#### **ORDINANCE**

&

# REGULATIONS RELATING TO CONDUCT AND EVALUATION OF EXAMINATION FOR PROGRAMME LEADING TO LL.M. (2 Year) DEGREE

VMSB UTTRAKHAND TECHNICAL UNIVERSITY EFFECTIVE FROM 2024-2025

#### LL.M. PROGRAMME

#### 1. THE PROGRAMME

The LL.M. Programme is a post-graduate study in select areas of legal advanced education. The **choice-based credit system** to be implemented through this curriculum would allow students to develop a strong footing in the fundamentals and specialise in the disciplines of his/her liking and abilities. The students pursuing this Programme would have to develop in in-depth understanding of various aspects of the subject

#### 2. OBJECTIVES

- a) To expose the students to the understanding of nature, scope and relationship of jurisprudence with other disciplines. Utility and relevance of jurisprudence are aimed to be explained critically.
- b) To expose students to different jurisprudential scholastic thoughts of selected exponents of Western as well as Indian Legal Theory.
- c) To inculcate in them a capacity for critical evaluation of theories of law and their application.
- d) To encourage them to explore upon the role of law, lawyers, jurists and legal reformers in evolving law and legal system for India.

- e) To equip them with innovative critical comparative and practical vision, techniques and skills for legal studies and understanding with reference to current Indian Laws.
- f) To enable the students with the methodology of objective evaluation of law, state and society.

#### 3. PROGRAMME SPECIFIC OUTCOMES

At the end of the LL.M. course, the students will be able to:

- a) Do legal research.
- b) Understand, interpret, and apply law.
- c) Evaluate and compare domestic and international laws.
- d) Design, and formulate case theory and strategy.
- e) Analyze and differentiate facts and law.
- f) Solve problems by employing legal reasoning, research.
- g) Choose ethical practices in the profession of law and discharge their social responsibility

#### 4. ELIGIBILITY

LL.B. (5 Years Integrated/ 3 Years) degree/ equivalent from a recognized University, with at least 50% marks or more for General Category candidates and 45 % percent marks for reserved categories (SC/ST). 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.

#### 5. ADMISSION

Admissions will be given on merit based on qualifying course in accordance with the conditions laid down by the University, time to time. The reservation rules governing admission to 2 year LL.M. Programme made by the Government of Uttarakhand shall be followed in making admissions.

## 6. PROGRAMME DURATION, CONTINUATION, TERMINATION AND SCHEME

- 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) The LL.M. Programme shall be of a two-year duration consisting of four semesters. Each semester will comprise six months out of which 16 weeks' duration of classroom teaching, library work, tutorial, clinical, seminars and research followed by the End semester Examination conducted by the University.
- c) The students may choose the optional groups from the list approved by the University, based on the availability of infrastructure, faculty and other facilities at the commencement of every academic year.

- d) A student for every branch in LL.M. shall, in four semesters undergo instruction in Six Core / Compulsory subjects (6 credits for each subject) and at least Six Elective Major subjects (6 credits for each subject), which are optional leading to specialization in a discipline, apart from the Dissertation and Viva-Voce (12 credits for Dissertation) as per the curriculum. Students have to obtain 84 credits to be awarded the degree of LL.M
- e) The students may choose the optional group from the list approved by the University, based on the availability of infrastructure, faculty and other facilities at the commencement of every academic year and intimate the same to the University.
- f) The maximum permissible period for completing an LL.M. programme in which the prescribed programme duration is 4 years from the date of registration/admission.

#### 7. INTER SE UNIVERSITY TRANSFER POLICY

A candidate seeking transfer from any other University to Uttarakhand Technical University may be allowed up to third semester only, subject to his/her clearing/passing all the subjects up to 2<sup>nd</sup> Semester and on furnishing an undertaking that such candidate shall clear additional subjects if any, as per VMSB Uttarakhand Technical University course curriculum, if not cleared in the previous University and such candidate shall also be required to get migration certificate from the previous University.

Candidates seeking transfer from Uttarakhand Technical University may also be permitted transfer/migration in a similar situation in the same manner.

#### 8. 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 Centres 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 4 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**.

#### 9. 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.

#### 10. SCHEME OF EXAMINATION AND EVALUATION

- a) The University shall hold an examination for awarding a Master's Degree in Law (LL.M.) as per the prescribed Scheme of Teaching and Examination and Syllabi as 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 Centres of Legal Education of this University for a period specified in the Scheme of Teaching & Examination and Syllabi.
- c) Every core paper and major elective paper shall carry 100 marks out of which 60 marks are for written examination which will be conducted by the University and 40 marks for internal assessment.
- d) Internal assessment shall be completed within the semester itself before the End-semesterer examination. Supplementary chances will not be there for internal assessment. The 40 marks under Internal Assessment shall be in the following proportion:

Sl. No.	Item	Division of Marks
1	Class and Seminar Participation	10
2	Project	15
3	Class Test	10
4	Attendance	5

Note- There shall be no Internal Assessment for Dissertation and Practical paper.

- e) All semester-end examinations shall be conducted by the University. The schedule of examination shall be notified by the University at least 10 days before the first day of the commencement of the semester-end examination. For theory as well as dissertation/thesis examiners shall be appointed by the University.
- f) The Practical Examination shall be held at the end of the Third Semester on Research Methodology, Law Teaching and Clinical Work. There shall be 25 marks each for doctrinal research and for non-doctrinal research and 25 marks each for law teaching and clinical work. The evaluation of the components of practical is to be done by the individual

faculties of law. They can formulate their own models of assessment. However, for making the practical examination objective and meaningful, the following guidelines shall be adhered to:

#### a. Research Methodology

- a) **Doctrinal Research (25 marks)** --- Each student is assigned in advance a separate topic and ask to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The materials indicated or collected during the assignment shall be evaluated by a group of faculty members.
- b) **Non-Doctrinal Research** (25 marks)--- Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed by a team of faculty members.
- c) Clinical Work (25 marks) --- The modalities can be evolved by the respective centres of legal education affiliated to this University. One method is that the legal aid clinic of the Law School can involve itself with the other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organization, tackling of labour disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual work turned out by him shall be assessed by the faculty.
- d) Law Teaching (25 marks) --- A topic is assigned to the student in advance. He / She is required to handle a class for 25 to 30 minutes. Where LL.B. (Integrated or 3 Years) co-exists with LL.M. Programme, the students may be asked to teach LL.B. students. They can select any methods of teaching. In legal education practical, the LL.M. students are evaluated internally and externally.

**Note**: No theory/external examination/Internal assessment will be conducted for this paper.

**11. DISSERTATION** For the dissertation, the evaluation shall be done and marks awarded by a Dissertation Evaluation Committee (DEC) comprising of an internal examiner who will ordinarily be the supervisor and one or more external examiners at the end of 4<sup>th</sup> semester. The finalization of the dissertation topic, supervisor, and methodology will be done in the 3<sup>rd</sup> semester itself so that the candidate gets sufficient time to carry out the dissertation. The internal examiner shall award marks out of 40% and the external examiner out of 60%. The external examiner(s) must be Ph.D in law having minimum eight years teaching experience who shall be appointed by the University.

Provided that,

- no dissertation will be evaluated until at least one research paper based on the

dissertation has been published or communicated to publish in UGC CARE/SCOPUS/SCI indexed journal or presented at a conference. Proof of publication or communication or conference presentation will be submitted along with the award list to the University by the Principal of the legal centre.

- no dissertation will be evaluated if the similarity index is reported to be more than 10% by the similarity checking software prescribed by the University.

#### 12. CRITERIA FOR PASSING COURSES/AWARDING THE GRADES

# 12.1 The following shall be the structure of grading for academic performance of the student:

#### **Award of Grades:**

Students obtaining grades O to P, shall be declared pass. Students failing in subject, will be awarded F grade. The grades shall be decided on the aggregate of evaluation of all the components like: -

- (i) Three written tests: CT-1, and End Semester Examination
- (ii) Assignments Quizzes, homework, tutorials and regularity in attendance etc.
- (iii) Practical (if part of the course).
- (iv) Practical, Design Project and Project shall be evaluated & graded as per guideline

#### Structure of Grades and Grade Points:

Grades	Grade Point (GP)	% of Total Marks obtained in the
		course
O - Outstanding	10	90%andabove
A+ - Excellent	9	85% and above but less than 90%
A - Very Good	8	80% and above but less than 85%
B + - Good	7	70% and above but less than 80%
B – Above Average	6	60% and above but less than 70%
C – Average	5	50% and above but less than 60%
P – Pass	4	40% and above but less than 50%
F – Fail	0	Less than 40%

The "W" grade is awarded to a student if he/she is allowed to withdraw for an entire Semester only if he/she has been on authorized absence from the Institute/University on medical grounds for a period exceeding four weeks and informed to the University in time. The "I" grade is awarded to an student who is unable to complete the course 12.2

#### **Evaluation of Performance:**

The performance of a student will be evaluated in terms of two indices, viz., the Semester Grade Point Average (SGPA) which is the Grade point Average for a semester and Cumulative Grade Point Average (CGPA) which is the Grade Point Average for all the completed semesters at any point in time. The SGPA is calculated on the basis of grades obtained in all courses, except audit/non-credit courses, registered in the semester.

$$SGPA = \frac{C_i G_i^s}{C_i}$$

Where Ci = Credits of the registered subject

Gi= Grade point awarded to the student in the registered subject s = Total number of registered subjects in the semester, except audit/non-credit courses. Here the failed courses are also accounted.

The overall Grade of a student in the program of study upto the end of a particular semester shall be called Cumulative Grade Point Average (CGPA). CGPA shall be calculated on the basis of all grades, except audit courses, obtained in all completed semesters as follows:

$$CGPA = \frac{CG_{i}^{CG}}{C_{i}}$$

$$C_{i}$$

$$i=1$$

Where

 $C_i$  = Credits of the registered subject

G<sub>i</sub> = Grade point awarded to the student in the registered subject

n = Total number of registered subjects, except audit/non-credit Courses.

Here the failed courses are also accounted.

The SGPA and CGPA will be rounded off to 2 decimal points and reported in marksheets, transcripts, etc.

**Conversion of Grade in to percentage:** The performance of the students is measured in terms of CGPA (on a 10 point scale) as defined above. The equated percentage shall be equivalent to CGPA x 9.5.

#### 12.2 Award of Division:

**First Division -** CGPA of 6.5 and above but less than 10 CGPA (First Division with Distinction will be awarded to those securing CGPA of 8 and above but less than 10 CGPA provided they pass all the examinations in first attempt)

**Second Division - CGPA** of 5 and above but less than 6.5 CGPA

**Third Division -** CGPA of 4 and above but less than 5 CGPA

#### **Definition of Credit:**

1 Hr. Lecture (L) per week 1 Credit

1 Hr. Tutorial (T) per week 1 Credit

credits essential for obtaining the LLM Degree in either or many of I/II/III/IV Semester).

#### **12.3** 13.3

- a) While marks are given for all internal and end semester examinations for a maximum number of 100 each, they will be converted into grades by University. Semester end grade sheets will have only grades & final grade sheets and transcripts shall have grade points average and total percentage of marks. Grades will be calculated as calculated by the this University in other PG program.
- b) The system of evaluation will be as follows: Each internal assessment and end semester Examination will be evaluated in terms of marks. The marks for internal assessment and End semester Examination will be added together and then converted into a grade and later a grade point average.
- c) The qualifying marks for each subject (Internal as well as external) shall be 40% and 50% aggregate in each semester.
- d) **THE PROMOTION RULES-** To get promoted from first semester to second semester a student is required to pass at least one paper out of four papers with minimum of 40% marks. To get promoted from second semester to third semester a student is required to pass at least four papers out of eight papers. To get promoted from third to fourth semester a student is required to pass at least one paper from the four papers of third semester.
- e) If a candidate fails to secure qualifying marks in each paper in a particular semester examination his/her result will be declared as 'SNC' i.e. semester not cleared. Final semester result will not be cleared till the previous semester is cleared.
- f) A student shall be allowed a maximum of consecutive four years to complete the 2 year LL.M Programme of the University.
- g) After the getting minimum number of credits towards the completion of a PG programme, a student will get a grade sheet with total grades earned and a grade point average.

#### 13. 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.

#### 14. 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

15. SCHEME OF SUBJECTS IN  $1^{st}$ ,  $2^{nd}$ ,  $3^{rd}$  and  $4^{th}$  SEMESTERS

SEMESTE R	CORE SUBJEC T	MAJOR SELECTIVE SUBJECT	MAXIMUM MARKS	CREDIT	L:T:P	Value added/ Qualifyi ng (Audit Subject
I	Core Subject-I and II	Major Selective- I and II	100	6 each	3:0:0	00
П	Core Subject- III and IV	Major Selective- III and IV	100	6 each	3:0:0	00
III	Core Subject-V and VI	Major Selective- V and VI	100	6 each	3:0:0 and 0:0:3	01
IV	Dissertati on	-	200	12		01

Note- The finalization of the dissertation topic, supervisor, and methodology will be done in the  $3^{rd}$  semester itself so that the candidate gets sufficient time to carry out the dissertation

**TABLE -I (CORE SUBJECTS)** 

Subject	CODE	Name	External	Internal	Credit
Core – I	LPC101	Legal Theory	60	40	6
Core-II	LPC102	Indian Constitutional Law: The New Challenges	60	40	6
Core-III	LPC201	Research Methodology -I	60	40	6
Core-IV	LPC202	Law and Social Transformation in	60	40	6

		India			
Core-V	LPC301	Judicial Process	60	40	6
Core-VI	LPC302	Research Methodology -II	60	40	6
Core-VII	LPC401	Dissertation	120	80	12

Note LPC302, is a practical subject will be evaluated as per the Clause 11 (g).

## TABLE -II (AUDIT SUBJECTS)

Subject	Code	MM	CREDIT	Semester
Value Added	LPV003	100	AUDIT	III
			( NON-CREDIT)	
Qualifying	LPQ004	100	AUDIT	IV
			( NON-CREDIT)	

## TABLE -III (MAJOR SELECTIVE SUBJECTS)

## **GROUP - I (Constitutional and Administrative Law)**

Major Selective Subject-I	LPS111	Center-State Relations and Constitutional Governance	6 Credits	3:0:0
Major Selective Subject-II	LPS112	Fundamental Rights and Directive Principles	6 Credits	3:0:0
Major Selective Subject-III	LPS211	Local Self-Government & Federal Governance	6 Credits	3:0:0
Major Selective	LPS212	Administrative Law	6 Credits	3:0:0

Subject-IV				
Major Selective Subject-V	LPS311	Media Law	6 Credits	3:0:0
Major Selective Subject-VI	LPS312	Minorities Law	6 Credits	3:0:0
Dissertation	LPD001			

## $\label{eq:GROUP-II} \textbf{GROUP-II} \ (\textbf{Corporate} \ \textbf{and} \ \textbf{Commercial} \ \textbf{Law})$

Major Selective Subject-I	LPS121	Competition Law	6 Credits	3:0:0
Major Selective Subject-II	LPS122	Banking and Insurance Law	6 Credits	3:0:0
Major Selective Subject-III	LPS221	Labour / Employment Law	6 Credits	3:0:0
Major Selective Subject-IV	LPS222	Company Law	6 Credits	3:0:0
Major Selective Subject-V	LPS321	Intellectual Property Law	6 Credits	3:0:0
Major Selective Subject-VI	LPS322	Cyber Law	6 Credits	3:0:0
Dissertation	LPD001			

## **GROUP - III (Criminal Law)**

Major Selective Subject-I	LPS131	Criminology and Criminal Justice Administration	6 Credits	3:0:0
Major Selective Subject-II	LPS132	Victimology	6 Credits	3:0:0
Major Selective Subject-III	LPS231	Criminal Justice and Human Rights	6 Credits	3:0:0
Major Selective Subject-IV	LPS232	Police Law and Administration	6 Credits	3:0:0
Major Selective Subject-V	LPS331	Corporate Crimes/White Collar Crimes	6 Credits	3:0:0
Major Selective Subject-VI	LPS332	International Criminal Law	6 Credits	3:0:0
Dissertation	LPD001			_

## **GROUP - IV** (Family Law)

Major Selective Subject-I	LPS141	FAMILY DISPUTES AND DISPUTE RESOLUTION	6 Credits	3:0:0
Major Selective Subject-II	LPS142	FAMILY PROPERTY AND SUCCESSION	6 Credits	3:0:0

Major Selective Subject-III	LPS241	MARRIAGE, MATRIMONIAL RIGHTS & REMEDIES	6 Credits	3:0:0
Major Selective Subject-IV	LPS242	PENAL LAWS ON FAMILY AFFAIRS	6 Credits	3:0:0
Major Selective Subject-V	LPS341	RIGHTS OF WOMEN, THEIR PROTECTION AND GENDER EQUALITY	6 Credits	3:0:0
Major Selective Subject-VI	LPS342	UNIFORM CIVIL CODE	6 Credits	3:0:0
Dissertation	LPD001			

## **GROUP- V** (Environment Law)

Major Selective Subject-I	LPS151	Foundations of Environmental Law	6 Credits	3:0:0
Major Selective Subject-II	LPS152	International Environmental Law	6 Credits	3:0:0
Major Selective Subject-III	LPS251	Environmental Governance and Policy	6 Credits	3:0:0
Major Selective Subject-IV	LPS252	Biodiversity and Natural Resource Management	6 Credits	3:0:0

Major	LPS351	Climate Change Law	6 Credits	3:0:0
Selective		and Policy		
Subject-V				
Major	LPS352	Environmental	6 Credits	3:0:0
Selective		Justice and Ethics		
Subject-VI				
Dissertation	LPD001			

## **GROUP - VI (Human Rights Law and Organizations)**

Major Selective Subject-I	LPS111	HUMAN RIGHTS AND JURISPRUDENCE	6 Credits	3:0:0
Major Selective Subject-II	LPS162	WOMEN- HUMAN RIGHTS AND DUTIES	6 Credits	3:0:0
Major Selective Subject-III	LPS261	HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM	6 Credits	3:0:0
Major Selective Subject-IV	LPS262	HUMAN RIGHTS AND INTERNATIONAL ORDER	6 Credits	3:0:0
Major Selective Subject-V	LPS361	ARMED CONFLICT AND REFUGEE LAW	6 Credits	3:0:0
Major Selective Subject-VI	LPS362	HUMAN RIGHTS JUSTICE AND DISADVANTAGED	6 Credits	3:0:0

		GROUP	
Dissertation	LPD001		

## **GROUP - VII (International Law)**

Major Selective Subject-I	LPS171	FOUNDATIONS OF PUBLIC INTERNATIONAL LAW.	6 Credits	3:0:0
Major Selective Subject-II	LPS172	INTERNATIONAL HUMAN RIGHTS LAW.	6 Credits	3:0:0
Major Selective Subject-III	LPS271	INTERNATIONAL CRIMINAL LAW	6 Credits	3:0:0
Major Selective Subject-IV	LPS272	INTERNATIONAL ECONOMIC LAW	6 Credits	3:0:0
Major Selective Subject-V	LPS371	INTERNATIONAL ENVIRONMENTAL LAW.	6 Credits	3:0:0
Major Selective Subject-VI	LPS372	INTERNATIONAL DISPUTE SETTLEMENT.	6 Credits	3:0:0
Dissertation	LPD001			

**GROUP - VIII (Intellectual Property Law)** 

Major Selective Subject-I	LPS181	Nature, Emergence and Development of IPR.	6 Credits	3:0:0
Major Selective Subject-II	LPS182	Law of Copyrights	6 Credits	3:0:0
Major Selective Subject-III	LPS281	Law of Patents	6 Credits	3:0:0
Major Selective Subject-IV	LPS282	Law of Trademark	6 Credits	3:0:0
Major Selective Subject-V	LPS381	Law of Industrial  Design s	6 Credits	3:0:0
Major Selective Subject-VI	LPS382	Protection of Plant Varieties & Traditional Knowledge	6 Credits	3:0:0
Dissertation	LPD001			

## **GROUP - IX (Dispute Resolution)**

Major Selective	LPS191	Evolution and	6 Credits	3:0:0
Subject-I		Concept of ADR		
0				

Major Selective Subject-II	LPS192	Law of Arbitration, Mediation, Conciliation and Negotiation	6 Credits	3:0:0
Major Selective Subject-III	LPS291	Arbitration & Conciliation Act, 1996 & International Developments	6 Credits	3:0:0
Major Selective Subject-IV	LPS292	International Commercial Arbitration	6 Credits	3:0:0
Major Selective Subject-V	LPS391	International and Domestic Centres for Institutional Arbitration.	6 Credits	3:0:0
Major Selective Subject-VI	LPS392	Practical Application of ADR Method	6 Credits	3:0:0
Dissertation	LPD001		12 Credits	