



Gujarat National Law University

Gujarat National Law University Regulation 2016

REGULATIONS GOVERNING THE AWARD OF THE DEGREE OF DOCTOR OF PHILOSOPHY (Ph.D.), 2016

1. Title and Commencement

- (1) These Regulations may be called the "Gujarat National Law University Regulations governing the Award of the degree of Doctor of Philosophy (Ph.D.), 2016". These Regulations have been framed in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of M.PHIL./PH.D Degrees) Regulations, 2016.
- (2) These Regulations shall come into force from the date of approval of the Academic Council of the University.

2. Definitions

Unless the context otherwise requires, the following words and expressions shall have the following meanings:

- (1) "Academic Council" means the Academic Council of the University.
- (2) "Candidate" means any person who satisfies the prescribed eligibility criteria as stated in Regulation 7 and who gets registered for the Ph.D. Degree Programme.
- (3) "Foreign Candidate: (a) Candidate who holds a passport / citizenship of a country other than India. (b). Candidate who has an OCI/PIO card and also holds a passport of a country other than India.
- (4) "Co-Supervisor" means the recognised supervisor, who supervises the Ph.D. work of a candidate jointly with the Supervisor as stated in Regulation 6.
- (5) "Coursework" means the compulsory study to be undertaken by the candidate as prescribed by these Regulations.
- (6) "Degree" means the degree of Doctor of Philosophy (Ph.D.).
- (7) "Doctoral Committee" means the Committee constituted by the Director and approved by the Academic Council for the purpose of regulating the Ph.D. Programme.
- (8) "Examiners" means the panel of examiners selected by the Director and approved by the Academic Council for adjudicating/ evaluating the Ph.D. thesis.
- (9) "Foreign Candidate" means any person who is a foreign national with a valid foreign passport, satisfying the prescribed eligibility criteria as stated in Regulation 7 and who gets registered for the Ph.D. Degree Programme with a valid research visa.
- (10) "Research Advisory Committee" means the Committee constituted by the Director for monitoring the progress of the research work.
- (11) "Supervisor" means the recognised Ph.D. guide as stated in Regulation 6.

- (12) "Teaching Fellowship Holder" means a teacher who has a minimum of five years of experience as a full-time teacher.
- (13) "University" means the Gujarat National Law University, Gandhinagar.

3. Ph.D. Degree Programme

The University shall offer Ph.D. Degree in the following areas:

- (1) Law
- (2) Law and other disciplines as recommended by the UGC

4. Composition and Functions of the Doctoral Committee

- (1) The Doctoral Committee (Ph.D.) shall consist of:
 - (a) The Director
 - (b) Minimum five members and maximum ten members designated by the Director for three years from amongst the Professors, Associate Professors, and Assistant Professors of the University having Ph.D. Degree. The Director shall be the Chairperson of the Doctoral Committee. In the absence of the Director, the senior-most Professor of Law of the University shall be the Chairperson.
- (2) The functions of the Doctoral Committee shall include:
 - (a) Preparing the list of recognised Supervisors and Co-supervisors.
 - (b) Conducting the pre-registration presentation.
 - (c) Approving the Supervisor and Co-supervisor, if required.
 - (d) Assessing the annual progress report of the registered candidates.
 - (e) Conducting the pre-thesis submission presentation.
 - (f) Preparing the panel of the examiners (national and international).
 - (g) Conducting Open Defence of the candidate.

5. Composition and Functions of the Research Advisory Committee

- (1) The Research Advisory Committee shall be constituted by the Director, and consist of:
 - (a) Supervisor as the Chairperson.
 - (b) Two members with appropriate research experience in the relevant subject from within and/or outside the University.
 - (c) Co-supervisor shall be a member of the Research Advisory Committee in case the research work is also being co-supervised.

This Committee shall have the following responsibilities:

- (a) To review the research proposal and finalize the topic of research;
- (b) To guide the research scholar to develop the study design and methodology of research and identify the course(s) that he/she may have to do.
- (c) To periodically review and assist in the progress of the research work of the research scholar.
- (d) A research scholar shall appear before the Research Advisory Committee once in six months to make a presentation of the progress of his/her work for evaluation and further guidance. The six monthly progress reports shall be submitted by the Research Advisory Committee to the University Ph.D Dept with a copy to the research scholar.

- (e) In case the progress of the research scholar is unsatisfactory, the Research Advisory Committee shall record the reasons for the same and suggest corrective measures. If the research scholar fails to implement these corrective measures, the Research Advisory Committee may recommend, with specific reasons for cancellation of the registration of the research scholar.

6. Eligibility of the Supervisor and the Co-Supervisor:

- (1) Full time Professor of the University, with at least five research publications in refereed journals and any regular Associate/Assistant Professor of the university who hold Ph.D. degree in the relevant subject and at least two research publications in refereed journals and have at least three years of teaching experience or with post-doctoral research shall be eligible to be appointed as Supervisor of the candidate of the Ph.D. programme.
- (2) The Co-supervisor, if required, shall ordinarily be a teacher holding Ph.D. degree in the relevant subject. He may not necessarily be a person in the service of the University, but if from outside the University, he/she should be a scholar with significant research experience.
- (3) The maximum number of registered candidates who can be supervised (including Co-supervision) by a Supervisor at any time shall be as follows:
 - (a) Professor: Eight
 - (b) Associate Professor: Six
 - (c) Assistant Professor: Four.

7. Eligibility, Admission and Enrollment for Ph.D. Programme:

(1) Eligibility:

Law:

- a. The candidate shall have a Master's Degree in Law from a recognised University with not less than 55% marks 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.
- b. The requirement of 55% marks or equivalent in the Master's Degree in Law is relaxed to 50% marks or its equivalent in the case of SC/ST candidates (non-creamy layer) and Persons with Disability.
- c. Candidates who have cleared the M.Phil. course work 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) and successfully completing the M.Phil. Degree shall be eligible
- d. Candidates possessing a Degree considered equivalent to M.Phil. Degree of an Indian Institution, 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, shall be eligible for admission to Ph.D. programme.

Other relevant Disciplines:

- a. The candidate shall have obtained a Master's Degree in any discipline from a recognised University with not less than 55% marks or its equivalent, provided that candidate with qualifications in social sciences, science & technology and commerce & management may be admitted to the Ph.D. programme if the research the candidate wishes to pursue interfaces with the discipline of law and policy.

Or

The candidate shall have passed the Company Secretary Examination conducted by the Institute of Company Secretaries of India and awarded the Associate Membership of the Institute (ACS), provided the research the candidate wishes to pursue interfaces with the discipline of law and policy.

Or

The candidate shall have passed the final examination of the Institute of Chartered Accountants of India, New Delhi, provided the research the candidate wishes to pursue interfaces with the discipline of law and policy.

- b. The requirement of 55% marks or its equivalent in the Master's Degree is relaxed to 50% marks or equivalent in the case of SC/ST candidates (non-creamy layer) and Persons with Disability.
- c. A candidate pursuing Ph.D. in other discipline, not having a bachelor degree in Law, shall undergo a foundation course in Law for the duration of a semester.

Eligibility for admission and other requirements for foreign candidates:

- a. 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 Gujarat National Law University subject to fulfilling the following conditions:
- b. He/She should have obtained a Master's Degree in law of any recognised University securing not less than 55% marks or its equivalent OR
- c. He/She should have obtained any discipline degree in law and Master Degree in recognised University with not less than 55% marks or its equivalent provided that candidates with qualifications in any discipline may be admitted to the programme if the research they wish to pursue interface with the discipline of law with a special focus on Public Policy or Law.
- d. The Director will be competent to allow registration of such students on case to case basis on the recommendations of Doctoral Committee.
- e. He/She will be exempted from appearing in the Entrance Test subject to the condition that he/she fulfills the other minimum eligibility conditions.
- f. Synopsis presentation may be through Skype.

- g. Course work one semester should be residential.
- h. Progress report to be submitted bi-annually by the candidate in consultation with the co-supervisor form the host University to the GNLU Ph.D. Section through the supervisor.
- i. Evaluation: review and presentation of draft thesis as per the GNLU Regulations.
- j. Defense: The student will be required to visit Gujarat National Law University for Viva Voce to defend his/her thesis as per the University Regulations.
- k. The Ph.D. degree certificate shall be awarded minus the certification of UGC 2016 Regulations.

(2) Admission Procedure

- (a) The admission to the Ph.D. programme shall be through an entrance test. The applications for the entrance test shall be invited annually at the beginning of the academic year.
- (b) The University will notify well in advance in the institutional website and through advertisement in at least two (2) national newspapers, of which at least one (1) shall be in the regional language, the number of seats for admission, subject/discipline-wise distribution of available seats, criteria for admission, procedure for admission, all other relevant information for the benefit of the candidates;
- (c) The University shall adhere to the National level reservation policy.
- (d) Candidates who have qualified UGC JRF/NET/SLET or have passed M.Phil. programme or have held teaching fellowship are exempted from taking the entrance test.
- (e) An Entrance Test shall be qualifying with qualifying marks as 50%. The syllabus of the Entrance Test shall consist of 50% of research methodology and 50% shall be subject specific.
- (f) The entrance test shall consist of two papers as prescribed below:
 - i. Paper I: Research Methodology: 100 marks
[Research Methodology: MCQs and descriptive questions (20+40) 60 marks; teaching aptitude: 20 marks (MCQs); English language: 20 marks (MCQs)].
 - ii. Paper II:

For Law: Constitutional law, jurisprudence, international law, criminal law, commercial law, environmental law, intellectual property law.

For other relevant disciplines: It shall be based on the fundamentals of the subject in which the candidate has obtained his Master's Degree.
- (g) The candidates successful in the entrance test and the candidates exempted from taking the entrance test shall be required to make an oral presentation, on the basis of written submission, before the Doctoral Committee on the date specified by the University. The

candidates are required to discuss their research interest/area through this presentation. The Doctoral Committee shall also consider the following aspects, viz. whether:

- the candidate possesses the competence for the proposed research;
 - the research work can be suitably undertaken at the Institution/College;
 - the proposed area of research can contribute to new/additional knowledge.
- (h) *Provisional Registration:* Selected candidates shall apply in the prescribed form for the provisional registration as doctoral candidate after payment of requisite fees to the University.
- (i) Foreign Candidate may also be exempted from the entrance test.
- (j) The University shall maintain the list of all the M.Phil. / Ph.D. registered students on its website on year-wise basis. The list shall include the name of the registered candidate, topic of his/her research, name of his/her supervisor/co-supervisor, date of enrolment/registration.

(3) Duration of the Programme:

- i) The minimum and maximum duration permissible for the completion of Ph.D. Programme from the date of registration shall be as under:
- (1) Full Time: Minimum Two Years and Maximum Four Years.
 - (2) Part Time: Minimum Three Years and Maximum Five Years.
- ii) The date of commencement of Ph.D. programme shall be the date of the provisional registration of the candidate.
- iii) 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.

(4) Coursework:

- (a) Medium of instruction of the Ph.D. programme shall be English.
After having been admitted, each provisionally registered candidate shall be required to undertake coursework for a period of one semester. The credit assigned to the Ph.D. course work shall be of 16 credits.
- (b) The coursework shall be treated as pre-Ph.D. preparation and shall include:
- I. Advanced Research Methodology (100 marks) and
 - II. Review of literature in the area of research (100 marks)
- (c) After 16 weeks of coursework, the University shall conduct a written assessment test for Advanced Research Methodology paper. The Doctoral Committee shall assess the review of literature in the area of research.
- (d) Upon satisfactory completion of coursework, the candidate shall undertake research work under the supervision of Supervisor / Co-supervisor and produce a draft thesis within a reasonable time, as stipulated by the University.
- (e) A Ph.D. scholar has to obtain a minimum of 55% of marks in the course work in order to be eligible to continue in the programme and submit the thesis.
- (f) Candidates who are unsuccessful in the coursework shall be permitted to re-appear for assessment within one year from the date of announcement of the results. Provisional

registration of the candidate who fails in the assessment of coursework in two attempts shall stand cancelled.

- (g) Candidates already holding M. Phil. degree and admitted to the Ph.D. programme, or those who have already completed the course work in M.Phil. and have been permitted to proceed to the Ph.D. in integrated course, may be exempted by the Department from the Ph.D. course work.
- (h) Application for final registration with prescribed fees shall be submitted to the University within one month from the date of informing the candidate about the successful completion of coursework. Further, the candidate shall also submit five copies of the final synopsis and a soft copy of the same through the Supervisor and Co-supervisor, if any, within one month after successful completion of the coursework.

8. Allocation of Supervisors and Co-Supervisors

- (a) The allocation of Supervisor and Co-supervisor for the candidate shall be approved by the Doctoral Committee depending on the number of candidate(s) per Supervisor, the available specialisation among the faculty Supervisors, and the research interest of the candidate, as indicated during the presentation by the candidate.
- (b) Supervisor/Co-supervisor who attains superannuation or resigns shall sign an undertaking that he shall have the responsibility of continuing to supervise the candidates who were registered under him before getting relieved from the University.
- (c) In case of relocation of a 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.

9. Progress of Work:

- (a) After the final registration, a candidate is required to submit bi-annually the following to the University:
 - 1. Progress Report of the Research Work
 - 2. Prescribed fees
 - 3. Recommendation of the Supervisor (Co-Supervisor, if any) regarding progress of research.
- (b) The annual progress report shall be placed before the Doctoral Committee. The Doctoral Committee shall assess the progress report and send its comments.
- (c) Failure to submit two consecutive annual progress reports and prescribed fees by the candidate shall entail cancellation of his registration.
- (d) The candidate shall publish at least one research paper, as sole author, based on his research work in a refereed journal in order to be eligible to submit the final thesis. He shall produce evidence for the same in the form of the re-print or acceptance letter.

10. Submission of Thesis and Evaluation

(1) Pre-thesis Submission Stage

- (a) The candidate is eligible to submit his thesis only after completing two years (full time) or three years (part time), as the case may be, of research work.
 - (i) Before submission of the thesis, the candidate shall submit a draft thesis which shall be sent to a subject expert (Reviewer) for reviewing.

- (ii) The candidate shall submit ten copies of the draft synopsis of Ph.D. thesis.
- (iii) For other relevant disciplines, the draft thesis shall be sent to a primary subject expert and a secondary subject expert.
- (iv) The subject expert shall be selected by the Chairman of the Doctoral Committee from the list of experts submitted by the Supervisor.
- (v) The Chairman of the Doctoral Committee shall arrange to organise the pre-thesis submission presentation before the Doctoral Committee and the faculty members of the University.
- (vi) The Doctoral Committee shall advise and offer suggestions to the candidate for the finalisation of his thesis.
- (vii) The decision of the Reviewer and the Doctoral Committee shall be communicated to the candidate.
- (viii) If the Doctoral Committee is not satisfied with the pre-thesis submission presentation of a candidate, it may ask the candidate to reappear for the presentation after a gap of three months.
- (ix) The advice and suggestions offered by the reviewer and the Doctoral Committee shall be incorporated by the candidate, subject to the satisfaction of Supervisor.

(2) Submission of Ph.D. Thesis

- (a) After the successful completion of pre-thesis submission stage, the candidate shall submit an electronic version of the final thesis in pdf format.
- (b) The candidate shall submit six copies of his final thesis along with equal number of final synopsis.
- (c) A certificate duly signed by the Supervisor and Co-supervisor, if any, indicating his supervision of the candidate and *bonafide* character of the work, along with a declaration by the candidate about the originality of his work and that it has not been previously submitted by the candidate either for the award of any degree or diploma to this or any other university, shall be enclosed along with the thesis.
- (d) If any candidate fails to submit his thesis within four or five years, as the case may be, he, through his Supervisor, may apply to the University for extension of his registration. The Doctoral Committee may grant extension for a maximum period of one year on remittance of requisite annual fees.
- (e) If a candidate fails to submit the thesis even after five (4+1) or seven (6+1) years, as the case may be, his Ph.D. registration shall stand cancelled.

(3) Evaluation of the Ph.D. Thesis:

- (a) The thesis shall be evaluated by three external examiners, of which two shall be from India and one from abroad selected by the Director from the panel of examiners shortlisted by the Doctoral Committee.
- (b) For research in other relevant disciplines, subject to clause (a) above, the thesis shall be evaluated by relevant subject experts (two from primary subject area and one from secondary subject area).
- (c) Evaluation Reports:
 - (i) The external examiner shall send the evaluation report, both hard copy and scanned image by electronic communication, to the University in the prescribed proforma duly signed within a period of three months.
- (d) Decision about Evaluation:

- (i) For the award of Ph.D. degree, there shall be recommendation by at least two external examiners that the thesis be accepted for the award of Ph.D. degree. Pursuant to the recommendations sent by the external examiners, the University shall conduct Open Defence.
- (ii) If any two external examiners reject the thesis outright, the University shall notify the rejection of the thesis to the candidate, and registration of the candidate shall stand cancelled.
- (iii) If any two external examiners recommend the award of the degree with revisions, they shall be complied with by the candidate. The revised thesis shall be submitted to the University along with the prescribed fees.
- (e) Open Defence:
 - (i) After receipt of positive reports from the external examiners, Open Defence shall be conducted by the University in the presence of the members of the Doctoral Committee, External Examiner(s), Supervisor, and members of the faculty, research scholars and students.
 - (ii) If the candidate does not complete the Open Defence successfully, the Doctoral Committee may allow an additional opportunity on an application and the payment of prescribed fees to the University.
 - (iii) The University shall develop appropriate methods so as to complete the entire process of evaluation of Ph.D. thesis within a period of six months from the date of submission of the thesis.
- (f) Ph.D. Notification:
 - (i) The notification of Ph.D. declaration shall be issued by the Registrar, after the successful completion of Open Defence, on the Official Letter Head.

11. Award of the Degree:

- (i) The Ph.D. Degree shall be awarded after successful completion of the requirements as prescribed in these Regulations at the time of annual convocation.
- (ii) Prior to the actual award of the degree, the degree-awarding Institution shall issue a provisional Certificate to the effect that the Degree has been awarded in accordance with the provisions of these UGC Regulations, 2016.
- (g) Depository with the UGC:
 - (i) Following the successful completion of the evaluation process and notification of the award of Ph.D. Degree, the University shall submit the soft copy of the Ph.D. thesis to the UGC within a period of thirty days, for hosting the same in INFLIBNET, accessible to all institutions/ universities.
- (h) Change in Title:
 - (i) Minor change in Title of research may be allowed by the Doctoral Committee on the recommendation of the Research Advisory Committee. However, such change is permissible only once before pre-thesis submission stage.
- (i) Change of Supervisor/Co-supervisor:
 - (i) Ordinarily, change of Supervisor/Co-Supervisor is not permissible. It may, however, be permitted under exceptional circumstances such as, death/disability/other medical condition of the Supervisor/Co-supervisor.
 - (ii) Further, in case of any dispute between the Supervisor/Co-supervisor and the candidate, the University shall refer the matter to the Doctoral Committee for its

final decision. Should the Doctoral Committee permit the change of Supervisor/Co-supervisor, the request be made at least six months prior to the date of pre-thesis submission.

12. Miscellaneous:

- i. Ph.D. thesis submitted to the University shall be subjected to plagiarism scrutiny/software. In this regard, the decision of the University shall be final.
- ii. Proforma/formats for the purposes of these Regulations shall be provided by the University.
- iii. Candidates admitted prior to the implementation of these Regulations shall be governed by the Regulations under which they were admitted.
- iv. These Regulations shall repeal the previous Regulations, save as (iii) above.