

6th Meeting of Academic Council Himachal Pradesh National Law University, Shimla

**Minutes of the Meeting
June, 25 2020**

The 6th Meeting of the Academic Council, HPNLU Shimla was held on June, 25 2020 at 11:30 A.M. via Online Mode through Google Meet. 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 (Dr.) P.S. Jaswal	Member
3.	Professor (Dr.) K.P.S. Mahalwar	Member
4.	Professor (Dr.) Sunil Deshta	Member
5.	Sh. Desh Raj Sharma	Member
6.	Sh. I.N. Mehta	Member
7.	Dr. Girjesh Shukla	Member
8.	Dr. Alok Kumar	Member
	Prof. (Dr.) S.S. Jaswal	Secretary

Note: - Prof. (Dr.) V. Vijaya Kumar, Vice-Chancellor, NLIU Bhopal could not attend the meeting.

PROCEEDINGS OF THE MEETINGS

Item No. 1	To confirm the Minutes of the 5th Meeting of the Academic Council held on February 20, 2020 [Annexure-I]		
Agenda Note	Discussion	Decision/Resolved	
The Vice Chancellor placed the minutes of the 5 th Meeting of Academic Council before the members of the Academic Council.	The Vice-Chancellor explained the details of minutes of last meeting.	After brief deliberation over the minutes the same were confirmed unanimously.	
Item No. 2	To consider the Action Taken Report of the Minutes of 5th Meeting of Academic Council. [Annexure-II]		
Agenda Note	Agenda Note	Agenda Note	
The Vice Chancellor placed the Action Taken Report of the 5 th Meeting of the Academic Council before the members of the Academic Council.	The Vice Chancellor placed the 'Action Taken Report' of the 5 th Meeting of Academic Council before the members of the Academic Council. However, the agenda Item No. 2 of 5 th Meeting of Academic Council is yet to be implemented because of suspension of regular physical classes due to COVID-19 crisis.	The Vice Chancellor placed the 'Action Taken Report' of the 5 th Meeting of Academic Council before the members of the Academic Council and the same was confirmed.	
Item No. 3	To consider and approve the promotion of all the students of 2nd, 4th, 6th & 8th Semesters of B.A. LL.B. & B.B.A. LL.B. to 3rd, 5th, 7th & 9th Semesters respectively.		
Agenda Note	Discussion	Decision	
The Vice-Chancellor apprised the members of Academic Council that in accordance with the direction of the UGC, the University has established HPNLU COVID-19 Cell for the purpose of making	The Academic Council deliberated the matter thoroughly. The Vice-Chancellor placed the recommendations of the COVID-19 Cell along with the UGC Guidelines and notification issued by Bar Council of India with	The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.	

recommendations regarding matters relating to Academic issues like Examination, Online Classes, Promotion of Students or any other such issues as mentioned in the Guidelines/Directions/Notifications issued by UGC/MHRD & Bar Council of India from time to time. It is submitted that the Bar Council of India *vide* Press Release Dated 09/06/2020 has directed to promote all the students to the next respective semester.

The HPNLU COVID-19 Cell has recommended to promote all the students of 2nd, 4th, 6th & 8th Semesters of B.A. LL.B. & B.B.A. LL.B. to 3rd, 5th, 7th & 9th Semesters respectively.

respect to promotion of students to the respective semesters.

The Vice-Chancellor further emphasized that keeping in mind the Bar Council of India notification dated 9th June, 2020, the End Term Examination shall be conducted within one month after physical joining of the students in the University.

Item No. 4

To consider and approve the issue of Conducting Examination of students of 2nd, 4th, 6th & 8th Semesters of B.A. LL.B. & B.B.A. LL.B.

Agenda Note	Discussion	Decision
<p>The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that the HPNLU, COVID-19 Cell has recommended to conduct the End Term Examination within one month after regular classes are held and students join the University.</p> <p>It is submitted that in consonance with UGC/MHRD/Bar Council of India Guidelines/Directions &</p>	<p>The Academic Council deliberated the matter thoroughly. A reference was also made to the news reports indicating a decision of non-conducting of examination in the pipeline. However, as no decision can be taken by the Academic Council, the issue being in a premature stage, it was decided to approval this agenda item as proposed.</p>	<p>The Academic Council unanimously approved the proposal recommended the same to the Executive Council for further approval.</p>

<p>Notifications, the HPNLU COVID-19 Cell has recommended that this period of COVID-19 crisis, when regular examination cannot be conducted, shall neither be counted as reappear nor as a “chance” for eligibility to be promoted to the next respective session.</p> <p>It is pertinent to mention that at present there is no outgoing class as 8th Semester of B.A. LL.B. & B.B.A. LL.B. will be promoted to 9th Semester now.</p>		
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Item No. 5	To consider and approve conducting of online Examination for LL.M. 2nd Semester.
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Agenda Note	Discussion	Decision
<p>The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that in the present COVID-19 crisis it is not possible to conduct offline examination for LL.M. Students. In order to save their precious time the HPNLU COVID-19 Cell has recommended to conduct LL.M. 2nd semester and reappear examinations online.</p>	<p>The Vice Chancellor apprised the members of the Academic Council that as per the UGC Notification all the outgoing batches need to be examined through online or other possible mode. In this regard the HPNLU, COVID-19 Cell has recommended online examination for LL.M. students (one year course) batch 2019-2020. The detailed modalities were placed before the members of the Academic Council. The members expressed their opinion that modalities proposed by the HPNLU COVID-19 Cell is approved. However, the same shall be subject to notifications issued by UGC and BCI from time to time in this regard.</p> <p>The Hon’ble Vice-Chancellor assured that if any notification is issued before the conduct of LL.M. End Semester Examination, the said examination</p>	<p>The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.</p>

	shall be then conducted as per new notification issued by UGC. The Academic Council deliberated the matter thoroughly.	
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Item No. 6	To consider and approve Non-Conducting of HPNLU Ph.D. Entrance Examination due to COVID-19 crisis.	
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Agenda Note	Discussion	Decision
The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that the HPNLU, COVID-19 Cell has recommended that due to non-viability of conducting Ph.D. Entrance Examination due to the COVID-19 pandemic, enrollment in the Ph.D. programme of the University for the 2020-21 Session be made on the basis of UGC NET/ JRF.	The Vice-Chancellor apprised that conducting entrance examination for Ph.D. admission is not possible due to COVID-19 crisis. The same is recommended by the HPNLU, COVID-19 Cell. The Academic Council deliberated the matter thoroughly. It was stated by the members that if eligible candidates with UGC NET/ JRF are not available, this 2020-2021 session may be declared zero year for admission to Ph.D. Course.	The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.

Item No. 7	To consider and approve holding of online classes for the next session if no regular classes are held due to COVID-19 Crisis.	
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Agenda Note	Discussion	Decision
The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that as per existing COVID-19 Pandemic conditions it cannot be foreseen whether regular classes will be held or not in the coming session. The HPNLU, COVID-19 Cell has recommended to begin ongoing classes online from 1 st August 2020. The conducting of classes for 1 st semester shall depend upon the date of their admission.	The Vice-Chancellor apprised the members that due to distinct geographical location of Himachal Pradesh National Law University Shimla especially due to prolonged winter season and snowfall (mostly from December to February) delayed commencement of academic session would hamper the entire academic process. Thus it would be advisable to start the ongoing classes of new Academic Session (2020-2021) from August 1 st via online mode. This will save the precious time as well as the academic interest of the students.	The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.

	After thorough deliberation, the members of the Academic Council appreciated the view taken by the University and agreed with the proposed date of commencement of the Academic Session.	
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Item No. 8	To consider the constitution of Curriculum Development Committee (CDC) for reviewing matters pertaining to revision of syllabi, introduction of new courses etc.
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Agenda Note	Discussion	Decision
The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised there is a need of constitution of a committee to update the issues related to addition/deletion of courses and updation of syllabi etc. The HPNLU COVID-19 Cell has recommended the constitution of Curriculum Development Committee.	The Vice-Chancellor apprised members that law being dynamic subject wherein lots of modification/amendments/changes are being introduced continuously throughout the year either by legislations or by judicial decisions. In such cases, syllabi need to be revised thoroughly at quick intervals. To make this revision comprehensive, quick and most suitable a University level Curriculum Development Committee is proposed. The Members of the Academic Council appreciated the proposal and authorized the Vice-Chancellor to constitute such standing committee from time to time.	The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval. The Academic Council approved and authorized the Vice-Chancellor to constitute standing committee preferably in the name of Curriculum Development Committee (CDC).

Item No. 9	To consider the UGC Guidelines for use of MOOCs and ePathshala Lessons as these are relevant to subject of Social Science, Management & Law.
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Agenda Note	Discussion	Decision
The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that the UGC Guidelines <i>vide</i> notification No. Part-III-Section 4 of the Gazette of India provide guidelines for upto 20 percent use of MOOCs for Social Science,	The Vice-Chancellor apprised the members about MOOCs and ePathshala Courses and the value of such allocated courses alongwith the credit to these courses. Prof. KPS Mahalwar, also highlighted the academic aspect of such courses and suggested that these courses will	The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.

<p>Management & Law. The matter was placed before the HPNLU, COVID-19 Cell and it has recommended to have MOOCs for Social Science, Management & Law. This MOOCs /ePathshala credit course shall be offered in 7th & 8th Semesters. It shall be four credit course.</p>	<p>add additional value in the profile of the students. Sh. I.N. Mehta and Sh. Deshraj Sharma also acknowledged the value of such courses. The Academic Council deliberated the matter thoroughly.</p>	
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<p>Item No. 10</p>	<p>To consider teaching of foreign languages with the use of MOOCs.</p>
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<p>Agenda Note</p>	<p>Discussion</p>	<p>Decision</p>
<p>The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that the English Language is being taught to the students in 1st & 2nd Semester. It is proposed that the University be allowed to teach English in 1st and 2nd semesters while in 5th & 6th semesters they will be given option to study any one of the languages i.e. English, French, German, Spanish, Russian, & Japanese. It is further submitted that teaching, learning & evaluation of English, French, German, Spanish, Russian & Japanese can be done through MOOCs. This MOOCs course will be given four credits.. It shall be four credit course.</p>	<p>The Vice-Chancellor placed on record that as per the requirement of the Bar Council of India, foreign language may be offered during LL.B. five year integrated course. Keeping in mind the notification of UGC/MHRD the said requirement may be complied by adopting MOOCs. The Vice-Chancellor apprised the members about availability of various courses on foreign language as well as Indian languages. Prof. K.P.S. Mahalwar suggested that MOOCs offered by IIT Chennai may be referred.</p>	<p>After thorough deliberations, the members of the Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval and also suggested that foreign language including Indian National language 'Hindi' may be taken up by students through MOOCs. The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.</p>

Item No. 11	To consider the letter received from HP Government regarding request from Sh. Vishav Mohan for reserving 01 sanctioned Teaching Post of Assistant Professor by earmarking in the identified subject of ‘Sociology’ in favour of Pwd (Visually Impaired) Category as per Roster Points criteria in terms of Pwd Act, 1995 & RPwD Act, 2016.	
Agenda Note	Discussion	Decision
<p>The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that the University received a letter from Chief Secretary (SJ&E), Government of Himachal Pradesh request from Sh. Vishav Mohan for reserving 01 sanctioned Teaching Post of Assistant Professor by earmarking in the identified subject of ‘Sociology’ in favour of Pwd (Visually Impaired) Category as per Roster Points criteria in terms of Pwd Act, 1995 & RPwD Act, 2016. Sh. Vishav Mohan also requested to University to consider his case.</p> <p>It is further submitted that Sh. Vishav Mohan has applied for Assistant Professor Sociology <i>vide</i> Advertisement No. HPNLU-A (7)-11 (ADVT)/2020/2-A dated 28-2-2020.</p>	<p>The Vice-Chancellor apprised the members that in the light of Supreme Court’s decision in <i>Faculty Association of PGI vs. Union of India (1998 SC)</i>, single post cannot be reserved. She referred to sub-para (ii) of Para-13 of the said Office Memorandum of the Department of Personnel (AP-III), Government of Himachal Pradesh vide No. PER(AP) -C-B (12) -3 / 2017 dated 22nd June, 2017 which says that “It is also clarified that the 1st point in the roster may be given to the persons with benchmark disabilities only in such cadres where the cadre consists of 25 or more posts” and UGC Letter dated 5th March 2018 which says that Roster in the University shall be prepared Department wise. As per the present sanctioned strength the cadre for Assistant Professor does not have sanctioned strength of twenty five. The members of the Academic Council considered the request of Sh. Vishav Mohan in view of the above & unanimously resolved that the demand of reservation for PwD (Visually Impaired) cannot be permitted. The Members of the Academic Council also deliberated on the issue and suggested that University should observe State Government Memorandum for the purpose of reservation.</p>	<p>The members of the Academic Council unanimously resolved:</p> <ol style="list-style-type: none"> a) Single post cannot be reserved as decided by the Hon’ble Supreme Court. b) Following the Memorandum of the Department of Personnel to the Government of Himachal Pradesh dated 22nd June, 2017, the post, which falls in the roster of reservation for PwD candidates shall be reserved irrespective of the fact that the post is from ‘Law’/Management/Sociology/ Economics or Political Science. <p>The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.</p>

Item No. 12	To consider the Representation of Faculty to allow them to work from home in the COVID-19 crisis.	
Agenda Note	Discussion	Decision
<p>The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that Government of Himachal Pradesh Department of Personnel Notification No. Per (AP-B)(15)-19/2020 dated 31st May 2020 at Pt. (xv) posted by the Registrar on 'Faculty HPNLU Whatsapp Group' provided:</p> <p><i>"This Order shall also be applicable to the officers/officials and research/teaching faculty working in the universities, research institutes such as IHBT/CSIR.IIT's, IIM, IIT, NIT etc".</i></p> <p>The University is functional as per the Order of the Government of Himachal Pradesh.</p> <p>It is further submitted that such representation amounts to defiance of Government Order and also insubordination to the Government Institution.</p> <p>This matter was also placed before the HPNLU, COVID-19 Cell and same has resolved:</p> <p><i>"The representations made by certain faculty members requesting for permission to work from home was also considered. And the members of the committee unanimously recommended that</i></p>	<p>The Vice-Chancellor apprised the members about representation made by Faculty members to work from home. The Members of the Academic Council clearly stated that such kind of permission cannot be granted in view of the notification issued by Himachal Pradesh Government dated 31st May 2020, any such representation is defiance of the Government notification/order.</p>	<p>The Members unanimously rejected the representation and also gave a note of caution for the Faculty Members to refrain from making any such demand in defiance of the government notification/order.</p> <p>The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.</p>

<p><i>such permission would not be in accordance with the Government Order (Himachal Pradesh Government) dated 31st May, 2020.</i></p>		
<p>Item No. 13</p>	<p>Any other Item with the Permission of the Chair.</p>	
<p align="center">Current Agenda for the Academic Council Meeting on June 25, 2020</p>		
<p>Item No. 13.1</p>	<p>To consider establish of two new Centers: <u>Center of Human Resource Development & Center for Parliamentary Studies.</u></p>	
<p align="center">Agenda Note</p>	<p align="center">Discussion</p>	<p align="center">Decision</p>
<p>The Vice-Chancellor placed the Agenda Item before the Academic Council and apprised that both Centers are of perennial importance, Center of Human Resource Development becomes even more significant in the COVID-19 crisis as all of us have been witness to the sufferings of migrant workers, at this juncture the training and workshops for the administrative staff becomes more relevant because of mental health issues due to COVID-19 Pandemic Crisis</p>	<p>The Vice-Chancellor emphasizing on the significance of both the Centers, apprised the members that <u>Center of Human Resource Development and Center for Parliamentary Studies</u> would serve the purpose of skill development and research. It is also explained that these Centers would require to fetch financial assistance from external agencies like Government as well as through Corporate Social Responsibility for its functioning. The Vice-Chancellor further explained that these two Centers shall be established on the same pattern and with the same academic as well as administrative strength like other already approved centers.</p>	<p>The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.</p>

Item No. 13.2	To consider proposal of Center for Environment & Disasters Management-HPNLU, Shimla for online Journal titled “HPNLU Journal of Environment & Disaster Management” Volume-I Issue-1, 2020.	
Agenda Note	Discussion	Decision
The Vice-Chancellor placed the Agenda Item before the member of the Academic Council.	<p>The Vice Chancellor apprised the members about functioning of HPNLU Center for Environment & Disasters Management and also narrated about various activities including research proposal, webinar, and student’s conclave etc. initiated by the Center.</p> <p>In this regard the Center has proposed to launch its specialized online Journal titled as “<i>HPNLU Journal of Environment & Disasters Management</i>” from Academic Session 2020-2021.</p>	<p>The Members of the Academic Council appreciated the efforts of the Centre and approved the proposal as well as title of the Journal.</p> <p>The Academic Council unanimously approved the proposal and recommended the same to the Executive Council for further approval.</p>

Prof. (Dr.) P.S. Jaswal

Prof. (Dr.) K.P.S. Mahalwar

Prof. (Dr.) Sunil Deshta

Dr. Girjesh Shukla

Dr. Alok Kumar

Sh. I.N. Mehta

Prof. (Dr.) S.S. Jaswal

Sh. Deshraj Sharma

Prof. (Dr.) Nishtha Jaswal
