

5th Meeting of Executive Council Himachal Pradesh National Law University, Shimla

**Minutes of the Meeting
March 20, 2019**

The 5th Meeting of the Executive Council, HPNLU Shimla was held on March 20, 2019 at 2:00 P.M. at the Conference Hall, Administrative Block, Judicial Academy Building, HPNLU Campus. Meeting was presided by Professor (Dr.) Nishtha Jaswal, Vice-Chancellor, HPNLU Shimla.

The following members were present:

1.	Professor (Dr.) Nishtha Jaswal, Vice-Chancellor, HPNLU	Chairperson
2.	Add. Chief Secretary (Public Works), Financial Commission (Revenue)	Member
3.	Add. Chief Secretary (Finance, Planning, Economics and Statistics)	Member
4.	LR-cum Secretary (Law)	Member
5.	Principal Secretary (Home, Industries, Technical Education)	Member
6.	Secretary (Education)	Member
6.	Prof. Ranbir Singh	Member
7.	Prof. S.M. Afzal Qadri	Member
9.	Chairman, Bar Council of Himachal Pradesh	Member
8.	Dr. Girjesh Shukla	Member
9.	Prof. S.S. Jaswal	Secretary (Ex officio)



PROCEEDINGS OF THE MEETINGS

The Executive Council meeting was scheduled on March 20, 2019 at 2:00 PM at Conference Hall, Administrative Block, H.P. Judicial Academy. The meeting of Executive Council was convened at the scheduled time, and after ensuring requisite quorum, the Chairperson, the Vice Chancellor HPNLU formally welcomed all the respected members of Executive Council.

The Chairperson explained that 2nd Meeting of Finance Committee was scheduled to be held on March 20, 2019 at 11:30 AM in the Conference Room, Administrative Block, H.P. Judicial Academy. However, due to non-availability of quorum, the meeting was deferred. She further pointed out that since the agenda of the Executive Council is to re-constitute the Finance Committee and to approve the Minutes of the Finance Committee including approval of the University Budget for the financial Year 2019-20, it would be pertinent if Executive Council could take up the Agenda Item No. 8. i.e. re-constitution of Finance Committee. To this, the Members of Executive Council Agreed unanimously. With the approval of Executive Council, the Finance Committee was re-constituted unanimously.

Chairperson of the Executive Council moved another proposal to the members of Executive Council to kindly postpone the meeting of Executive Council, and convene the Meeting of newly constituted Finance Committee, so that the Agenda for the Finance Committee may immediately be deliberated upon and approved. To this, the Members of the Executive Council agreed unanimously.

It is only after the Meeting of Finance Committee, the 4th Meeting of Executive Council resumed its deliberations on all other Agenda Items.

Item No. 1	To Confirm the Minutes of the Previous Meeting of the Executive Council held on April 19, 2018		
Agenda Note		Discussion	Decision/Resolved
The Vice Chancellor placed the minutes of the 4 th Meeting of Executive Council before the members.		Vice Chancellor explained the details of minutes of last meeting and members appraised the proceeding.	After a brief deliberation over the minutes, the minutes of 4 th Meeting of Executive Council were confirmed.

Item No. 2	To Confirm the Recommendations of the Academic Council to be made at its meeting scheduled for 19th March, 2019.	
Agenda Note	Discussion	Decision/Resolved
Vice Chancellor read out the Item No. 2 of the Agenda item before the members of Executive Council.	<p>Vice Chancellor explained the detailed Agenda Items considered and approved by the Academic Council in its 3rd Meeting.</p> <p>Members of the Executive Council examined the agenda and deliberated the same.</p>	The Executive Council unanimously approved the agenda Item No. 2.

Item No. 3	To confirm the Recommendations of the Finance Committee to be made at its meeting scheduled for 20th March, 2019.	
Agenda Note	Discussion	Decision
<p>Vice Chancellor read out the proceedings of the 2nd Meeting of Finance Committee.</p> <p>It was further stated that the proceedings of Finance Committee were placed before the Executive Council for approval.</p>	<p>Vice Chancellor explained the proceedings of newly Constituted Finance Committee to all the members of Executive Council.</p> <p>Other Members of Executive Council were appraised with the detailed provisions of University Budget 2019-20.</p>	The Executive Council unanimously approved the agenda Item No. 3 proposal.

Item No. 4	To Consider the Creation of Center for Child and Women Studies.	
Agenda Note	Discussion	Decision
<p>Vice Chancellor narrated the objective behind constitution of Center for Child and Women Studies, specially as required by the UGC Guidelines.</p> <p>It was further stated that the matter was approved by Academic Council in its meeting dated March 19, 2019 and the proceedings were placed before the Finance Committee which has approved it in its meeting dated March 20, 2019.</p>	Member of the Executive Council examined the UGC Rule and related proposal.	The Executive Council after due deliberation unanimously approved the recommendation of Academic Council as well as the Finance Committee.



As such the proceedings and recommendations of Academic Council and Finance Committee is placed before the Executive Council.		
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Item No. 5	To Consider the Creation of Teaching Post for Special Centers.		
Agenda Note	Discussion	Decision	
Vice Chancellor explained that the Executive Council in its meeting held on April 4, 2018 approved the constitution of Seven (07) specialized centers. Since the proposal for Center for Child and Women Studies was already approved via item No. 4, posts for teaching and research would inevitably require to run these centers effectively.	<p>Vice Chancellor informed the members of Executive Council that the Academic Council in its meeting dated March 19, 2019 and Finance Committee in its meeting dated March 20, 2019 has examined the proposal and recommended the matter to the Executive Council.</p> <p>As such the proceedings of 3rd Meeting of Academic Council and 2nd Meeting of Finance Committee is placed before the Executive Council.</p>	The Executive Council unanimously accepted the recommendation made by Academic Council as well as Finance Committee with respect to sanctioning of teaching post as mentioned in the Agenda Item No. 5.	

Item No. 6	To Consider the Creation of post of 02 Research Assistants.		
Agenda Note	Discussion	Decision	
The Creation of post of 02 Research Assistants is required for smooth conduct of additional teaching and research works.	<p>Vice Chancellor explained that the Academic Council in its meeting dated March 19, 2019 and Finance Committee in its meeting dated March 20, 2019 has examined the proposal and recommended the matter to the Executive Council.</p> <p>As such the proceedings of 3rd Meeting of Academic Council and 2nd Meeting of Finance Committee was placed before the Executive Council.</p>	The Executive Council unanimously approved the proposal.	

Item No. 7	To Consider the Creation of Administrative Posts.	
Agenda Note	Discussion	Decision
It was submitted that for the smooth running of the University, the Administrative Staff is as important as the teaching faculty. It is pertinent to mention that the number of existing administrative staff is much less than the required for performing the routine functions of the University.	The proposal as well as the recommendations of the Finance Committee were deliberated upon.	The Executive Council approved the proposal.

Item No. 8	To Consider the Re-constitution of the Finance Committee and fixing its tenure for Three Years.	
Agenda Note	Discussion	Decision
<p>Section 25 of Himachal Pradesh National Law University Act 2016 (16 of 2016) prescribes provisions for constitution of Finance Committee for the University. Section 25 is reproduced as under:</p> <p>25. Finance Committee. —<i>Finance Committee constituted by the Executive Council shall consist of the following members, namely: —</i></p> <p>(a) <i>the Vice-Chancellor;</i></p> <p>(b) <i>the Secretary (Finance) to the Government;</i></p> <p>(c) <i>three members, nominated by the Executive Council of whom one shall be Professor;</i></p> <p><i>Provided that members of the Finance Committee, other than Vice-Chancellor and Professor shall hold office so long as they continue to be members of Executive Council.</i></p> <p>Note: The existing Finance Committee was constituted by Executive Council in its meeting held on April 20, 2017. Under the Himachal Pradesh National Law University Act 2016 (16 of 2016) the</p>	<p>The Chairperson explained that 2nd Meeting of Finance Committee was scheduled to be held on March 20, 2019 at 11:30 AM. However, due to non-availability of quorum, the meeting was deferred.</p> <p>She further pointed out that since the agenda of the Executive Council is to re-constitute the Finance Committee and to approve the Minutes of the Finance Committee including approval of the University Budget for the financial Year 2019-20, it would be pertinent if Executive Council could take up the Agenda Item No. 8. i.e. re-constitution of Finance Committee.</p> <p>To this, the Members of Executive Council Agreed unanimously.</p> <p>Vice Chancellor proposed the name Requested that Executive Council to nominate three members.</p> <p>Vice Chancellor proposed the that, subject to provisions of Section 25 of</p>	<p>After deliberation on the proposed names, following three members were nominated by Executive Council:</p> <p>(1) Professor Ranbir Singh.</p> <p>(2) LR Cum Secretary Law to Govt. of Himachal Pradesh.</p> <p>(3) Sr. Ramakant Shamra, Chairman Bar Council of Himachal Pradesh.</p> <p>Executive Council also unanimously agreed to fix the tenure of Finance Committee for three Years.</p>

tenure for Finance Committee is not provided.	Himachal Pradesh National Law University Act 2016, the tenure for Academic Council be fixed for three years	
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Item No. 9	To Consider fixing of Tenure of Academic Council for Three Years.	
Agenda Note	Discussion	Decision
Section 21 of Himachal Pradesh National Law University Act 2016 (16 of 2016) does not provides any tenure for the Academic Council.	Vice Chancellor proposed that, subject to provisions of Section 21 of Himachal Pradesh National Law University Act 2016, the tenure for Academic Council be fixed for three years.	Executive Council unanimously agreed to fix the tenure of Academic Council for three Years.

Item No. 10	To Authorize the Vice Chancellor to enter into MoUs with different Universities including National Law Universities / Institutions / Organizations / Centers etc., Nationally as well as Internationally.	
Agenda Note	Discussion	Decision
<p>Vice Chancellor read out the Agenda Item No. 10.</p> <p>This item was placed before the Academic Council in its 3rd Meeting dated March 19, 2019 and 2nd Meeting of Finance Committee dated March 20, 2019 respectively.</p> <p>The recommendations / proceedings were placed before Executive Council for further approval.</p>	<p>Vice Chancellor explained that in the globalized world, the inter-institutional approach has become a necessity, therefore it becomes inevitable to enter into MoUs within and outside the country for student and faculty exchange.</p> <p>The Draft MoU is attached as Annexure IV. The Vice Chancellor be authorized to enter into MoUs on behalf of the Himachal Pradesh National Law University mutatis mutandis.</p>	After deliberation over the draft MoU, Executive Council unanimously approved the Draft MoU and authorized the Vice Chancellor to enter into MoUs with different Universities including National Law Universities / Institutions / Organizations / Centers etc., Nationally as well as Internationally.

Item No. 11	To Consider Constitution of Purchase Committee for Furnishing of Administrative Block, Academic Block and Hostels.	
Agenda Note	Discussion	Decision

It is submitted that the construction of Administrative Block of HPNLU is almost Complete and the Construction of Academic Block will be completed within two to three months. The process for construction of Girl's hostel is in pipe line. For furnishing of these, on the spot purchases are required to be done.	Vice Chancellor placed the proceedings of 2 nd Finance Committee before the Executive Council wherein Shimla following Purchase Committee is Constituted: 1. Registrar, HPNLU, Shimla. 2. Dr. Girjesh Shukla, Associate Professor of Law, HPNLU Shimla. 3. Dr. Chandreshwari Minhas, Assistant Professor of Law, HPNLU, Shimla. 4. Mr. Pratap Chauhan, Superintendent, HPNLU, Shimla.	Executive Council unanimously approved the recommendation of Finance Committee for Constitution of Purchase Committee. Council further reiterated that all purchases etc. shall be made <i>as per</i> the H.P. Government norms.
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Item No. 12	To Consider the Case of Dr. Alok Kumar, Assistant Professor of Law for combining earned leave with paternity leave and also to consider the amendment of HPNLU Executive and Service Regulation 2016.	
Agenda Note	Discussion	Decision
Dr. Alok Kumar, Asst. Professor of Law applied for Paternity Leave, which was allowed under Himachal Pradesh National Law University Executive and Service Regulation, 2016. He has also requested for combining earned leave with the paternity leave due to unavoidable and serious medical condition of his son. The same was sympathetically considered, and allowed. In this regard, it is proposed to consider amendment of the existing service regulation.	Vice Chancellor has read out the existing Leave Rules of UGC: Leave Rules Recommended by for Teachers of the University/Colleges [F.NO. 7-2/2004(PS) dated January 14, 2005] Maternity Leave (1) Maternity leave on full pay may be granted to a woman teacher for a period not exceeding 180 days, to be availed of twice in the entire career. Maternity leave may also be granted in case of miscarriage, including abortion, subject to the condition that the total leave granted in respect of this to a woman teacher in her career is not more than 45 days, and the application for leave is supported by a medical certificate. (2) Maternity leave may be combined with any earned leave, half-pay leave or extraordinary leave, but any leave applied for in continuation of the maternity leave may be granted if the request is supported by a medical certificate.	Executive Council unanimously allowed approved Dr. Alok Kumar to combine the earned leave with Paternity Leave. The Executive Council also unanimously approved the proposed Modification in the Leaves Rules as applicable to HPNLU.



	<p>Paternity Leave</p> <p>(1) Paternity leave of 15 days may be granted to male teachers during the confinement of their wife, and such leave shall be granted only up to two children.</p> <p>Vice Chancellor proposed that following may be added with existing applicable Rule for HPNLU-</p> <p><i>Maternity / Paternity leave may be combined with any earned leave, half-pay leave or extraordinary leave, but any leave applied for in continuation of the maternity/paternity leave may be granted if the request is supported by a medical certificate.</i></p>	
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Item No. 12A	To Consider the granting of Extra-ordinary Leave Without Pay to Dr. Ruchi Gupta, Asst. Professor Law by the Vice Chancellor in anticipation of the Meeting of the Executive Council, and to consider the filing up of leave vacancy caused due to the Extra Ordinary Leave Without Pay granted to Dr. Ruchi Gupta.		
Agenda Note		Discussion	Decision
Dr. Ruchi Gupta has applied for Extra-ordinary leave without pay due to certain severe medical condition faced by her husband and her mother. Since, she was not otherwise eligible for any other leave, she prayed for leave without pay, and the same was sympathetically considered, and allowed for a maximum period of one year in anticipation of meeting of Executive Council schedule to be held on March 20, 2019.		<p>This item was placed before the 3rd Meeting of Academic Council dated March 19, 2019 and the Finance Committee in its 2nd Meeting dated March 20, 2019 respectively.</p> <p>As such the proceedings of Academic Council and Finance Committee are placed herewith.</p>	<p>Executive Council unanimously approved the recommendation of Academic Council and Finance Committee.</p> <p>Executive Council also authorized the Vice Chancellor for filling up of Leave Vacancy.</p>

Item No. 13	To Consider the Appointment of Public Information Officer and First Appellate Authority under the Right to Information Act, 2005.		
Agenda Note		Discussion	Decision
Vice Chancellor read out the Agenda Item No. 13 dealing with appointment of PIO and		Vice Chancellor made the proposal that at present Dr. Alok Kumar, Asst. Professor of Law working as	Executive Council unanimously approved proposal for appointment of



Appellate Authority for the University as per the Provisions of Right to Information Act 2005. It is further stated that the Vice Chancellor be authorized to appoint PIO from time to time <i>as per</i> the provisions of Right to Information Act, 2005.	Public Information Officer (PIO) and the same may be approved. Prof. S.S. Jaswal, Registrar be appointed as First Appellate Authority for the University.	PIO and First Appellate Authority under RTI Act. Executive Council further authorized the Vice Chancellor to appoint PIO and First Appellate Authority under RTI Act 2005.
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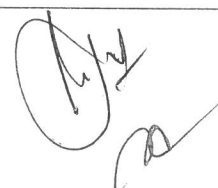
Item No. 14	To Consider provision for imposition of Fine.		
Agenda Note		Discussion	Decision
Following provisions for 'User-Charges'/Fine are proposed- A. Late return of Books- (i) Rs. 01 Rs per day: For first 15 days from due date of return. (ii) Rs. 02 Rs per day after 15 days and up to 30 days from due date of return. (iii) When a student fails to return the book within 30 days from the due date of return of book or allegedly destroys/damages the book, the matter shall be reported to the Library Committee. Appropriate action against such student/s shall be taken by the Vice Chancellor on the recommendation of the Library Committee. B. Re-issuing of identity card/duplicate Identity card- Rs. 100.		Members of Executive Council examined the detailed Users' Charges/Fine and deliberated on the same.	Executive Council unanimously approved the proposal.

Item No. 15	To Consider the List of Public Holidays to be followed by the University.		
Agenda Note	Discussion	Decision	
List of Public Holidays is attached by [Annexure-VI]	Vice Chancellor explained that List of Pubic Holiday is prepared based on Public Holiday Notified by Himachal Pradesh High Court. However, some additional Holidays were added as notified by Government of Himachal Pradesh.	Executive Council unanimously approved the proposal.	



Item No. 16	To Consider the Case of Confirmation of Faculty members having already completed period of Probation.	
Agenda Note	Discussion	Decision
<p>Vice Chancellor read out the Agenda Item No. 16 to the members of Executive Council. It is explained that University has made appointments to different teaching posts since October 2016. These appointments have been made in accordance with the Himachal Pradesh National Law University Act (Act 16 Of 2016), 2016, and HPNLU Executive and Service Regulations, 2016, and UGC Regulations on Minimum Qualifications for Appointments of Teachers and other Academic Staff in Universities and Colleges and the Measures for the Maintenance of Standard in Higher Education, 2010 (as amended from time to time) (in short, UGC Regulations 2010).</p> <p>These regulations provide for mandatory probation period to be served by every direct appointee in the University. The List of Faculty members were enclosed as Annexure-VII.</p>	<p>Vice Chancellor pointed out that in view of the HPNLU Executive and Service Regulation 2016 and other applicable Rules and Regulations, the services of the Faculty Members (Listed in Annexure- VII) are deemed to be confirmed at the expiry of the probation period of one year assigned to them respectively.</p> <p>Dr. Girjesh Shukla, the member of Executive Council, requested the Chairperson that he wish to recuse himself from the proceedings on Agenda Item No. 16 due to likely conflict of interest. To this, the Chairperson of Executive Council graciously agreed.</p>	<p>Members of the Executive Council after going through with the HPNLU Executive and Service Regulation 2016, and UGC Regulation 2010 as well as 2018 unanimously approved the deemed Confirmation.</p>

Item No. 17	To Consider the Case of Regularization, Confirmation and Seniority of faculty members appointed on Contractual basis.	
Agenda Note	Discussion	Decision
<p>Vice Chancellor read out the Agenda Item No. 17 dealing with Regularization, Confirmation and Seniority of faculty members appointed on Contractual basis.</p>	<p>Vice Chancellor informed that appointments made on the basis of contractual basis were regularized without placing the appointees on mandatory 'Probation'. Vice Chancellor clarified that appointments of Dr. Amit Chaturvedi (Sociology) and Dr. Deepika Gautam (Management)</p>	<p>After deliberation on the issue of confirmation of contractual appointments and related seniority, the Executive Council unanimously agreed to constitute a Committee of</p> <p>(1) Prof. S.M. Afzal Qadri, Member of Executive Council, who shall be Head of the Committee, and</p>




<p>It is explained that contractual appointments were regularized and confirmed by Executive Council in its meeting dated December 29, 2017.</p> <p>Members of Executive Council were also informed about necessary qualifications for anyone to be appointed as Assistant Professor in Sociology and Management respectively.</p> <p>Vice Chancellor further informed the Executive Council that appointment of Dr. Ruchi Raj Thakur is <i>sub-judice</i>.</p>	<p>need to be as per the UGC Regulations with minimum eligibility criteria.</p> <p>Sri Ramakant Sharma, Member Executive Council raised doubt as to competency of Executive Council to re-examining a matter, the same being earlier examined and approved by the Executive Council in its meeting dated December 29, 2017. To this, Professor Ranbir Singh said that Executive Council can always re-examine its decision and suggest correctives measures.</p> <p>Other members of Executive Council agreed with the view taken by Professor Ranbir Singh.</p> <p>Prof. Ranbir Singh further suggested that to examine the matter in detail and suggest corrective measures a Committee may be constituted.</p>	<p>(2) Prof. S.S. Jaswal, <i>ex officio</i> Secretary of Executive Council.</p> <p>The Committee shall inquire into</p> <p>(i) Issues relating to appointments of faculty members on Contractual basis <i>via</i> Advertisement No HPNLU/2016, dated 21/09/2016 and the subsequent regularization and confirmation thereof by the Executive Council in its meeting dated December 29, 2017;</p> <p>(ii) Issues relating to seniority and financial benefits if any, to the all the faculties appointed in the above manner and regularized thereafter by the Executive Council.</p> <p>(iii) Issues relating to minimum qualification of Dr. Amit Chaturvedi and Dr. Deepika Gautam, appointed against Sociology and Managements subjects respectively.</p> <p>The Committee is further requested to submit its report within three months from the date this Meeting.</p>
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Item No. 18	Reporting Items	
Agenda Note	Discussion	Decision
Reporting Items	<p>1. To Provide the 'national character' to HPNLU Shimla, and by the permission of Hon'ble Chancellor of HPNLU, the unanimous decision of faculty members, HPNLU joined the CLAT Core Committee and CLAT Consortium for admission to various programmes offered.</p> <p>2. Revised Format for UG & PG Fee Structure.</p>	Executive Council unanimously approved these items.




	3. With the approval of Hon'ble Chancellor, HPNLU Shimla, the University is in process of hiring a new agency for designing, hoisting and other services relating to the website.	
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Item No. 19	Any other Item with the Permission of Chair	
Agenda Note	Discussion	Decision
Appointment of Finance Officer	<p>Vice Chancellor explained to the members of Executive Council that post of Finance officer was advertised earlier. However, due to some unavoidable reasons Interview Process never concluded.</p> <p>The Vice Chancellor proposed to give additional charge of Finance Officer to a faculty member.</p>	<p>The Executive Council unanimously approved the proposal and authorized the Vice Chancellor to take necessary decision.</p>


 Add. Chief Secretary (Public Works)
 Financial Commission (Revenue)


 Add. Chief Secretary
 Finance, Planning, Economics
 and Statistics)


 LR-cum Secretary (Law)


 Principal Secretary, Home

Prof. Ranbir Singh

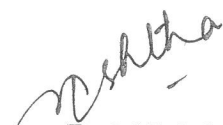

 Secretary (Education)


 Sri Ramakant Sharma
 Chairman, Bar Council of Himachal Pradesh

Prof. S.M. Afzal Qadri


 Dr. Girish Shukla


 Prof. S.S. Jaswal


 Professor (Dr.) Nishtha Jaswal

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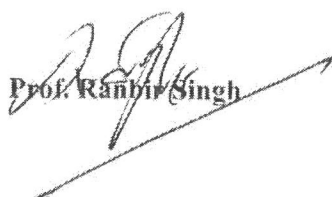
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**Add. Chief Secretary
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**Add. Chief Secretary
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LR-cum Secretary (Law)

**Principal Secretary
Home, Industries, Technical Education
Secretary (Education)**


Prof. Ranbir Singh

Prof. S.M. Afzal Qadri

**Sri Ramakant Sharma
Chairman, Bar Council of Himachal Pradesh**

Dr. Girjesh Shukla

Prof. S.S. Jaswal

Professor (Dr.) Nishtha Jaswal