

**GOVERNOR'S SECRETARIAT
HIMACHAL PRADESH
RAJ BHAWAN SHHIMLA-2**

No. 42-2/78-GS

18th August, 2025

NOTIFICATION

WHEREAS, Notifications constituting a Selection Committee for selecting a panel for the appointment of Vice Chancellors of Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishwavidyalaya, Palampur and Dr. Y.S. Parmar University of Horticulture & Forestry, Nauni, Solan, Himachal Pradesh were issued vide No. 42-2/78-GS dated 15 May, 2025 and No. 45-2/85-GS dated 21.06.2025 respectively by the undersigned in exercise of the statutory powers vested under section 24 of Himachal Pradesh University of Agriculture, Horticulture and Forestry Act, 1986.

AND WHEREAS, in pursuance thereof, advertisements were issued by the Governor's Secretariat, Himachal Pradesh vide No. 42-2/78-GS dated 21.07.2025 and 45-2/85-GS dated 21.07.2025 stating therein that the Selection Committee invites application for the vacant post of Vice Chancellor, Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishwavidyalaya, Palampur and Dr. Y.S. Parmar University of Horticulture & Forestry, Nauni, Solan, Himachal Pradesh respectively as per the Act & Statutes of the Himachal Pradesh University of Agriculture, Horticulture and Forestry Act, 1986 stipulating therein the last date of as 12.08.2025 up to 5:00 P.M. and further a Notice prescribing specific eligibility criteria as prescribed by the respective Selection Committees were also notified vide Notice of even No. 42-2/78-GS dated 21.07.2025 and No. 45-2/85-GS dated 21.07.2025.

AND WHEREAS, a letter bearing No. Agr.-B-B(1)-2/2023-Loose dated 26.07.2025 was received from the Hon'ble Minister of Agriculture, Government Himachal Pradesh whereby it was requested to keep the Selection Committee in abeyance till the proposed amendment in the Himachal Pradesh University of Agriculture, Horticulture and Forestry Act, 1986 is not finalised.

AND WHEREAS, a detailed letter indicating there in the factual as well as legal aspects was written to Secretary (Agriculture) to the Govt. of Himachal Pradesh requesting him to apprise the Hon'ble Agriculture Minister, Government of Himachal Pradesh with a copy to

the Sr. Private secretary to the Hon'ble Agriculture Minister, Govt. of Himachal Pradesh.

AND WHEREAS, another letter bearing even file No. Agr.-B-B(1)-2/2023-Loose dated 05.08.2025 was received from Secretary (Agriculture) to the Government of Himachal Pradesh, whereby it is requested to withdraw the Advertisements and Notices each dated 21.07.2025.

AND WHEREAS, a detailed letter enclosing all relevant documents indicating there in the necessity to fill up the vacant post of Vice Chancellors of above mentioned both Universities that are lying vacant since 21st August, 2023 and 8th May, 2025 as well as the fact that the same have been issued by the undersigned in accordance with the provisions of the Act *ibid* was forwarded to the Secretary (Agriculture) to the Government of Himachal Pradesh to Hon'ble Agriculture Minister, Government of Himachal Pradesh and it was categorically mentioned therein that process to fill up the vacant posts of Vice Chancellors that has been initiated is in accordance with rules, legal and constitutional provisions.

AND WHEREAS, to the utter surprise and dismay, the undersigned received a letter No. Agr.-B-B(1)-2/2023-Loose dated 11.08.2025 from the Secretary (Agriculture) to the Govt. of Himachal Pradesh whereby the advertisement Notice No. 45-2/85-GS dated 21.07.2025 and No. 42-2/78 dated 21.07.2025 issued by my office have been stated to be withdrawn and any action started by my office i.e. the Governor Secretariat based on these notifications has been treated as null and void.

WHEREAS, the Chancellor having statutory powers under the above mentioned Acts is the sole competent authority to initiate the process of appointment of the Vice Chancellor, therefore, it is implicit that the process for such appointments is to be initiated by the office of the Chancellor and not otherwise as inferred by the Ld. Advocate General in the legal issues in Advertisement at point No.1.

WHEREAS, the mentioning the nomenclature such as Principal Extension Officer, Principal Scientist, Principal Pathologist, Principal Agronomist etc. it has been made aptly clear in the Notice uploaded

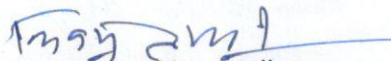
alongwith Advertisement and Application Format on the Website of the Raj Bhavan, which makes everything explicitly clear.

AND WHEREAS, the undersigned has gone through the entire matter thoroughly and is of the considered view that the undersigned has acted in accordance with law and in exercise of the statutory powers vested in the undersigned under the provisions of Himachal Pradesh University of Agriculture, Horticulture and Forestry Act, 1986.

NOW THEREFORE, the undersigned, after considering all facts and circumstances and keeping in view the judgments passed by the Hon'ble Supreme Court in catena of its judgments on the issue involved in the present matter, for instance, Civil Appeal No. 7700 of 2023, tilted Dr. Premchandran Keezhoth & Anr. Vs. The Chancellor Kannaar University & Ors., is of the considered view that the action of the Secretary (Agriculture) to the Govt. of Himachal Pradesh is patently illegal being issued without any jurisdiction as the Secretary of the Government cannot unilaterally withdraw an advertisement notice for a Vice-Chancellor position that was issued by the undersigned in the capacity of Chancellor, by virtue of being Governor of State of Himachal Pradesh, in exercise of the statutory powers vested in the undersigned under the Act *ibid*, even if the Council of Ministers decides otherwise. The advertisement, being issued under a specific Act, while exercising statutory powers can only be withdrawn by the authority that issued it.

Further, the Chancellor while exercising the statutory powers under the specific Act is not bound by the aid and advice of the Council of Ministers as he was not exercising his constitutional powers but is exercising his statutory powers. Thus, the action of the Secretary (Agriculture) is not only illegal but is also unconstitutional. Hence, the letter No. Agr. B-B(1)-2/2023-loose dated 11th August, 2025 is nonest in the eyes of law and, therefore, set-aside in larger public interests. In view thereof, the Notification notice issued on 21.07.2025 are restored

and the time period of receiving applications from the aspirants for the post of Vice Chancellor is hereby extended up to 18.08.2025, 5:00 P.M.


Governor-cum-Chancellor
CSKHPKV, Palampur & UHF, Nauni,
Himachal Pradesh.

Endst. No. As above.

Dated: 18th August, 2025

Copy to the following for information and necessary action :-

1. The Chief Secretary to the Govt. of H.P., Shimla.
2. The Secretary (Agriculture) to the Govt. of H.P. Shimla.
3. The Secretary to the Hon'ble Chief Minister, H.P., Shimla.
4. The Director Information and Public Relations, H.P. Shimla.
5. The Controller, Printing & Stationary, Govt. of HP, Shimla.

(By Order)
Governor-cum-Chancellor
CSKHPKV, Palampur & UHF, Nauni,
Himachal Pradesh.