

# **Himachal Pradesh National Law University, Shimla**



## **Minutes of The 3<sup>rd</sup> Meeting of the Governing Council**

**Held on  
21<sup>st</sup> September, 2022 at 4.30 P.M.**

**In the High Court of Himachal Pradesh, Shimla**



**HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,  
SHIMLA  
(Established Under the Himachal Act No. 16 of 2016)**

Minutes of the 3<sup>rd</sup> meeting of the Governing Council of Himachal Pradesh National Law University, Shimla held on September 21, 2022 at 4.30 pm in the High Court of Himachal Pradesh, Shimla, under the Chairmanship of the Hon'ble Mr. Justice Amjad Ahtesham Sayed, Chief Justice of High Court of Himachal Pradesh and Hon'ble Chancellor of this University.

**The following members were present:**

1. Hon'ble Mr. Justice Amjad Ahtesham Sayed, Chief Justice, High Court of Himachal Pradesh & Hon'ble Chancellor, HPNLU, Shimla
2. Prof. Nishtha Jaswal, Vice-Chancellor, HPNLU, Shimla.
3. Hon'ble Ms. Justice Sabina, Judge, High Court of Himachal Pradesh.
4. Hon'ble Mr. Justice Sandeep Sharma, Judge, High Court of Himachal Pradesh.
5. Sh. Suresh Bhardwaj, Hon'ble Law Minister, Himachal Pradesh.
6. Sh. Ashok Sharma, Advocate General, Himachal Pradesh.
7. Sh. Ajay Kochhar, Chairman, Bar Council of Himachal Pradesh
8. Prof. Ranbir Singh, Pro-Chancellor IILM University, Gurugram
9. Prof. Vijender Kumar, Vice-Chancellor, MNLU, Nagpur.
10. Prof. Sat Prakash Bansal, Vice-Chancellor, Central University, Himachal Pradesh.
11. Prof. Harinder Kumar Chaudhary, Vice-Chancellor, CSK HP Agricultural University Palampur.
12. Sh. K.D. Sood, Senior Advocate, HP High Court.

Prof. S.S. Jaswal, Registrar, HPNLU, Shimla.

Item No.	Agenda and Note
1.	<p><b>To Confirm the Minutes of the Previous Meeting of the Governing Council held on 23rd April, 2021.</b></p> <p><b>Discussion:</b> - The Vice-Chancellor read out the Agenda Item No.1 to the Hon'ble Members of the Governing Council.</p> <p><b>Decision:-</b> After brief deliberation over the minutes the same were confirmed unanimously.</p>
2.	<p><b>To consider Himachal Pradesh National Law University Budget Estimate for the Financial Year 2022-2023 as approved and recommended by Finance Committee and Executive Council in the meetings held on 17<sup>th</sup> March, 2022 respectively.</b></p> <p><b>Discussion:</b> - The Vice-Chancellor read out the Himachal Pradesh National Law University Budget Estimate for the financial year 2022-2023 as approved in the 10th and 13th Meetings of Finance Committee and Executive Council held on 17th March, 2022 respectively.</p> <p>Hon'ble Chancellor inquired about the reason for deficit in the budget. The Vice-Chancellor informed that there is no budgetary provision for the University in the annual budget of the Government of Himachal Pradesh. The University is surviving on the receipts of students' fee only. Provisions for the University expenditure regarding different facilities in the University have to be made in the annual budget of the University. She illustrated by mentioning the provision for the functional research centres of the University, wherein there is a need to make appointments of faculty members at different levels. The University has not made any such appointment except that of Research Associates in general. These Research Associates are being used for different projects of the University which is not sufficient and adequate to complete different projects of the University. She further informed that the University has hired 13 private buildings for accommodating the students. In all the girls hostels, female hostel attendants have to be appointed round the clock. Similarly, Security Guards have to be appointed round the clock in all the hostels.</p> <p>She also informed that the University is forced to purchase water from</p>

the private water suppliers in order to provide proper water supply in the Hostels. All the esteemed members of the Governing Council took a serious note of the issue. Hon'ble Chancellor advised the Hon'ble Minister Sh. Suresh Bhardwaj and esteemed Advocate General, Sh. Ashok Sharma for necessary action in making budgetary provision for HPNLU, Shimla in the annual budget of the State of Himachal Pradesh. Prof. Ranbir Singh, former Vice-Chancellor NALSAR, Hyderabad and NLU Delhi shared his experience to inform that in case of almost all the NLUs in the country, the respective State Governments make annual budgetary provision in the State Budget to the tune of approximately Rs. 10 Crores. The Vice-Chancellor very humbly informed all the esteemed members that she has been making efforts for getting the annual budgetary provision made in the budget of the State of Himachal Pradesh since December, 2018. Hon'ble Law Minister Sh. Suresh Bhardwaj advised the University to always send a copy of the correspondence with the Government to him.

Hon'ble Chancellor expressed his deep concern about the conditions of the hostels in HPNLU and the difficulties and challenges faced by the students. His Lordship was more worried about the safety and security of the girls students. His Lordship asked the Hon'ble Law Minister Sh. Suresh Bhardwaj and Esteemed Advocate General Sh. Ashok Sharma to expedite the acquisition of approximately 25 bighas of land abutting the University at the Government level. He also asked them to support to help the University to get the administrative approval A/A and E/S for the pending construction works including hostels of the University. Hon'ble Ms. Sabina and Hon'ble Mr. Justice Sandeep Sharma also expressed their serious concern as well as emphasized on the need to construct girls' hostel at the earliest to ensure safety and security of the girls' students. The Vice-Chancellor felt obliged towards Hon'ble Chancellor for the concern. She also expressed her gratitude towards H.P. Judicial Academy for accommodating some girls' students in one of its buildings. Prof. Sat Prakash Bansal, Vice-Chancellor, Central University Himachal Pradesh emphasized upon allocating a budget of Rs. 200 Crores to the University. Prof. Vijender Kumar, Vice-Chancellor, MNLU, Nagpur informed that a budget of Rs. 1008 Crores has been sanctioned by the Government of Maharashtra for MNLU Nagpur and their campus is under construction. He also apprised all the Hon'ble Members of the infrastructure especially smart classrooms. Hon'ble Chancellor appreciating it, firmly emphasized on

having the same infrastructure for HPNLU, Shimla. At this point Hon'ble Law Minister Sh. Suresh Bhardwaj inquired from Prof. Vijender Kumar about the approximate cost of each smart classroom. Prof. Vijender Kumar apprised the members that each smart classroom in MNLU, Nagpur costed approximately Rs. 25 Lac. Hon'ble Law Minister Sh. Suresh Bhardwaj immediately announced release of Rs. 10 Lac. out of MLA fund for one smart classroom advising the University to use the amount for converting one of the existing classrooms into smart classroom to the extent it is possible in the announced amount.

**Decision: -**

**After thoughtful consideration and detailed discussion, the Hon'ble Members of the Governing Council unanimously resolved to approve and pass the Himachal Pradesh National Law University budget estimates for the Financial Year 2022-2023 as approved in the 10th and 13th Meetings of Finance Committee and Executive Council held on 17th March, 2022 respectively.**

**The Hon'ble Members of the Governing Council appreciated the kind gesture of Sh. Suresh Bhardwaj Hon'ble Law Minister to announce the release of Rs. 10 Lac. for the creation of smart classroom. It was taken as a part of record.**

**The members also unanimously requested the Hon'ble Law Minister Sh. Suresh Bhardwaj and Esteemed Advocate General Sh. Ashok Sharma for getting the acquisition of approximately 25 bighas of land, abutting the University, in favour of the University expedited at the Government level and also help the University to get the administrative approval A/A and E/S as well as financial grant for the pending construction works of the University.**

3. **Perusal and approval of the Annual Report for the Academic Session 2020-2021 of Himachal Pradesh National Law University, Shimla.**

**Discussion: -** The Vice-Chancellor informed all the Hon'ble Members that the Annual Report (Academic Session 2020-21) of the University is placed before the Governing Council through the Executive Council. The Annual Report, Academic Session 2020-2021 contains:

**Part-I:** Report on the Working of the University. This part of the Report is suitably divided into 03 sections i.e.,

**Section A- Academic Works**

**Section B- Administrative and Construction Works**

**Section C- Pending Works**

**Part-II:** Statement for Receipts and Expenditure and Balance Sheet (Audited for the Financial years 2019-2020 and 2020-2021);

**Part-III:** Financial Estimate of the University for the Financial Year 2022-2023.

The Vice-Chancellor presented the annual report before the Hon'ble Governing Council. Prof. Ranbir Singh suggested to substitute the term 'Academic Works' to "Academic Performance". Prof. Harinder Kumar Chaudhary suggested that displaying the Annual Report of the University through PPT presentation will add color to it. The Hon'ble Chancellor approved presentation through PPT with effect from next Governing Council meeting. Prof. Sat Prakash Bansal suggested that the University must take steps to implement National Education Policy, 2020 by having multi-disciplinary approach. The Vice-Chancellor informed that the discipline of Law has been excluded from the scope of National Education Policy, 2020, which was supported and retreated by Hon'ble Law Minister Sh. Suresh Bhardwaj and he stated that both law and medicine have not been touched by the National Education Policy, 2020. The Vice-Chancellor informed that the National Law Universities have already adopted multi-disciplinary approach and in order to march forward to implement National Education Policy, 2020, irrespective of the fact that the subject of 'Law' is not within the scope of NEP, 2020, the Himachal Pradesh National Law University has, with the approval of competent bodies, started MBA (Corporate Law) from the session 2022-23. Applications have been invited for the purpose.

**Decision:-**

**The Hon'ble Members of the Council perused the Himachal Pradesh National Law University Annual Report for the Academic Session 2020-2021 and unanimously approved the same. The Hon'ble Members also unanimously appreciated the University and its Faculty Members for doing good work.**

**It was also decided to use the term 'Academic Performance' instead of 'Academic Works' in the Annual Report of the University. It was also decided that the University will present its Annual Report through Power**

	<b>Point Presentation with effect from the next meeting of the Governing Council.</b>
4.	<p><b>To consider the resolution of Academic Council as approved in the Executive Council in the respective meetings held on 19<sup>th</sup> September, 2022, regarding holding of 1<sup>st</sup> HPNLU Convocation to be held on 19<sup>th</sup> November, 2022.</b></p> <p><b>Discussion:</b> - The Vice-Chancellor apprised the Hon'ble Members of the Agenda Item No.4. She, while informing about the scheduling of first convocation of the University on 19<sup>th</sup> November, 2022, humbly requested all the Hon'ble Members to reserve the date i.e., 19<sup>th</sup> November, 2022 as they were cordially invited to grace the convocation function. Hon'ble Chancellor asked the Vice-Chancellor why it is the first convocation of the University. The Vice-Chancellor informed that the first batch of UG Programme passed in 2021 but due to COVID-19 pandemic situation, convocation could not be held. She further informed that in the first convocation, degrees will be conferred on two batches of UG Programme and four batches of PG Programme. She very proudly informed that in the first convocation of the University, degree of Ph.D. will also be conferred. Regarding the conferring of medals, she informed all the esteemed members, with a feeling of appreciation and gratitude towards Hon'ble Mr. Justice D.P. Sood, former Judge, Hon'ble High Court of Himachal Pradesh about donation of Rs. 5,25,000/- by him for awarding Gold Medals to the topper of Constitutional Law specialization in B.A/B.B.A. LL.B. Programmes. All the esteemed members appreciated this noble gesture on the part of Hon'ble Mr. Justice D.P. Sood and resolved that the Vice-Chancellor will write a letter of appreciation to him on behalf of the Governing Council.</p> <p>Hon'ble Chancellor inquired about the Chief Guest to be invited in the convocation. The Vice-Chancellor informed that the letter of invitation has been sent to Hon'ble Sh. Kiren Rijju, Cabinet Minister of Law and Justice to the Government of India. It was appreciated by all the esteemed members.</p> <p>Hon'ble Chancellor inquired about finalizing the venue for holding convocation. The Vice-Chancellor informed about getting a resort 'Kufri Fun Campus Pvt. Ltd' booked for holding convocation. She further informed that in the same venue, complete arrangements for staying of guests, holding convocation ceremony as well as serving lunch to all</p>

the dignitaries, guests, recipients of degrees and their parents. She further informed that there is sufficient parking space in the resort for facilitating the comfortable parking of the vehicles of the dignitaries, guests, degree holders etc. Hon'ble Mr. Justice Sandeep Sharma and other members also appreciated the selection of venue and wished best of luck to the University.

With a proud heart, the Vice-Chancellor informed the Hon'ble Members regarding the decision of the Academic Council and Executive Council to confer *Honoris Causa* degree, Doctor of Philosophy in Law to Hon'ble Mr. Justice Surya Kant, Judge, Supreme Court of India, Hon'ble Mr. Justice V. Ramasubramanian, Judge Supreme Court of India and Hon'ble Mr. Justice Deepak Gupta, former Judge, Supreme Court of India. Explaining their contribution in the legal field as well as towards the University, she informed that Hon'ble Mr. Justice Suryakant and Hon'ble Mr. Justice V. Ramasubramanian had been the Chancellors of HPNLU, Shimla and they were elevated to the Supreme Court of India. She also apprised the members of the fact that Hon'ble Mr. Justice Deepak Gupta was associated with the creation of the University.

**Decision:-**

**After thoughtful consideration and detailed discussion, the Hon'ble Members of the Governing Council unanimously resolved to approve the following:**

- 1. The holding of 1st HPNLU Convocation on 19<sup>th</sup> November, 2022, the date fixed by Hon'ble Mr. Justice Sanjiv Khanna, Judge, Supreme Court of India and Visitor to HPNLU, Shimla.**
- 2. The design and format of the Degree Certificates of B.A. LL.B. (Hons.) B.B.A. LL.B. (Hons.), LL.M. (One Year Programme), Ph.D. Programme, Honoris Causa degree of Doctor of Philosophy in Law.**
- 3. The list of candidates of UG Programmes i.e., B.A./B.B.A. LL.B. (Hons.), PG Programme i.e., LL.M. (One Year Programme), Ph.D. Programme to whom the respective degrees are to be conferred.**
- 4. The list of candidates on which the medals shall be conferred.**  
**In case of list of degrees and medals, the Hon'ble Members of the Governing Council approved the decision of the Academic and Executive Councils to authorize the Vice-Chancellor to modify the lists, if required.**
- 5. The conferring of Honoris Causa degree of Doctor of Philosophy in Law to Hon'ble Mr. Justice Surya Kant, Judge Supreme Court of India, Hon'ble Mr. Justice V. Ramasubramanian, Judge Supreme Court of India and Hon'ble Mr. Justice Deepak Gupta, former**



	<p><b>Judge Supreme Court of India.</b></p> <p><b>6. The venue for holding the first convocation of HPNLU, Shimla i.e., Kufri Fun Campus Pvt. Ltd'.</b></p> <p><b>7. The Vice-Chancellor will write a letter of appreciation to Hon'ble Mr. Justice D.P. Sood on behalf of the Governing Council for donating Rs. 5,25,000/- for awarding Gold Medals to the topper of Constitutional Law specialization in B.A/B.B.A. LL.B. Programme.</b></p>
5.	<p><b>To consider amendment of the Himachal Pradesh National Law University Act, 2016 (Act No. 16 of 2016) for extending the age of the office of the Vice-Chancellor from 65 to 70 years and to recommend the same to the Government of Himachal Pradesh.</b></p> <p><b>Discussion: -</b> The Vice-Chancellor apprised the Hon'ble Members that most of the reputed National Law University of the country and all the Central Universities of the Country, the upper age limit for the post of Vice-Chancellor is 70 Years. The UGC does not prescribe any upper age and, thus, impliedly gives discretion. She also informed that the proposal to amend Section 9 (2) Section 31 (5) of the Himachal Pradesh National Law University, Shimla Act was approved by the Hon'ble Chancellor Hon'ble Mr. Justice L. Narayana Swami and letters were written to the Hon'ble Chief Minister Government of Himachal Pradesh and Legal Remembrancer-cum-Principal Secretary (Law). In response to that a letter was received from Special Secretary (Home) to the Government of Himachal Pradesh stating that <i>"the matter was examined at Government level in consultation with the Finance Department, who has advised to continue with the present provision, whereby maximum retirement age of Vice-Chancellor of National Law University is 65 years"</i>. She informed the Hon'ble Members that whether the upper age limit for the post of Vice-Chancellor is 65 Years or 70 Years, whether 'X' remains Vice-Chancellor or 'Y' becomes Vice-Chancellor, it will not cause any additional financial burden. She also informed that this correspondence continued in 2021 and 2022 also. Hon'ble Law Minister Sh. Suresh Bhardwaj pointed out that such matters are not brought to the notice of the Ministers and are directly dealt with by the Secretaries to the Government. He advised the University to move the case again with a copy to him. Prof. Ranbir Singh informed the Hon'ble Members that in most of the NLUs in the country have the upper age limit of 70 Years for the post of Vice-Chancellor. He told the members that he himself is the example of it as he demitted the office at the age of 70 Years after serving as Vice-Chancellor for 10 Years at NALSAR, Hyderabad and more than 10 Years at NLU Delhi. Both Prof. Ranbir Singh and Prof. Vijender Kumar emphatically stated that it is in the interest of the growth of the</p>

University that the Vice-Chancellor, who is giving the best performance, must be given extension up to the age of 70 Years. Prof. H.K. Choudhary also supported it. Prof. S.P. Bansal give the justification that if in case of HPU Shimla the upper age for the post of Vice-Chancellor is 65 Years, then the retirement age for the faculty is 60 Years. In the line of this basis, as the age of retirement for the faculty members of HPNLU, Shimla is 65 Years, the upper age limit for the post of Vice-Chancellor should be 70 years. The UGC also prescribes the retirement age for the faculty members as 65 years. Hon'ble Ms. Sabina and Hon'ble Mr. Justice Sandeep Sharma supported the need for amending the relevant provisions of the Act. After hearing all the views Hon'ble Chancellor also approved the amendment and recommended it to the Government of Himachal Pradesh for necessary action.

**Decision:-**

**After thoughtful consideration and through deliberation, the Hon'ble Members of the Governing Council unanimously resolved to approved the amendment as under:**

Existing Provisions	Proposed Provisions
<p><b>9. Vice-Chancellor of the University</b>  <i>(2) The term of the Vice-Chancellor Shall be for period of five years or till he attains the age of sixty-five years, whichever is earlier.</i></p>	<p><b>9. Vice-Chancellor of the University</b>  <i>(2) The term of the Vice-Chancellor Shall be for period of five years or till he/she attains the age of <b>seventy</b> years, whichever is earlier.</i></p>
<p><b>31. The Vice-Chancellor</b>  <i>(5) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office, or until he attains the age of sixty-five years, whichever is earlier. He shall be eligible for re-appointment for another term till he attains the age of sixty-five years:</i>  <i>Provided that the Chancellor may require the Vice-Chancellor after his term has expired to</i></p>	<p><b>31. The Vice-Chancellor</b>  <i>(5) The Vice-Chancellor shall hold office for a term of five years from the date on which he/she enters upon his/her office, or until he/she attains the age of <b>seventy</b> years, whichever is earlier. He/She shall be eligible for re-appointment for another term till he/she attains the age of <b>seventy</b> years:</i>  <i>Provided that the Chancellor may require the Vice-Chancellor after his/her term has expired to continue in office for such period, not exceeding a total period of one year as may be specified by</i></p>

	<p><i>continue in office for such period, not exceeding a total period of one year as may be specified by him until he attains the age of sixty-five years.</i></p> <p><i>him/her until he/she attains the age of seventy years.</i></p>	
	<p><b>Hon'ble Members of the Governing Council unanimously resolved to approve the amendment mentioned above and recommended to the Government of Himachal Pradesh for appropriate necessary action at the earliest.</b></p>	
6.	<p><b>Any other Item with the Permission of the Chair.</b></p>	

Hon'ble Chancellor concluded the meeting by thanking all the esteemed members of the Governing Council for attending the meeting, serious deliberations and contributions. The Vice-Chancellor also expressed her heartfelt gratitude towards all the esteemed members for sparing their precious time.

  
**Prof. S.S. Jaswal**  
 (Registrar, HPNLU, Shimla)

  
**Prof. Nishtha Jaswal**  
 (Vice-Chancellor, HPNLU, Shimla)

  
**Hon'ble Mr. Justice Amjad Ahtesham Sayed**  
 (Hon'ble Chancellor, HPNLU, Shimla)