



Annexure IV (Cb)

HIDAYATULLAH NATIONAL LAW UNIVERSITY, RAIPUR

ORDINANCE – 04

DOCTOR OF PHILOSOPHY

1. PREAMBLE:

- 1.1 This Ordinance shall be called the Ordinance for Doctor of Philosophy (Ph.D.) degree. The following ordinance is in conformity with the provisions of the University Grants Commission (minimum standard and procedure for award of M.Phil. /Ph.D. Degree) Regulation 2009. This shall come into force from the date of its notification on university website (www.hnlu.ac.in)
- 1.2 The degree of Doctor of Philosophy in Law of Hidayatullah National Law University (hereinafter referred to as the Ph.D. degree) shall be awarded to those fulfilling the conditions as laid down in this Ordinance.

2. PROCEDURE FOR ADMISSION & COURSE WORK :

- 2.1 Admission to the Ph.D. program shall be conducted once in a year. The number of seats available for admission in the university shall be decided well in advance and mentioned in the Admission Notice/Prospectus of the university. The applications of candidates seeking admission will be processed and eligible candidates shall be required to appear in a Ph.D. Entrance Test to be conducted by the University. On the basis of marks obtained in the entrance test, a merit list will be prepared, in the ratio of 3 candidates against 1 available seat, to call the candidates for an interview to be organized by a sub-committee to be constituted by the Vice Chancellor. Based on the performance of the candidates in the written test and interview both, the final merit list shall be prepared for approval by the Vice Chancellor for admission.

2.2 Syllabus for Ph.D. Entrance Test:

2.2.1 There shall be one objective type test paper of two and half (2.30) hours duration having one hundred fifty (150) questions based on the following papers:

Research Methodology, Constitutional Law, Jurisprudence, Law of Contract, International Law, Law of Torts, Law of Crimes, Environmental Law, Administrative Law and Family Law.

2.2.2 Each question shall carry Two (2) marks. There will be **Negative** marking and for each wrong answer One (1) mark shall be deducted.

Exemption: Candidates, who have qualified for UGC NET (Junior Research Fellowship (JRF)/ lectureship) or SLET, shall be exempted from the Entrance Test. However the exempted candidates shall be required to appear for the interview like other candidates who are required to appear in the entrance test for Ph.D.

2.2.3 The Final Merit/Waiting list prepared after Interview shall remain valid for one academic session only against the vacant seats in the university mentioned in the Admission Notice/Prospectus.

- 2.3 Prescribed Application Form for admission to the Ph.D. program would be made available by the university as per Admission Notification on payment of the prescribed fee fixed by the university. The Application Form duly filled and signed by the candidates along with attested copies of mark sheets of all the previous examinations from High



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School/Higher Secondary or equivalent examination onwards including qualifying examination. Those who claim any benefit based on any category (SC/ST/OBC/PH) is required to submit relevant certificates. The Application Form complete in all respects has to be sent/submitted to the Registrar of the university on or before last date to be notified for that purpose.

2.4 After the entrance test and evaluation of scripts, the office of the controller of examination shall forward the list of candidates with their score in the test along with the Application Forms, with all enclosures, to the sub-committee to be constituted by the Vice Chancellor for preparing the Merit list for Interview of candidates. Interview shall be conducted by a panel of faculty members appointed by the Vice-Chancellor. The Final Merit list will be prepared by the sub-committee for necessary approval by the Vice-Chancellor.

2.5 **Course Work:** After having been admitted, each Ph.D. scholar shall be required to undertake Course Work for one semester. The students shall be required to pass the examination of course work (three papers/courses in all) with minimum fifty percent (50) in each paper/course failing which their admission will be cancelled. However a maximum of two chances shall be permissible for passing each paper within the residential period prescribed for Ph.D. Course work shall comprise of the following:

Paper I – Compulsory: Legal Research Methodology

Paper II- Compulsory: Advance Legal Theory

Paper III – Optional: Every eligible Supervisor of the university shall get one project prepared from the research scholar related to the theme of the research work of the Ph.D. scholar. This course may have a component on reviewing of published research work in the relevant field.

2.6 A Ph.D. student shall undertake research work (thesis) under the guidance of a supervisor allotted to him/her by the RDCU. Allotment of supervisor shall be based on the availability of seats, the specialization of the faculty as well as the research interest of the candidates.

3. ELIGIBILITY FOR ADMISSION AND RESERVATION:

3.1 The Ph.D. degree shall be open to the candidates, who have obtained a Masters Degree of this University or any other University established by law in force or any other degree recognized as equivalent thereto in Law with minimum of 55% marks or its equivalent (50% marks or its equivalent for SC/ST/PH).

3.2 The reservation for admission in Ph.D. program shall be applicable as per Chhattisgarh State Government rules.

3.3 Such candidate who is already registered as Ph.D. scholar in some other recognized Institution or University and whose supervisor joins this University may be recommended for registration in this university as internal Ph.D. scholar. He/ She shall be permitted to submit his/her thesis after the expiry of the remaining period of the residential requirement prescribed under the ordinance provided he/she continues to work on the same topic and has completed at least the minimum period prescribed for Ph.D., including the period spent earlier in his/her previous Institution/University. If he/she has already successfully completed the course work in his/her previous institution/university, he/she shall be exempted from the same in this university provided he/she submits proper mark sheet or certificate from competent authority of his/her previous institution/university.



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4. RESEARCH DEGREE COMMITTEE OF UNIVERSITY (RDCU):

4.1 Subject to the general provision of the Academic Council all matters connected with the Ph.D. program shall be dealt with by RDCU in accordance with the Ordinance made for the purpose.

4.2 The RDCU shall consist of the following :

- (i) Vice-Chancellor (Chairman)
- (ii) All Professors
- (iii) Three Associate Professors and Two Assistant Professors (having Ph.D. degree) shall be nominated by the Vice Chancellor for two years from amongst the faculty member of the university, by rotation, according to their seniority.
- (iv) Guide and Co-guide (if any) of the Ph.D. scholar concerned (by invitation).

The Controller of Examinations shall be the Secretary of RDCU.

4.3.1 The RDCU shall have power to co-opt such subject experts as may be helpful in carrying out the research activities.

4.3.2 The RDCU shall perform the following functions –

- (a) The RDCU shall decide the Research supervisor/guide for the research scholars.
- (b) After completing the course work, the candidates shall submit the plan of work in consultation with the guide in the form of a synopsis and, if found suitable, the same shall be approved by the RDCU for carrying out the research work. The progress of the research work shall be evaluated by the RDCU based on the six monthly reports submitted by the candidate for this purpose.

4.3.3 Eligibility for Supervisor

- (a) All Professors and Associate Professor of the University shall be deemed to be research supervisors.
- (b) Assistant Professors working in the University having Ph.D. degree and two years teaching experience shall also be eligible to be research supervisor.
- (c) The maximum number of Ph.D. scholars that a supervisor may supervise shall not exceed eight (8) for Professors, six (6) for Associate Professors and four (4) for Assistant Professors at a time. A seat for Ph.D. registration/guidance under a faculty member will be treated vacant immediately after submission of thesis by the scholar under the supervision of the said faculty member.

4.3.4 RDCU may appoint one co-supervisor in addition to the regular supervisor on the request of the research scholar or on the basis of interdisciplinary title of the research, with the consent of the proposed supervisor and co-supervisor. The supervisor and co- supervisor may be from the same University or from other Universities/Institutes/Centers. But either supervisor or co- supervisor shall be from this University or both can be from this university. External supervisor or co- supervisor shall submit his/her CV to the Chairman, RDCU through his/her employer, with NOC, for recognition in this University as supervisor /Co-supervisor. The RDCU will consider his/her suitability as per University rules and prepare a panel of such supervisors /Co- supervisors, and then a letter can be issued to them to this effect.

4.3.5 In case a University teacher is supervisor of a particular Ph.D. scholar who also has a co- supervisor, that will be counted as one full seat for the concerned teacher. In case a University faculty is co- supervisor of a Ph.D. scholar that will be counted as a half of the seat for the concerned teacher.



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- 4.4 In case of registration of foreign students, including NRIs, as Ph.D. scholars the equivalence of qualifying degree possessed by them shall be first settled by the RDCU and only after that, they can be registered for Ph.D. There will be no entrance test for them. However they have to face an interview like other candidates. They will be required to complete course work prescribed for the Ph.D. program. The number of foreign students permitted to be enrolled at a time over and above the prescribed quota shall be 1,2,3 under Asst. Professor, Associate Professor and Professor respectively.
- 4.5 In case of retirement or leaving the University of the Supervisor the candidate will be allowed to submit his/her Ph.D thesis under the same supervisor after completing the remaining period of the residential requirement prescribed under the Ordinance. Under the above circumstances the scholar shall be deemed to be the scholar of the same supervisor.
- 4.6 **Change of Supervisor:** In extraordinary conditions such as death of supervisor or otherwise, the RDCU may permit the change of supervisor if such a need arises to protect the academic interest of the candidate, including irrespective of the quota prescribed for a teacher.

5. GUIDELINES FOR PH.D. SCHOLAR:

- 5.1 A Ph.D. scholar registered in the University and permitted by the supervisor to work in an institution other than this university is required to have a recognized co-supervisor working in that institution. The co-supervisor and the supervisor will consult each other in all matters pertaining to the progress of research work of the scholar.
- 5.2 The minimum period of registration is two years and maximum is four years for Ph.D. scholars. The RDCU may grant extension of registration for an additional period up to one year (i.e. 2 semesters). In special circumstances the Vice-Chancellor may grant further extension of one semester (i.e. six months) on the recommendation of supervisor. The date of approval of the selected candidates for the admission in Ph.D. by RDCU shall be treated as the date of Ph.D. registration of the candidate.
- 5.3 Full fee shall be payable to the University by Ph.D. scholars for all the extended periods, one year or six months as the case may be.
- 5.4 Ph.D. scholars shall be required to be present in the University or in the Institution as approved by RDCU. Their presence in that institution shall be duly recorded and maintained by his/her supervisor/Co-supervisor as the case may be. However the requirement of recording attendance shall be dispensed with when the research scholar has been duly permitted to carry out field work necessary for his Ph.D.
- 5.5 A record of the progress of work of Ph.D. scholar shall be kept by his/her supervisor. The six monthly progress report of the research scholar shall be forwarded by the supervisor/co-supervisor (if any), as the case may be, to the RDCU. The RDCU shall consider and comment on the progress reports. The subsequent six-monthly reports shall be sent in a similar manner. The first and second half yearly report shall indicate the specific topic of research, along with tentative synopsis based on the literature survey relevant to the research however minor change in the title of the Ph.D. thesis may be allowed by the RDCU within 2 years from the date of registration.
- 5.6 (i) Normally there should be minimum 70% attendance of the Research Scholar.
(ii) In case the research scholar is permitted to partially carry out his/her research work in some other institutions, where his/her co-supervisor is working, then their attendance in that institutions shall be maintained by such co-supervisor.



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(iii) However, scholars mentioned at para (ii) above will be required to remain present in the University for at least half of the period of research, in addition to the period of course work.

- 5.7 Registration of a Ph.D. scholar shall be liable to be cancelled by the RDCU at any time if:
- (a) the course work is not completed as required under para 2.5.
 - (b) two consecutive six-monthly progress reports are not submitted at all or are not found satisfactory by RDCU.
 - (c) attendance is not as per the requirements.
 - (d) admission may be cancelled at any time if the University finds that the information furnished by the candidate is false.
- 5.8 Availability of Supervisor/Co-supervisor for supervision of Ph.D. Scholar:
- (a) In case there are supervisor and co-supervisor to supervise the Ph.D. and the main supervisor ceases to be supervisor by virtue of death/absence/leave for a period of more than one year the co-supervisor will be full fledged supervisor.
 - (b) In case there is only one supervisor and he/she ceases to be supervisor due to above said reasons the RDCU shall appoint new supervisor for that research scholar.
 - (c) In case there are supervisor and co-supervisor for the Ph.D. thesis and both of them cease to be supervisor by virtue of the above said reasons the RDCU shall allot new supervisor for the Ph.D. thesis.
- 5.9 A Ph.D. scholar shall not be permitted to take any other degree course during the research work.

6. **SUPPLICATION:**

- 6.1 Prior to submission of thesis, the scholar shall be required to present a Pre-submission seminar wherein he/she shall have to present and defend the findings of his/her research work. The seminar shall be conducted before the RDCU, faculty members and research scholars of the university, for getting feedback and comments, which may be suitably incorporated into the draft thesis under the advice of the supervisor.
- 6.2 After the seminar, the supervisor shall forward the application of the scholar to RDCU for supplication of the thesis along with a certificate about completion of the seminar and copies of one research paper published in referred journal and the exact title of the thesis duly approved by the RDCU.
- 6.3 A Ph.D. scholar shall ordinarily supplicate his Ph.D. thesis within six months from the date of his seminar, through the supervisor:
- (i) Four copies of thesis computer printed and one soft copy in PDF format along with six copies of the abstract of the research work done giving the salient points of his/her work.
 - (ii) A certificate from the Supervisor after obtaining a declaration from the scholar to the effect that "the candidate has completed the research work for the full period prescribed and that the thesis embodies the results of his/her investigation conducted during the period he/she worked as a Ph.D. research scholar".
 - (iii) A no-dues certificate from all the concerned sections of HNLU must be obtained by the research scholar.
- 6.4 The thesis submitted by the candidate shall be in **English**.
- 6.5 The Ph.D. scholar shall indicate in the Preface of his/her thesis as how far it embodies the original result of his/her own research or observations, and in what respects his/her investigation appears to be advancing his/her knowledge on the subject.



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- 6.6 No Ph.D. scholar shall submit any work which has been accepted or rejected for any other degree in this or any other University as his/her thesis. Provided that in such a case, he/she shall indicate in his/her application and in the Preface of his/her thesis, the extent to which such a work, previously done, had been incorporated.

7. **EVALUATION:**

- 7.1 Upon completion of the proposed research work, the scholar shall produce a thesis that shall be submitted for evaluation as per the provisions of this Ordinance. The RDCU shall recommend a panel of six examiners including the supervisor. If RDCU is of opinion that in view of the topic of research, examiner(s) from foreign country will be needed to evaluate the thesis properly, then the names of examiners of foreign country may also be included in the panel of examiners. The examiners other than the supervisor should not be below the rank of Professor or equivalent. The panel of examiners shall be submitted by the Controller of Examinations to the Vice-Chancellor for appointment of three examiners (at least one shall be from outside the state) including the supervisor.
- 7.2 An examiner shall ordinarily be required to accept the appointment offered by the University within a month from the issue of the letter. If no information is received from an examiner within one month time from the date of issue of the letter of appointment, his/her appointment shall stand cancelled and another examiner shall be appointed. After acceptance received from the examiner, Ph.D. thesis may be sent for evaluation.
- 7.3 On receipt of the acceptance of any examiner, the Controller of Examinations shall forward the copy of the thesis to him/her and take all action to get the report of the examiner expeditiously.
- 7.4 The examiners shall be requested to submit their individual reports within three months of the receipt of the thesis.
- 7.5 In submitting the report, the examiner shall state whether the thesis complies with the following conditions to merit the award of the Ph.D.
- (a) It should be a piece of research work characterized either by the finding of new facts or by a fresh approach towards interpretation of facts and theories.
 - (b) It should reflect the candidate's capacity for critical examination and judgment.
 - (c) It should be satisfactory in its literary presentation.
- 7.6 After the examiners have examined the thesis, they may recommend one of the following:
- (a) that the thesis be accepted for the award of the Ph.D. degree.
 - (b) that the thesis be re-submitted in a revised form
 - (c) that the thesis be rejected.

In case one or more examiners seek clarification or recommend revision, the report/reports of the examiner/examiners concerned (without mentioning the name/names) shall be sent to the Ph.D. scholar through the supervisor concerned to enable the former to submit clarification through the supervisor on the points raised or to submit the thesis in a revised form, as the case may be. The clarification shall be sent to concerned examiner for perusal and if he/she is satisfied, he/she will make specific recommendation for the award of the Ph.D. degree.

- 7.7 The report of each examiner shall be specific and state the grounds on which the recommendation is based.
- 7.8 In case two examiners recommend the award of the Ph.D. degree and the third examiner rejects the thesis or asks for further revision under 7.6(b), the reports, the



recommendations and the thesis shall be referred to a fourth examiner, and his/her recommendation shall be final.

- 7.9 In case two examiners ask for further revision under 7.6(b), the thesis shall be rejected.
- 7.10 In case one examiner asks for further revision under 7.6(b) and another examiner rejects under 7.6(c), then also the thesis shall be rejected.
- 7.11 If the examiners' reports are unanimous under Clause 7.6(a), the Viva-voce examination of the candidate shall be conducted by a Board consisting of the Vice chancellor (Chairman), Supervisor, co-supervisor, if any as member(s) and one external examiner from those examiners who have examined the thesis. The date and time of the viva-voce examination shall be fixed by the Supervisor in consultation with the external examiner, chairman, RDCU and other members, if any. All other members of the RDCU also shall be invited for the viva-voce examination. There shall be open Viva-voce examination.
- 7.12 If the examiners' reports are unanimous, the concerned candidate shall be informed accordingly along with his supervisor and co-supervisor, if any.
- 7.13 Viva-Examiners shall submit a comprehensive report on the Viva-voce examination of the candidate regarding his/her performance, including the questions over the various points raised. The Board conducting the Viva-voce shall make the final recommendation for the award of the Ph.D. degree taking into consideration the candidate's performance at the Viva-voce and the reports of the examiners.
- 7.14 The reports of all the examiners and of the Viva-voce examination shall be placed before the concerned RDCU for consideration. In case of unanimous recommendations, the RDCU shall approve the award of the Ph.D. degree.
- 7.15 In all other cases or wherever reports are ambiguous, the examiners reports shall be directly placed before the RDCU for its specific decision.
- 7.16 A thesis once submitted cannot be re-submitted except when so directed by the examiners. The revised thesis must be submitted within six months after the requirements of revision are notified.
- 7.17 The candidate shall, in case of publication of the thesis in full or in part, state on the title page that it was a thesis approved for the award of the Ph.D. degree.
- 7.18 After the approval of the Academic Council, the examiners reports may be made available to the candidate concerned, on request.
- 7.19 Following the successful completion of the evaluation process and announcements of the award of the Ph.D. Degree, the University shall submit a soft copy of the thesis to the UGC within a period of thirty days for hosting the same in INFLIBNET and Association of Indian Universities (AIU).

8. **RESIDUARY POWERS:**

Notwithstanding anything contained in this Ordinance, any question, which is not covered by this Ordinance, or any difficulty arising out of this Ordinance, shall be dealt according to direction of the Vice chancellor of the University.



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PROFORMA FOR SYNOPSIS

- 1 Title of the thesis :
- 2 Introduction (in about 200 words) :
- 3 A brief review of the work already done in the field :
- 4 Objectives :
- 5 Noteworthy contribution in the field of proposed work :
- 6 Proposed methodology :
- 7 Expected outcome of the proposed work. :
- 8 Bibliography in standard format :
- 9 List of published papers of the candidate :

Signature of the Supervisor

Signature of the Candidate

Forwarded
Dean, Academics



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CONFIDENTIAL**SIX MONTHLY PROGRESS REPORT**

Six monthly Progress Report of the Research work done for the period from
 to of the research Scholar.

1. Name of the Research Scholar :
2. Subject :
3. Topic registered for Ph.D. Degree :

4. Name of the Supervisor :
5. Statement on the Research Activity : Period with dates the candidates has been
 Carried Out by the Candidate with the guide for research work.
 (Indicate the date of leave availed by the
 candidate during the above period).

Fees paid vide receipt No.....Date.....

Signature of the Candidate

Remarks of supervisor on the work done by the candidate on the topic:

.....

Signature of Dean, Academics

Signature of the Supervisor



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DECLARATION BY CANDIDATE

I declare that the thesis entitled
..... is
my own work conducted under the supervision of
(Supervisor / Co-supervisor) at (Centre)
approved by the Research Degree Committee. I have put in more than 70 percent attendance
with the supervisor at the center.

I further declare that to the best of my knowledge the thesis does not contain any part of any
work, which has been submitted for the award of any degree either in this University or in any
other University/ Deemed university without proper citation.

Signature of the Supervisor

Signature of the Candidate

Signature of the Chairman, RDCU



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CERTIFICATE BY THE SUPERVISOR/ CO-SUPERVISORS

This is to certify that the work entitled
.....is a piece of research work done by
Mr./Ms. under my/our
guidance and supervision for the degree of Doctor of Philosophy of Law of Hidayatullah
National Law University, Uperwara, Raipur, Chhattisgarh, India. That the candidate has put
in an attendance of more than 70 percent with me.

To the best of my knowledge and belief this thesis

- (1) Embodies the work of the candidate himself/ herself.
- (2) Has duly been completed.
- (3) Fulfills the requirements of the Ordinance relating to the Ph.D. degree of the
University; and
- (4) Is up to the standard both in respect of contents and language for being referred to the
examiner.

Signature of the Co-Supervisor(s)

Signature of the Supervisor

Forwarded

Signature of the Chairman, RDCU

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Copy Right Transfer Approval Form

Name of the Candidate :
 Degree :
 University :
 Supervisor :
 Co-Supervisor :
 Thesis Title :

 Subject :
 Date & Year of Award :

// Agreement //

1. I hereby declare that, if appropriate, I have obtained and attached hereto a written permission/statement from the owner(s) of each third party copyrighted matter to be included in my thesis, allowing distribution as specified below.
2. I hereby grant to the university and its agents the non-exclusive license to archive and make accessible, under the condition specified below, my thesis, in whole or in part in all forms of media, now or hereafter known. I retain all other ownership rights to the copyright of the thesis. I and my Supervisor also retain the right to use in future works (such as articles or books) all or part of this thesis.

Condition:

1. Release the entire work for access worldwide.

Signature of the Candidate

Signature and seal of the Supervisor

Place :

Date :

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