

10th Meeting of Executive Council Himachal Pradesh National Law University, Shimla

Minutes of the Meeting March 25, 2021

The 10th Meeting of the Executive Council, HPNLU Shimla was held on March 25, 2021 at 12:30 P.M. through online mode via Google Meet. The Meeting was presided by Professor (Dr.) Nishtha Jaswal, Vice-Chancellor, HPNLU Shimla.

The meeting started with members expressing their condolence on the sad demise of the revered Mother of Hon'ble Member Sh. Rama Kant Sharma.

The following members were present:

1.	Professor (Dr.) Nishtha Jaswal, Vice-Chancellor, HPNLU	Chairperson
2.	Prof. Ranbir Singh, Former Vice-Chancellor, National Law University, Delhi	Member
3.	Prof. Parmjit Singh Jaswal, Former Vice-Chancellor, Rajiv Gandhi National University of Law, Patiala	Member
4.	Prof. Vijender Kumar, Vice-Chancellor, Maharashtra National Law University, Nagpur	Member
5.	Sh. Rakesh Sharma, Special Secretary (Home) to the Government of Himachal Pradesh	Member
6.	Sh. Ramakant Sharma, Chairman, Bar Council of Himachal Pradesh	Member
7.	Dr. Ruchi Sapahia, Associate Professor, HPNLU	Member
	Prof. S.S. Jaswal, Registrar, H.P. National Law University, Shimla	Member

Note: Sh. Ashok Sharma, Advocate General of H.P., Chief Secretary to the Government of H.P., Secretary (Finance), Government of H.P, Secretary (Higher Education), Government of H.P, and Prof. Makarand R. Paranjapee could not attend the meeting.

Lr-cum-Pr. Secretary (Law) to the Government of H.P. could not attend the meeting but expressed his opinion vide reference No. LLR-B(14)-2/2015-Vol-I Dated 25th March 2021 .

PROCEEDINGS OF THE MEETINGS

Item No. 1	To confirm the Minutes and Action Taken Report of the 9th Meeting of the Executive Council held on December 22nd 2020.		
Agenda Note		Discussion	Decision/Resolved
The Vice Chancellor placed the minutes of the 9 th Meeting of Executive Council along with the 'Action Taken Report' before the members of the Executive Council.		The Vice-Chancellor explained the details of minutes of last meeting, and presented the 'Action Taken Report' and explained the Action Taken Report and Proceedings.	After brief deliberation over the minutes along with the Action Taken Report, the same were confirmed.
Item No. 2	To confirm the Minutes of the 9th Meeting of the Academic Council scheduled to be held on March, 25 2021		
Agenda Note		Discussion	Decision/Resolved
The Vice Chancellor placed the minutes of the 9 th Meeting of Academic Council before the members of the Executive Council.		<p>The Vice-Chancellor explained detailed Agenda Items considered and approved by the Academic Council in its 9th Meeting. The Members of the Executive Council examined the agenda and deliberated the same. The esteemed members suggested following modifications in the Performa of Mark-Sheet;</p> <ol style="list-style-type: none"> 1. The Mark-Sheet should carry photograph of the students and a bar code. 2. The column "prepared by" and "verified by" should be taken on the backside of the marksheet. 3. Under Graduate course name should read: B.A. LL.B. Hons' (FYIC); and B.B.A. LL.B. Hon's (FYIC). 4. Special Sheets imbedded with logo 	The Executive Council unanimously approved the Agenda Item No. 2 with the modifications suggested.

	<p>of the University and bearing Serial No. should be printed and acquired for printing of marksheets.</p> <p>5. The format of Degree should bear signature of the Vice-Chancellor and Chancellor of the University</p>	
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Item No. 3 To confirm the Minutes of the 7th Meeting of the Finance Committee scheduled to be held on March, 25 2021.		
Agenda Note	Discussion	Decision/Resolved
The Vice Chancellor placed the minutes of the 7 th Meeting of Finance Committee before the members of the Executive Council.	The Executive Council deliberated the matter thoroughly.	Item No. 2 The Executive Council unanimously approved the Budget estimate for the financial year 2021-2020.
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The Executive Council deliberated the matter thoroughly.	Item No. 3 The Executive Council unanimously approved the recommendations of Finance Committee on Agenda Item No. 3 for appointment of Mr. Kali Ram as Assistant Registrar on Contractual basis for a period of one year on a consolidated salary of Rs. 30,000/- (Rupees Thirty Thousand) per month.
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The esteemed members of the Executive Council suggested that the special allowances are admissible only for Office Bearers such as Dean Academic Affairs, Controller of Examinations, Dean Students Welfare, Finance Officer and Wardens of Hostels and not for	Item No. 4 The Executive Council. Unanimously approved agenda item to defer the matter to the next meeting and resolved to seek information regarding practices in other NLU's .

	administrative works such as Nodal Officer for Scholarship or doing works of different committees in the University. The matter was deferred, seeking information regarding practices in other NLUs, for the next meeting	
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The Executive Council deliberated the matter thoroughly.	Item No. 5 The Executive Council unanimously approved the recommendations of Finance Committee on Agenda Item No. 5 inserting the Part-II of Himachal Pradesh National Law University, Shimla Financial Regulations 2020, containing rules on the subject 'Retirement and other Benefits' in HPNLU, Financial Regulation, 2020.
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The Executive Council deliberated the matter thoroughly. Sh. Yashwant Singh Chogal, LR-cum-Pr. Secretary (Law) to the Government of Himachal Pradesh, Member, Executive Council, HPNLU, Shimla could not attend the meeting but express his opinion via reference No. LLR-B(14)-2/2015-Vol-I dated 25 th March 2021. He gives his opinion that Rule 4, may be considered in Chapter XVII, Part-I of The Himachal Pradesh National Law University, Shimla Executive and Service Regulations, 2020 after State Government issues instructions/guidelines on the subject.	Item No. 6 The Executive Council unanimously approved the recommendations of Finance Committee on Agenda Item No. 6 and approved Rule 4, to be inserted in Chapter XVII, Part-I of The Himachal Pradesh National Law University, Shimla Executive and Service Regulations, 2020).
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The Executive Council thoroughly deliberated upon the matter and resolved to approve the appointment of Mr. Mr. Amar Vivek Aggarwal, Advocate Supreme Court of India, High Court of Punjab and Haryana as Legal Advisor for HPNLU, Shimla. for one year.	Item No. 7 The Executive Council unanimously approved the recommendations of Finance Committee on Agenda Item No. 7 relating to appointment of Mr. Amar Vivek

	It was further resolved that that instead of honorarium of Rs. 25,000/- the Legal Advisor should be paid honorarium of Rs. 30,000/- per month.	Aggarwal, Advocate Supreme Court of India, High Court of Punjab and Haryana as Legal Advisor for HPNLU, Shimla for one year on the payment of honorarium of Rs. 30,000/- per month.
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The Executive Council deliberated the matter thoroughly. Sh. Yashwant Singh Chogal, LR-cum-Pr. Secretary (Law) to the Government of Himachal Pradesh, Member, Executive Council, HPNLU, Shimla could not attend the meeting but express his opinion via reference No. LLR-B(14)-2/2015-Vol-I dated 25 th March 2021. He did not give his consent/approval to this agenda item.	Item No. 8 The Executive Council unanimously approved the recommendations of Finance Committee on Agenda Item No. 8 relating to creation of administrative and ministerial posts.
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The Executive Council deliberated the matter thoroughly.	Item No. 9 The Executive Council unanimously approved the recommendations of Finance Committee on Agenda Item No. 9 relating to creation of teaching posts.
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The Executive Council thoroughly deliberated and perused the Annual Report and resolved to approve the recommendation of Finance Committee regarding Part-II and Part-III i.e., Statement for Receipt and Expenditure and Balance Sheet and Audit Reports of the Annual Report for the Academic Session 2019-2020	Item No. 10 The Executive Council unanimously approved the Annual Report including the recommendations of Finance Committee on Agenda Item No. 10, relating to Annual Report of the University for the Academic Session 2019-2020 and being placed before the Governing Council Meeting.

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<p>The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.</p>	<p>The Vice-Chancellor informed the members about the representation of Dr. Praveen Kumar, Assistant Professor Management regarding payment of Ph.D. and LL.M. / M. Phil / M.B.A. as well as the recommendation of the Finance Committee. The Executive Council deliberated upon the representation of Praveen Kumar and the recommendation of the Finance Committee. After through deliberation the esteemed members resolved as under:</p> <ol style="list-style-type: none"> 1. The Faculty Member who had Ph.D. degree at the time of joining shall be given five increments from the date of joining the respective regular post/s. 2. The Faculty Member who completes Ph.D. during service shall be given three increments from the date of the completion of the Ph.D. degree, i.e., date of the notification of the award of the Ph.D. 3. No increment shall be paid for LL.M. / M. Phil / M.B.A. because these are the minimum eligibility criteria for making appointment/s. 	<p>Item No. 11 The Executive Council unanimously approved the payment of Ph.D. increments to the faculty members and resolved:</p> <ol style="list-style-type: none"> 1. The Faculty Member who had Ph.D. degree at the time of joining shall be given five increments from the date of joining the respective regular post/s. 2. The Faculty Member who completes Ph.D. during service shall be given three increments from the date of the completion of the Ph.D. degree, i.e., date of the notification of the award of the Ph.D. 3. No increment shall be paid for LL.M. / M. Phil / M.B.A. because these are the minimum eligibility criteria for making appointment/s.
<p>The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.</p>	<p>While placing the agenda item before the Executive Council the Vice-Chancellor informed about the urgent need of construction of Guest House and Health Centre. The Executive Council thoroughly deliberated the agenda item regarding construction of Guest House and Primary Health Centre out of the funds generated by the HPNLU, Shimla. The members suggested that PHC should be renamed as Primary Health and Wellness Centre and should also have a space for creche facility,</p>	<p>Item No. 12 The Executive Council unanimously approved the recommendations of Finance Committee on Agenda Item No. 12 along with the suggestions made.</p>

	Mediation & Yoga.	
The Vice-Chancellor informed the members about Agenda Item as approved and recommended by finance committee.	The Executive Council thoroughly deliberated the agenda item	Item No. 13 The Executive Council unanimously approved the recommendations of Finance Committee on Agenda Item 13 on Fee Refund Policy.
Item No. 14 Any other item with the permission of Chair.		
The matter of proposed amendment to the Himachal Pradesh National Law University, Act, 2016, as approved previously by the Executive Council, was raised by the Registrar of the University. The Registrar informed that with the approval of the Hon'ble Chancellor of the University the Executive Council had approved and unanimously recommended, keeping in view the UGC guidelines and the practice followed in other National Law Universities to increase the age of Vice-Chancellor from 65 years to 70 years. Accordingly, the Executive Council unanimously recommended in its meeting 22 nd December, 2020 for amendment of Section 9 (2) and Section 31 (5) of the of the Himachal Pradesh National Law University Act, 2016. The Registrar further informed that the proposal has been objected by the Finance Department of the Government of Himachal Pradesh.	All Hon'ble Members expressed their concern on the subject and deliberated that University being an autonomous body the, the Finance Department has no reason to object the proposals for amendment in the Act. The members further recorded their unanimous opinion and recommendation that the provisions of the Act governing the University must be in consonance with the guidelines of the UGC as well as general practice followed in all NLU's in the country.	The members unanimously recommended that the matter of amendment is expedient one and has to be taken by the cabinet through Home Department and, ultimately, has to be passed by the legislative assembly. Accordingly, the finance department must be requested to remove its objections and the Department of Home should be immediately requested to steer clear the proposal for the amendment and put the proposal before the cabinet for approval so that the amendment bill may be drafted and placed before the legislative assembly of the State.

Current Agenda 10th Executive Council Meeting

Item No. 1	To consider and approve the recommendation of selection committee for the appointments of Teaching Associate (Law), Research Associate (Law) and Assistant Professor of Sociology.		
Agenda Note	Discussion	Decision/Resolved	
<p>The Vice-Chancellor informed that the selection committee for the appointment of 03 posts of Teaching Associate (Law) and 02 posts of Research Associate (Law) on contractual basis for a period of one year, has recommended 03 candidates for Teaching Associate (Law) and 02 candidates for Research Associate (Law) two candidates have been kept in the waiting list of Teaching Associate (Law).</p> <p>The selection committee constituted for the appointment of one post of Assistant Professor of Sociology has recommended appointment of one Assistant Professor of Sociology and two candidates have been placed in the waiting list.</p>	The members deliberated upon the item and unanimously approved the same.	<p>The members unanimously approved the recommendations of the Selection Committees to appoint 03 Teaching Associate (Law) 02 Research Associate (Law), placing 02 candidates in the waiting list of Teaching Associate. The Executive Council also unanimously approved the recommendation of the Selection Committee for appointment of 01 Assistant Professor in Sociology and placing 02 candidates in the waiting list.</p>	

Item No. 2	To consider and approve insertion of Part-III, containing policy, rules and Performa relating to maintaining of Service Books, Character Roll and Annual Performance Appraisal Report (APAR) for non-teaching and teaching employees of the University, in the Himachal Pradesh National Law University, Shimla Executive and Service Regulations 2020.		
Agenda Note	Discussion	Decision/Resolved	
It is submitted that it is necessary and statutory requirement that the policy, rules and Performa relating to maintaining of Service Books, Character Roll and Annual Performance Appraisal Report (APAR) for non-teaching and teaching	The members discussed the item at length and emphasized on the importance of the matter and that the University must develop such policy, detailed rules and different kinds of	<p>The members unanimously approved the agenda Item. They also recommended that the detailed rules have to be framed and authorized the Vice-Chancellor to edit and make modifications wherever required and incorporate the same in the form of Part-III in the Himachal Pradesh</p>	

employees, are maintain by the University. As per the standard practice of the Government/UGC, a draft Rules and Performas for annual confidential report (ACR) is placed before the esteemed members. In this regard the Vice-Chancellor may kindly be authorized to edit and make minor modifications wherever required and incorporate the same in the form of Part-III in the Himachal Pradesh National Law University, Shimla Executive and Service Regulations 2020.	performs.	National Law University, Shimla Executive and Service Regulations 2020. The members of the Executive Council further recommended that Rules of Part-III shall be given effect from 1 st April, 2020.
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Professor Nishtha Jaswal, Vice-Chancellor concluded the meeting by thanking all the esteemed members for sparing their precious time and making fruitful contributions.


Special Secy. (Home)
(HP Government)

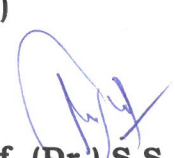
Prof. (Dr.) Ranbir Singh
(Former Vice-Chancellor, NLU Delhi)

Prof. (Dr.) P.S. Jaswal
(Former Vice-Chancellor, RGNUL)

Prof. (Dr.) Vijender Kumar
(Vice-Chancellor, MNLU, Nagpur)

Sh. Ramakant Sharma
(Chairman, Bar Council of H.P)


Dr. Ruchi Sapahia
(HPNLU, Shimla)


Prof. (Dr.) S.S. Jaswal
(Registrar, HPNLU)


Professor (Dr.) Nishtha Jaswal
(Vice-Chancellor, HPNLU)