

6:2: Apptt/Confirmation/Termination etc.

- (vi) Re-instatement of Dr.R.C.Laloo  
as Reader, Deptt.of Botany, NEHU.

Dr.R.C.Laloo resigned from the position of Readership in Botany w.e.f 15.1.98 in view of the addendum of Cl.3(iii) to Regulation No.RE-6, restricting to continue as members of Parliament Legislative Assembly/District Council for a maximum period of 10(ten) years during the entire service career, notified vide No.Conf/Ord/86-535 dated 18.12.97. Against the Court Ad-interim Order dtd 4.5.98 in CR No.44/SH/98, Dr.R.C.Laloo was allowed to join duty pending further orders. The Hon'ble High Court vide Order dtd 19.3.99 in CR No.44(SH) of 1998 finally dismissed and the interim order passed on 4.5.98 was vacated and Status-quo was maintained on Dr.Laloo's resignation since accepted vide Order No.F.18-176/Estt.II/88 dtd 7.2.98. A Writ Appeal No.99(SH)99 was then filed by Dr.Laloo against the Single Bench Order dtd 19.3.99.

In the meantime the addendum of Cl.3(iii) vide Notification No.Conf/22-2/Reg/2000-1784 dtd 21.8.2000 was repealed and Statusquo as on Nov.97 was maintained (Annexure - I). Shri S.R.Sen, Sr.Advocate, University legal adviser, has opined that Dr. R.C.Laloo's case falls for consideration by the University after the repeal of Cl.3(iii) of Regulation RE-6 as notified on 21.8.2000 and after withdrawal of the pending Writ Appeal by Dr.R.C.Laloo, his case if considered, will have no legal bearing with reference to the judgement dtd.19.3.99(ANNEXURE-II).

Dr.R.C.Laloo has in his letter dtd. nil submitted a photostat copy of the order dated 13.11.2001 passed by the Honorable High Court in Misc. Case No.161(SH) 2001 allowing him to withdraw the case (ANNEXURE-III) and requested to take necessary action to enable him to resume duty as early as possible.

The matter is placed before the Council for decision.

No.F.18-171/Estt.II/88-261

NORTH-EASTERN HILL UNIVERSITY  
SHILLONG.

No:Conf/22-2/Reg/2000-1784

Dated Shillong, the 21st Aug, 2000.

NOTIFICATION

In pursuance of the Academic Council's resolution NO:AC:63:2000:6:6:(1) and the Executive Council's resolution NO:EC:107:2000:6:6:(1) as adopted in their 63rd and 107th meetings respectively and 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 conditions of service of teacher elected/nominated to Parliament/State Legislature/District Council, the Vice-Chancellor, North-Eastern Hill University, Shillong is pleased to notify that pending further guidelines from the University Grants Commission, Statusquo as on November, 1997 be maintained.

sd/-

( J.M.S.Khongwir )  
 Deputy Registrar

Copy to :-

1. Pro Vice-Chancellors, NEHU, Shillong/Tura/Aizawl.
2. Registrar/Finance Officer/Controller of Examinations, NEHU, Shg.
3. All Deans of Schools, NEHU, Shillong.
4. All Heads of Departments/Centres, NEHU, Shillong/Tura/Aizawl.
5. All Officers, NEHU, Shillong/Tura/Aizawl.
6. Director, Publication Cell, NEHU, Shillong.
7. P.S to the Vice-Chancellor, NEHU, Shillong.

sd/-

( J.M.S.Khongwir )

CHAMBER OF  
 SUNIL RANJAN SEN, B.A., LL.B.  
 Senior Advocate  
 Gauhati High Court.

Dated Shillong the 31st, August 2001.

The Deputy Registrar  
 (Legal Cell),  
 NEHU, Shillong.

Ref:- Your letter No.F.1-1/LJH/98 dated 30.8.2001.

Sir,

With reference to the above, Shri S.R.Sen, Senior Advocate, University Legal Adviser is of the opinion that Dr.R.C. Laloo's case falls for consideration by the University after the repeal of Clause 3(II) of Regulation RE-6. As the said Clause 3 (iii) of Regulation RE-6 was repealed by the University vide Notification issued on 21.8.2000, which is after the passing of the Judgement by the learned Single Judge on 19.3.1994 in W.P.C. 44 (SH) 1998.

As such after withdrawal of the pending Writ Appeal by Dr.R.C.Laloo, if his case is considered in the line of similar other cases already considered, it will not have any legal bearing with reference to the Judgement dated 19.3.99.

Yours faithfully

Sd/-

(Ms.P.D.Bujaribaruah)  
 ADVOCATE

To,

The Deputy Registrar (Estt.II)  
North Eastern Hill University.  
Permanent Campus Mawlai Shillong-793022.

Sub:

Re-instatement in Service.

Ref:

- 1) My letter Dated Nil submitted on the 4.10.2001
- 2) Your letter No.F.18-171/Estt.II/88-4068  
Dt. 13.9.2001.

Madam,

Enclosed, please find herewith a photostat copy of the order 13.11.2001 passed by the Honourable High Court in Misc. Case No.161(SH)2001 allowing me to withdraw my case. This is for favour of your kind information and necessary action to enable me to resume my duty in the University as early as possible.

This is with reference to the letters mentioned above on the subject.

Thanking you.

Yours faithfully

sd/-

Dr.R.C. Laloo  
Lower Motinagar,  
Shillong-793014.

Misc. Case No. 161(SH)2001B E F O R E

The Hon'ble Mr Justice NS Singh

The Hon'ble Mr Justice B Lamare

13.11.2001

Heard Mr K.S.Kynjing, learned Senior Counsel appearing for the applicant and Mr S.R Sen learned senior counsel for the University respondents.

In this application, a prayer has been made by the applicant for allowing him to withdraw the main appeal being Writ Appeal No.9(SH)1999. We have perused the application. In our considered view, the prayer is reasonable and accordingly it is allowed.

Misc. case is disposed of.

sd/- B.Lamare  
Judge

sd/-N.S.Singh  
Judge

sd/-  
Superintendent  
Gauhati High Court  
Shillong Bench

(vi) Re-instatement of Dr. RC Laloo as Reader,  
Department of Botany, NEHU.

EC:111:2001:6:2:(vi): The Council considered the re-instatement of Dr. RC Laloo as Reader, Department of Botany, Shillong and RESOLVED to approve the same.

### **6:3- Leave / Deputation**

(i) Provision for academic leave to University Teachers to avail UGC Teacher Fellowship to do research work leading to the award of Ph.D. Degree.

EC:111:2001:6:3:(i): The Council considered the Provision for academic leave to University Teachers to avail UGC Teacher Fellowship to do research work leading to the award of Ph.D. Degree and RESOLVED to accept the recommendations of the Academic Council to grant Study Leave with full pay for the duration of the award and in the case of Shri PK Gupta he may also be granted Study leave.

(ii) Sabbatical leave for 10 months in respect of Prof. AC Mohapatra.

EC:111:2001:6:3:(ii): The Council considered the grant of Sabbatical Leave for a period of 10 months in respect of Prof. AC Mohapatra and RESOLVED to approve the same.

### **6:6- Service Condition / Financial & other Benefits.**

(i) Waiving / reduction of Bond amount to be refunded by the employee under Rule 63 of CCS(Leave) Rules.

EC:111:2001:6:6:(i): The Council considered the waiving of the Bond amount in respect of Shri R. Rynjah, JLA, who was granted Study Leave but could not fully avail of the same due to health reasons and RESOLVED to waive the bond amount and that the period he was on leave may be regulated by Earned Leave.