

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**CWP Nos. 10665 of 2023 with
CWP No. 4016 of 2024
Reserved on: December 18, 2025
Date of Decision: January 1, 2026**

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- 1. CWP No. 10665 of 2023**
- | | | |
|-----------------------------|--------|------------|
| Dr.Vijay Kumar Sharma | | Petitioner |
| | Versus | |
| Himachal Pradesh University | | Respondent |
- 2. CWP No. 4016 of 2024**
- | | | |
|--------------------------------|--------|-------------|
| Randhir Singh Ranta and others | | Petitioners |
| | Versus | |
| Himachal Pradesh University | | Respondent |

Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹ Yes.

For the Petitioners: Mr. Sanjeev Bhushan, Senior Advocate with
Mr. Sohail Khan, Advocate.

For the Respondent: Mr. Nitin Thakur, Advocate.

Sandeep Sharma, Judge:

Since common questions of law and facts are involved in both the petitions, same were tagged together vide order dated 28.3.2025 and are being disposed of vide this common order.

CWP No. 10065 of 2023

- 2.** Present petition has been filed by petitioner-Dr. Vijay Kumar Sharma, seeking following main reliefs:

“(i) That an appropriate writ, order or directions may kindly be issued and the respondent University may kindly be directed to grant pay scale of

¹*Whether the reporters of the local papers may be allowed to see the judgment?*

Stage-4 to the petitioner i.e. in pre revised pay scale of Rs.37400-67000+Rs.9000 AGP on and with effect from 22.7.2022, the date the petitioner attained the eligibility with all consequential benefits of pay arrears, seniority etc. and the arrears be paid along interest @ 9% p.a.

(ii) That an appropriate writ, order or directions may kindly be issued and the respondent University may kindly be directed to re-designate the Project Officer as Assistant Professor and thereafter grant stage-4 pay scale as Associate Professor with further directions to promote the petitioner as Professor on attaining the eligibility of the same as per UGC Regulations and University Ordinance in the interest of law and justice.”

3. Petitioner herein, who was an MA in Sociology with 55% marks and had qualified State Eligibility Test, was initially appointed as a Project Officer in Indian Institute of Himalayan Studies (UGC Centre of Excellence) on 22.7.2010, pursuant to advertisement dated 20.6.2010 issued by the respondent-University for filling up three posts of Project Officers in aforesaid Institute. Petitioner's services were regularized on 15.6.2016 with effect from 1.4.2016. Petitioner was granted upward movement/placement from Stage-I to Stage-2 with Rs.7,000/- AGP, then to Stage-3 with Rs.8000/- AGP). Now the petitioner is claiming Rs.9000 AGP in Stage-4 and promotion as Professor, inter alia praying for change of nomenclature of Project Officer to Assistant Professor.

CWP No. 4016 of 2024

4. This petition has been filed by three petitioners, namely Dr. Randhir Singh Rana, Dr. Pushpa Thakur and Dr. Baldev Singh, seeking following reliefs:

“(i) That an appropriate writ, order or directions may kindly be issue and the respondent University may kindly be directed to issue notification in furtherance of the recommendations made by the Board of Studies vide Annexures P-6 and P-7 and which stood ratified by the faculty ad approved by the vice Chancellor, immediately with further directions to change the nomenclature of the petitioners to that of the Assistant professor in the interest of law and justice.

(ii) That an appropriate writ, order or directions may kindly be issued and the proceedings of the Executive Council meeting with respect to on spot discussion No.2, being contrary to the actual discussion and approved, may very kindly be quashed and set aside.

(iii) That an appropriate writ, order or directions may kindly be issued and the and after granting nomenclature of the post of Assistant Professor to the petitioners, their cases may very kindly be considered for further promotion to the post of Associate Professor as per UGC Regulations, from due dates, with all consequential benefits of pay, arrears, seniority etc. etc. in the interest of law and justice.

5. Petitioner No.1 was appointed as Project Fellow in the Indian Institute of Himalayan Studies (UGC Centre of Excellence) in 2004. Petitioner No.1 has secured 55% marks in Masters Degree and holds Ph.D. degree, done in 2005. Similarly, petitioner No.1 was again appointed as Research Associate in same institute on 1.12.2005. So far petitioners Nos. 2 and 3 are concerned, they were appointed as Research Associate and Project Fellow on 1.12.2005 in Indian Institute of Himalayan Studies. Petitioner

No.2 was holding a degree of Ph.D. at the time of appointment and petitioner No.3 was having M.Phil and later he also completed Ph.D. in 2008. Petitioner No.1 was re-designated as Senior Research Officer in 2009, petitioner No.2 as Research Officer and petitioner No.3 as Project Officer in 2009.

6. Record reveals that petitioners inter alia others approached Himachal Pradesh Administrative Tribunal seeking regularization of their services. Original Application(s) so filed by petitioners alongwith others was/were transferred to this Court, and this court directed the respondent-University to consider their cases for regularisation. Services of petitioners were regularized on 9.9.2014, on their respective posts. It is the case of petitioners, that as per Annexure P-2, they were regularized in pre-revised scales of UGC and after revision, they were granted revised pay scales viz. petitioner No. 1 was granted revised pay scale of Rs.15600-39100+8000 AGP, the third upward movement in UGC pay scale, petitioner No.2 was granted revised pay scale of Rs.15600-39100+7000 AGP being second upward movement in the post of Assistant Professor and petitioner No.3 was granted pay scale of Rs.15600-39100+6000 AGP. Petitioners were also granted benefit of Career Advancement Scheme vide order dated 1.7.2020.

7. It is further case of the petitioners that in 2013, Indian Institute of Himalayan Studies started imparting degrees in MBA Rural Development, MSc. Environmental Sciences, Masters in Fine Arts-Pahari Miniature, Painting and PG Diploma in Disaster Management. Petitioners claim that they had been performing teaching jobs since 2013. Vide Notification dated 8.3.2018, Indian Institute of Himalayan Studies was converted into a full-

fledged Department under the faculty of Environment Department and Sustainable Studies and renamed as Department of Inter Disciplinary Studies (UGC Centre of Excellence) having three different schools. Petitioners claim that they were performing duties as are being performed by teachers in respondent-University. Vide Notification dated 6.12.2016, under the provisions of Section 2 (15) of the University Act, petitioners were conferred status of 'teacher.' Record reveals that matter regarding re-designating petitioners as Assistant Professor was taken up before Board of Studies of School of Environmental Sciences, Department of Inter Disciplinary Studies on 3.7.2019 and it was proposed to re-designate Project Officer as Assistant Professor in the pay scale of Rs.15600-39100+6000 AGP, Research Officer in senior scale Rs.156000-39100 +Rs.7000 AGP and Senior Research Officer as Assistant Professor in the pay scale of Rs.15600=39100+Rs.8000 AGP.

8. Aforesaid proposal was taken up before Faculty of Environmental and Development and Sustainability Studies and same was placed in its meeting held on 2.8.2019 and Faculty ratified the proposal and same was also approved by Vice Chancellor, who is admittedly Chairman, Executive Council. Petitioners claim that now only a Notification was to be issued thereby re-designating aforesaid posts as Assistant Professor in different pay scales, however, surprisingly, matter was placed before Executive Council of University by one of members of Executive Council, as 'on spot item'. Petitioners claim that in the meeting of Executive Council held on 22.2.2024, decision was taken to create a separate cadre for the employees of DIS (IHS). Petitioners allege that the item was illegally changed and regarding

this the member who had placed on spot item also sent a letter to the respondent University and another member, who had supported the item, also sent a letter on 15.3.2024.

9. In nutshell, the grouse of the petitioners is that once the Academic Council had conferred status of 'teacher' upon the petitioners and further it was approved to change the designation of the various posts under DIS (IHS), there was no requirement for the respondent-University to place the matter before the Executive Council and there also, a fraud has been committed by changing the 'on spot item'. Petitioners aver that they hold the requisite qualification for the post of Assistant Professor and further their selection is as per UGC Regulations. It is further the case of the petitioners that they have been teaching in Indian Institute of Himalayan Studies and as such, performing duties of teacher.

10. During the pendency of the matter, on 18.11.2025, a communication dated 17.11.2025 came to be placed on record by learned counsel for the respondent University, showing that matter is being placed before Academic Council, which scheduled to meet on 5.12.2025. On that day, the matter was adjourned, with the direction to Registrar of the University to place on record copies of orders dated 28.7.2025 and 11.8.2025 before Academic Council. Matter was listed on 9.12.2025, on which a communication dated 8.12.2025 received from Registrar of respondent University was placed on record by learned counsel for the respondent University and it was apprised that issue of change of nomenclature of Research Staff as Assistant Professor was discussed at length vis-à-vis relevant clauses of Act, Statute and

Ordinances, but the demand for re-designation as Assistant Professor was rejected.

11. At this stage, it would be apt to take note of the fact that S.2(15) of University Act, provides for definition of 'Teachers' as under:

“(15) “Teachers” means teachers of the University who have been appointed or recognized by the Academic Council as Professors, Associate Professors and Assistant Professors and shall include Professors, Associate Professors and Assistant Professors and Officers appointed to man research and extension education.”

12. In the case at hand, on the recommendations of Academic Council, the Executive Council of University has issued Notification dated 6.12.2016, whereby petitioners were conferred status of 'Teacher' as per S.2(15) of the University Act.

13. At this stage, it would be apt to take note of the fact that the petitioners are claiming parity with the other staff, firstly, vide Notification dated 29.4.2009 (Annexure P-13, on the recommendations of Academic Council, while upgrading Centre for Adult Continuing Education & Extension as full fledged Department of Adult Continuing Education & Extension, designated teaching staff of said Department as Lecturer, Reader and Professor instead of Project Officer, Assistant Director and Director. Vide another Notification dated 10.9.2013, (Annexure P-14 of CWP No. 10665 of 2023), the Executive Council posts of Programmers held by Dr. Dhirender Sharma and Dr. Vikas Sharma, Department of Computer Centre and ICDEOL were re-designated as Assistant Professor (Programming)-cum-Programmer with revised pay scale and other career benefits under UGC Guidelines at par with positions of Assistant Professor/Associate Professor/Professor etc.

Most astonishingly, above persons were directed to continue to perform duties of programmer besides teaching work.

14. Vide Notification dated 4.4.1992 (Annexure P-11), Project Officers have been given voting rights and they have been equated with lecturers of University.

15. If the reply filed by the respondent-University is seen, it is stated that posts of Project Officer were advertised by IIHS purely on contractual /temporary basis with the condition that their service condition will be governed by the service conditions of IIHS and job requirement of Project Officer is to undertake collection, compilation, analysis and interpretation of data from various sources during institute based projects to undertake conceptual and methodological studies on various types of themes related to social and culture aspects of Himalayan people. It is the stand of the respondent University that the petitioners may possess qualification for the post of Assistant Professor but the petitioners have been appointed against the posts of Project officer, therefore, they cannot equate themselves with the post of Assistant Professor. Another objection taken by the respondent in its reply is that the petitioners were appointed against the post advertised by IIHS and not against the post of Assistant Professor in the main stream of Himachal Pradesh University. It is further stated by respondent that there is no provision to promote Project Officer to the post of Associate Professor. It is further the stand of the respondent-University that posts of Project Officer and Assistant Professor are two different cadres, having different job profiles.

16. The University in its reply has admitted that vide Notification dated 6.12.2016, Senior Research Officer, Research Officer and Project Officers have been recognized as 'Teacher' in terms of S.2(15) of the Act. It is also admitted by the respondent-University that the petitioners have also been granted upward movement to Stage-2 and Stage-3 in respective cases, but subject to clarification sought from the State Government.

17. So far claim of petitioner Dr. Vijay Kumar Sharma is concerned, University has replied that there is no provision for promotion from the post of Project Officer to that of Associate Professor. It is stated qua this petitioner that he himself submitted API Score to the respondent-University.

18. So far contention of the petitioners that Board of Studies recommended for change of nomenclature and Faculty decided to grant said nomenclature and matter was approved by Vice Chancellor on 2.8.2019 and even matter was approved by Executive Council on 22.2.2024, when proceedings were changed, it is the stand of the University that matter was placed before competent bodies in meetings held on 3.8.2017 and 30.7.2018, but Academic Council deferred the matter. It is further the stand of respondent-University that vide item No. 25 of meeting dated 24.5.2014, Executive Council, had only approved the recommendations of Expert Committee. So far equating of Project Officer with Lecturer in University, vide Notification dated 4.4.1992 is concerned, it is stated by respondent-University that it was only for voting purpose.

19. So far another contention of petitioners that the University has granted status of Lecturer to Coaches vide Notification dated 28.4.2001 and

similar status to the staff of Adult Education Department, stand of the respondent-University is somewhat vague, inasmuch it has stated that the status which has been granted to above staff by the Executive Council, on the basis of recommendations of Academic Council, has never been granted to the staff of IIHS, since this is what the petitioners are fighting for.

20. Another objection which has been taken by respondent-University regarding res judicata inasmuch similar issue stands adjudicated in CWP No. 7640 of 2022, filed by Dr. Vijay Kumar Sharma, is not sustainable, since the issue was not adjudicated, rather, direction was given to decide representation dated 1.8.2022.

21. At this stage, it would be apt to take note of the fact that during proceedings of the case, keeping in view the fact that Board of Studies has already recommended for change of designation of petitioners, this Court passed following order:

“CWP No.4016 of 2024

Though reply on behalf of respondent University is stated to have been filed, but the same is not on record. Registry to trace and place the same on record, if in order.

Once it is not in dispute that Board of Study and Faculty have already made recommendation with regard to designation/re-designation of the petitioner, why notification, with regard to the same, is not being issued, despite having been approved by worthy Vice Chancellor?

Though Mr. Nitin Thakur, learned counsel representing respondent-University states that Academic Council is competent body to grant designation/redesignation and change nomenclature of the post, but ultimate decision, if any, with regard to the same is to be taken by the University.

Let Mr. Nitin Thakur, learned counsel representing the respondents, have instructions that in what time frame, matter shall be placed before the Academic Council?

CWP No.10665 of 2023

Though while inviting attention of this Court to office memorandum dated 06.07.2023 (Annexure R-1/B), Mr. Nitin Thakur, learned counsel representing the respondent-University, attempted to argue that prayer made on behalf of the petitioner for promotion from Stage III (15,600-39,100+8000AGP) to Stage-IV (37,400- 67,000+9000AGP) under the UGC Career Advancement Scheme stands rejected, but having perused aforesaid document, this Court finds that there is no discussion, if any, with regard to change of nomenclature, which if permitted, would certainly make the petitioner entitled for the benefits of promotion.

Mr. Nitin Thakur, learned counsel representing the respondent-University, while fairly admitting factum with regard to merger of IIHS and grant of status of teacher to the petitioner, states that final notification with regard to designation can only be issued after approval by the Academic Council. Since IIHS was merged into respondent University with effect from 2015 and since then, petitioner had been teaching and guiding the students, it is not understood that why matter is being unnecessarily delayed, especially with regard to change of nomenclature.

In view of the above, let Mr. Nitin Thakur, learned counsel representing the respondent-University, have instructions that in what time-frame, matter shall be placed before the Academic Council, enabling it to authorize respondent-University to take decision with regard of change of nomenclature, in terms of recommendations made by the Expert Committee.

List on 05.08.2025.”

22. Thereafter, on 5.8.2025, it was apprised by respondent-University that meeting of Academic Council shall be convened within three months, wherein matter in question shall be placed. On 11.8.2025, when matter was

again listed, it was apprised by learned counsel for the petitioners that Executive Council is highest body and Academic Council has already given its recommendations for change of designation, this Court passed following order:

Learned Senior Counsel representing the petitioner(s) states that though he is not averse to convening the meeting of the Academic Council, as has been undertaken to be convened within a period of three months, but since Academic Council comprises of large number of people, there is no possibility of convening its meeting within three months, rather, decision, if any, with regard to change of nomenclature of staff of Interdisciplinary Studies shall also be taken by the Executive Council, which is otherwise the highest body, that too taking note of the fact that the Academic Council has already given teaching status to the faculty of Interdisciplinary Studies.

2. Having carefully perused documents adduced on record, this Court finds merit in the contention of Mr. Sanjeev Bhushan, learned Senior Counsel representing the petitioner, that Academic Council has already granted status of Teacher to the faculty of Interdisciplinary Studies and now only question is with regard to change of nomenclature.

3. Though this Court is of the view that once person working in aforesaid department have been already held to be Teacher, coupled with the fact that in aforesaid department, students of M.A., M.B.A. & Diploma are being imparted education, there was otherwise no reason to deny benefit of nomenclature, as granted to Teachers working in other departments.

4. Having taken note of the fact that petitioners are suffering for quite considerable time, this Court deems it fit to order that let decision with regard to change of nomenclature of staff of Interdisciplinary Studies be taken by the Executive Council taking note of earlier decision taken by Academic Council with regard to conferment of status of Teacher, strictly in accordance with the Ordinance and Statutes of the University. Ordered accordingly. This Court hopes and trusts that Executive Council of the University

shall take decision in terms of instant order expeditiously, preferably, in the next meeting of Executive Council.”

23. Thereafter, the matter was listed on 16.11.2025, on which date learned counsel for the respondent University informed that as per decision of Executive Council, matter is now being placed before Academic Council for consideration, meeting of which is to be convened on 5.12.2025, as such, this Court directed Registrar of respondent-University to place on record copies of orders dated 28.7.2025 and 11.8.2025 before Academic Council and matter was ordered to be listed on 9.12.2025.

24. On 9.12.2025, when matter was listed, learned counsel for the respondent University informed that proposal of change of nomenclature of Research Staff /petitioners has been rejected. At that stage, learned counsel for the petitioners referred to a communication dated 1.12.2025, issued by Director, Department of Interdisciplinary Studies and Dean, Faculty of Environment, Development and Sustainability Studies, Himachal Pradesh wherein number of instances were cited, where designation of similarly situate persons had been changed to Assistant Professor, as such, this Court raised a query from respondent-University that whether said communication was placed before the Council or not? Such information was never received by this Court.

25. At this stage, it would be apt to take note of communication dated 1.12.2025, which has been addressed to the Registrar, Himachal Pradesh University by Prof. Aparna Negi, Director, Department of Interdisciplinary Studies, relevant portion whereof reads as under:

"I, most humbly request that the annexures submitted by me along with the agenda item on 25-11-2025 be placed on record to facilitate informed decision-making without this, the Academic Council may remain unaware of several highly relevant facts that constitute an intergral part of the petitions (CWP No. 10665 of 2023 and CWP No. 4016 of 2024).

The GAD Branch is also requested to place on record the annexures pertaining to petitions, on the basis of which the Hon'ble High Court has repeatedly deliberated and in which the University is the principal respondent. Pertinent to mention that there exist several instances (namely Coaches, Project Officers, Computer Programmer, Cartographer and Senior Research Officers) in the Himachal Pradesh University, wherein the designation of Lecturer (now Assistant Professor) was granted by the University Executive Council, without consultation with the Academic Council. Most of these beneficiaries did not have any direct teaching assignments. All these decisions were taken after the Meera Massey vs. S.R. Mehrotra Judgment (1998). All these instances have been documented in the annexures mentioned above and I urge that all these cases must be reviewed.

However, in the case of my department, the incumbents were duly notified as teachers under Clause 2(15) of the H.P. University Ordinance by the Academic Council in its meeting held on 25/02/20216 and notified on 6/12/2016. They have been teaching since the academic session 2013-14 and also supervising Ph.D. candidates since 2019. Therefore, this is a fit case for change of nomenclature from existing posts to Assistant Professor and subsequent placement.

As observed by the Hon'ble High Court in its order dated 18-11-2025, particularly in the concluding sentence of the second paragraphs, the matter regarding change of nomenclature is required to be settled once and for all."

26. Though, this court had raised a query that whether aforesaid document was placed before Executive Council, but no information was received from the respondent-University.

27. At this stage, it would be apt to take note of the fact that on 24.9.2025 a meeting of High Powered Committee was held, wherein following proceedings took place:

“At the very outset, the Chairman/ Hon’ble Pro-Vice-Chancellor welcomed the members and thereafter with the permission of the Chair, the Assistant Registrar (Estt.) /Convener placed the requisite information/ documents/ documents as required by the Committee in its meeting held on 06.03.2025. The committee perused the relevant record and found that the Academic Council in its meeting held on 25.02.2016 vide item N.6 had already recommended that the Senior Research Officers, Research Officers & Project Officers working in the Department of Interdisciplinary Studies, Indian Institute of Himalayan Studies (DIS-IIHS), Himachal Pradesh University is recognized as Teachers as per Act 2(15) “provided that they possess the educational qualification according to the post at the time of their appointment”.

This decision of the Academic Council was approved by the Executive Council vide item 13 of its meeting held on 23.09.2016 and the same had duly notified vide Notification No. 9-42/2002-HPU(Genl.) Vol-III dated 18.10.2016 read with Notification dated 06.12.2016. The Committee also perused the order dated 11.08.2025 passed by the Hon'ble High Court of Himachal Pradesh in CWP No. 10665/2023 and CWP No. 4016/2024 in the matter of Vijay Kumar Sharma VS HPU a/w connected matters had passed orders, and the operative part of the same is reproduced as under:-

“Having taken note of the fact that petitioners are suffering for quite considerable time, this Court, deems it fit to order that let decision with regard to change of nomenclature of staff of Interdisciplinary Studies be taken by the Executive Council taking note of earlier decision taken by Academic council with regard to conferment of status of Teacher, strictly in accordance with the Ordinance and Statutes of the University. Ordered accordingly. This Court hopes and trusts that Executive Council of the University shall take decision in terms of instant order expeditiously, preferably in the next meeting of Executive Council.”

In view of the above, the Committee is of the considered view that the Academic Council had already been granted status of Teacher as per provision 2(15) of the Act of the H.P. University. Therefore, it is recommended that the matter be placed before the Executive Council for assigning specific designation in the category of teachers to the Senior Research Officers, Research Officers & Project Officers working in the Department of Interdisciplinary Studies, Indian Institute of Himalayan Studies *DIS-IIHS), Himachal Pradesh University as per Act, Statutes, Ordinances of H.P. University and UGC Regulations. Placing this matter before the Executive Council in consonance with the orders of the Hon'ble High Court of Himachal Pradesh for consideration and decision in the matter.

Meeting ended with a vote of thanks to the chair.”

Sd/- (Hem Chand) Convener	Sd/- (Prof. Neelima Kanwar) Member	Sd/- (Prof. Aparna Negi) Member
Sd/- (Prof. Mamta Mokta) Member	Sd/- (Prof. S.L. Kaushal) Member	(Suresh Kumar) Member
Sd/- (Prof. Rjainder Verma) Hon'ble Pro-Vice-Chancellor/Chairman		
Approved Sd/- Hon'ble Vice-Chancellor		

28. A perusal of above would go to show that the said High Powered Committee has recommended matter to be placed before Executive Council and said proceedings have been signed by the Vice Chancellor, who is also the Chairman of Executive Council.

29. There is another aspect of the matter that in the “Report of the Expert Committee to Review the performance of the Indian Institute of Himalayan Studies (UGC Centre of Excellence), H.P. University, Summer Hill, Shimla dated 23rd October, 2013, the University Grants Commission, has made fol-

lowing suggestion and recommendation, which are relevant to adjudication of the present dispute:

“SUGGESTIONS

The Committee suggested that in order to effectively run the academic courses and undertake research activities, the Institute must have regular faculty. The services of the faculty/ research staff working in the Institute must be regularized and re-designated at par with the University’s Nomenclature, keeping in view their seniority and experience.

....

RECOMMENDATIONS OF THE COMMITTEE

....

The Committee recommends that existing Teaching/ Research Staff of the Institute may be absorbed in the University for effective and smooth functioning of the Institute. The liability of the Research/ Teaching faculty and non-teaching staff of the Institute shall be of H.P. University, Shimla.”

30. The recommendations made by Expert Committee of UGC were approved by the highest decision making body of the respondent-University i.e. Executive Council, in its meeting held on 24.6.2014, as such, the respondent-University ought to have issued Notification for change of nomenclature of research/teaching staff at that time only.

31. At this stage, it would be apt to take note of proceedings of meeting of Board of Studies of Environment Sciences, Department of Interdisciplinary Studies, H.P. University held on 3.7.2019, wherein following decision came to be taken under Item No.3:

“**Item No.3** Teaching/ Research Staff of DIS-IIHS has been designated as teacher vide Notification No. 9-42/2002 HPU (Genl.) Vol.III dated 06.12.2016 (Annexure B). Now it is proposed to change their nomenclature in accordance to their existing pay scales w.e.f. their respective regularization dates as per the descriptions given below:

The Chairman and other members of Board of Studies deliberated on the issue in detail. The Chairman emphasized on the proceedings of the meetings of the Screening/ Eligibility Committee dated 06.01.2015 and apprised to the all members that the eligibilities of the existing teaching staff of the Department of Interdisciplinary Studies have been checked /screened in the said meeting of Screening /Eligibility Committee.

Decision Taken: In view of proceedings of Screening /Eligibility Committee held on 06.01.2015, constituted vide Notification No. 7-1/2002-HPU (Estt.) dated 05.01.2015, the Board of Studies recommended that the nomenclature of existing teachers of the School of Environment Sciences, Department of Interdisciplinary Studies, H.P. University be changed w.e.f. their respective regularization date the project Officer as Assistant Professor, Research Officer as Assistant Professor (Senior Scale) and Senior Research Officer as Assistant Professor (Selection Grade).”

32. From the aforesaid, following points arise:
- (a) There are precedents where non-teaching staff was conferred status of ‘teacher’ and thereafter, their designation was changed to Lecturer/Assistant Professor and in some of cases, the faculty so re-designated was not even involved in teaching or imparting instructions?
 - (b) Not once, but thrice recommendations were made to change the nomenclature of research staff of DIS-IIHS to that of Assistant Professor but the respondent-University seems adamant in not conferring such benefit upon the petitioners.
 - (c) UGC has itself recommended for regularization of staff of Indian Institute of Himalayan Studies and to change their nomenclature at par with teaching staff of the University.

(d) Petitioners are fully qualified to hold the post of Assistant Professor, they are imparting instructions/ performing teaching duties in the Institute, which is involved in imparting various degrees since 2013 and petitioners are practically performing duties of teacher, not to forget, they have been already conferred status of 'teacher' as per S.2(15) of the Act.

(e) Members of Executive Council raised fingers at the manner in which on spot item mooted by some of members was changed in meeting held on 22.2.2024 and there is no answer to this question as to how 'on spot item' was changed.

33. From the above facts, this Court finds that the petitioners hold essential qualification for the post of Assistant Professor, they are performing duties of teacher, they have been conferred status of teacher and many a times, proposal was mooted for the change of nomenclature.

34. Not only this, there are strong factors in favour of the petitioners i.e. report of UGC approved by the Executive Council, recommendations of Board of Studies, Faculty, Academic Council and even Executive Council. Besides this, when finally item was placed before Executive Council, by way of on spot item, same was changed and even members, who initiated such proposal have raised questions on the process.

35. In view of above, this court finds that the petitioners are performing duties of 'teacher' for all intents and purposes. Admittedly Department of Interdisciplinary Studies, Indian Institute of Himalayan Studies is imparting various courses since 2013 and it is the petitioners, who are rendering ser-

vices of teacher. Besides this, they have been conferred status of 'teacher'. Even in the past, the respondent-University has changed the nomenclature of various posts which were alike to the posts held by the petitioners. Besides this, it is also an admitted fact that the petitioners hold necessary qualifications for the post of Assistant Professor. Therefore, it would be highly unjust in case, they are deprived of the benefit of change of nomenclature. Otherwise also, matter was approved by various bodies of the University, regarding change of nomenclature of the posts of Research Staff and now there is no valid reason for the respondent-University to refuse or reject the proposal.

36. Otherwise also, UGC itself has recommended for change of nomenclature of the research staff of IHS and part thereof stands already complied with by bringing the petitioners on regular establishment of the respondent-University.

37. Since initially a direction was sought by the petitioners to the respondent-University to issue Notification for change of nomenclature of the post held by petitioners but during the pendency of the cases at hand, vide Item No. 9 of meeting held on 5.12.2025 of the Academic Council, demand of petitioners for redesignation as Assistant Professor has been rejected, as such, said decision is also required to be quashed and set aside.

38. In view of the detailed discussion made herein above, the petitions are allowed. Decision taken by Academic Council of Himachal Pradesh University in its meeting held on 5.12.2025, vide Item No.9, is quashed and set aside. Respondent-University is directed to issue Notification regarding

change of nomenclature of the petitioners as "Assistant Professors" in their respective grade pay(s), with all incidental benefits. Notification in this regard be issued within a period of two weeks from today.

Petitions stand disposed of in the afore terms, alongwith all pending applications.

**(Sandeep Sharma),
Judge**

January 1, 2026
(Vikrant)