:3-Leave / Deputation.

(i) Lien case in respect of Dr. PK Bajpai, Lecturer,
Department of Physics, NEHU.

EC:108:2000:6:3:(i): The Council considered the absence without authority of Dr. PK Bajpai, Lecturer in Physics and RESOLVED that the post held by him be deemed to have been vacated w.e.f. the date of his un-authorised absence.

(ii) Request for extension of Extra Ordinary Leave in
respect of Dr. E. Laitflang, Reader, Department
of Political Science, NEHU.

EC:108:2000:6:3:(ii): The Council considered further extension of EOL in respect of Dr.(Ms) Elizabeth Laitflang for a period of one year w.e.f. 1.7.2001 and RESOLVED to regret the same under Clause-8 (iii) (b) of Ordinance OE-6.