

(ii) OPTION IN THE  
MIZORAM UNIVERSITY BILL.

Representations received from the teachers of Post-Graduate, Mizoram Campus and Pachhunga University College are placed at ANNEXURE-I & II requesting for the provisions of option in the Clause 33(i) of the Mizoram University Bill 1999 (Bill No.LI of 1999) introduced in the Rajya Sabha on 24.2.2000.

In this context, it may be stated that this office has no record either from UGC/MHRD with regard to the establishment of Mizoram University. From the letters received from the President P.U.C. and Mizoram Campus, it appears that the teachers/staff were not given any option under Clause 33(i) of the Mizoram University Bill for protecting the rights & freedom of the employees of NEHU.

Thus, they have requested for the intervention by NEHU for insertion of the said Clause in the Mizoram University bill.

The matter is placed before the Council for decision.

No.F.12-24/Estt.II/96-166

With regards,  
Secretary, NEHU (M)

Copy sent to  
The Vice-Chancellor, Mizoram University  
The Director, Higher Education, Mizoram  
The Secretary, UGC, New Delhi  
The Secretary, MHRD, New Delhi  
The Secretary, P.U.C., Mizoram  
The Secretary, Pachhunga University College, Mizoram

5:8:2(2)  
(TRUE COPY)

ANNEXURE-I

NORTH-EASTERN HILL UNIVERSITY TEACHERS' ASSOCIATION  
MIZORAM CAMPUS, AIZAWL-796007

Regd.No.SR/25/1989

Date \_\_\_\_\_

Grams:NEHU

Reference \_\_\_\_\_

To

The Hon'ble Minister,  
Ministry of Human Resource and Development,  
Department of Education,  
Govt. of India, Shastri Bhavan, New Delhi-110001

Sub: Request for the provision of option in the Clause  
33(1) of the Mizoram University Bill, 1999 (Bill No.  
LI of 1999) introduced in the Rajya Sabha on dated  
21.12.1999.

Sir,

In pursuance of the resolution of NEHUTA(MC) Aizawl  
in its meeting held on dated 24.2.2000 kindly allow us to  
present the following points.

The Clause 33(1) of the said Mizoram University Bill  
reads as "Every person who, immediately before the commence-  
ment of this Act, is holding of discharging the duties of  
any post or office in connection with the affairs of the  
North-Eastern Hill University in any area which on that date  
falls within the State of Mizoram shall be deemed to have  
been transferred to the services of the Mizoram University  
on the same terms and conditions and to the same rights and  
privileges as to pension, gratuity, provident fund and other  
matters as he would have been had under the North-Eastern  
Hill University Act, 1973". This means that the said clause  
deprives the employees to exercise their options as to  
whether they want to remain with their parent institution  
North-Eastern Hill University or with the new coming Mizoram  
University.

On occasions we have learnt that the provision of  
option is the right of the employees of the parent institution.  
Here it is worthwhile to mention that the employees of North-  
Eastern Hill University posted in the Nagaland Campus were  
granted the provision of option when the Nagaland University  
Act was approved (vide the Clause 33(1) of the Nagaland Uni-  
versity Act 1989, No.35 of 1989 dated 20th Oct., 1989). We feel  
that the omission of this provision in case of the Mizoram  
University Act is discriminatory, amounting to infringement  
upon the Fundamental Rights and is a case of gross injustice.

We, therefore, earnestly request your kind intervention  
for a suitable provision of option in Clause 33(1) of the  
Mizoram University Bill for protecting the rights and freedom  
of employees of North-Eastern Hill University in exercising  
their option, either to remain with their parent institution  
or join the new coming Mizoram University.

With regards.

Yours faithfully,

Sd/-

L.N.Singh  
Secretary, NEHUTA(MC)

Sd/-

C.Lalkima  
President, NEHUTA(MC)

Copy to :

Sl.No.1 to 18- M.P.s with an earnest request to raise the  
issue in Lok Sabha on the basis of the contents.

19. The Vice-Chancellor, NEHU, Shillong - for information.  
20. The Pro-Vice-Chancellor, NEHU, M.C., Aizawl - for information.

PACHHUNGA UNIVERSITY COLLEGE TEACHERS ASSOCIATION OF  
NORTH-EASTERN HILL UNIVERSITY  
AIZAWL , MIZORAM

No. PUCTA/OPT/2k/3

To

The Vice-Chancellor,  
North-Eastern Hill University,  
Shillong.

Dated 17th March, 2000.

Subject: Lack of option in the Mizoram University bill-regd.

Reference: PUCTA letter dt. 3.3.2000

Sir,

With reference to the letter mentioned above, we have already brought to your kind notice that section 33(1) of Mizoram University Bill, 1999 categorically states that all the employees of North-Eastern Hill University in the state of Mizoram shall be deemed to have been transferred to the new Mizoram University. It inhumanly and unimaginatively deprives the employees of North-Eastern Hill University of their right and freedom to exercise the option of remaining with North-Eastern Hill University or joining the new Mizoram University.

We are constrained to state that we are extremely disappointed and anguished that the University has not deemed it necessary to respond to our query as to what the University intends to do in this connection.

We would like to emphasise the following points which we hope, would make the University shed its carefully cultivated silence on the issue.

1. It is an indisputable fact that we hail from different parts of the country and by now have become an organic part of the North-Eastern Hill University identifying completely ourselves with its ethos, traditions and personality. We have become inseparable part of North-Eastern Hill University.

2. The University's own august bodies of Academic Council and Executive Council (A.C. resolution - AC.59:98:5:8(i) and E.C. resolution - E.C. 99:98:5:8(i), dated 8.12.98) comprehensively dealt with the issue of placement of teachers of Pachhunga University College who opt to remain in North-Eastern Hill University service will be suitably accommodated within the existing academic programmes of North-Eastern Hill University.

3. We have been appointed by the duly constituted interview committees of the University. After our appointment, we have signed a contract with the University which provided for the protection of our service conditions with the NEHU. It is a matter of the most elementary principle of natural justice that this contract cannot be unilaterally terminated.

CONTD.....2/-

Keeping the above points in view, we are utterly shocked to note that the University has maintained inexplicable silence on the matter. This, unfortunately, forces us to conclude that the University gave its wilful consent to the incorporation of clause 33(1) in Mizoram University bill. This has led to tremendous feeling of betrayal among us and the feeling is aggravated by the fact that the University has not even bothered to know the pain and anguish that this must have caused to its employees.

We beg to state, Sir, that it is never too late to fulfil one's historic responsibilities. The University can take a firm and categorical stand that since we are employees of the North-Eastern Hill University, those who want to remain with the North-Eastern Hill University must be given the right and freedom to do so. The University must refuse to part with its employees who have grown along with the North-Eastern Hill University and also helped it to grow.

In the event of the University's failure to respond to this letter within a week, we would be forced to resort to any course of action which we may deem fit to protect our right.

With warm regards, thanking you Sir,

Yours faithfully,

Sd/-  
 Dr.H.Lallungmuana  
 President  
 PUCTA,Aizawl

**5:7- Affiliation etc.****(i) Case of St. Dominic College, Shillong.**

EC:106:2000:5:7: (i): The Council considered the letter received from Ms. JE Street in response to the follow-up action taken on the Council's decision no: EC:105:99:5:7: (i) and RESOLVED that the earlier decision of the Council taken in its 105<sup>th</sup> meeting stands.

**5:8- Others****(i) Rajiv Gandhi Chair for studies in Protective Discrimination.**

EC:106:2000:5:8: (i): The Council considered the appointment of a Professor for the "Rajiv Gandhi Chair" and RESOLVED that the following eminent social scientists be included in the Panel for the Search Committee:

- |                          |          |
|--------------------------|----------|
| 1. Prof. AC Bhagabati    | Convener |
| 2. Prof. Amaiya Bakshi   |          |
| 3. Prof. Andre Betteille |          |

The Council also placed on record its deep appreciation to Prof. KS Singh for the work done by him.

**(ii) Option in the Mizoram University Bill.**

EC:106:2000:5:8: (ii): The Council considered the representations received from the NEHUTA, Mizoram Campus and PUCTA and RESOLVED to defer taking a decision till the formal notification about the "Mizoram University" is issued.

**Item No.6 ADMINISTRATIVE MATTERS****6:1- Selection Committee****(i) Recommendation of Selection Committee in respect of Dr. Sujit Das.**

EC:106:2000:6:1: (i): The Council considered the placement of Shri Sujit Das, Lecturer in Chemistry, Pachhunga University College in the Reader's Grade and RESOLVED that as the Selection Committee did not recommend his placement in the said grade status quo may be maintained.