



Himachal Pradesh National Law University, Shimla

Minutes of 4th Meeting of Academic Council October 23, 2019

The 4th Meeting of the Academic Council, HPNLU Shimla was held on October 23, 2019 at 11:30 A.M. at the Himachal Pradesh National Law University, Shimla 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.	Professor P.S. Jaswal, Vice Chancellor, RGNUL, Patiala	Member
3.	Professor V. Vijaykumar, Director, NLIU Bhopal	Member
4.	Professor K.P.S. Mahalwar	Member
5.	Professor Sunil Deshta	Member
6.	Sri Desh Raj Sharma	Member
7.	Sri I. N. Mehta	Member
8.	Dr. Ruchi Sapahia	Member
9.	Dr. Chandreshwari Minhas	Member
10.	Prof. S.S. Jaswal	Secretary

PROCEEDINGS OF THE MEETINGS

Item No. 1	To confirm the Minutes of the 3rd Meeting of the Academic Council held on March 19, 2019	
Agenda Note	Discussion	Decision/Resolved
The Vice Chancellor placed the minutes of the 3 rd Meeting of Academic Council, along with the 'action taken report' before the members of Academic Council.	The Vice Chancellor explained the details of minutes of last meeting, and presented the 'action taken report' and members appraised the proceeding.	After brief deliberation over the minutes along with the Action Taken Report, the same were confirmed.

Item No. 2	To consider and approve the proposed "The Himachal Pradesh National Law University Shimla Courses of Study, Admissions, and Curriculum Regulations, 2019"	
Agenda Note	Discussion	Decision/Resolved
<p>The Vice Chancellor placed the proposed "The Himachal Pradesh National Law University, Shimla Courses of Study, Admissions, and Curriculum Regulations, 2019". The First Regulations regulating the Courses of Study, Admission and Curriculum were framed by exercising the transitory powers given to the Vice Chancellor prescribed under the Himachal Pradesh National Law University Act, 2016. The Regulations were approved by Governing Council in its meeting dated December 31st, 2016. In the last three years various amendments were made to deal with the urgencies.</p> <p>From the Academic Session 2019-20, the University has joined the CLAT Consortium to ensure its national character, and to provide uniform method for admissions to various courses. The University has also revised the course structure in the line of Bar Council of India and the same is incorporated.</p> <p>In view of the above, and as prescribed under Section 35(2) of Himachal Pradesh National Law University, Act, 2016 the Regulating dealing with Admissions, Courses, and</p>	<p>The Vice Chancellor explained the details about need of thoroughly revised Regulations.</p> <p>Matter was deliberated and it was suggested that all the Regulations may be clubbed into one, namely "The Himachal Pradesh National Law University Academic Regulations, 2019" of which Part-A shall be the Himachal Pradesh National Law University, Shimla Courses of Study, Admissions, and Curriculum Regulations, 2019; Part-B the Himachal Pradesh National Law University, Regulations for LL.M. (One Year) Degree Programme, 2019 and so on so forth.</p> <p>'Removal of Difficulty Clause' may be added in each Regulation with</p>	<p>All regulation shall be complied as The Himachal Pradesh National Law University Academic Regulations, 2019, and other Regulations shall be added as Part-I, II, III, etc. as part of this Regulations.</p> <p>From Annexure-C Dissertation as a paper is removed.</p> <p>From Annexure-D the following changes have been made in the title of the papers:</p> <ol style="list-style-type: none"> 1. Research Methodology 2. Constitutional Law: New Challenges 3. Judicial Process/Law and Social Transformation



<p>Curriculum is revised thoroughly, and a new Regulating titled as the Himachal Pradesh National Law University, Shimla Courses of Study, Admissions, and Curriculum Regulations, 2019 is placed for approval.</p> <p>It is further explained that the proposed Regulations shall be placed before the Executive Council for approval in its meeting scheduled to be held on October 23, 2019.</p> <p>This item will also be placed before the Governing Council in its next meeting.</p>	<p>following effect: Rule No.: <i>"The Vice Chancellor is authorized to make necessary changes in these Regulations to remove difficulty and bring it in consonance with the corresponding statutory requirement."</i></p>	<p>It is further, suggested that Non-Law Paper should not be less than fourteen in total. Removal of Difficulty Clause' shall be added in each Regulation with following effect:</p> <p>Rule No.: <i>"The Vice Chancellor is authorized to make necessary changes in these Regulations to remove difficulty and bring it in consonance with the corresponding statutory requirement."</i></p> <p>With above addition, along with typographical errors, the Academic Council unanimously approved the proposal and recommended the same to Executive Council for further approval.</p>
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Item No. 3	To consider and approve the proposed "The Himachal Pradesh National Law University Regulations for LL.M. (One Year) Degree Programme, 2019"		
	Agenda Note	Discussion	Decision
	<p>The Vice Chancellor explained that the First Regulations for regulating Admissions, Courses and Curriculum for LL.M. (One Year) Degree Programme, was framed by exercising the transitory powers given to the Vice Chancellor prescribed under the Himachal Pradesh National Law University Act, 2016. The Regulations were approved by Governing Council in its meeting dated December 31st, 2016.</p> <p>From the Academic Session 2019-20, the University has joined the CLAT Consortium. The admission and other related matters are revised in the line of UGC Regulation for LL.M.</p>	<p>The Vice Chancellor explained the details about need of thoroughly revised Regulations.</p> <p>Members of the Council deliberated on each provision and each clause thereof, and approved accordingly.</p>	<p>The Academic Council unanimously approved the proposal and recommended the same to Executive Council for further approval.</p>

<p>(One Year) Degree Programme.</p> <p>In view of the above, and as prescribed under Section 35(2) of Himachal Pradesh National Law University, Act, 2016 the Regulations dealing with Admissions, Courses, and Curriculum for LL.M. are revised thoroughly, and a new Regulations titled as “The Himachal Pradesh National Law University Regulation for LL.M. (One Year) Degree Programme, 2019” are placed for approval.</p> <p>The proposed Regulations shall be placed before the Executive Council for approval in its meeting scheduled to be held on October 23, 2019.</p> <p>This item will also be placed before the Governing Council in its next meeting.</p>		
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Item No. 4	To consider and approve the proposed “The Himachal Pradesh National Law University Regulations for Degree of Doctor of Philosophy (Ph.D.), 2019”		
	Agenda Note	Discussion	Decision
	<p>The Regulations dealing with Doctorate of Philosophy (Ph.D.) is dealt under Annexure-III of the first Regulations titled as the ‘Himachal Pradesh National Law University Shimla Courses of Study, Admission, Curriculum and Examination Regulation 2016’, framed by exercising the transitory powers given to the Vice Chancellor prescribed under the Himachal Pradesh National Law University Act, 2016. The Regulations were prepared as per the then existing UGC guidelines. However, the UGC guidelines relating to Ph.D. have been amended comprehensively. This entails re-drafting of existing Regulations.</p> <p>In view of the above, separate Regulations title as “The Himachal Pradesh National Law University Regulations for Degree of Doctor of Philosophy (Ph.D.), 2019” are prepared, and placed here for approval under Section 35(2) of the Himachal Pradesh National Law University Act, 2016.</p> <p>This proposed Regulations shall be placed before the Executive Council for approval in its meeting scheduled to be held on October 23, 2019. This item</p>	<p>The Vice Chancellor explained the details about need of thoroughly revised Regulations.</p> <p>Members of the Council deliberated on each provision and clause thereof, the matter thoroughly.</p> <p>It was suggested that Rule 7.4 may be deleted as the same is not permitted under UGC Regulations 2016. Further, Rule 7.5 & 7.6 may re-numbered as 7.4 & 7.5.</p>	<p>Council resolved that the title of the Regulation shall be “The Himachal Pradesh National Law University Regulations for Degree of Doctor of Philosophy (Ph.D.), 2019”</p> <p>In Rule 6.4 (a) following is added: 6.4 (a) reject the Synopsis. However the candidate may be given three months to resubmit the same after depositing resubmission fee.</p> <p>It was resolved that Rule 7.4 may be deleted as the same is</p>



will also be placed before the Governing Council in its next meeting.		not permitted under UGC Regulations 2016. Further, Rule 7.5 & 7.6 may re-numbered as 7.4 & 7.5. The Academic Council unanimously approved the proposal and recommended the same to Executive Council for further approval.
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Item No. 5	To consider and approve the proposed “The Himachal Pradesh National Law University Examination Regulations, 2019”	
Agenda Note	Discussion	Decision
<p>The First Regulations titled as “The Himachal Pradesh National Law University Shimla Courses of Study, Admission, Curriculum and Examination Regulation 2016”, were framed by exercising the transitory powers given to the Vice Chancellor prescribed under the Himachal Pradesh National Law University Act, 2016. The Regulations were approved by Governing Council in its meeting dated December 31st, 2016.</p> <p>The above Regulations <i>via</i> Part-D deals with examination rules, credit and other related matters. However, in view of various changes in the courses of study related to undergraduate and postgraduate courses, a derailed and comprehensive regulations are required to deal with the examinations.</p> <p>In view of the above, separate regulations titled as “The Himachal Pradesh National Law University Examination Regulations, 2019” are prepared, and placed here for approval under</p>	<p>The Vice Chancellor explained the details about need of thoroughly revised Regulations.</p> <p>Members of the Council deliberated on each provision and clause thereof, the matter thoroughly.</p>	<p>The Academic Council unanimously approved the proposal and recommended the same to Executive Council for further approval.</p>

<p>Section 35(2) of the Himachal Pradesh National Law University Act, 2016.</p> <p>The proposed Regulations shall be placed before the Executive Council for approval in its meeting scheduled to be held on October 23, 2019. This item will also be placed before the Governing Council in its next meeting.</p>		
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Item No. 6	To consider and approve the creation of post of Deputy Librarian.		
Agenda Note	Discussion	Decision	
<p>The Vice Chancellor explained need of having a Deputy Librarian for the smooth running of the University, and therefore the appointment of Deputy Librarian is urgently required.</p> <p>Members were informed that this item is scheduled to be placed before the Finance Committee, in its meeting scheduled to be held on October 23, 2019. As such the proceedings will be placed before the Executive Council for approval in its meeting scheduled to be held on October 23, 2019.</p>	<p>The Vice Chancellor explained that this proposal was given by Prof. S.M.A Qadri, Member of Executive Council in its meeting held on March 20, 2019. It was approved by the Executive Council, but inadvertently it did not become the part of the minutes.</p> <p>Members of the Council deliberated on the agenda and approved accordingly.</p>	<p>The Academic Council unanimously approved the proposal and recommended the same to Executive Council for further approval.</p>	

Item No. 7	To consider and approve the proposal to increase the number of seats for LL.M. (One Year) Degree Programme.		
Agenda Note	Discussion	Decision	
<p>The Vice Chancellor appraised the members that the University is presently offering LL.M. (One Year) Degree Programme wherein 20 seats are available.</p> <p>As per the UGC Regulation for LL.M. (One Year) Degree Programme, students may opt specialization in group subjects viz Constitutional Law, Criminal Law, IPR, Trade Law etc.</p>	<p>The Vice Chancellor explained the details about need of increasing LL.M. intake</p>	<p>The Academic Council unanimously approved the proposal and recommended the same to</p>	

For the effective implementation of this group system, certain minimum number of students is required for each group. In this regard, it is proposed to increase the intake of students for LL.M. from 20 to 40.	and justifications thereof.	Executive Council for further approval.
Members were further informed that this item is scheduled to be placed before the Executive Council for its approval, which is scheduled to be held on October 23, 2019.		

Item No. 8	Ex post facto Approval of quota for Kashmiri Resident and Kashmiri Migrants.	
Agenda Note	Discussion	Decision
<p>The Vice Chancellor informed the Council that from the Academic Session 2019-20, admission were made against supernumerary seats of Kashmiri Residents (02 Seats) and Kashmiri Migrants (5% of sanctioned intake).</p> <p>These admissions are as per the directions of the Ministry of Human Resource Development letter No. D.O.No.F.1-1/2012(SA-III) Dated July 11, 2016, and the MHRD directed via F.No. 3-1/2012-NER, Dated July 22, 2016.</p> <p>The item is placed for <i>ex post facto</i> approval, and the same shall be placed before the Executive Council for its approval, which is scheduled to be held on October 23, 2019.</p>	As it was due to follow the directions of MHRD and UGC, no discussion took place.	The Academic Council unanimously approved the proposal and recommended the same to Executive Council for further approval.

Item No. 9	To consider and approve the definition of Non-resident Indian (NRI) for Admission to various Courses.	
Agenda Note	Discussion	Decision
As per the existing Regulation dealing with Admission to various Programme offered by the University, there are 15% supernumerary seats for International Students and Children and wards of Non Resident Indians. The Himachal Pradesh National Law University Shimla	In view of Supreme Court direction, no discussion took place.	The Academic Council unanimously approved the proposal and recommended the

<p>Courses of Study, Admission, Curriculum and Examinational Regulation had provision whereby seats reserved for NRI were offered to students sponsored by NRI as well.</p> <p>In view of the Supreme Court decision, and approval of Hon'ble Chancellor, from the Academic Session 2019-20, the seats in this category were offered only to International Students and Children and Wards of NRI. Thus, the University has discontinued the practice of offering seats in the name of NRI sponsored category.</p> <p>In view of the above, the definition of NRI was amended with the following effects:</p> <p>Non-Resident Indian (NRI): The expression Non-Resident Indian (NRI) shall mean and include a person declared Non Resident Indian under Income Tax Act, 1961, or holder of OCI and their children/ wards only.</p> <p>The matter is placed for the <i>ex post facto</i> approval.</p> <p>This item is scheduled to be placed before the Executive Council, which is scheduled to be held on October 23, 2019. As such the proceedings will be placed before the Executive Council for approval in its meeting scheduled to be held on October 23, 2019.</p>		<p>same to Executive Council for further approval.</p>
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Item No. 10	Approval of weightage of Entrance Examination, UGC-NET or JRF and Viva Voce in the Ph.D. Admission.		
Agenda Note		Discussion	Decision
It is proposed to adopt University Grant Commission (Minimum Standard and Procedure for Award of M.Phil/Ph.D. Degree) (2nd Amendment) Regulation 2018. With respect to admissions to Ph.D. Programme, this		All the members were in favour of following UGC Guidelines.	The Academic Council unanimously approved the proposal and

<p>amendment prescribes, 70% weightage to the Entrance Examination, and remaining 30% to the viva voce.</p> <p>This item shall be placed before the Executive Council for its approval, which is scheduled to be held on October 23, 2019.</p>		<p>recommended the same to Executive Council for further approval.</p>
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Item No. 11	To Consider the Application of Mr. Arvind Malhotra for Ph.D. Admission to the Academic Session 2019-20.		
Agenda Note	Discussion	Decision	
<p>The Vice Chancellor appraised Members of the Academic Council about Mr. Arvind Malhotra, presently posted as District and Session Judge, Shimla and his application, dated 08//07/2019 for considering his admission to Ph.D. (Session 2019-20).</p> <p>Brief summary of his case is as follows:</p> <ol style="list-style-type: none"> 1. That the applicant Mr. Arvind Malhotra, then posted as Registrar (Vigilance) High Court of Himachal Pradesh had applied for Ph.D. Programme, and appeared in the Himachal Pradesh National Law Entrance Test, 2017 under Roll Number 50001. 2. That the applicant cleared the entrance test and submitted his Ph.D. Proposal to the University. However, due to his own ignorance he failed to appear before the Board of Studies as required by Himachal Pradesh National Law University Rules for Doctorate of Philosophy (Ph. D.) Programme, 2016, which was scheduled on 09/09/2017. 3. That by a letter dated 23/03/2018 the applicant requested another opportunity to defend his Research Proposal before the Board of Studies. 	<p>The Vice Chancellor explained that the applicant is very keen in pursuing his research work, and being member of higher judiciary, his work would surely contribute towards the knowledge building on the subject proposed. Since, the candidate had applied for the Academic Session 2017-18, , and his research proposal was approved by Board of Studies in the Academic Session 2018-19, his admission may be considered for Academic Session 2019-20 as a special case.</p> <p>Members of the Council suggested that no exemption should be given from attending class or any examination of the Course Work. However, classes for such candidates may be conducted on holidays etc.</p>	<p>The Academic Council accepted the proposal to allow the application of Mr. Arvind Malhotra, however, no exemption shall be granted from attending classes or examination. The candidate may complete his requisite number of classes within one year from the date of admission.</p>	

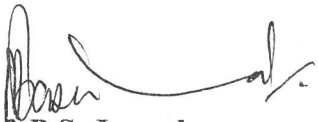


<p>4. That the applicant was given another opportunity to appear before the Board of Studies on 14/09/2018 via email cum letter dated 25/08/2018.</p> <p>5. That the applicant appeared the Board of Studies and successfully defended his research proposal wherein applicant's Research Proposal was recommended for Ph.D. Registration and Dr. Alok Kumar, Assistant Professor of Law, was recommended as the supervisor for his Ph.D. Research.</p> <p>6. That the applicant was invited to take admission and was asked to submit 'No objective Certificate' as well as 'study leave' from the employer, as was required under the above said Ph.D. Regulation via letter dated 19/09/2018.</p> <p>7. That via letter dated 24/09/2018 the applicant informed the University that his application seeking 'study leave' was not accepted by his employer, and hence he may be exempted from this requirement. The applicant vide letter dated 03-12-2018, and 05-07-2019 again pleaded his case for admission and requested for exemption from study leave.</p> <p>Since the candidate is post graduate in law (LL.M.), and have already gone through with the course on 'Research methodology' in his PG Course, his application for exemption from attending classes may be accepted.</p>		
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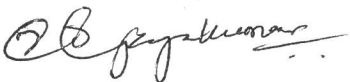


Item No. 12	Panel of External Experts for Career Advancement Scheme (CAS).		
Agenda Note		Discussion	Decision
The Vice Chancellor informed the members about the need of constituting the Committee under Career Advancement Scheme. In this regard a Panel of External Experts is required		The members discussed the matter and were in favour of authorizing the Vice	The members resolved to authorize the Vice Chancellor to prepare a panel of

to be approved.	Chancellor for the same.	External Experts for CAS and other selections of faculties for Social Sciences and Law.
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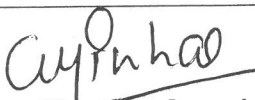
Item No. 13	Reporting Items	
Agenda Note	Discussion	Decision
Recommendation of Board of Studies was presented to the Academic Council.	The members were appraised about the recommendation.	The members resolved to authorize the Vice Chancellor to prepare a panel of External Experts for CAS.
Item No. 14 Any other Item- Appointment of Teaching Associate & Research Associate		
Agenda Note	Discussion	Decision
To appoint Teaching Associate instead of Teaching Assistant and Research Associate instead of Research Assistant as per the UGC Regulations.	The members were appraised about the requirement of Teaching Associate and Research Associate.	The Academic Council unanimously approved the proposal and recommended the same to Finance Committee & Executive Council for further approval.

Meeting concluded with expression of Thanks to the Chair.

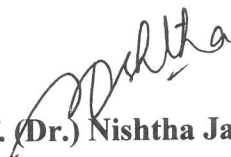

Prof. P.S. Jaswal

Prof. K.P.S. Mahalwar

Sri Desh Raj Sharma


Prof. V. Vijayakumar

Prof. Sunil Deshta

Sri I. N. Mehta

Dr. Ruchi Sapahia


Dr. Chandreshwari Minhas


Prof. S.S. Jaswal


Prof. (Dr.) Nishtha Jaswal
