

Ordinance No. V (27A)

Ordinance Relating to Master of Laws (LL.M.) Three Yrs. Executive Program

GENERAL

- This ordinance may be called the “Ordinance-2022 relating to LL.M. Three Years Executive Program (with Dual Specialization).”
- It shall come into force from academic session 2022-2023.
- This supersedes the previous Ordinance relating to Ordinance Relating to LL.M. Three Years Executive Program (with Dual Specialization).”
- The program code will be LC-2 and program specific code will be LC-2/01.

1. INTRODUCTION

Sardar Patel Subharti Institute of Law is the top Law College in Uttar Pradesh (SARPA-SIL) which started in the year 2002. Upto 2020 the Program, Master in Laws was regulated by UGC but in 2021, the Gazette of India notification no. CG-DL-E-05012021-224194 dated January 04, 2021 stipulated the governance of Master of Laws by BCI. The issue of governance of the same is pending before Supreme Court of India, hence till the finalization of the same it will be considered under UGC. The Gazette notification also talks about LL.M. Three Years Executive Program, for working professionals, hence the same is to be introduced.

Sardar Patel Subharti Institute of Law has been established with the vision **to be a world-class Law School committed to the promotion of academic achievement and excellence in research.**

Mission to establish the SPSIL was specifically centralized to focus on:

- To develop a centre for learning and scholarship; preparing students for academic pursuits, professional development, enhanced personal lives, and responsible global citizenship;
- To extend the frontiers of knowledge through research, creative works, fostering an intellectual culture that bridges theory with practice;
- To contribute for social, economic, and cultural development; and, through intellectual products, enhances the quality of life of the people of India and all humanity.

MASTER OF LAWS (LL.M.) Three Years Executive Program:

i. PROGRAMME OBJECTIVES:

LL.M. Three Years Executive Program will

- The broad objective of the Programme is to enhance the competency of lawyers, law persons and researchers in law. Specific objectives of the Programme include:
- To get a thorough understanding of the specific branch of law (specialisations) opted by the candidate and information pertaining to the current developments in the area.
- To help students acquire practical skills in all the major areas of the specialisation.
- To provide expertise and specialisation in areas of Law and Jurisprudence. Which are of emerging significance and social relevance.

- To produce law persons with a fair degree of understanding and appreciation of the contributions of eminent jurists and legal philosophers.
- Be able to integrate socio-polity-legal theories, doctrine and practice to groom skilled professional to serve the society.
- Have quest for research and inquiry in contemporary society.
- Be able to develop ethical social and professional understanding.
- Have sense of commitment towards professional obligation and for scholarly engagement and societal reform so as to ensure professional preparation.
- And above all, to produce good citizens, efficient and learned men which the society and the legal system require.

ii. PROGRAMME LEARNING OUTCOMES:

Everyone under this course is expected to carry following graduate attributes:

- a. Interpret the law and integrate the same with varied social and individual problems and solutions.
- b. Train, teach and share legal knowledge as a part of center of legal education under Bar Council of India.
- c. Demonstrate basic knowledge and understanding of substantive and procedural law.
- d. Demonstrate the skills of analysis and reasoning, legal research, problem solving, written and oral communication in the legal context.
- e. Exercise of proper professional and ethical responsibilities to clients and legal system.
- f. Demonstrate the professional skills of collaboration, counselling and negotiations.
- g. Develop a global perspective towards various legal issues

iii. POST GRADUATE ATTRIBUTES:

Everyone under this course is expected to carry following post-graduate attributes:

- Intellectual rigour
- Creativity
- Ethical practice
- Core knowledge and understanding of law
- Lifelong learning
- Communication and social skills
- Cultural competence

2. RULES AND REGULATIONS FOR ADMISSION IN LL.M. THREE YEARS EXECUTIVE PROGRAM

2.1 The minimum educational qualification for admission in LLM Three Years Executive Program is LLB or BALLB or BBALLB or BCOMLLB or any of the Law graduate degree or

equivalent from a recognized university as per BCI norms alongwith documentary evidence of full time engagement in Job or in Practice.

- 2.2 There shall be no maximum age limit for seeking admission into LLM Three Years Executive Program.
- 2.3 The applicants may be required to appear at an entrance test followed by group discussion, interview and counseling before admission.
- 2.4 The reservation and relaxation for SC/ST/OBC/PWD and other categories shall be as per the rules of the Central Government/State Government, whichever is applicable.
- 2.5. The entire LLM Three Years Executive Program has to be completed in a minimum of Three Years and within maximum of six years from the date of original admission in the course after acquiring a total of 80 credits.

3. CURRICULUM/ STRUCTURE OF PROGRAMME OF LL.M. THREE YEARS EXECUTIVE PROGRAM

3.1 The program shall be spread over minimum Three Academic Years. Each Academic Year is divided into two semesters and shall consist of a minimum of two hundred (200) working days. Each semester shall consist of a minimum of ninety (90) working days. And in each semester there shall be classes for 15 weeks.

3.2 The program focuses on the following aspects:

- a) Competency
- b) Entrepreneurship
- c) Mooting and Writing skills
- d) Extracurricular activities

3.3 Credit System Based Compulsory Courses Components & Credits:

The CBCS provides an opportunity for the students to choose courses from the prescribed courses comprising core, elective/minor or skill based courses. Since the program is for working professional and to begin with this is not based on CBCS System. The courses can be evaluated following the grading system, which is considered to be better than the conventional marks system. Therefore, it is necessary to introduce uniform grading system in the entire higher education in India. This will benefit the students to move across institutions within India to begin with and across countries. The uniform grading system will also enable potential employers in assessing the performance of the candidates. In order to bring uniformity in evaluation system and computation of the Cumulative Grade Point Average (CGPA) based on student's performance in examinations, the UGC has formulated the guidelines to be followed.

The curriculum offers a total of 14 compulsory courses which the student has to complete. The total number 80 credits are essential for the award of LL.M. Three Years Executive Program.

The courses are divided into two categories, i.e. Core courses and choice based courses (Elective Courses). **The entire Course curriculum is as per the direction of Bar Council of India.**

3.3.1 Core Course (06): A course, which should compulsorily be studied by a candidate as a core requirement is termed as a Core course.

4. The Academic Calendar shall be as follows:-

Odd Semester	Session - 1st Aug. to 09th December Exam – 15th Dec. to 30th Dec
Even Semester	Session – 15th Jan. to 15th May Exam - 20th May to 15th June
Summer Vacation	16th June to 30th July

5. Table of LL.M. Three Years Executive program Structure under CBCS from the academic year 2021-2022

{The LL.M. Three Years Executive course comprises six core papers, six electives, seminars therein and dissertation, (on the pattern of double specialization and Choice based Credit System)}

Sr No.	Subject Code	Subject	Credit	Classification
Ist Semester				
1.	ML(E)-101	Law and Social Transformation	5	Core Papers
2.	ML(E)-102	Paper-1- Criminology; Penology and Sentencing Pattern	5	Specialization-1 (Criminal Law)
IInd Semester				
3.	ML(E)-201	Indian Constitution Law-New Challenges	5	Core Papers
4.	ML(E)-202	Paper-1 –Corporate Governance and Finance	5	Specialization-2 (Corporate Law)
IIIrd Semester				
5.	ML(E)-301	Legal Education and Advance Research Methodology	5	Core Papers
6.	ML(E)-302	Paper-2- Comparative Criminal Procedure; Common Law and Civil Law System	5	Specialization-1 (Criminal Law)
IVth Semester				
7.	ML(E)-401	Judicial Process	5	Core Papers
8.	ML(E)-402	Paper-2- Law of Industrial and Intellectual Property	5	Specialization-2 (Corporate Law)
Vth Semester				
9.	ML(E)-501	Application of theories of Jurisprudence	4	Core Papers
10.	ML(E)-502	Paper-3 – Drug Addiction, Criminal Justice and Human Rights	5	Specialization-1 (Criminal Law)
VIth Semester				
11.	ML(E)-601	Seminar on the contemporary issue of the Groups	6	Core Papers
12.	ML(E)-602	Paper-3 – WTO & Law of International Contract	5	Specialization-2 (Corporate Law)
13.	ML(E)-603	Dissertation	10	

14.	ML(E)-604	Open Viva-Voce by external examiner	10
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6. (i) The students are required to guide and work with B.A.LL.B. Students in Legal Aid Clinic established for the purpose of Legal awareness, Moot Court & Internship.
- (ii) To judge the capability of the student to teach law, a topic shall be assigned to the student in advance and he shall be asked to teach LL.B. students. The student can select any of the methods of teaching. The performance of the student shall be evaluated internally and externally.
- (iii) The Dissertation shall be submitted only after the certificate of satisfaction of the supervisor.
- (iv) In case of delay in submitting LL.M. Three Years Executive Dissertation after the given date a fine of Rs. 5,000/- per month will be levied on the concerned Student.
- 6.1 The entire LL.M. Three Years Executive Program has to be completed within a maximum of Six years from the date of original admission in the course. A student will be eligible for the award of LL.M. Three Years Executive Degree only when he/she has successfully completed all the prescribed fourteen courses i.e. **twelve (12) Courses (class room instructional courses) and two courses on dissertation (report writing, presentation and Viva-voce as application base courses)** with a total of **80 Credits**.
- 6.2 **MEDIUM OF INSTRUCTION:** The medium of instruction and examination shall be English only.
- 6.3 **TEACHING METHODS:** The teaching methods at the Post Graduate level aim at the promotion of inter – disciplinary approach and practical appreciation of problems. In addition to the lecture method, seminars, tutorials, assignments, clinical experience, fieldwork, legal research and legal writing will be used.
- In courses which need cooperative teaching, several teachers and experts will be involved to maximize the learning potential of the students. Clinical legal education will be given due place and academic credit will be given to the students who participate in it.

7. EXAMINATION AND EVALUATION

7.1 ATTENDANCE:

The students are expected to attend all the classes and should not have less than 75 % attendance in theory as well as in practical classes, wherever held, to become eligible to appear for the university examination. Short fall in attendance can, however be condoned in deserving cases to the extent of 10% by the Principal. If the short fall is more than 10% but not more than 15%, the Principal may

recommend deserving cases to the Vice Chancellor for condonation. The order of the Vice Chancellor in this regard shall be final.

7.2 EXAMINATION:

All Courses offered by SPSIL under LL.M. Three Years Executive Program will have an evaluation system within two components as:

1. Continuous Comprehensive Assessment (CCA) accounting for 40% of the final grade that a student gets in a course, and
2. End-Semester Examination (ESE) accounting for the remaining 60% of the final grade that the student gets in a course.

A student has to pass both the components i.e. CCA (minimum 33%) and ESE (minimum 40%) separately and 50% in aggregate to become eligible to be declared successful in a course.

Note: The above examination and evaluation pedagogy will not be applicable in the courses like Seminar on contemporary issues and Dissertation written and Viva-voce. These courses will be considered as project presentation and evaluation and the assessment must be by external subject expert/examiners.

7.3 CONTINUOUS COMPREHENSIVE ASSESSMENT (CCA) :

Continuous Comprehensive Assessment (CCA) will be comprised of **40 marks:**

- 7.3.1** Two written test ten marks each, projects & practical, may include in-between snap tests if any shall carry **35 marks** independently in each subject.
- 7.3.2** A maximum of **05 marks** in each subject shall be awarded for attending classes (theory / practical) as per the following norms:

95% or more attendance	-	5 Marks
90% or more but less than 95% attendance	-	4 Marks
85% or more but less than 90% attendance	-	3 Marks
80% or more but less than 85% attendance	-	2 Marks
75% or more but less than 80% attendance	-	1 Mark

7.4 END SEMESTER EXAMINATION (ESE)

The remaining 60% of the final grade of the student in a course will be assessed on the basis of an end semester examination (ESE) that will be for three hours duration and will cover the entire syllabus of the course.

The question papers for the ESE will be set by the Controller of Examinations (CoE) of the Swami Vivekanand Subharti University (SVSU) by a selected faculty panel.

- 7.5** The examination of Dissertation +Viva-Voce of the course in IV semester: - The dissertation shall be treated as one special paper and shall be written and submitted in the fourth semester on a topic to be approved by the Head of the Department. The

dissertation shall also carry maximum of 200 marks, out of which 100 marks shall be earmarked for the presentation/teaching & open viva-voce test thereon.

- 7.6 A special examination may be held in the month of August for the students of the first year of the course to enable them to reappear in those papers in which they had failed or could not appear due to any reason other than shortage of attendance. Students detained due to shortage of attendance may also appear in the special examination provided they make up their attendance by attending extra classes which may be arranged between 15th June to 31st July.

7.7 PAPER SETTING

The work of setting the end semester examination papers and evaluation of scripts and conduct of the end semester practical examination shall be assigned to the course teachers as well as to outsiders, ordinarily in the ratio of 50:50 for internal and external valuation respectively.

7.8 RESULTS

- The result shall be prepared at the end of each academic year of the course by aggregating the marks obtained in the theory and practical examinations in all the semesters of the course till date.
 - (a) A candidate shall be declared as passed at the end of an academic year if he/she secures minimum 50% marks in each paper and shall be promoted to the next academic year.
 - (b) If a student fails to secure 50% marks in not more than 1/2 of the numbers of the papers of the academic year, he/she will be provisionally promoted to the next year with carryover papers and will have to appear & obtain pass marks in carryover papers along with the subsequent regular examinations for the relevant semester.
 - (c) A student will not be promoted to the next academic year if the carryover papers are more than 04 at one point of time.
- If a candidate fails in only one head/subject and having passed in all other heads/subjects of the given examination of a **semester*/year**, then his/her deficiency of marks may be fulfilled by grace marks under the following conditions:-
 - (i) Grace marks is not a matter of right of the student but is the discretion of the University.
 - (ii) Provided that the candidate has appeared in the main examination of the concerned course and falls short of pass marks by not more than five (05) marks in theory paper only. Benefit of above mentioned shall not be given to the candidate who had appeared in supplementary/special examination/carry over examination.

- (iii) Further, benefit of grace marks may be given only to the candidate who will pass the entire concerned examination of the **semester*/year** after awarding the grace marks and not for the purpose of promoting the student to next year with back papers or for improvement of division or percentage.
- (iv) If in a head/subject of an examination passing in Theory, Practical or sessional exams separately is mandatory, then the benefit of grace marks shall be given only in Theory examination of the University examination.
- (v) The award of grace marks permissible shall be on the basis of 1 grace mark for every 05 marks secured by an examinee over and above the minimum passing aggregate marks of all subjects of the year.

- Awarding of Grace Marks shall be done as given below:-

Aggregate Marks Obtained over & above minimum passing marks	Permissible Grace Marks
1-5	1
6-10	2
11-15	3
16-20	4
21-25	5

- (i) Total number of Grace marks given to the student will be marked with astrick (*) at the bottom of the marksheet.

* Grace mark in semester examination will be considered hereinafter.

- (d) A student not covered by clause (a) to (c) above shall have the following options to complete his/her course -
 - (i) He/ she may take admission on payment of full annual course fee and repeat the entire year of study. He /She shall be treated as a regular student. Or
 - (ii) He /She may pay only University exam fee for the End Semester Examination and appear in the End Semester University exams directly. He /She shall not be allowed to attend classes and the Sessional marks obtained earlier shall be retained. Or
 - (iii) He /She may pay half of the annual course fee and attend classes. The sessional marks obtained by him/her earlier shall be retained. There will not be any requirement of minimum attendance for appearing in the University examination
- (e) A student will not be promoted to the next academic year if the carryover papers are more than 50% at one point of time.

8. EVALUATION UNDER GRADING ASSESSMENT

The minimum Grade/ Grade Point required to pass each paper in a semester examination under CBCS shall be Grade D/ Grade Point 4 in each theory paper/ Practical/Project (wherever applicable) in External Examination and Internal Assessment separately.

8.1 CALCULATION CRITERIA:-

To implement the following grading system, the colleges/campuses shall use the following UGC recommended 10 point grading system:

Marks (%)	Letter Grades	Grade Points (G)
85-100	A++ (Outstanding)	10
75 to < 85	A+ (Excellent)	9
70 to <75	A (Very Good)	8
65 to <70	B+ (Good)	7
60 to <65	B (Above Average)	6
50 to <60	C (Average)	5
40 to <50	D (Pass)	4
0 to <40	F (Fail)	0
	AB (Absent)	0

8.2 COMPUTATION OF SGPA AND CGPA

$(S_i) = \frac{\sum (C_i \times G_i)}{\sum C_i}$, where C_i is the number of credits of the i th course and G_i is the grade point scored by the student in the i th course.

$CGPA = \frac{\sum (C_i \times S_i)}{\sum C_i}$ where S_i is the SGPA of the i th semester and C_i is the total number of credits in that semester.

The SGPA and CGPA shall be rounded off to 2 decimal points and reported in the transcripts.

9. POWER TO MODIFY

In the event of any emergent situation, if any deviation is considered necessary, the Vice Chancellor is authorized to modify the Ordinance. Subject to subsequent ratification by the Executive Council.