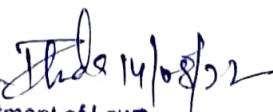


B.P.S. MAHILA VISHWAVIDYALAYA, KHANPUR KALAN



Department of Laws
(Centre for Post Graduate Legal Studies)

Syllabus & Scheme of Examinations
Ph.D. in Law
(w.e.f. 2010-11)


Department of Laws
BPS Mahila Vishwavidyalaya
Khanpur Kalan (Sonapat)

ORDINANCE FOR ADMISSION, REGISTRATION AND AWARD OF DEGREE
OF DOCTOR OF PHILOSOPHY (PH. D.)

- 1.1. **Programme** stands for Doctor of Philosophy (Ph. D.).
- 1.2. **Course** stands for individual paper
- 1.3. **Credit** is the weightage assigned to a course in terms of contact hours. One contact hour per week per course per semester is equivalent to one credit.
- 1.4. **Grade** stands for a letter grade assigned to a student on the basis of evaluation of a course on the 10 point scale.
- 1.5. **Grade point** stands for the numerical equivalent of the letter grade.
- 1.6. **Semester Grade Point Average (SGPA) and Cumulative Grade Point Average (CGPA)** are the weighted average of the grade points and describe the performance of the candidate in the courses of a particular semester.

- 2.1. Master's degree in the subject concerned or in allied subjects with at least 55% marks in aggregate (50% for SC/ST/Differently abled candidates) or an equivalent grade from a University or a recognized institution of higher learning.
- 2.2. The Departmental Research Committee (DRC) of the department concerned shall decide, subject to approval by the Academic Council, the relevance of allied subjects.

- 3.1. Admissions to the Ph.D. Programme shall be advertised once in a year, normally in the month of March/April, each year.
- 3.2. Admissions to the Ph.D. Programme shall be made through an Entrance Test conducted by the University for each Discipline. The syllabus for the Test shall be laid down by the concerned Teaching Departments. The entrance test will be of three hours duration and will be for 100 marks. The question paper will have two parts. Part-I will have 25 objective-type questions carrying 25 marks related to reasoning/aptitude/current affairs/general knowledge etc. and Part-II carrying 75 marks will require the students to answer short answer/essay type questions in the subject concerned. A candidate

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must secure 55% marks to qualify the entrance test (50% for SC/ST/Differently abled candidates).

3.3. From those who qualify for admission, the department will invite for interview, in the order of merit, three times the total number of seats in the department (For example, if a department has 8 seats, 24 candidates who have qualified the written entrance test will be invited in order of merit for interview).

3.4. The merit list for admission to Pre-Ph. D. course shall be prepared by the concerned Department according to the following criteria :

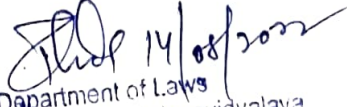
- 3.4.1.1. 10% weightage to marks in the Senior Secondary Examination.
- 3.4.1.2. 10% weightage to marks in the Bachelors Degree Examination.
- 3.4.1.3. 10% weightage to marks in the Master Degree Examination.
- 3.4.1.4. 40% weightage to marks in the entrance test.
- 3.4.1.5. 20% weightage to performance in the interview conducted by DRC on the basis of criteria approved by DRC of the concerned Department.
- 3.4.1.6. 10% weightage to the draft research proposal/statement submitted by the qualified candidate.

3.5. The Departmental Research Committee (DRC) will tentatively approve the research proposals of the admitted candidates; the final approval of synopsis shall follow the successful completion of course work (see 5.1-5.4 below).

3.6. Only a predetermined number of students in accordance with the seats announced in the admission brochure of the university shall be admitted.

3.7. While granting admissions to the pre-Ph.D. programme, the Department/Institute will take into account the National/State level Reservation Policy.

3.8. 15% supernumerary seats shall be reserved for foreign students and 1 supernumerary seat in each subject shall be reserved for teachers/employees of the university who qualify the Entrance Test.


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4. COURSE WORK :

- 4.1. Each admitted student shall be required to complete the mandatory course work of minimum 15 credits in one semester.
- 4.2. The Department concerned shall design the pre-Ph.D. course as per UGC guide lines. "The pre Ph.D. course must include a course on research methodology which may include quantitative methods and computer applications. It may also involve review of published research in relevant area".

If advisable, the Department may allow the students to take one course in an allied discipline in any other Department of the University.

- 4.3. The qualifying marks in each paper of the course work shall be 50%. In case, a candidate fails to complete the course work she may be permitted by the Post Graduate Board of Studies (PGBOS) on the recommendation of the Head of the Department and DRC to complete the course work in an additional semester. No further extension shall be permissible.

- 4.4. Only on satisfactory completion of mandatory course work, the candidate's Registration in the Ph.D. programme shall be confirmed.

5. APPLICATION & REGISTRATION :

- 5.1. Application (s) for registration to Ph.D. programme from eligible candidates on the prescribed form along with the synopsis of research prepared in consultation with the department faculty shall be considered by the Department Staff Committee. The Department Staff Committee may :

5.1.1. recommend the synopsis of research for consideration by Department Research Committee.

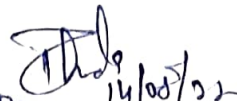
Or

5.1.2. suggest suitable changes in the synopsis of research.

Or

5.1.3. reject the synopsis of research.

- 5.2. Head of the concerned Department, on behalf of the Department Staff Committee, shall place the application(s) for registration along with the recommendations of the Department Staff Committee before the Departmental Research Committee (DRC). DRC shall invite the candidate(s) to defend their research proposal(s).


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5.3. The Department Research Committee for registration to the programme in the University Teaching Departments shall consist of the following :

- 5.3.1. Head of the Department concerned - Chairman
- 5.3.2. All Professors and Readers.
- 5.3(3) *One lecturer among those eligible for appointment as supervisor, by rotation for two years."
- 5.3.4 Two outside experts to be nominated by the Vice-Chancellor for a period of two years out of the panel of six experts proposed by the Department Staff Committee.
- 5.3.5 Dean of the concerned Faculty.

Two/fifths of the members shall form a quorum. The proceedings of meeting of the Departmental Research Committee will be valid if at least one out of two experts attends the meeting.

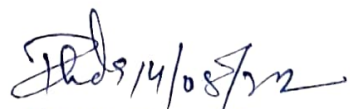
*Provided that the lecturer in the Department should have at least three years of full time teaching experience at the PG or five years at UG level.

5.3. The DRC shall assign, on the recommendation of the Department Staff committee, a Supervisor to each candidate. In the case of subjects of interdisciplinary/inter-specialty nature, the DRC may recommend the appointment of a Joint Supervisor from other Universities/Research Labs etc. and the reasons for the recommendation of a Joint Supervisor shall be recorded. In no case, there shall be more than two Supervisors.

5.5 *All the Professors, Associate Professors & Assistant Professors in the Department having doctorate qualification in the concerned discipline shall be eligible for nomination as research supervisors. The maximum number of Research Scholars to be registered under a supervisor/joint supervisor shall be as under: Professor = 8, Reader = 6, Lecturer = 4

*Provided that an Associate Professor with three publications in reputed journals can be considered only for the membership of DRC for the next two years, with immediate effect, after that Ph.D. shall remain the essential qualification/requirement for the membership of Departmental Research Committee.

*Added vide E.C. Resolution No. 6 held on 21/02/2013.


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- 5.4. DRC shall recommend the registration of the qualified candidates with the nominated supervisors and while recommending the registration of the candidate for consideration by Post Graduate Board of Studies, the DRC shall clearly state whether in its opinion,

- 5.4.5. The subject proposed for research is suitable or not.
5.4.6. The supervisor(s) recommended is/are eligible or not.

However, if the DRC decides so, it may either reject the application or may suggest suitable changes in the topic of research for reasons to be recorded. In the latter case the candidate shall be given appropriate time to process her application for registration through the Department Staff Committee for another presentation before DRC.

- 5.5. The recommendations of the DRC for Ph.D. registration shall be placed before the PGBOS, the Faculty and the Academic Council for its consideration and approval, respectively. The date of registration of the research scholar shall be the date on which the P.G. Board of Studies recommends the registration of the candidate.

- 5.6. A candidate may, normally not later than one year after his registration, modify the topic of her subject on the recommendations of the P. G. Board of Studies.

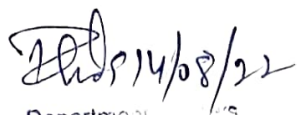
6. CHANGE OF SUPERVISOR :

- 6.3. The change of Supervisor may be allowed on academic grounds at the recommendation of the Department Staff Committee, DRC and PG BOS.

- 6.4. However, the change will be allowed after the approval of the Academic Council.

7. PERIOD OF WORK :

Every candidate registered for Ph.D. programme shall be required to pursue her research work at least for two years. The reduction in this period shall not be allowed under any circumstances. The Maximum duration of the Ph. D. work shall be 4 years and an extension of one year may be given with the permission of the Vice Chancellor on the recommendation of the Head of the Department and Research Supervisor.


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8. **MEDIUM :**

In the language subjects, the thesis may be presented in English/Hindi or the language concerned. In other subjects, the research scholar shall submit thesis in English.

9. **MONITORING :**

9.3. Every research scholar shall be required to submit half yearly report on the prescribed Performa to the Department. The Supervisor of the Research Scholar will give his assessment about the progress of the scholar. The Report shall be placed before the Department Staff Committee and Departmental Research Committee for its evaluation. The progress report will also be submitted to the Dean of the concerned faculty.

9.4. In case two consecutive six monthly reports are unsatisfactory, the Head of the Department on behalf of the Department Staff Committee present the case to DRC. The DRC may recommend, along with the observation of the Dean of the concerned faculty, to the P.G. Board of Studies cancellation of the registration of the said candidate.

9.5. Once in a year, the Research Scholar will present a seminar on her research conducted in the previous year in research colloquium. This seminar will be organized by the concerned Head of the Teaching Department.

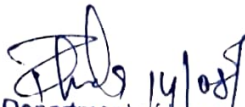
10. **SUBMISSION :**

10.3. Ph.D. student shall publish at least two research papers in refereed/respectable journals related to the thesis work before the submission of the thesis and produce evidence for the same in the form of acceptance letter or the reprint.

10.4. Prior to submission of the thesis, the student shall make a pre Ph.D. presentation in Department three months before the submission of thesis. The pre Ph.D. presentation may be open to all Faculty members and research students for getting the feedback and comments which may be incorporated into the draft thesis under advice of the supervisor.

10.5. The thesis shall be an original piece of research work characterized either by discovery of new facts or enunciation of a new theory or by fresh interpretation of known facts or theories. In either case, it should evince the candidate's capacity for critical acumen and judgment.

10.6. The research scholar shall submit three printed typed copies of her thesis, mentioning the name of the candidate/supervisor, etc. along with two soft copies of thesis on 2 CDs.


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- 10.7. A candidate shall also submit six copies of the summary of the thesis in about 300 words indicating how far the thesis embodies the result of his own research and in what respects his investigations appear to him to advance the knowledge of the subject of his thesis.

11. APPOINTMENT OF EXAMINERS

- 11.3. On receiving application request along with an abstract of the thesis including synopsis/chapter scheme from the research scholar duly certified by the Supervisor that her research work is complete and ready for submission, the P.G. Board of Studies shall approve, on the recommendation of DSC and DRG a panel of at least six external examiners, not below the rank of Professor, to evaluate the thesis.

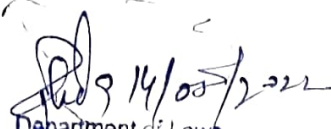
However, the Board of Studies while approving the panel of examiners may ensure that the proposed examiners are from the same area of specialization to which Ph. D. thesis to be evaluated belongs. The Board of Studies may ensure while recommending the examiners that 50% of the external examiners are from neighboring places and 50% from far off places outside the state. Efforts should be made to recommend examiners of national and international repute and from the leading Institutes/Universities in the country. It shall be up to the P.G. Board of Studies concerned to recommend the examiners from outside the Country.

- 11.4. The candidate shall submit her thesis within six months from the date on which the Board of Studies has approved the appointment of examiners provided that the Board of Studies may, for satisfactory reasons, extend the period by a maximum of another six months only.

12. EVALUATION OF THESIS

- 12.3. The thesis shall be referred to two examiners selected by the Vice-Chancellor out of the already approved panel. At least one examiner shall be from outside the State/Country. The examiners shall be requested to send their reports within two months.

- 12.4. The examiners shall give detailed report on the thesis and make a clear-cut recommendation whether:-
- a) The thesis be accepted.
OR
 - b) The thesis be rejected.
OR
 - c) The research scholar be asked to resubmit the thesis with improvements/revisions.


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- 12.5. In case the examiner(s) recommend revision of the thesis, suggestions for such revision should be part of the examiner's report. The research scholar shall be required to submit the revised thesis within one year of communication to her. After revision, the thesis shall be sent to the same examiner(s) for evaluation, unless examiner/examiners express her inability.
- 12.6. If one examiner recommends award of Ph.D. degree and the other recommends rejection, then the thesis shall be sent to the third examiner for taking a final decision. In any case, there should be two positive recommendations for the award of Ph.D. degree.

13. VIVA-VOCE EXAMINATION & AWARD OF DEGREE

- 13.3. The viva-voce examination shall be held by a Board of Examiners consisting of Supervisor and one of the examiners who evaluated the thesis, to be nominated by the Vice-Chancellor within a period of one month of the receipt of reports of evaluation of thesis.
- 13.4. In case both the examiners who evaluated the thesis are unable to conduct the viva-voce, the Vice-Chancellor shall appoint another examiner out of the panel to conduct the viva-voce examination.
- 13.5. The reports of the examiners on the thesis as well as on the viva-voce examination shall be placed before a Committee consisting of the Vice-Chancellor, the Dean and the Head of the Department concerned, within one month of the viva -voce examination. The Committee shall further, after considering the total process of evaluation, recommend it to the Academic Council for final consideration and approval.

If the Dean or Head of the Department somehow is not able to participate in the meeting, the Vice-Chancellor will co-opt any other senior member of the Faculty, in his/her/ their place.

- 13.6. Following the successful completion of the evaluation process and announcements of the award of Ph.D., the University shall submit a soft copy of Ph.D. thesis to UGC within a period of thirty days for hosting the same on INFLIBNET which shall be accessible to all Institutions/Universities.

Along with Degree, the University shall issue a certificate certifying that the degree has been awarded in accordance with the provisions of the Ph.D. Regulations of the UGC.

[Signature] 14/05/22
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13.7. The publication right/copyright will be jointly shared by the supervisor and research scholar.

14. GENERAL GUIDELINES :

- 14.3. Where this document is silent about any rule, the University Ordinance/UGC guidelines from time to time will be applicable.
- 14.4. The Programme fee shall be paid by the candidate as prescribed by the University from time to time.
- 14.5. Eligibility Criteria, Fee Structure, Academic Calendar, Examination Schedule, Sports Calendar and Cultural Calendar for the academic year shall be given in the University Prospectus.
- 14.6. All academic problems of the students other than those affecting the University rules and regulations framed from time to time may be looked into by the Dean of Academic Affairs.
- 14.7. Notwithstanding anything in this ordinance, the Vice-Chancellor may take such measures as may be necessary in respect of candidates registered with the University.


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Law 1503

B. P. S. Mahila Vishwavidyalaya, Khanpur Kalan

Department of Laws

COURSE CURRICULUM & SCHEME OF EXAMINATIONS OF PH.D. in Law Course Work (W.e.f.2012-13)

1st Semester

| I Semester | | | | | | | | | |
|-----------------------------------|---------|---|----------------|-----|-------|---------------|----------------|----------------|-------------|
| S.No. | Code | Course Title | Hours per Week | | | Total Credits | Max Marks | | |
| | | | | | | | Internal Marks | External Marks | Total Marks |
| | | | Lect | Tut | Total | | | | |
| 1 | LAW3101 | RESEARCH METHODOLOGY | 5 | 1 | 6 | 6 | 50 20 | 50 80 | 100 |
| 2 | LAW3102 | Philosophy of Law | 5 | 1 | 6 | 6 | 50 20 | 80 | 100 |
| 3 | LAW3103 | Principles of Indian Constitutional Law | 5 | 1 | 6 | 6 | 50 20 | 80 | 100 |
| Total Contact Hours/Credits/marks | | | 15 | 3 | 18 | 18 | 150 60 | 140 | 300 |

Consolidate Programme Details

| S. No. | Semester | Total Credits | Total Marks |
|----------------------------|-----------------|---------------|-------------|
| 1 | 1 st | 18 | 300 |
| Total Credits/Marks | | 18 | 300 |

* Minimum pass marks are 50% in both internal and external assessment in each course separately.

Amel Kumar
28/11/19

28/11/19
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Ph.D. Programme Outcomes (POs)

PO-1: Conduct independent research on diverse legal topics and questions using knowledge of primary as well as secondary data. (*Legal Knowledge*)

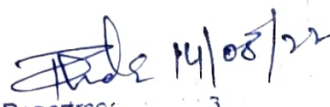
PO-2: Develop and demonstrate analytical skills to interpret various judgments of domestic and international courts of law and different provisions of law; and re-interpret the opinions and submissions of learned jurists and academicians. (*Analytical Skills*)

PO-3: Demonstrate an understanding of substantive and/or procedural aspects of their chosen area of specialisation, and offer solutions based on such understanding. (*Problem Solving*)

Programme Specific Outcomes

PSO-1 Students will be able to write research articles and undertake research studies on different topics. (*Research Skills*)

PSO-2 Students will develop a sense of social responsibility and commitment, and work on various socio-legal issues. (*Social Responsibility*)


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Ph.D. in Law Course Work

1st Semester

Law 3101

Research Methodology

Time 3 hours

06 Credits

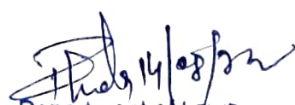
80 Marks

Note:- Eight questions is to be set covering the entire syllabus and the examinee has to attempt four questions at all. All questions carry equal marks.

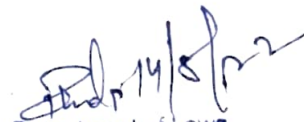
Course Objectives: The basic objective of this paper is to acquaint the students with the basic skills of legal research methodology and develop critical thinking.

Course Outcomes - The course is beneficial to impart research skills and its importance in future developments for law, society and institution building. It is very helpful by providing research skills to the students and develop in them analytical and critical thinking. Students can contribute in social and legal developments by acquiring skills for research analysis, data collection and various methodologies for research.

1. Nature, Scope, Objectives and currents trends of Legal Research.
2. Modes of Legal Research.
 - a. Doctrinal Non-doctrinal or Empirical Research.
 - b. Descriptive and Analytical Research.
 - c. Applied and Fundamental Research.
 - d. Historical Research.
 - e. Sociological Research.
3. Planning, Identification, Selection & Formulation of a Research Problem.
4. Methods of Investigation: Scientific, Case Study, Survey, Experimental and Discussion Methods.
5. Tools for Collecting of Data.


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- a. Primary Data Method.
 - b. Secondary Data Method.
 - c. Observation, Interview, Questioners & Schedule Method.
 - d. Hypothesis
 - e. Sampling
 - f. Data Collection, analysis & Interpretation
 - g. Research Report Writing
6. Computer Application and Legal Research.
- a. Role of Computers in the field of Legal Research.
 - b. Role of Law Journals


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Ph.D. in Law Course Work

1st Semester LAW 3102

Philosophy of Law

Time 3 Hours

06 Credits

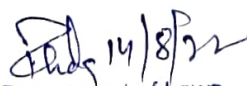
80 Marks

Note:- Eight questions is to be set covering the entire syllabus and the examinee has to attempt four questions at all. All questions carry equal marks.

Course Objectives: The prime objective of this paper is to acquaint the students with the core aspects of legal philosophy in tune with the framework of democratic society.

Course Outcomes - Understanding core elements of various schools, Understanding Feminist Jurisprudence, Develop critical thinking of law, Development of skills to articulate legal philosophy, Understanding role of philosophy of law in a democratic society.

1. Philosophy of Law-Hindu, Muslim, Greek and Roman.
2. Legal Philosophy in middle ages.
3. Classical era of Natural Law.
4. Concept & theory of Justice & Law.
5. Schools of Law-
 - a. Historical School.
 - b. Utilitariansim.
 - c. Legal Positivism.
 - d. Sociological Jurisprudence.
 - e. Legal Realism.
6. Expending horizons of concept of Justice.
7. Theories of Law-
 - a. Marxist Theories of Law
 - b. Feminist Legal theory.
8. The functions of Law.
9. The sources and techniques of law.


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Ph.D. in Law Course Work

1st Semester

LAW 3103

Principles of Indian Constitutional Law

Time 3 Hours

06 Credits

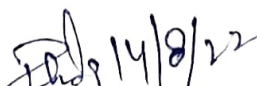
80 Marks

Note :- Note Eight questions is to be set covering the entire syllabus and the examinee has to attempt four questions at all. All questions carry equal marks.

Course Objectives: The basic objective of the students to acquaint the students with the basic framework of constitutional law of India.

Course Outcomes -At the end of the course students will be able to understand the meaning and importance of Constitution Explain about making of Indian Constitution - contribution of Constituent assembly on it, Describe the Salient (Outstanding) features of Indian Constitution, Describe the importance of Preamble of the Indian Constitution and its significance.

1. Nature and scope of Constitutional Law.
2. Fundamental Constitutional Concepts and type of the Constitution.
3. Central and local Governments.
4. Organs of the state and relation between them.
5. The electoral system.
6. Property, contracts, Suits, trade and commerce.
7. Emergency provisions.
8. Fundamental freedoms.
9. Civil servants.
10. Constitutional change.
11. Basic structure theory.


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