



**NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM
DOCTOR OF PHILOSOPHY (PH. D.)**

PROGRAMME OBJECTIVES

1. To prepare legal researcher and scholars to understand and develop requisite legal research acumen to critically examine legal theories, statutes and case laws.
2. To help legal researchers and scholars to explore their full potential to disseminate and generate from established and contemporary theories the finer nuances of convergent and divergent points and debates on multiple disciplinary discourses in contemporary time.
3. To generate human resources for research & development initiatives who are socially relevant, practically sound and professionally competent researchers.
4. To prepare researcher and scholars to meet the challenges and opportunities which global citizenry are offering to legal researchers and scholars in a globalized India.

PROGRAMME SPECIFIC OBJECTIVES

1. Fulfilling and executing the Ph.D. Course-work of the NLU, Assam for researchers and scholars in orientation with the UGC research course work mandate.
2. Training researchers and scholars enrolled for the NLU. Assam Ph.D. Course-work to learn the nitty-gritties of research and other related learnings thereto.

PROGRAMME LEARNING OUTCOME

1. Getting Ph.D. Course-workers oriented to the research universe.
2. Getting the Course-workers exposed to research in its nitty-gritty.
3. Getting them finetuned to research potential of major law subjects

COURSEWORK CURRICULUM						
SL	COURSE CODE	COURSE NAME	PERIODS			CREDITS
			L	T	P	
1	PHD101PFL	PHILOSOPHICAL FOUNDATION OF LAWS AND CURRENT TRENDS	4	2	0	6
2	PHD 102LRM	LEGAL RESEARCH METHODOLOGY	2	2	0	4
3	PHD 103RPE	RESEARCH AND PUBLICATION ETHICS	1	1	0	2
4	PHD 104SWM	SWAYAM ONLINE COURSE (ON RESEARCH METHODS / RESEARCH AREA OF INTEREST OF THE CONCERNED SCHOLAR	-	-	-	2
TOTAL CREDITS			7	5	0	14

TOTAL CONTACT HOURS	14
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<u>Course</u>			
PHILOSOPHICAL FOUNDATION OF LAWS AND CURRENT TRENDS			
Course Code: PHD 101PFL	L T P	4 2 0	Credits: 6

Course Objectives

1. To introduce fundamental principles of Constitutional law critically
2. To understand principles of international law and their application into municipal law
3. To understand basic principles of criminal and tort law
4. To understand application of various principles while making law and policy.

Course Specific Outcome

1. After completion of course students will be able to
2. Students will be able to critically apply various principles of law
3. Students will be able to analysis the law on the basic principles of law.
4. Students will be able to think border area of law and their harmonisations.

SYLLABUS

Philosophy of Constitutional Law of India

Preamble, Fundamental Rights and Directive Principles of State Policy and their inter se relationship and Fundamental Duties.

Legal Theory

Concept of Law and Major Schools of Jurisprudence : Natural Laws School, Philosophical School, Analytical School, Historical School and Sociological School.

International Law and Institutions

Nature of International Law and it's relationship with Municipal Law, International Human Rights Laws : UDHR, ICCPR, ICSECR, CEDAW, Convention relating to Rights of Disabled Persons.

Law of Torts & Crimes

General Principles of Criminal Law and Concept of Liability, Vicarious Liability and Absolute Liability-Emerging trends in India .

Commercial Law

Essentials of a contract, Limited Liability Partnership and Role of Independent Directors, One Man Company, CSR .

Reference Books

1. Pylee, M.V.; *Indian Constitution*; S. Chand Publication

2. Seervai, H.M; *Constitution of India*; Universal Publication
3. Jain, M.P; *Indian Constitutional Law*; LexisNexis
4. Dias, R.W.M.; *Jurisprudence*; Butterworth's Publication
5. Bodenheimer; *Jurisprudence: The Philosophy and Method of Law*; Harvard University Press
6. Koul, A. K.; *A Textbook of Jurisprudence*; Satyam Law International
7. Friedmann, W., *Legal Theory*; Columbia University Press
8. Oppenheim; *International Law*; Oxford University Press
9. Kapoor, S.K; *International Law and Human Rights*; Central Law Agency
10. Gaur, H. S.; *Criminal Law: Cases and Materials*; Universal Publication
11. Beatson, J; *Anson's Law of Contract*; Oxford University Press
12. Majumdar, A.K. and Kapoor, G.K.; *Company Law and Practice*; Taxmann
13. Gower, LCB & Davies; *Principles of Modern Company Law*; Sweet and Maxwell
14. *Treatise on Indian Partnership Act*
15. Ratanlal and Dhirajlal; *The Law of Torts*; Universal Publication
16. Salmond and Heuston; *The Law of Torts*; Universal Publication

Course			
LEGAL RESEARCH METHODOLOGY			
Course Code: PHD 102LRM	L T P	2 2 0	Credits: 4

Course Objectives

1. To familiarize researchers and scholars with the intricacies of legal research from varied notions of legal theories and legal reasoning.
2. To introduce to researchers and scholars the idea of law from the perspective of the relation of law and logic; competing idea of justice, experience and the also from the perspective of the symbiotic relation between law and policy making.
3. To inculcate among researchers and scholars the quality being a critical legal researcher and scholar who is incisive, confident, responsible and ethical.

Course Specific Outcome

1. On completion of the course researchers will be able to carry out independent doctrinal research or empirical research.
2. Researchers and scholars are expected to be able to develop research problem, hypo-thesis and research proposals to carry out qualitative research in multi-disciplinary dimensions.
3. Researchers and scholars will be equipped to prepare research design and also learn the what, where and how of the tools and means to collect data for doctrinal research as well as field research.
4. Researchers and scholars on the completion of the course will be able to test their hypothesis and also engage in content analysis to eventually write report or thesis.

SYLLABUS

Legal Research and Methodology

Sources of Information, Identification and formulation of a research problem, Review of Literature, Formulation of hypothesis, Research Design, Methods of Legal Research: doctrinal and non-doctrinal research, Preparation of Synopsis, Rules of Interpretation.

Research Techniques

Data Collection: tools and techniques, Socio-metrics and Jurimetrics, Sampling Procedure: sample design and sampling techniques, Survey and case study method, Scaling and Content Analysis, Use of Questionnaires, Schedule & Interview, Legal material, Interpretations and Analyzing Data, Statistical tools.

Decisional Materials including Foreign Decisions

Methods of discovering the “rule of the case”, Juristic writing-a survey of juristic literature its relevance in selection of problems in India and foreign periodicals, Compilation of list of reports or special studies conducted relevant to the problems, Formulation of the Research problem, Devising tools and techniques for collection of data, Methods for the collection of statutory and case material and juristic literature, Use of historical and comparative research material, Use of observation

studies, Use of questionnaires/interview, Use of case studies, Sampling procedures, Design of sample, Types of sampling to be adopted, Use of scaling techniques.

Jurimetrics

Computerized Research-A study of legal research programs such as Lexis and West law coding, Classification and Tabulation of data-use of cards for data collection, Rules for tabulation, Explanation of tabulated data, Analysis of data-Qualitative and Quantitative, Report writing.

Selected: Research Funding Agencies and their guidelines .

Practical Exercises to be incorporated:

1. Report Writing
2. Synopsis Writing
3. Review of Literature
4. Case Study

Suggested Readings

1. Hugh Brayne, Nigel Duncan and Richard Grimes; *Clinical Legal Education: Active Learning in your Law School*; Blackstone Press
2. Agarwal, S. K.; *Legal Education in India*; N.M. Tripathi
3. Menon, N. P. Madhava; *A Handbook of Clinical Legal Education*, Eastern Book Company
4. William, J. Grade and Paul, K. Hatt; *Methods in Social Research*; McGraw Hill

<u>Course</u>			
RESEARCH AND PUBLICATION ETHICS			
Course Code: PHD 103RPE	L T P	2 0 0	Credits: 2

Course Objectives

1. To enable the students to understand the basics of philosophy of research
2. To enable the students to understand research ethics
3. To develop research integrity
4. To develop publication ethics

Course Specific Outcome

At the end of course the students are able

1. To apply the research ethics in their research
2. To demonstrate ethical practices in research
3. To demonstrate research integrity
4. To produce high quality research

SYLLABUS

Philosophy and Ethics

Introduction to philosophy: nature and scope, concept, branches, Ethics: definition, moral philosophy, nature of moral judgements and reactions.

Scientific Conduct

Ethics with respect to law and research, Intellectual honesty and research integrity; Publication ethics: definition, introduction and importance, best practices/standards sittings initiatives and guidelines; COPE, WANE etc. Conflicts of interest, scientific misconducts; Falsification, Fabrication and Plagiarism (FFP), UGC Guidelines on Plagiarism and self-plagiarism, Redundant Publications, Publication misconduct .

Publication Ethics

Publication ethics: definition, introduction and importance, Best practices/standards setting initiatives and guidelines: COPE, WAME, etc. Conflicts of interest, Publication misconduct: definition, concept, problems that lead to unethical behavior and vice versa, types, violation of publication ethics, authorship and contributor-ship, identification of publication misconduct, complaints and appeals, predatory publishers and journals, UGC Guidelines on Plagiarism and self - plagiarism.

Practice: Open Access Publishing

Open access publications and initiatives, SHERPA/RoMEO online resource to check publisher copyright and self-archiving policies, software tool to identify predatory publications developed by SPPU, journal finder/journal suggestion tools viz. JANE, Elsevier Journal Finder, Springer Journal Suggester, etc. Copyleft, Creative Commons Licences, Public Domain and Open Educational Resources, reference tools.

Publication Misconduct

Group Discussions: Subject specific ethical issues, FFP, authorship, Conflicts of interest, complaints and appeals: examples and fraud from India and abroad, Software tools: Use of plagiarism software like Turnitin, Ouriginal and other open source software tools, Google originality check, Ouriginal (Urkund has been changed to Ouriginal).

Databases and Research Metrics

Databases, Citation databases: Web of Science, Scopus etc. Research Metrics, Indexing and Abstracting databases, Research Metrics: Author level, Article level and Journal level.

Suggested Readings

1. Hugh Brayne, Nigel Duncan and Richard Grimes; *Clinical Legal Education: Active Learning in your Law School*; Blackstone Press
2. Agarwal, S. K.; *Legal Education in India*; N.M. Tripathi
3. Menon, N. P. Madhava; *A Handbook of Clinical Legal Education*, Eastern Book Company .
4. William, J. Grade and Paul, K. Hatt; *Methods in Social Research*; McGraw Hill .
5. UGC notification regarding maintenance of Standards in Research and Ethical norm