

84 **CHAPTER - VI**

ADMISSION TO PH.D. DEGREE IN LAW & ALLIED SUBJECTS

In view of the UGC's revised Regulations dealing with the Minimum Standards and Procedure for the Awards of Ph.D. Degree, 2016, the existing University Regulations Governing Admission to Ph.D. Degree in Law and Allied Subjects are superseded by the present University Regulations Governing Admission and other related matters for the Ph.D. Degree in Law and Allied Subjects, 2016. These University Regulations are framed in conformity with the UGC's Regulations, 2016. The University Regulations shall come into force with immediate effect.

1. ELIGIBILITY FOR REGISTRATION:

The admission to Ph.D. Degree in Law & Allied subjects shall be open to the following candidates:

(i) Eligibility for admission to Ph.D. Degree in Law:

He/She has obtained the LL.M. degree of Dr. R.M.L. National Law University, Lucknow or its equivalent degree of any other university recognized by the UGC with at least 55% marks in the aggregate or an equivalent grade B in the UGC 7 point scale.

However, there shall be a relaxation of 5% in the aforesaid minimum 55% marks for the candidates belonging to SC/ST/OBC (Non-creamy layer) of U.P./differently-able categories.

(ii) Eligibility requirement for admission to Ph.D. Degree in Allied Subjects:-

- (a) A Master's Degree of any university recognized by UGC having at least 55% marks in the aggregate or an equivalent grade B in the UGC 7 point scale in any subject relevant to the proposed research work with a Bachelor's Degree in Law; or
- (b) A Master's Degree of any university recognized by UGC having at least 55% marks in aggregate or an equivalent grade B in the UGC 7 point scale in any subject relevant to the proposed research work with established research credentials by way of publications; or
- (c) A Master's Degree of any University recognized by UGC having at least 55% marks in aggregate or an equivalent grade B in the UGC 7 point scale in any subject relevant to the proposed research work with long term in-depth practical experience in the area to be researched.

However, there shall be a relaxation of 5% in the aforesaid minimum 55% marks for the candidates belonging to SC/ST/OBC (Non-creamy layer) of U.P./differently-able categories.

Provided that a candidate with the aforesaid qualifications in Social Sciences or Humanities shall be admitted to the Programme, if the research he/she intends to pursue, interfaces with the discipline of law.

- (iii)** A candidate whose result is awaited may also apply, however he/she must possess the requisite eligibility requirement on the date of Interview.

⁸⁴ amended vide the resolution passed by the Academic Council in its meeting held on 17.12.2016 under agenda item no. 3 and ratified in the Executive Council on 17.12.2016

2. DURATION OF PH.D. PROGRAMME:

The following shall be duration of Ph.D. programme:

- (i) the minimum duration shall be three years including course work and a maximum of six years.
- (ii) the woman or person with disability (more than 40% disability) research scholar may be allowed two years in the aforesaid maximum duration. In addition, the woman research scholar may be provided with maternity leave/child care leave once in entire duration of Ph.D. programme for up to 240 days.

However, the Vice-Chancellor, on the recommendation of the Research Degree Committee, may in exceptional individual case make relaxation in the aforesaid prescribed maximum duration.

3. GENERAL CONDITIONS:

The general conditions for the research scholars shall include:

- (i) The Ph.D. programme shall be full time.
- (ii) The research scholars shall be required to be present in the University during working hours and their presence shall be duly recorded in the University library. This will not be less than 75% of the entire working days of the University in an Academic Year.
- (iii) The research scholar may be required to take teaching assignments and render help as may be required in the academic and co-curricular activities of the University.
- (iv) The course work and other required work in the Ph.D. programme, including the Ph.D. thesis, shall be in the English language.
- (v) All the research scholars registered for the Ph.D. programme shall abide by the regulations and rules framed by the University from time to time.

4. CONSTITUTION AND FUNCTIONS OF THE RESEARCH ADVISORY COMMITTEE⁸⁵:

- (i) There shall be a Research Advisory Committee for each Ph.D. scholar. The Research Supervisor of the scholar shall be the Convener of this Committee which will also consist of (a) Co-supervisor (if any), and (b) One subject expert nominated by the Vice-Chancellor.
- (ii) This Committee shall have the following responsibilities:
 - (a) To review the research proposal and finalize the topic of research;
 - (b) To guide the research scholar to develop the study design and methodology of research and identify the course(s) that he/ she may have to do.
 - (c) To periodically review and assist in the progress of the research work of the research scholar.
- (iii) A research scholar shall appear before the Research Advisory Committee once in six months to make a presentation of the progress of his/her work for evaluation and further guidance. The six monthly progress reports shall be submitted by the Research Advisory Committee to the Research Degree Committee with a copy to the research scholar.
- (iv) In case the progress of the research scholar is unsatisfactory, the Research Advisory Committee shall record the reasons for the same and suggest corrective measures. If the research scholar fails to implement these corrective measures, the Research Advisory Committee may recommend to the Research Degree Committee with specific reasons for cancellation of the registration of the research scholar.

⁸⁵ Substituted vide resolution of the Academic Council under Agenda Item No. 8 in its meeting held on 15.02.2021 and subsequently ratified by the Executive Council on 27.02.2021.

5. CONSTITUTION AND FUNCTIONS OF THE RESEARCH DEGREE COMMITTEE:

All the matter related to Ph.D. programme shall be supervised by the Research Degree Committee.

(i) The Research Degree Committee shall comprise of:

The Vice Chancellor	Chairperson
The Head of Department	Member
All Professors	Member
One Senior Most Associate Professor by rotation every three years	Member
Concerned Supervisor(s)	Member
The Ph.D. Programme Coordinator appointed by the Vice Chancellor	Member Secretary

(ii) The Research Degree Committee shall perform the following functions:

- (a) Examine cases of eligibility of the candidates and recommend their cases to the Vice Chancellor for their enrolment as Ph.D. scholar in the University.
- (b) Recommend to the Vice Chancellor appointment of Research Supervisor and Co-supervisor, if any.
- (c) Examine six monthly progress reports of the Ph.D. Scholars submitted by the Research Advisory Committee.
- (d) Recommend the list of examiners to the Vice Chancellor.
- (e) Arrange for the *Viva Voce* Examination.
- (f) Recommend to the Vice Chancellor cancellation of registration on the recommendation of the Research Advisory Committee.
- (g) Recommend to the Vice Chancellor to extend duration of registration.
- (h) Recommend to the Vice Chancellor to allow submission of thesis.
- (i) Issue any directions to the Research Advisory Committee.
- (j) Any other function assigned to it by the Academic Council from time to time.

6. PROCEDURE FOR ADMISSION:

The selection process for admission to the Ph.D. programme shall include:

- (i) All eligible candidates shall apply in the prescribed admission form within the date prescribed by the University.
- (ii) The candidate shall prepare and submit a detailed scheme of his/her proposed research work along with the application form on the following lines:
 - (a) Specification of broad field of study
 - (b) Importance and rationale of the study
 - (c) Available Literature
 - (d) Method and scope of the study
 - (e) Justification of the Study and its interface with the Discipline of Law
- (iii) The selection shall be made on the basis of inter-se-merit based on the written test and interview:

- (a) ⁸⁶The Written Test shall consist of 70 marks. The Question Paper will consist of objective type questions 50% on Research Methodology and 50% shall be on main subject specific. The interview shall carry 30 marks. The qualifying marks shall be 50% for the written test and the interview taken together.

Provided that a relaxation of 5% of marks (from 50% to 45%) shall be allowed for the candidates belonging to SC/ST/OBC (Non-Creamy layers) of U.P./Differently-abled category in the written entrance examination.

Provided further that, if in spite of the above relaxation, the seats allotted for SCT/ST/OBC (Non Creamy layer)/Differently-abled categories remain unfilled, the University shall launch a special admission drive as per rules.

- (b) Syllabus, date, time and duration of Written Test, schedule of Interview and other related matters about the process of admission will be decided by the Admission Committee for the Ph.D. programme with the approval of the Vice-Chancellor.
- (c) The Examiners for the paper(s) of the Written Test shall be appointed by the Vice-Chancellor.
- (d) The Interview Board for Interview for admissions to the Ph.D. Degree of the University shall consist of the following:-

(i)	The Vice-Chancellor or his nominee.	Chairman
(ii)	The Head of Department	Member
(iii)	One external expert from Law stream and/or one external expert from the concerned subjects covered under the stream of Social Sciences & Humanities, if required to be nominated by the Vice-Chancellor.	Member
(iv)	Ph.D. Programme Coordinator	Member Secretary

- (e) The Written Test and Interview shall be exclusively in English Language.
- (f) The Syllabus for the Written Test shall as may be prescribed by the University.
- (g) The duration of the Written Test will be one and half hours. There will be no negative marking.
- (h) ⁸⁷The candidates obtaining 50% or above marks in the written test will be called for interview.

7. FINAL SELECTION:

- (a) The eligible candidates will be selected for Admission on the basis of their *inter se* merit taken together in the Written Test and Interview.
- (b) In event of tie between two or more candidates in their *inter se* merit, the tie will be broken by the following procedure and order:

⁸⁶ Substituted vide resolution of the Academic Council under Agenda Item No. 20(6) in its meeting held on 03.08.2019 and subsequently ratified by the Executive Council on 09.11.2019.

⁸⁷ Substituted vide the resolution of the Academic Council under Agenda Item No. 20(5) in its meeting held on 03.08.2019 and subsequently ratified by the Executive Council on 09.11.2019.

- i. Higher marks in the Master's Degree
 - ii. Higher marks in the Undergraduate Degree
 - iii. Higher in age
- (c) Mere fact that the name of a candidate appears in the Merit List, he/she will not get any right to claim admission to the Ph.D. Programme.

8. NUMBER OF SEATS & ENROLMENT:

- (i) ⁸⁸The maximum number of seats may be decided by the Academic Council on the recommendation of the Research Degree Committee from time to time. Those candidates, who have been declared qualified for admission to the Ph.D. programme and have paid the requisite fee for the admission, may be enrolled with the University as a Ph.D. scholar.
- (ii) There shall be reservation of seats as per the orders of the Government of Uttar Pradesh issued from time to time.

9. FEES AND OTHER CHARGES:

Candidates selected for admission to the Ph.D. Degree programme will be enrolled by the University after the remission of the following fees:

Head of Fees	Amount (Rs.)
Registration Fee (One time payment)	5,000.00
Tuition Fee (Annually)	30,000.00
Utility Charges (Annually)	20,000.00
Caution Money (One time)	5,000.00
Total	60,000.00

***Note:**

- 1. Payment towards mess facility shall be payable separately as may be decided by the University from time to time.

10. COURSE WORK⁸⁹:

- (i) The Course Curriculum shall consist of 12 credit points. Additionally, there will be 02 credit course entitled "Research and Publication Ethics (RPE)" as per 10(A) below.
- (ii) That the first component of 6 credits is allocated to the Research Methodology class room teaching (Max. 100 Marks).
- (iii) The second component shall comprise of 3 credits and will consist of (Max. 50 Marks)
 - (i) University Seminar/Conference/Presentation : Max. 15 Marks
 - (ii) Book Review : Max. 10 Marks
 - (iii) Article writing under guidance of respective supervisors : Max. 25 Marks

This component shall be supervised and evaluated by the concerned supervisor.

⁸⁸ Substituted vide the resolution of the Academic Council under Agenda Item No. 20(6) in its meeting held on 03.08.2019 and subsequently ratified by the Executive Council on 09.11.2019.

⁸⁹ Substituted vide the resolution of the Academic Council under Agenda Item No. 11(A) in its meeting held on 03.08.2019 and subsequently ratified by the Executive Council on 09.11.2019.

- (iv) The third component shall comprise of a pilot tentative work plan and its presentation. This will carry a credit score of 3 to be evaluated by an external expert nominated by the Vice-Chancellor (Max. 50 Marks).
- (i) Work Plan Report : Max. 25 Marks
- (ii) Presentation and Viva-Voce : Max. 25 Marks

10 -A. PRE-REGISTRATION COURSE WORK⁹⁰:

There shall be a two credit courses of 30 hours duration entitled "Research and Publication Ethics (RPE)" for awareness about publication ethics and publication misconducts which will be compulsory for all Ph.D. Scholars for pre-registration course work.

Course structure:

The course comprises of six modules listed in table below: Each module has 4-5 units.

Modules	Unit title	Teaching hours
Theory		
RPE 01	Philosophy and Ethics	4
RPE 02	Scientific conduct	4
RPE 03	Publication of Ethics	7
Practice		
RPE 04	Open Access Publishing	4
RPE 05	Publication Misconduct	4
RPE 06	Databases and Research Metrics	7
Total		30 hrs.

Detailed syllabus will be provided later.

11. ALLOCATION OF RESEARCH SUPERVISOR/CO-SUPERVISOR:

The requirements for the allocation of the Research Supervisor/Co-Supervisor shall include:

- (i) The Vice-Chancellor may appoint the Research Supervisor or Co-supervisor, if necessary, on the recommendation of the Research Degree Committee.
- (ii) Only a full time regular teacher of the University shall be appointed as the Research Supervisor.
- (iii) In case of topics which are inter-disciplinary nature, a co-supervisor may be appointed from within or outside the University with the approval of the Research Degree Committee.
- (iv) A full time regular Professor of the University may be appointed as Research Supervisor provided that he/she has at least five research publications in the referred journals. A full time regular Associate Professor and Assistant Professor with Ph.D. degree may be appointed as Research Supervisor provided he/she has at least two research publications in referred journal.

Provided that in the area/discipline where there is no or only limited number of referred journals, the Research Degree Committee may relax the aforesaid conditions of research publications with the reasons recorded in writing.

⁹⁰ Inserted vide the resolution of the Academic Council under Agenda Item No. 3 in its meeting held on 20.10.2020 and subsequently ratified by the Executive Council on 27.02.2021.

- (v) The allocation of Research Supervisor for the research scholar shall be decided by Research Degree Committee depending on the availability of specialization among the Research Supervisors, the research interests of the research scholars as indicated in the Admission Application Form and also the number of scholars per research supervisor.
- (vi) A Professor shall guide not more than 8 research scholars, the Associate Professor not more than 6 research scholars and the Assistant Professor may guide not more than 4 research scholars.
- (vii) No teacher of the University who is registered for Ph.D. shall be eligible to be appointed as the Research Supervisor or Co-Supervisor.
- (viii) In case the teacher has only less than three years to retire, he/she shall not be appointed as Research Supervisor.
- (ix) In case the Research Supervisor leaves the University, retires from the University, is unable to continue due to any reason, or the Research Degree Committee recommends that it is not in the interest of the research scholar to continue with concerned Research Supervisor, the Vice-Chancellor, on the recommendation of the Research Degree Committee, may appoint another Research Supervisor with due consideration of the interest of the research scholar.
- (x) In case of relocation of a woman Ph.D. scholar, either due to marriage or otherwise, the research data shall be allowed to be transferred to the other University or institution to which the scholar intends to relocate provided all the other conditions in these Regulations are followed in letter and spirit. However the woman research scholar will give due credit to his/her previous Research Supervisor and the University.
- (xi) The eligible teacher of the University may be permitted to guide the Ph.D. scholar in other University provided that:
 - (a) there exist vacancy with the teacher in the University; and
 - (b) the University has given its consent in this regard.

12. MONITORING OF THE Ph.D. SCHOLAR:

- (i) The Research Supervisor shall keep the record of programme of every Ph.D. scholar registered under him. He shall be required to submit a duly prescribed six monthly progress report in March/September as the case may be to the Research Degree Committee. The Committee shall give its written comments and forward the same to the Vice Chancellor for the necessary action. The subsequent six monthly reports shall be sent in the similar manner.
- (ii) The overall responsibility to monitor the progress of the research scholar(s) shall be with the concerned Research Advisory Committee.

13. CANCELLATION OF REGISTRATION:

The Ph.D. registration of a research scholar shall be liable to be cancelled at any time by the Vice Chancellor on the recommendation of the Research Degree Committee if,

- (a) the research scholar is not able to get the prescribed marks even in the repeat course work;
- (b) the research scholar has not submitted his/her two consecutive reports or they are not satisfactory;

- (c) the candidate's attendance is less than 75% in any term;
- (d) the candidate has been found guilty for any act of indiscipline in the University;
- (e) the candidate has been found engaged in any unauthorized paid full time assignment;
- (f) the candidate has been found pursuing any other Degree course without the prior proper permission of the University.
- (g) the candidate has been found to be engaged in plagiarism.
- (g) the candidate has not submitted his thesis at the expiry of six years from the date of his admission.

14. SUBMISSION OF THESIS:

The following shall be the conditions for the submission of thesis:

- (i) Prior to submission of the thesis, the research scholar shall publish at least one research paper in a refereed journal and make two paper presentations in conferences/seminars before the submission of the thesis with the supporting documents.
- (ii) The Ph.D. scholar will make at least one presentation during the entire period of his Ph.D. Programme before the Research Degree Committee, Faculty Members and the Ph.D. research scholars wherein the research scholar shall apprise of the work done by the concerned Ph.D. scholar and receive suggestions for the improvement of the research work.
- (iii) After the necessary improvement in the research work, if required, the Research Supervisor shall forward the application of the Ph.D. scholar for submission of the thesis with a certificate of the Research Supervisor about the completion of the work.
- (iv) In case, the Research Supervisor does not forward the application of the Ph.D. scholar for submission of the thesis, the Vice Chancellor shall, on the recommendation of the Research Degree Committee, take necessary action in the matter.
- (v) A Ph.D. scholar shall submit his thesis along with the following documents:
 - (a) five printed, computerized or type written copies of the thesis and a soft copy
 - (b) a certificate of the Research Supervisor to the effect that the research scholar has completed within the stipulated period of research task and the thesis embodies the results of his/her own investigation during the above period; and that is an original work and involves no plagiarism.
 - (c) ten copies of abstract of the Ph.D. thesis.
- (vi) No Ph.D. scholar shall submit as his thesis any work which has been accepted or rejected for the Ph.D. Degree of this University or any other University.

15. EVALUATION AND ASSESSMENT METHOD:

The following processes shall be followed for the evaluation of the Ph.D. thesis:

- (i) Once the Ph.D. Scholar has submitted his thesis to the examination section of the University, the Research Degree Committee, in

consultation with the Research Supervisor, will recommend to the Vice-Chancellor for the appointment of the examiners to evaluate the Ph.D. thesis.

- (ii) There shall be at least three external examiners out of which two shall be external examiners one of whom may be from outside the Country and the concerned Research Supervisor.
- (iii) After the examiners have examined the thesis they shall recommend one of the following:
 - (a) that the thesis is satisfactory and vica-voce examination may be conducted
 - (b) that the thesis is unsatisfactory and no need to conduct viva-voce.

The report of each examiner shall specify detailed grounds on which the recommendation is based.

- (iv) The examiners shall be required to submit their reports to the Vice-Chancellor within a reasonable period but not later than three months from the receipt of the thesis. However, in case the report is not available within three months, the Vice Chancellor on the recommendation of the Research Degree Committee shall be free to appoint another examiner out of the Panel of examiners.
- (v) Where the external examiners unequivocally recommend that the thesis is satisfactory and viva-voce examination may be conducted, the Vice-Chancellor for an open viva-voce examination of the candidate, conducted by one of the two external examiners along with the concerned Research Supervisor.
- (vi) Where a thesis fails to obtain the unanimous recommendation of all the external examiners and one of the evaluation report of the external examiner is unsatisfactory and does not recommend viva-voce, the University shall send the thesis to another external examiner out of the approved panel of examiners and the viva-voce examination shall be held only if the report of the latest examiner is satisfactory. If the report of the latest examiner is also unsatisfactory, the thesis shall be rejected and the research scholar shall be declared ineligible for the award of the degree.
- (vii) Where both the evaluation reports of the external examiners are unsatisfactory and do not recommend viva-voce the thesis shall be rejected and the research scholar shall be declared ineligible for the award of the degree.
- (viii) Where after the viva-voce examination, the viva-voce examiners do not recommend the award of Degree, the Research Degree Committee may recommend to the Vice-Chancellor:-
 - (a) that the Degree be not awarded to the research scholar; or
 - (b) that the research scholar undertakes additional work on the thesis and submit a revised thesis within a specified period.
- (ix) After successful completion of viva-voce examination, the award of Degree shall be recommended by the Research Degree Committee to the Vice-Chancellor and a notification of the result shall be issued by the office of the Registrar. After notification of the result a provisional certificate shall be issued to the candidate.

- (x) The notification of result shall be placed before the Academic Council for the approval of the Award of Ph.D. Degree in Law or Allied Subject.

16. AWARD OF Ph.D. DEGREE

- (i) Once the Academic Council approves the notification of result of the candidate, the candidate will be declared as eligible for the award of the Ph.D. Degree in Law/Allied Subject and the award of Degree shall be made at the Convocation of the University. Specific mention of the subject of Law or Allied Subject, as the case may be, shall be made in the format of the Ph.D. Degree.
- (ii) The award of Ph.D. Degree to research scholar registered for the Ph.D. programme on or after July 11, 2009 shall be governed by the UGC Regulations for the 'Minimum Standards and Procedure for the Award of Ph.D., 2009 and those research scholars registered after July 5, 2016 shall be governed by the UGC Regulations in this regard of 2016.
- (iii) If the Ph.D. degree is awarded by a Foreign University, the Indian Institution considering such a degree shall refer the issue to a Standing Committee constituted by the Vice-Chancellor for the purpose of determining the equivalence of the degree awarded by the foreign University.

17. DEPOSITORY WITH UGC'S INFLIBNET:

- (i) Following the successful completion of the evaluation process and before the announcement of the award of the Ph.D. Degree, the University shall submit an electronic copy of the Ph.D. thesis to the INFLIBNET, for hosting the same so as to make it accessible to all Universities/Institutions/Colleges.
- (ii) Prior to the actual award of the Degree, the University shall issue a provisional certificate to the effect that the Ph.D. Degree has been awarded in accordance with the provisions of the UGC's Regulations of 2016.

18. REMOVAL OF DIFFICULTIES:

The Vice-Chancellor, on the recommendations of the Research Degree Committee, shall have power to make any modifications, alterations or amendments in these Regulations as may be necessary to remove any difficulties arising in implementing these Regulations during a period of two years from the commencement of these Regulations. The amendment so made will be reported to the Academic Council in its next meeting.