

THE WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES, KOLKATA

Master of Law (LL.M.) - Regulations

(Revised vide 37th Academic Council Meeting dated 15 February 2020)



2013

1. Degrees Offered

University offers full-time LL.M. Degree with specialization in

- (a) Corporate and Commercial Law; and
- (b) International and Comparative Law
- (c) Criminal and Security Law¹

2. Administration of LL.M.

- 2.1 There shall be constituted a Centre of Post-Graduate Legal Studies (CPGLS) and a Post Graduate Curriculum Committee (PGCC)
- 2.2 The Vice-Chancellor in coordination with CPGLS and PGCC is responsible for the general supervision of LL.M. Degree at the University. The CPGLS and PGCC shall perform the functions in accordance with this Regulation.
- 2.3 The CPGLS would consist of minimum 10 faculty members and such other staff as may be required for the administration of LL.M. A minimum of 8 faculty members of CPGLS would be at the level of Professor/Associate Professor. The members of the CPGLS are nominated by the Vice-Chancellor.
- 2.4 The CPGLS is responsible for:
 - (a) recommending admission (as per Regulation 3), reviewing the students' progress and arranging for the supervision and examination of the student.
 - (b) reviewing and monitoring the conduct of the LL.M. examination and dissertation.
 - (c) ensuring compliance with the LL.M. Regulations.
 - (d) disclosing the information required under the UGC Guidelines for introduction of One Year LL.M. Degree Programme, 2012.
- 2.5 The PGCC shall consist of such number of Professors and Associate Professors forming part of CPGLS as may be required. The members of the PGCC are nominated by the Vice-Chancellor.
- 2.6 The PGCC is responsible for formulating, reviewing and revising the LL.M. curriculum on a regular basis.

3. Admission

- 3.1 The requirements for admission to LL.M. program are as follows:
 - a) The candidate must have completed a bachelor's degree in Law (LL.B.) with a percentage of at least 55 or an equivalent cumulative grade point average from any Indian University recognised by UGC or any equivalent degree offered by a foreign University;
Explanation: In case of degree by foreign University, the factor of equivalence would be decided by the CPGLS.
 - b) The candidate must have been allotted with a seat through the All India Admission Test for LL.M. organized by NUJS coupled with the requisite merit in the form of work experience, publications and statement of purposes.

¹ Addition vide Academic Council meeting dated 15 February 2020

Explanation: The Admission test shall be conducted for 70 marks. The work experience, publications and statement of purposes shall be evaluated out of 30 marks.

- 3.2 Provisional admission may be offered, subject to the approval of CPGLS, for an applicant, whose result is due, to undertake the program provided the result / provisional degree certificate is submitted before the beginning of the first semester examination.

In case, the provisionally admitted candidate fails to submit the result / provisional degree certificate before the beginning of the first semester examination, the provisional admission of the candidate shall stand cancelled.

4. Duration of the Course

- 4.1 University offers a full-time one-year LL.M. program spread over two semesters.
- 4.2 Students are allowed a maximum of two years from the date of admission to complete the requirements of the degree.

5. The Course Details

- 5.1 Students in each stream of specialization are required to pass nine papers and a dissertation.
- 5.2 Students are required to pass the following compulsory papers of three credits each as compulsory for all the three streams, i.e. (a) Corporate and Commercial Law, (b) International and Comparative Law and (c) Criminal and Security Law:²
- (i) Research Methods and Legal Writing
 - (ii) Comparative Public Law/Systems of Governance
 - (iii) Law and Justice in a Globalizing World
- 5.3 Students specializing in 'Corporate and Commercial Law' shall pass the following four papers of two credits each.
- (i) Company Law
 - (ii) International Trade Law
 - (iii) Bankruptcy Law
 - (iv) Competition Law / Investment Law
- 5.4 Students specializing in 'International and Comparative Law' shall pass the following four papers of two credits each.
- (i) Public International Law
 - (ii) International Organizations
 - (iii) Private International Law
 - (iv) International Human Rights Law / International Criminal Law
- 5.5 Students specializing in 'Criminal and Security Law' shall pass the following four papers of two credits each:³
- (i) Criminology and Criminal Justice Administration
 - (ii) Victimology
 - (iii) International Criminal Law
 - (iv) Sentences and Sentencing

² Amended vide 37th Academic Council meeting dated 15 February 2020

³ Addition vide 37th Academic Council meeting dated 15 February 2020

5.6 In the first semester, each student of the concerned stream will have to study all the compulsory papers as mentioned under Rule 5.2 and two stream-specific compulsory papers.

In the second semester, each student of the concerned stream will have to study two stream-specific compulsory papers and two optional papers from the range of papers on offer⁴.

Note: The detailed structure of papers to be taught in each semester is given in schedule I.

6. Project Work and Examination

6.1 Student shall be allowed to take end-semester examination in a paper only if the minimum attendance requirement fixed by the University is fulfilled

** 6.1.A The minimum attendance requirement for the LL.M students shall be 70% physical attendance per subject per semester and the attendance requirement is compulsory. Any shortage of attendance, below the threshold limit of 70% per subject for each semester the concerned student will be debarred from appearing in the end semester examination.

The debarred students shall not be allowed to take end semester examination in the same academic year. Further, a debarred candidate (due to shortage of 70% attendance or due to any academic misconduct) is to be allowed to take the debarred subject for examination in the next academic year only.

Once a student writes a repeat examination in a subject, due to failure in the end semester examination or any other reason, annotation of an “R” is to be made beside the same on the transcript or marks statement for the concerned student.

6.1.1. Any student so debarred under 6.1 would be eligible to appear for the examination in that paper only in subsequent academic year after duly attending the course.

* 6.2 Each paper is assessed based on the following components and marks:

Sl. No.	Name of the Component	Marks Allocated
1	Internal assessment (Test)	20
2	Project	20
3	Presentation	10
4	End Semester Examination	50
	TOTAL	100

However, the concerned course teacher shall have the discretion to change the components and marks with prior approval of the Vice Chancellor.

6.3 A student must secure a minimum of fifty percent marks in each paper and dissertation in order to fulfil the requirements of the Degree.

6.3.1. A student failing to conform to the above requirement in any of the papers shall appear in the repeat examination to be held only after the publication of result of the Winter Semester examination and as per the convenience of the University.⁵

* Amended vide 23rd Academic Council meeting dated 21 June 2014

** Amended vide 32nd Academic Council meeting dated 10 May 2018

⁴ Addition vide 37th Academic Council meeting dated 15 February 2020

⁵ Amended vide 37th Academic Council meeting dated 15 February 2020

6.4 Grading system⁶

Percentage of Marks	Grade	Grade Value
85-100	O (Outstanding)	10
75-85	A+ (Excellent)	9
70-75	A (Very Good)	8
65-70	B+ (Good)	7
60-65	B (Above Average)	6
55-60	C (Average)	5
50-55	D (Pass)	4
Below 50	F (Fail)	0
Absent	AB (F)	0

Example of computation of SGPA on 10 point scale:

Course	Credit	Letter Grade	Grade Point	Credit Point
Course 1	3	A	8	3x8 = 24
Course 2	4	B+	7	4x7 = 28
Course 3	3	B	6	3x6 = 18
Course 4	4	B	6	4x6 = 24
Total	14			94

$$\text{SGPA} = 94/14 = 6.71$$

$$\text{Example of computation of CGPA} = \frac{\text{Total SGPA}}{\text{Total credits}}$$

A student obtaining Grade F in any subject shall be considered to have failed that subject and will be required to reappear in the Repeat Examination for that subject and obtain the pass marks in that examination.

The Grade Point of the student for that subject shall be calculated after deduction of one grade point from the actual grade point obtained in the Repeat Examination. Provided however that where the grade point obtained is 4, there shall be no such deduction.

7. Dissertation

- 7.1 Student is required to submit a dissertation containing minimum of 30,000 words (**main text**) in the partial fulfilment of the Degree.
- 7.2 Dissertation carries three credits and a total of 200 marks, which includes the following components and marks.

⁶ Amended vide 37th Academic Council meeting dated 15 February 2020

Sl. No.	Components	Marks
1	Synopsis	10
2	Synopsis Presentation	15
3	Pre-submission Presentation	25
4	Thesis	150

- 7.3 Student is required to finalize the dissertation topic **and intimate the AR (Academics) within 7 days after the puja vacations along with a detailed synopsis (minimum 5000 words)** for evaluation and approval of the dissertation topic.
- 7.4 An initial presentation of the topic shall be made before the CPGLS after the submission of the synopsis but within **20 days after the puja vacations**.
- 7.5 After the successful completion of initial presentation, a guide shall be assigned to the student by the CPGLS based on the feasibility and subject-matter expertise of the concerned faculty.
- 7.6 **Each guide should have not more than 5 candidates.**
- 7.7 **After the completion of writing dissertation to the satisfaction of the guide**, student is required to make a pre-submission presentation before CPGLS during the period between **15 April** and **30 April** of the concerned year with an advance notice of 15 days to the office of AR (Academics).
- 7.8 Final written-submission of Dissertation shall be submitted after one month from the date of pre-submission presentation as to be notified by the University. Viva will be followed after the submission of hard copy of the Dissertation as per the notification. Five hard copies of the Dissertation must be submitted along with a softcopy in pdf format to the office of AR (Academics).⁷
- 7.9 Thesis shall be assessed by both an internal and an external examiner selected by the CPGLS.
- * 7.10 In case the assessment of thesis component as mentioned in 7.2 **by** the internal and external examiners varies by more than 15% (fifteen percent), the assessment of thesis shall be referred to the third examiner, and the third examiner will invariably **be** an external examiner, as decided by the Chairman of the CPGLS for assessment.

The average of two nearest marks given by examiners shall be the final marks for determination of result.

* Amended vide 24th Academic Council meeting dated 21 January 2015

Addition:

Note: A student failing to conform to any requirement mentioned above has to redo the entire dissertation by following the norms in the next academic year.

⁷ Amended vide 37th Academic Council meeting dated 15 February 2020

7.11 Plagiarism and Allied Academic Misconduct⁸

Cautionary statement: Students are expected to exercise the greatest degree of caution in their conduct, in protecting their work and in ensuring that nobody has any opportunity to use it in an unauthorised manner.

'Academic Misconduct' includes, but is not limited to:

- a) Plagiarism: Failure to cite or otherwise acknowledge in any paper, exercise, tutorial, essay or project submitted for credit, arguments, or phrases gained from another source including but not limited to published text or another person's work.
- b) Cheating/ Use of Unfair Means: Violating any specific instruction given by the course instructor or unauthorized use of information during any evaluated assignment or exercise.

Illustration:

Any discussion of any assignment or tutorial essay in which the whole or part of the class is given the same question but students are expected to come up with an answer individually and not through discussion, in contravention of the teachers' instruction, shall be considered as a form of cheating.

- c) Multiple Submissions: The submission of one piece of work in more than one offering or in any two exercises for credit.

Explanation:

If a student makes substantial addition to any work previously submitted for credit, it shall not amount to multiple submissions.

- d) Preparation by Another: The submission of work, a substantial part of which has been prepared by another, as one's own.

Explanation:

If a student got a friend to proofread his/her paper and point out prominent grammatical/ typographic errors, this would not count as substantial help. However if the friend rewrote a significant part of the paper, this would count as substantial help.

Punishment

Category I:

7.11.1. Forms of Academic Misconduct punishable under this category:

- a) Plagiarism (less than 20% of the total work plagiarised or less than 15% of total work plagiarised from a single source).

⁸ Addition vide 37th Academic Council meeting dated 15 February 2020

7.11.2. Forms of Academic Misconduct under Category I would be punishable, for a first offence, by: Re-doing the assignment under question or deduction of such marks as may be considered appropriate by the Centre of Post Graduate Legal Studies (CPGLS).

Explanation:

The punishment provided under Category I would apply to repeat of a Category III offence, as though such second offence was the first offence in Category I

Category II:

7.11.3. Forms of Academic Misconduct punishable under this category are:

- a) Cheating,
- b) Multiple Submissions,
- c) Preparation by another, and
- d) Plagiarism (20% or more of total work plagiarised OR 15% or more of total work plagiarised from a single source).

Forms of Academic Misconduct punishable under Category II would be punishable by:

- a) For the first offence since the date of admission, automatic failure in the subject under question;

Explanation: In case, a student is deemed to have failed in a subject in pursuance of this clause, he/she shall be allowed to write the Repeat Examination for that subject conducted in the same year and he/she must repeat all the components of evaluation for that subject, except class participation.

- b) For the second offence since the date of admission, automatic failure in the subject under question. In this case the concerned student shall be allowed to repeat the subject under question only in the next academic year;
- c) For the third offence since the date of admission, automatic failure in the subject under question and repetition of the year. The concerned student shall not be promoted to next semester even if he/she has passed the requisite number of courses;
- d) For the fourth offence since the date of admission, automatic failure in the subject under question and repetition of year, along with a note in the student's transcript indicating that he was found guilty of using unfair means.

- e) For the fifth offence since the date of admission, rustication.

Category III:

7.11.4. Forms of Academic Misconduct punishable under this category are:

- a) Any violation of Instructions that does not constitute an offence under Categories I and II.

7.11.5. Forms of Academic Misconduct under Category III would be punishable by: A fine of Rs. 5,000/- (This amount may be reduced by the Vice-Chancellor if a student can demonstrate through copies of his/ her parents' Income Tax returns or salary/ pension slips that the amount would be an undue hardship for the family).

7.11.6 Where two or more projects submitted for a course are found to have been plagiarised from each other, all the concerned students would be deemed to be guilty of plagiarism under this Part.

7.12 Use of unfair means during the end-semester examination⁹

Unfair means can be understood as any act committed by student/s whereby s/he may obtain advantage which is otherwise not allowed in an examination.

7.12.1 Extent of unfair means: Unfair means in the course of an examination includes, but is not limited to:

- a) carrying into an exam hall any unauthorized material such as manuscripts, papers and/or any electronic device or mobile phone that facilitates storage and communication of information; provided that any student found in the possession of such material shall be presumed to have carried it in deliberately;
- b) copying from any other person in the examination hall;
- c) writing on any part of the body / furniture / walls/question paper;
- d) violating any specific instruction given by the course instructor or unauthorized use of information in the examination;
- e) any threat / use of abusive language in exam or in the answer sheets;
- f) smuggling an answer book / additional answer book into or out of the Examination Hall;
- g) disclosure of identity in the answer sheet in any form;
- h) inserting / substituting or removing any page from the answer book / additional answer book;

⁹ Addition vide 37th Academic Council meeting dated 15 February 2020

- i) impersonation in exam including interchanging of Roll Numbers and/or Answer Sheets;
- j) aiding or assisting another candidate to adopt any of the above.

7.12.2 Punishment for using unfair means:

- a) Automatic failure in the examination for the subject under question for the first offence;
- b) Repetition of the year along with a note in the student's marks sheet indicating that s/he was found guilty of using unfair means for the second offence;
- c) Rustication for the third offence.

Note: Each instance of use of unfair means is regarded as a separate offence.

Therefore a student found committing three different instances of use of unfair means in one semester would be committing three separate offences.

7.12.3 Procedure to be adopted in case of matters related to unfair

means: Any incident of adoption of unfair means in examination shall be reported in writing by the faculty member to the AR (Acad) through the prescribed format immediately after the examination is over. The report shall be forwarded to the Centre of Post Graduate Legal Studies (CPGLS) within seven days from the date of filing. The student shall be asked to explain his/her conduct before the decision is taken.

- 8. **Any issue not covered by the foregoing rules, shall be governed by the decision of the Vice-Chancellor.**