

NATIONAL LAW UNIVERSITY DELHI

Ph.D. REGULATIONS¹

1. CONSTITUTION OF DOCTORAL COMMITTEE:

The Vice-Chancellor shall constitute a Doctoral Committee consisting of the senior faculty members of the National Law University, Delhi and external experts for a period of two years at a time. The Doctoral Committee will be the Apex body to guide and supervise overall doctoral programme in the university. It will lay down the broad policies of research programme and suggest measures for development and improvement of the programme. It will provide a vision to the doctoral programme.

2. CONSTITUTION OF RESEARCH ADVISORY COMMITTEE:

The Vice Chancellor shall constitute a Research Advisory Committee² which shall consist of convenor of Ph. D. Programme, Registrar and three professors of the National Law University, Delhi. The Vice Chancellor in his/her discretion can nominate external members in Research Advisory Committee in addition to internal members of the National Law University, Delhi. The Research Advisory Committee will review the research proposals received by the university every year. The reviewed proposals will be submitted to the Doctoral Committee for consideration and evaluation. The Research Advisory Committee will also guide the research scholars in developing the study design and methodology of research. It will periodically review and assist in the implementation of the research works.³

3. ELIGIBILITY FOR ADMISSION⁴:

To be admitted to the candidature for a doctoral degree an applicant shall have:

i) A Master's degree in Law⁵ or a professional degree declared equivalent to the Master's degree in Law⁵ by the corresponding statutory regulatory body, with at least 55% marks in aggregate or its equivalent grade 'B' in the UGC 7-point scale (or an equivalent grade in a point scale wherever grading system is followed) or an equivalent degree from a foreign educational Institution accredited by an Assessment and Accreditation Agency which is approved, recognized or authorized by an authority, established or incorporated under a law in its home country or any other statutory authority in that country for the purpose of assessing, accrediting or assuring quality and standards of educational institutions.

Or

ii) obtained a degree in law and Masters Degree with M. Phil. in social sciences or humanities of any recognised university with at least 55% marks in aggregate or its equivalent grade 'B' in

¹Revised as per UGC (Minimum Standards and Procedure for Award of M.Phil/ Ph. D Degrees) Regulations, 2016; these regulation will come into effect from the date of approval by the university authorities.

²Constituted as per regulation 8 of UGC (Minimum Standards and Procedure for Award of M.Phil/ Ph. D Degrees) Regulations, 2016

³Functions of Research Advisory Committee as per Regulations 8.11, 8.12 and 8.13 of regulation 8 of UGC (Minimum Standards and Procedure for Award of M.Phil/ Ph. D Degrees) Regulations, 2016

⁴Regulation 3, UGC (Minimum Standards and Procedure for Award of M.Phil/ Ph. D Degrees) Regulations, 2016

⁵ Inserted vide E.C. Resolution No. 2.9 dated 22.12.2018

the UGC 7-point scale (or an equivalent grade in a point scale wherever grading system is followed).

Provided that candidates with qualifications in social sciences and humanities 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.

For the above two categories, a relaxation of 5% of marks, from 55% to 50%, or an equivalent relaxation of grade, may be allowed for those belonging to SC/ST/OBC (non-creamy layer)/Differently-abled and other categories of candidates as per the decision of the Commission from time to time, or for those who had obtained their Master's degree prior to 19th September, 1991. The eligibility marks of 55% (or an equivalent grade in a point scale wherever grading system is followed) and the relaxation of 5% to the categories mentioned above are permissible based only on the qualifying marks without including the grace mark procedures.

Or

iii) Candidates possessing a Degree in law and Masters Degree considered equivalent to M.Phil. Degree of an Indian Institution, from a Foreign Educational Institution accredited as per UGC Regulations⁶ shall be eligible for admission to Ph.D. programme.

Or

iv) Degree in law and Ph.D. in any discipline.

Or

v) Judge of any State High Court in India with three years experience or Judge of Supreme Court of India.

Or

(vi) A foreign student, who is interested to enroll from outside India from reputed University/Institutions may be allowed to be registered for Ph.D. in National Law University Delhi subject to the condition that one supervisor will be from the National Law University Delhi and one from the parent foreign University/Institutions of the student. He /She will be exempted from appearing in the Entrance Test subject to the condition that he/she fulfills the other minimum eligibility conditions. The Vice-Chancellor will be competent to allow registration of such students on case to case basis on the recommendations of Doctoral Committee. The student will be required to visit National Law University Delhi for Viva-Voce to defend his/her Thesis as per University Regulations.⁷

The Vice-Chancellor may permit a member of the NLU, Delhi faculty to take up Ph.D. Degree course 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.

⁶Regulations 3.4, UGC (Minimum Standards and Procedure for Award of M.Phil/ Ph. D Degrees) Regulations, 2016

⁷Inserted vide E.C. Resolution No.2.3 dated 18.09.2012

4. PROCEDURE FOR ADMISSION⁸:

- a) The number of seats available for Ph.D. programme will be notified by the University every year before the start of admission process keeping in view the availability of teachers for guiding Ph.D. Scholars. However, the number of seats may be increased up to 25% for considering the applications of regular faculty members of the NLU Delhi for Ph.D. admission, who are otherwise fulfilling the required eligibility criteria.
- b) The admission shall be through a qualifying written test to be conducted by the university. The written test is only a qualifying test and there will be no weightage of marks secured in test in the final selection.
- c) The candidate shall secure minimum 50% marks (40% in case of SC/ST candidates) in the written test to qualify for submission of research proposal. The qualified candidates will be asked to submit their Research Proposal for scrutiny. The University has the right to keep the seats vacant if sufficient numbers of candidates with minimum cut off marks are not available.
- d) The candidates who have qualified UGC NET/JRF, SLET/M.Phil. in Law are exempted from taking the admission test. The candidates who have obtained a degree in Law and Masters Degree with M.Phil. in Social Sciences or Humanities applying under the Ph.D. Regulations Clause 3 (ii) and have qualified UGC NET/JRF, SLET/M.Phil. in Social Sciences or Humanities⁹ are also exempted from taking the admission test. They will be asked to submit their Research Proposal for scrutiny along with other qualified candidates.
- e) All qualified candidates along with exempted category candidates shall submit research proposal. The Research Advisory Committee will short list the candidates after evaluating their research proposals for giving presentation before the Doctoral Committee as per the guidelines prescribed by the university. The candidates equal to three times of number of seats, based on scoring given by the Research Advisory Committee, will be called to give a presentation before the Doctoral Committee on the proposed topic of research on a date notified by the University.
- f) Based on identified criteria, the Doctoral Committee will evaluate the candidates for maximum of marks¹⁰ as may be prescribed. The decision of the Doctoral Committee in recommending the name of the candidates for admission to Ph.D. programme shall be final. The admissions will be finally approved by the Vice-Chancellor on the recommendations of the Doctoral Committee. The University has a right to keep the seats vacant if the sufficient number of candidates are not found suitable by the Doctoral Committee.

⁸Amended vide notification dated 26.04.2016/ E.C. Resolution No.1.4 dated 12.08.2016 and Regulations 5, UGC (Minimum Standards and Procedure for Award of M.Phil/ Ph. D Degrees) Regulations, 2016

⁹ Inserted vide E.C. Resolution No. 2.9 dated 22.12.2018

¹⁰ Amended vide E.C. Resolution No. 2.9 dated 22.12.2018

5. CATEGORIES OF ENROLMENT:

a. Full-time enrolment

- i) Enrolment for the Ph.D. Degree shall ordinarily be full-time. The candidate shall put in a minimum of three-years residence of which at least 18 months shall be in the university. During this period, a scholar can be attached to a supervisor and assist the supervisor in teaching at the University. After this period, a scholar may be permitted to conduct empirical research work outside the university. There shall thus be provision for the candidate to earn credits for research work done outside the university.
- ii) Five years shall be the maximum period in which a full time candidate should complete the work and submit it for evaluation. However, this time period is extendable up to one year in two extensions of six months each in case the scholar requests in writing for such extension. This is subject to the approval of the doctoral committee on recommendation of the Research Advisory Committee.

b. Part-time enrolment

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

- i) A part-time candidate shall put in a minimum of four 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 candidates shall put in residence in the University for at least a total period of two semesters spread over the five-year period. However, persons working at senior level such as a Judge in the High Court / Supreme Court, a senior Advocate in Supreme Court and Judicial Officers (with LL.M. degree and ten years' experience as Judicial Officer) and IAS/IPS/IRS and allied Services Officer¹¹ (with LL.M. degree and 10 years' experience as IAS/IPS/IRS and allied Services Officer recruited through UPSC) may be exempted from the said residence condition with the condition that they should complete the certificate course in research methodology within six months after admission.¹²

- ii) Five years shall be the maximum period in which the part-time candidate shall complete the research work and submit it for evaluation. However, this time period is extendable up to one year in two extensions of six months each in case the scholar requests in writing for such extension. This is subject to the approval of the doctoral committee on recommendation of the research advisory committee.

c. Conversion

Conversion either from part-time to full-time or from full-time to part-time is to be permitted only with the approval of the Doctoral Committee. All cases of pre and post employment of research scholars including JRF and SRF will be considered and approved by the Doctoral Committee.

¹¹ Inserted vide E.C. Resolution No. 2.9 .dated 22.12.2018

¹²Amended vide E.C. Resolution No.2.9 dated 25.02.2013

d. Monitoring the Research Work

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.

e. Expiry / Lapse of Enrolment:

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

The women candidates and Persons with Disability (more than 40% disability) may be allowed a relaxation of two years for Ph.D. in the maximum duration. In addition, the women candidates may be provided Maternity Leave/Child Care Leave once in the entire duration of Ph.D. for up to 240 days.

6. SUPERVISORS FOR RESEARCH:

a) The Doctoral Committee shall appoint one or more regular faculty member(s) to supervise the Ph.D. scholars.

b) Only a Ph. D. Degree holder can be a supervisor for Ph. D. scholars provided that he / she has completed at least two years after obtaining Ph.D. degree from any one of the Indian or foreign universities;

c) A Professor of Law who has no Ph. D. Degree can be a supervisor provided he / she has minimum 15 years of teaching and research experience.

d) A Co-Supervisor can be allowed in inter-disciplinary areas from other departments of the same institute or from other related institutions with the approval of the Research Advisory Committee.

e) The Doctoral Committee shall ensure that supervisors be competent to supervise the scholar and also that they be available for supervision for the expected duration of the scholar period of study.

f) A scholar shall pursue the programme of study and research as approved by supervisor / supervisors. Such programme shall include the presentation of a thesis embodying the results of the scholar's research work.

g) 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.

h) Within one month of completion of Course Work and allotment of supervisor, the scholar shall submit the title of the thesis for approval by the supervisor / supervisors. The title approved by the supervisor should not be substantially altered except with the permission of the Doctoral Committee.

i) All Scholars registered for Ph.D. should submit the interim report every six months duly certified by the supervisor. If they fail to submit two interim reports the candidature will automatically stand cancelled.

- j) All research scholars will be required to appear before the Research Advisory Committee once in six months to make a presentation of the progress of their work for evaluation and further guidance in the presence of their supervisors. The six monthly progress reports shall be submitted by the Research Advisory Committee to the University with a copy to the research scholar.
- k) A Supervisor shall not have, at any given point of time, more than eight Ph.D. Scholars¹³.
- l) If the research theme requires the assistance of any of the experts in any inter-disciplinary field for co-supervision, the Doctoral Committee may approve the list of such supervisors from time to time and under no circumstances the co-supervisors be appointed as the main supervisor for any scholar. Such co-supervisors will be appointed along with main supervisor for any of the Ph. D. scholars depending upon the circumstances.
- m) In case of relocation of an Ph.D. woman scholar due to marriage or otherwise, the research data shall be allowed to be transferred to the University to which the scholar intends to relocate provided all the other conditions in these regulations are followed in letter and spirit and the research work does not pertain to the project secured by the parent institution/supervisor from any funding agency. The scholar will, however, give due credit to the parent guide and the institution for the part of research already done.

7. COURSE WORK:

The scholars should undertake course work for a minimum period of one semester and take three courses covering 8 credits. The details of the three courses are as follows:

- a. Course on Research methodology (4 credits); Advanced level courses focusing on the research area of Ph. D. scholar and Practical Teaching Course
- b. 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.
- c. The Ph. D. scholar shall obtain a minimum of 55% of marks or its equivalent grade in the UGC 7-point scale (or an equivalent grade/CGPA in a point scale wherever grading system is followed) in the course work in order to be eligible to continue in the programme and submit the thesis.
- d. The course work shall be completed within six months from the date of registration.
- e. Ph. D. Scholar failing to secure 55% of marks (as per sub regulation 7.c) in the courses mentioned above, may be provided an opportunity to re-appear only one time within three months of the publication of results.
- f. The Ph. D. scholar shall be allowed to continue further research work only after completing the course work as mentioned above.

¹³Amended vide E.C. Resolution No.2.9 dated 09.03.2016

- g. Provided that persons working at senior level such as a Judge in High Court / Supreme Court, a senior Advocate in Supreme Court and Judicial Officers (with LL.M. degree and 10 years' service as Judicial Officer) and IAS/IPS/IRS and allied Services Officer¹⁴ (with LL.M. degree and 10 years' experience as IAS/IPS/IRS and allied Services Officer recruited through UPSC) may be exempted from course work, with the condition that they should complete the certificate course in research methodology within six months after admission.¹⁵ This certificate course will be considered equivalent to 8 credits.
- h. The content of the course work shall be prepared by the Research Advisory Committee and approved by the Vice-Chancellor.
- i. There shall not be any revaluation of the Course Work.

8. TERMINATION OF CANDIDATURE:

- a. If in the opinion of the Research Advisory Committee a scholar's work is not found satisfactory, the scholar may be asked to show cause 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 advisory committee which will give its recommendation to the Doctoral Committee. The doctoral committee 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 Doctoral 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 Regulation 8 (d) may prefer an appeal to the Academic Council. Such an appeal should be submitted in writing within 60 days from the date of receipt of the order.
- f. The general rules and procedure of the university would be applicable in case of conduct and discipline related issues of any research scholar and the vice-chancellor in such cases shall be competent to take and recommend appropriate disciplinary action.

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

¹⁴ Inserted vide E.C. Resolution No.2.9 dated 22.12.2018

¹⁵ Amended vide E.C. Resolution No.2.9 dated 25.02.2013

9. EVALUATION / EXAMINATION OF THESIS:

- a. Prior to submission of the thesis the scholar shall submit a draft thesis to the Registrar through the supervisor and make a Pre-Ph.D. presentation before Research Advisory Committee. This is open to all the faculty and research scholars for comments and the same may be suitably incorporated into the draft thesis on the advice of the supervisor.
- b. Ph.D. scholars shall publish at least one research paper in a referred journal and make two paper presentations in conferences/ seminar before the submission of the thesis / monograph for adjudication and produce evidence for the same in the form of acceptance letter or the reprint.
- c. The scholar shall be required to submit five copies of his / her thesis (all the five copies to be retained by the University) along with a soft copy on a CD, and 5 copies of summary of thesis embodying the results of the scholar's research work to the Registrar. The summary shall not be more than 3000 words. The length of the thesis shall conform to the requirements as prescribed by the Doctoral Committee. The copies of the Ph. D. thesis should be submitted as per the format prescribed by the University.
- d. The thesis shall be in English and shall be the result of scholar's own work attaining a satisfactory standard of literary presentation.
- e. While submitting for evaluation, the thesis shall have an undertaking from the research scholar and a certificate from the Research Supervisor attesting to the originality of the work, vouching that there is no plagiarism and that the work has not been submitted for the award of any other degree of the same Institution where the work was carried out, or to any other Institution. Proper plagiarism check shall be conducted as per the University policy.
- f. The evaluation / examination 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. The entire process of evaluation of thesis would be attempted to complete within a period of six months from the date of submission of the thesis.
- g. Before a scholar submits his/her thesis, the supervisor appointed under Regulation 6(a) must be satisfied that the thesis conforms to the requirements of Regulations 9 (a) to (e) and a certificate to this effect from the supervisor shall accompany the thesis when it is submitted. If the supervisor does not so certify, the doctoral committee on the recommendation of Research Advisory Committee shall take appropriate measures.
- h. After submission of the thesis by the scholar, the Vice-Chancellor form the recommended panel of examiners shall appoint two external examiners, of whom one may be from outside the country.

- i. The examiners shall report in writing in the approved form 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. In the examiners' assessment if 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.
- j. If both the examiners unanimously recommend the award of the degree, Research Advisory Committee shall organize viva-voce examination of the scholar conducted by one of the two examiners who evaluated the thesis. After successful completion of viva-voce examination, the award of the degree is recommended by the Doctoral Committee to the Academic Council. Once the Doctoral 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 to the UGC (Minimum Standards and Procedure for Awards of M.Phil. / Ph.D. Degree) Regulation, 2016. The award of the degree will be made at the annual convocation with the approval of the Academic Council and the Executive Council.
- k. Where a thesis fails to obtain the unanimous recommendation of both the examiners, the thesis shall be sent to another external examiner out of the approved panel of examiners. The viva-voce will be conducted only if the report of the third external examiner is satisfactory. In case after the viva-voce examination, the viva-voce examiners do not recommend the award of degree, the Doctoral Committee may decide:
 - i) to recommend that the degree be not awarded to the scholar;
 - or
 - ii) to recommend that the scholar 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 its recommendations the Doctoral Committee shall be guided by the opinion of the majority of examiners.
 - iv) A scholar who is required to re-submit a revised thesis for evaluation / examination shall be re-enrolled for a period of not more than six months prior to resubmission.
 - v) Only one re-submission may be permitted.
 - vi) If a scholar fails to defend his thesis at the viva-voce examination, the scholar may be given one additional opportunity to defend the thesis which shall be final.
- k. The re-submitted thesis shall go through the evaluation process as specified under Regulation 9 (f) to (i).

If the re-submitted thesis also fails at the evaluation process, there shall be no provision for a further resubmission.
- l. 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 Doctoral 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 period shall not ordinarily exceed one year.
- m. 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 degree.

10. Power to remove difficulties:

Subject to the provisions of the UGC Ph. D Regulations, the Vice Chancellor, National Law University, Delhi is authorized to remove any difficulties in the implementation of these regulations . Any such measures taken by the vice-chancellor will be placed before the appropriate authority for consideration and ratification.
