

GOVERNMENT OF ASSAM
OFFICE OF THE DIRECTOR OF HIGHER EDUCATION, ASSAM
KAHILIPARA, GUWAHATI

NO. DHE/CE/AC/111/2016/PV/41

Dated. 6/2/2017

Order

Seen order dated 31/1/2017 passed by Hon'ble Gauhati High Court in WPC NO. 469/2017 filed by Dr. Harekrishna Deva Sarmah. The Hon'ble High Court has directed this Directorate to pass appropriate order on the representation to be submitted by Dr. Harekrishna Deva Sarma.

Dr. Harekrishna Deva Sarmah was transferred vide this office order no. DHE/CE/AC/111/2016/Pt./24 (A) from the Post of Principal of Arya Vidyapeeth College to Kampur College in capacity as regular Principal.

Dr. Harekrishna Deva Sarmah handed over charge of the office of Principal, Aryavidyapeeth College on 27th January in the afternoon.

Perused the representation dated 02/02/2017 filed by Dr. Harekrishna Deva Sarmah. The prayer reads as follows "on 31.1.2017 the Hon'ble Gauhati High Court after hearing the learned counsel was pleased to dispose of the said Writ Petition with a liberty to submit a representation before your honour for reconsider of my transfer to Rangia College, Rangia and pass an order within 15 days. The Hon'ble Court further observed that aforesaid period shall be treated as on service. In view of that, your honour is requested to consider my case and pass an appropriate order as observed by Hon'ble High Court". The petition does not narrate any inconvenience faced by Dr. Deva Sarmah.

From record it is gleaned that one Dr. Jogesh Kakati held the post of regular Principal of Rangia College. He joined Pandu College as Regular Principal on 31.8.2016 participating in direct recruitment. The Governing Body of Rangia College adopted a resolution on 27/8/2016 to the effect that Lien be granted to Dr. Jogesh Kakati for six months from 1.9.2016 to 28/2/2017. The Resolution of the GB of Rangia College was handed over by Dr. Jogesh Kakati to this office only on 17/1/2017 with a request to release him (Dr. Jogesh Kakaty with immediate effect). Lien is granted by the Govt. and not by the Director. Further the resolution of the GB of Rangia College is to the effect that the GB resolved to recommend lien upto 28/2/2017. As such the Post of Principal of Rangia College has lien as recommended by GB of that College upto 28/2/2017.

The Post as on today cannot be treated as vacant as GB of that College has not taken and forwarded resolution of permanent release of Dr. Jogesh Kakati.

Hence the prayer of Dr. Harekrishna Deva Sarmah for transfer to Rangia College cannot be considered and is hereby rejected. He however may apply for extension of joining time as per FR & SR.

With this the direction given by Honble High Court is disposed of.

Inform all concerned accordingly.

Sd/

Director of Higher Education, Assam

Memo No. DHE/CE/AC/111/2016/PV/41(A)

Dated. 6/2/2017

Copy forwarded for information and necessary action to

1. The Commissioner & Secretary to the Govt. of Assam, Dispur
2. The Senior Standing Counsel, Education Department, Gauhati High Court for information
3. Sri Abani Deka Advocate, Gauhati High Court -for information.
4. Dr. Harekrishna Deva Sarmah, Ex-Principal Arya Vidyapeeth College for information
5. Principal I/C Arya Vidyapeeth College Guwahati/ Kampur College Kampur
6. Principal, Pandu College, Guwahati
7. Website of DHE Office for Publication

[Signature]
Director of Higher Education, Assam