

16th Meeting of Academic Council
Himachal Pradesh National Law University, Shimla
Minutes of the Meeting
November 15, 2022

The 16th Meeting of the Academic Council, HPNLU Shimla was held on November 15, 2022 at 10:00 A.M. Professor (Dr.) S.S. Jaswal, Registrar Himachal Pradesh National Law University, Shimla inform the member of the Academic Council about the sad demise of the mother of Prof. (Dr.) Nishtha Jaswal, Hon'ble Vice-Chancellor, HPNLU, Shimla. All the members express their heartfelt condolences and ask the Registrar to express the same on their behalf to the Vice-Chancellor. Prof. (Dr.) S.S. Jaswal, Registrar inform the members that due to sad demise of the mother of Hon'ble Vice-Chancellor she would not be able to preside the meeting. He further cited section 23 (5) of the Himachal Pradesh National Law University, Shimla (Act No. 16 of 2016), which *inter alia* reads as:

“Every meeting of the Academic Council shall be presided over by the Vice-Chancellor and in his absence by a member chosen in the meeting to preside on the occasion”.

All the members after deliberation unanimously asked the Registrar to preside over the meeting.

Following members were present:

1.	Professor (Dr.) S.S. Jaswal	Chairperson
2.	Professor (Dr.) Manoj K. Sinha	Member
3.	Professor (Dr.) Anand Pawar	Member
4.	Professor (Dr.) Sanjay Sindhu	Member
5.	Sh. I.N. Mehta	Member
6.	Dr. Girjesh Shukla	Member
7.	Prof. (Dr.) S.S. Jaswal	Secretary

Following members could not attend the meeting:

1. **Prof. (Dr.) Nishtha Jaswal**
2. **Prof. (Dr.) V. Nagaraj**
3. **Dr. Amit Vaid**
4. **Ms. Navditya Tanwar**

PROCEEDINGS OF THE MEETINGS

Item No. 1	To confirm the Minutes of the 15th Meeting and Action Taken Report of the Academic Council held on September 19, 2022.		
	Agenda Note	Discussion	Decision/Resolved
	The Registrar placed the Minutes & Action Taken Report of the 15 th Meeting of Academic Council before the members of the Academic Council.	The Registrar explained the details of Minutes of last meeting as well as the Action Taken Report.	After brief deliberation over the minutes and Action Taken Report, the same were confirmed unanimously.
Item No. 2	To consider and approve the request for Ph.D. pre-submission presentation and submission of thesis on completion of three years.		
	Agenda Note	Discussion	Decision/Resolved
	The Registrar placed the agenda item before the esteemed members of the Academic Council to consider and approve the request for Ph.D. pre-submission presentation and submission of thesis on completion of three years.	The Registrar informed the esteemed members that due to COVID situation the residential requirements of Ph.D. scholars of batch 2018, 2019, 2020, 2021 and 2022 has not been complied in a regular format. However, the Ph.D. candidates/scholars have completed their course work. He requested the esteemed members of the Academic Council to consider reports/recommendations of the committee constituted for considering for recommending the issues of Pre-Ph.D. submission, may be considered. Prof. (Dr.) Manoj Kumar Sinha informed	After thorough deliberation, the members of the Academic Council unanimously decided that all the students who have fulfilled the UGC Ph.D. 2016/ Himachal Pradesh National Law University, Shimla Regulations for Ph.D. in Law and LL.D. in Law, 2019 requirement may be allowed to submit their thesis. It was also resolved that all the Research Scholars, whether part time or full time shall be allowed to submit their thesis within three years in future also. The Academic Council unanimously recommended the same to the Executive Council for approval.

the esteemed members that UGC requirement is categorically about submission of thesis after three years, however, the said regulation is silent about part time scholars. He further said that UGC guidelines clearly indicate that classes held via online mode are deemed to be regular during the COVID period. In view of the above facts, he suggested that the agenda note is required to be rectified and first three lines of the second paragraph i.e., *this is submitted that due to Covid-19, since March 2020, many students of these batches till then could not comply the residential requirement* is required to be deleted. All the members agreed with the opinion of Prof. Manoj Kumar Sinha.

With respect to full time and part time Ph.D. Prof. (Dr.) Manoj Kumar Sinha again stated the UGC requirement 2009, 2016 and 2022 and said that Ph.D. scholars whether full time or part

time, once they comply with other UGC requirement can submit their thesis after three years.

ITEM NO. 3

Any other item with the permission of the chair.

CURRENT AGENDA

With approval of Esteemed Academic Council Current Agenda Item was placed.

Item No. 1

To consider and approve the request of Mr. Shiva Vishnoi student of Batch 2017 B.A. LL.B. (Hons.).

Agenda Note	Discussion	Decision
<p>The Registrar placed the agenda before the Academic Council to consider and approve the request of Mr. Shiva Vishnoi student of Batch 2017-2022 B.A. LL.B. (Hons.).</p>	<p>The Registrar appraised the members that a request had been received from Mr. Shiva Vishnoi Enrolment No. 1020171810 student of B.A. LL.B. batch 2017-2022, wherein he requested for special reappear examination. The members were informed that as per the Himachal Pradesh National Law University, Shimla, Examinations Regulations, 2019 all the passing out batch were allowed to avail the special reappear examination which were conducted after the 10th Semester examination. The case of the applicant is that he was found using Unfair Means (UFM) during his regular 10th semester examination. The UFM Committee cancel his said paper and he was declared fail in the said subject. He along with other students was given opportunity to appear in the special reappear examination which were held in the month of September, 2022. However, he did not appear in the said</p>	<p>After thorough deliberation, the members of Academic Council resolved to approve the agenda item and give opportunity to Mr. Shiva Vishnoi to appear in the special reappear examination. Fee related rules as well as other requirement shall be applicable to this special reappear examination '<i>Mutatis mutandis</i>.'</p> <p>The Academic Council unanimously recommended the same to the Executive Council for approval.</p>

special reappear examination because he could not read email notifying the examinations. Now he is seeking another special reappear examination to get his degree.

Mr. I.N. Mehta member Academic Council opined that keeping in view his career and also the post COVID situation the candidate may be given one-time concession. All the members unanimously agreed with the same and reiterated that since there is no rule for such special reappear examination in the Himachal Pradesh National Law University, Shimla, Examinations Regulations, 2019, this case should not be treated as precedent in future.

The Registrar concluded the meeting by expressing his gratitude towards the esteemed members of the Academic Council.

Prof. (Dr.) Manoj K. Sinha

Prof. (Dr.) Anand Pawar

Prof. (Dr.) Sanjay Sindhu

Sh. I.N. Mehta


Dr. Girjesh Shukla


Prof. (Dr.) S.S. Jaswal