



No: NUALS/ACA1/1080/Ph.D/2022

30/09/2022

## **NOTIFICATION**

### **Admission to the Ph. D Programme in Law 2022-23**

Applications are invited from qualified candidates who wish to pursue a programme of study and research leading to the award of Degree of Doctor of Philosophy (Ph.D.) in Law of the National University of Advanced Legal Studies (NUALS) as Full-Time or Part-Time research student. The NUALS 2016 REGULATIONS FOR AWARD OF DEGREE OF DOCTOR OF PHILOSOPHY (Ph.D.),2016 is available on the website of the University [www.nuals.ac.in](http://www.nuals.ac.in) for reference.

#### **Eligibility**

(I) Candidates seeking registration to the Ph.D. programme shall hold a Master's Degree in Law from a recognized University 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.

(II) 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. 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.

(III) The admission will be through an entrance test and interview. Candidates shortlisted on the basis of entrance test will be called for a personal interview. **UGC-NET and JRF qualified candidates will be exempted from appearing in the Entrance Test but will have to appear for the Personal Interview.**

#### **Total Seats**

Available seats are 8 (Eight)

The vacancies shall be filled in accordance with provisions in The NUALS 2016 REGULATIONS FOR AWARD OF DEGREE OF DOCTOR OF PHILOSOPHY (Ph.D.), 2016

## Instructions

Candidates seeking registration to the Ph.D. programme shall submit applications in the prescribed format appended with the notification, along with an application fee of Rs.1000/- (Rupees Thousand only) and Rs.500/- (Rupees Five Hundred only) for candidates belonging to SC/ST Category, **by the way of Demand Draft drawn in favour of "The Registrar, NUALS"**. The DD should be enclosed with the application. The candidates are also directed to enclose self-attested copies of the following certificates/documents along with their application:

1. 10<sup>th</sup> Std. Mark List and Certificate
2. LL.M. Degree Certificate and Mark Lists
3. Transfer Certificate from the institution last attended
4. Conduct Certificate from the institution last attended
5. Migration Certificate from the institution last attended
6. Community Certificate issued by competent authority (in respect of SEBC, SC/ST candidates)
7. Non Creamy Layer Certificate issued by the competent authority (in respect of SEBC candidates)
8. Certificate to prove physical disability (in respect of SAP candidates)
9. Passport size photograph – 3 Nos.
10. UGC-JRF-NET Certificate (for candidates as per Clause (III) above).
11. Percentage conversion certificate for the LLM
12. A one page Synopsis on the topic chosen

## Fee Structure

Sl. No	Particulars	Amount (Rs.)
1.	<i>Cost of Application form</i>	1,000/-
2.	<i>Fee to be paid at the time of admission</i> Registration fee Admission fee Caution Deposit	750/- 3000/- 5000/- (Refundable by the end of the Course)
3.	<i>Annual Fee (to be paid in advance every year)</i>	25000/-
4.	<i>Matriculation fee</i>	450/-
5.	<i>Recognition Fee</i> (for those who have qualifying degree from outside Kerala)	450/-
6.	a) <i>Fee for Ph.D course work</i> (per paper) b) <i>Fee for Ph.D Course Work Certificate</i>	1000/- 750/-

	<b><i>Fee for extension of registration</i></b>	
7.	For six months	1000/-(per month)
	Beyond six months and upto 12 months	12000/-
8.	<b><i>Fee for change of</i></b>	
	a) Research Centre	3,000/-
	b) Research Topic	1,500/-
9.	<b><i>Fee for conversion of registration</i></b>	
	From full-time to Part-time & vice-versa	1,500/-
10.	<b><i>Evaluation Fee for Ph. D Thesis</i></b>	10,000/-
11.	<b><i>Fee for Ph.D Provisional Degree Certificate</i></b>	500/-
12.	<b><i>Fee for Ph.D Original Degree Certificate</i></b>	2,000/-
13.	<b><i>Fine</i></b>	
	Fine for late payment of Annual Fee by ResearchScholars - after the 5 <sup>th</sup> working day from due date till month end.	200/-
14.	<b><i>Re-admission fee</i></b>	
	in cases where delay in payment of annual fee exceeds 30 days	1,200/-
	for delays exceeding 30 days but below 61 days for payment of Annual Fee	1,500/-
	in cases where the delay exceeds 61 days but within 180 days	3,000/-

**The last date for receipt of filled in applications along with the application fee is 29/10/2022.**

The Entrance Test will be held at the National University of Advance Legal Studies (NUALS), Kalamassery, on **19<sup>th</sup> November, 2022, Saturday, from 10.00 AM to 1.00 PM**

No TA/DA will be paid for attending the Test.

The Pattern of question paper and Syllabus for Entrance Test is appended.

**REGISTRAR**

## **ANNEXURE-1**

### **The pattern of Question paper**

The pattern of Question paper for the Test shall be as follows:

**Total marks : 100**

**Duration of exam : 3 hrs**

**Part A - Research Methods**

Two out of Four questions of 25 marks each

Total - 50 marks

**Part B -Jurisprudence and Constitutional and Administrative Law**

Three out of Four questions(10 marks each)

Total - 30 marks

**Part C - Public International Law and International Humanitarian Law, Law of Crimes, Law of Torts and Consumer Protection, Commercial Law, Family Law, Environment and Human Rights Law, Intellectual Property Rights and Information Technology Law, Comparative Public Law and System of Governance**

Two out of Eight questions (10 marks each)

Total - 20 marks

## **ANNEXURE-II**

### **Syllabus for Entrance Test**

#### **PART A - RESEARCH METHODS**

1. Research: meaning and nature - science of research and scientific methodology interrelation between speculation, fact and theory building - some fallacies of scientific methodology with reference to socio legal research - inter-disciplinary research and legal research models – doctrinal / traditional and non-doctrinal / empirical research – descriptive and analytical research - applied and fundamental research- historical research - sociological research - legal research in common law and civil law systems.
2. Research design – hypothesis - formulation and evaluation - major steps in research design.
3. Research techniques – census and sampling, its importance, advantages and limitations types - sampling analysis - interpretation - survey and case study method - scaling and content analysis.
4. Source of data collection - research tools and data processing – observation – interview and case study – questionnaire and schedule - socio-metrics and jurimetrics – data processing (deduction and induction) analysis and interpretation of data.

#### **PART B - JURISPRUDENCE & CONSTITUTIONAL AND ADMINISTRATIVE LAW**

##### **JURISPRUDENCE**

1. Nature and sources of law
2. Schools of jurisprudence
3. Law and morality
4. Concept of rights and duties
5. Legal personality
6. Concepts of property, ownership and possession
7. Concept of liability
8. Law, poverty and development
9. Global justice
10. Modernism and post-modernism

##### **CONSTITUTIONAL AND ADMINISTRATIVE LAW**

1. Preamble, fundamental rights and duties, directive principles of state policy.
2. Union and State executive and their interrelationship
3. Union and State legislature and distribution of legislative powers
4. Judiciary
5. Emergency provisions
6. Temporary, transitional and special provisions in respect of certain states
7. Election Commission of India
8. Nature, scope and importance of administrative law
9. Principle of natural justice
10. Judicial review of administrative actions –Grounds.

## **PART C**

### **PUBLIC INTERNATIONAL LAW AND IHL**

1. International law – Definition, nature and basis
2. Sources of International law
3. Recognition of states and governments
4. Nationality, immigrants, refugees and internally displaced persons(IDPs)
5. Extradition and asylum
6. United Nations and its organs
7. Settlement of international disputes
8. World Trade Organization(WTO)
9. International humanitarian law (IHL) - Conventions and protocols
10. Implementation of IHL - Challenges

### **LAW OF CRIMES**

1. General principles of criminal liability – *Actus reus* and *mens rea*, individual and group liability and constructive liability
2. Stages of crime and inchoate crimes - Abetment, criminal conspiracy and attempt
3. General exceptions
4. Offences against human body
5. Offences against state and terrorism
6. Offences against property
7. Offences against women and children
8. Drug trafficking and counterfeiting
9. Offences against public tranquility
10. Theories and kinds of punishments, compensation to the victims of crime

### **LAW OF TORTS AND CONSUMER PROTECTION**

1. Nature and definition of tort
2. General principles of tortious liability
3. General defenses
4. Specific torts – Negligence, nuisance, trespass and defamation
5. Remoteness of damages
6. Strict and absolute liability
7. Tortious liability of the State
8. The Consumer Protection Act 1986 - Definitions, consumer rights and redressal mechanism
9. The Motor Vehicles Act, 1988 - No fault liability, third party insurance and claims tribunal
10. The Competition Act, 2002 - Prohibition of certain agreements, abuse of dominant position and regulation of combinations

## **COMMERCIAL LAW**

1. Essential elements of contract and e-contract
2. Breach of contract, frustration of contract, void and voidable agreements
3. Standard form of contract and quasi-contract
4. Specific contracts - Bailment, pledge, indemnity, guarantee and agency
5. Sale of Goods Act, 1930
6. Partnership and limited liability partnership
7. Negotiable Instruments Act, 1881
8. Company law – Incorporation of a company, prospectus, shares and debentures
9. Company law – Directors and meetings
10. Corporate social responsibility

## **FAMILY LAW**

1. Sources and schools
2. Marriage and dissolution of marriage
3. Matrimonial remedies - Divorce and theories of divorce
4. Changing dimensions of institution of marriage – *Live-in* relationship
5. Recognition of foreign decrees in India on marriage and divorce
6. Maintenance, dower and *stridhan*
7. Adoption, guardianship and acknowledgement
8. Succession and inheritance
9. Will, gift and *wakf*
10. Uniform Civil Code

## **ENVIRONMENT AND HUMAN RIGHTS LAW**

1. Meaning and concept of 'environment' and 'environmental pollution'
2. International environmental law and UN Conferences
3. Constitutional and legal framework for protection of environment in India
4. Environmental Impact Assessment and control of hazardous waste in India
5. National Green Tribunal
6. Concept and development of human rights
7. Universalism and cultural relativism
8. International Bill of Rights
9. Group rights – Women, children, persons with disabilities, elderly persons, minorities and weaker sections
10. Protection and enforcement of human rights in India – National Human Rights Commission, National Commission for Minorities, National Commission for Women, National Commission for Scheduled Castes, National Commission for Scheduled Tribes and National Commission for Backward Classes

## **INTELLECTUAL PROPERTY RIGHTS AND INFORMATION TECHNOLOGY LAW**

1. Concept and meaning of intellectual property
2. Theories of intellectual property
3. International conventions pertaining to intellectual properties
4. Copyright and neighboring rights – Subject matters, limitations and exceptions, infringement and remedies
5. Law of patent – Patentability, procedure for grant of patent, limitations and exceptions, infringement and remedies
6. Law of trademark – Registration of trademarks, kinds of trademarks, infringement and passing off, remedies
7. Protection of Geographical Indications
8. Bio-diversity and Traditional Knowledge
9. Information technology law- digital signature and electronic signature, electronic governance, electronic records and duties of subscribers
10. Cyber crimes, penalties and adjudication

## **COMPARATIVE PUBLIC LAW AND SYSTEMS OF GOVERNANCE**

1. Comparative Law – Relevance, methodology, problems and concerns in Comparison
2. Forms of governments – Presidential and parliamentary, unitary and federal
3. Models of federalism – USA, Canada and India
4. Rule of Law – ‘Formal’ and ‘substantive’ versions
5. Separation of powers – India, UK, USA and France
6. Independence of judiciary, judicial activism and accountability – India, UK and USA
7. Systems of constitutional review – India, USA, Switzerland and France
8. Amendment of the Constitution – India, USA and South Africa
9. *Ombudsman* – Sweden, UK and India
10. Open Government and Right to Information - USA, UK and India





# THE NATIONAL UNIVERSITY OF ADVANCED LEGAL STUDIES (NUALS)

(Established by Act 27 of 2005 of the Kerala Legislature)

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E-mail : admission@nuals.ac.in Web: www.nuals.ac.in

## APPLICATION FOR ADMISSION TO Ph.D. IN LAW

**Serial No.**

**Register No.**

Affix your  
passport size  
photograph  
duly attested

1. Name of the applicant (Use block letter)	
2. Age & Date of birth (dd/mm/yyyy)	
3. Religion & Community (If belonging to SC/ST/SEBC, Please attach a copy of the certificate issued by competent authority)	
4. Educational qualifications with details about the degree obtained & marks secured	
5. Percentage of Marks in LL.M./ M.L. Degree	
6. Name of the University, from which LL.M/ML. Degree was obtained	
7. Specify whether JRF-NET qualified or NET qualified or non NET candidate?	
8. Present occupation (If the candidate is employed, he/she must attach an NOC from his/her employer)	
9. Publications (Furnish the details about the articles published & the name of the journal, year of publication etc.)	

PTO

10. Permanent Address	
11. Address for communication	<p>Tel. No.</p> <p>Mob No.</p> <p>E-mail id.:</p>
12. Topic chosen for research	

(Application must be submitted along with a brief note about the utility of the topic chosen by the candidate and identifying the problem for research and shall include attested copies of all relevant documents regarding age, qualifications, experience etc.)

**DECLARATION**

I.....son/daughter  
of.....hereby solemnly affirm that the statements  
made and the information furnished in the application form as also in all enclosures thereto submitted  
by me are true.

I hereby agree to abide by the rules and regulations of the University, if admitted.

Place:

Date:

**Signature of the Applicant**

- Enclosures: 1)  
2)  
3)  
4)  
5)  
6)