



ORDINANCE: A-07

Doctor of Philosophy (Ph.D.) (Law)

Notified on:

Established under Uttar Pradesh Private Universities (Amendment) Act, 2023

(UP ACT No. 10 of 2023)

PREFACE

To ensure seamless education and to achieve academic excellence in the University, the rules and regulations for the “**Doctor of Philosophy (Ph.D.) (Law)**” Program are hereby published vide **Ordinance No. A-07**. These regulations are framed to maintain high academic standards and to promote a comprehensive understanding of legal education and research at the Doctorate level.

These Regulations will be in addition to the norms set by the regulatory body from time to time. The University aims to provide a robust academic framework that encourages critical thinking, research aptitude, and professional competence among students pursuing the Ph.D. Program.

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T.S. MISHRA UNIVERSITY
U.P., LUCKNOW

ORDINANCE FOR THE AWARD OF DEGREE OF DOCTOR OF PHILOSOPHY
(Ph.D.) (Law) - 2024

As per University Grants Commission (Minimum Standards and Procedure for Award of
Ph.D. Degrees) Regulations, 2022

PREAMBLE

T. S. Mishra University, Lucknow offers a comprehensive research program that leads to a Ph.D. degree (in a relevant discipline/subject). Research can involve discovering new facts, proposing new theories, reinterpreting existing knowledge, or developing innovative equipment that advances instrument technology. The Core principle of the research program is to enhance productivity and creativity. It should demonstrate the research scholar's ability to critically evaluate, analyse, and make sound judgments, as well as their capacity for independent investigation, design, or development.

The Ph.D. degree is awarded in recognition of significant academic accomplishments and the application of knowledge to address real-world challenges across various fields. The University promotes interdisciplinary research and provides excellent opportunities for research in the modern 21st century.

1. APPLICABILITY: This Ordinance shall apply to the programme leading to the degree of **Doctor of Philosophy (Ph.D.)** and shall be known as "**Doctor of Philosophy (Ph.D.) Degree Ordinance 2024**" of the T.S. Mishra University, Lucknow.

- 1.1 The following regulations are based on **the University Grants Commission (UGC) Regulations (2022)** and the T.S. Mishra University (hereinafter called as the University) **U.P. Private Universities Act, 2019** later may be called as **Uttar Pradesh Private Universities (Third Amendment) Act, 2023**. Any updates in the guidelines by UGC or any other regulatory bodies from time to time shall overtake the existing regulations in this Ordinance.
- 1.2 The T.S. Mishra University, Lucknow (hereinafter referred to as university) would consider the admission for Ph.D. Programme of the University.
- 1.3 The **Process of Admission for Ph.D. Programme** would be held **once every year** as per the notification of the University.

2. DEFINITIONS:

- 2.1 "**Board of Examination**" shall mean Board of Examiners constituted for the purpose of evaluating the thesis.
- 2.2 "**Candidate/Applicant**" shall mean a person who has applied for the Ph.D. programme but is not yet registered for the same.
- 2.3 "**College/School**" means an institution engaged in higher education and/or research, either established by a university as its constituent unit or is affiliated with it.
- 2.4 "**Co-Supervisor**" shall mean a member of the academic staff of the University or another university/ college/ research institution, other than the Supervisor, as approved by the DRC to guide/supervise the research work of the research scholar.

2.5 **“Course Work”** means courses of study prescribed by the School/Department/University to be undertaken by a student registered for the Ph.D. Degree;

2.6 **“Cumulative Grade Point Average (CGPA)”** means a measure of the overall cumulative performance of a student over all semesters. The CGPA is the ratio of total credit points secured by a student in various courses in all semesters and the sum of the total credits of all courses in all semesters. It is expressed up to two decimal places.

2.7 **“Credit”** means the number of hours of instruction required per week over the duration of a semester. A three-credit course in a semester means three one-hour lectures per week, with each one-hour lecture counted as one credit.

2.8 **“Department”** shall mean a Department of Doctoral Studies and Research and may also be called as a ‘**Centre for Doctoral Studies & Research.**’

2.9 **“DRC”** shall mean ‘**Departmental Research Committee.**’

2.10 **“External examiner”** means an academician/researcher with published research work who is not part of the Higher Educational Institution where the Ph.D. scholar has registered for the Ph.D. programme. External Examiner would be equivalent or above the rank / grade of Associate Professor.

2.11 **“Foreign Educational Institution”** means—

- (i) an institution duly established or incorporated in its home country and offering educational programmes at the undergraduate, postgraduate and higher levels in its home country and
- (ii) which offers programme(s) of study leading to the award of a degree through conventional face-to-face mode, but excluding distance, online, ODL mode;

2.12 **“Grade Point”** means a numerical weight allotted to each letter grade on a 10-point scale;

2.13 **“Guide/Research Supervisor”** means an academician/researcher recognized by a Higher Educational Institution to supervise the Ph.D. scholar for his/her research.

2.14 **“Interdisciplinary Research”** means research conducted by a Ph.D. scholar in two or more academic disciplines;

2.15 **“Minimum Submission Period”** shall mean the minimum period for which a research scholar must be registered, prior to the date of submission of the thesis. The date of registration will be the date on which the first instalment of the fee is deposited.

2.16 **“Plagiarism”** means the practice of taking someone else’s work or idea and passing them as one’s own;

2.17 **“Ph.D. Regulations”** shall mean the rules and regulations framed under this Ordinance for smooth operation and coordination of the Ph.D. programme.

- 2.18 **“Research Proposal”** means a brief write-up giving an outline of the proposed research work which the Ph.D. scholar shall submit along with the application for registration for Ph.D. programme.
- 2.19 **“Research Scholar”** shall mean a person registered for the Ph.D. programme and devoting adequate time for completing the requirements of this degree.
- 2.20 **“Research Work Plan”** shall mean the proposed schedule in months for each component of the research proposal.
- 2.21 **“RAC”** shall mean **Research Advisory Committee**.
- 2.22 **“University”** shall mean T.S. Mishra University, Lucknow.

Words and expressions used and not defined in this Regulation but defined in Act and not consistent with these Regulations shall have the meanings assigned to them in that Act.

Note: In this Ordinance whenever ‘he’ and ‘his’ occurs, these shall also mean to imply ‘he/she’ and ‘his/her’ respectively.

3. ELIGIBILITY:

- 3.1 A Person should possess a Master’s Degree in the Concerned Subject (Law) with at least 55% marks in aggregate or its equivalent grade in a point scale wherever grading system is followed,

Or

qualifications declared equivalent to the master’s degree by the corresponding statutory regulatory body, with at least 55% marks in aggregate or its equivalent grade in a point scale wherever grading system is followed.

Or

- 3.2 Equivalent qualification from a foreign educational institution accredited by an assessment and accreditation agency which is approved, recognized or authorized by an authority, established or incorporated under a law in its home country or any other statutory authority in that country to assess, accredit or assure quality and standards of the educational institution.
- 3.3 A relaxation of 5% marks or its equivalent grade would be allowed for those belonging to SC/ST/OBC (non-creamy layer)/Differently-Abled, Economically Weaker Section (EWS) and other categories of candidates as per the decision of the UGC from time to time.

4. DURATION OF THE PROGRAM

- 4.1 The Duration of the Program for a candidate shall be counted from the date of his/her admission (deposit of First Fees/Instalment)
- 4.2 Ph.D. Programme shall be for a minimum duration of three years, including course work, and a maximum duration of six years from the date of admission to the Ph.D. programme. Date of admission would be reckoned w.e.f. the date of first Fee Receipt.
- 4.3 After completion of six years, the Vice-Chancellor may grant a further extension of maximum of an additional two years for the submission of the thesis through a process

of re-registration (by paying duly authorized fee of the Program), in view of the application with reasons duly submitted for the same by the candidate concerned for which the candidate shall apply giving the reasons due to which he/she was not able to submit the thesis.

The candidates' application in this regard should be moved well in advance to completion of six years and duly forwarded and recommended by the Research Advisory Committee (hereinafter referred to as RAC) & Departmental Research Committee (hereinafter referred to as DRC). However, the total period for completion of a Ph.D. programme should not exceed eight years from the date of admission in the Ph.D. programme.

4.4 Women/Female Ph.D. scholars and Persons with Disabilities (having more than 40% disability) may be allowed an additional relaxation of two years; however, the total period for completion of a Ph.D. programme in such cases should not exceed ten years from the date of admission in the Ph.D. programme.

The candidates' application in this regard should be moved well in advance to completion of eight years and duly forwarded and recommended by RAC & DRC.

5. PROCEDURE FOR ADMISSION AND REGISTRATION

5.1 The University shall advertise Ph.D. admission notification in advance on its website; the admission notification will mention the number of seats for admission, subject-wise. A candidate seeking admission in the Ph.D. programme must apply to the university in the prescribed application form. The duly filled application forms and the pertinent documents will be scrutinized prior to issuing the admit card for the entrance exam.

5.2 Selection of the Candidate

5.2.1 The Selection of candidates for Ph.D. Programme in the University shall be done through **TSMU-PAT (T.S. Mishra University-Ph.D. Admission Test)** shall be based on 70% weightage in the entrance test (TSMU-PAT) and 30% to the performance in Interview.

5.2.2 The Paper of the Entrance Test (TSMU-PAT) shall consist of 50% of Research Methodology and 50% of subject specific questions.

5.2.3 In case of a foreign nationals, whether self-financing or scholarship holder who is admitted through the Embassy/High Commission of his/her country or admitted under a MoU with foreign institutions are exempted from such (TSM-PAT and interview).

5.2.4 A candidate seeking admission to the Ph.D. Programme, shall be required to have secured:

(a) At least 50 % qualifying marks in **TSMU-PAT (T.S. Mishra University-Ph.D. Admission Test)** in case of General Candidates.

or

(b) **A Relaxation of 5% of marks (from 50% to 45%)** shall be allowed for the candidates belonging to **SC/ST/OBC (Non-Creamy layers)/ Differently-Abled, and other categories** in the Entrance Examination conducted by the University to be called for the Next Stage i.e., Interview.

5.2.5 A candidate, seeking admission to the Ph.D. Programme through TSMU-PAT, shall be required to appear in an interview before the DRC for further assessment as part of the second step of admission. The DRC shall award marks as per **ANNEXURE A**.

In the interview, candidates are required to discuss their research interest/area through a presentation before the DRC and the following points should be ensured:

- The Candidate possesses the competence for the proposed research.
- The Research Work can be suitably undertaken at the University.
- The Proposed Area of Research shall contribute to new/addition of knowledge.

5.2.6 The Final Merit of Admission in Ph.D. programme shall be as follows:

Total Marks = Marks Secured in TSMU-PAT + Marks Secured in Interview/Viva-Voce Performance.

5.3 The University shall maintain a list of Ph.D. supervisors (specifying the name of the supervisor, his or her designation, and the department/institute), along with the details of Ph.D. scholars (specifying the name of the registered Ph.D. scholar, the topic of his/her research and the date of admission) admitted under them on the website of the University and update this list regularly.

6. ALLOCATION OF RESEARCH SUPERVISOR:

6.1 Permanent faculty members working as Professor/Associate Professor/Assistant Professor of the University with a Ph.D. Degree, shall be recognized as a Research Supervisor in the University. Such recognized research supervisors cannot supervise research scholars in any other institutions.

6.2 A Research Supervisor/co-Supervisor who is:

- **A Professor**, at any given point of time, cannot guide more than **Eight (8)** Ph.D. scholars.
- **An Associate Professor** as Research Supervisor can guide up to a maximum **Six (6)** Ph.D. scholars and
- **An Assistant Professor** as Research Supervisor can guide up to a maximum of **four (4)** Ph.D. scholars other than super numeric seats.

6.3 Co-Supervisors from within the same department or other departments of the same university or other institutions may be permitted with the approval of the DRC. The Eligibility of Co- Supervisor would be same as that of regular supervisor. A Co-supervisor should not be below the rank of Assistant Professor. A maximum of two Co-Supervisors are allowed. Co- Supervisor would not be changed ordinarily. The Co-Supervisor should take permission or NOC from the Departmental Dean for co-supervising the thesis.

6.4 An Interaction meet would be organized between the selected candidates and proposed supervisors by the department for mutual understanding. A consent letter from the proposed Research Supervisor and Co-supervisor(s) is to be put up before the DRC before submission of the first fee. The allocation of Research Supervisor will be done by DRC before commencement of Ph.D. Course Work.

6.5 The allocation of Research Supervisor for a selected research scholar would be allowed by the DRC depending on the number of scholars working under and available vacancy

per Research Supervisor, the available specialization among the Supervisors and common research interests of the scholars only as indicated by them before the interview/viva-voce.

6.6 A Supervisor shall not be allowed to supervise a candidate who is his/ her relative whether by blood, adoption or by marriage.

Explanation: In this ordinance “relative” means the relations provided in the explanation to section 20 of the U.P. State Universities Act 1973.

6.7 In case of relocation of a Ph.D. Woman Scholar due to marriage or otherwise, the research data shall be allowed to be transferred to the University to which the scholar intends to relocate provided all the other conditions in these regulations are followed in letter and spirit and the research work does not pertain to the project secured by the parent Department/University. The scholar will however give due credit to the parent guide and University for the part of research already done.

6.8 On the recommendation of the Supervisor, DRC may permit a candidate to do a part of his/her research work at a place outside the University for a period not exceeding two semesters to collect data/process samples and any other requirements of the thesis which are not available at the place of research. In this case, candidate is essentially required to be present before **RAC** every **Six Months** with progress report duly signed by the Supervisor. For rest of the period, the full-time research scholar shall stay at the University department itself.

6.9 If the Supervisor of a candidate proceeds on leave/lien/deputation for a period of more than twelve months, or he/she proceeds on leave for a period of less than twelve months, but later extends his/her leave beyond twelve months, then a new Supervisor shall be appointed.

6.10 If a candidate, for cogent reasons, intends to change his/her Supervisor, it shall be permitted by the DRC. In such cases, the mutual consent of the present Supervisor, the proposed Supervisor and the candidate is essential. For interdisciplinary subjects, inter departmental transfer may be allowed.

7. COURSE WORK: CREDIT REQUIREMENTS, NUMBER, DURATION, SYLLABUS, MINIMUM STANDARDS FOR COMPLETION

7.1 The Credit requirement for the Ph.D. Coursework is a minimum of **12 credits**, including a **“Research and Publication Ethics” course as notified by UGC vide D.O. No. F.1-1/2018 (Journal/CARE)** in 2019 and a **Research Methodology** course. The Research Advisory Committee can also recommend UGC recognized online courses as part of the credit requirements for the Ph.D. program.

7.2 The **12 Credit Ph.D. Coursework** in law will consist of following three papers including an elective paper (**Paper III**)

Paper I – Research and Publication Ethics (02 Credits)

For awareness about publication ethics and research Misconduct

Paper II – Research Methodology (05 Credits)

This paper could cover areas such as quantitative and qualitative methods, computer applications, research ethics and review of published research in relevant field, training, field work.

Paper III – Contemporary Research Approaches [Law] (5 Credits)

This paper will focus on exploring new and cutting-edge approaches within the specific subject area. The paper will delve into innovative research methods, techniques, or perspectives that have the potential to advance knowledge and understanding in the field.

(ANNEXURE-B)

7.3 All candidates admitted to the Ph.D. Program shall be required to complete the course work prescribed by the Department during for the prescribed Six Months. If admitted candidate fails in the course work exam once, he/she can be given another chance to reappear only in the next course work exam, after submission of prescribed fee. If candidate fails in the second attempt also, his/her registration shall be cancelled.

7.4 Grades in the course work shall be finalized by the, and final grades shall be communicated to the Registrar for the declaration of results.

7.5 A Ph.D. Scholar has to obtain a minimum of 55% of marks or its equivalent grade in the UGC 10-point Scale (or an equivalent grade/CGPA in a point scale wherever grading system is followed) in the course work in order to be eligible to continue in the Ph.D. Program and submit the dissertation/thesis. The Dean of the Department/School would issue a certificate that the candidate has successfully completed the Course Work.

(ANNEXURE-C).

7.6 All Ph.D. scholars, irrespective of discipline, shall be required to train in teaching /education/pedagogy/writing related to their chosen Ph.D. subject during their doctoral period. Ph.D. scholars may also be assigned 3 Days per week of teaching/research assistantship for conducting tutorial or evaluations or Department Related Works or as the case may be or A Pre Ph.D.-Scholar must have a minimum of 70% attendance in the Course Work Period to be eligible to make a presentation of his/ her research at the time of Pre-Ph.D. Examination.

8. DEPARTMENTAL RESEARCH COMMITTEE (DRC) & RESEARCH ADVISORY COMMITTEE (RAC) AND THEIR FUNCTIONS

8.1 DRC (Departmental Research Committee)

8.1.1 Composition of DRC

DRC shall consist of all the internal members of the Board of Studies (BoS), and the

concerned supervisor, and may include external members.

8.1.2 Functions of DRC

- To review the Research Proposal and finalize the topic of research;
- To review the report of the RAC (Research Advisory Committee);
- To take up any other matter that relates to Ph.D. Program including Ph.D. admission, continuous assessment, research facility development or issues of research scholars and Supervisors.

8.2.1 Composition of Research Advisory Committee

There shall be a RAC for all Ph.D. Scholars, which shall be approved by the DRC after registration. The Research Advisory Committee plays a crucial role in promoting high-quality research, ensuring research ethics and facilitating the dissemination and impact of research findings.

The RAC shall consist of the following:

- Supervisor of the concerned Ph.D. Scholar – Convenor
- Dean of the Department - Chairperson
- Co-Supervisor (if any) of the concerned Ph.D. Scholar –Member
- One subject expert nominated by the DRC – Member
- One subject expert nominated by the Supervisor –Member
- RAC members cannot be examiners of the Research Scholar.

8.2.2 Functions of RAC

- To develops and review Research Policies and proposals to ensure they are aligned with the organizations goals and objectives.
- To monitor Research Projects to ensure they are progressing as planned and meeting their objectives.
- To Guide Research Scholars in developing their study plans, research designs, research methodologies and ethics.
- To ensure that the research is conducted in an ethical manner and that researchers are aware of their Regularly review the research work of doctoral students and contribute to their progress.

8.3 Each Semester, a Ph.D. Scholar shall appear before the RAC to make a presentation and submit a brief report on the progress of his/her work for evaluation and further guidance. The RAC shall submit its recommendations along with a copy of Ph.D. Scholar's progress report to the DRC within 15 Days. A Copy of such recommendations shall also be provided to the Ph.D. Scholar.

8.4 A full time research scholar must have a minimum of 70% attendance in the last six months to be eligible to make a presentation of his/ her research progress.

8.5 In case the progress of the Ph.D. scholar is unsatisfactory, the RAC shall record the

reasons for the same and suggest corrective measures. If the Ph.D. scholar fails to implement these corrective measures, the RAC may recommend, with specific reasons for the cancellation of the registration of the Ph.D. scholar from the Ph.D. program to the DRC. The DRC may recommend cancellation of the registration of the research scholar to the Vice-Chancellor.

9. CATEGORIES OF THE Ph.D. PROGRAMME AND ADMISSION PROCESS

9.1 A candidate admitted to the Ph.D. Program in a Department shall be classified under any one of the following categories:

- (a) Full-time Research Scholar
- (b) Part-time Research Scholar (super numeric under Professors and Associate Professor only). Enrolment of only one part-time research scholar will be allowed under a faculty in an academic year.
- (c) International Research Scholar

9.2 No research scholar shall be permitted to take admission to any other degree/courses during entire period of research.

Full-time Research Scholar

9.3.1 Full-time research scholar shall not accept, any paid assignment other than research fellowship, research assistantship, etc. during the period of research. The full-time research scholars shall be regular students of the University.

Part-time Research Scholar

9.4.1 Part-time Ph.D. will be allowed, provided all the conditions mentioned in the existing Ph.D. regulations are met. A candidate shall be considered as part-time Research Scholar if he/she is employed and has submitted No Objection Certificate from the Head of the Institutions/Organizations where he/she is employed.

9.4.2 A candidate who is being registered as part-time Ph.D. scholar must have at least five years of continuous service experience at a senior level (interpretation of the Vice Chancellor in this regard shall be final) in a recognized educational institution, Government; State Government (s); Armed Forces; PSUs or Corporations listed in BSE or NSE or Advocates having more than 15 Years of Practicing experience in the Supreme Court/High Courts/District Courts of the Country. Candidate must submit a certificate in this regard to the DRC.

9.4.3 The University shall obtain a “**No Objection Certificate**” through the candidate for a part-time Ph.D. program from the appropriate authority in the organization where the candidate is employed, clearly stating that:

- The Candidate is permitted to pursue studies on a part- time basis.
- His/her official duties permit him/her to devote sufficient time for research.
- If required, he/she will be relieved from the duty to complete the course work.

9.4.4 The Selection of candidates for part-time Ph.D. program shall be based on a separate test.

70% weight shall be given to a write up of 1000 words submitted by the applicant and 30% weight to the Work Experience; Academic Index; and performance in the interview.

- 9.4.5 The DRC shall be required to propose the names of such scholar (a maximum 03 times the declared number of seats) and seek final approval from the Vice Chancellor.
- 9.4.6 Any matter related to part-time Ph.D., where the ordinances are silent shall be decided by the Vice Chancellor.
- 9.4.7 The Departmental Research Committee (DRC) shall be required to seek final decision and approval of the Vice- Chancellor in case of admission of Part-time research scholars.
- 9.4.8 The part-time research scholars are also required to present their progress report duly signed by Research Supervisor before the Research Advisory Committee (RAC) every six months.
- 9.4.9 Full time research scholars who are selected on a permanent post may be permitted to continue as Part-Time Research Scholar after paying the additional fees provided all other rules would be applicable to him / her as applicable to Part- Time category subject to approval by DRC and Vice Chancellor. Such candidate must have completed at least two years in the university.

9.5 International Research Scholar

- 9.5.1 Each supervisor can guide up to two international research scholars on a supernumerary basis over and above the permitted number of Ph.D. scholars.
- 9.5.2 The University will decide its own selection procedure for Ph.D. admission of international students keeping in view the guidelines/norms in this regard issued by statutory/regulatory bodies concerned from time to time.

10. SUBMISSION, EVALUATION AND ASSESSMENT METHODS, MINIMUM STANDARD/ CREDITS FOR THE AWARD OF THE DEGREE, ETC.

- 10.1 Upon satisfactory completion of course work and obtaining the marks/ grade prescribed, the Ph.D. scholar shall be required to get registered where he/she would be required to make a Research Project/ Synopsis which he/she would present before the DRC for approval. All necessary changes in the Synopsis are to be incorporated as per the suggestion of the DRC. After approval of Topic & Synopsis the candidate would fill the Registration Form. The research scholar would start the research work and produce a draft thesis.

10.2 Ph.D. scholars submitting their thesis within 4 years shall be expected to publish 01 research paper. Those submitting thesis within 4-5 years will be expected to publish 02 research papers. Those submitting thesis between 5-6 years will be expected to publish 03 research papers. Further extension of Ph.D. duration and the requirements to be fulfilled, will be with the approval of the Vice Chancellor. Publications should be in Peer-Reviewed/Refereed Journals/UGC-Care Journals. The list of journals will be proposed by the DRC and approved by the Vice-Chancellor and should be placed on the departmental website for ready reference of all concerned.

10.3 Before submitting the thesis, the Ph.D. Scholar shall make a presentation before the RAC, which shall also be open to all faculty members and other research scholars/students.

10.4 The University shall have a mechanism using well-developed software applications to detect Plagiarism in research work and the research integrity shall be an integral part of all the research activities leading to the award of a Ph.D. degree.

10.5 A Ph.D. Scholar shall submit soft copy (in pdf format) the thesis for evaluation, along with:

- (a) an undertaking from the Ph.D. scholar that there is less than **10% plagiarism** and that the thesis has not been submitted for the award of any other degree/diploma to any other Higher Educational Institution (**ANNEXURE-D**) and,
- (b) a certificate from the Research Supervisor attesting to the originality of the thesis. (**ANNEXURE-E**).

The Ph.D. scholar will also submit soft copy (in pdf format) synopsis of the thesis. Process of submission of soft copies will be described on the research portal that will be prepared for submission and evaluation process of the Ph.D. thesis. (**ANNEXURE-F**)

11. THESIS EVALUATION

11.1 The Ph.D. thesis submitted by a Ph.D. scholar shall be evaluated by his/her Research Supervisor and two external examiners who are experts in the field and not in employment of the University. Such examiner(s) should be academician not below the rank of Associate Professor with a good record of scholarly publications in the field.

11.2 Ph.D. supervisor will propose a panel of seven examiners. Complete and current addresses of all the examiners proposed in the panel with their e-mail addresses,

telephone and FAX numbers shall be provided by the Research Supervisor. This list would also include the Research Supervisor as an internal Examiner.

- 11.3 The panel of examiners shall be considered and approved by the concerned Board of Studies. All the examiners as listed in the panel shall be from the specific area of research work preferably from different states.
- 11.4 This panel would be sent to the Vice Chancellor for approval of two external examiners. After the consent received, the thesis would be sent to external and internal examiners for evaluation.
- 11.5 The Registrar shall forward the soft copy of the thesis to the examiners within three days of the receipt of their consent (via email) and take necessary action to get the report of the examiner expeditiously. Hard copy of the thesis shall be provided to the examiner only on request. The candidate has to provide the hard copy/ copies if required, to the Dean.
- 11.6 The Examiners shall be requested to submit their individual reports within two months of the receipt of the thesis.
- 11.7 In case, an examiner does not send his/her report within the above period, a reminder shall be sent to him/her over e-mail. This shall be followed by a subsequent reminder after a fortnight.
- 11.8 In the event of the report not being received from the examiner within two months, his/her examinership shall be cancelled and a new examiner shall be appointed from the approved list.

12. EXAMINER'S REPORT

- 12.1 The examiners shall submit the report on a prescribed form as given in **ANNEXURE-G** and shall make one of the following recommendations:
 - The thesis can be accepted for the award of the Ph.D. degree.
 - The thesis can be accepted for the award of the Ph. D. degree subject to the candidate giving satisfactory answers, at the time of Viva-Voce, to the specific queries raised in the report.
 - The thesis, in the present form, cannot be accepted for the award of the Ph. D. degree, and the candidate be advised to revise the thesis on certain issues raised in the report and resubmit the thesis. In the case of resubmission, the

examiner shall specifically mention whether the thesis must be referred back to him/her for re- evaluation or not, the thesis be rejected.

- 12.2 If both the examiners recommend acceptance of the thesis for the award of the Ph. D. degree, the thesis shall be accepted.
- 12.3 If both the examiners recommend rejection of the thesis for the award of the Ph. D. degree, the thesis shall be rejected.
- 12.4 If the examiner(s) raise some queries/seek clarifications, the candidate shall be required to give satisfactory answers to the queries at the time of viva-voce.
- 12.5 If one or both the examiners recommends revision of the thesis, the candidate shall resubmit the thesis after revision within six months.
- 12.6 If one examiner recommends rejection of the thesis and the other recommends acceptance, then the Registrar shall send the thesis to the third examiner from the approved list.
- 12.7 In case the third examiner recommends the rejection of the thesis, his/her recommendation shall be final and the thesis shall be rejected.
- 12.8 After the positive reports from all the external and internal examiners are received, the Registrar shall inform the Supervisor for appropriate action within three days after receiving reports.

13. VIVA VOCE EXAMINATION

- 13.1 The viva-voce board shall consist of the Dean (Concerned Department), Research Supervisor and at least one of the two external examiners and may be conducted online. The viva-voce shall be open to the members of the DRC/faculty member's/research scholars, and students.
- 13.2 The viva-voce of the Ph.D. scholar to defend the thesis shall be conducted if both the external examiners recommend acceptance of the thesis after incorporating any corrections suggested by them. If one of the external examiners recommends rejection, the University shall send the thesis to an alternate external examiner from the approved panel of examiners, and the viva-voce examination shall be held only if the alternate examiner recommends acceptance of the thesis. If the alternate examiner does not recommend acceptance of the thesis, the thesis shall be rejected,

and the Ph.D. scholar shall be declared ineligible for the award of a Ph.D.

13.3 The University shall complete the entire process of evaluating a Ph.D. thesis, including the declaration of the viva-voce result, within a **period of six (6) months from the date of submission of the thesis.**

13.4 Issuing a Provisional certificate

Prior to the actual award of the Ph.D. degree, the University shall issue a provisional certificate to the effect that the Ph.D. is being awarded in accordance with the provisions of these Regulations after successful defense of the Ph.D. viva (**ANNEXURE-H**).

14. MISCELLANEOUS PROVISIONS OF PH.D. PROGRAMME

14.1 Any doubt or dispute about the interpretation of these Ordinances shall be referred to the Vice-Chancellor, whose decision, in his capacity as the Chairman, Academic Council, shall be final. The Vice-Chancellor has been authorized to:

- **Modify**, amend and/or delete any of the clauses given in the Ordinances or add any clause(s) to this Ordinance, which shall be reported to the Academic Council at its next meeting for approval.
- **Order**, a special procedure for the evaluation of a Ph.D. thesis to protect the work of classified nature involving national security and sovereignty and/or to protect the intellectual property rights of the candidate, the Supervisor and the University.
- **Relax**, any of the provisions laid in these Ordinances for handling circumstances not covered by these Ordinances.

14.2 **Leave Rules:** A Ph.D. scholar shall be eligible to avail leave as per the University rules applicable to all other students of the University. The Rules are as under:

- He/she shall not be entitled for any inter-semester breaks, winter and summer vacations.
- He/she would be entitled for an additional leave of up to 10 days on medical grounds in an academic year. The aforesaid leave provisions are cumulative.
- Further, female candidates shall be eligible for maternity leaves as per university rules once during their entire tenure as research scholars. However, all such leave would not be reckoned for calculation of minimum requirement of 36 months for submission of Ph.D. thesis and in such a situation, requirement of full 36 months needs to be completed (including Course Work).

- 14.3 The leave shall be granted by the Head of the Department/Director of the Institute on the recommendation of the Supervisor. Attendance Register for all the Ph.D. students for both Course work and Ph.D. duration is to be maintained in the office of the Department/Institute.
- 14.4 There would be a separate register which would be maintained by the University in which the information about the Ph.D. awarded in different departments/Institutes where the name of the candidate, topic of research, name of the Supervisor/s, date of registration, date of submission and date of declaration of result would be recorded. This information would also be put on the University's website.
- 14.5 After successful completion and award of the Ph.D., the 5-point certificate will be issued by the Registrar (**ANNEXURE-I**).

14.6 FEE STRUCTURE

- 14.6.1 Fees payable by a candidate admitted to the Ph.D. Program shall be that as prescribed by the University from time to time.
- 14.6.2 Full fee, as applicable, shall be payable by the Ph.D. scholars for the entire period for which extension is granted.
- 14.6.3 Fees once paid to the University shall not be refunded except the caution money, which shall be refunded to the Ph.D. Scholar within one year from the date of award of the Ph. D. degree or cancellation of admission on any ground, subject to the adjustment of any dues payable by him/her. However, if the candidate leaves the Ph.D. Program or is terminated from the Program within one year of his/her admission, the caution money shall not be refunded.

14.7 DEPOSITORY WITH UGC

- 14.7.1 Following the successful completion of the evaluation process and before the announcement of the award of the Ph.D. degree(s), the University concerned shall submit an electronic copy of the Ph.D. thesis to INFLIBNET, for hosting the same so as to make it accessible to all the Higher Educational Institutions and research institutions.

ANNEXURE - A

Interview Award List		
Maximum Marks = 30 Marks		
PART	EXPLANATION	MARKS AWARDED TO CANDIDATE
Part A JRF/NET/UP-SLET qualified candidates (Maximum 10 Marks)	JRF qualified candidates (Maximum 07 marks)	
	NET/UP-SLET qualified Candidates (Maximum 03 marks)	
Part B Interview Presentation Performance (Maximum 20 Marks)	Research Plan (Maximum 04 marks)	
	Literature Review (Maximum 04 marks)	
	Presentation (Maximum 04 marks)	
	Communication (Maximum 04 marks)	
	Question/Answering (Maximum 04 marks)	
Total marks	Marks in Part A=.....	
	Marks in Part B=.....	

Signature of Director

Centre of Doctoral Studies and Research

ANNEXURE – B
SYLLABUS OF Ph.D. COURSE WORK IN LAW
Paper I: Research and Publication Ethics
Paper Code: PCW-101

02 Credit
30 Hours

Course Description:

To understand the fundamentals principles of Research ethics including principles, publications, authorship, plagiarism and identification of ethical issues that arise in research and publication.

Course Objectives:

- To understand the importance of informed consent in research and how to obtain it.
- To make students learn about the role of peer-review in publication ethics and how it helps in maintaining the integrity in research.
- To aware with the concept of research misconduct including fabrication, falsification, plagiarism and how to address it.
- To develop among students, the critical thinking skills to address research and publication ethics issues and develop well-reasoned arguments.

Course Learning Outcomes:

After completion of the course, the students will be able to:

- Explain the philosophy and ethics of research
- Prepare research in a scientific manner
- Present articles in standardized journals/ publications
- Understand and usage of tools to check plagiarism.

Unit I: Philosophy and Ethics

- Introduction to Legal Philosophy: definition, nature and scope, concept and branches
- Legal Ethics: definition, moral philosophy, nature of moral judgments and reaction

Unit II: Research Ethics

- Ethics with respect to Law and research
- Intellectual honesty and research integrity
- Research misconduct: Falsification, Fabrication, and Plagiarism (FFP)

Unit III: Publication Ethics

- Publication ethics: meaning, definition, introduction and importance
- Publication Misconduct: definition, concept, problems that lead to unethical behavior and types of publication misconducts.
- Violation of publication ethics, authorship and contributor ship
- Identification of publication, misconduct, complaints and appeals-use of plagiarism software tools like Turnitin, Urkund and other open software tools

Unit IV: Open Access Publication

- Open Access Publication and initiatives
- Online resource to check publishers-SHERPA/RoMEO

Unit V: Database and Research Metrics

- Indexing Database
- Citation Database: Web of Science, Scopus, etc.

References:

1. Bird, A. (2006), *Philosophy of Science*, Routledge.
2. Macintyre, Alasdair (1967), *A Short History of Ethics*. London.
3. P. Chadha (2018), *Ethics in Competitive Research; Do not get scooped; Do not get plagiarized*, ISBN: 978-9387480865.
4. National Academy of Sciences, National Academy of Engineering and Institute of Medicine (2009), *On Being a Scientist: A Guide to Responsible Conduct in Research*, 3rd Edn., National Academies Press.
5. Resnik, D. B. (2011), *What is Ethics in Research & Why is it Important*, National Institute of Environmental Health Sciences, 1-10,
<https://www.niehs.nih.gov/research/resources/bioethics/whatis/index.cfm>
6. Ball, J. (2012), *Predatory Publishers are Corrupting Open Access*, *Nature*, 489(7415), 179-179,
<https://doi.org/10.1038/489179a>
7. Indian National Science Academy (2019), *Ethics in Science Education, Research and Governance*, ISBN: 978-81-939482-1-7.

Ph.D. Course Work

Paper –II: Research Methodology

Paper Code: PCW-102

05 Credit
60 Hours

Course Description:

This Course is designed to provide students with a comprehensive understanding of research Methodology including the principles, techniques and tools used in conducting research.

Course Objectives:

- To understand the fundamental principles of Research Methodology.
- To learn various Research Designs, Methods and techniques
- To develop skills in critically evaluating Research studies.
- To apply Research Methodology in conducting Original Research.

Course Learning Outcomes:

After completion of Course, the students shall be able to:

- The course will acquaint the students with technique and methodology of research.
- To enable them to choose methods appropriate to research aims and objectives.
- To develop their skills in data analysis, critical thinking and writing.
- To make students learn to develop a research agenda for future studies based on the findings of their research work.

Unit-I: Basics of Research

- Definition, Purpose, evaluation, Historical, survey, exploratory and case.
- Research and its Strategies, Legal research, Research design

Unit-II: Types of Research

- Various Types of research: Doctrinal and Non-Doctrinal, Applied, fundamental; Library research, field research and laboratory research, analytical, descriptive, conceptual; Participatory and Non-Participatory;
- Comparative, historical, statistical, critical, socio-legal; Mono disciplinary and trans disciplinary; inter-disciplinary (multi- disciplinary) research; Quantitative and qualitative, Deductive and Inductive Methods.

Unit-III: Structure of Research Design

- Formulation of the Research problem, Hypothesis, Literature Review.
- Library, Field, Laboratory, Systematic review of literature in Laws
- M S Office, word, excel and power point

Unit-IV: Tools of Research

- Tools and Techniques for Collection of Data: Observation, Questionnaire, Interview,
- Case study, sampling procedures. Processing and Analysis of data, Testing of Hypothesis.

Unit-V: Data: Types, Processing and Analysis

- Types (Primary and Secondary Data), Collection Methods, Presentation (Graphical and Diagrammatical), relevance, limitation and cautions.

- Data Processing: Checking, Editing, Coding, Transcriptions, Classification and Tabulation.
- Data Analysis: Meaning and Methods, Quantitative and Qualitative analysis

References:

1. Blaxter, L, C Hughes & M Tight. How to Research (Buckingham: Open University Press). ISBN: 0-335-19452-4
2. Buckley, P & D Clark. Rough guide to the Internet (London: Rough Guides). ISBN: 1-84353-338-3
3. Calishain, T. Web search garage (Upper Saddle River: Prentice Hall). ISBN: 0-13-147148-1
Clinch, P. Using a law library: a student's guide to legal research skills (London: Blackstone). ISBN: 1-84174-029-2
4. Cole, J. Using Moodle: teaching with the popular open source course management system, (Sabastopol, CA: O'Reilly). ISBN: 0-596-00863-5
5. Fairbairn, G J. & Winch, C. Reading, writing and reasoning: a guide for students (Buckingham: Open University Press). ISBN: 0-335-09596-8
6. Halvorson, T R. Law of the super searchers: the online secrets of the top legal researchers (Medford, NJ: Cyber Age Books). ISBN: 0-910965-34-X

Course Description:

The Course will make students understand the Contemporary Legal Developments in various jurisdictions regarding recent developments in Laws, Regulations and court decisions in the country and all across the world.

Course Objectives:

- To analyze the impact of Contemporary Legal developments on the society as a whole.
- To evaluate the role of Law in addressing Contemporary social issues.
- To analyze the role of Judicial Activism in shaping contemporary recent Legal Developments.
- To assess the effects of technology on Laws, regulations, and court Decisions.

Course Learning Outcomes:

- The course enhances and augments the practical and theoretical knowledge in contemporary legal world.
- The student shall learn to critically apply theories, concepts and knowledge to address fundamental questions in the contemporary areas of research.
- The students will develop effective communication skills to present arguments on recent Legal Developments.
- To understand the development of Human Rights and Alternative Dispute Resolution on recent Legal Developments.

Unit -1

Emerging trends and latest case studies in Criminal Laws

Unit-II

Emerging trends and latest case studies in Family Laws

Unit-III

Emerging trends and latest case studies in Commercial Law & IPR/Labour Jurisprudence

Unit-IV

Emerging trends and latest case studies in ADR

Unit-V

Emerging Trends and latest case studies in Constitutional Laws

References:

- C.K. Takwani, Civil Procedure, Eastern Book Co.
- Virendra Kr. Ahuja, Intellectual Property Rights India, Lexis Nexis
- Mulla's, Family Law, Lexis Nexis
- Shashank Garg, Alternative Disputes Resolution: The Indian Prospective, Oxford Publication.
- Avtar Singh, Law of Partnership, Eastern Book Co.
- Kenny's, Outlines of Criminal law.
- Russell: On Crime
- Hall Jerome: General Principles of Criminal Law
- Pillai P.S.A.: Criminal law
- Gaur K.D.: Commentary on the Indian Penal Code.
- Criminal Offences: A theory of Economic Criminal law.

ANNEXURE-C

**CERTIFICATE FROM THE DEAN OF THE DEPARTMENT/
DIRECTOR OF THE CENTRE OF DOCTORAL STUDIES AND
RESEARCH
FOR SUCCESSFUL COMPLETION OF Ph.D. COURSEWORK**

TO WHOM IT MAY CONCERN

This is to certify that Mr./Ms./Mrs.....has successfully completed
the Ph.D. coursework in (Department)(Date of Declaration of result)
as required under the Ordinance.

Date:

Place: (Signature of the Dean of the Department/
Director of the Centre of Doctoral Studies and Research

ANNEXUR-D

DECLARATION OF CANDIDATE

I, certify that the work embodied in
This Ph.D. thesis entitled.....

is my own Bonafide work which was carried out by me under the supervision of.....and co-supervision of.....for a period of.....(months/days) from.....to.....at T.S. Mishra University of Lucknow. The Content embodied in this Ph.D. thesis has not been submitted for the award of any other degree/diploma.

I declare that I have faithfully acknowledged, given credit to and referred to the research workers wherever their work has been cited in the text and the body of the thesis.

I further certify that I have not willfully used any other person's work, para, text, data, results, reported in the journals, books, magazines, reports, dissertations, thesis, or available on the website/Internet and included them in this Ph.D. thesis and cited that as my own work. The Plagiarism report is attached with the thesis and is within the permissible limit.

Date:

(Signature of the Candidate)

Place: Lucknow

(Name of the Candidate)

ANNEXURE - E

CERTIFICATE FROM THE SUPERVISOR

This is to certify that the research work embodied in the thesis entitled..... by Mr./Ms. was carried out under my/ our supervision and that the candidate has worked under me/ us for the period required under the Ordinance. The contents of the thesis are that of the approved synopsis and is original.

Date:

(Signature of the Supervisor/Co-Supervisor)

Place:

ANNEXURE-F

DOCUMENTS REQUIRED AT THE TIME OF SUBMISSION

1. Thesis Submission Fees Receipt Original
2. Copy of all Fee receipt (Certified)
3. CD with thesis & soft copy of all documents (duly signed) in a Cover + Summary
4. High School to M.Sc., Marksheets Copy (signed)
5. Synopsis (DRC approved), Approval letter (Copy)
6. Certificate of successful completion of Course work
7. No objection from Proctor
8. No objection from Departmental Library (T.S. Mishra Law School)
9. Signed Plagiarism Report with Seal from the T.S. Mishra University Library
10. Certificate of Originality signed and Approved by the Director/Dean/Supervisor
11. Submission Form with Photo (duly attested)
12. Pdf Copy if submitting in soft copy
13. 3 Copies of Ph.D. along with synopsis if submitting in Hard Copy

ANNEXURE-G

CONFIDENTIAL

RECOMMENDATION AND REPORT OF EXAMINER

With respect to the thesis entitled.....

Submitted by.....in.....

(Subject) T.S. Mishra University, Lucknow. The following comments are made:

- i) The Thesis is accepted for the award of Ph.D. Degree.
- ii) The Thesis is accepted for the award of Ph.D. Degree subject to the candidate giving satisfactory answers, at the time of viva voce, to the specific queries raised in the report.
- iii) The Thesis, in the present form, cannot be accepted for the award of the Degree, and the candidate is advised to revise the thesis on certain issues raised in the report and resubmit the thesis. In the case of a resubmission, the examiner shall specifically mention whether the thesis must be referred back to him/her for re-evaluation or not.
- iv) The Thesis is Rejected.

Place.

Signature of Examiner

Date.

Note: Please strike out which is not applicable. If necessary, please use separate sheet. For clear understanding, a typed report must be sent.

DETAILED REPORT

(Signature)

ANNEXURE-H

PROVISIONAL CERTIFICATE

for

AWARD OF Ph.D. DEGREE

TO WHOM IT MAY CONCERN

This is to certify that Mr./Ms..... Son/daughter
of..... Enrolment No..... was awarded Ph.D. degree in
the subject of..... by this University in the year
as per the University rules/ records, his/ her Ph.D. degree fulfills criteria recommended by UGC
Regulations,
2022.

REGISTRAR OF THE UNIVERSITY

ANNEXURE-I

CERTIFICATE FOR COMPLIANCE OF PH.D. DEGREE WITH UGC REGULATIONS 2022

It is verified that Dr who was a Ph.D. student in the Department of , Faculty of T.S. Mishra University, Lucknow has been awarded Ph.D. degree and has complied with the UGC regulations 2022 as per the following criteria:

1. Candidate has completed Course work paper including Research Methodology paper
2. Ph.D. Degree of the candidate was awarded in Regular / Part-Time mode
3. Evaluation of Ph.D. thesis by at least two external examiners
4. Candidate has published one research paper from his/her Ph.D. work in a refereed journal.
5. Candidate has made at least two presentations in conferences/seminars, based on his/her Ph.D. Work.
6. Open Ph.D. Viva-Voce of the candidate has been conducted.

REGISTRAR OF THE UNIVERSITY