

Research Hand Book

(for LL.M. & Ph. D Programmes)



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Research Hand Book

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Edited by :
Prof. (Dr.) Ranbir Singh
Prof. (Dr.) G. S. Bajpai



NATIONAL LAW UNIVERSITY, DELHI
Excelsior - Ever upwards is our motto



**Research Hand Book
(for LL.M. & PH. D. Programmes)**

॥ न्यायस्तत्र प्रमाणं स्यात् ॥



NATIONAL LAW UNIVERSITY, DELHI

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FOREWORD

Global trends in empirical legal research suggest that the most prominent law teaching institutions now place significant emphasis on the application of empirical methods in legal research. However, legal research in India has not kept up with this development. The orientation of candidates intending to pursue Ph.D in research skills is far from being satisfactory. In LL.M programmes, research methodology despite being a core course remains inadequately addressed. This is despite the fact that research skills are recognized as one of the core requirements for law students. The main predicament in this direction is noted to be the lack of right kind of training on the part of students and researchers. Most law schools now have LL.M and Ph.D programmes. However, there is often a lack of clear cut scheme, guidance, material and competence in the entire process of undertaking, guiding, and evaluating research programmes. There is scarcely any concise and agreeable material available which could help the researchers in planning and execution of their research in an efficient manner. This situation has largely fostered an attitude of indifference among students towards research assignments. Resultantly the overarching objective of promoting a culture of research in law schools remains an unattended target.

True to its mission, the National Law University, Delhi (NLUD) places considerable importance on Empirical Legal Research (ELR) and aspires to be identified as a world class research university. In pursuance of these objectives, the NLUD, in the recent past, has undertaken several initiatives including the organization of specific workshops on empirical legal research methods and has trained a large number of teachers across the country to be able to emphasise research skills among students.

In the same vein, it was considered that NLUD may develop a reference handbook for simplifying the process of undertaking research assignments at LL.M and doctoral levels. I am delighted to introduce this 'Research Handbook' for LL.M dissertation and Ph. D Thesis writing'. This is an endeavour to offer a quick and efficient structuring and formatting of research reports. The Handbook provides a idea as to developing a good synopsis and choosing the right frame to structure of the research. Separate designs for doctrinal and non-doctrinal research are lucidly presented with lot many tips and easy pointers. Concise and crisp, it offers useful illustrations and sample writings to understand the application of research method in realistic way. Further, it has many standard templates to bring uniformity in structuring project reports in terms of proper shaping of the cover page, contents and other parts. An easy to understand account of citation is also the key highlight of this publication.

I am confident that this modest effort of NLUD would bring much-needed standardization in the whole process of writing of LL.M dissertation and Ph.D thesis by the students. I expect students to make its fullest possible use. I also welcome suggestions from all quarters to further improve this publication.



Ranbir Singh
(Vice Chancellor, NLU, Delhi)

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Using the Handbook

The Handbook in your hands is a ready reference as to how to handle various research assignments given to the a law student as part of the curriculum. This Handbook is an answer for the following exercises:

1. Writing synopsis for doctrinal/non-doctrinal¹ research project
2. Planning and execution of non-doctrinal or empirical research project
3. Writing the report for non-doctrinal or empirical research project
4. Learning about the style and application of citation
5. Writing synopsis for doctrinal research project
6. Planning and execution of doctrinal research project
7. Writing the report for doctrinal research
8. Writing research proposal
9. Adherence to the format – structure, spacing, presentation and following the correct sequencing
10. Applying the templates given for perfecting the component wise research writing
11. Understanding and applying a suitable framework for analysing the cases and undertaking case analysis

¹The term doctrinaire or non-doctrinaire is also used. However, this Handbook relied on doctrinal and non-doctrinal terminology as the same is found to be widely prevalent and internationally used and accepted.

Guidelines for Writing Research Report

The Project Report writing as an essential part of B.A. LL. B. (Hons.) & LL. M. levels require to follow a definite research design. The choice of research design and method of research in law is based on the nature of research, content and other parameters. Broadly speaking, the research undertaken by the students could be of two kinds: doctrinal and non-doctrinal. A doctrinal research means a study that has been carried out on a legal proposition or propositions by way of analyzing the existing statutory provisions and cases by applying the reasoning power. Doctrinal research involves analysis of case law, arranging, ordering and systematizing legal propositions and study of legal institutions through legal reasoning or rational deduction. The method applied in this kind of study is qualitative and it is also known as non-empirical research as it is based on secondary sources. Empirical research is an inquiry that attempts to discover and verify general rules allowing us to understand why human beings or events behave the way they do. The methods like observation, interview, questionnaire, survey and case study are used to discover the human conduct. Socio-legal research is the best example of empirical or non-doctrinal research.

While very precise guidelines are provided in the next section to guide the students very generally in applying appropriate research methods, the students are advised to consult standard books to further explore these aspects. Besides, some peculiar research may need specific methodology or a combination of methods suggested in this section. In all such cases, the candidate may seek specific guidance from the concerned teacher/ supervisor to approach the problem.

Guidelines for Writing Empirical Research Report

Title

The title especially, in empirical project should, reflect the focus of research problem in specific terms. Avoid writing too broad and general title like 'Crime against women in India' instead it, depending upon the focus, may be like: 'Domestic Violence against Working Women in the Districts of Indore & Bhopal of M.P.'

Structure of Project Report

If the candidate is to write the synopsis or proposal for research, the structure suggested below may be followed and use future or simple present tense (e.g. ...the present study examines...../or the present study will examine...). If the candidate has completed the research and is writing the report past tense should be used which is suitable to report the findings made by the researcher/ scholar. (e.g. the research found that....).

The research proposal / synopsis / or the report may be organised in the following manner:

1. Introduction

State a brief background and introduce the subject in few paragraphs or pages; it should not be directly lifted from the original source. Make your arguments and adopt an analytical tone to place the problem under investigation in a context.

Review of Literature

It is a survey of juristic writings on the chosen topic. Consult the literature viz; articles, books, reports, cases, monographs, data bases on the broad theme to highlight:

- general development in the field [ascending order in terms of year of publications];
- noteworthy contribution in the field expressed through various writings;
- connect and place the proposed subject of study in literature review to highlight its relevance.

2. Present Study

A. Statement of the Problem: (At least 200 words)

Clearly state the problem to be undertaken. Make a clear statement/narrative highlighting the exact coverage and purview of the problem under investigation. Make a mention of the issues, which would be actually investigated in the research. The key issues about the problem in theoretical and applied context of the concerned discipline should be specified. The specific aim of the project, its rationale, including the rationale of the approach adopted for studying the problem should be specifically mentioned. (Refer to Annexure – X for template).

B. Conceptual Context:

There may be concepts, propositions and doctrines in the proposed study, which need to be defined for the purpose of the study in hand. Make operational definitions of all such usages.

The scholar is expected in this section to introduce and contextualize the 'general research area'. Such contextualization is to provide the researcher an opportunity to link a specific social and legal problem to a body of socio-legal theory.

3. Methodology :

A. Objectives :

State categorically the measurable objectives (preferably not more than five) of the research to be undertaken. Example:

1. To study the available infrastructure and manpower to enforce labour law in the city of Chandigarh.
2. To examine the factors (social and economic) in child labour etc.

B. Hypothesis/ Research questions :

Make crisp statements (e.g. one each for all objectives) entailing not more than two variables describing the presumed relationship or influence on each other ('length of experience of judge is positively linked with his capacity to dispose the cases', 'relaxation in regulatory mechanism in international trade sector caused a spurt in economic crimes'). Additionally or alternatively, research questions may also be framed to investigate the issues slated for the research. Hypotheses are advisable where the researcher has fairly good idea of issues, concepts and their relevance to the proposed research.

Research questions could be helpful where the researcher does not have sufficient idea of the work done in that area or the nature of issues under research are only evolving. Example:

- Does child labour has anything to do with the education? or;
- Does the type of parenting has any association with the indulgence of a child in to labour situation?
- (c) Coverage & Scope :** The duration or number of cases and nature of cases studied; or any geographical region (city, villages etc.) or any institution (like case study of Economic Offence Wing etc.) studied.
- (d) Sample :** normally in non-doctrinal studies. Mention the sampling method used.
- (e) Data Collection :** All kinds of research (doctrinal or non-doctrinal) require some kind of data. Make a mention of sources and nature of data collected and utilized in the report. It may include the following :

Primary Data collection

If the study involves data collection from the respondents, following is the scheme:

- Universe of the study (state the source/estimated number of total population of units)
- Sampling design (method of sampling to extract the required number of sample)
- Tools used (the ways to collect the required data like interview schedule, questionnaire, participant observation, case study)
- Techniques (any scale, measurement etc.)
- Statistical consideration/ software applications.

Nature of data that are proposed to be collected should be specifically mentioned. The sources for each type of data and the tools and techniques that will be used for collecting different types of data should also be specifically mentioned. For questionnaire and/or interview schedule to be used, the following should be indicated:

- (a.) Nature and coverage of the questionnaire or interview schedule to be used for different sections of respondents.
- (b.) Number of questions to be asked from each respondent
- (c.) Scaling technique proposed to be included, if any
- (d.) Projective tests incorporated in the questionnaire/interview schedule, if any

- (e.) Coding plan (e.g., whether the questions/ responses/ items will be pre-coded or not; if coding is required, mention whether it is to be done in computer or manually)
- (f.) In case, interview technique is being adopted, please mention about how they are to be conducted, including the particular characteristics of the interviews/ interviewers
- (g.) In case of observation technique, mention type of observation, participants, quasi-participants, non-participants; units of observation; or other techniques, if any.

If the study requires any control groups, these should be specifically mentioned therein.

Secondary Data collection (Both non-doctrinal and doctrinal study)

- Mention of Secondary sources used-library resources/reports consulted/ internet resources used.
- Case studies.
- Case laws/judgments.
- Content analysis/document analysis/Meta-analysis.

4. Data Analysis Plan:

Data analysis could be manually or electronically. The use of IBM SPSS Statistics can be made to analyse the data collected from the respondents.

Refer to any particular qualitative/quantitative techniques which would be used in this study.

5. Significance of the study

Clearly state as to what theoretical, pragmatic and policy contribution would be made by the study. Make at least four to five substantial statements in this section¹.

6. References

Follow the standard referencing and citation (Follow the 'Blue Book citation style')

¹Keep the tense in mind; if writing a proposal use future tense and if writing the report, use the past tense.

Steps in Empirical Research Report

1. Introduction (context and general background)
2. Literature review
3. Statement of research problem.
4. Objectives
5. Hypotheses / research question.
6. Sampling
7. Data Collection.
8. Data analysis
9. Discussion (Critical commentary by examining the objectives and hypotheses – this part can be divided into sections or Chapters)
10. Conclusions / Recommendations
11. References

Guidelines for Doctrinal Research Report

Doctrinal research is a qualitative enquiry. The choice and coverage of doctrinal legal research could be very expansive and it is tough to suggest any fixed format for this kind of research. This is mainly due to the reasons that this kind of research involves research problem requiring highly individualized rather than standard methodology. For instance, the research involving case study method or focusing on case analysis including case comment may have little different frame to follow.

The research involving jurisprudential analysis of an issue, analysis of statute, historical or comparative growth of any legal doctrine or legal system, examination of any legal concept through case laws or legal theories, regulatory issues in corporate or IPR regimes, locating and weighing an idea in the constitutional context or human rights context, enforcement issues in various jurisdictions, international laws affecting the relevant domestic issue etc. are some examples of some broad areas of research which are possible through doctrinal research design.

Steps for Doctrinal Design

1. Introduction

State a brief background and introduce the subject in few paragraphs or pages; it should not be directly lifted from the original source. Make your arguments and adopt an analytical tone to place the problem under investigation in a perspective.

2. Conceptual context

There may be concepts, propositions and doctrines in the proposed study, which need to be defined for the purpose of the study in hand. Make operational definitions of all such usages.

The scholar in this section is expected to introduce and contextualize the 'general research area'. Such contextualization is to provide the researcher an opportunity to link a specific social and legal problem to a body of socio-legal theory.

3. Review of literature

It is a survey of juristic writings on the chosen topic.

Consult the literature including articles, books, reports, cases, monographs, data bases) on the broad theme to highlight:

- general development in the field [ascending order in terms of year of publications];
- noteworthy contribution in the field expressed through various writings;
- connect and place the proposed subject of study in literature review to highlight its relevance.

4. Statement of research problem

Clearly state the problem to be undertaken. Make a clear statement/narrative highlighting the exact coverage and purview of the problem under investigation. Make a mention of the issues, which would be actually investigated in the research. The key issues about the problem in theoretical and applied context of the concerned discipline should be specified. The specific aim(s) of the project, its rationale, including the rationale of the approach adopted for studying the problem should be specifically mentioned. (Refer to annexure – X for template).

5. Formulation of objectives

State categorically the objectives (preferably not more than five) of the research to be undertaken. The objective to be stated sharply entailing the key issues to be examined (Annexure – XI).

6. Framing hypothesis / research questions

Hypothesis in doctrinal research must be framed to address of the prescribed objectives of the study. The hypothesis must depict the interplay of key issues, emerging debates, conflicting notions and evolving trends in the subject. Alternatively, research questions may be formed and these questions must lead the researcher to examine a definite body of literature, cases and publications etc.

7. Sampling procedures

The researcher to focus on the following-

- Choice of setting.
- Choice of key informants.
- Choice of study groups and events.
- Choosing the setting, the event and the respondent(s) to be addressed first, events and respondents will change as research progresses.

8. Tools for data collection

- Depending upon the subject the researcher can apply various tools like case study, case law analysis, analytical induction, constant comparison, textual analysis, content analysis etc. (Visit... <http://psychsoma.co.za/files/15methods.pdf>)

9. Data collection / Analysis

- Data collection and its analysis in a doctrinal study goes together where the identical information is combined from various sources to evolve certain patterns, categories and concepts. Under the teacher's supervision, following scheme may be tried.
- Entering the setting, data gathering and open coding; examining and comparing the data; drawing inferences from the data, leading to identification of concepts; adding new data; refining concepts.
- Axial coding; integrating/re-integrating data and constructing categories. Inter-connecting, contextualizing categories, giving attention to causes and consequences; adding new data; comparing categories, formulating propositions².
- Selective coding; identifying the core category, relating it to other categories, validating their relationships, and further refining and developing them.
- Testing propositions/ hypotheses; theoretical saturation; leading to theory Recording and organizing data³.

Secondary Data collection

- Mention of Secondary sources used - library resources/reports consulted/ internet resources used.
- Case studies.
- Case laws/judgments.
- Content analysis/document analysis/Meta-analysis.

²Applicable in selected case where a rigid / fixed research design is contemplated.

³Sarantakos, S. (1998). Social Research Australia, Mac Millan Publisher Pvt. Ltd. (2nd Ed).

10. Data analysis and interpretation are to be placed in various sections of the report.

- Analyzing data by grouping the information and developing new categories.
- Assigning meanings to the narratives.
- Testing hypotheses.

11. Conclusions and Recommendations

- This section must indicate the broad conclusions of the study. Also suggest major recommendations for improvement of the situation.

Doing Doctrinal Analysis

- Assembling relevant facts
- Identifying the legal issues
- Analysing the issues with a view to searching for the law
- Reading background material (including legal dictionaries, legal
- Locating primary material (including legislation, delegated legislation and case law
- Synthesising all the issues in context
- Coming to a tentative conclusion

Steps in Doctrinal Research Report

1. Introduction (context and general background)
2. Literature review
3. Statement of research problem.
4. Objectives
5. Hypotheses/research question.
6. Data Collection (Identification of material and cases etc)
7. Data analysis (content analysis case study, case analysis, meta analysis, constant comparison analytical induction.
8. Discussion (Critical commentary by examining the objectives and hypotheses and deriving inferences)
9. Conclusions/Recommendations
10. References

The Bluebook - A Uniform System of Citation*

BOOKS [Rule 15]

Books

One author:

RUSS VERSTEEG, LAW IN THE ANCIENT WORLD 65 (2002).

Two authors:

VICTOR E. SCHWARTZ & EVELYN F. ROWE, COMPARATIVE NEGLIGENCE 22 (2002).

Three or more authors:

REBECCA J. COOK ET AL., REPRODUCTIVE HEALTH AND HUMAN RIGHTS: INTEGRATING MEDICINE, ETHICS, AND LAW 56-64 (2003).

Books with Multiple Editions:

RICHARD H. FALLON, JR. ET AL., HART AND WECHSLER'S THE FEDERAL COURTS AND THE FEDERAL SYSTEM 330 (6th ed. 2009).

ARTICLE

Journal Article

Journal article:

Charles A. Reich, *The New Property*, 73 YALE L.J. 733, 737-38 (1964).

Law Review Articles

Element	Author Name(S),	<i>Title of Article,</i>	Volume No. (Issue No.)	NAME OF JOURNAL	Starting Page,	Pin Cite	(Year of Publication).
Example	Bruce Ackerman,	<i>Robert Bork's Grand Inquisition,</i>	99	Yale L. J.	1419,	1422-25	(1990).

* Nineteenth Edition - It is advisable to Keep updating the citation style as per the forthcoming editions

Magazine Articles

Element	Author Name(s),	Title of Article,	NAME OF MAGAZINE	Issue	Year	Page.
Example	C. Banerjee,	<i>Gun Minus Fire,</i>	OUTLOOK	May	1987	at 37.

Newspaper Article

Newspaper article:

Ari L. Goldman, *O'Connor Warns Politicians Risk Excommunication over Abortion*, N.Y. TIMES, June 15, 1990, at A1.

NEWSPAPER ARTICLES

Articles in print versions of newspapers

Element	Author name(s),	Title of Article,	NAME OF NEWSPAPER	Page Number	(City Edition, Date of Publication).
Example	N. Vyas,	<i>BJP not happy with JMM proposal,</i>	THE HINDU	14	(Bangalore edn., May 8, 2010)

Articles in online versions of newspapers

Element	Author name(s),	Title of Report,	NAME OF NEWSPAPER	(Date of Publication),	URL	(Last visited on Date)
Example	S. Milne,	<i>Nick Clegg's Fateful Declaration for Cameron,</i>	THE GUARDIAN	(May 7, 2010),	http://www.guardian.co.uk/comment/isfree/2010/may/07/nick-clegg-david-cameron	(Last visited on May 7, 2010)

CASE LAW

Cases	India cases: Ram Swaroop v. State (Govt. NCT) of Delhi (21.05.2013 - SC) Central Bureau of Investigation v. V. Vijay Sai Reddy (09.05.2013 - SC) Sangeeta v. Hitesh Kumar (18.02.2013 - DELHC) Adobe Systems Inc. &Ors. v. Mr. SachinNaik&Ors. (12.03.2013 - DELHC) Dr. ArunKumar Chowdhary v. State of U.P. and Others (24.01.2013 - ALLHC) Haseeb Ahmed @ Rassu v. Commissioner, Kanpur Mandal Kanpur and Others (15.12.2011 - ALLHC)
	U.S. case: United States v. MacDonald, 531 F.2d 196, 199-200 (4th cir. 1976), rev'd, 435 U.S. 850 (1978).
	U.K. case: R. v. Lockwood, (1872) 99 Eng. Rep. 379 (K.B.).

Cases						
Element	Name of Petitioner/ Appellant	v.	Name of Defendant/ Respondent	Citation	Pin Citation	Court
Example 1	Kesavananda Bharati	v.	State of Kerala,	AIR 1973 SC 1461		(Supreme Court of India)
Example 2	Kesavananda Bharati	v.	State of Kerala,	AIR 1973 SC 1461	1475	(Supreme Court of India)

Shortened Form			
Element	Shortened Form	Citation	Pin Citation
Example 1	<i>Kesavananda Bharati,</i>	AIR 1973 SC 1461	
Example 2	<i>The Basic Structure Case,</i>	AIR 1973 SC 1461	1475

Element	Pin Cite,	NAME OF THE CONSTITUTION	Year
Example 1	Art. 132(1),	THE CONSTITUTION OF INDIA	1950
Example 2	Art. 1, Sec. 8,	THE CONSTITUTION OF THE UNITED STATES OF AMERICA	1787
Example 3	Art. 51,	THE CONSTITUTION OF THE FEDERAL REPUBLIC OF GERMANY (Grundgesetz)	1949

Constitutions	Indian Constitution: <i>Ind. Const. art. III, § 21,</i>
	United States Constitution: <i>U.S. Const. art. III, § 2</i>
	United States Constitution (Amendment): <i>U.S. Const. amend. XX, § 4</i>

BLOCK QUOTATIONS [Rule B 12]

Block Quotations

Quotations of fifty or more words should be single spaced, indented left and right, justified, and without quotation marks. This is known as a **block quotation**. Quotation marks within a block quotation should appear as they do in the original. The citation following a block quotation should not be indented but should begin at the left margin on the line following the quotation, as shown in this example:

[T]his presumptive privilege must be considered in light of our historic commitment to the rule of law. This is nowhere more profoundly manifest than in our view that “the twofold aim [of criminal justice] is that guilt shall not escape or innocence suffer.” We have elected to employ an adversary system of criminal justice in which the parties contest all issues before a court of law. . . . To ensure that justice is done, it is imperative to the function of courts that compulsory process be available for the production of evidence needed either by the prosecution or by the defense.

United States v. Nixon, 418 U.S. 683, 708—09 (1974)
(citation omitted). The Court then balanced this interest against the evils of forced disclosure. Id. at 710.
Consult **rule 5** for guidance concerning other aspects of quotation, including omissions and alterations from original quoted material.

INTRODUCTORY SIGNALS [Rule 1.2]

(a) Signals that indicate support.

[no signal]

Cited authority (i) directly states the proposition, (ii) identifies the source of a quotation, or (iii) identifies an authority referred to in the text. Use “[no signal],” for example, when directly quoting an authority or when restating numerical data from an authority.

E.g.,

Cited authority states the proposition; other authorities also state the proposition, but citation to them would not be helpful or is not necessary. “E.g.” may also be used in combination with other signals, preceded by a comma:

See, e.g.,
But see, e.g.,

Accord

“Accord” is commonly used when two or more sources state or clearly support the proposition, but the text quotes or refers to only one; the other sources are then introduced by “accord.” Similarly, the law of one jurisdiction may be cited as being in accord with the law of another.

<i>See</i>	Cited authority clearly supports the proposition. “See” is used instead of “[no signal]” when the proposition is not directly stated by the cited authority but obviously follows from it; there is an inferential step between the authority cited and the proposition it supports.
<i>See also</i>	Cited authority constitutes additional source material that supports the proposition. “See also” is commonly used to cite an authority supporting a proposition when authorities that state or directly support the proposition already have been cited or discussed. The use of a parenthetical explanation of the source’s relevance (rule 1.5) following a citation introduced by “see also” is encouraged.
<i>Cf.</i>	Cited authority supports a proposition different from the main proposition but sufficiently analogous to lend support. Literally, “ <i>cf.</i> ” means “compare.” The citation’s relevance will usually be clear to [the reader only if it is explained. Parenthetical explanations (rule 1.5), however brief, are therefore strongly recommended.

INTERNET AND ONLINE CITATION

Internet and online citation

Exact Copies, Scanned images

John Donnelly, *Health Policy Brief: Comparative Effectiveness Research*, HEALTH AFFAIRS 1 (2010), *available at*

<http://www.rwjf.org/files/research/70208.pdf>.

Direct citations to Internet Sources

Jonathan H. Adler, *A Few Thoughts on the Second Circuit’s DOMA Decision*, THE VOLOKH CONSPIRACY, (Oct. 19, 2012, 8:26 AM),

<http://www.volokh.com/2012/10/19/a-few-thoughts-on-the-second-circuits-doma-decision/>.

Online Databases (Westlaw and Lexis)

In re K-Dur Antitrust Litig., No. 10-2078, 2012

U.S. App. LEXIS 14527 (3d Cir. July 16, 2012).

Annexure - I

National Law University Delhi, Uniform Guidelines of Format for Submission of LL. M. Dissertation

1. The Dissertation & Thesis must comply with the following format

1. Size of paper : A4
2. Margins : Top : 1", Left : 1.5", Right : 1" and Bottom : 1"
3. Paper quality : Executive bond/ Normal Paper
4. Binding: Hard-half leather. (Colour: Dark ink blue with Golden text)
5. Cover printing should be in Gold.
6. Volume: minimum one hundred pages with printing on single side only with 1.5 line spacing.
7. Font: Times New Roman.
8. Print on the SPINE : LL.M. Dissertation , Name of Scholar, NLU Delhi, Year

(A) FONT SIZE :

Top and Inner first pages:

- Thesis title (18 bold, ALL CAPITALS)
- Dissertation submitted in part fulfillment for the requirement of the Degree of.. (14 Italics)
- LL.M. (16 bold)
- Name of the Scholar (14 bold, all cap)
- University Emblem
- Name of the University (18), year.....(18)

Other pages:

- Chapter numbers and titles (16 bold, ALL CAPITALS, Centre)
- Other Headings (14 bold, ALL CAPITALS, Centre)
- Text (12)
- Line spacing (1.5 line)
- Section title and numbers (14 bold)
- Subsection title and numbers (12 bold)

(A) FOOTNOTES: To appear at the bottom of the same page as their reference. Footnotes should be numbered in Arabic numerals. The footnote reference is superscripted and the explanation at the bottom of the page begins with the footnote reference number. Footnotes should have a smaller font size than the text (**e.g. 10 pt**). Line spacing to be single. Numbering should start afresh in each chapter and should be consecutive within the chapter.

2. Organization of the Dissertation & thesis should be as given below:

(A) Initial pages may include :

- (i) Cover (Annexure - II)
- (ii) Inner first page – Same as cover
- (iii) Declaration by the Candidate (Annexure - III)
- (iv) Supervisor's certificate (Annexure - IV)
- (v) List of Acronyms / Abbreviations (Annexure - V)
- (vi) List of Cases(Annexure - VI)
- (vii) List of Tables(Annexure - VII)
- (viii) List of Figures(Annexure - VIII)
 - (i) Table of contents (Annexure - IX)
 - (ii) Acknowledgement

(A) Main Chapters

- a. Chapters to be numbered like CHAPTER 1, CHAPTER 2, and so on (16 bold Centre)
- b. Chapter Title (16 bold, All cap, Centre)
- c. Section Numbers : 2.1, 2.2 3.1, 3.2 and so on (14 bold)
- d. Section Titles (14 bold)
- e. Subsection Number: 2.1.1, 2.1.2 3.1.1, 3.1.2 and so on (12 bold)
- f. Subsection Titles (12 bold)
- g. Text (12 with 1.5 line spacing)
- h. Page numbers of the main chapters and other text material should be like 1, 2, 3 and so on, at the bottom of the page and in the centre of the page (Centre aligned).

(B) Citations & References

The citations and references in legal research follow a definite pattern. There are various choices. However, the students and researchers are advised to follow the “The Blue Book - A Uniform System of Citation” style (19th Edition or the latest). The norms relating to the citation of cases, articles, statutes, other legal material including the usage of sign, signals and indenting etc. are elaborately described in the said reference book.

(a) **Tables:** Tables should be centrally aligned in the page and their numbers should be Chapter-wise like Table 1.1... Table 2.1... Table 3.1... and so on. Captions of the tables should be at the top of the Table along with Table number. The font size for the Table numbers will be 12 bold and for the Table caption 12.

Table 1.2: Title.....

[Selected with AutoFit to Window]

(b) Figures: Figures should be centrally aligned in the page. Their numbers should be Chapter-wise like Figure 1.1 Figure 2.1 Figure 3.1... and so on. Figure captions should be below the figure after a space and immediately after the figure number and centrally aligned. Font size for Figure numbers will be 12 bold and for captions it will be 12.



Figure 1.1: Result of experiment

(C) Appendices should be titled as APPENDIX A, APPENDIX B and so on.

- a. (16 bold, centre aligned, all cap)
- b. Body text (12 with 1.5 line spacing)
- c. Sections heading: A.1
- d. Section titles (12 bold)
- e. Subsection titles (11 bold)

Annexure - II

Format Sample – 1

TITLE PAGE AND INNER FIRST PAGE

TITLE

(18 Bold)

*Dissertation submitted in part fulfilment for the requirement of the
Degree of*
(14 Italics)

LL. M.

(14 font size)

Submitted by

(12 font size)

Supervised by

(12 font size)

NAME OF THE CANDIDATE

(14 Bold)

NAME OF THE SUPERVISOR

(14 Bold)

[University LOGO]

**National Law University
Delhi (India)**

2014

(18 bold)

Format Sample - 2

DECLARATION BY THE CANDIDATE

(16 bold)

I hereby declare that the dissertation entitled **"Title (12 bold)"** submitted at is the outcome of my own work carried out under the supervision of **name(s) of Supervisor(s), designation, affiliation (12 bold)**.

I further declare that to the best of my knowledge the dissertation does not contain any part of work, which has not been submitted for the award of any degree either in this University or any other institutions without proper citation.

(Signature of the Candidate)

(Name & Roll No. (12)

National Law University, Delhi (12)

Place: (12)

Date (12)

Annexure - IV

Format Sample - 3

CERTIFICATE OF SUPERVISOR

(16 bold)

This is to certify that the work reported in the LL.M. dissertation entitled "**Title (12 bold)**", submitted by **Scholar's name (12 bold)** at **National Law University, Delhi (12 bold)** is a bonafide record of his / her original work carried out under my supervision. To the best of my knowledge and belief, the dissertation: (i) embodied the work of the candidate himself/herself; (ii) has duly been completed; and (iii) is up to the standard both in respect of contents and language for being referred to the examiner. (12 with double line spacing).

(Signature of Supervisor)

(Name (12)

Affiliation (12)

Place

Date (12)

Format Sample - 4

LIST OF ACRONYMS & ABBREVIATIONS

(14 Bold)

(Alphabetically)

AIR	All India Reporter
Cr. L. J.	Criminal Law Journal
ICA	International Centre for Arbitration
ICADR	International Centre for Alternative Dispute Resolution
NALSA	National Legal Services Authority
SCC	Supreme Court Cases
UNCITRAL	The United Nation Commission on International Trade
v.	Versus
WLR	Weekly Law Reports

Format Sample - 5

LIST OF CASES

(14 Bold)

(Alphabetically)

1. Abdul Karim v. State of Karnataka 2001 Cri.L.J. 148.
2. Bhirug v. Sate of U.P. 2002 Cri.L.J. 271.
3. Bipin Shantilal Panchal v. State of Gujarat and Anr.2002 Cri.L.J. 1254.
4. Chandrika v. State of U.P. 2000 Cri.L.J. 384.
5. Dagdu and Ors. V. State of Maharashtra 1977 Cri.L.J. 1206.
6. HussainaraKhatoon v. State of Bihar 1979 Cri.L.J. 1045.
7. Menka Sanjay Gandhi and Anr.v. Rani Jethmalani, AIR 1979 SC 468.
8. Noor Khan v. State of Raj., 1964 Cri.L.J. 167.
9. ZahiraHabibullah Sheikh and Anr. V. State of Gujarat and Ors., 2006 Cr.L.J. 1694.

Format Sample - 6

LIST OF TABLES

(16 bold)

Table Number (12 bold)	Caption (12 bold)	Page Number (12 bold)
1.1	Watermark on the bank currency note (12)	4
1.2	Various classifications of watermarking	12
1.3	Image watermark embedding scheme	13

Annexure - VIII

Format Sample - 7

LIST OF FIGURES

(16 bold)

Figure Number (12 bold)	Caption (12 bold)	Page Number (12 bold)
1.1	Watermark on the bank currency note (12)	4
1.2	Various classifications of watermarking	12
1.3	Image watermark embedding scheme	13

Format Sample -8

TABLE OF CONTENTS

(16 Bold Centre)

TITLE	Page Number (12 bold)
DECLARATION BY THE CANDIDATE	
SUPERVISOR'S CERTIFICATE	
ACKNOLEDGEMENTS	
LIST OF ACRONYMS AND ABBREVIATIONS (12 bold)	
TABLE OF STATUTES	
LIST OF CASES	
LIST OF TABLES	
LIST OF GRAPHS/FIGURES	
CHAPTER-1 (14 BOLD ALL CAP)	
CHAPTER TITLE (14 BOLD ALL CAP)	
1.1. SECTION TITLES (12 BOLD ALL CAP)	
1.1.1 SUB-SECTION TITLE (12 BOLD ALL CAP)	
1.1.2 SUB-SECTION TITLE (12 BOLD ALL CAP)	
1.1.3 SUB-SECTION TITLE (12 BOLD ALL CAP)	
BIBLLIGRAPHY	
Book	
Statutes	
Reports	
Articles	
Websites	
Newspapers/Magazines	
APPENDICES	

Format Sample - 9

CHAPTER FIRST PAGE - EXAMPLE

CHAPTER 1

(14 BOLD ALL CAP CENTRE)

INTRODUCTION

(14 BOLD ALL CAP CENTRE)

Text.....

Address (12)

Month Year (12)

(ii) Other pages :

Chapter numbers and titles (16 bold, all Cap, Centre)

Other Headings (14 bold, All Cap, Centre)

Text (12)

Line spacing (1.5 line)

Section title and numbers (14 bold)

Subsection title and numbers (12 bold)

Footnotes: To appear at the bottom of the same page as their reference. Footnotes should be numbered in Arabic numerals. The footnote reference is superscripted and the explanation at the bottom of the page begins with the footnote reference number. Footnotes should have a smaller font size than the text (e.g. 10 pt). Line spacing to be single. Numbering should start afresh in each chapter and should be consecutive within the chapter.

2. Organization of the thesis should be as given below :

A. Initial pages may include :

- (i) Cover (See sample)
- (ii) Inner first page – Same as cover
- (iii) Table of contents (See sample)
- (iv) Declaration by the Scholar (See sample)
- (v) Supervisor's certificate (See sample)
- (vi) Preface and Acknowledgement
- (vii) List of Acronyms / Abbreviations (See sample)
- (viii) List of Cases
- (ix) List of Figures
- (x) List of Tables

(xi) Page numbers for all items under serial number 2A should be in Roman at the bottom of the page (Centre aligned)

(xii) Contents

B. Main Chapters

(i) Chapters to be numbered like CHAPTER 1, CHAPTER 2, and so on (16 bold Centre)

(ii) Chapter Title (16 bold, All cap, Centre)

(iii) Section Numbers : 2.1, 2.2 3.1, 3.2 and so on (14 bold)

(iv) Section Titles (14 bold)

(v) Subsection Number : 2.1.1, 2.1.2 3.1.1, 3.1.2 and so on (12 bold)

(vi) Subsection Titles (12 bold)

(vii) Text (12 with 1.5 line spacing)

(viii) Page numbers of the main chapters and other text material should be like 1, 2, 3 and so on, at the bottom of the page and in the centre of the page (Centre aligned).

C. References

(ix) Figures : Figures should be centrally aligned in the page. Their numbers should be Chapter-wise like Figure 1.1 Figure 2.1 Figure 3.1... and so on.

Figure captions should be below the figure after a space and immediately after the figure number and centrally aligned. Font size for Figure numbers will be 10 bold and for captions it will be 10.

Figure 3.2: Result of experiment

(x) Tables : Tables should be centrally aligned in the page and their numbers should be Chapter-wise like Table 1.1... Table 2.1... Table 3.1... and so on. Captions of the tables should be at the top of the Table along with Table number. The font size for the Table numbers will be 10 bold and for the Table caption 10.

Table 1.2: Result of experiment

(xi) References (Title : 16 bold, centre aligned, all cap)

IEEE format for references. Font size 12. Example :

[52] Langelaar G., Setyawan I., Lagendijk R.L., “Watermarking Digital Image and Video Data”, IEEE Signal Processing Magazine, vol. 17, pp. 20-43, Sep. 2000.

[53] Langelaar G.C., Lubbe J.C.A., Lagendijk R.L., “Robust labeling methods for copy protection of images”, Proc. SPIE Electronic Imaging '97, Storage and Retrieval for Image and Video Databases V, San Jose, CA, pp. 298-309, Feb. 1997.

(xiii) Appendices should be titled as APPENDIX A, APPENDIX B and so on .

(16 bold, centre aligned, all cap)

Body text (12 with 1.5 line spacing)

Sections heading : A.1

Section titles (12 bold)

Subsection titles (10 bold)

(xiv)List of author’s publications, same style as for references.

(xv)Synopsis (Title : 16 bold, Centre aligned, all cap) to be attached after the appendices.

Body Text (12 with 1.5 line spacing)

Sample Format - 3

SAMPLE - TITLE PAGE AND INNER FIRST PAGE

TITLE

(18 bold)

*Thesis submitted in fulfillment of the requirements for the Degree of
(14 Italic)*

DOCTOR OF PHILOSOPHY

(16 Bold)

Submitted by

Supervised by

(12)

NAME OF THE SCHOLAR

NAME OF THE SUPERVISOR

(14 Bold)

LOGO

**National Law University
Delhi (India)**

2013

(18 bold)

TITLE

(18 bold)

*Dissertation submitted in partial fulfillment of the requirements for
the Degree of LL. M. degree of the National Law University, Delhi*
(14 Italic)

Submitted by

Supervised by

(12)

NAME OF THE SCHOLAR

NAME OF THE SUPERVISOR

(14 Bold)

LOGO

**National Law University
Delhi (India)
2013**

(18 bold)

TABLE OF CONTENTS

(16 Bold Centre)

	Page No. (12 bold)
ACKNOWLEDGEMENT (12 bold)	
DECLARATION BY THE SCHOLAR	(i)
SUPERVISOR'S CERTIFICATE	(ii)
PREFACE AND ACKNOWLEDGEMENT	
LIST OF ACRONYMS AND ABBREVIATIONS (12 bold)	
LIST OF CASES	
LIST OF FIGURES (12 bold)	
LIST OF TABLES (12 bold)	(viii)
Chapter-1 (14 BOLD ALL CAP)	
CHAPTER TITLE (14 BOLD ALL CAP)	1
1.1 SECTION TITLES (12 BOLD ALL CAP)	3
1.1.1 SUB-SECTION TITLE (12 BOLD ALL CAP)	5
1.1.2 SUB-SECTION TITLE (12 BOLD ALL CAP)	5
1.1.3 SUB-SECTION TITLE (12 BOLD ALL CAP)	6
BIBLLIGRAPHY	
BOOK	
STATUTES	
REPORTS	
ARTICLES	
WEBSITES	
NEWSPAPERS/MAGZINES	

Format Sample - 2

SAMPLE DECLARATION

DECLARATION BY THE SCHOLAR

(16 bold, centre)

I hereby declare that the work reported in the LL.M Dissertation/ Ph.D. thesis entitled **“Title (14 bold)”** submitted at **National Law University, Delhi (14 bold)** is an authentic record of my work carried out under the supervision of **names of Supervisor(s) (14 bold)**. I have not submitted this work elsewhere for any other degree or diploma. (12 with double line spacing). I am fully responsible for the contents of my LL.M Dissertation /Ph.D Thesis.

(Signature of the Scholar)

(Name (14))

National Law University, Delhi (14)

Date (14)

Format Sample - 3

SAMPLE CERTIFICATE

SUPERVISOR'S CERTIFICATE

(16 bold, Centre)

This is to certify that the work reported in the Ph.D. thesis entitled "**Title (14 bold)**", submitted by **Scholar's name (14 bold)** at **National Law University, Delhi (14 bold)** is a bonafide record of his / her original work carried out under my supervision. This work has not been submitted elsewhere for any other degree or diploma. (12 with double line spacing).

(Signature of Supervisor)

(Name (14))

Affiliation (14)

Date (14)

(Signature of –Supervisor-2)

(Name (14))

Affiliation (14)

Date (14)

Format Sample - 4

SAMPLE ACRONYMS

LIST OF ACRONYMS & ABBREVIATIONS

(16 bold)

(Alphabetically)

AIR	All India Reports
CrLJ	Criminal Law Journal
ICA	International Centre for Arbitration
ICADR	International Centre for Alternative Dispute Resolution
NALSA	National Legal Services Authority
SCC	Supreme Court Cases
UNCITRAL	The United Nation Commission on International Trade
v.	Versus
WLR	Weekly Law Reports

Format Sample - 5

SAMPLE FIGURE LIST

LIST OF FIGURES

(16 bold)

Figure Number (12 bold)	Caption (12 bold)	Page Number (12 bold)
1.1	Watermark on the bank currency note (12)	4
1.2	Various classifications of watermarking	12
1.3	Image watermark embedding scheme	13

Format Sample - 6

SAMPLE - CHAPTER FIRST PAGE - EXAMPLE

CHAPTER 1
(14 BOLD ALL CAP CENTRE)

INTRODUCTION
(14 BOLD ALL CAP CENTRE)

Text

Template For Writing A Statement Problem

1.	Start with a general problem identifying the need for the study. E.g. The problem of this study is _____
2.	State the specific problem proposed for research. (use citation & usually a number to make it clear to the reader, e.g. 30% of the farms have been affected by the Napier grass disease
3.	Introductory words describing Methodological approach (i.e. Research Design) are given and are appropriate to the specific proposal problem, e.g. this qualitative study will explore... or this quantitative study will examine ...
4.	General population group of proposed study is identified. Small scale farmers in affected locations will be surveyed to determine...

Annexure - XII

A Model / Sample for Writing the Statement of Problem, Objectives, Hypothesis and Research Design etc.

Statement of Problem:

The present study intended to focus upon the issues and problems relating to witnesses of certain criminal offences. With the help of a doctrinal and, non-doctrinal method, the proposed exercise attempted to know as to why and in what circumstances the witnesses turn hostile. Are there any specific factors, which induce hostility of a witnesses? Do the incidents of cooperation or hostility tend to vary along the types and characteristics of witness? A systematic probe in to some of these questions has been made in the study. Besides, the study also endeavoured to find as to what are the key problems that the witness faces in his interaction with police, prosecution and court officials. The issues of hostility and protection have been examined in the light of significant judgments. The perceptions of witnesses on several crucial aspects have also been studied to project a comprehensive picture of the issue under study. Finally, the study also took a critical view of the need for witness protection and the suggestions made by certain bodies have been subjected to a critical review. The study has been geared by the key assumption that without resolving the basic issues and problems being faced by witnesses, their co-operation can not be elicited for the purpose of a free and fair trial.

Objectives:

- The study was geared to achieve the following objectives:
- To outline the relevant legal provisions pertaining to witness
- To examine the issue of hostility of witness and the emerging debates on the issue especially in the light of leading judgments of courts and other publications.
- To study the experiences and problems of witnesses in their interaction with police, prosecution and court.
- To critically review the idea of witness protection in the light relevant legal provisions.

- To study the profile of witnesses in the chosen states.
- To identify the causes for the reluctance of people being witness to a criminal incident in the context of the characteristics of the witnesses.
- To survey the perceptions and attitudes of witnesses on certain matters relevant to this study.

Hypotheses:

The following hypotheses would be examined in this study:

1. The chief factors in the reluctance of witness are those relating to fear of criminal assault, harassment by the police and court and anticipatory loss of degradation of social status.
2. The persons from lower medium income groups and average education category are more likely to be the witnesses.
3. The hardships of witnesses are normally associated with police behaviour.
4. The witnesses experience considerable problems in the court.
5. Loss of faith in the criminal justice agencies is a factor discouraging the witnesses to come forward.
6. Witnesses do face pressures from influential sectors affecting their testimony.
7. The chances of manipulation and resulted hostility of witnesses are often seen in cases where the rich and powerful elements are involved.

Research Design:

In accordance with the objectives of the present study, doctrinal and non-doctrinal research designs have been adopted. The doctrinal design has been used to study the jurisprudential development in the areas of hostility, protection and problems of witnesses. This has been done primarily with the help of case laws and leading judgments of various courts. The reports of committees and commissions have been scanned to sifting the issues relating to the research problem.

The non-doctrinal method or empirical approach is the prime highlight of this study. In this pursuit, a sample survey has been carried out to collect the required data by using some structured methods of data collection.

Sample & Locale of the Study:

In order to attain the suggested objectives, the witnesses relating to various types of criminal offences have been included in this study. They include:

- (i) Theft
- (ii) Personal violence
- (iii) Robbery
- (iv) Dacoity
- (v) Attempted murder/murder
- (vi) Rape

To have a suitable geo-cultural mix of the region, it was intended to have four districts one each from the states i.e. Madhya Pradesh, Rajasthan, Maharashtra, Karnataka. After the pilot study, it was decided to conduct the study on the capitals of the concerned State. A sample of two hundred from each state was proposed to be taken. The actual total sample size in the study was seven hundred and ninety eight (N=798). Several procedures of sampling were considered. It was indeed difficult to have a pre decided list of witnesses and then to contact them accordingly was practically difficult. Therefore, the study was conducted in an open setting. The research team would visit the court premises to contact the witnesses concerning the cases (according to the pre decided offences). This schedule was repeated daily until the desired number from each state was targeted. Though it was not always easy to contact and interview the witness waiting in the court premises, as the lawyers initially did not cooperate. Eventually, they were convinced and the research team received ample of help from them. The experiences in all the selected states were different. In order to meet the local demands like language etc. investigators were employed from the same region. Infact the witnesses used to have lot of free time after turning up to the court and hence the long interview did not face any problem.

Tools for Data collection:

An Interview Schedule for collecting necessary information from the respondents was devised. As far as possible, all the items kept closed ended so that the respondents could easily answer. The aspects relating to the objectives of the study were properly included. A team of research investigators was deployed to contact the witnesses for eliciting requisite information. The job of data collection was accomplished with the help of local research investigators specially engaged for this purpose.

In addition to it, informal discussions with lawyers, prosecutors, police officials and judicial officers were held to gain insight into various aspects of the problem.

Data Analysis:

The collected data from the respondents were subjected to editing and a coding plan was carried out to facilitate electronic data processing. The data was processed through Statistical Package for Social Sciences (IBM SPSS Statistics 21). A tabulation plan suiting to the scheme of this study was worked out.

Findings & Observations

The key conclusions of this study are presented below:

1. Majority of the respondents in this study (61.7 percent) found the adjournments to be quite frequent. This perception was largely shared by respondents in Rajasthan (19.3 percent) followed by Karnataka (16.7 percent). The highest number of respondents not subscribing to this view came from Maharashtra (12.7 percent) whereas the lowest number in this category came from Rajasthan (0.9 percent).
2. The data reveal that almost 65 percent witness had to appear more than once before the court for testimony while 35.2 percent could do so in the first hearing only.

Annexure - XIII

Research Proposal

Guidelines for Writing												
Cover Page	Table of contents	Background	Need for the Study	Purpose and Aims of the Study	Literature Review	Research Design	Timetable Plan	Proposed This is Structure	Significance /Expected Outcomes	Glossary	Appendices	References
		These sections often combined										
A Description												
This Identifies 1. Topic 2. Writer 3. Institution 4. Degree	Lists sections of proposal and page references	Provides information in regards to: 1. Social 2. Political 3. Historical 4. Educational	Persuade the reader that the study is useful / interesting	1. State clearly and concisely the purpose for the study 2. Outline the key research questions and aims	Provides information in regards to: 1. Significant researchers in the field 2. Shows you can be selective and a critical inquirer	1. Describes the research plans and 2. A statement about the delimitations (boundaries) of the study	Illustrates tasks proposed & stages / time line for completion	Describes the focus of each chapter	1. Predict the significance of the study and the expected outcomes 2. Closely relate the outcomes back to the aims of the study	A list of specialized Terms and their meanings (from another culture acronyms, key concepts in a relatively new field)	To display documents that are relevant to the main text, but if they were to be included in the main text they would inhibit the flow of information	List of work that have been consulted thus far and which appear to be useful
Thesis title: descriptive of focus, succinct, preferably using key words from international retrieval system	Hierarchy for titles and subtitles, Use a numbering system (no more than 4 digits) eg: 1; 1.1; 1.2; 1.1.2; 1.1.1.2 etc	May include: 1. Theoretical stating point 2. Personal motivation 3. Policy	May include: 1. Reference to the gap in the literature 2. The need to apply particular ideas to a new context or your topic 3. Worth to learning community	1. The purpose of the study is related to the broader context of the topic 2. To maintain topic focus, keep research questions to a minimum 3. Relate aims to questions	1. Not extensive 2. Include main theorists (establishes direction) 3. Demonstrate a critical analysis 4. Establish your theoretical framework	1. What knowledge affected the research approach? Included: 2. Rationale for selection of participants 3. Methods of data collection & procedures adopted to ensure ethical practice	Could be: 1. A Chart 2. Time line 3. Flowchart Or 4. Other	1. Each chapters proposed content described in a few lines or brief paragraph 2. A proposes table of contents is presented	*** This is only a prediction and may be deleted if the rationale for the study has been well developed earlier in the study	***Must be in a position that is easy to locate (before or after the main text parts)	Includes: 1. Documents 2. Pilot study material 3. Interview questions 4. Survey instruments 5. Explanatory statement to participants	*** Use conventions recommended to you by your supervisor, or conventions relevant to your field

Case Comment Framework

This is an illustrative frame for doing an effective case analysis and finally preparing case comment.

1. Background- constitutional & jurisprudential perspectives
2. Outline : main issue and relevant laws/ statutes involved in the case-journey of the case
3. Critical review of the case following its journey and its appearance at appeal level-
4. Listing the key contentions – add comments
5. Stand of prosecution at appeal level vis a vis at the levels of trial court and high court- comparison- critique of
6. Stand of defence at appeal level vis a vis at the levels of trial court and high court- comparison- critique of
7. Scrutiny of the case by the appeal court- framing the issue – examination of applications of principles and laws – develop your arguments about sufficiency and infirmities
8. Examination of precedents applied- assess the coverage and suitability
9. Examination of evidence perused- review of any vital parameters left out or inadequately perused
10. Arguments and reasoning extracted- critical review of
11. Obiter dictum- need and relevance
12. Ratio decendi- examination of correctness
13. Judgment – your views
14. Comparative context: assessment if similar case was decided in other/ foreign jurisdiction in different way
15. Contribution- whether the case contributed to the new jurisprudence or stressed the need to amend law and bring other changes in policy and practice

Annexure - XV

Writing Research Papers: 10 Top Tips

By Marshall B. Kapp

The Law Teacher (Fall 1999)

Virtually all law students write at least one legal research paper during their law school career, besides composing the usual array of briefs, memos, and legal instruments. In the experience of grading hundreds of legal research papers, I have accumulated an assortment of pet peeves and compiled a list of tips that other law teachers may find useful to share with their students at the outset of the writing endeavor. Most of these suggestions fall in the category of common sense, which is precisely why they need to be set forth explicitly. Here, I present my “top ten” list.

1. Analyze and synthesize; don't just paraphrase.

Don't thankfully latch onto one article directly on your topic, wish that you had written that very article, and then spend 25 pages just paraphrasing it, even with proper attribution (i.e., many footnotes, but most of them being id's). In real legal practice, you will rarely be lucky enough to find one unassailable authority that conclusively and unarguably resolves your issue.

If you can find incontrovertible authority on “all fours” with your case, by all means rely on it.

Most of the time, however, the law has to progress by analysis that synthesizes, mainly through analogy and distinction, different pieces of a puzzle. Research papers should reflect that complex process.

2. Avoid sweeping generalizations unless you can back them up with authority.

Legal writing involves argument and persuasion based on a reasoning process beginning with supportable premises, not the mere assertion of a proposition. Statements such as “Congress should repeal the ERISA preemption because all HMO executives care only about the bottom line” may be a hit on the political campaign trail but detract markedly from credibility in legal writing, unless supporting sources can be cited.

3. Avoid the “obvious.”

Unless you are making a really unassailable proposition, such as “The earth revolves around the sun,” using terms such as “obviously,” “clearly,” “of course,” “unarguable,” “simply,” “certainly,” and “well known” raise enormous red flags for the reader. If you have authority for a proposition, cite it. If you don’t have any authority, perhaps the proposition is not as “obvious” as you thought.

Besides, if your point is really that “obvious” to everyone, why waste time and space restating it? And, how can you be so sure that another lawyer won’t come along and disagree with the proposition that you thought was so “clear”?

Similarly, terms such as “many,” “several,” “numerous,” “some,” and “widely held” raise flags unless there is citation to examples. Think about how you would respond to a reader who sees such a term used, questions your accuracy, and demands, “Name one!” If you cannot, your bluff has been successfully called.

5. Don’t apologize for your positions.

You rarely need to preface your statements with introductory quasi-apologies or such equivocations as “In my opinion,” “I think,” “I believe,” or “I feel.”

First, the reader of legal writing really doesn’t care what the author “thinks,” “believes,” or “feels.” In this genre, the only things that matter are what you can prove or logically support through reasoned analysis and argument.

Second, the reader automatically assumes that any proposition for which you do not cite authority must be your own opinion, so there is no need for the reminder. Just make your points and let them be evaluated for what they’re worth.

6. Any particular law in mind?

Avoid making broad statements such as “doing X is illegal” unless you can explain which specific statute, regulation, or common law rule is being violated, and why. Be especially cautious about making the claim that “doing X is unconstitutional” unless you can back up that claim with one or more constitutional clause(s).

7. Cite primary sources.

In a legitimate legal discussion, even the least strict constructionists at least begin by examining and citing the relevant law itself. Constitutional clauses, statutes, regulations, and judicial decisions are the primary building blocks of legal analysis; everything else is, literally, commentary. You can’t write a good legal research paper based solely on citations to secondary sources such as law review articles and textbooks.

You have to begin with the actual law. Then, you can argue about interpretation. Legal readers, in the first instance, want to know what the law itself says, rather than what some law professor has to say.

8. No gratuitous comments.

Legal writing is not the place for gratuitous comments (e.g., “We should not forget that...” or

“Unfortunately, the court disagreed...”) or throwaway lines. Words are the attorney’s only tool, so law students must learn to write as though every statement counts. In the same vein, use of rhetorical questions (e.g., “Why, you might ask...”) should be minimized in legal writing, in favor of declarative statements. The reader wants to know your position on the issues, and providing your position as an answer to a rhetorical question may strike many readers as a bit condescending or patronizing.

9. Keep the tone serious.

Legal writing does not have to be somber and boring. Indeed, it ought to be creative and interesting. Creativity and provocation must take place, however, within a serious tone. Certain techniques that may fit well into certain other forms of writing (e.g., humor, rhetorical questions, a “whiz bang!!” feel) detract from the purpose of a legal research paper, which is to persuade the reader to agree with—and ultimately to act upon—your argument. The worst criticism that can be leveled against an attorney is “He/she is dishonest,” but the next most devastating is “He/she’s a joke.” An attorney is of little value to the client if others won’t take the attorney seriously, and law students should learn how to begin to earn that respect through their writing style.

10. Proofread.

In Evidence and elsewhere in the curriculum, law students learn about presumptions and burdens of proof. When it comes to evaluating a law student’s—and eventually a practicing attorney’s—writing and the arguments being made in that writing, most readers start with a presumption that sloppy writing (e.g., misspellings, erroneous punctuation, noun-pronoun disagreement, and grammatical mistakes) connotes sloppy thinking. Too many mechanical errors in a text can be so distracting that they obscure almost totally the argument the writer is trying to make. In today’s word-processing age, there is no excuse for turning in a paper that has not been thoroughly reviewed. The student can catch up on sleep after the paper has been submitted.

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Check List for Writing of Research Report

Content

- have you identified all the main facts and/or issues?
- have you made relevant points?
- have you shown that you understand the key concepts?
- have you made appropriate use of case law/statutes/concepts?
- have you made adequate use of case law/statutes/concepts?
- have you included your own ideas/opinions and substantiated them?

Structure

- does your introduction set out the key facts and issues?
- have you developed a clear argument/discussion?
- does each paragraph express a separate idea?
- are sentences and paragraphs clearly linked?
- does your conclusion summarise the argument/give a final answer?

Expression and use of language

- are your ideas clearly expressed?
- are your sentences of an appropriate length ie not too long?
- is your grammar correct?
- is your spelling correct?
- is your use of language precise?

Research

- have you used the recommended source material effectively?
- have you used additional relevant research material?
- is your referencing adequate and appropriate?
- is your bibliography correct?
- Presentation
- is your work neat and legible?
- have you proof-read your essay?
- have you included a word count and is it appropriate?
- have you included a cover page with the required information?
- have you included the plagiarism declaration

SUGGESTED READINGS

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Westlaw India is an extended part of Westlaw International facilitating comprehensive search of Indian Case laws and Legislations. Apart from Indian Legal Information, Westlaw India through its international tab provides international legal information of United States, United Kingdom, Australia and European Union countries.

LexisNexis Academic

LexisNexis Academic is a service for researching news, business and legal topics. It contains more than 6000 sources from all over the world, drawn from print, broadcast and online media. This database is a collection of comprehensive legal information including law reviews and journals, Case Laws of major countries around the world, Statutes and reports of national and international spheres.

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Journal Store i.e. JSTOR facilitates scholars, researchers, and students discover, use and build upon a wide range of content in digital achieve. It provides a high quality, interdisciplinary achieve to support scholarship and teaching. It includes archives of over one thousand leading academic journals across the humanities, social sciences and sciences as well as select monographs and other materials valuable for academic work. The National Law University Delhi subscribes its Art & Science Module IV which contains 116 journals with its archival files of legal subjects. The databases can be accessed through www.jstor.org within the limits of IP Ranges of the University.

Hein Online

HeinOnline provides American, foreign, and international legal sources, including law journals, foreign case reports, federal administrative regulations, federal statutes, U.S. treaties and agreements, historical legal treatises, among others. Being an IP based database, HeinOnline is accessing within Wifi environment of the University round the clock. It can be accessed through www.heinonline.org/

Kluwer Arbitration Online

KluwerArbitration.com is the online resource for international arbitration research. It contains commentary from authors and an extensive collection of primary source materials, exclusive materials including ICC cases and awards. KluwerArbitration.com online database is developed and maintained in conjunction with two partners i.e. International Council for Commercial Arbitration (ICCA) and Institute for Transnational Arbitration (ITA). The database can be accessed through its link i.e.

<http://www.kluwarbitration.com/default.aspx#> within IP ranges of the University.

Worldtradelaw.Net

The web site has two aspects. First, there is the free portion of the site, which is available to anyone who surfs the web. This aspect of the site consists of several elements, including the following: well-organized and easy-to-access primary source documents related to international trade law; a full-text search engine for GATT/WTO decisions; a large collection of links to other sources of information on the web; and a discussion forum. <http://www.worldtradelaw.net/>

SCC Online

SCC Online is a product of Eastern Book Company. It provides digital content access of Supreme Court Cases Journals published by EBC. Apart from Supreme Court Judgements, this database also contains Indian legislations, legal articles, Commissions & Committee Reports, Notifications and Circulars.

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Manupatra is India's most comprehensive online legal and business policy database. Manupatra contains judgements of Supreme Court of India and High Courts of Indian states, Commission & Committee Reports, Gazette Notifications & Circulars, Bare Acts, Rules & Regulations, Ordinance & Pending Cases and legal material on subject based research. It provides comprehensive search techniques including Manu Search, Legal Search, Citation Search and Act Search.

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CLA Online

Corporate Law Advisor is a product of Corporate Law Advisor. It provides digital contents of Corporate Law Advisor magazine along with Business Law Supplement. It covers all volumes since its inception of both Corporate Law Advisor and Business Law Supplement. It provides comprehensive search techniques like article search, case law search, notification search, circulars search, acts search, rules search and regulations search. It can be accessed through <http://www.claonline.in/> configured within the IP Ranges of the University.

Indiastat

It provides depth of India specific, socio-economic statistical facts and figures culled from various secondary sources it is a portal of state specific sites which provide statistical data for all the major socio-economic parameters of the Indian States. District level data where ever available can also be viewed. Through this exhaustive compiled data can be accessed and download in MS-Excel/HTML formats. Can be accessed <http://www.indiastat.com>

Taxman-Online

Taxman online is leading publishers on Taxes and Corporate Law`s, Accounting and Auditing, Banking, Finance and Management. Can be access through <http://www.taxmann.com/>

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Economic & Political Weekly

First published in 1949 as the Economic Weekly and since 1966 as the Economic and Political Weekly, EPW, as the journal is popularly known, occupies a special place in the intellectual history of independent India.

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European Journal of Criminology

The European Journal of Criminology is a refereed journal published by SAGE publications and the European Society of Criminology. It provides a forum for research and scholarship on crime and criminal justice institutions. The journal published high quality articles using varied approaches, including discussion of theory, analysis of quantitative data, comparative studies, systematic evaluation of interventions, and study of institutions of political process. Library subscribes the online access and can be access through <http://euc.sagepub.com/>.

International Perspective in Victimology

IPV e journal is published by the Press at California State University, Fresno, in Colloboration with Tokiwa International Victimology Institute, Japan. It focuses on Traditional and newly emerging areas of victimology, and access through <http://www.thepressatcsufresno.org>

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11. Journal of Criminal Justice Education
12. Journal of Legal History
13. Journal of Offender Rehabilitation
14. Justice Quarterly
15. Justice Quarterly and Journal of Criminal Justice Education
16. The Law Teacher
17. Women & Criminal Justice
18. International Journal of Comparative and Applied Criminal Justice
19. Journal of Ethnicity in criminal justice
20. Journal of Scandinavian Studies in Criminology and crime prevention
21. Policing and Society
22. Police Practice and Research
23. Global Crime

Criminology & Law Online Journals Archive of Taylor & Francis publication can be accessed through the link <http://www.tandfonline.com/>.

Journal of World Trade

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<http://www.kluwerlawonline.com/index.php?area=Journals>

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AIR Infotech

Annual Survey of Indian Law

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॥ न्यायस्तत्र प्रमाणं स्यात् ॥



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OUR LOGO

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