

अमरजीत सिन्हा, भा०प्र०से०
प्रधान सचिव

Amarjeet Sinha, I.A.S.
Principal Secretary



बिहार सरकार
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15/02-42/13 D.O.No. 993/2014
Patna, dated 22 May, 2014

Respected Dr. Kushwaha,

Sub : Defending the cases before justice (Rtd.) S.B.Sinha Commission.

As you are aware, the absorption and regularisation of the services of teaching and non-teaching employees of the colleges which were taken over during 4th phase have been subject of a prolonged litigation.

After multiple stages of litigation, the Hon'ble Supreme Court finally disposed of the matter in Civil Appeal No. 6098/1997 on 12.10.2004 . The Apex Court accepted the recommendations of the Justice (Rtd.) S.C. Agrawal Commission.

Those people whose claim for absorption was not recommended in the Justice (Rtd.) S.C. Agrawal Commission's report as accepted by the order of the Apex Court, once again knocked the doors of courts. Hon'ble Supreme Court in SLP (Civil) No.(s) 1259/2010 on 19.08.2013 constituted a Commission under Justice (Rtd.) S.B. Sinha. The Hon'ble Court has also fixed the terms of reference to be resolved by the Commission.

There are about 1500 petitions filed before the Commission in respect thereof the State Government has filed individual replies in most of the cases and has also filed a consolidated replay.

Defending the cases is of utmost importance. Answer to the reference may have far reaching effect. It may adversely effect finance and quality of education as well.

In the light of above mentioned facts, you are requested to give personal attention and ensure that the Learned Advocates representing the University do not plead adversarial stand and would examine the case of each individual with reference to the recommendation of Agrawal Commission as approved by the Apex Court. In any event the State Government and University should not appear opposing each other rather a reasonable unison stand would be appreciated.

with personal regards,

Yours sincerely,

Amarjeet Sinha

(Amarjeet Sinha)

21/5/14

Prof. S. Kushwaha,
Vice Chancellor,
L.N.Mithila University,
Darbhanga.