

**20th Meeting of Executive Council
Himachal Pradesh National Law University, Shimla
Minutes of the Meeting**

July, 4 2023

The 20th Meeting of the Executive Council, HPNLU Shimla was held on July 4, 2023 at 11:00 A.M. The Meeting was presided by Professor (Dr.) Nishtha Jaswal, Vice-Chancellor, HPNLU Shimla.

Following members were present:

1.	Professor (Dr.) Nishtha Jaswal, Vice-Chancellor, HPNLU	Chairperson
2.	Sh. Manoj Kumar Chauhan, Special Secretary (Home) to the Govt. of Himachal Pradesh	Member
3.	Secretary (Higher Education) H.P. (Shimla) (Representative- Ms Rita Walia, Under Secretary, Higher Education Education, Shimla)	Member
4.	Prof. Ranbir Singh, Former Vice-Chancellor, National Law University, Delhi.	Member
5.	Prof. Gurdip Singh Bahri, Chancellor, IMS, University, Dehradun.	Member
6.	Prof. Faizan Mustafa, Former Vice-Chancellor, NALSAR, Hyderabad	Member
7.	Prof. Paramjit Singh Jaswal, Vice-Chancellor, SRM University, Sonipat	Member
8.	Prof. Vijender Kumar, Vice-Chancellor, Maharashtra National Law University, Nagpur.	Member
9.	Sh. Ajay Kumar Sharma, Chairman, Bar Council of Himachal Pradesh.	Member
10.	Prof. S.S. Jaswal, H.P. National Law University, Shimla	Member
11.	Dr. Ruchi Sapahia, Associate Professor, HPNLU	Member
	Registrar, H.P. National Law University, Shimla	Secretary

Note: Following hon'ble members could not attend the meeting:

1. Chief Secretary to the Government of Himachal Pradesh.
2. Secretary (Finance) to the Government of Himachal Pradesh.
3. LR-Cum-Secretary (Law) to the Government of Himachal Pradesh.

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PROCEEDINGS OF THE MEETINGS

Item No. 1	To confirm the Minutes and Action Taken Report of the 19th Meeting of the Executive Council held on June, 2nd 2023.	
Agenda Note	Discussion	Decision/Resolved
The Vice Chancellor placed the minutes of the 19 th Meeting of Executive Council along with the 'Action Taken Report' before the members of the Executive Council.	The Vice-Chancellor explained the details of the minutes of last meeting, presented the 'Action Taken Report' and explained the Action Taken Report and Proceedings.	After brief deliberation over the minutes along with the Action Taken Report, the same were confirmed.
Item No. 2	To confirm the Minutes of the 15th Meeting of the Finance Committee scheduled to be held on July, 4th 2023.	
Agenda Note	Discussion	Decision/Resolved
The Vice Chancellor placed the agenda item before the Executive Council to confirm the Minutes of the 15 th Meeting of the Finance Committee held on 4 th July, 2023.	<p>The Vice-Chancellor explained the recommendations of the Finance Committee meeting agenda item wise.</p> <p>While considering the recommendations of the Finance Committee the Hon'ble Members of the Council noted that in the absence of Government annual grant and financial aid, it will be difficult to have financial stability and create suitable physical and academic infrastructure. Hon'ble Member Professor P.S. Jaswal suggested that the University should prepare detailed proposal of requirement of funds and grants for the University and submit it to the Government for consideration.</p> <p>The Executive Council deliberated upon each recommendation of the meeting of the Finance Committee</p>	<p>The Executive Council unanimously approved the minutes of the 15th Meeting of the Finance Committee held on 4th July, 2023 along with the following resolutions:</p> <ul style="list-style-type: none"> • The minutes of the meeting of the Finance Committee dated 4th July, 2023 is unanimously approved. • The University shall prepare detailed proposal of requirement of funds and grants for the University and submit it to the Government for consideration.

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	thoroughly and resolved to approve the same.	
Item No. 3	To consider and approve the proposed change in the nomenclature of research centre namely “Research Centre for Studies Related to Differently Abled”.	
Agenda Note	Discussion	Decision/Resolved
The Vice Chancellor placed the agenda item before the Executive Council to consider and approve the proposed change in the nomenclature of research centre namely “Research Centre for Studies Related to Differently Abled”.	<p>The Vice-Chancellor apprised the members that in the 18th meeting of the Executive Council, held on 24th February, 2023, the Council had approved the creation of the Centre for persons with disabilities with name “Centre for Studies Related to Differently Abled”.</p> <p>She informed that the University in compliance with the decisions of the Council had notified the establishment of the centre.</p> <p>She further informed that during the course of International Colloquium conducted by the Centre, it has been pointed out that the Centre must be named as ‘Centre for Studies Related to Persons with Disabilities’ because the term ‘Persons with Disabilities’ is used in the Rights of Persons with Disabilities Act, 2016.</p> <p>The item was thoroughly deliberated upon by the members and resolved to approve the same.</p>	The Executive Council unanimously approved the change in the nomenclature of research centre namely Research Centre for Studies Related to Differently Abled to ‘Centre for Studies Related to Persons with Disabilities’.

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Item No. 4	To consider and approve the proposed changes for teaching employees, under Rule-5 (Half Pay Leave) CHAPTER-VIII, PART-I, and the proposed changes for non-teaching employee under Rule 4 (Half Pay Leave) CHAPTER-VI of PART-II of the Himachal Pradesh National Law University, Shimla, Executive and Service Regulations, 2020	
Agenda Note	Discussion	Decision/Resolved
<p>The Vice-Chancellor placed the Agenda item before the Executive Council to consider and approve the proposed changes in Rule-5 (Half Pay Leave), CHAPTER-VIII, PART-I, of the Himachal Pradesh National Law University, Shimla, Executive and Service Regulations, 2020.</p>	<p>The Vice-Chancellor submitted that there are some issues regarding 'grounds for availing the HPL', 'commutation of HPL' and the 'maximum limit for availing the HPL'.</p> <p>She proposed changes in Rule 5 (Half Pay Leave), CHAPTER-VIII, PART-I, of the Himachal Pradesh National Law University, Shimla, Executive and Service Regulations, 2020.</p> <p>She informed the members that PART-II of the Himachal Pradesh National Law University, Shimla, Executive and Service Regulations, 2020 deals with service conditions of non-teaching employees of the University.</p> <p>She further proposed that the Rule relating to Half Pay Leave should be brought at par for both the teaching as well as non-teaching employees.</p> <p>The Hon'ble Members deliberated upon and suggested that the UGC Policy should be adopted with respect to Medical/Half Pay Leave for teaching employees.</p> <p>Accordingly, the Hon'ble members of the Council suggested that the Rule 5 relating to teaching employees</p>	<p>The Executive Council unanimously approved the changes for teaching employees, under Rule-5 (Half Pay Leave) CHAPTER-VIII, PART-I, and the proposed changes for non-teaching employee under Rule 4 (Half Pay Leave) CHAPTER-VI of PART-II of the Himachal Pradesh National Law University, Shimla, Executive and Service Regulations, 2020 in the following manner:</p> <ol style="list-style-type: none"> 1. Half Pay Leave': Half Pay Leave admissible to a permanent teacher shall be the same as provided in the UGC Regulations. 2. Half Pay Leave admissible to a permanent Non-Teaching Staff shall be the same as applicable to a permanent teaching staff. 3. Half Pay Leave for teaching/non-teaching employee shall not be commuted in any case. 4. During the entire service of an employee (teaching and Non-Teaching) Half Pay Leave shall be limited to a maximum of 180 days. 5. The above amended rules shall be deemed to have come into effect from the date on which Himachal Pradesh National Law University, Shimla, Executive and Service Regulations, 2020 came into force. 6. The Vice-Chancellor is authorized to modify the existing rule accordingly.

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	<p>shall be modified in accordance with the UGC Regulations 2018. However, employees proceeding on Half Pay Leave on Medical Ground, the existing Rule 5, to that extent, should apply.</p> <p>The item was thoroughly deliberated upon by the members and resolved to approve the same.</p>	
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Item No. 5	To consider and approve the Policy for appointment of Distinguished Professor of Practice (Annexure-II) as well as to approve the appointment of Legal Luminaries as Distinguished Professor of Practice.
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Agenda Note	Discussion	Decision/Resolved
<p>The Vice-Chancellor placed the Agenda item before the Executive Council to consider and approve the Policy for appointment of Distinguished Professor-in-Practice (Annexure-II) as well as to approve the appointment of Legal Luminaries as Distinguished Professor of Practice.</p>	<p>The Vice-Chancellor apprised the members that for making the spirit of NEP-2020 a living reality, there is a need to boost academics and research.</p> <p>She further apprised that Keeping in view this objective, the UGC has prescribed the provision for appointing eminent legal luminaries as Distinguished Professor of Practice.</p> <p>She placed the policy for appointment of Distinguished Professor of Practice before the esteemed Executive Council.</p> <p>She informed that this policy is framed with only minor modifications of the UGC guidelines relating to appointment of Distinguished Professor of Practice.</p>	<p>The Executive Council unanimously approved the Policy for appointment of Distinguished Professor of Practice and Honorary Professor of Practice. The Executive Council further unanimously approved the following</p> <ol style="list-style-type: none"> 1. Hon'ble Mr. Justice V. Ramasubramanian, former Judge, Supreme Court of India shall be the Distinguished Professor of the University. 2. Hon'ble Mr. Justice Deepak Gupta, former Judge, Supreme Court of India shall be the Distinguished Professor of the University, however his consent must be taken. 3. Dr. Vinod Surana, Managing Partner and CEO, Surana and Surana International Attorneys shall be Honorary Professor of Practice of the University.

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She submitted that in order to put this policy in practice, she proposed the following names of Esteemed Legal Luminaries for appointment as Distinguished Professor of Practice:

1. Hon'ble Mr. Justice V. Ramasubramanian, former Judge, Supreme Court of India.

2. Dr. Vinod Surana, Managing Partner and CEO, Surana and Surana International Attorneys.


The Vice-Chancellor, further, submitted that Hon'ble Mr. Justice V. Ramasubramanian, former Judge, Supreme Court of India be appointed as Distinguished Professor of Practice funded by the University and Dr. Vinod Surana, Managing Partner and CEO, Surana and Surana International Attorneys be allowed to be appointed on honorary basis.

Professor P.S. Jaswal suggested that Hon'ble Mr. Justice Deepak Gupta, former Judge, Supreme Court of India may also be included in the list for such consideration which was approved by all.


Hon'ble members advised to appoint Justice Deepak Gupta, after taking his consent and Justice V. Ramasubramanian as Distinguished Professor and Dr. Vinod Surana as Distinguished Professor of Practice on Honorary basis.

	The item was thoroughly deliberated upon by the members and resolved to approve the same.	
Item No. 5	Any other item with the permission of the Chair.	

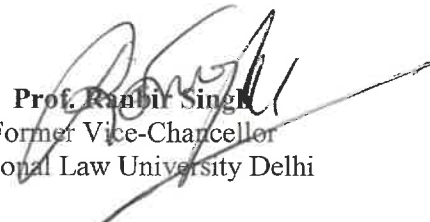
The Vice-Chancellor concluded the meeting by expressing her gratitude towards the esteemed members of the Executive Council.




Sh. Manoj Kumar Chauhan
Special Secretary (Home) to
the Govt. of Himachal
Pradesh



Ms Rita Walia
Under Secretary, Higher
Education, Shimla)



Prof. Ranbir Singh
Former Vice-Chancellor
National Law University Delhi



Prof. Gurdip Singh Bahri,
Chancellor, IMS University,
Dehradun.


Prof. Faizan Mustafa
Former Vice-Chancellor
NALSAR, Hyderabad




Prof. Paramjit Singh Jaswal
Vice-Chancellor, SRM
University, Sonipat



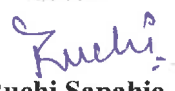
Prof. Vijender Kumar
Vice-Chancellor
MNLU, Nagpur



Sh. Ajay Kumar Sharma
Chairman
Bar Council of Himachal
Pradesh




Prof. S.S. Jaswal
HPNLU, Shimla



Dr. Ruchi Sapahia,
Associate Professor, HPNLU



Registrar
HPNLU, Shimla



Professor (Dr.) Nishtha Jaswal
Vice-Chancellor
HPNLU, Shimla

20th Meeting of Executive Council
Himachal Pradesh National Law University, Shimla
Minutes of the Meeting
July, 4 2023

The 20th Meeting of the Executive Council, HPNLU Shimla was held on July 4, 2023 at 11:00 A.M. The Meeting was presided by Professor (Dr.) Nishtha Jaswal, Vice-Chancellor, HPNLU Shimla.

Following members were present:

1.	Professor (Dr.) Nishtha Jaswal, Vice-Chancellor, HPNLU	Chairperson
2.	Sh. Manoj Kumar Chauhan, Special Secretary (Home) to the Govt. of Himachal Pradesh	Member
3.	Secretary (Higher Education) H.P. (Shimla) (Representative- Ms Rita Walia, Under Secretary, Higher Education, Shimla)	Member
4.	Prof. Ranbir Singh, Former Vice-Chancellor, National Law University, Delhi.	Member
5.	Prof. Gurdip Singh Bahri, Chancellor, IMS, University, Dehradun.	Member
6.	Prof. Faizan Mustafa, Former Vice-Chancellor, NALSAR, Hyderabad	Member
7.	Prof. Paramjit Singh Jaswal, Vice-Chancellor, SRM University, Sonipat	Member
8.	Prof. Vijender Kumar, Vice-Chancellor, Maharashtra National Law University, Nagpur.	Member
9.	Sh. Ajay Kumar Sharma, Chairman, Bar Council of Himachal Pradesh.	Member
10.	Prof. S.S. Jaswal, H.P. National Law University, Shimla	Member
	Registrar, H.P. National Law University, Shimla	Secretary

Note: Following hon'ble members could not attend the meeting:

1. Chief Secretary to the Government of Himachal Pradesh.
2. Secretary (Finance) to the Government of Himachal Pradesh.
3. LR-Cum-Secretary (Law) to the Government of Himachal Pradesh.

PROCEEDINGS OF THE MEETINGS

Item No. 6	To consider the case of making a false declaration and non-fulfilment of essential qualifications by Dr. Ruchi Sapahia, and her ineligibility as Associate Professor, besides her fraudulent conduct of misleading the University about her purported fulfillment of qualifications.	
Agenda Note	Discussion	Decision/Resolved
<p>The Vice-Chancellor placed the Agenda item before the Executive Council to give oral hearing to Dr. Ruchi Sapahia, in the case relating to her ineligibility and her fraudulent act of applying for and original illegality in her appointment to the post of Associate Professor of Law in the University, and decide.</p>	<p>The Vice-Chancellor apprised the members that:</p> <p><i>“the case of Dr. Ruchi Sapahia and her fraudulent act of applying for and original illegality in her appointment to the post of Associate Professor of Law in the University, was placed before the Executive Council in its last meeting held on 2nd June, 2023 at Current Agenda Item. No. 3. The esteemed members of Council, after thoroughly deliberated the matter had resolved as follows:</i></p> <p><i>1. A Sub Committee, consisting of Council Members, is constituted to assess the eligibility and legality of her appointment to the post of Associate Professor as per the records of the case and make recommendations to the Hon’ble Chancellor.</i></p> <p><i>2. The Committee shall consist of following Council Members:</i></p> <p><i>(a) Prof. (Dr.) Ranbir Singh (Chairperson)</i></p>	<p>After through deliberations, the Hon’ble members of the Executive Council unanimously decided the following:</p> <ol style="list-style-type: none"> 1. The Executive Council accepts and adopts the Minutes of the Sub-Committee dated 2nd June, 2023. 2. The Vice-Chancellor and the Registrar of the University is authorized to look into the further records of the case and make a detailed report to the Council. 3. The matter may be placed along with the Report prepared by the Vice-Chancellor and the Registrar for consideration and final decision in the special meeting of the Executive Council 4. Once the report is ready the University shall call a special meeting of the Executive Council for the purpose and the requirement of notice period shall not be required to be followed in this case.

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(b) Prof. (Dr.) Gurdip Singh Bahri (Member)

(c) Prof. (Dr.) Faizan Mustafa (Member)

(d) Sh. Ajay K. Sharma (Member)

(e) Prof. S.S. Jaswal, (Member, Co-ordinator)

3. The Sub-Committee shall meet on 2nd June, 2023 at 4:00 P.M.

4. The recommendations of the Sub Committee shall be placed before the Hon'ble Chancellor of the University.

The Sub-Committee as per the decision of the Council held its meeting on 2nd June, 2023 at 04:00 P.M. and unanimously made, "Recommendations: - In view of the above, the Sub-Committee of the considered view that she was not eligible to be appointed as Associate Professor of Law at HPNLU, Shimla on 1st March, 2018. The Committee recommends that this Report be placed before the Hon'ble Chancellor for further necessary action".

The Minutes of the Meeting of the Sub-Committee held on 2nd June, 2023 at 04:00 was sent to the legal advisor/counsel of the

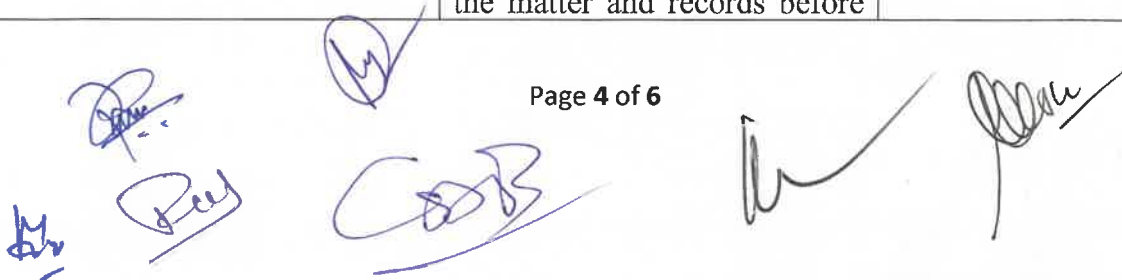
University for his Expert Opinion.

The legal advisor/counsel has opined that Dr. Ruchi Sapahia had been given opportunity of hearing on the basis of legal opinion dated 19-12-2022, in compliance with the decision of Executive Council in its meeting dated 24-02-2023. Dr. Ruchi Sapahia submitted written comments on the legal opinion, dated 14-03-2023. The entire case, records of the case including comments of Dr. Ruchi Sapahia and relevant applicable rules was considered by Sub-Committee.

However, the legal advisor/counsel further suggest that as an additional compliance to the sacrosanct principle of natural justice, Dr. Ruchi Sapahia should be given one more opportunity of hearing. This hearing should be given by the Executive Council itself.

Accordingly, a notice was issued on 26th June, 2023 to Dr. Ruchi Sapahia requiring her to appear before the Executive Council on 4th July, 2023 at 11:10 A.M."

The Vice-Chancellor placed the matter and records before



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Executive Council for consideration and decision.

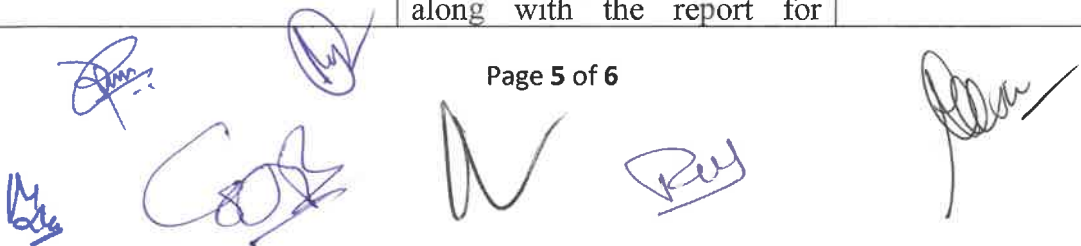
Hon'ble member Prof. P.S. Jaswal recused himself from deliberation from the Council meeting when this agenda item was taken for discussion.

Dr. Ruchi Sapahia appeared before the Council and availed the opportunity of hearing given by the Council. She presented her case and submitted a hand-written reply to the show cause notice issued dated 27-06-2023 which was taken on record by the Council.

After through deliberations, the Hon'ble members of the Executive Council unanimously decided to adopt the Minutes of the Sub-Committee dated 2nd June, 2023 and further deliberated the other records of the case.

While deliberating upon the responses of Dr. Ruchi Sapahia to the show cause notice, the Hon'ble members unanimously opined that there is a need to access the entire records of the case including documents relating to the appointment process, selection committee and other relevant records.


The members suggested that the Vice-Chancellor and the Registrar of the University should be authorized to look into the records and make a detailed report to the Council. The matter may be placed along with the report for

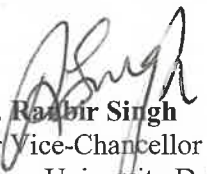
The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'M. G. G.', a signature that looks like 'C. G. G.', a large stylized 'N', a signature that looks like 'R. G.', and a signature that looks like 'R. G.'.

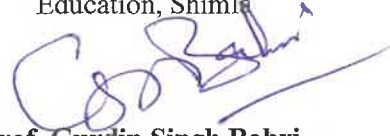
	<p>consideration and decision in the special meeting of this Council. Once the report is ready the University shall call a special meeting of the Executive Council and the requirement of notice period is not required to be followed in this case.</p>	
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The Vice-Chancellor concluded the meeting by expressing her gratitude towards the esteemed members of the Executive Council.



Sh. Manoj Kumar Chauhan
Special Secretary (Home) to the Govt. of Himachal Pradesh


 Ms. Rita Walia
 Under Secretary, Higher Education, Shimla



Prof. Ravbir Singh
 Former Vice-Chancellor
 National Law University Delhi



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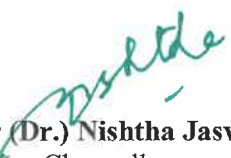

Prof. Paramjit Singh Jaswal
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Registrar
 HPNLU, Shimla


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 Vice-Chancellor
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