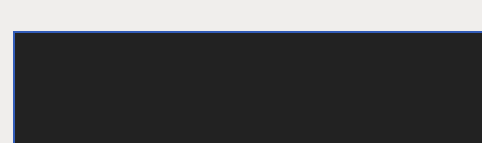


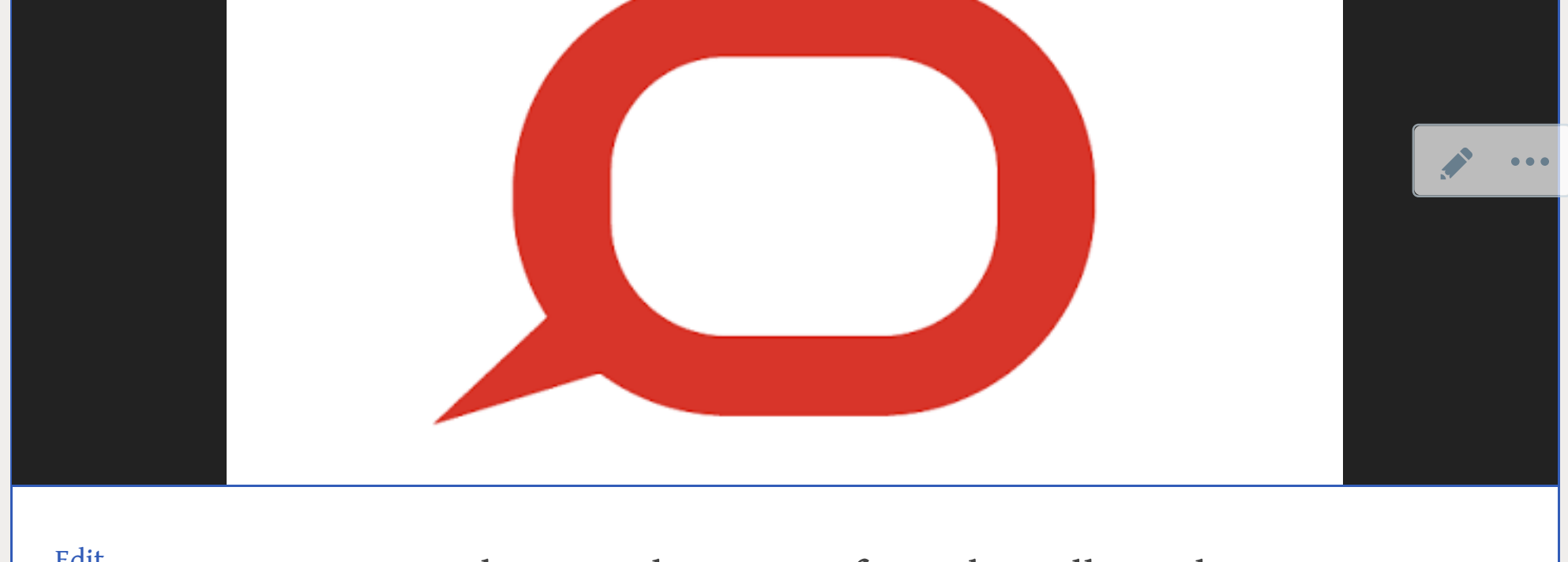


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16 NOV 2017  
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# DHC stays Circulars implementing retrospective effect of the 2016 UGC Regulations



Edit

This is to share news from the Delhi High Court yesterday. Although the order is not yet available, an account of the petition and the hearing yesterday can be found [here](#). **The DHC has pronounced a stay on the circulars of 21 and 25 September 2017, which re-imposed retrospective implementation of the UGC M.Phil./PhD Regulations and to cancel the PhD after M.Phil. coursework programme of the university. The JNU administration has not opposed the stay.** The JNUTA believes that all the students who have opted for direct PhDs must be allowed to continue in their PhDs immediately and not be forced to wait for a final order, which is February 26.

## The backstory

On July 14, after protracted pressure from JNU students and teachers (both in court and outside), JNU administration brought out a circular saying that the UGC M.Phil./PhD Regulations will apply to only batches admitted from 2017-18 onwards. It also however added that any orders they gave in preceding six months that presumed the operation of the UGC Regulations were now cancelled (please see [the JNUTA release](#)). This engendered a situation in which a student who had qualified for doing a direct PhD by the GPA requirements under the UGC Regulations in May 2017 ended up not qualifying for direct PhD after coursework.

Instead of this issue being addressed in a responsible manner by taking the matter to the School and placing it, if necessary before the Academic Council, the student's admission was cancelled. She approached the DHC, which gave her relief and directed the JNU administration to re-enrol her in the Direct PhD programme. From the brief order that's available, it seems that the JNU, through its counsel, was silent through the proceedings, and offered no solution at all. It also does not seem to have informed the court that (the JNU administration considers) the Regulations to have been 'adopted' in JNU only in January 2017, AFTER the student had been admitted under a prospectus and advertisement that had no mention of these Regulations.

JNU's response to being forced to re-enrol this particular student was to turn to prey on over a hundred others. Nothing in the DHC order on this case says ANYTHING about the legality of the provision of doing a PhD after coursework for students admitted to the M.Phil./PhD programme in 2016. Yet, through its September circulars, the JNU administration used this order to re-read the Regulations to say that this programme must be scrapped, and all the students who opted for this must be immediately asked to do an M.Phil.! This, despite a written communication from the UGC, that there is no need to do this under the Regulations. Not only have more than a hundred students have been directly affected by these decisions, the whole batch of 2016 was made subject to the Regulations once again, with all of its deleterious provisions.

## The Solution

This mess has all been caused because the Academic Council has been illegally bypassed in making decisions. **In JNUTA's view, the administration must issue a circular allowing Centres/Schools to proceed with PhD synopsis confirmation for all students who have opted for direct PhD after coursework. It has to propose to the Academic Council (which is meeting on December 1 in all likelihood) that all retrospective application of the UGC M.Phil./PhD Regulations 2016 stands eliminated (to both students and teachers) and that these students are confirmed as being registered in the PhD programme, in this and future semesters.**

Ayesha Kidwai Pradeep Shinde

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