

**REVISED REGULATIONS RELATING TO M.PHIL. (MASTER OF PHILOSOPHY)
DEGREE IN LAW**

(Approved by the Executive Council at its meeting held on
October 31, 2010)

1. Constitution of Research Committee

Research Committee consisting of the faculty of the University and external experts to supervise doctoral degree constituted by the Vice-Chancellor under Ph.D. Regulations shall also look into the admissions and other issues relating to M.Phil. Degree.

2. Eligibility for Admission:

The candidate shall have an LL.M. Degree from any recognised University securing not less than 'B+' grade or an aggregate of 55% marks or its equivalent.

However, this condition is relaxed to 50% marks or its equivalent in case of candidates belonging to SC / ST / Persons with Disability.
(inserted by E.C. February 25, 2013)

3. Procedure for Admission*:

- a. All the candidates should appear for admission test except those candidates who have qualified UGC NET / JRF, SLET / M.Phil. as per the 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 including the hypothesis and the statement of problem. The interview will be on the research methods and survey of literature.
- d. All research proposals including the preliminary proposals will be screened through the anti-plagiarism software. If the percentage of plagiarism for any proposal exceeds 15% then the candidates will not be called for the interview. (c&d inserted by E.C. on January 11, 2014).
- e. All the candidates who have cleared the admission test and the interview will be provisionally admitted for M.Phil. and are required to attend a Research Methodology course conducted by the University.
- f. After successful completion of the Research Methodology course, the candidates can 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 considered worthy of approval shall be short listed.
- h. All candidates whose proposals are short listed for approval shall be required to present their research proposal to the Research Committee. Subsequent to this

presentation, the Committee shall either register the proposal or seek its re-submission in accordance with suggested modifications.

- i. Candidates who have cleared the admission test and the interview and also completed the Research Methodology course shall be given two more opportunities to re-submit their proposal on the basis of the recommendation of the Research Committee.

Syllabus for Admission Test

This examination shall test the research and writing aptitude of the candidate through essay, comprehension and precis questions. Candidates shall also be tested on their ability to write professionally and in accordance with established norms of scholarship by questions which will test whether the candidates knows where, what and how to reference.'

(*Procedure for admission modified by E.C. September 21, 2013)

The Vice-Chancellor may permit a member of the NALSAR faculty to take up M.Phil. 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 M.Phil. Regulations.

4. Duration of the course

The M.Phil. course shall be for a period of twelve months.

5. Supervisors for Research:

- a. The Research Committee shall appoint one or more faculty member(s) to supervise the M.Phil. scholars.

When the programme of study so requires, an external supervisor possessing expertise and experience in the area of study may be appointed, in addition to internal supervisors who shall be full time faculty members.

The Research 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's period of study.

- b. A scholar shall pursue a programme of study and research as approved by supervisor / supervisors. Such programme shall include the presentation of a dissertation embodying the results of scholar's research work.
- c. For the award of degree of Master of Philosophy the dissertation 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.

- d. M.Phil. Degree holder in law or other disciplines can supervise provided that he / she has completed at least one year after obtaining M.Phil. Degree;
- e. A supervisor can not have more than five M.Phil. scholars at any given point of time.

6. 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 and
- b. A paper focusing on the research area / review of scholarly work.
- c. The scholars shall secure atleast 50% of marks in each paper.
- d. The course work shall be completed within six months from the date of registration.
- e. 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.
- f. The scholar shall be allowed to continue further research work only after completing the course work as mentioned above.

7. Evaluation of dissertation and award of degree

- a. Prior to submission of the dissertation the scholar shall submit a draft dissertation to the Registrar through the supervisor and make a presentation which is open to all the faculty and research scholars for comments which may suitably be incorporated into the draft dissertation on the advice of the supervisor.
- b. At the end of the course, the candidate shall submit the dissertation, in triplicate, alongwith a soft copy on a CD, to the Registrar, after paying the prescribed fee. The dissertation shall be in English and shall be the result of scholar's own work attaining a satisfactory standard of literary presentation.
- c. Before a scholar submits dissertation, the supervisor must be satisfied that the dissertation conforms to the requirements of Regulations 7 (a) and (b) and a certificate to this effect from the supervisor shall accompany the dissertation when it is submitted. If the supervisor does not so certify, the Research Committee shall determine whether the dissertation shall be submitted or not for evaluation and take appropriate action in this regard.
- d. After submission of the dissertation by the scholar, the Vice-Chancellor, on the recommendation of the supervisor concerned, shall appoint two external examiners, of whom one shall be from outside the State.

- e. The examiners shall report in writing indicating either as 'Satisfactory' or 'Not Satisfactory' in the prescribed form to the University. In case of difference of opinion it shall be referred to a third examiner.
- f. If the two examiners recommend the award of the Degree there shall be a viva-voce examination conducted by one of the two examiners who evaluated the dissertation. After successful completion of viva-voce examination the award of the degree is recommended by the Research Committee to the Academic Council. If a scholar fails to defend his dissertation at the viva-voce examination, the candidate may be given one additional opportunity to defend the dissertation which shall be final.
- g. Once the Research Committee recommends 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, 2009. The award of the degree will be made at the annual convocation with the approval of the Academic Council and the Executive Council.
- h. The University shall submit a soft copy of the M.Phil. dissertation to the UGC within a period of thirty days after the award of the Degree.

8. General

A candidate admitted to the M.Phil. Degree Programme shall have to complete all the prescribed requirements within a period of two years from the date of registration. However, the maximum period of two years may be extended by one more year on the request made by the scholar to the Research Committee, after payment of such fee as may be prescribed by the University from time to time.

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REVISED Ph.D. REGULATIONS

(Approved by the Executive Council at its meeting held on October 31, 2010)

1. Constitution of Research Committee

The Vice-Chancellor shall constitute a Research Committee consisting of the faculty of the University and external experts to supervise doctoral degree for a period of three years at a time.

2. Eligibility for Admission:*

- a. To be admitted to the candidature for a doctoral degree an applicant shall have:
- i) obtained a Master's Degree in law of 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.

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

However, the requirement of 55% marks or equivalent at Master's Degree is relaxed to 50% marks or equivalent in case of candidates belonging to SC / ST and Persons with Disability.

The Vice-Chancellor may permit a member of the NALSAR 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.

(*Eligibility modified by E.C. February 25, 2013)

3. Procedure for Admission*:

- a. All the candidates should appear for admission test except those candidates who have qualified UGC NET / JRF, SLET / M.Phil. as per the 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 including the hypothesis and the statement of problem. The interview will be on the research methods and survey of literature.
- d. All research proposals including the preliminary proposals will be screened through the anti-plagiarism software. If the percentage of plagiarism for any proposal exceeds 15% then the candidates will not be called for the interview. (c&d inserted by the E.C. on January 11, 2014.)
- e. All the candidates who have cleared the admission test and the interview will be provisionally admitted for Ph.D. and are required to attend a Research Methodology course conducted by the University.
- f. After successful completion of the Research Methodology course, the candidates can 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 considered worthy of approval shall be short listed.
- h. All candidates whose proposals are short listed for approval shall be required to present their research proposal to the Research Committee. Subsequent to this presentation, the Committee shall either register the proposal or seek its re-submission in accordance with suggested modifications.
- i. Candidates who have cleared the admission test and the interview and also completed the Research Methodology course shall be given two more opportunities to re-submit their proposal on the basis of the recommendation of the Research Committee.

Syllabus for Admission Test

This examination shall test the research and writing aptitude of the candidate through essay, comprehension and precis questions. Candidates shall also be tested on their ability to write professionally and in accordance with established norms of scholarship by questions which will test whether the candidates knows where, what and how to reference.'

(*Procedure for admission modified by E.C. September 21, 2013)

4. 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 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 should 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.

- 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 06 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.
- c) 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 Research Committee.
 - d) 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) A candidate who has been enrolled in any other National Law Universities may be enrolled at NALSAR with the approval of the Research Committee when the Supervisor of such a candidate joins NALSAR provided the University where the candidate was earlier enrolled consents 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, NALSAR 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 a University. (inserted by E.C. February 25, 2013)
 - f) Expiry / Lapse of Enrolment:
Enrolment for the Ph.D. 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. In such cases, however, the Research Committee, on the application by the concerned scholar along with the report of supervisor, may give extension of time for a period of six months at a time but for a maximum period of not more than one year.

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. (Approved by A.C. and E.C. on August 28, 2011)

5. Supervisors for research:

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

When the programme 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.

The Research 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's period of study.

- b) 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.
- c) 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.
- d) Not later than six months after admission, 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 Research Committee.
- e) 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.
- f) 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 supervision.
- g) Only a Ph.D. Degree holder can be a supervisor for Ph. D. scholars provided that he / she has completed atleast two years after obtaining Ph.D. degree from any one of the Indian or foreign universities;
- h) 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 at the post-graduate level;
- i) A Professor of Law who has no Ph.D. Degree can also be a supervisor provided he / she has minimum 15 years of teaching and research experience at the under-graduate level, but has published research articles or books;

- j) A supervisor cannot have more than eight Ph. D. scholars at any given point of time.
- k) If the research theme requires the assistance of any of the external experts in any field, the Research Committee may approve the list of such external supervisors from time to time and under no circumstances the external supervisors be appointed as the main supervisor for any scholar. Such external supervisors will be appointed along with a NALSAR supervisor for any of the Ph. D. scholars depending upon the circumstances.

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

7. 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 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 candidature 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 Regulation 7 (c) 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.

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.

8. 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 which 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 one research paper in a referred journal 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) alongwith a soft copy on a CD, embodying the results of the scholar's research work to the Registrar. The thesis shall include an abstract / summary of approximately 300 words. The length of the thesis shall conform to the requirements as prescribed by the Research Committee.

The name of the Supervisor of Ph.D. Scholar shall not be mentioned anywhere in three copies of the Ph.D. Thesis which are sent to external examiner for evaluation. (Approved by A.C. and E.C. on August 28, 2011).

- 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. 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.
- f. Before a scholar submits his / her thesis, the supervisor appointed under Regulation 5(a) must be satisfied that the thesis conforms to the requirements of Regulations 8 (a) to (d) 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 Research Committee shall determine whether the thesis shall be submitted or not for evaluation and take appropriate measures to submit the same.

- g. After submission of the thesis by the scholar, the Vice-Chancellor, on the recommendation of the supervisor concerned, shall appoint three external examiners, of whom one shall be from outside the State.
- h. 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 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.
- i. 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. After successful completion of viva-voce examination, the award of the degree is recommended by the Research Committee to the Academic Council. 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 to the UGC (Minimum Standards and Procedure for Awards of M.Phil. / Ph.D. Degree) Regulation, 2009. The award of the degree will be made at the annual convocation with the approval of the Academic Council and the Executive Council.

The Ph.D. certificate should have only "Doctor of Philosophy (Ph.D.) along with the title of Ph.D. thesis. (inserted by E.C. February 25, 2013).

- j. 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 degree, the Research 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 Research 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 less than one and half-years prior to resubmission.
 - v) Only one re-submission may be permitted.
 - vi) If a scholar fails to defend his dissertation at the viva-voce examination, the scholar may be given one additional opportunity to defend the dissertation which shall be final.
- k. The re-submitted thesis shall go through the evaluation process as specified under Regulation 8 (g) 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 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 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.

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