

Proposed Amendments in the Ordinance of Delhi University relating to LL.M. / M.C.L. programmes in the Faculty of Law

It was observed that the Course details relating to LL.M. (Two years) and LLM (three years) had some discrepancies relating to the courses to be offered. While Law of Sea was shown to be part of the Three Year LL.M. Course it was not shown in the scheme of papers for the Two Years LL.M. Course. Similarly, the Course on Criminal Justice and Human Rights was included in the papers offered in Two Years LL.M but it was not shown in the Three Years LL.M. These are only technical omissions that went unnoticed in the provisions of the Ordinances relating to LL.M. It is further proposed to reduce the time from 31st Aug to 30th June for submission of Dissertation in the last semester of the LL.M. two and three year course.

Also the last amendments in the Ordinance, did not mention anything about the continuing M.C.L. programme. Hence, it is proposed to include the details of the M.C.L. programme in the Ordinance relating to Master of Comparative Law programme offered for Foreign students.

With the increasing concern about submission of plagiarized papers and as LL.M. is considered to be equal to M.Phil in Delhi University, it is essential to include the requirement of Plagiarism check Certificate for acceptance of papers in each paper as well as the Dissertation.

Hence, it is proposed that the Ordinance as amended in 2014 be replaced by the following:

Master of Laws (LL.M./M.C.L.) Degree Examination

1. Duration of LL.M. Course

(i) LL.M. Two Year (Four Terms) Course

This is full-time course meant only for those who are not in employment or engaged in any trade, profession and business or occupation. The student is required to give an affidavit for the same at the time of admission.

(ii) LL.M. Three Year (Six Terms) Course

This course is meant for all applicants including those who are in employment or engaged in any trade, profession and business or occupation.

(iii) M.C.L. Two Year (Four Terms) Course

This course is meant for **Foreign Nationals** only.

- 2.** Each academic year shall be divided into two Terms.
- 3.** The medium of instructions and examination shall be English.
- 4.** The instruction shall be imparted through lectures, class discussion, and paper presentation by the students.
- 5.** The course curricula of LL.M. is in the process of revision including the evaluation system

in each course with the University of Delhi introducing Choice Based Credit System for its Post Graduate courses from the Academic Year 2018-19.

6. The following has been the subject and courses of study for the LL.M. and M.C.L. so far:

LL M (TWO YEAR) COURSE

LL.M. I Term Examination: (4 courses)

2YLM 101: Comparative Constitution Law and Governance – Compulsory Course

Optional courses (Opt any three)

2YLM-103: Law of International Organisation and Human Rights

2YLM-108: Corporate Management and Social Responsibility

2YLM-109: Intellectual and Industrial Property Laws-I

2YLM-111: Comparative Labour and Wage Law

2YLM-113: Criminal Justice and Human Rights

2YLM-114: Comparative Law of Marriage, Divorce and Civil Code

2YLM-116: Law of women and Child rights (modified)

2YLM-117: Administrative Law and Regulatory Mechanisms

LL.M. II Term Examination: (four courses)

2YLM-201 Law and Justice in a Global World - compulsory course

Optional courses (Opt any three)

2YLM-202: Administrative Action and Judicial Review

2YLM-203: Law of Air and Space

2YLM-204: Law of Corporate Finance and Securities Regulation

2YLM-205: Competition and Consumer Protection Law

2YLM-206: Intellectual and Industrial Property Laws-II

2YLM-207: Insurance Law and Banking (New)

2YLM-208: Cyber and Information Technology Law (New)

2YLM-209: Corporate and White Collar Crimes

2YLM-210: Law of Torts and Disaster Management.

2YLM-211: Law, Media and Censorship

LL.M. III Term Examination: (3 courses)

2YLM 102 : “ Legal and Social Science Research Methods” *Compulsory course*

Optional Course (Opt any two)

2YLM 104: Interpretation and Drafting of Treaties and Legislations

2YLM 105: International Economic Law, Trade & Diplomacy

2YLM 106: Environmental Law.

3YLM 107: Law of the Sea

2YLM 110: Tax Policies and Tax Reforms

2YLM 112: Criminology and Criminal Justice administration

2YLM 115: Laws of Inheritance and Succession

LL.M. IV Term Examination:

The students shall submit a **Dissertation** carrying **200 marks** as prescribed:

The students shall submit the title with synopsis for dissertation for approval in the 3rd semester in the month of October. The proposal shall be approved and notified within a reasonable time after completion of exams.

The student shall be entitled to submit the dissertation on 30 April and upto 30th June with the permission of Dean Faculty of Law, as a regular student.

The dissertation must have the **PLAGIARISM CHECK CERTIFICATE** duly signed by the Librarian of the Faculty of Law and the Supervisor.

Scheme for LL.M. Three-Year Course

LL.M. I Term Examination: (Three Courses)

3YLM 101 : Comparative Constitution Law and Governance *Compulsory paper*

Optional papers (Opt any two)

3YLM 103: Law of International Organisation and Human Rights

3YLM 109: Intellectual and Industrial Property Laws-I

3YLM 111: Comparative Labour and Wage Law

3YLM 116: Law of Women and Child Rights (modified)

3YLM 117: Administrative Law and Regulatory Mechanism

LL.M. II Term Examination: (Two Courses)

3YLM 201: Law and Justice in a Global World - *Compulsory paper*

Optional papers (Opt any one)

The students may opt any *one* from the following courses in addition to “Comparative Jurisprudence” which is a compulsory Foundation Course for all students:

3YLM 206: Intellectual and Industrial Property Laws-II

3YLM 207: Insurance Law and Banking (new)

3YLM 208: Cyber and Information Technology Law (new)

3YLM 209: Corporate and White Collar Crimes

3YLM 210: Law of Torts and Disaster Management.

LL.M. III Term Examination: (Two Courses)

3YLM 102: “ Legal and Social Science Research Methods” - *Compulsory course*

Optional papers (Opt any one)

3YLM 104: Interpretation and Drafting of Treaties and Legislations

3YLM 106: Environmental Law.

3YLM 110: Tax Policies and Tax Reforms

3YLM 112: Criminology and Criminal Justice administration

3YLM 115: Laws of Inheritance and Succession

LL.M. IV Term Examination: (Two Courses)

Optional papers (Opt any two)

The students may opt any *two* of the following courses:

3YLM 202: Administrative Action and Judicial Review

3YLM 204: Law of Corporate Finance and Securities Regulation

3YLM 203: Law of Air and Space

3YLM 205: Competition and Consumer Protection Law

3YLM 211: Law, Media and Censorship.

LL.M. V Term Examination: (Two Courses)

Optional papers (Opt any two)

The students may opt any *two* from the following courses;

3YLM 105: International Economic Law, Trade & Diplomacy

3YLM 107: Law of the Sea

3YLM 108: Corporate Management and Social Responsibility

3YLM-113: Criminal Justice and Human Rights

3YLM 114: Comparative Law of Marriage, Divorce and Civil Code

LL.M. VI Term Examination:

Each student shall submit a Dissertation carrying 200 marks as prescribed.

The students shall submit the title with synopsis for dissertation for approval in the 5th semester in the month of October. The proposal shall be approved and notified within a reasonable time after completion of exams.

The student shall be entitled to submit the dissertation on 30 April and upto 30th June with the permission of Dean Faculty of Law, as a regular student.

The dissertation must have the **PLAGIARISM CHECK CERTIFICATE** duly signed by the Librarian of the Faculty of Law and the Supervisor.

7. Classes and time frame for all LL.M. and M.C.L. students

- 1) The classes for **Two-Year/Three-Year course** may be held at any place in the day or evening at the discretion of the Dean.
- 2) The classes in the compulsory Foundation Courses may be held jointly in the evening for all the students.
- 3) Any course other than Compulsory Foundation Courses may not be offered if facility for teaching is not available.
- 4) The Foundation Course in “Legal and Social Science Research Methods” is aimed at assisting the students in improving their performance in writing their Dissertation. This paper shall consist of 100 marks like all other courses but 50 marks would be based on written class performance and 50 marks for *viva voce* examination to be conducted by an external examiner.
- 5) Every student of IV Term of LL.M./M.C.L. Two-Year course and VI Term of LL.M. Three-Year course shall submit a Dissertation carrying 200 marks on a topic approved by

the Faculty of Law on or before 30th April of the year in which he/she is a student of that Term. In special cases, however, the Dean may permit a student to submit the Dissertation after 30th April but not later than 30th June of the year. In case the Dissertation is not submitted by 30th June as aforesaid, the student will have to register as an ex-student in accordance with the provisions of the Ordinance relating to ex-students of the University.

As an ex-student, a student may submit the Dissertation as follows:-

- (a) Last week of October;
- (b) Last week of January;
- (c) Last week of April and, with the permission of the Dean, last week of June of the year:

Provided that such of the students who register themselves as ex-students either for submission of Dissertation or for clearing any of the papers may be given the Degree of the academic year in which they clear all the requirements of the LL.M. examination.

- 6) In a case where a student fails to obtain the minimum of 50% marks in the Dissertation submitted by him/her, he/she shall be permitted to revise and resubmit the Dissertation on the same or on a fresh topic, to be approved by the Faculty of Law, if he/she so desires. Further, if the student desires to revise and resubmit the Dissertation on the same topic, extracts from the report of the examiner as to the defects in the Dissertation be made available to the student to enable him/her to revise and re-submit the same.

8. Attendance Rules

No student shall be deemed to have pursued a regular course of study for the LL.M. Degree examination unless:-

- (i) he/she has attended a minimum of two-thirds of the total number of lectures delivered in the Term in which he/she has been admitted as a regular student; and
- (ii) he/she has submitted term paper for class discussion in each course and the teacher teaching the course is satisfied with the paper and its presentation in the class.
- (iii) All students must submit a printed copy of their class presentation with **Anti-Plagiarism Certificate before the end of the semester in the Office of the Dean, Faculty of Law, DU.**
- (iv) No students will be promoted to the next term, if he/she was detained for shortage of attendance and/or non-submission of written papers in all the course in class discussion and failed to get certificate from the teacher, teaching the subject.

- Note: (1) The term 'lectures' will include lectures, presentations, and discussion classes.
(2) In determining the exact number of the minimum requisite attendance, i.e., two thirds of lectures and discussion classes, fractions shall be ignored.

No student shall be permitted to appear in the examination of any Term unless he/she has presented term paper in each of the courses of the Term for class discussion and the teacher teaching each course issues a certificate that the paper and its presentation by the student was to his/her satisfaction.

Provided that this requirement shall not be applicable to the compulsory Foundation Course in "Legal and Social Science Research Methods".

Provided further that the Dean may, in his discretion, exempt a student of the above requirement in exceptional cases of hardship.

9. Promotion Rules for Two year and Three year LLM :-

- (i) No student shall be promoted to the next Term, if he/she has been detained in the examination for shortage of attendance and/or non-submission of written paper in all the courses offered by him/her for class discussion and had failed to get certificate from the teacher teaching the course.
- (ii) Subject to sub-rule (i) above, a student of LL.M. First or Third Term of Two-Year course shall be eligible for promotion to Second or Fourth Term, respectively irrespective of the number of courses in which he/she has failed to pass or failed to appear in the First or Third Term examinations.
- (iii) Subject to sub-rules (i) and (ii) above, a student of LL.M. Second Term in Two-Year course shall be eligible for promotion to Third Term if he/she has passed in at least four papers of First and Second Term examinations taken together.
- (iv) Subject to sub-rule (i) above, a student of LL.M. First, Third or Fifth Term of Three-Year course shall be eligible for promotion to Second, Fourth or Sixth Term, respectively irrespective of the number of courses in which he/she has failed to pass or failed to appear in the First, Third or Fifth Term examinations.
- (v) Subject to sub-rules (i) and (iv) above, a student of LL.M. Second Term in Three-Year course shall be eligible for promotion to Third Term if he/she has passed in at least three papers of First and Second Term examinations taken together and a student of Fourth Term shall be eligible for promotion to Fifth Term if he/she has passed in at least four papers of First, Second, Third and Fourth Term examinations taken together.
- (vi) Subject to above sub-rules, a student may be permitted to submit Dissertation at the end of Fourth Term in case of two-year course, or Sixth Term in case of three-year course, on a topic approved by the Faculty of Law irrespective of number of courses which he/she has failed to pass or failed to appear in the examination.

Note :- The students eligible for admission to III/V Term must seek admission not later than two weeks from the date(s) of announcement of the results of LL.M. II/IV Term annual examinations or within one week of commencement of teaching, whichever is later, failing which they will forfeit their right to be admitted to III/V Term.

10. Re-admission Rules

- (vii) **There shall be no re-admission in the LL.M. First Term under any circumstances including detention of a student for shortage of attendance in that Term and/or non submission of written paper in all the courses offered by him/her for class discussion and failure to get certificate from the teacher teaching the course.**
- (viii) A student who has been detained for shortage of attendance or otherwise in Second, Third, Fourth or Fifth Term shall be eligible for re-admission in the Term in which he/she had been detained provided (a) he/she seeks re-admission within the date prescribed by the Dean, Faculty of Law which will not be later than one week from commencement of teaching in that Term; (b) his/her conduct has been satisfactory; and (c) he/she shows sufficient cause to the satisfaction of the Dean, Faculty of Law for his/her discontinuance of studies or for not having put in the requisite percentage of attendance and/or non-submission of written paper in all

the courses offered by him/her for class discussion and failure to get certificate from the teacher teaching the course.

- (ix) An applicant who has failed in examination or failed to appear at the examination and who is otherwise eligible to appear at the examination as an ex-student, shall not be admitted as a regular student. In exceptional cases, however, where such an applicant is a foreigner, studying under the Cultural Scholarship Scheme of the Government of India, etc., re-admission may be allowed.
- (x) In respect of an applicant seeking re-admission, his previous record shall be carefully scrutinized.

11. Pass percentage

In order to be eligible for LL.M. Degree, a student must have passed (i.e. secured 50% marks) in each of the courses offered by him/her and in addition he/she must have secured at least 50% marks in the Dissertation.

12. Span Period

Subject to the provisions contained in the Ordinance relating to ex-students as in force from time to time, a student must clear all the courses offered in all the Terms within a span period of ---

- within five years from the date of admission to first year of the Two-Year LL.M. course and
- within six years in case of Three year LL.M. course.

No student shall be admitted as a candidate for any LL.M. examination after five or six years, as the case may be, from the date of admission to the first year of the course.

13. MASTER OF COMPARATIVE LAWS (M.C.L.) DEGREE EXAMINATION

1. The Master of Comparative Laws (M.C.L.) Degree Course is a two years (four Terms) Course.
2. This course is meant for a foreign national who has obtained the Degree of Bachelor of Laws or any other Degree from a country other than India with at least 50% marks which entitle him/her to practise in his/her own country.
3. The medium of instruction and examination in this course is English. No one will be admitted to this course unless he is found proficient in English language. It is essential that an applicant for M.C.L. Degree course should have received his/her earlier education in law or in the Under-graduate Degree course or at the senior secondary level through English medium or had passed any test in English language. Every application for admission to M.C.L. Degree course must contain a certificate from the appropriate authority to the above effect.
4. Not more than ten students shall be admitted to this course. The students seeking admission to M.C.L. Degree course will not be required to appear in any entrance test but all applications shall be considered on the basis of individual merits.
5. A candidate seeking admission to M.C.L. course must apply only through Foreign Students' Advisor of the University along with the following documents:-

- (i) Attested true copy of the University Marks-sheet(s) of LL.B. or equivalent Degree examination showing marks and Division obtained;
 - (ii) Attested true copy of University Degree Certificate of LL.B. or equivalent Degree;
 - (iii) Attested true copy of a certificate of proficiency in English e.g. that the applicant had passed LL.B. or Under-Graduate/Post-Graduate Degree examination or senior secondary through English medium or had passed some test in English language.
6. The applications for admission to M.C.L. Degree course shall be routed through the Foreign Students Registry of Delhi University as per the time frames prescribed for their admission on the Delhi University website at <http://fsr.du.ac.in/>.
7. The courses of study, attendance, promotion, re-admission, examination, span period, discipline and other provisions applicable to LL.M. Two-Year Degree course shall mutatis mutandis apply to M.C.L. Degree course also. The Dean may, however, permit a student of M.C.L. to submit research paper in lieu of written examination in any of the courses. The research paper shall carry 100 marks. The student allowed to submit research paper in lieu of written examination must do so before the dispersal of classes of the concerned Term