

NATIONAL LAW UNIVERSITY, ASSAM REGULATIONS RELATING TO Ph.D. (DOCTOR OF PHILOSOPHY)

To regulate admission process, course work, allotment of supervisors, evaluation of thesis, award of degree and other related matters of Doctor of Philosophy and adopt the UGC (Minimum Standards and Procedure for Awards of M.Phil. / Ph.D. Degree) Regulations, 2009 with such amendments as made by the UGC from time to time.

CHAPTER-I

1.1 Name of the Regulations : (a) These Regulations may be called ‘**National Law University, Assam Regulations Relating to Ph.D. (Doctor of Philosophy)**’.

(b) The Regulations shall come into force with immediate effect once notified under the authority of the Executive Council. These Regulations shall supersede all the existing Regulations on the concerned subjects.

1.2 Constitution of Research Committee

(a) The Vice-Chancellor shall constitute a Research Committee consisting of all the Professors, three Associate Professors of the University and three external experts to supervise Doctoral Degree Programme.

(b) The nomination of external experts shall be for one year and the nomination of Associate Professors shall also be for one year but on rotation basis amongst all the Associate Professors of the University.

(c) The Vice-Chancellor shall be the Chairperson of the Research Committee, however in the absence of the Vice-Chancellor, one Professor of the University nominated by the Vice-Chancellor shall be the Chairperson of the Research Committee.

(d) One-third members of the Research Committee shall form the quorum at the meeting.

1.3 Eligibility for Admission

(a) To be admitted to the candidature for a Ph.D. Degree Programme an applicant shall have :

(i) Obtained a Master’s Degree in law from any recognised University securing not less than 55% marks or its equivalent.

or

(ii) Obtained a Master’s Degree in any discipline from a recognized University with not less than 55% marks or its equivalent.

Provided that candidates with qualifications in social sciences, humanities and sciences may be admitted to the programme if the research they wish to pursue interfaces with the discipline of law with a special focus on public policy or law.

or

(iii) Judge of any High Court in India with three years’ experience or Judge of the Supreme Court of India.

(iv) Passed the Company Secretary Examination conducted by the Institute of Company Secretaries of India and awarded the Associate Membership of the Institute (ACS) shall be eligible for admission to the programme if the research they wish to pursue interfaces with the discipline of law with a special focus on public policy or law.

or

(v) Passed the final examination of the Institute of Chartered Accountants of India, New Delhi.

Provided that the candidates whose final result of the qualifying examination is awaited for any reason shall be allowed to appear provisionally in the admission test. Such candidates shall have to produce the final result of the qualifying examination at the time of the final presentation of their Ph.D. proposals.

Provided further that the requirement of 55% marks or its equivalent at Master's Degree is relaxed to 50% marks or its equivalent in case of candidates belonging to SC / ST and Differently Abled Persons (DAP).

(b) The Vice-Chancellor may permit a member of the National Law University, Assam faculty to take up Ph.D. Degree Programme along with his / her teaching assignment in the interest of faculty improvement on the condition that his / her teaching and other responsibilities are not hampered in any way provided such candidates fulfill the conditions prescribed in the Ph.D. Regulations.

1.4 Procedure for Admission

- (a) All the candidates shall appear for admission test except those candidates who have qualified UGC NET / JRF, SLET / M.Phil. and Judge [as referred in Regulation 1.3(a)(iii)] as per these Regulations.
- (b) All the candidates who have cleared the admission test as well as those who were exempted from appearing for it are required to attend an interview before the Research Committee.
- (c) All the candidates who have cleared the admission test as well as those who were exempted from appearing for it are required to submit a preliminary proposal of 1000 words indicating the hypothesis, the statement of problem, research outlines, set of research questions, proposed research methodology and survey of literature. The short listed candidates shall be called for interview by the Research Committee.
- (d) All research proposals including the preliminary proposals shall be screened through the anti-plagiarism software. If the percentage of plagiarism for any proposal exceeds 15% or more of the total work, or 10% or more of total work from a single source then the candidates shall not be called for the interview.
- (e) All the candidates who have cleared the admission test and the interview shall be provisionally admitted for Ph.D. and are required to attend a course work programme conducted by the University.
- (f) After successful completion of the course work programme, the candidates shall submit their research proposal.
- (g) The research proposals shall be evaluated by all members of the Research Committee and based on the evaluation research proposals shall be short listed.

- (h) All candidates whose proposals are short listed for approval shall be required to present their research proposals to the Research Committee. Subsequent to this presentation, the Committee shall recommend either to register the proposal or seek its re-submission in accordance with suggested modifications.
- (i) Candidates who have cleared the admission test and the interview *on pre-proposal* and also completed the research methodology course shall be given two opportunities to re-submit their proposal on the basis of the recommendation of the Research Committee.
- (j) Not later than six months after admission, the scholar shall submit the title of the thesis for approval through the Supervisor / Supervisors to the Research Committee. The title approved by the Research Committee shall not be substantially altered except with the permission of the Research Committee.
- (k) Once a candidate clears the admission test, successfully gives the Interview, completes course work programme and makes final Presentation before the Research Committee, he / she shall be allowed to get admission into Ph.D. Degree Programme and period of his / her registration for Ph.D. shall be counted thereafter.

1.5 Syllabus for Admission Test

- (a) The admission test shall comprise of 25 (Twenty Five) questions of one mark each (Multiple Choice Questions (MCQ) and 5 (Five) short descriptive questions to be attempted out of 10 (Ten) questions of 5 (Five) marks each. There shall be two compulsory questions of 25 (Twenty Five) marks each wherein the candidate shall write an Essay on any topic of his / her area of interest in about maximum 1000 (one thousand) words. The Examination shall be of two hours duration. The qualifying marks of the admission test shall be of 55% for the General Category and 50% for the other categories, i.e., SC / ST and Differently Abled Persons.
- (b) The question paper shall consist of legal and logical reasoning for multiple choice questions whereas the short descriptive questions and essay type questions shall be from Contract Law, Jurisprudence, Personal Laws, Constitutional Law, International Law, Criminal Law, Human Rights Law, Environmental Law, Corporate Law and Intellectual Property Law.
- (c) Special care shall be taken for the candidates of social sciences and humanities. If the research they wish to pursue interfaces with the discipline of law with a special focus on public policy or law, the question paper shall be prepared accordingly.

CHAPTER-II

2.1 Categories of Enrolment

(a) Full-time Enrolment

- (i) Enrolment for the Ph.D. Degree Programme shall ordinarily be full-time. The candidate shall put in a minimum of two-years residence of which at least 18 months shall be in the University. There shall thus be provision for the candidate to earn credits for research work done outside the University.
- (ii) Three years shall be the maximum period in which a full time candidate shall complete the work and submit it for evaluation.

(b) Part-time Enrolment

There shall be provision for part-time enrolment for the Ph.D. Degree Programme.

- (i) A part-time candidate shall put in a minimum of three years of part-time study in the University including time spent for research at any other place with the permission of the Supervisor.

Provided that the part-time candidate shall put in residence in the University for at least a total period of six months spread over the three year period.

- (ii) Five years shall be the maximum period in which the part-time candidate shall complete the research work and submit it for evaluation.
- (iii) Conversion either from part-time to full-time or from full-time to part-time may be permitted only with the approval of the Research Committee.
- (iv) In cases of both part-time and full-time enrolment the Supervisor of the candidate shall ensure monitoring of the research work done by the scholars outside the University campus by insisting on production of adequate proof of work done.
- (v) A candidate who has been enrolled in any other National Law Universities may be enrolled at National Law University, Assam with the approval of the Research Committee when the Supervisor of such a candidate joins National Law University, Assam.

Provided the University where the candidate was earlier enrolled consents to the same. The Supervisor has to give a detailed Report as to the course work done, fulfillment of residential requirement and the progress of research work to the Research Committee before such an application is considered by it. Similarly, National Law University, Assam would permit transfer of a candidate enrolled with it when the Supervisor allotted to him / her joins some other National Law University with the consent of such University.

(c) Expiry / Lapse of Enrolment

Enrolment for the Ph.D. Degree Programme shall be deemed to have lapsed after three years from the date of enrolment in the case of full-time scholars and five years in the case of part-time scholars.

(d) Extension of Time

- (i) The Research Committee, on the application by the concerned scholar along with the report of the Supervisor, may give extension of time for a period of six months at a time but for a maximum period of one year.
- (ii) Beyond one year, the Executive Council on the recommendation of the Academic Council may give extension for one more year, on the application of the Scholar along with the recommendation of the Supervisor and the Research Committee.

2.2 Supervisors

(a) Allotment of Supervisors

- (i) The Research Committee shall appoint one or more faculty member(s) to supervise the Ph.D. scholars.
- (ii) If the area of study so requires, an External Supervisor possessing expertise and experience in the area of study may be appointed, in addition to at least one Internal Supervisor who shall be a full time faculty member.
- (iii) The Research Committee shall ensure that Supervisor(s) be competent to supervise the scholar and also that they be available for supervision for the expected duration of the scholar's period of study.

(b) To Be a Supervisor

- (i) Only a full time / permanent faculty who holds Ph.D. Degree can be a Supervisor for a Ph.D. scholar provided that he / she has completed at least three years teaching experience after obtaining Ph.D. degree from any one of the Indian or foreign universities; and
- (ii) A Supervisor cannot have more than eight Ph.D. scholars at any given point of time. However in this regard the University shall follow the UGC (Minimum Standards and Procedure for Awards of M.Phil. / Ph.D. Degree) Regulations, 2009 with amendments made by the UGC from time to time.

(c) Change of Supervisor

The Research Committee may consider the request of the scholar for change of the Supervisor. However, the request should be made at least six months prior to the date of submission of the thesis. This limitation shall not be applicable in the event of death of the Supervisor or the Supervisor being incapacitated to continue supervision on health grounds or shifting to a distant place / institution.

CHAPTER-III

3.1 Ph.D. Course Work

The scholars should undertake course work for a minimum period of one semester on the following :

- (a) A paper on Research Methodology including computer applications;
- (b) A paper focusing on the research area / review of scholarly work;
- (c) The scholars possessing M.Phil. / Ph.D. Degree may be exempted from taking the Research Methodology paper in the course work provided they have completed such course earlier;
- (d) The scholars shall secure at least 50% of marks in each paper;
- (e) The course work shall be completed within six months from the date of registration;
- (f) Scholars failing to secure 50% of marks in the courses mentioned above may be provided an opportunity to re-appear one or more time(s) within three months of the publication of results; and

- (g) The scholar shall be allowed to continue further research work only after completing the course work as mentioned above.

3.2 Monitoring of Research Progress

- (a) A scholar shall pursue the programme of study and research as approved by the Supervisor(s). Such programme shall include the presentation of a thesis embodying the results of the scholar's research work.
- (b) All scholars registered for Ph.D. Degree Programme shall submit the interim report every six months duly certified by the Supervisor. If they fail to submit two interim reports their candidature will automatically stand cancelled.
- (c) At least once a year, or at any other time considered desirable, the Supervisor shall present to the Research Committee a report on the work of the scholars working under his / her supervision.

3.3 Change of Area of Research

The change in the topic or area of research may be allowed by the Research Committee on the request of the scholar through his /her Supervisor. However, such change is only permissible once during the entire period of registration. The candidate shall pay the prescribed fee for the change of the topic.

3.4 Termination of Candidature

- (a) If in the opinion of the Research Committee a scholar's work is not satisfactory, the Committee shall ask the scholar to show cause as to why his / her candidature should not be terminated.
- (b) The response of the concerned scholar to the show cause notice shall be considered by the Research Committee which may thereon recommend to the Vice-Chancellor that the scholar be allowed to continue with his / her research or that his / her candidature be terminated.
- (c) After consideration of the recommendations of the Committee, the Vice-Chancellor may either permit the scholar to continue with his / her research or terminate the candidature or permit the candidate to re-enroll specifying conditions for such re-enrolment.
- (d) If the scholar does not respond to the show cause notice, then on the recommendations of the Research Committee, the Vice-Chancellor shall terminate candidature of the concerned scholar and the Registrar shall officially inform the scholar of such termination.
- (e) A scholar whose candidature is terminated under these Regulations may prefer an appeal to the Academic Council. Such an appeal should be submitted in writing within 60 days from the date of the receipt of the order.

The Academic Council on proper examination of the case may either uphold the Research Committee's decision or may reverse such decision or may take any other appropriate decision in this regard.

3.5 Pre-submission Presentation

Prior to submission of the thesis the scholar shall submit a draft thesis to the Registrar through the Supervisor and make a pre-submission presentation which is

open to all the faculty and research scholars for comments and the same may suitably be incorporated into the draft thesis on the advice of the Supervisor.

3.6 Publication of Research Paper

A Ph.D. scholar shall publish two research papers in a refereed journal (University may notify the names of journals in which scholar would be required to publish their papers) before the submission of the thesis and produce evidence for the same in the form of acceptance letter or the reprint.

3.7 Submission of Thesis

- (a) The thesis shall be in English and shall be the result of scholar's own work attaining a satisfactory standard of literary presentation.
- (b) Before a scholar submits his / her thesis, the Supervisor appointed for the purpose must be satisfied that the thesis conforms to the requirements of the Regulations and a certificate to this effect from the Supervisor shall accompany the thesis when it is submitted.

Provided that if the Supervisor does not provide a certificate to the scholar, the Research Committee shall determine whether the thesis shall be accepted for evaluation or not and take appropriate measures for submission / re-submission of the thesis accordingly.

- (c) The scholar after taking due approval from the Supervisor shall submit his / her final research in the word format to the Examination Section for checking of plagiarism and shall obtain a certificate indicating that 'the research is within the permissible limit of plagiarism and hence, the thesis is fit for submission'. However, if the plagiarism for any thesis exceeds 15% or more of the total work, or 10% or more of total work from a single source then the candidate shall not be provided with this certificate.
- (d) The scholar shall be required to submit five copies of his / her thesis along with a soft copy on a CD, embodying the results of the scholar's research work to the Registrar. An abstract of 500 words and the summary of 1000 words respectively be submitted along with the thesis. The length and format of the thesis shall conform to the requirements as prescribed by the Research Committee.

Provided that the name of the Supervisor of Ph.D. scholar shall not be mentioned anywhere in three copies of the Ph.D. thesis which are to be sent to External Examiners for evaluation.

3.8 Panel of Examiners

After submission of the thesis by the scholar, the Vice-Chancellor, on the recommendation of the Supervisor concerned, shall appoint three External Examiners (not below the rank of Associate Professor) from out of a panel of not less than five External Examiners submitted by the Supervisor, the names being arranged in alphabetical order, of whom one shall be from outside the State. The Vice-Chancellor may also add any name to the panel suggested by the Supervisor.

3.9 Evaluation of Thesis

- (a) For the award of the Degree of Doctor of Philosophy, the thesis must form a distinct contribution to the knowledge in the subject and afford evidence of originality shown either by the discovery of new facts or by the exercise of independent critical analytical power.
- (b) The evaluation of the thesis shall be to assess the scholar's contribution arising out of research on the topic of the thesis not including any work which forms part of the scholar's work for the award of any other degree successfully completed at this University or elsewhere. The scholar shall clearly indicate in the thesis the nature and extent of the scholar's contribution.
- (c) The examiners shall report in writing to the University giving their assessment of the thesis and their recommendations as to whether the Degree shall or shall not be awarded to the scholar. If in the examiners' assessment the thesis does not qualify for the award of the Degree, the examiners shall indicate whether additional work should be undertaken by the scholar or whether the thesis should be rejected outright.

3.10 Viva-Voce

- (a) If all the three examiners unanimously recommend the award of the Degree, there shall be viva-voce examination of the scholar conducted by one of the three examiners who evaluated the thesis.
- (b) After successful completion of viva-voce examination, the award of the Degree will be recommended by the Research Committee to the Academic Council.
- (c) Once the Research Committee recommends the award of the Degree to the scholar to the Academic Council, a notification will be released and the scholar may be given a Provisional Certificate specifying that the Degree has been awarded in accordance with the provisions of the UGC (Minimum Standards and Procedure for Awards of M.Phil. / Ph.D. Degree) Regulations, 2009.

CHAPTER-IV Award of Degree

4.1 Award of Degree

- (a) The award of the Degree will be made at the Annual Convocation with the approval of the Academic Council and the Executive Council of the University.

The Ph.D. certificate shall indicate "Doctor of Philosophy" (Ph.D.) along with the title of Ph.D. thesis.

- (b) Where a thesis fails to obtain the unanimous recommendation of all the three examiners or where after the viva-voce examination, the viva-voce examiners do not recommend the award of a Degree, the Research Committee may decide :
 - (i) to recommend that the Degree may not be awarded to the scholar;
or
 - (ii) to recommend that the scholar shall undertake additional work on the thesis and submit a revised thesis within a specified period;
or

(iii) to take such action as deemed appropriate before making a recommendation, *provided* that in making such recommendation(s) the Research Committee shall be guided by the opinion of the majority of the examiners.

or

(iv) if a scholar fails to defend his / her thesis at the viva-voce examination, the scholar may be given one additional opportunity to defend the thesis which shall be final.

(c) A scholar who is required to re-submit a revised thesis for evaluation shall be required to be re-enrolled for a period of not less than one year prior to re-submission;

(d) Only one re-submission may be permitted.

(e) A re-submitted thesis shall go through the evaluation process as specified under the Regulations. If the re-submitted thesis also fails at the evaluation process, there shall be no provision for a further re-submission.

(f) A copy of the thesis shall be deposited in the library which shall be available for consultation by others, either on loan or photocopying forthwith.

Provided that, in exceptional cases, the Research Committee, on the application of the scholar and on the recommendations of the Supervisor, determine that it shall not be available for consultation by others until after the expiry of a period, which shall not ordinarily exceed one year.

(g) The University shall submit a soft copy of the Ph.D. thesis to the UGC within a period of thirty days after the award of the Ph.D. Degree to the candidate.

(h) The publication of the thesis in the form of a book after award of Degree shall be allowed only after due written permission from the University is obtained by the scholar.
