

09.02.2023

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WPA 1250 of 2023

Avik Paul

Vs.

The University of Calcutta & Ors.

Mr. Suryasarathi Basu

... For the petitioner.

Mr. Nilotpal Chatterjee

Mr. Sourabh Sengupta

... For the University.

The petitioner was selected for admission to Ph.D. Programme-2022 in the Department of Zoology, Calcutta University. His name appeared at serial no. 1 in the list of selected OBC candidates for the said course.

A selected candidate for Ph. D. Programme needs to be attached to a research supervisor by the department at the time of admission and he requires to enroll as a probationary Ph. D. student on payment of a non-refundable fee determined by the university.

As per clause 8 of the University of Calcutta (Regulation for the Degree of Doctor of Philosophy Ph. D), Regulations 2016, an allocation of a supervisor for a selected candidate shall be decided by the Departmental Committee in a formal manner depending on the number of students working under the supervision of the supervisors.

According to the said clause, the allocation of supervisor shall not be left to the individual student or teacher except where the terms and conditions of the research fellowship/grant enjoyed by the student determined the choice of the supervisor.

Unfortunately, despite being selected, the university could not provide the petitioner with a Supervisor to enable him to enroll as a Ph. D. student.

It has been submitted by the university that the petitioner was not allotted a Supervisor, since “he lacks soft qualities desirable in a Ph. D. candidate.”

The university suggests that the Departmental Committee of the university was of the view that the selection of the research guide for a candidate should involve iterative meetings and discussions followed by a short probationary trial period before both the parties commit to each other for a viable Ph. D. research programme.

The stand of the university is not acceptable to this Court. The relevant regulations cast an obligation upon the university to allocate a supervisor for the petitioner. Without providing an opportunity to the petitioner to work with a supervisor, the Departmental Committee should not have formed any opinion as to the attitude or ability of the petitioner.

The petitioner was directed to appear in person before this Court. He submits before this Court that he will do his best to live up to the expectations of his guide and continue with the research work to the best of his abilities.

In view of the submissions made on behalf of the university and after interaction with the petitioner, this Court is of the opinion that the Departmental Committee of the university should provide a guide/supervisor to the petitioner for his Ph.D. degree, as early as possible, but not later than within two weeks from the date of communication of this order.

Accordingly, WPA 1250 of 2023 is disposed of.

There will be no order as to costs.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)