

6:6: - Service condition/Financial & Other Benefits:

- (i) Matters relating to the ex-gratia lumpsum compensation /payment to families of NEHU employees – GOI rules viv-a-avis E.C. resolution No:69:90:6(iv) dated 26-6-1990.

While the office was processing the payment of ex-gratia to the employees of the University who died in service, as per the 69th.EC resolution (see **Annexure-I**), it was pointed out recently by the administrative authority and the legal cell of the University that the ex-gratia payment made to such deceased employees on the basis of the 69th. EC resolution held on 26-6-1990 was not regular, unless there was prior approval from the the Govt. of India and needs ex-post facto approval of the Govt, of India .

Earlier the two minutes of the Committees for establishing / considering a fund / grant for ex-gratia payment whenever the death of an employee occurs while in service, which met on 14-3-1990 and 29-3-1990 respectively, which were placed as Agenda items to the said 69th.EC may kindly be seen as at **Annexure-II & III**.

The Uniiversity has been making ex-gratia payment to all its Teaching and Non-teaching employees from the fund available under "Part-I Non-Plan, 12 Common Services, Pension / DCRG, etc.".According to Finance, ex-gratia was never taken into account as a separate element in the budgeting of the "Pension & Retirement benefits" though it is dependent all along from this Budget Head. There is no separate Budgetary Provision for the purpose. The said EC resolution was never made known to the Budget Section for necessary follow-up action and hence no correspondence was made with the UGC/Ministry concerned on the matter.

There have been 37 cases sanctioned for Ex-gratia Payment for the past five years and the amount incurred was about Rs.17,01,057/= in total. It may be said that an average expenditure for such ex-gratia payment / scheme would involve an amount of about Rupees Five lakhs per annum approximately.

The spirit of ex-gratia payment perhaps was more in terms of relief to family members, whose NEHU employee(s) died while in service. It may be submitted that the 69th. EC decision may be modified in terms of ex-gratia terminology, whereby some relief fund / terminology may be considered in the spirit of the first Committee meeting which met on 14-3-1990 'for establishing a fund whenever the death of an employee occurs while in service' and in considering appropriate Budgetary Provisions thereof; and as regards creation of fund and Budget Provision, this depends on the acceptance and funding by the UGC. The internal Audit and Finance are of the view that if the University desires to take up the Scheme and the E.C. approves the same, the Scheme may be moved for approval by the GOI / UGC as well as approaching the UGC for the Scheme and for the fund.

Hence, the matter is placed before the Council for its consideration and decision.

No.F.9-44/Estt.I/Per/2000(Part File)- dt.5/9/07

HELD ON 20-6-90

(ANNEXURE)

ITEM No. 2 REPORTING ITEMS :

(IV) Establishment of a fund for ex-gratia Report of the Committee

No. EC:69:90:6:06:(iv): The Council considered the reports of both the committees constituted to examine the possibility of establishing a fund in the University for ex-gratia payment. The Council RESOLVED to approve the following guide-lines for payment of ex-gratia to employees of the University.

- ✓ (i) Ex-gratia payment may be made to all employees of the University.
- ✓ (ii) In the case of the Permanent employees of the University an ex-gratia payment of 4 months salary consisting of the total emoluments of the last pay drawn may be paid.
- ✓ (iii) In the case of Casual, Temporary or Contract employees 1(one) month salary of the total emoluments of the last pay drawn or a minimum of Rs.1500/- may be paid for all categories.
- (iv) In the case of death by assassination, each case may be examined on its own merit as to the quantum of ex-gratia payment.
- (v) The rules of the Government of India will apply as to the mode and procedure of payment.

A provision may be made in the University Budget for the purpose. The fund may be started from this year with a lumpsum amount of Rs.45.0 lakhs and a reference may be made to the UGC/Ministry in this regard.

The Council RESOLVED that the Ministry may be moved to sanction a sum of Rs.2.0 lakhs as a special case to Mrs. [Name] on account of the financial stringency being faced by the University.

DRAFT
Minutes of Establishing a fund for Ex-gratia payment whenever the death of an employee occurs while in service met on 14.3.90 in the Office Chamber of Pro-Vice-Chancellor.

Members present:-

- i. Dr.R.G.Michael, PVC, NEHU, Shillong.
- ii. Mr.H.W.T. Syiem, OSD/FO, NEHU, Shillong.
- iii. Prof.J.B.Bhattacharjee, Dean, Social Sciences, NEHU, Shillong
- iv. Dr.K.S.Lyngdoh, Dean school of Education, NEHU, Shillong.
- v. Mr.J.M.S. Khongwir, Asstt., Registrar, (Estt), NEHU? Shillong.

After careful deliberation the Committee has made following recommendations.

(i) That the mode of Ex-gratia payment should be applicable to all employees of the University .

(ii) In the case of the Permanent employees of the University an Ex-gratia payment of 4 months salary consisting of the total emoluments of the last pay drawn may be paid.

(iii) In the case of Casual, Temporary or Contract employees 1(one) months salary of the total emoluments of the last pay drawn or a minimum of Rs. 1,500 may be paid for all categories.

(iv) In the case of death by assassination the Committee has suggested that ~~the~~ each case is to be examined on his own merits and the amount of Ex-gratia payment to be made will be examined individually.

The Meeting end with a vote of thanks from the Chair.

Minutes of the Committee for consideration of grant of ex-gratia payment in case of death while in service in the University held on 29th March, 1990 in the Conference Room of the Vice-Chancellor.

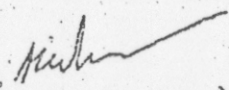
Present :

- 1) Prof. Iqbal Narain, Vice-Chancellor
- 2) Prof. R.G. Michael, Pro Vice-Chancellor
- 3) Prof. A.L. Verma, Dean, School of Physical Sciences
- 4) Prof. J.B. Bhattacharjee, Dean, School of Social Sciences
- 5) Prof. (Mrs.) K.S. Lyngdoh, Dean, School of Education
- 6) Shri H.W.T. Syiem, Finance Officer.

The Committee considered the recommendations as per draft of the minutes of a similar Committee which met on 14.3.90 in the office chamber of the Pro Vice-Chancellor.

The Committee endorsed the recommendations made by the same Committee which met on 14.3.90 and also would like to add the following recommendations :

An appropriate budget provision should be made in the University Budget for grant of ex-gratia payment in cases of death while in service. The rules as applicable in the cases of Central Government employees may be applied on the mode and procedure for grant of such payment.


(H.W.T. Syiem)
Finance Officer

6:6: Service condition/Financial & Other benefits:

- (i) **Matter relating to Ex-gratia lumpsum compensation/
Payment to families of NEHU employees, Govt. of India
Rules vis-à-vis Resolution No.69:90:6:(iv) dt. 26.6.1990.**

EC:130:2007:6:6:(i): The Council considered the payment of ex-gratia payment to the next of kin of teaching and non-teaching employees of the University who die while in service and **RESOLVED** that:

1. Payment of the benefit may continue.
2. A fund may be created for the purpose.
3. The modus operandi of the fund and the nomenclature of the fund and payment may be worked out by a Committee consisting of the following:

(i) Prof. R. Lalthantluanga	Chairman
(ii) Dr. ODV Ladia	Member
(iii) Mr. PC Mahji	Member

The Committee shall place its recommendations before the Council in its next meeting.

4. The MHRD/UGC may be approached for providing funds for the purpose.

**(ii) to (ix) Recommendations of the Local
Cadre review Committee(LCRC).**

EC:130:2007:6:6:(ii)to (ix) : The Council considered the various recommendations of the Local Cadre Review Committee(LCRC) and **RESOLVED** that since the matter requires careful scrutiny as it involves financial and service conditions the same may first be examined by a Committee consisting of the following:

1. Prof. DT Khathing Registrar.	Chairman
2. Prof. DR Syiemlieh Chairman LCRC.	Member
3. Prof. BK Tiwari	Member
4. Former Registrar Central University of Hyderabad.	Member
5. Nominee of the Vice-Chancellor.	Member