

GAHC040011882024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/401/2024

Nich Bapu
permanent resident of Hiya village, PO Nyapin, District Kurung Kumey, Arunachal Pradesh.

VERSUS

The Rajiv Gandhi University and 2 Ors.
represented by the Registrar, RGU, Rono Hill,
PO Doimukh, State of Arunachal Pradesh.

2:The Vice Chancellor
Age: 0
Occupation :
Rajiv Gandhi University
Rono Hills
Doomukh
PO Doimukh
Arunachal Pradesh.

3:The Registrar
Age: 0
Occupation :
Rajiv Gandhi University
Rono Hills Doimukh
PO Doimukh
Arunachal Pradesh

Advocate for the Petitioner : Tar Torum, J Jasmine,N Tate,Tayum Son

Advocate for the Respondent : Tamar Gadi, S/C RGU

BEFORE
HON'BLE MR. JUSTICE KARDAK ETE

O R D E R

Date : 10.09.2024.

Heard Mr. T. Torum, learned counsel for the petitioner.

By filing this Writ Petition, the petitioner has put to challenge the advertisement vide Notification dated 28.08.2024, issued by the Registrar, Rajiv Gandhi University, whereby the eligible candidates under the zone of consideration for different posts, including the post of Assistant Registrar, are invited for written test.

The contention of the petitioner is that the Cadre Recruitment Rules (CRR) has not been finalized by the University. It is contended that vide order dated 18.10.2021, the Under Secretary, University Grants Commission (UGC) has directed the Registrar of All Central Universities, inter alia, that University may not advertise/fill up any of the non-teaching posts unless and until, CRR of non-teaching posts as a part of the Ordinance is approved by the Ministry of Education. Any further amendment in the CRR, if any, also needs the approval of the Ministry of Education, Govt. of India.

Mr. T. Torum, learned counsel for the petitioner while referring to the reply by the Rajiv Gandhi University under the RTI Act, submits that the authorities have clearly replied that no CRR has been framed for non-teaching staff and the draft CRR is yet to be approved by the UGC.

Mr. T. Gadi, learned standing counsel for the Rajiv Gandhi University, while

relying on the report submitted by one Mr. Solung Sonam, System Analyst, submits that the UGC has allowed the Universities to go ahead with the process of recruitment/DPC, as per the Rules to the University having draft rules. Therefore, he submits that there is no illegality in the impugned advertisement issued for filling up different posts including the post of Assistant Registrar, in terms of the Draft Rules (CRR), which is pending approval by the UGC, as all the posts including the post of Assistant Registrar have been lying vacant in the University.

Issue notice, returnable in four (4) weeks.

Since, T. Gadi, learned standing counsel for the Rajiv Gandhi University has entered appearance and accepted notice on behalf of all the respondents, no formal notice need to be served. However, requisite extra copies be furnished to the learned standing counsel, during the course of day.

Heard the parties on the interim prayer.

Considering that the UGC vide letter dated 18.10.2021, inter alia, has directed that University may not advertise/fill up any of the non-teaching posts unless and until, CRR of non-teaching posts as a part of the Ordinance is approved by the Ministry of Education, till the returnable date, the advertisement dated 28.08.2024, so far as it relates to filling up of post of Assistant Registrar, shall remain suspended.

List the matter after four (4) weeks.

JUDGE

Comparing Assistant