

22nd Meeting of Executive Council
Himachal Pradesh National Law University, Shimla
Minutes of the Meeting

March 10, 2025

The 22nd Meeting of the Executive Council, HPNLU Shimla was held on March 10, 2025 at 11:00 A.M. in hybrid mode. The Meeting was presided by Professor (Dr.) Priti Saxena, Vice-Chancellor, Himachal Pradesh National Law University, Shimla.

The following members were present:

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| 1. | Prof. (Dr.) Priti Saxena, Vice-Chancellor, HPNLU, Shimla | Chairperson |
| 2. | Prof. (Dr.) Faizan Mustafa | Member |
| 3. | Sh. Jyoti Chauhan, Representative from LR-Cum Secretary (Law) | Member |
| 4. | Sh. Dinesh Gupta, Under Secretary (Home) | Member |
| 5. | Prof. (Dr.) Vijender Kumar | Member |
| 6. | Prof. (Dr.) Paramjit Singh Jaswal | Member |
| 7. | Prof. (Dr.) R. Venkata Rao | Member |
| 8. | Mr. Lovneesh Kanwar, Chairman, BCI, HP | Member |
| 9. | Prof. (Dr.) Ranbir Singh | Member |
| 10. | Prof. (Dr.) Girjesh Shukla | Member |
| 11. | Dr. Chandreshwari Minhas | Member |
| 12. | Prof. (Dr.) Chanchal Kumar Singh | Special Invitee |
| 13. | Prof. (Dr.) Alok Kumar | Special Invitee |
| 14. | Dr. Santosh Kumar Sharma | Special Invitee |
| 15. | Prof. (Dr.) S.S. Jaswal (Registrar) | Ex-Officio Secretary |

The following members could not attend the meeting:

1. Chief Secretary, Government of Himachal Pradesh.
2. Secretary (Finance) Government of Himachal Pradesh.
3. Secretary (Higher Education), Government of Himachal Pradesh.

At the outset the Chairperson welcomed all the Esteemed Members of the Executive Council. The Chairperson requested the esteemed members that due to scheduled convocation to be held on 30th March, 2025, some of the agenda items may be deferred as they would require detailed discussion, which would possible preferably in a meeting conducted in a physical mode. Thus, it was proposed to defer agenda item Nos. 22.7, 22.8, 22.9, 22.10, 22.15 and 22.16. The members unanimously approved the proposal and authorized the Chairperson to place only those items which are required to be considered by the Executive Council on urgency basis.

The Chairperson asked Registrar, HPNLU, *Ex-officio Secretary* to present the agenda items before the Executive Council accordingly.

Before presenting the Agenda Items, Professor (Dr.) S.S. Jaswal, Registrar formally introduced the Hon'ble Vice-Chancellor to the Esteemed members of the Executive Council, accordingly, the Executive Council welcomed the Vice-Chancellor.

Thereafter the agenda items were taken up.

PROCEEDINGS OF THE MEETINGS

Item No. 22.1: - To confirm the Minutes and Action Taken Report of the 21st Meeting of the Executive Council held on 12th February, 2024.

With the permission of the Vice-Chancellor, the Registrar placed the minutes and Action Taken Report of the 21st Meeting of the Executive Council, meeting held on 12th February, 2024, along with the 'Action Taken Report' before the members of the Executive Council.

The Registrar explained the details of the minutes of the 21st Executive Council meeting held on February 12, 2024, along with the agenda-wise Action taken Report.

Resolution: - The minutes of the 21st Executive Council along with the Action Taken Report, the same was unanimously confirmed. The Executive Council resolved to confirm the minutes of the 21st Executive Council along with the Action Taken Report.

Item No. 22.2: - To Confirm the Minutes of the 17th Meeting of the Finance Committee held on December 31, 2024.

The Registrar placed the agenda item before the Executive Council to confirm the minutes of the 17th Meeting of the Finance Committee meeting held on 31st December, 2024.

He explained the recommendations of the Finance Committee meeting agenda item-wise.

At agenda item No. 17.16 of the 17th Finance Committee, the members were apprised that a Committee has already been constituted and the report of the Committee shall be placed before the Finance Committee in its next meeting.

At agenda item No. 17.21 of the 17th Finance Committee there is matter pertaining to revision of pay in accordance with Himachal Pradesh Government notification. The said matter is requested to be deferred in the line of already requested deferral of agenda Item No. 22.10 of the present Executive Council meeting.

At agenda item No. 17.22 of the Finance Committee, Professor P.S. Jaswal recommended that the pay fixation of Professor Priti Saxena, Vice-Chancellor, HPNLU, Shimla should be protected @ Rs. 2,18,200/- + 11, 250/- (revised special allowance as per GOI, MOE, Dept. of Higher Education, vide Notification No. 1-4/2017-U.II, dated 28-01-2019), which is the basic pay at her parent Institution before joining as Vice-Chancellor at HPNLU, Shimla. On that note, all the members unanimously agreed to recommend to the Hon'ble Chancellor for approval. However, Professor Priti Saxena informed the members that she did not seek salary protection. In response, Professor Ranbir Singh noted that it is the prerogative of the Vice-Chancellor to choose between the protected salary and the salary mentioned in her appointment letter, issued by Hon'ble Chancellor. All members accordingly, endorse the decision of Professor Priti Saxena with respect to her pay protection.

At agenda item No. 17.24, of the 17th Finance Committee, Professor P.S. Jaswal suggested that the Vice-Chancellor may submit the detailed report on the pay fixation of Professor S.S. Jaswal in the next Executive Council meeting.

The Executive Council deliberated upon each recommendation of the meeting of the Finance Committee thoroughly and resolved to approve the same.

Resolution: - The Executive Council unanimously resolved to approve the minutes of the 17th Meeting of the Finance Committee held on 31st December, 2024.

Agenda Item No. 17.21 could not be discussed and at agenda item No. 17.24 it was unanimously resolved that the Vice-Chancellor shall submit the detailed report on the pay fixation of Professor S.S. Jaswal in the next Meeting of Executive Council.

Item No. 22.3: - To Confirm the Minutes of the 19th Meeting of the Academic Council held on February 24, 2025.

The Registrar placed the agenda item before the Executive Council to consider the minutes of the 19th Meeting of the Academic Council held on 24th February, 2025.

He explained the recommendations of the Academic Council meeting agenda item-wise.

The Executive Council deliberated upon each recommendation of the meeting of the Academic Council thoroughly and resolved to approve the same.

Resolution: - The Executive Council unanimously resolved to approve the minutes of the 19th Meeting of the Academic Council held on 24th February, 2025.

Item No. 22.4: - To Consider the Roster (Sanction of seats and reservation) of Teaching and Non-Teaching Staff.

The Registrar placed the agenda item before the Executive Council to consider the Roster (sanction of seats and reservation) of teaching and non-teaching staff.

He apprised the members that the University, with the approval of appropriate authorities from time to time, has created and filled teaching and non-teaching staff since its inception i.e. September 2016. Most of the teaching and non-teaching positions were sanctioned on a need basis. However, this resulted in the creation of numerous positions [teaching and non-teaching] causing a serious impact on the limited resources/finances of the University and also reflecting escalated unfilled vacancies.

The Vice-Chancellor informed the members that the University is required to comply with the reservation rules in these appointments as per Section 42 of the Himachal Pradesh National Law University Act, 2016. She further, informed that when the University applied for UGC recognition under Section 12B of the University Grants Commission Act, 1956, the UGC

imposed several conditions including the compliance of the reservation roster on various positions (teaching and non-teaching) as per the applicable law.

In compliance with the said condition and after carefully examining the long-term administrative feasibility and financial constraints, the University revised the number of sanctioned posts (teaching and non-teaching) along with the applicable reservation roster as approved under HPNLU Executive and Service Regulations, 2020. The revised roster was placed before the UGC in compliance with the condition with the note that the same will be placed before the Executive Council for consideration and approval.

She stated that revised proposed positions (teaching and non-teaching) along with the reservation roster are placed for consideration with retrospective application.

On the agenda item, Professor P.S. Jaswal noted that once the positions/posts are created, it's the University prerogative to fill or not to fill the posts/positions only student teacher ratio should be maintained only. He further suggested that University should reply to the University Grants Commission in response to the conditions of fill up the vacant posts that University filling up posts on the basis of need and financial position of the University and University will maintain the teacher students ratio, which is utmost important.

The Vice-Chancellor apprised the members that the approval of the proposed position of teaching and non-teaching with reservation roster is important and urgent, as it pertains to the confirmation of services of some University employees, as referenced in Agenda Item Nos. 22.5 and 22.6.

Professor Venkata Rao added that the University judiciously follow the reservation in teaching and non-teaching posts as proposed.

The Executive Council deliberated upon the agenda item thoroughly and resolved to approve the same.

Resolution: - The Executive Council unanimously resolved to approve the proposed positions with reservation roster for teaching and non-teaching staff with retrospective application.

Item No. 22.5: - To consider the matter related to confirmation of the services of 06 Clerks and the withholding of annual increment.

Resolution: - The Executive Council approved the agenda item in the line of discussion and the approved post and roster given in agenda item No. 22.4.

Item No. 22.6: - To consider the confirmation matter of Non-Teaching Staff (Chowkidars, Peon, Driver cum Office Attendant, Girls Hostel Attendant and Sweeper).

Resolution: - The Executive Council approved the agenda item in the line of discussion and the approved post and roster given in agenda item No. 22.4.

Item No. 22.11: - For Consideration and Direction in the Matter of Mr. Dinesh Kumar (Junior Assistant).

The Registrar placed the agenda item before the Executive Council for Consideration and Direction in the Matter of Mr. Dinesh Kumar (Junior Assistant) as being urgent and requires policy decision.

He apprised the members that Mr. Dinesh Kumar was appointed as Junior Assistant on 20.03.2022. After his joining, during his character and antecedent verification, the District Magistrate, Solan informed that two FIRs [No. 05/20 dated 19.01.2020 u/s 147, 149, 323, 504, 506 IPS PS Arki, and other one Case FIR No. 50/20 dated 17.07.2020 U/S 341, 504, IPC PS Arki] have been registered against him and laying pending for judicial verdict in the Ld. Court of JMFC Arki, Solan. However, no immediate action or communication in this regard was taken by the concerned branch of the University.

He further informed that when the Confirmation Committee was considering his file for confirmation of the probation, the Committee analysed his file and the matter was brought to the knowledge of appropriate authority. The Confirmation Committee recommended for extension of his probation period for one year and further requested the concern to direct Mr. Dinesh Kumar to submit appropriate clearance. Accordingly, the probation period was extended for one year, and the service agreement could not be executed.

Registrar again submitted that Mr. Dinesh has yet not been relieved from the court, and there is no provision under the HPNLU Executive and Service Regulations, 2020 to extend his probation beyond one year. In this case, probation of one year will complete by March 2025.

Professor Ranbir Singh opined that till the pendency of his cases or until final verdict comes, the services of the concerned staff may not be confirmed.

On the agenda item Professor Vijender Kumar stated that the concerned staff may be given notice regarding extension of his confirmation, until the final verdict comes.

The Executive Council deliberated upon the agenda item thoroughly and resolved to approve the same.

Resolution: - The Executive Council unanimously resolved as under:

- a) That the services of Mr. Dinesh Kumar (Junior Assistant) may not be confirmed till the pendency of Cases or until final verdict comes.

- b) Give a notice regarding extension of his confirmation, until the final verdict comes to Mr. Dinesh Kumar, Junior Assistant.

Item No. 22.12: - To consider the selection of an Audit Firm for the audit of the University Accounts.

The Registrar placed the agenda item before the Executive Council to consider the selection of an Audit Firm for the audit of the University Accounts.

He apprised the members that Section 40 (4) of the Himachal Pradesh National Law University Act, 2026 provides that “the accounts of the University shall be audited by the auditors appointed by the Executive Council”.

Given this, the University has invited tender for procurement of Audit Services, and after observing due process, audit firm “A. Singhi and Associate, Ganj Road Shimla” has been selected for Financial Year 23-24.

Professor P.S. Jaswal take note on the agenda item and suggested that the matter of appointment of auditor should be placed before the Executive Council for approval, so as to comply with the Section 40 of University Act.

The Vice-Chancellor stated that when she took over the charge by that time there was no auditor in the University, and in the Finance Committee in its meeting on 31.12.2024, it was resolved to place audited budget before the Finance Committee, hence, due to urgency of the matter and pendency of audit report for the financial year 2023-24, the University appointed audit firm “A. Singhi and Associate, Ganj Road Shimla and sought from the esteemed council to give *ex-post facto* approval for the appointment of mentioned audit firm for the financial year 2023-24.

The Executive Council deliberated upon the agenda item thoroughly and resolved to approve the same.

Resolution: - The Executive Council unanimously resolved to give the *ex-post facto* approval to the appointment of audit firm A. Singhi and Associate, Ganj Road Shimla, for Financial Year 23-24.

Item No. 22.13: - To consider the extension of the services of Mr. Amar Vivek (Senior Advocate) as Legal Advisor cum defence counsel to represent the University in various Courts.

The Registrar placed the agenda item before the Executive Council to consider the extension of the services of Mr Amar Vivek (Senior Advocate) as Legal Advisor cum defence counsel to represent the University in various Courts.

He apprised the members that Mr Amar Vivek (Senior Advocate) was appointed as legal advisor/defence counsel of the University by the 10th meeting of the Executive Council held on

March 25, 2021. His services were extended earlier also and now the term is to expire on 25.03.2025, hence, his services may be extended from 25.03.2025 to 24.03.2026.

Resolution: - The Executive Council unanimously approved the extension of services of Mr. Amar Vivek (Senior Advocate) as Legal Advisor cum defence counsel to represent the University in various courts for the period from 25.03.2025 to 24.03.2026.

Item No. 22.14: - To consider the Letter received from the Addl. Chief Secretary (Home), Government of Himachal Pradesh vide No. HOME-B-A002/1/2023 dated 12th December 2024 regarding denial of grant of Rs. Five Crores for the construction of the first Boys Hostel as announced by Hon'ble Chief Minister on 14.01.2023.

The Registrar placed the agenda item before the Executive Council to consider the Letter received from the Addl. Chief Secretary (Home), Government of Himachal Pradesh vide No. HOME-B-A002/1/2023 dated 12th December 2024 regarding denial of grant of Rs. Five Crores for the construction of the first Boys Hostel as announced by Hon'ble Chief Minister on 14.01.2023.

He apprised the members that vide letter No. HOME-B-A002/1/2023 dated 12th December 2024 regarding the release of the funds amounting to Rs. 5.00 Crore for the construction of the First Boys' Hostel of the University as announced by the Hon'ble Chief Minister of Himachal Pradesh during his visit to the University on 14.01.2023.

He informed the members that the said letter states as follows:

“that the matter was examined at Government Level in consultation with the Planning Department and it has observed that the State Government is unable to provide any financial assistance, keeping in view the stipulation, already conveyed to you informing that no additionality shall be provided in future and the University shall work on self-sustaining basis. You are, therefore, requested to go with the resources of the University in view of the above referred stipulation”

He further informed that the above letter is clearly denial of financial assistance from the government which have serious repercussions on the infrastructure development of the University and would cause an irreparable dent in the already limited financial resources of the University.

Professor P.S. Jaswal suggested that University should write a letter to the Chief Secretary, to the Government of Himachal Pradesh.

The Vice-Chancellor informed the members that she has already written a letter to Hon'ble Visitor, HPNLU, Shimla, Hon'ble Mr. Justice M.M. Sundresh, Judge, Supreme Court of India.

She further informed that Hon'ble Mr. Justice M.M. Sundresh intervened in the issues related to University (including the above matter) and a letter sent by His Lordship to Hon'ble Chief Minister of the State to look into the matter.

The Executive Council deliberated upon the agenda item thoroughly and recommended to send a letter to Chief Secretary to the Government of Himachal Pradesh also.

Resolution: - The Executive Council unanimously noted the agenda item and recommended that the University should formally communicate by sending a letter to the Chief Secretary, Government of Himachal Pradesh, emphasizing that no University or Institution can function or progress effectively until the complete infrastructure is handed over to the Institution.

REPORTING ITEM NO. 22.17

1: - The Registrar informed the Esteemed members of the Council that the University has received recognition under Section 12B of the University Grants Commission Act, 1956. The Esteemed members of the Council noted the item and extended their congratulations to the University on this significant achievement.

2 :- The Registrar informed the Esteemed members of the Council that Dr. Alok Kumar, Associate Professor of Law has been promoted from Associate Professor (Academic Level 13A) to Professor (Academic Level 14) under the Career Advancement Scheme (CAS) as per UGC Regulations on Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2018 and the HPNLU Shimla Executive and Service Regulations, 2020.

He further informed that Dr. Alok Kumar joined as Professor of Law on 11th February, 2025 with effect from 26th June, 2024, as the promotion was due on 26th June, 2024.

The members of the Executive Council noted the item and congratulated Prof. Alok Kumar, present in the meeting.

3: - The Registrar informed the Esteemed members of the Council that after reviewing the present need and workload of the teaching staff, the University only needs 03 Research Associates of Law and, therefore has not renewed the services of 06 Teaching and Research Associate (Law) from 31.12.2024.

He further informed that in the month of January 2025, vide Advertisement No. HPNLU-A(7)-11(Advt.)/2022-28 dated 08.01.2025, the University advertised three posts for Research Associates of Law for a period starting in February 2025 to 30 June 2025.

The Registrar stated that as per the recommendations of the Selection Committee, 03 Research Associates of Law have been selected i.e., Dr. Nutan Kanwar, Ms. Arzoo and Mr. Aviral Pandit. However, Professor P.S. Jaswal raised a concern during the meeting, pointing out that the agenda note was legally inconsistent. On the one hand, it was mentioned that the University did not need the services of the six existing Teaching and Research Associates, but on the other hand, a fresh advertisement was published inviting three new Research Associates. This seemed contradictory. On the above, the Vice-Chancellor informed the members that as per the review note regarding present need and work load of teaching staff placed by Dean Academic Affairs, the University needs only 03 Research Associates of Law. Hence the University had not renewed the services of 06 Teaching and Research Associate (Law) w.e.f. 31.12.2024, and advertised fresh advertisement inviting 03 Research Associates of Law as per the present need. The Vice-Chancellor further informed the members that the University followed the proper procedure for the above recruitment. The item was noted by the Executive Council.

4: - The Registrar informed the Esteemed members of the Council that due to some medical emergency on 6th December 2023, Mr. Vijay Kumar (Peon) requested advance credit of Earned Leave. As per the office record, there was no casual/earned leave credit in his leave account except half-pay leave. Further, he could not furnish the medical certificate for the leave period as he had already availed of the leave. He further informed that after considering detailed facts and circumstances, his request was allowed by the Hon'ble Vice-Chancellor. The item was noted by the Executive Council.

5: - The Registrar informed the Esteemed members of the Council that the services of the employees were confirmed after they fulfilled the required conditions including the Annual Performance Appraisal Report (APAR).

He further informed that Mr. Arun Kumar, Computer Lab Attendant got "Average" remarks in his Annual Performance Appraisal Report (APAR) for Year 2023-2024. As per norms, he was asked to submit an explanation/representation, if any, against the said APAR on or before 29th July 2024. However, no response was received from him, and consequently, his probation period was extended for one year. The item was noted by the Executive Council.

6: - The Registrar informed the Esteemed members of the Council that the 6th Finance Committee suggested outsourcing certain services including Security Guards etc., and the same was approved in the 9th Meeting of the Executive Council.

He further informed that the University has started availing services on certain Group C/D categories on an outsourced basis, since, February 2025 for avoiding the future financial liability. The item was noted by the Executive Council.

The Vice-Chancellor concluded the meeting by expressing her gratitude towards the esteemed members of the Executive Council. The Vice-Chancellor invited to grace the occasion of 2nd Convocation Ceremony of the University scheduled for 30th March, 2025.


Registrar
HPNLU, Shimla