

ORDINANCES
&
REGULATIONS RELATING TO
CONDUCT AND EVALUATION
OF
EXAMINATION FOR
PROGRAMME LEADING
TO
LL.M. (ONE YEAR)
DEGREE
&
SYLLABI

UTTRAKHAND
TECHNICAL UNIVERSITY

EFFECTIVE FROM
2013-2014

LL.M. PROGRAMME

1. THE PROGRAMME

The LL.M. Programme is a Post-Graduate study in select areas in Legal Advanced Education.

2. ELIGIBILITY

LL.B. (5 Years Integrated/ 3 Years) degree/ equivalent from a recognized University, with at least 55% marks or more for General Category candidates and 50 % percent mark for reserved categories. Candidates appearing in the qualifying examination, however, can appear provisionally, subject to the production of necessary qualification papers before or at the time of counseling session. The university reserves the rights to relax the minimum qualifying marks for admission to LL.M programme to the extent of 5% in deserving cases of each category.

3. PROGRAMME DURATION, CONTINUATION AND TERMINATION

- a) A Master's Degree Programme in Law shall comprise of a number of courses and / or other components as specified in the Teaching and Examination and Syllabi as approved by the Academic Council.
- b) LL.M. Programme shall be of one year duration. Emphasis shall be placed on research preparation for academic and scholarly assignments for aspirants. The minimum period required for completion of a programme shall be the programme duration as specified in the Scheme of Teaching and Examination and Syllabi.
 - i.
- c) The maximum permissible period for completing a LL.M. is 3 years from the date of registration/admission.

4. DIVISION OF ACADEMIC YEAR

- a) An academic year shall be divided into two semesters.

- b) The Programme shall run in accordance with the Academic Calendar issued by the University.
- 5. Each of two semesters shall be a working duration of about 15-20 weeks. There shall be a vacation of one week after the First Semester.

ATTENDANCE

A student shall be required to have a minimum attendance of 75% or more in the aggregate of all the courses taken together in a semester. However, the Director / Principal of the affiliated Centers of Legal Education may condone attendance shortage of 10% for the individual for reasons to be recorded. However, under no condition a student who has an aggregate attendance less than 65% in a semester shall be allowed to appear in the semester examination.

Student/s detained due to shortage of attendance shall not be allowed to be promoted to the next semester and he / she will be required to take re-admission and repeat all the courses of the said semester with the next batch of students. The University Enrolment No. of such students shall, however, remain unaltered and he /she shall be required to complete the programme in a maximum period of 3 years.

The Controller of Examination shall announce the names of all such students who are not eligible to appear in the semester examination at least 7 calendar days before the commencement of the semester examination. In case any student appears by default, who has in fact been detained by the University, his/ her result shall be treated as **null and void**.

6. EXAMINATION FEES

The Registrar shall notify the fees payable by the students for various examinations after the same is approved by the Vice-Chancellor. A student who has not paid the prescribed fees before the start of the examination shall not ordinarily be eligible to appear in the examination. The Vice-Chancellor, however, may at his discretion allow, in certain cases of genuine hardship, an extension in the last date of payment of fees. The result of such students shall, however, be withheld till all the dues are not cleared.

7. SCHEME OF EXAMINATION AND EVALUATION

- a) The University shall hold examination for awarding Master's Degree in Law (LL.M.) as per the prescribed Scheme of Teaching and Examination and Syllabi as are approved by the Academic Council.
- b) Examinations of the University shall be open to regular students, that is, students who have enrolled with any of the affiliated Centers of Legal Education of this University for a period specified in the Scheme of Teaching & Examination and Syllabi.
- c) Conduct of Semester-end Examination
 - i. All semester-end examination shall be conducted by the University.
 - ii. The schedule of examination shall be notified by the University at least 10 days prior to the first day of the commencement of the semester-end examination.
 - iii. For theory as well as dissertation/ thesis/ project report / seminar all examiners shall be appointed by the Vice-Chancellor out of a panel prepared for the purpose.
After receipt of the question paper/s from paper setters, the same shall be moderated by the moderator/s to be appointed by the Vice-Chancellor.

Dissertation/ Thesis

For dissertation, the evaluation shall be done and marks awarded by a Committee comprising of an internal examiner who will ordinarily be the supervisor and one or more external examiners. The internal examiner shall award marks out of 40% and external examiner out of 60%. The examiner shall be appointed by the Vice-Chancellor out of a panel of three or names suggested by the faculty concerned of the affiliated centers of legal studies.

In case of any dispute, the dissertation may be valued by an internal and an external examiner and the mean of the two scores may be taken as marks awarded to the candidate.

If, however, thereby the difference of 15% of the total marks between the two scores of the examiners, the dissertation may be sent to the third examiner and the

marks awarded by him shall be the final score of the candidate in respect of the dissertation.

8. CRITERIA FOR PASSING COURSES / MARKS AND DIVISION

- a) A candidate to pass the end-semester examination must secure at least **55% marks** in each course as well as aggregate of all courses subject to his securing at least 55% marks in external examination.
- b) A student may apply within 15 working days from the declaration of the result for re-checking of the examination answer script/s of a specific course/s on the payment of such fees as decided by the university from time to time. Re-checking shall mean verifying whether as per the question paper and their parts have been duly marked as per the question paper and the totaling of marks. In the event of any discrepancy being found the same shall be rectified through appropriate changes in both the results as well as marks-sheet of the concerned semester-end examination.
- c) A student obtaining less than 50% of maximum marks assigned to a course and failing in the course shall be allowed to re-appear in a semester-end examination of the course in a subsequent semester/s when the course is offered subject to maximum permissible period of 8 semesters. A student who has to re-appear in a semester-end examination in terms of above clause shall be examined as per the syllabus which will be in operation during the subsequent semester/s.
- d) A candidate who has secured the **minimum 55% marks** in each course as well as aggregate of all courses shall be declared to have passed LL.M. Programme and shall be eligible for the award of LL.M. Degree.
- e) **Provision for Grace Marks:**

Maximum 5 grace marks (maximum 2 marks in one individual subject) (may be allowed in each semester to a candidate in External Examination restricted to three subjects only provided he/she has secured 50% percent marks in aggregate in all the subjects of the semester taken together. For example: a candidate has secured 50%

or more than 50% marks in aggregate but could not secured 45% marks in External Examination in any two or three subjects , such candidate can be allowed grace marks upto maximum 5 marks to be spread over like 2, 2 and 1.

9. USE OF UNFAIR MEANS

All cases pertaining to reported use of Unfair Means in the Examination shall be placed before a Standing Unfair Means Committee to be constituted by the Vice-Chancellor for decision in individual cases and recommending penalties, if any.

10. AWARD OF DEGREE

A student shall be awarded a LL.M. Degree if,

- a) He/She has enrolled himself/ herself as a regular student undergone the course of studies, completed the dissertation/ seminar/ articles as specified in the curriculum within the stipulated time and secured the minimum 55% marks in all the courses.
- b) There are no dues outstanding in his/ her name.
- c) No disciplinary action is pending against him/ her.

NOTE: Notwithstanding anything stated in this Regulation for any unforeseen issues arising and not covered by this regulation or in the event of differences of interpretation, the Vice-Chancellor may take a decision after obtaining, if necessary, the opinion/ advice of a Committee consisting members representing Law in the Academic Council. However, the decision of the Vice-Chancellor shall be final and binding.

11. GOLD MEDAL TO MERITORIOUS STUDENTS

There is a scheme for award of Gold Medal to the meritorious students who secured highest marks (First Rank) in LL.M. and in various Post Graduate Diploma Examinations conducted by the Utrakhand Technical University.

12. SCHOLARSHIP & PLACEMENT

As this university has no Faculty of Law of its own and is only affiliating university for different law programmes, all the affiliated Centers of Legal Education with this university are hereby advised to institute scholarships of different hues, for example, Merit Scholarship and Merit-cum-Means Scholarship etc. to help the students which must not exceed 10% and 5% respectively of the total number of intake. Individual Centers of Legal Education affiliated with this university may devise necessary criteria for the award the intended scholarships to the students admitted in their respective institutions. However, the university shall devise detailed guidelines in this regard and circulate among the affiliated centers of legal education.

Uttarakhand Technical University also desires that every centers of legal education affiliated with this university shall have an independent placement cell for law students to assist law graduates in seeking employment.

Duration of the Programme:

The duration of the programme shall be of One Year in two semesters with minimum of 30 contact hours in each week and eighteen weeks for each of the two terms, including class room teaching, library work, seminars and research ;

The One Year LL.M. programme shall have 24 credits with three mandatory courses of 3 credits each (making a total of nine credits), six optional courses of 2 credits each (making a total of 12 credits) and a dissertation of 3 credits.

The entire programme shall be spread evenly for the duration of the programme, with not more than 12 credits in each trimester.

Each of the Semesters shall be of a working duration of 18 weeks.

The Course Structure / Curriculum:

The course Structure / Curriculum for One-Year LL.M. shall have the following components:

- i) Compulsory Papers (3 papers of three credits each)

- ii) Optional / Specialization Papers (6 papers of two credits each)
- iii) Dissertation (three credits)

Provided, in case the candidate takes a minimum of four specialization papers from any particular Group / Cluster only, then that Course can be called after Discipline the candidate selects; the candidates can opt for remaining paper / papers of his / her choice in order to complete the number of courses / credits prescribed for the degree.

Compulsory Papers :

The compulsory papers shall consist of the following three subjects / papers, which should be completed in the first Semester:

- i) Research Methods and Legal Writing
- ii) Comparative Public Law / Systems of Governance
- iii) Law and Justice in a Globalizing World

Optional/Specialization Papers:

The Siddhartha Law College, offers in one or more of the under mentioned three groups of specialization i.e. (a) Corporate and Commercial Law (b) Criminal and Security Law and (c) Constitutional & Administrative Law.

Dissertation

The dissertation shall carry a minimum of three.

Examination:

The Center shall hold examinations for awarding LL.M. Degree as far as possible according to the following scheme:

- i) Conduct of Semester Examinations.

- ii) As per instructions of the Vice-Chancellor all examinations shall be conducted by the center; the schedule of examination, as received from the University shall be notified by the Center along with academic calendar in the first week of every trimester.

Evaluation of students:

- i) Continuous evaluation by the teacher(s) of the course.
- ii) Evaluation through a Semester examination.

GRADES AND DIVISIONS

After the evaluation, only grades should be allotted to the students for the LL.M. Degree.

The detailed topics of the specialization subjects shall be the following:

I. (Corporate and Commercial Law)

- i) Competition Law
- ii) Banking and Insurance Law
- iii) Labour / Employment Law
- iv) Company Law
- v) Intellectual Property law
- vi) Cyber Law

II. (Criminal and Security Law)

- i) Criminology and Criminal Justice Administration

- ii) Victimology
- iii) Criminal Justice and Human Rights
- iv) Police Law and Administration
- v) Corporate Crimes/White Collar Crimes
- vi) International Criminal Law

III. (**Constitutional and Administrative Law**)

- i) Center-State Relations and Constitutional Governance
- ii) Fundamental Rights and Directive Principles
- iii) Local Self-Government & Federal Governance
- iv) Administrative Law
- v) Media Law
- vi) Minorities Law

P.S.: Each of these Courses will have a practical training and research component for students to perform on which evaluation for grades is determined.

EXAMINATION PAPERS FOR FIRST SEMESTER

Compulsory Papers

1. Research Methods and Legal Writing
2. Comparative Public Law / Systems of Governance
3. Law and Justice in a Globalizing World

Optional Papers.

Corporate and Commercial Law Group

4. Competition Law
5. Banking and Insurance Law

Or

Criminal and Security Law Group

6. Criminology and Criminal Justice Administration
7. Victimology

Or

Constitutional and Administrative Law Group

8. Center-State Relations and Constitutional Governance
9. Fundamental Rights and Directive Principles

EXAMINATION PAPERS FOR SECOND SEMESTER

Corporate and Commercial Law Group

1. Labour / Employment Law
2. Company Law
3. Intellectual Property law
4. Cyber Law
5. Dissertation

Criminal and Security Law Group

1. Criminal Justice and Human Rights
2. Police Law and Administration
3. Corporate Crimes/White Collar Crimes
4. International Criminal Law
5. Dissertation

Constitutional and Administrative Law Group

1. Local Self-Government & Federal Governance
2. Administrative Law
3. Media Law
4. Minorities Law
5. Dissertation.