

(iii) Terms and condition of service of Teachers elected/nominated to Parliament/State legislature District Council.

Seventeen teachers of the University has submitted a joint representation dt. 11.11.99 at Annexure-I to renew the terms and conditions of service of teachers elected/nominated to Parliament/State legislature/District Council to its original state, deleting the additional Cl (iii) to regulation of RE-6.(Annexure-II).

The teachers have referred to the E.C. resolution No. EC:95:97:2:(ii) and addendum to regulation RE-6 under Cl (iii) at annexure-II as it goes against the spirit of allowing intellectuals to participate in the political offices of the country where majority of the people are illiterate. They have stated that the clause proves to be an impediment to intellectuals of the states whereby they have been prevented from participating in policy-making decision and are deprived of the expertise of such intellectuals in stepping the destiny of the country and have therefore requested to consider with drawing of the addendum to Cl.(iii) of the regulation RE-6 for the sake of good Government in the country and State. In connection it may be mentioned that the regulation has been inform on notification(Annexure-IV) and accordingly Dr. R.G. Laloo, Reader Botany, and Dr. S-L. Marbaniang were debarred permission to re-contest M.L.A. election in view of the restrictions of 10 years imposed by the Cl(iii) of RE-6 regulation, and had to tender verification and go for voluntary retirement and terminated from service respectively to comply with the said clause. In respect of Dr. R. Lalthangliana permission was granted for 1 year only i.e. 31.3.99 as he completed 10 years as M.L.A. on 31.3.99.

Since he did not report for duty on 1.4.99 the Council considered the termination notice served to Dr. R. Lalthangliana on 26.3.99 and he has completed 10 years as M.L.A. and failed to report for duty on 1.4.99 the council unanimously resolved to terminate his service.

This resolution was passed by Dr. R. Laloo

contd..2/-

In this regard a case filed by Dr.R.C.Laloo against the University for withdrawal of resignation is also pending in the Honourably court. Considering the legal implications and also keeping in view of the repercussion from the already requested cases, the F.C. may like to decide on the joint representations submitted by the teachers accordingly.

The matter is placed before the F.C. for decision.

NC.F.12-7/Estt-II/86-148

Annexure-I

Dated November 11, 1999.

To

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

Subject: Terms and Conditions of service of Teachers elected/
nominated to Parliament/State Legislature/District
Council.

Sir,

The Executive Council of the University had adopted a Resolution RE-6 (No.EC:95:97:2:(ii) on the above cited subject. Subsequently, a Clause 3(iii) was added to the Regulation which reads :

"Such teachers shall be allowed to continue as Members of Parliament/Members of Legislative Assemblies and Members of District Councils for a maximum period of 10 (ten) years during their entire service career".

The above clause of the Regulation obviously goes against the spirit of allowing intellectuals from this University to participate in the political affairs of the country and the states through the Parliament/Assemblies/Councils. The original Regulation No.RE-6 was quite rational, particularly in the north-eastern states, where the majority of the people are still backward and illiterate.

The said Clause 3(iii) will prove to be an impediment to intellectuals of these states whereby they will be prevented from participating in policy-making decisions. The Parliament/Assemblies / Councils will, therefore, be deprived of the expertise of such intellectuals in shaping the destiny of the country/States.

We, the undersigned, therefore, request you to kindly reconsider this matter and the University Executive Council may kindly consider withdrawing clause 3(iii) of the Regulation No.RE-6 for the sake of good governance in the country and the states.

Thanking you,.

Yours faithfully, .

Sd/-

1. Dr. H.Lamin.
2. Dr. B.Kharbuli.
3. Sh. X. Mao.
4. Dr. H.J.Syiemlieh.
5. Sh. V. Rengsi.
6. Dr. C.L.Imchen.
7. Dr. E.D.Thomas.
8. Dr. K.M.Warjri.
9. Sh. P.G.Momin.
10. Dr. E.R.Tongper.
11. Sh. D.Syiem
12. Sh. H.Kayang.
13. Sh. I.L.Aier.
14. Sh. P.K.Nongkynrih.

Annexure-II

NORTH EASTERN HILL UNIVERSITY
SHILLONG.

No. CONF/Ord/86/535

Dated 18. Dec. 1997.

NOTIFICATION

Consequent upon the Academic Council decision vide Resolution No:AC:56:97:6:6: (i) and Executive Council decision vide Resolution No:95:97:2:(ii) the Vice-Chancellor is pleased to notify that an additional Clause be added to Regulation No.RE-6 which will read as follows :

Clause-3(iii)-" Such teachers shall be allowed to continue as Members of Parliament/Members of Legislative Assemblies and Members of District Councils for a maximum period of 10 (ten) years during their entire service career".

Sd/-
P.S.Rynjah,
Registrar.

Copy to :-

1. Shri Barun Mitra, Deputy Secretary, Ministry of Human Resources Development, Department of Education, N.Delhi.
2. The Pro-Vice-Chancellors, NEHU, Shillong/Mizoram/Tura.
3. All Deans of Schools, NEHU, Shillong.
4. All Heads of Deptts/Centres, NEHU, Shillong.
5. Finance Officer, NEHU, Shillong.
6. Controllor of Examinations, NEHU, Shillong.
7. All Officers, NEHU, Shillong/Aizawl/Tura.
8. Private Secretary to the Vice-Chancellor, NEHU, Shillong.

Sd/-
Registrar.

ON TERMS AND CONDITIONS OF SERVICE OF TEACHERS
ELECTED/NOMINATED TO PARLIAMENT/STATE LEGIS-
LATURE/DISTRICT COUNCIL.

(Section 26(1) (n) of the NEHU Act, 1973 and
Clause 19(3) of Ordinance OE-6)

1. A Teacher of this University permitted by the Executive Council to contest election and elected as member of Parliament/State Legislature/District Council or nominated to the Parliament/State Legislature shall be governed by the following terms and conditions during the period of such membership.
2. Elected/Nominated members not holding any executive Post.
 - (i) They will not be required to take leave. But if they so desire they may be considered for grant of leave of the kind as per the provisions of Ordinances governing leave to the teachers.
 - (ii) Such teachers not availing leave shall not hold any administrative position/responsibility in the University but shall be available for their academic work, teaching and research in the University.
 - (iii) Their teaching work-load shall be one-half of the work load prescribed by the University for teachers of their category.
 - (iv) They may opt for the pay of the University or that of the elected members of Parliament/State Legislature/District Council.
3. Elected/Nominated members holding executive jobs
 - (i) Such teachers shall have to avail extra-ordinary leave for the period of holding executive job. The period so spent be counted for increment and for seniority.
 - (ii) Such teacher shall not hold any administrative position/responsibility in the University.

Marxh 1985.

Annexure-IVEXECUTIVE COUNCIL HELD ON 15.7.1997.

- (xvi) Terms and conditions of the services of teachers selected/nominated to parliament, States Legislature/District Council.

NO:EC:93:97:6:6:(xvi):- The Council RESOLVED that in terms of Clause 3 of the NEHU regulations No.RE-6, teachers who are elected/nominated to Parliament/Assembly/District Council and are holding Executive posts/jobs shall have to avail Extra-Ordinary Leave for the period of holding executive posts/jobs and shall not hold any administrative position/responsibility in the University, but the period so spent will be counted for increment and seniority.

The Council further RESOLVED to amend regulations No.RE-6 by adding a new Clause 4 so as to read "Such elected members to Parliament/Assembly/District Council may continue only for two terms of five years at a stretch after which they either return to the Department or one deemed to have vacated the post".

6:6- Service Condition / Financial & Other Benefits.

- (i) Enhancement of the rate of retainer fee from Rs.2000/- to Rs.2500/- per month in respect of Shri SR Sen, Legal Adviser (Headquarter) with effect from 28.7.99.

EC:105:99:6:6: (i): The Council considered the enhancement of retainer fee in respect of Mr. SR Sen, Legal Adviser, from Rs.2000/- to Rs.2500/- per month and RESOLVED to approve the same.

- (ii) Time Barred TA / DA claims of the RSIC officials.

EC:105:99:6:6: (ii): The Council considered the late submission of TA/DA adjustments accounts in respect of the following and RESOLVED to condone the delay if they are first time defaulters.

1. Prof. DT Khating
Head, RSIC.

2. Dr. T. Chakraborty
Sr. Scientific Officer.
RSIC.

3. Mr. Thomas Job. K.
Scientific Officer
RSIC.

- (iii) Terms and conditions of service of teachers elected / nominated to Parliament / State Legislature, District Council.

EC:105:99:6:6: (iii): The Council considered the matter and RESOLVED that it be referred to a Committee consisting of the following, whose recommendations shall be first placed before the Academic Council.

1. Prof. MS Sangma
2. Prof. JB Bhattacharjee
3. Prof. SS Khare

- (iv) Enhancement of Daily allowance for students from Rs.40/-(Rupees Forty) only to Rs.70/-(Rupees seventy) only per day per student.

EC:105:99:6:6: (iv): The Council considered the enhancement of daily allowance for students from Rs.40/- to Rs.70/- only per day per student while on study tour and RESOLVED to