

NATIONAL LAW UNIVERSITY DELHI

Ph.D. REGULATIONS

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 at National Law University, Delhi ((hereinafter referred to as “NLUD”). 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 Committee which shall consist of convener of Ph.D. Programme, Registrar, and three professors of NLUD. The Vice Chancellor may nominate external members in the Research Advisory Committee in addition to internal members of NLUD. The Research Advisory Committee will review the research proposals received by NLUD every year. The reviewed proposals will be submitted to the Doctoral Committee for consideration and evaluation. The Research Advisory Committee will also guide the enrolled candidates in developing the study design and methodology of research. It will periodically review and assist in the implementation of the research works.

3. ELIGIBILITY FOR ADMISSION:

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

- i) A Master's degree in Law or a professional degree declared equivalent to the Master's degree in Law 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 Master's Degree in social sciences or humanities from any recognised educational institution, Indian or a foreign educational institution accredited as per UGC Regulations, 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).

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/ differently-abled candidates and other categories of candidates, as per the decisions of the UGC 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) Degree in law and passed the Company Secretary examination conducted by the Institute of Company Secretaries of India and awarded the Associate Membership of the Institute shall be eligible for admission to the programme, if the research they wish to pursue interfaces with the discipline of law.

Or

- iv) Degree in law and passed the final examination of the Institute of Chartered Accountants of India shall be eligible for admission to the programme, if the research they wish to pursue interfaces with the discipline of law.

Or

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

The Vice Chancellor may also permit a NLUD faculty member to enroll for the Ph.D. programme along with the teaching assignment of the concerned faculty member in the interest of faculty improvement on the condition that teaching and other responsibilities of the faculty member are

not hampered in any way provided such candidates fulfill the conditions prescribed in the Ph.D. Regulations.

4. ELIGIBILITY CRITERIA FOR ADMISSION OF FOREIGN NATIONALS:

A. Admission through open advertisements

A foreign national, who is interested in enrolling for the Ph.D. programme at NLUD may apply in accordance with the admission notifications of NLUD. The candidates shall have sufficient proficiency in English language. Foreign nationals are exempted from the entrance examination conducted by NLUD for Ph.D. enrollment. All other requirements for admission which are applicable to Indian nationals shall be applicable to foreign nationals also. The number of seats available for foreign nationals shall be in accordance with the notifications issued by NLUD from time to time. In the event of non-availability of suitable candidates, NLUD reserves the right not to fill up the seats and under no circumstances these seats shall be converted to any other categories of Ph.D. admission.

B. Admission of candidates from foreign universities/institutions having MoU with NLUD

A foreign national, who is interested in enrolling for the Ph.D. programme at NLUD, and is currently enrolled for Ph.D. programme at a foreign university/institution having MoU with NLUD, may be allowed to be registered for Ph.D. in NLUD subject to the condition that one supervisor will be from NLUD and one from the parent foreign university/institution of the candidate. Such a candidate will be exempted from appearing in the entrance test, subject to the condition that the candidate fulfills the other minimum eligibility conditions. The Vice Chancellor will be the competent authority to allow registration of such candidates on case-to-case basis, on the recommendations of the Doctoral Committee. The candidate will be required to visit NLUD for Viva-Voce to defend the thesis as per NLUD Ph.D. Regulations. The fees for the programme shall be in accordance with the terms and conditions of the MoU between NLUD and the concerned foreign university/ institute. No separate Ph.D. degree of NLUD will be awarded in such cases. A joint degree may be awarded, if required under the MOU.

For the purpose of this regulation, a foreign national shall mean a candidate who possess citizenship of a country other than India and holds a valid passport.

C. Admission of candidates through Study in India and ICCR Programmes¹:

¹ *Inserted by the order of Executive Council on 19th February 2021*

- i) Admission through Study in India: A foreign national may apply for enrolment in Ph.D. programme through Study in India Programme of Ministry of External Affairs, Government of India. The candidates shall have sufficient proficiency in English language. Foreign nationals are exempted from the entrance examination conducted by NLUD for Ph.D. enrolment. All other requirements for admission which are applicable to Indian nationals shall be applicable to foreign nationals also. The number of seats available for foreign nationals will be decided by the university on year-to-year basis. In the event of non-availability of suitable candidates, NLUD reserves the right not to fill up the seats and if required, these seats shall be converted to any other categories of Ph.D. admission for foreign nationals. Candidate will be required to pay the fees applicable to foreign nationals under R. 4A.
- ii) Admission through ICCR: A foreign national may apply for enrolment in Ph.D. programme through ICCR Programme of Ministry of External Affairs, Government of India. The candidates shall have sufficient proficiency in English language. Foreign nationals are exempted from the entrance examination conducted by NLUD for Ph.D. enrolment. All other requirements for admission which are applicable to Indian nationals shall be applicable to foreign nationals also. The number of seats available for foreign nationals will be decided by the university on year-to-year basis and will be within the seats fixed by the university for ICCR. In the event of non-availability of suitable candidates, NLUD reserves the right not to fill up the seats and if required, these seats may be converted to any other categories of Ph.D. admission for foreign nationals. Fee applicable to candidates under this category will be at par with Indian Ph.D. scholars.

For the purpose of this regulation, a foreign national shall mean a candidate who possesses citizenship of a country other than India and holds a valid passport.

5. PROCEDURE FOR ADMISSION:

- i) The number of seats available for Ph.D. programme will be notified by NLUD every year before the start of admission process keeping in view the availability of teachers for guiding Ph.D. candidates. 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.
- ii) The admission shall be through a two-stage selection process, which includes (1) written entrance test and (2) the evaluation of research proposals followed by interview/ viva-voce. In the final selection of candidates, a weightage of 70% shall be

given to the entrance test and 30% shall be given to the results of evaluation of research proposals and interview/viva-voce.

- iii) 50% of the questions for the entrance test shall be relating to Research Methodology and the remaining 50% shall be from different areas of law. The candidate shall secure a minimum of 50% marks (45% in case of SC/ST/differently abled candidates) in the entrance test to qualify for the second stage. Candidates equal to three times the number of available seats will be shortlisted for the second stage, based on the results of the entrance test.
- iv) The candidate should also secure a minimum of 50% marks (45% in case of SC/ST/differently abled candidates) in the evaluation of research proposals and interview/viva-voce to qualify for the final selection.
- v) The Research Advisory Committee will assist the Doctoral Committee in evaluating the research proposals as per the guidelines prescribed by NLUD.
- vi) 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.
- vii) NLUD has the right to keep the seats vacant if sufficient number of candidates with minimum cut off marks are not available.
- viii) NLUD shall maintain the list of all the Ph.D. candidates on its website on year-wise basis. The list shall include the name of the registered candidates, their topics, name of Supervisors/ Co-Supervisors, date of enrollment/ registration.

6. 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 NLUD. During this period, the candidate may be attached to a supervisor and the candidate may assist the supervisor in teaching at NLUD. After this period, a candidate may be permitted to conduct research work outside NLUD. There shall thus be provision for the candidate to earn credits for research work done outside NLUD.

- ii) Five years shall be the maximum period within which a full time candidate should complete the doctoral research and submit the thesis for evaluation. However, this time period is extendable up to one year in two extensions of six months each, in case the candidate 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

- i) There shall be provision for part-time enrolment for the Ph.D. Degree. A part-time candidate shall put in a minimum of four years of part-time study, and this includes the time spent for research at any other place with the permission of the supervisor.
- ii) The part-time candidates shall be in residence in NLUD 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 Officer (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 requirement on the condition that they should complete the certificate course in research methodology within six months after admission.
- iii) Five years shall be the maximum period in which a 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 candidate 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

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

D. Monitoring the Research Work

- ii) In cases of both part-time and full-time enrolment, the supervisor of the candidate shall ensure adequate and constant monitoring of the research work done outside the campus by the candidates by insisting on production of adequate proof of work done.

E. Expiry / lapse of Enrolment:

- i) 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 candidates and part-time candidates.
- ii) The women candidates and differently enabled candidates (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.

7. SUPERVISORS FOR RESEARCH:

- i) Any regular or full time Professor of NLUD with at least five research publications in refereed journals and any regular Associate/Assistant Professor of NLUD with a Ph.D. degree obtained from the Indian or Foreign Universities, and at least two research publications in refereed journals may be recognized as Research Supervisors. Any teacher who is working on a full-time basis at NLUD may be considered for research supervision, subject to fulfillment of all other conditions as per the regulations.
- ii) Provided that in areas/disciplines where there is no or only a limited number of referred journals available, NLUD may relax the above conditions with regard to the number of publications by recording the reasons in writing.
- iii) A Professor of Law who has no Ph.D. Degree can be a supervisor provided the Professor of Law has Minimum 15 years of teaching and research experience.
- iv) 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 Doctoral Committee. 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 candidate.
- v) The Doctoral Committee shall ensure that supervisors are competent to supervise the candidate and also that they be available for supervision for the expected duration of the period of study.

- vi) A candidate 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 candidate's research work.
- vii) 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.
- viii) Within one month of completion of course work and allotment of supervisor, the candidate 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.
- ix) All candidates 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.
- x) All candidates registered for Ph.D. 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 NLUD with a copy to the candidate.
- xi) A Research Supervisor/Co-supervisor who is a Professor, cannot guide more than Eight (8) Ph.D. candidates at any given point of time. An Associate Professor as Research Supervisor can guide up to a maximum of (6) Six Ph.D. candidates and an Assistant Professor as Research Supervisor can guide up to a maximum of four (4) Ph.D. candidates.
- xii) In case of relocation of a woman candidate due to marriage or otherwise, the research data shall be allowed to be transferred to the university to which the candidate 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 any of the projects secured by the parent institution/ supervisor from any funding agency. The candidate shall give due credit to the supervisor and the institution for the part of research already done.

8. COURSE WORK:

The candidates shall undertake course work for a minimum period of one semester, covering 10 credits. The details are as follows:

- i) Research methodology course/ workshops (4 credits); Advanced level courses focusing on the research area of Ph.D. candidates (2 credits); Teaching Assignments (2 Credits); Status Paper/ Research Paper (2 Credits).
- ii) Candidates 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.
- iii) The Ph.D. candidate shall obtain a minimum of 55% of marks in all components of the course work in order to be eligible to continue in the programme and submit the thesis. There shall not be any revaluation of the Course Work. However, Ph. D. candidates failing to secure 55% of marks in the course work components may be provided one additional opportunity for securing the minimum marks, within three months from the date of publication of the results.
- iv) All candidates will be required to complete the course work prescribed by the university during the initial one or two semesters. (As per Regulation 7.5 of UGC Regulations, 2016)².

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 Officer (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 of securing admission.

- v) The course work shall be completed within six months from the date of registration. The Ph.D. candidates shall be allowed to continue further research work only after completing the course work as mentioned above.
- vi) The contents of the course work shall be prepared and updated by the Research Advisory Committee from time to time and the same shall be subject to approval by the Vice-Chancellor.

² Amended by the order of Executive Council on 19th February 2021.

9. TERMINATION OF CANDIDATURE:

- i) If in the opinion of the Research Advisory Committee a candidate's work is not found satisfactory, the candidate may be asked to show-cause why the candidature should not be terminated.
- ii) The response of the concerned candidate 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 candidate be allowed to continue with the research or that the candidature be terminated.
- iii) After consideration of the recommendations of the Committee, the Vice-Chancellor may either permit the candidate to continue with the research or terminate the candidature or permit the candidate to re-enroll specifying conditions for such re-enrolment.
- iv) If the candidate does not respond to the show cause notice, then on the recommendations of the Doctoral Committee, the Vice-Chancellor shall terminate the registration of the candidate and the Registrar shall officially inform the candidate of such termination.
- v) A candidate whose candidature is terminated under this regulation 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.
- vi) The general rules and procedure of NLUD would be applicable in case of conduct and discipline related issues of any candidate and the vice-chancellor in such cases shall be competent to take and recommend appropriate disciplinary action.
- vii) 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.

10. EVALUATION / EXAMINATION OF THESIS:

- i) Prior to submission of the thesis the candidate shall submit a draft thesis to the Registrar through the supervisor and make a Pre-Ph.D. presentation before Research Advisory Committee. This forum will be open to all the faculty members and research scholars for providing comments and the same may be suitably incorporated into the draft thesis on the advice of the supervisor.

- ii) Ph.D. candidates 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.
- iii) The candidate shall be required to submit five copies of the thesis (all the five copies to be retained by NLUD) along with a soft copy on a CD, and 5 copies of summary of thesis embodying the results of the candidate'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 NLUD.
- iv) The thesis shall be in English and shall be the result of candidate's own work attaining a satisfactory standard of scholarly presentation.
- v) While submitting for evaluation, the thesis shall have an undertaking from the candidate 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 NLUD policies.
- vi) The evaluation / examination of the thesis shall be to assess the candidate's contribution arising out of research on the topic of the thesis not including any work which forms part of the candidate's work for the award of any other degree successfully completed at NLUD or elsewhere. The candidate shall clearly indicate in the thesis the nature and extent of the candidate's scholarly contribution. The entire process of evaluation of thesis would be attempted to be completed within a period of six months from the date of submission of the thesis.
- vii) Before a candidate submits the thesis, the supervisor must be satisfied that the thesis conforms to the requirements of the Ph.D. regulations 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.
- viii) After submission of the thesis by the candidate, the Vice-Chancellor from the recommended panel of examiners recommended by its Supervisor shall appoint two external examiners, of whom one may be from outside the country. A panel of Minimum of five examiners has to be provided by the supervisors.

- ix) The examiners shall submit a report in the prescribed format to NLUD, giving their assessment of the thesis and their recommendations as to whether the degree shall or shall not be awarded to the candidate. 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 candidate or whether the thesis should be rejected outright.
- x) If both the examiners unanimously recommend the award of the degree, Research Advisory Committee shall organise a viva-voce examination of the candidate and the same shall be conducted by one of the two examiners who evaluated the thesis. On successful completion of viva-voce examination, the candidate may be given a Provisional Certificate specifying that the viva-voce examination has been completed successfully. The report of viva-voce would be submitted to the doctoral committee for its recommendation. The recommendation of the Doctoral Committee will be placed before the Academic Council/ Executive Council.
- xi) Where a thesis fails to obtain the unanimous recommendation of both the examiners, the thesis shall be sent to another external examiner in the approved panel of examiners. The viva-voce will be conducted only if the report of the third external examiner is satisfactory.
- xii) In cases wherein the viva-voce examiners do not recommend the award of degree, the Doctoral Committee may decide:
- a) to recommend that the degree be not awarded to the candidate;
- or
- b) to recommend that the candidate undertake additional work on the thesis and submit a revised thesis within a specified period;
- or
- c) 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.
- xiii) A candidate 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. Only one re-submission may be permitted. The re-submitted thesis shall go through the evaluation process as specified under Regulation 9 (i) to (xii). If the re-submitted thesis also fails during the evaluation process, no further resubmission shall be allowed.

xiv) If a candidate fails to defend the thesis at the viva-voce examination, the candidate may be given one additional opportunity to defend the thesis and it shall be final.

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

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

xvi) NLUD shall submit a soft copy of the Ph.D. thesis to INFLIBNET within a period of thirty days of completion of the evaluation process.

11. POWER TO REMOVE DIFFICULTIES:

Subject to the provisions of the UGC Ph.D. Regulations, the Vice Chancellor, NLUD is authorised to remove any difficulties in the implementation of these regulations. Any such measures taken by the Vice Chancellor will be placed before the Doctoral Committee for information.
