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### **TENTH MEETING OF ACADEMIC COUNCIL**

**DATED 25.07.2009**

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**TENTATIVE AGENDA FOR THE ACADEMIC COUNCIL MEETING TO  
TAKE PLACE ON 25.07.2009, 11.00 A.M.**

1. To recommend award of provisional degrees/Degrees to Batch-III pass out students.
2. Discussion regarding award of the following Gold Medals for Batch-III pass out students.
  - a. University Gold Medal: For First Rank Holder
  - b. Chancellor's Medal: Overall Best Performance
  - c. Syed Afzal Ahmed Rizvi Gold Medal: For Criminal Law and Advocacy
3. Discussion regarding implementation of revised rules of Legal Education and Revised Curriculum of BCI as per letter dated 27.02.2009 of BCI.
4. Discussion and recommendations regarding draft Student's Manual (consisting of Examination Rules, Library Rules, Hostel Rules, Internship Rules, Disciplinary Rules).
5. Any other matter with the permission of the chair.

The Undergraduate Council of HNLU has recommended starting the following Postgraduate Diploma Courses under Distance Education Programme.

- (a) P.G. Diploma in Trade and Investment Law
- (b) P.G. Diploma in Cyber and Information Technology Law
- (c) P.G. Diploma in Patent Law
- (d) P.G. Diploma in Corporate Taxation



**TENTATIVE AGENDA FOR THE ACADEMIC COUNCIL MEETING TO  
TAKE PLACE ON 25.07.2009, 11.00 A.M.**

**1. To recommend award of Provisional Degrees/Degrees to Batch-II & Batch-III pass out students.**

**Notes:**

Two students of Batch II, B.A. LL.B. (Honours) have graduated in April 2009. It is therefore proposed that they may be given Provisional Degree/Degree.

The third batch of students of B.A. LL.B. (Honours) has graduated in April 2009. It is proposed that names/passouts of B.A. LL.B. (Honours) Batch III students as per enclosed list may be recommended for award of Provisional Degrees/Degrees.

List of pass out students is enclosed as Annexure-1.

**2. Discussion regarding award of the following Gold Medals for Batch-III pass out students.**

- a. University Gold Medal: For First Rank Holder.**
- b. Chancellor's Medal: For Overall Best Performance.**
- c. Syed Afzal Ahmed Rizvi Gold Medal: For Criminal Law and Advocacy.**

**Notes:**

Funds for creation of corpus for University Gold Medal have been provided by Shri Prashant Mishra, Advocate General, Chhattisgarh. The University Gold Medal is to be awarded to the First Rank Holder.

Funds for creation of corpus for Chancellor's Medal have been provided by Shri Ravindra Shrivastava, Senior Advocate, Supreme Court of India. The Chancellor's Medal is to be awarded for Overall Best Performance.

Funds for creation of corpus for Syed Afzal Ahmed Rizvi Gold Medal have been provided by Shri Faisal Rizvi, Advocate and Executive Chairman, Bar Council of India. The Syed Afzal Ahmed Rizvi Gold Medal is to be awarded for Best Performance in Criminal Law and Advocacy.

The third Batch of students of B.A. LL.B. (Honours) has graduated in April 2009. A committee of faculty members was constituted by the Hon'ble Vice-Chancellor to recommend award of above Gold Medals for the students of Batch III.

The recommendations of the committee are as under:

- (i) Mr. Saurabh Saraogi has been recommended for award of University Gold Medal.

- (ii) Mr. Mayank Mishra has been recommended for award of Chancellor's Medal.
- (iii) Mr. Saurabh Saraogi has been recommended for award of Syed Afzal Ahmed Rizvi Gold Medal.

Recommendations of the Committee are enclosed as Annexure-2.

**It is therefore proposed that the students may be recommended for award of Gold Medals as above.**

**3. Discussion regarding implementation of revised rules of Legal Education and Revised Curriculum of BCI as per letter dated 27.02.2009 of BCI.**

**Notes:**

Vide letter dated 27.02.2009, BCI has communicated revised rules of Legal Education and Revised Curriculum for law colleges/universities. For the purpose of implementation of the revised rules of BCI at HNLU, a committee was constituted vide University letter No.HNLU/7821/2009 dated 27.03.2009.

Report of the committee is placed before the Academic Council for perusal and approval. (Annexure-3).

**4. Discussion and recommendations regarding draft Student Manual (Examination Rules, Library Rules, Hostel Rules, Internship Rules, Disciplinary Rules).**

**Notes:**

The Faculty Members of HNLU have framed draft Student Manual (Examination Rules, Library Rules, Hostel Rules, Internship Rules, Disciplinary Rules) for implementation/adoption at HNLU.

The same is placed before the Academic Council for perusal and approval (Annexure-4).

**5. Any other matter with the permission of the chair.**

**Notes:**

The Undergraduate Council of HNLU has recommended starting the following Postgraduate Diploma Courses under Distance Education Programme.

- (a) P.G. Diploma in Trade and Investment Law
- (b) P.G. Diploma in Cyber and Information Technology Law
- (c) P.G. Diploma in Patent Law
- (d) P.G. Diploma in Corporate Taxation

The same is placed before the Academic Council for perusal and approval (Annexure-5).



**List of Eligible Students for Award of B.A. LL.B. (Hons.) Degree  
Batch - III (April 2009)**

S.No.	ID No.	Student Name	CGPA	Rank	S.No.	ID No.	Student Name	CGPA	Rank
1	C1147	Saurabh Saraogi	8.20	1	20	C1148	Sourav Kumar Keshri	6.02	19
2	C1133	Mayank Mishra	7.89	2	21	C1155	Vaibhav Shukla	5.99	20
3	C1145	Sangeetha Mugunthan	7.70	3	22	C1156	Zeeshan Ali Khan	5.91	21
4	C1136	Nupur S.Agrawal	7.60	4	23	C1124	Azhar Jahangir Khan Chhepa	5.89	22
5	C1132	M.Srinivas	7.16	5	24	C1111	Abhinav Kardekar	5.84	23
6	C1119	Anubha Verma	7.01	6	25	C1153	Sudeep K. Das	5.70	24
7	C1125	Bharat Budholia	7.00	7	26	C1121	Arindom Hazarika	5.67	25
8	C1120	Anushree Agrawal	6.99	8	27	C1115	Amritanshu Bajpai	5.58	26
9	C1122	Arun Scaria	6.92	9	28	C1152	Subhasis K Saha	5.46	27
10	C1112	Ajay Choudhary	6.84	10	29	C1135	Nitendra Singh Tomar	5.33	28
11	C1134	Mayuri Patel	6.44	11	30	C1146	Saurabh Jain	5.32	29
12	C1127	Gaurav Shukla	6.40	12	31	C1123	Ashish Banga	5.17	30
13	C1117	Ankita Malviya	6.33	13	32	C1113	Akshat Choudhary	4.98	31
14	C1139	Rahul Tamaskar	6.32	14	33	C1126	Deepti Barwa	4.78	32
15	C1149	Shilpi Singh	6.21	15	34	C1116	Anindhya Tiwari	4.56	33
16	C1142	Reshma Tigga	6.19	16	35	C1140	Rajan Prajapati	4.43	34
17	C1150	Shrijith C.S. Nair	6.12	17	36	C1141	Ravi Kumar Bhagat	4.27	35
18	C1154	Tapan Narayan	6.12	17	37	C1118	Anshuman Shrivastava	4.00	36
19	C1144	Sameer Kujur	6.07	18					

**Batch - II (April 2009)**

S.No.	ID No.	Student Name	CGPA	Rank
1	B1109/12/03	Yogita Choudhary	4.08	37
2	A1065/11/03	Shyamali Naidu	4.19	40

B-1  
S.O. (Exams)

(4)

**Minutes of the Meeting held on 23.07.2009 for**  
**Award of Gold Medals to Batch-III Students**

The Committee met on 23<sup>rd</sup> July 2009 to discuss and finalize the award of medal in different categories. After going through the CVs, the Committee decided to recommend the following names for different medals.

**1. For the University Gold Medal-2009: Mr. Sarabh Saraogi**

It was decided on the basis of record provided by the Examination Department. (See Annexure -I)

**2. For the Chancellor's Medal-2009: Mr. Mayank Mishra**

The Committee has redesigned the criteria adopted in the previous year and decided to follow these criteria for awarding the medal.


1. Academic Performance
2. Participation and Performance in Moot Court (International/ National)
3. Publication of Research Paper ( International/National)
4. Presentation and Participation in Seminar / Conferences / Workshop.
5. Extra Curricular Activities (Such as Participation and performance in Debate Competition, Participation in University Programme etc.).

The Committee has worked upon the criteria; it recommends the name of Mr. Mayank Mishra (See Annexure - II)

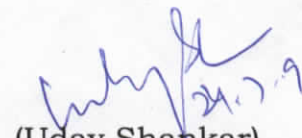
**3. For Syed Afzal Rizvi Gold Medal -2009: Mr. Saurabh Saraogi**

The Committee worked upon the criteria adopted by the Academic Council, it recommends the name of Mr. Saurabh Saraogi (See Annexure - III).

Submitted for approval

  
(Divya Tyagi) 24/07/09

  
(Anand Pawar)

  
(Uday Shankar)

  
(Sheela Rai)

  
(Hanumant Yadav)

Hon'ble Vice-Chancellor

## Minutes of the Meeting held on 21.07.2009 for

### Award of Gold Medals to Batch-III Students

The Committee constituted for deciding on the award of Gold Medals to Batch-III students, i.e., The University Gold Medal, Chancellor's Gold Medal, Syed Afzal Ahmed Rizvi Gold Medal met on 21.07.09 and deliberated upon the criteria for awarding the medal.

As per previous practice, the first rank holder is to be awarded with the University Gold Medal-2009.


For awarding the Chancellor's Medal (For overall best performance), the Committee decided to revisit the criteria adopted last time due to overlapping of certain criteria. The Committee also decided to consider only CVs of those students who have secured 7 or more than 7 CGPA.

For awarding Syed Afzal Ahmed Rizvi Gold Medal -2009, the Committee decided to award the medal on the criteria adopted by the Academic Council dated 26.12.2008.

- i. A list of first 10 students may be prepared who cumulatively secure highest marks in the papers of Cr. P.C., I.P.C. and Evidence.
- ii. Their performance in Moot Court Competitions.

For this purpose, it was decided to call for latest CVs, through email latest by 20<sup>th</sup> July 2009, from the students who are qualified for two medals, i.e., Syed Afzal Rizvi Medal -2009, Chancellor's Medal - 2009.

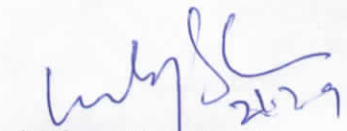
Submitted for approval

  
(Divya Tyagi) 21/07/09

  
(Sheela Rai)

  
(Anand Pawar)

  
(Hanumanant Yadav)

  
(Uday Shankar)

Hon'ble Vice-Chancellor



OIC:  
Dealing Asst.:

CONFIDENTIAL / URGENT  
N-1

File No. :  
Section: EXAMS

Awarding of University Gold Medal to Batch – III students

1. University is giving Gold Medal to the First Rank Holder in B.A.LL.B.(Hons) on the basis of CGPA as per following criteria.
  - (a) The student must have completed all courses under the Programme in one chance i.e. without any repeat or improvement in any course.
  - (b) Improvement shall not be considered for the purpose of gold medal.
  - (c) There is no proved charge of misconduct on the ground of violation of rules or breach of code of conduct.
2. As regards Point (a) is concerned as per records of the Examination Section, Mr Saurabh Saraogi (I D No. C 1147) is eligible for Gold Medal as he has secured First Rank and maximum CGPA 8.20 in the Batch – III.
3. File is submitted to the S.O. (Establishment) for further verification of Point 1 (c) as mentioned above.

Section Officer (Exams & Academics)

S.O. (Estt).

As regards 1(c) it is verified that no proved/charges of misconduct on the ground of violation of rules or breach of code of conduct as per his personal file. submitted.

S.O. Exam forwarded.

Controller of Exams

Please place it before the committee constituted for the purpose of awarding gold medal.

S.O. (Exams)

13/07/09

13/07/09

15/7/09

# Ranking Of Students

Batch-III Tenth-Sem April 2009

As on - 13-07-09

	ID No.	Student Name	CGPA	Rank
1	C1147	Saurabh Saraogi	8.20	1
2	C1133	Mayank Mishra	7.89	2
3	C1145	Sangeetha Mugunthan	7.70	3
4	C1136	Nupur S.Agrawal	7.60	4
5	C1132	M.Srinivas	7.16	5
6	C1119	Anubha Verma	7.01	6
7	C1125	Bharat Budholia	7.00	7
8	C1120	Anushree Agrawal	6.99	8
9	C1122	Arun Scaria	6.92	9
10	C1112	Ajay Choudhary	6.84	10
11	C1134	Mayuri Patel	6.44	11
12	C1127	Gaurav Shukla	6.40	12
13	C1117	Ankita Malviya	6.33	13
14	C1139	Rahul Tamaskar	6.32	14
15	C1149	Shilpi Singh	6.21	15
16	C1142	Reshma Tigga	6.19	16
17	C1150	Shrijith C.S. Nair	6.12	17
18	C1154	Tapan Narayan	6.12	17
19	C1144	Sameer Kujur	6.07	18
20	C1148	Sourav Kumar Keshri	6.02	19
21	C1155	Vaibhav Shukla	5.99	20
22	C1156	Zeeshan Ali Khan	5.91	21
23	C1124	Azhar Jahangir Khan Chhepa	5.89	22
24	C1111	Abhinav Kardekar	5.84	23
25	C1153	Sudeep K. Das	5.70	24
26	C1121	Arindom Hazarika	5.67	25
27	C1115	Amritanshu Bajpai	5.58	26
28	C1152	Subhasis K Saha	5.46	27
29	C1135	Nitendra Singh Tomar	5.33	28
30	C1146	Saurabh Jain	5.32	29
31	C1123	Ashish Banga	5.17	30
32	C1113	Akshat Choudhary	4.98	31
33	C1126	Deepti Barwa	4.78	32



# Ranking Of Students

Batch-III Tenth-Sem April 2009

	ID No.	Student Name	CGPA	Rank
34	C1116	Anindhya Tiwari	4.56	33
35	C1140	Rajan Prajapati	4.43	34
36	C1141	Ravi Kumar Bhagat	4.27	35
37	C1118	Anshuman Shrivastava	4.00	36
	C1129	Himani Wasnik	3.65	37
	C1151	Siddhartha Shankar Shukla	3.63	38
	C1137	P.Chaitanya	3.31	39
	C1131	Kumar Kaushik	2.40	40
	C1114	Amit Kumar Kulkarni	2.15	41
	C1143	Roopa J. Lakra	2.15	41

*Res*

# **Assessment Sheet for award of Chancellor's Medal: For Overall Best Performance**

1.	2.	3.	4.	5.	6.	7.
	Academic Performance	Participation and Performance in Moot Court-International / National	Publication of Research Paper - International / National	Presentation in Seminar - Workshop Conference	Extra Curricular Activities (Debate as a Universities Programme i.e.)	Total
Points	20	20	20	20	20	100
Division of Points	In decreasing order	20 Won - International 15 Won-National, 18- Runner-up - International 9-Runner-up - National, 15 Third Best - International 8 Third Best- National, 10 Best Memorial- International, 8 Best Memorial- National, 15 Best Speaker - International, 10 Best Speaker- National, 3 Participation ( International & National)	20 International, 15 National, 10 E-Journal and Student Journal, 8 News Letter/ Magazine	20 Presentation, 15 Participation	Participation, Position held, etc.(Won-15, Finalist-10, Participation in different University Programme - 10, Position held-10 etc)	
Saurabh Saraogi	20	1x10 = 10 1x8 = 8 1x10=10 1x15=15 1x10=10 53	7x15=105 2x8=16 121	1x20=20	1x10=10 1x10= 10 1x10= 10 30	
	20	20	10.71	4.21	20	74.92
Mayank Mishra	18	1x10=10 1x8=08 1x3=3 1x3=3 34	14x15=210 2x8=16 226	4x20=80 1x15=15 95	2x8=16 1x10=10 26	
	18	12.83	20	20	17.33	88.16
Sangeetha Mugunthan	16	1x9=09 1x3=03 1x8=08 20	9x15=135 3x8=24 5x10=50 209	3x15=45	1x5=05 1x8=08 13	
	16	7.54	18.49	9.47	8.67	60.17

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# Assessment Sheet for award of "Syed Afzal Ahmed Rizvi Gold Medal 2009" (For Batch-III)

Sl.No	Name of The Student	Marks Secured in			Total (O/o 300)	International Moot		National Moot Courts		Best Student Advocate 20	Total
		Criminal Procedure (O/o 100)	IPC (O/o 100)	Law of Evidence (O/o100)		Participated 20	Won 30	Participated 20	Won (Best Team Award) 30		
1	Mayank Mishra	66.60	62.25	69.50	198.35	60	0	20	0	20	100
2	Saurabh Saraogi	59.24	69.25	69.75	198.24	40	0	40	30	20	130
3	Ankita Malviya	54.94	64.75	76.75	196.44	20	0	0	0	0	20
4	Sangeetha Mugunthan	68.73	59.25	68.23	196.21	20	0	40	0	0	60
5	M.Srinivas	65.06	62.00	67.50	194.56	0	0	20	0	0	20
6	Arun Scaria	70.98	52.25	70.75	193.98	Not considered : see remarks below					
7	Nupur S.Agrawal	64.53	52.50	76.75	193.78	20	0	20	30	0	70
8	Anushree Agrawal	60.66	57.75	71.75	190.16	0	0	0	0	0	0
9	Bharat Budholia	62.04	61.00	63.25	186.29	20	0	0	30	0	50
10	Shrijith C.S. Nair	64.18	56.75	64.75	185.68	0	0	20	0	0	20

Remark :- Arun Scaria is Ineligible on the ground of punishment awarded by the proctorial board dated 14.10.2008.

(12)

X

Wm/

24/10/09

24/10/09

24/10/09

(12)


## REPORT ON NEW BCI RULES ON INTEGRATED LL.B COURSE

**Dt.15.06.2009**

The Committee constituted for examining the provisions of new BCI "Rules on Standard Legal Education and Recognition of Degrees in Law for the purpose of enrolment as advocates and inspection of Universities for recognizing degrees in Law". The Committee confines its recommends on the scheme of subjects to be offered to students to be admitted in academic session of 2009-2010. The recommendations of the Committee are as under:

1. Since we admit students to Honors Course, the rule mandates the observance of following:
  - a. A student has to take not less than thirty six papers, which shall include eighteen compulsory papers, four clinical papers, six optional papers and eight papers in specialized/honors course.
  - b. The report suggest the scheme of Honors paper wherein eight papers from an honors groups may be offered in order to award honors degree in that particular group.
  - c. The University may design courses for pass course also.
2. The subjects are divided in two streams, namely liberal discipline and law discipline.
  - a. Liberal discipline comprises of non-law papers wherein the University can offer any discipline such as Arts, Commerce, Science, and Business Management. There shall be one major paper and two minor papers in liberal discipline. In major paper, there shall be six sub-papers and three sub-papers in minor paper.
  - b. Since we admit students to B.A. LL.B Course, it is advisable to offer six sub-papers in any of the Arts subject the University offers along with three sub-papers in minor papers.
  - c. The faculties of liberal discipline may be requested to design the courses for major and minor papers.
3. Six papers to be offered in a semester (for the new coming batch) in order to comply with the new rules.
4. The scheme of the subjects may be followed as per the scheme suggested by the new rules. **(Refer page 29, Example).**
5. The University may give a degree after successful completion of three years of the integrated course.

Report submitted by the undersigned since the other member has left the University. The report is prepared after deliberation and discussion between the two members. The report could not be submitted earlier due to sudden closure of the University.

  
**Uday Shankar**  
**Assistant Professor (Law)**



# Hidayatullah National Law University

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F-67

o/c.

No.HNLU/ 7821 /2009

Dt.27.03.2009

A committee comprising of the following faculty members is hereby constituted to examine the directives contained in circular No. BCI:LE:Cir.No.1/2009 (LE/UNI) dated 27.02.2009 and make recommendations in this regard, at an earliest:

1. Prof. I.P. Massey, Faculty Member, HNLU
2. Shri Uday Shankar, Faculty Member, HNLU.

REGISTRAR

Endt.No.HNLU/ 7821 /2009

Dt.27.03.2009

**Copy to:**

1. P.A. to Hon'ble V.C. for information of Hon'ble Vice-Chancellor, HNLU
2. Prof. I.P. Massey, Faculty Member, HNLU
3. Shri Uday Shankar, Faculty Member, HNLU
4. File Copy.

REGISTRAR



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23231648  
Secy's : 22786209  
Resi. : 22732923

# बार कौंसिल ऑफ इन्डिया BAR COUNCIL OF INDIA

21, राउज ऐवन्यू इन्स्टीटूशनल एरिया, नई दिल्ली - 110 002

21, Rouse Avenue Institutional Area, New Delhi - 110 002

एस. राधाकृष्णन  
सचिव

S. RADHAKRISHNAN  
Secretary

Dated: 27.02.2009

**SPEED POST**

BCI:LE:Cir.No.1/2009 (LE/UNI)

To,

**The Registrars of all the Universities  
Imparting Legal Education in India.**

✓ **The Principal of all the  
Centers for Legal Education in India.**

**Sub.: Implementation of Revised Rules of Legal Education and  
Revised Curriculum for L.L.B. 3 year and L.L.B. 5 year courses.**

**Ref.: Our Circular No.BCI:D:1518:2008 (LE/RULES-PART-IV)  
dated 24.12.08**

Sir,

Bar Council of India has written to all the Universities/Centres of Legal Education (Law Colleges) imparting Legal Education enclosing a copy of the revised Rules of Legal Education containing the newly formulated curriculum for 3 year and 5 year Law Courses.

Universities/Centres of Legal Education have been asked to implement the revised curriculum from the Academic Year 2009-2010.

This circular is now issued to all Universities/Centres of Legal Education in the country to remind and advise them to adopt and implement the revised curriculum and rules which have been formulated and approved by Bar Council of India and communicated to all concerned with all seriousness it deserves from the Academic Year 2009-2010. However, the date "31<sup>st</sup> December" mentioned in Rule 15 is relaxed for four months at the first instance and the same may be read as "30<sup>th</sup> April, 2009".

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## BAR COUNCIL OF INDIA

- 2 -

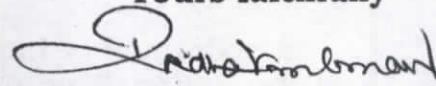
It may also be noted that in case any University/Centre of Legal Education fails to implement the revised curriculum and follow the rules formulated by the Bar Council of India communicated to them along with letter No. BCI:D:1518:2008 (LE/RULES-PART-IV) dated 24.12.2008 from Chairman, Bar Council of India from Academic Session 2009-2010, Bar Council of India will not recognize the law degrees of such Universities and students who have not undergone law course in accordance with the revised curriculum and not followed the new rules relating to standards of legal education and recognition of degrees in law framed under the Advocates Act, 1961 will not be entitled for enrolment as Advocates in any of the State Bar Councils.

It may also be noted that Universities/Centers of Legal Education shall submit to Bar Council of India, copies of syllabus designed and developed by them including courses of study, in accordance with the revised curriculum formulated by the Bar Council of India for the approval of the Bar Council of India.

This may be treated as most urgent. In case any University/Law College has not received the copy of the revised Curriculum of L.L.B. Courses and the new rules, they may write to the undersigned enclosing a DD for Rs.175/- towards cost of the Rules and postage for sending the Rules.

Please treat this communication as urgent.

Yours faithfully

  
Secretary,  
Bar Council of India.





# BAR COUNCIL OF INDIA

## RULES

*(Under the Advocates Act, 1961)*

### Part IV

Rules on Standards of Legal Education and Recognition of Degrees in Law for the purpose of enrolment as advocates and inspection of Universities for recognising its degrees in law.

Price : Rs. 125/-

(Rules under Section 7(1)(h) & (i), 24(1)(c)(iii) and (iiiia), 49(1)(af), (ag), and (d) of the Advocates Act, 1961)



# BAR COUNCIL OF INDIA RULES

(Under the Advocates Act, 1961)

## Part IV



Approved and adopted by the Bar Council of India at its meeting held on 14th September, 2008 vide resolution No: 110/2008

(Rules under Section 7(h) & (i), 24(1)(c)(iii) and (iia), 49(1)(af), (ag), and (d) of the Advocates Act, 1961)



# BAR COUNCIL OF INDIA

## Part -IV

### Rules of Legal Education

*Rules on standards of legal education and recognition of degrees in law for the purpose of enrolment as advocate and inspection of Universities for recognizing its degree in law under Sections 7(1)(h) and (i), 24(1)(c)(iii), and (iii), 49(1)(af), (ag) and (d) of the Advocates Act, 1961 made by the Bar Council of India in consultation with Universities and State Bar Councils*

## CHAPTER I

### Preliminaries and Definitions

#### 1. Title and Commencement:

- (a) These Rules including the Schedules may be known as Rules of Legal Education - 2008
- (b) These Rules shall come into force in whole of India as soon as notified.
- (c) These Rules shall replace all previous Rules, Directives, notifications and resolutions relating to matters covered under these rules.

#### 2. Definitions:

- (i) "Act" means The Advocates Act, 1961.
- (ii) "Approved" means approved by the Bar Council of India.
- (iii) "Bar Council of India or Council or BCI" shall mean Bar Council of India constituted under the Act.
- (iv) "Centres of Legal Education" means
  - (a) All approved Departments of Law of Universities, Colleges of Law, Constituent Colleges under recognized Universities and affiliated Colleges or Schools of law of recognized Universities so approved.
  - Provided that a Department or College or Institution conducting correspondence courses through distance education shall not be included.
  - (b) National Law Universities constituted and established by statutes of the Union or States and mandated to start and run Law courses.
- (v) "Compulsory subjects" means and include subjects prescribed by the Bar Council of India as such.
- (vi) "Bachelor degree in law" means and includes a degree in law conferred by the University recognized by the Bar Council of India for the purpose of the Act and includes a bachelor degree in law after any bachelor degree in science, arts, commerce, engineering, medicine, or any other discipline of a University for a period of study not less than three years

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or an integrated bachelor degree combining the course of a first bachelor degree in any subject and also the law running together in concert and compression for not less than a period of five years after 10+2 or 11+1 courses as the case may be.

(vii) "Enrolment" means enrolment on the Rolls of the Advocates maintained by the State Bar Councils as per the procedure laid down for the purpose by State Bar Councils/BCI as per Advocates Act, 1961.

(viii) "First Degree" means Bachelor Degree in any branch of knowledge such as Arts, Fine Arts, Science, Commerce, Management, Medicine, Engineering, Pharmacy, Technology etc. conferred by Universities or any other qualifications awarded by an institution/authority recognized by the Bar Council of India, from time to time.

(ix) "Foreign citizen or Foreigner" used in these Rules means a natural person having citizenship and /or resident of any other country.

(x) "Foreign University" means and includes any University not constituted under any Act of Parliament of India or any State Legislature in India and which is incorporated outside India under the law of that country and function as University for organizing, running and managing courses of study and confer degree on successful completion of the course.

(xi) "Indian or Indian national" used in these Rules means a natural person having citizenship of India and includes Non Resident Indian or Person of Indian Origin enjoying double citizenship in India.

(xii) "Inspection of the University" means inspection by the Bar Council of India for recognizing its degree in law for the purpose of enrolment in the rolls of advocates and includes

(A) calling for all relevant records, documents, and correspondence to evaluate the competence of the University to run professional courses,

(B) visiting places of the Centres of Legal Education including building housing classes, library of the Institution, halls of residence and all other places as may be required by the inspection team inspecting the University and its affiliated Centres of Legal Education where the courses of degrees in law are conducted or proposed to be conducted.

Provided that as and when the Bar Council India communicates to the University for the purpose of inspection, the University shall also direct the concerned officer in charge of Inspection of Centre of Legal Education to instruct all persons concerned for facilitating the Inspection by the inspection team of the Bar Council of India.

(xiii) "Integrated Degree course in law" means double degree course comprising the bachelor degree in any branch of knowledge prosecuted simultaneously with the Degree course in law in such an integrated manner as may be designed by the University concerned for a continuous period of not less than five years.

(xiv) "Lateral Entry" is an admission given to graduate applicants at the beginning of third year in an integrated Five Year Course.

(xv) "Lateral Exit" means opting out at the end of three year after successfully completing the courses up to the third year, from an Integrated Five year course on being awarded a Bachelor degree.

(xvi) "Legal Education Committee or LEC" means the Legal Education Committee constituted by the Bar Council of India under the Act, composed of five members of the Bar Council of India nominated by the Bar Council of India and five co-opted members comprising the Chairman who has to be a former Judge of the Supreme Court of India, a sitting Hon'ble Chief Justice of a High Court, distinguished Professor of Law, the Law Secretary and the UGC Chairman. The Committee may also have some permanent invitees proposed by the Bar Council of India.

(xvii) "Master degree" means a degree, which is undertaken after the graduate degree in any discipline obtained from any University.

(xviii) "National Assessment and Accreditation Council" is the body constituted as an autonomous body for conducting accreditation of Universities and Centre of Legal Education, by the University Grants Commission.

(xix) "Notify and Notification" means notifying in the website of the Bar Council of India.

(xx) "Practice of law" means and includes (a) practising before the Court, Tribunal, Authority, Regulator, Administrative Body or Officer and any Quasi Judicial and Administrative Body, (b) giving legal advice either individually or from a law firm either orally or in writing, (c) giving legal advice to any government, international body or representing any international dispute resolution bodies including International Court of Justice, (d) engaged in Legal Drafting and participating in any Legal Proceedings and (e) representing in Arbitration Proceedings or any other ADR approved by law.

(xxi) "Prescribed" means prescribed under these Rules.

(xxii) "Recognized University" means a University whose degree in law is recognized by the Bar Council of India under these Rules.

(xxiii) "Regular Course of Study" means and includes a course which runs for at least five hours a day continuously with an additional half an hour recess every day and running not less than thirty hours of working schedule per week.

(xxiv) "Regular Approval" means approval for not more than five years and includes permanent approval earlier granted to any Centre of Legal Education before these Rules come into force.

(xxv) "Rules" means on 'Rules of Legal Education'.



- (xxvi) "Second degree" means a course of study leading to degree, which can be prosecuted only after obtaining a bachelor degree.
- (xxvii) "Secretary" means Secretary of the Bar Council of India.
- (xxviii) "Temporary approval" means approval for not more than a period of three years.
- (xxix) "Sponsors" means and includes a natural or artificial person, University, a body of persons incorporated or otherwise, a public trust, or society registered under the Union or any State Act for the purpose of sponsoring, establishing, organizing, managing and running any Centre of Legal Education.
- (xxx) "State Bar Council" means the State Bar Council constituted in the State under the Act.
- (xxxi) "Unitary Degree course in law" means three years degree course in law prosecuted by a student after completing a bachelor degree course in any discipline.
- (xxxii) "University" means as defined under the University Grants Commission Act, 1956 including National Law Universities and other Universities established by Acts of Central or State and also institutions declared as Deemed to be University under Section 3 of the University Grants Commission Act.

## CHAPTER II

### Standards of Professional Legal Education

#### 3. Recognized Universities

The State Bar Council shall enroll as Advocate only such candidates, who have passed from University, approved affiliated Centre of Legal Education / Departments of the recognized University as approved by the Bar Council of India. The Bar Council of India shall notify a list of such Universities and the Centres of Legal Education prior to the commencement of each academic year in the prescribed manner and also put in website of Bar Council of India a list of universities and Centres of Legal Education as amended from time to time. Each State Bar Council shall ensure that applicants passing out from such a recognized Universities and of its approved affiliated law Centre of Legal Education are enrolled.

#### 4. Law courses

There shall be two courses of law leading to Bachelors Degree in Law as hereunder.

- (a) A three year degree course in law undertaken after obtaining a Bachelors' Degree in any discipline of studies from a University or any other qualification considered equivalent by the Bar Council of India.

Provided that admission to such a course of study for a degree in law is obtained from a University whose degree in law is recognized by the Bar Council of India for the purpose of enrolment.

- (b) A double degree integrated course combining Bachelors' Degree course as designed by the University concerned in any discipline of study together with the Bachelors' degree course in law, which shall be of not less than five years' duration leading to the integrated degree in the respective discipline of knowledge and Law together.

Provided that such an integrated degree program in law of the University is recognized by the Bar Council of India for the purpose of enrolment.

Provided further that in the case of integrated double degree course the entire double degree course can be completed in one year less than the total time for regularly completing the two courses one after the other in regular and immediate succession, meaning thereby, that if the degree course in the basic discipline, such as in Arts, Science, Social Science, Commerce, Management, Fine Arts, Engineering, Technology or medicine etc. is of three years' duration of studies, integrated course in law with the basic degree in the discipline could be completed in five years' time but where the degree course in basic discipline takes four or five years, the integrated degree in law with such degree course in the discipline would take one year less for completing in regular time than the total time taken for the two degrees taken separately if completed back to back.

Explanation 1: Double degree integrated course such as BA, LL.B. can be completed within (3+3 -1) i.e. 5 years. But if one intends to do B.Tech, LL.B. it can be done in (4+3-1) i.e., 6 years.

Explanation 2: Suppose in a University one can have a two years' graduation in any social science leading to BA degree, in that case also the composite double degree integrated course leading to BA, LL.B. would be of five years duration because double degree integrated course cannot be of less than five years' duration.

#### 5. Eligibility for admission:

- (a) Three Year Law Degree Course: An applicant who has graduated in any discipline of knowledge from a University established by an Act of Parliament or by a State legislature or an equivalent national institution recognized as a Deemed to be University or foreign University recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three years' degree program in law leading to conferment of LL.B. degree on successful completion of the regular program conducted by a University whose degree in law is recognized by the Bar Council of India for the purpose of enrolment.

- (b) Integrated Degree Program: An applicant who has successfully completed Senior Secondary School course ('+2') or equivalent (such as 11+1, 'A' level in Senior School Leaving certificate course) from a recognized University of India or outside or from a Senior Secondary Board or equivalent, constituted or

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recognized by the Union or by a State Government or from any equivalent institution from a foreign country recognized by the government of that country for the purpose of issue of qualifying certificate on successful completion of the course, may apply for and be admitted into the program of the Centres of Legal Education to obtain the integrated degree in law with a degree in any other subject as the first degree from the University whose such a degree in law is recognized by the Bar Council of India for the purpose of enrolment.

Provided that applicants who have obtained + 2 Higher Secondary Pass Certificate or First Degree Certificate after prosecuting studies in distance or correspondence method shall also be considered as eligible for admission in the Integrated Five Years course or three years' LL.B. course, as the case may be.

**Explanation:** The applicants who have obtained 10 + 2 or graduation / post graduation through open Universities system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the law courses.

#### 6. Prohibition to register for two regular courses of study

No student shall be allowed to simultaneously register for a law degree program with any other graduate or postgraduate or certificate course run by the same or any other University or an Institute for academic or professional learning excepting in the integrated degree program of the same institution.

Provided that any short period part time certificate course on language, computer science or computer application of an Institute or any course run by a Centre for Distance Learning of a University however, shall be excepted.

#### 7. Minimum marks in qualifying examination for admission

Bar Council of India may from time to time, stipulate the minimum percentage of marks not below 45% of the total marks in case of general category applicants and 40% of the total marks in case of SC and ST applicants, to be obtained for the qualifying examination, such as +2 Examination in case of Integrated Five Years' course or Degree course in any discipline for Three years' LL.B. course, for the purpose of applying for and getting admitted into a Law Degree Program of any recognized University in either of the streams.

Provided that such a minimum qualifying marks shall not automatically entitle a person to get admission into an institution but only shall entitle the person concerned to fulfill other institutional criteria notified by the institution concerned or by the government concerned from time to time to apply for admission.

#### 8. Standard of courses

Whereas all Universities and its constituent and affiliated Centres of Legal Education conducting either the three year law degree program or the integrated double degree program for not less than five years of study or both would follow the outline of the minimum number of law courses both theoretical and practical,

compulsory and optional, as the case may be, prescribed by the Bar Council of India and specified in the Schedule II and ensuring that:-

- (a) the minimum number of law courses are effectively conducted in the Centres of Legal Education with adequate infrastructural facilities as may be prescribed and in the manner stipulated by the University Regulations and Rules and that of the Bar Council of India Rules,
- (b) the minimum standard of first degree course as designed and run by the University for the purpose of running integrated course in accordance with the standard prescribed by the University in view of the academic and other standards laid down, if any, taking into consideration by the standard-setting institutions like University Grants Commission or All India Council for Technical Education or any such body, as the case may be, and the program is effectively run with adequate number of faculty in respective subjects, with infrastructural facilities as may be prescribed by the University as well as the Bar Council of India, and
- (c) there is a regular and proper evaluation system for the purpose of certification of the students graduating in law after completing the course as a regular student.

Provided that the University for the said purpose shall submit to the Bar Council of India, copies of the curriculum designed and developed in each course of study, rules of academic discipline and of examination and evaluation and also the amendments to those as and when so amended.

#### 9. Process and manner of running integrated course

The University concerned shall ensure that -

- (a) Faculties for running the entire course shall design the purpose, manner and the process of running the integrated courses semester-wise with clear objective criteria of integration.
- (b) There are all infrastructural facilities available for the courses, such as faculty for teaching the subjects concerned, laboratories needed, and other class room fixtures and fittings including the computer support.
- (c) The double degree courses may be planned by the University in order to suitably integrate the program meaningfully.
- (d) The University shall cause documentary evidences and records of the above requirements in (a), (b) and (c) to be submitted to the Bar Council of India, whose inspection committee would review the program from time to time and provide suggestions to the University concerned, if any.

#### 10. Semester system

The course leading to either degree in law, unitary or on integrated double degree, shall be conducted in semester system in not less than 15 weeks for unitary degree course or not less than 18 weeks in double degree integrated course with not less than 30 class-hours per week including tutorials, moot



room exercise and seminars provided there shall be at least 24 lecture hours per week.

Provided further that in case of specialized and/or honours law courses there shall be not less than 36 class-hours per week including seminar, moot court and tutorial classes and 30 minimum lecture hours per week.

Provided further that Universities are free to adopt trimester system with appropriate division of courses per trimester with each of the trimester not less than 12 weeks.

#### 11. Minimum infrastructure

Any institution conducting legal education by running either of the law degree courses or both leading to conferment of graduate degree in law on successful completion of the course shall have minimum standard infrastructure facility stipulated by the Bar Council of India specified in Schedule III of these Rules.

The University shall ensure that all its Centres of Legal Education under the University maintain the standard infrastructure and other facilities for the students to suitably impart professional legal studies.

#### 12. End Semester Test

No student of any of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorized representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India.

#### 13. Prohibition against lateral entry and exit

There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course, at any intermediary stage of integrated double degree course.

However, a University may permit any person to audit any subject or number of subjects by attending classes regularly and taking the test for obtaining a Certificate of participation from the University/ Faculty according to the rules prescribed by the University from time to time and give a Certificate therefore.

### CHAPTER III

## Inspection, Recognition and Accreditation

14. Centres for Legal Education not to impart education without approval of Bar Council of India

(1) No Centres of Legal Education shall admit any student and impart instruction in a course of study in law for enrolment as an advocate unless the recognition of the degree of the University or the affiliation of the Centres of Legal Education, as the case may be, has been approved by the Bar Council of India after inspection of the University or Centres of Legal Education institution concerned as the case may be.

(2) An existing Centre of Legal Education shall not be competent to impart instruction in a course of study in law for enrolment as an advocate if the continuance of its affiliation is disapproved or revoked by the Bar Council of India.

(3) Bar Council of India may suspend a Centre of Legal Education for such violation for a period of not more than two academic years which shall be notified.

15. Annual Notification for application to be filed by newly proposed institutions:

(a) At the direction of the Legal Education Committee, the Secretary shall notify each year prescribing the last date for submission of new application for proposing new law courses in a University or a new affiliated Centre of Legal Education under an existing recognized University but not later than December 31 of the previous academic year to which the new proposal is applied for. No application received after that date can be considered for the academic year under notification but can be considered for the subsequent year.

(b) On receipt of each application the Secretary shall submit his note after ascertaining all relevant facts to the Chairman of the Bar Council of India who may then instruct to refer the application to the inspection committee for inspection and report. After receiving the report from the Inspection Committee, the Secretary shall place the file before the Legal Education Committee for its recommendation to the Bar Council of India for approval of the affiliated Centres of Legal Education or recognition of the degree in law of the University as the case may be.

(c) The Legal Education Committee may call for additional information from the applicants as the Legal Education Committee may deem necessary.

16. Conditions for a University to affiliate a Centre of Legal Education

(1) When a University receives an application for affiliation of a Centre of Legal Education to provide legal education by running professional degree program in law under either or both the streams, the University may before



deciding whether it is fit case for seeking inspection from the Bar Council of India, shall ensure that

- (i) the applicant organization proposing to run the institution is either already a non-profit organization of trust or registered society or a non-profit company or any other such legal entity or has taken all legal formalities to be as such,
  - (ii) the institution has in its name either in freehold or leasehold, adequate land and buildings, to provide for Centre of Legal Education building, library, halls of residences separately for male and female and sports complex both indoor and outdoor, so that it can effectively run professional law courses provided that in case of leasehold the lease is not less than ten years,  
Provided that sufficient and adequate floor space area specially and completely devoted for a Centre of Legal Education, based on the size of its student population, faculty requirement, adequate space required for infrastructure facilities can be considered sufficient accommodation for the purpose in a multi-faculty building on land possessed by the Management of a Society/ Trust running multi-faculty institutions.
  - (iii) recruited or taken steps to recruit adequate number of full time and visiting faculty members to teach each subjects of studies, each faculty having at least a Master Degree in the respective subject as required under the UGC Rules,
  - (iv) there is the separate Centres of Legal Education for the study of law under a separate Principal who should be qualified in Law to be a Professor of Law as stipulated under UGC and Bar Council of India rules,
  - (v) there is adequate space for reading in the library and there are required number of books and journals and adequate number of computers and computer terminals under a qualified librarian,
  - (vi) if the prior permission of the State Government is necessary, a no objection certificate is obtained to apply for affiliation,
  - (vii) a minimum Capital Fund as may be required under Schedule III from time to time by the Bar Council of India, and put into a Bank Account in the name of the proposed Centre of Legal Education sponsored by any private sponsor or sponsors, and
  - (viii) all other conditions of affiliation under the University rules as well as the Bar Council of India Rules are complied with.
- (2) After affiliation order is received from the University the Centres of Legal Education may only then apply for inspection by the Bar Council of India.

#### 17. When can University apply for inspection for constituent College or University Department or Faculty

When a University proposes to run a professional degree course in law of either or both streams in its Faculty or Department or in any of its constituent

College it shall ensure the minimum standards of requirement as prescribed and then shall in each proposal seek inspection by the team of inspection of the Bar Council of India by submission of application with all necessary information within the stipulated date notified by the Bar Council of India every year, in appropriate Form.

#### 18. Inspection of a University

(1) A University seeking recognition of its degree in law for the purpose of enrolment in the Bar, shall provide the inspecting committee of the Bar Council of India all necessary facilities to examine the syllabus of the course designed, teaching and learning process, evaluation system, infrastructure layout and other necessary conditions in general and shall ensure in particular that all University Departmental Centres, Faculty, Constituent and affiliated Centres of Legal Education proposing to offer law courses under either or both the streams, possess:

- (i) Required infrastructural facilities outlined under the Bar Council of India Rules;
- (ii) Required number of teaching faculties as prescribed by the Bar Council of India and the University Grants Commission;
- (iii) Facilities for imparting practical legal education specified in the curriculum under the Rules and Legal Aid Clinic, Court Training and Moot Court exercises;
- (iv) Adequate library, computer and technical facilities including on-line library facility and
- (v) In case of a Centre of Legal Education sponsored by private initiative of a person there is a Capital Fund as required in the Schedule III by the Bar Council of India from time to time, deposited in the Bank Account in the name of the Centre of Legal Education concerned.

(2) For the above purpose the Inspection Committee of the Bar Council of India shall have power to call for and examine all relevant documents, enquire into all necessary information and physically visit and enquire at the location of the Department, Faculty, Constituent and affiliated Centres of Legal Education as the case may be.

Provided that an application for a new proposal for affiliation and the related University inspection therefore by the Inspection Committee of the Bar Council of India, including the local enquiry at the site of the proposed College may be formally made directly by the authority of the proposed College (Faculty, University Department, Constituent or Centres of Legal Education as the case may be) in proper Form with required information and requisite fees provided that an advance copy of the application must be submitted to the University concerned, within the stipulated date as notified by the Bar Council of India.

#### 19. Types of Inspection

Inspection shall mean inspection by the Inspection Committee of the Bar Council of India as any one of the following:

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(i) **Initial inspection:** Initial inspection shall mean inspection of the University and inspection of the Bar Council of India for permitting a new Centre of Legal Education.

Provided that if a Law University is established by an Act passed by the Central or any State Legislature to run Law courses as specified and mandated in the statute, such a University may commence and run courses in the stipulated streams before any Initial Inspection. However such a University would require regular inspection and the first inspection shall be conducted within the first year of commencement of the courses.

(ii) **Regular Inspection:** Regular Inspection means an inspection of a University including all or any of its affiliated Centre of Legal Education by the Bar Council of India conducted after the initial inspection at the end of temporary approval, excepting a Law University established by a Central or State Act, for granting a regular approval and thereafter at least once in every five years unless the University / Centre of Legal Education concerned has sought/inspected for accreditation.

(iii) **Surprise inspection:** Surprise inspection means inspection conducted by University/Bar Council of India anytime without giving notice to the Centre of Legal Education.

(iv) **Inspection for accreditation:** Inspection applied for by a Centre of Legal Education possessing approval for the purpose of accreditation and certification.

## 20. Inspection and Monitoring Committee

The Bar Council of India shall constitute one or more inspection and monitoring Committee/s comprising at least two members of the Bar Council of India to conduct inspection of newly established or existing Universities.

## 21 Inspection fees

The Bar Council of India may prescribe inspection fees to be charged from time to time from each institutional applicants for the purpose of conducting inspection

There may also be fees prescribed for inspection for providing accreditation of an institution. Such fees are provided in the Schedule IV of these rules and may be amended by Bar Council of India from time to time.

## 22. Inspection Report

The Committee shall inspect the University, examine the documents and reports, visit the institution to assess the infrastructure, curriculum design, teaching and learning process, library and technical facilities and the feasibility of standard clinical education. The Committee shall then submit its report in the prescribed Form together with all relevant documents.

Members of the Committee shall physically inspect of the institution. The report has to be signed by the members of the committee inspecting, appreciating the findings, documentary, and physical, in a meeting of the committee, provided that the member not physically inspecting the institution may not sign the inspection report but may appreciate the findings and put his/her opinion.

The Secretary shall place the Inspection Report immediately before the meeting of the Legal Education Committee for its decision.

## 23. Specific recommendation needed

(1) The Inspection committee while recommending approval of affiliation to a new Centre of Legal Education should, *inter alia*s, make a specific recommendation as to why such a Centre of Legal Education required at the same place/area where the Centre of Legal Education is proposed to be started keeping in view the total number of existing Centres of Legal Education in the place/area in particular and the State in general.

(2) The inspection committee will also keep in view the approximate population of the area where the Centre of Legal Education is proposed to be started, number of Centre of Legal Education along with the total number of students therein, number of degree colleges as well as junior colleges in the area in particular and the State in general.

## 24. Adverse report

(a) In case of an adverse report received by the Secretary from the Inspection Committee he shall forthwith inform the Chairman of the Bar Council of India and on his instruction seek further clarification, if necessary.

(b) The Secretary shall cause a copy of the report to be sent to the Registrar of the University concerned and also to the Head of the Institution for further comments and explanations, if any. Such comments and explanations on the report shall be sent by the Registrar of the University within a period of six weeks from the date of the receipt of the communication.

(c) The Secretary shall cause the report and the comments/explanation of Registrar of the University and the head of the institution concerned to be placed before the next meeting of the Legal Education Committee of the Bar Council of India for its consideration.

## 25. Recommendation of the Legal Education Committee

The Legal Education Committee after reviewing the report and all other explanation, documents and representation, in person or in writing and in the interest of maintaining the standard of legal education in view under the rules recommend appropriate action to be taken on each such report to the Bar Council of India.

In case of withdrawal or revocation of approval of an institution it shall be



effective from the commencement of the next academic year following the date on which the communication is received by the Registrar of the University.

#### 26. Approval

The Bar Council of India on the recommendation of the Legal Education Committee shall instruct the Secretary to send a letter of approval of any one of the following type to the Head of the Institution as well as to the Registrar of the University:

(a) **Temporary approval:** On the Initial inspection report or Regular Inspection report the Legal Education Committee may recommend a temporary approval for not more than a period of three years to a newly proposed institution in the event the institution has facilities enough to commence the teaching program on such conditions as the Legal Education Committee may prescribe.

(b) **Regular approval:** A regular approval may be recommended for not more than a period of five years when an institution fulfills all standard set norms and has the capability of maintaining such standard continuously. Such regular approval shall entitle such institution to seek accreditation from the Bar Council of India who can do the same either of its own according to rules of accreditation or may cause it done by the National Assessment and Accreditation Council.

#### 27. Revocation of approval

The Bar Council of India may revoke the grant of a temporary or regular approval if the conditions on which the permission was granted are not substantially fulfilled. A regular permission may be cancelled on an adverse report of inspection.

Provided that in case of revocation of a temporary or regular approval, the Centre of Legal Education authority and the respective University shall be provided with an opportunity of hearing and rectifying the shortcomings within such time as the Legal Education Committee may prescribe. In the event of failure to rectify the shortcomings in the opinion of the Legal Education Committee within the stipulated time, the Legal Education Committee shall recommend revocation of approval to the Bar Council of India.

Provided further that in case of revocation or cancellation of approval, as the case may be, proper provisions have to be made for the students who are already enrolled for a law course during the time when the approval was valid either by allowing the Centre to complete the course with those who are already enrolled or direct the University concerned, if such continuance is not in the interest of professional legal education, to make alternative arrangement for those students in near by Centres of Legal Education under the University.

#### 28. Accreditation system

There shall be an accreditation and performance rating system for any institution having regular approval, based on State and/or National level

graduation. Such performance grade may be used in all letter head, sign board, literature and publications, including prospectus and franchise materials of the institution.

The accreditation of performance once obtained shall remain valid for a period of five years.

#### 29. Accreditation Committee

The Legal Education Committee shall form an Accreditation Committee with at least one member, Bar Council of India and one academician who shall provide credit rating of the Universities and the law teaching institutions subjecting to this voluntary accreditation, which would also be published and put into the website of the Bar Council of India for public information. The Legal Education Committee determine the norms of accreditation from time to time. The period of Accreditation Committee will be two years.

#### 30. Application for accreditation

An application in hard and soft copy may be made to the Bar Council of India in the specification specified in Schedule IX depositing the fee by a bank draft as prescribed from time to time, in the name of the Bar Council of India within the notified date but not later than 31<sup>st</sup> July of each year.

#### 31. Rules for accreditation

The Legal Education Committee may determine the norms of accreditation from time to time in addition to or in supplementation of the following:

- (i) The accreditation and certification shall be made either directly by the Accreditation Committee of the Bar Council of India based on the analytical tools of credit rating system as far as adaptable or the Bar Council of India may cause it done through National Assessment and Accreditation Council based on the analysis made by NAAC.
- (ii) Once the accreditation is done it shall remain valid for a period of five years from the date the certification is communicated to the institution concerned.
- (iii) The performance analysis shall have three components, academic, administration and financial.
- (iv) The study for determining performance rate shall be based on previous five years' data, current contents of the program and the future projection made on the basis of data analysis.
- (v) The Accreditation Committee shall require complete disclosure of performance records, accounting and financial records and procedures of human and other asset management of the institution.
- (vi) In so far as the academic part is concerned the following data would form basis of study:

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- (a) faculty student ratio (b) system of detail curriculum development and teaching practice sessions (c) number of working days annually (d) number of working days lost with reasons (e) qualification of the faculty (f) class performances of the students and class records (g) system of clinical program and internship (h) evaluation system and record keeping (ix) student-computer ratio (i) on line library facility (j) capital investment of the institution per student (k) library investment per student (l) residential facility (m) outside the class hour of the faculty advice and interaction per student (n) career counseling opportunities (o) quality of the body of alumni (p) publication by faculty and students in journals (q) laboratory and moot court room exercise facilities (r) per student procurement of books and journals (s) class room environment (t) status of Free Legal Aid centre and legal literacy program run by the Centre of Legal Education and (u) any other information needed by the committee.
- (vii) The financial performance data shall depend upon the previous five years annual accounts, annual reports, annual budget, fund raised, financial asset management and deployment, future plan, asset structure and any other financial information as may be required.
- (viii) The administrative performance would be assessed on the basis on composition of the management body, observance of regulatory rules, administrative staff ratio, working days loss and any other information that may be required for ascertain the management QC.
- (ix) The study shall be based on (a) records, (b) visit, inspection and dialogue of the committee with the management, staff, students and the faculty.
- (x) The committee may visit the institution after providing notice or without and can visit if required, more than once.
- (xi) Data based analysis shall be communicated to the institution before rating begins for further observation and supplementary information, if required.

### 32. Obligation of the institution to facilitate free and fair enquiry

The institution shall provide all information required and all copies of documents and facilities to the accreditation committee. Faculty has to be provided so that the committee may meet management, faculty members, staff and the students and record their comments, if needed.

### 33. Anti Ragging Measures

Every University / Centre of Legal Education shall take appropriate measures to prevent ragging in any form with a standing Committee appointed for the purpose from among faculty and student representation.

In case of occurrence of any incident of ragging the violator shall be dealt with very seriously and appropriate stringent action be taken.

## CHAPTER IV

### Directorate of Legal Education

#### 34. Directorate of Legal Education

The Bar Council of India shall establish a Directorate of Education for the purpose of organizing, running, conducting, holding, and administering (a) Continuing Legal education, (b) Teachers training, (c) Advanced specialized professional courses, (d) Education program for Indian students seeking registration after obtaining Law Degree from a Foreign University, (e) Research on professional Legal Education and Standardization, (f) Seminar and workshop, (g) Legal Research, (h) any other assignment that may be assigned to it by the Legal Education Committee and the Bar Council of India.

#### 35. Director of Legal Studies

- (a) The Directorate shall be under the charge of a Director of Legal Studies.
- (b) The Director shall be appointed by the Bar Council of India on the advice of the Legal Education Committee from leading senior legal educationists holding the post of Professor of Law in a University whose degree is recognized, either in service or retired.

#### 36. Legal Education Officer (LEO)

- (a) The Bar Council of India may appoint one or more LEO on the recommendation of the Director of Legal Education and in consultation with the Chairman of the Legal Education Committee.
- (b) The LEO shall be in the whole time service of the Council on such terms and conditions and selected in such manner as may be determined by the Council from time to time.
- (c) The LEO shall have the minimum qualification to be appointed as an Associate Professor or Reader in law in any University under UGC Rules.
- (d) The LEO shall discharge such functions as may be allotted to him by the Legal Education Committee, Bar Council of India or the Director of Legal Studies.

## CHAPTER V

### Recognition of Degree in law of a Foreign University

#### 37. Degree of a Foreign University obtained by an Indian citizen

If an Indian national having attained the age of 21 years and obtains a degree in law from a Foreign University such a degree in law can be recognized for the purpose of enrolment on fulfillment of following conditions:

- (i) completed and obtained the degree in law after regularly pursuing the course for a period not less than three years in case the degree in law is obtained

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after graduation in any branch of knowledge or for a period of not less than five years if admitted into the integrated course after passing +2 stage in the higher secondary examination or its equivalent; and (ii) the University is recognized by the Bar Council of India and candidate concerned passes the examination conducted by the Bar Council of India in substantive and procedural law subjects, which are specifically needed to practice law in India and prescribed by the Bar Council of India from time to time as given in the schedule XIV. Provided that those who joined LL.B. course in a recognized Foreign University prior to 21<sup>st</sup> February, 2005 the date of notification in this regard by the Bar Council of India need not seek for such examination, other aforesaid condition remain same.

Provided the same privilege shall be also extended to Persons of Indian Origin having double citizenship in India.

### 38. Enlisting a Foreign University

The Bar Council of India on the recommendation of the Legal Education Committee may consider the application of a foreign University to enlist the name of the University in the Schedule V of these rules. The degree in law obtained from which Foreign University by an Indian national shall be considered for the application preferred under Rule 37 above.

### 39. Recognition of a Foreign University

(I) For the purpose of recognition of Degree in Law under Rule 37 above, any Foreign University may apply to the Bar Council of India for granting recognition to such University.

(II) Such application shall contain (i) History of the University, (ii) its Hand book, Brochure, Prospectus containing courses of study, (iii) University's standing in the Accreditation list made officially or by any recognized private body, and (iv) any other information that the Bar Council of India may prescribe from time to time and subject to inspection by the Bar Council of India of the University, if necessary.

(III) The matter shall be placed before the Legal Education Committee with all details and Legal Education Committee shall recommend to the Bar Council of India.

(IV) Legal Education Committee may make any other enquiry as may be needed to recommend the University whose degree in law shall be recognized for the purpose of application under Rule 37.

### 40. Standard test for recognition

Recognition of Degree in law of a foreign University for the purpose of enrolment as Advocate in India would depend on the following criteria of standards that:

- (i) The degree in law shall be a second stage degree offered either after graduation from an approved University by the Bar Council of India for

the purpose of admission in the course leading to Degree in Law in the Foreign University concerned; or shall be an integrated program offered after 10+2 or 11+1 school education.

- (ii) The course leading to the Degree in Law in the Foreign University (hereinafter mentioned as The course) concerned shall be at least for three years' duration if taken after graduation in the manner stated above, or shall be at least for five years' duration if undertaken in a integrated program as mentioned above.

- (iii) The course shall be a regular course of study undertaken in a University or Centre of Legal Education affiliated to a University, as the case may be.

- (iv) The course shall contain, *mutatis mutandis*, subjects of studies, which are prescribed as compulsory subjects, by the Bar Council of India on recommendation of the Centres of Legal Education from time to time, in the LL.B. program of a recognized University in India for the purpose of enrolment.

## CHAPTER VI

## Miscellaneous Provisions

### 41. Uniform Identity Number of students and faculty

-Each recognized University and its approved institutions registering students for law courses shall send particulars as prescribed in the Schedule X of its registered students and Faculties for the purpose of building up of uniform data of the faculty and the students of law and for issue of Uniform Identity Number to students and faculty against a fee prescribed by the Bar Council of India from time to time.

### 42. Annual Report and Return

All approved Centres of Legal Education of the Universities whose degree is approved for enrolment shall submit to the respective University with a copy to the Bar Council of India an annual return in the form prescribed in schedule VIII in hard and soft copy at the end of its annual academic session failing which a new inspection would be required for the University with the local enquiry.

### 43. Dispute Resolution Body

The Legal Education Committee of the Bar Council of India shall be the dispute resolution body for all disputes relating to legal education, which shall follow a procedure ensuring natural justice for such dispute resolution as is determined by it.

### 44. Annual Notification:

- (1). The Council shall notify in its website and send copies to each State Bar Councils as per Schedule I of these Rules, the names of Universities whose



degrees in law recognized under these rules with a list of approved Centres of Legal Education. The Council shall require each University and the State Bar Council to also notify the same within its jurisdiction and provide a copy to each of its approved Centres of Legal Education, including the same in their respective website in so far as the Centres of Legal Education within the respective jurisdiction of these institutions.

(2) Information about the non-recognition or de-recognition of the degree in law of a University and that of CENTRES of Legal Education shall also be sent to all Universities in India imparting legal education and to all State Bar Councils which shall include the same in their website.

#### 45. Over-riding effect

Any resolution passed earlier by Bar Council of India / Legal Education Committee inconsistent with these rules shall not bind the Bar Council of India and all other bodies constituted in pursuance of the Advocates Act 1961, after these rules come into force.

#### 46. Savings

Any action, decision or direction taken or directed by the Bar Council of India under any Rule or Regulation in force at any time earlier than these Rules coming into force, shall be valid, binding on the institutions as the case may be, and remain in enforce notwithstanding anything contained in these Rules.

#### 47. Amending procedures

Any amendment proposed by Bar Council of India in the Rules shall be carried through consultation with the Universities and the State Bar Councils by way of circulation of the proposal to the Universities and the State Bar Councils for the written submission within the scheduled notified date and after consideration of such written submission on merit. The Legal Education Committee/Bar Council of India shall on consideration of the representation finalise the said amendments, which shall come into force by way of notification in the website. The Bar Council of India shall also send the hard copy of notification to the Universities.

Provided that any provision in the Schedule may be amended by the Bar Council of India on the recommendation of the Legal Education Committee and the same shall also be notified in the website of the BCI for enforcing the provision.

## SCHEDULES

### SCHEDULE I

List of Indian Universities and its approved Centres of Legal Education, whose degrees in law are recognized for enrolment

Visit Website of the Bar Council of India ([www.barcouncilofindia.org](http://www.barcouncilofindia.org)) and select "Legal Education" column and go to List of approved law colleges.

### SCHEDULE II

Academic standards and Courses to be studied

1. Medium of instruction: English shall be the medium of instruction in both the integrated five year and three year courses. However if any University and its any CLE allows in full or in part instruction in any language other than English or allows the students to answer the test papers in the periodical and final semester tests in any regional language other than English, the students have to take English as a compulsory paper.

2. University's responsibility: A University is free to design its academic program under LL.B. and LL.B. Honours course as well as program under the integrated degree program in Bachelor degree component as well as the LL.B. component with or / and without Honours course. However, LL.B. courses shall include the courses as stipulated under this schedule.

3. Total subjects in Liberal discipline in integrated stream: In integrated stream of Arts & Law, Science & Law, Management & Law, Commerce & Law, etc as the case may be, one has to take one major subject and two minor subjects or such number of compulsory paper/subject and such optional with or without Honours in Law, as the case may be, from the specified area in addition to English, as may be prescribed by the University concerned.

The syllabus has to be comparable to the syllabus prescribed by leading Universities in India in three year Bachelor degree program in BA, B.Sc, B.Com, BBA etc taking into account the standard prescribed by the UGC/AICTE or any other respective authority for any stream of education.

4. Total Number of papers (subjects) in law to be offered in both the streams as under:

*Law subjects (papers) in both the streams*

(a) For regular law courses either in the three years' unitary stream or under the integrated double degree stream, students have to take not less than twenty eight papers (subject) in all, which shall include eighteen compulsory papers, four clinical papers and six optional papers from among the list of optional papers under this Schedule and also of any additional papers prescribed by the University from time to time.

(b) For specialized and / or honours course, a student has to take not less than thirty six papers in all, which shall include eighteen compulsory papers,



four clinical papers, six optional papers and eight papers in specialized/honours course in any Group as stipulated below. However if eight papers are taken from multiple of groups, honours can be given in general law without mentioning any specialization.

Example: "A" has taken eight honours papers selected as follows: two from Constitutional Law, three from Business Law, one from International Law and two from International Trade Law, his Honours shall be in Law. "B" takes eight papers from Constitutional Law group, his honours shall be mentioned in Constitutional Law.

5. Curriculum Development Committee (CDC) : The Bar Council of India may, from time to time, appoint Curriculum Development Committee (CDC) to design various courses in both liberal discipline and law. The CDC in designing such courses shall, with benefit, take into account the Report on various subjects submitted to UGC or AICTE by its Curriculum Design Committees. Universities are free to use the CDC Report of UGC/AICTE in liberal disciplines including science, arts, fine arts, commerce, management, engineering, technology and other branches of knowledge, in designing the integrated course in Law and Arts, Law and Science, Law and Finance, Law and Commerce, Law and Engineering, Law and Management etc. as the case may be.

6. Course outline in the two streams of Legal Education:

Part I : Courses in liberal discipline in Integrated Five Year Course :

(1) Undergraduate course-component for integrated Five Years' course:

(a) In Social Science and Language (For B.A., LL.B.): One major subject with two minor, besides, English is compulsory subject. Students are expected to learn at least one Foreign or Indian Language. There shall be 6 papers in major and three papers each in minor and in languages.

Example: One can take Philosophy as major with political Science and Sociology as minor. One can take Economics as major and Political Science and Mathematics as minor. Similarly one can take English as major and Political Science and History as minor, so on so forth. However in the initial years the choice of subjects may be restricted. In the current years courses offered would be Economics, Political Science, Philosophy, Journalism & Mass Communication and History. English can also be taken as major. Other languages offered shall be notified at the time of admission. It is advised that the University follow the Curriculum Development Committee Report of UGC, if it is there, in designing the course and stipulate the standard.

(b) In Science (For B. Sc, LL.B.): Major and minor papers shall be in science subjects offered. Provision for language shall remain same. In the current year subjects offered are Physics, Chemistry, Bio-Science, Mathematics, Environmental Science and Geological Science. Choice can be restricted on the availability of faculty. It is advised that the University follow the Curriculum Development Committee Report of UGC, if it is there, in designing the course and stipulate the standard.

(c) Business Management (For BBA, LL.B.) Major and Minor subjects or Compulsory and Optional subjects/papers may be taken from the following papers/ subjects such as Business Communication, Business Mathematics, Quantitative Analysis, Business Statistics, Business Environment, Accounts and Finance, Management Theory and Practice, Human Resource Management, and Marketing Management. Language policy shall remain same. However one can take English as major or minor, where there is a system of major and minor, with other management subjects. University are advised to design the course looking into the course and standard prescription, if any by AICTE or UGC as the case may be.

(d) In Commerce (leading to B.Com, LL.B.): Major and minor courses are to be selected from the list of subjects like Accounts, Advanced Accounting, Secretarial Practice, Business Administration, Management Accounting, Audit Practice etc. It is advised that the University follow the Curriculum Development Committee Report of UGC, if it is there, in designing the course and stipulate the standard.

The syllabus has to be comparable to the syllabus prescribed by leading Universities in India in three year Bachelor degree program in BA, B.Sc, B.Com, BBA etc taking into account the standard prescribed by the UGC/AICTE and any other respective authority for any stream of education.

Part II (Law papers common to both the streams)

(A) Compulsory subjects in legal education component in both the streams (Paper 1 to 20) University is free to design any subject in one or more than one papers where more papers are not stipulated:

1. Jurisprudence (Legal method, Indian legal system, and basic theory of law).
2. Law of Contract
3. Special Contract
4. Law of Tort including MV Accident and Consumer Protection Laws
5. & 6. Family Law (2 papers)
7. Law of Crimes Paper I : Penal Code
8. Law of Crime Paper II : Criminal Procedure Code
9. & 10. Constitutional Law (two papers)
11. Property Law
12. Law of Evidence
13. Civil Procedure Code and Limitation Act
14. Administrative Law
15. Company Law
16. Public International Law . . .

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17. Principles of Taxation Law
18. Environmental Law
19. & 20. Labour and Industrial Law (2 papers)

**Part II (B) Compulsory Clinical Courses ( Papers 21 to 24 as following):**

**21. Drafting, Pleading and Conveyance**

**Outline of the course:** (a) Drafting: -General principles of drafting and relevant substantive rules shall be taught

**(b) Pleadings: -**

- (i) Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
- (ii) Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.
- (iii) Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed
- (iv) Drafting of writ petition and PL petition

The course will be taught class instructions and simulation exercises, preferably with assistance of practising lawyers/retired judges.

Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each) and 15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise) remaining 10 marks will be given for viva voice.

**22. Professional Ethics & Professional Accounting system**

**Outline of the course:** Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations

This course will be taught in association with practising lawyers on the basis of the following materials.

- (i) Mr. Krishnamurthy Iyer's book on "Advocacy"
- (ii) The Contempt Law and Practice
- (iii) The Bar Council Code of Ethics
- (iv) 50 selected opinions of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on the subject
- (v) Other reading materials as may be prescribed by the University

Examination rules of the University shall include assessment through case-study, viva, and periodical problem solution besides the written tests.

**23. Alternate Dispute Resolution**

**Outline of the course:**

- (i) Negotiation skills to be learned with simulated program
- (j) Conciliation skills
- (k) Arbitration Law and Practice including International arbitration and Arbitration rules.

The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercises at least for a significant part of evaluation.

**24. Moot court exercise and Internship:**

This paper may have three components of 30 marks each and a viva for 10 marks.

- (a) Moot Court (30 Marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

- (b) Observance of Trial in two cases, one Civil and one Criminal (30 marks):

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance or different days in the court assignment. This scheme will carry 30 marks.

- (c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceeding in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

- (d) The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

**Part II (C):** Not less than six papers from any of the following groups (paper 2 to 30) However a University is free to take only a few common options for the purpose of LL.B. course without any specialization:

**Constitutional Law Group**

Legal Philosophy including theory of Justice  
Indian Federalism  
Affirmative Action and Discriminative Justice

Comparative Constitution  
 Human Right Law and Practice  
 Gender Justice and Feminist Jurisprudence  
 Fiscal Responsibility & Management  
 Local Self Government including Panchayet Administration  
 Right to Information  
 Civil Society & Public grievance  
 Government Accounts & Audit  
 Law on Education  
 Media & Law  
 Health Law  
 Citizenship & Emigration Law  
 Interpretation of Statutes and Principle of Legislation  
 Legislative drafting

#### Business Law Group

Law and Economics  
 Banking Law  
 Investment Law  
 Financial Market Regulation  
 Foreign Trade  
 Law of Carriage  
 Transportation Law  
 Insurance Law  
 Bankruptcy & Insolvency  
 Corporate Governance  
 Merger & Acquisition  
 Competition Law  
 Information Technology Law  
 Direct Taxation  
 Indirect Taxation  
 Equity and Trust  
 Law on Project Finance  
 Law on Corporate Finance  
 Law on Infrastructure Development  
 Special Contract

#### International Trade Law

International Trade Economics  
 General Agreement on Tariff & Trade  
 Double Taxation  
 Dumping and Countervailing Duty  
 Trade in Services & Emigration Law  
 Cross Border Investment  
 Agriculture  
 Dispute Resolution  
 International Monetary Fund  
 Trade in Intellectual Property  
 International Banking & Finance

#### Crime & Criminology

Criminal Psychology  
 Forensic Science  
 International Criminal Law  
 Prison Administration  
 Penology & Victimology  
 Offences Against Child & Juvenile Offence  
 Women & Criminal Law  
 IT Offences  
 Probation and Parole  
 Criminal Sociology  
 Comparative Criminal Procedure  
 Financial and Systemic Fraud  
 White Color Crime

#### International Law

International Organization  
 International Human Rights  
 Private International Law  
 International Environmental Law  
 IMF & World Bank  
 Regional Agreement & Regionalization  
 Uncitral Model Codes



International Labour Organization & Labour Laws  
International Dispute Resolution Bodies

Maritime Law

Law of the Sea and International River

Humanitarian and Refugee Law

International Criminal Law and International Criminal Court

### Law & Agriculture

Land Laws including Tenure & Tenancy system

Law on Agriculture Infrastructure: seed, water, fertilizer, pesticide etc.

Law on Agricultural Finance

Law on Agricultural Labour

Agricultural Marketing

Farming & Cultivation

Farmer and Breeders' Right

Cooperative and Corporatization of Agriculture

Dispute Resolution and Legal aid

Agricultural Insurance

Law on SMEs on agricultural processing and rural industry

### Intellectual Property Law

Patent Right creation and Registration

Patent Drafting and Specification Writing

IPR Management

Copyright

Trade Mark and Design

Trade Secret and Technology transfer

Other Forms of IPR creation and registration

IPR Litigation

IPR Transactions

Life Patent

Farmers and Breeders right

Bio Diversity protection

Information Technology

IPR in Pharma Industry

IPR in SMEs

### University's power for additional subject/group:

Provided that a University / School may add to the above list of subjects as well as a New Group of subject specialization with such papers as may be stipulated from time to time. Students in the general law course have to take not less than six papers from any three or more groups.

### Part III (Only For Honours course in Law)

In case of specialization or honours in any group, one has to take at least eight papers from one group over and above six optional papers in other groups (Papers 29 to 36).

### Freedom to University

University may restrict Groups and/or subjects in a group for offering options based on availability of faculty and other facilities..

### Example

A University may follow the outline of the following course design (in integrated course)

### First Semester : 20 weeks

General English

Major Subject in BA/BSc/B.Com/BBA etc(Paper 1)

Minor I (Paper 1)

Minor II (Paper 1)

Law of Tort

Law of General Contract

### Second Semester : 20 weeks

English Literature

Major Subject (Paper 2)

Minor I (Paper 2)

Minor II (Paper 2)

Constitutional law of India

Legal Method

The arrangement of subjects in 5 years' integrated course shall be as follows:

First Semester:	4 (First degree papers)	+ 2 (Law papers)
Second Semester	4 (do)	+ 2 (do)
Third Semester	3 (do)	+ 3 (do)
Fourth Semester	3 (do)	+ 3 (do)



Fifth Semester	2 (do)	+ 4 (do)
Sixth Semester	2 (do)	+ 4 (do)
Seventh Semester	1 (do)	+ 4 (do)
Eighth Semester	1 (do)	+ 4 (do)
Ninth Semester	5 (do)	
Tenth Semester	5 (do)	

20 papers (including honours papers) 36 papers (including honours papers)

# For Pass course one has to offer only

14 papers in liberal discipline and 28 courses in Law

### Three Year Course

First Semester: Law of Tort, General Contract, Constitutional Law, Property Law, Indian Penal Code

Second Semester: Special Contract, Administrative Law, Family Law -1,

Criminal Procedure Code, Civil Procedure Code, Evidence Law

Detailed course design may be supplied during admission.

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### SCHEDULE III

Minimum infrastructural facilities required in a Centre of Legal Education for applying permission to run law courses with affiliation from an Indian University

#### Physical infrastructure

1. Definition: Institution means a Centre of Legal Education (CLE).
2. Minimum Capital Fund requirement: Each Centre of Legal Education before seeking affiliation with a University and approval of Bar Council of India of the same shall have a minimum capital fund requirement of Rupees ten lakh to be kept into a Bank account to be used for any future exigencies and development of the Institution. The Account is to be jointly operated by the Secretary or Principal with the Registrar of the University or his authorized agent.
3. Freehold or Leasehold Property: Each Centre of Legal Education providing education in law either in the Department of law of a University or its constituent or affiliated college must have either on freehold or on long leasehold land adequate to provide academic buildings, library, indoor and outdoor sports facilities, halls of residences for male and female students separately, as the case may be, in the name of the Centre of Legal Education or organization running the Centre of Legal Education. However, lease in the name of the Centre of Legal Education shall be for a period of not less than ten years. What is the adequate

space for the said purpose shall be decided by the respective authority of the University under its affiliation regulation and as guided by the UGC.

Provided that sufficient land and adequate floor space area completely and exclusively devoted for a Centre of Legal Education, based on the size of its student population, faculty requirement infrastructure facilities, Library space requirement, indoor and outdoor games facilities and other requirements can be considered sufficient accommodation in compliance with this clause, for the purpose in a multi-faculty Institution on land possessed by the Management of a Society/ Trust/ Non Profit Company running multi-faculty institutions in a metropolitan or in a class 1 city.

4. Academic Building: There shall be the academic building to provide separate class rooms for general class for each section sufficient to accommodate sixty students as per the requirement of per student floor space as specified by the University Grants commission or such other standard setting body like AICTE and also such other rooms for tutorial work, moot court room exercises, common room for male and female students and adequate library space for keeping books, periodicals, and journals. The library shall also have adequate reading space for at least 25% of the enrolled students according to per capita reading space specified by any standard setting bodies like UGC.

5. General timing for conduction of courses in Academic Building: Classes may be conducted between 8 a.m. to 7 p.m. in an Institution, which is not fully residential. However the Library may remain open till 10 p.m.

5A. Size of a section : The Inspection Committee may approve for admission in each of the section of a class for not more than 60 students and may allow a minimum of two sections in each class but not more than five sections in one class (such as First Year or Second Year or Third Year, etc) as the case may be unless there is any exceptional reason for granting more sections in a Class, such a reason has to be specified by the inspection Committee.

6. Library Building: There shall be adequate space in the library for computer facility with access to internet and national and international library access and data bases.

7. Games Facilities: There shall be facilities for indoor and outdoor facilities for games and sports.

8. Halls of residence: There may be facility required for halls of residence separately for males and females students constructed on the direction and specification by UGC or any such other standard setting body for affiliating an Institution.

9. (a) Laboratories: Institutions running integrated law program shall have adequate laboratory facilities in various courses of studies, if offered in the curriculum for Science, Engineering and technology courses along with law courses. The standard of such laboratory, per capita space, equipments, supplies, and other facilities shall be as specified by the UGC or any such other standard setting and regulatory bodies for the purpose of affiliation of such an Institution.



(b) Computer Education to be made compulsory for all the students.

10. **Organization structure of an Institution:** Affiliated Centres of Legal Education can be run by a Non-profit organization, like a Public Trust, Societies registered under Union or State law, or a Non Profit Company. All properties, assets, and the academic and academic support services shall be required to be recorded in the name of the Institution.

11. **Legal Aid Centre:** Each institution shall establish and run a Legal Aid Clinic under the supervision of a Senior Faculty Member who may administer the Clinic run by the Final year students of the Institution in cooperation with the Legal Aid Authorities with list of voluntary lawyers and other Non-Government Organizations engaged in this regard in the locality generally from which the student community of the Institution, hail from.

12. **All Bank account or accounts and Funds of the Institution** shall be jointly operated by the Manager/Secretary designated by the Trust, Society, or the Non-Profit Company, as the case may be, with the Head of the Institution.

13. **All Records of the Institution** including financial, academic and other organizational records and the meeting proceedings shall be kept in safe custody by the Head of the Institution in the Office of the Institution and shall remain accessible to all authorities and Inspection teams.

14. **Copy of Affiliation Rules of the University:** All affiliating Universities would be required to forward a copy of the Affiliation Rules and affiliation order to the Bar Council of India before an Inspection of the University including any of its affiliated Centres of Legal Education.

#### Academic infrastructure

15. **Minimum Library requirement:** To start with, a Law Library shall have a set of AIR manual, Central Acts and Local Acts, Criminal law journal, SCC, Company cases, Indian Bar Review, selected Judgements on Professional Ethics and Journals with the back volumes for at least ten years and also such number of text books in each subjects taught during the period according to the minimum standard ratio of ten books for each registered students. For running integrated program, text books of such other subjects are also to be kept in the similar minimum ratio. The minimum investment in Library in each academic year must shall be Rupees Fifty thousand for one stream and Rupees One Lakh for both the streams.

16. **Whole time Principal/ Head/Dean:** There shall be a Principal for each constituent or affiliated Centre of Legal Education of a University and a Dean for the University Department, who shall have minimum prescribed qualification in law as prescribed by the UGC for respective position like Principal of a Centre of Legal Education or a Professor of Law to hold Deanship, as the case may be.

17. **Core Faculty:** There shall be sufficient number of full time faculty members in each Centre of Legal Education ( i.e., Department, constituent or affiliated college ) to teach each subject at all point of time for running courses who can be

supported by part time or visiting faculty. Such a core faculty shall in no case be less than six in the first year of the approval with both streams in operation, eight in the second year and ten in the case of third year of law courses. In addition, for the integrated course there shall be adequate faculty in the subjects offered in the liberal educational subjects as part of the course by the institution. These faculties in the liberal educational discipline in Arts, Science, Management, Commerce, Engineering, Technology or any other discipline shall possess qualification as is required under the UGC guideline or under such other standard setting body as the discipline is allotted to by any Act, statute, or Rules of the Government of India or of a State.

For the Three Year Bachelor of Law degree course only with two sections without the Honour program, there shall be minimum of 4 core faculty in the first year six in the second and eight in the third year in addition to the Principal/Head or Dean as the case may be.

Provided that an institution intending to run any specialized or honours course must have at least three faculty in the group in which specialization and honours courses are offered.

Provided further that each full time faculty shall take as many classes in the subject or subjects as may be assigned to them on the basis of standard prescribed by 'the standard setting institution' like UGC.

Provided further, if any institution of a University, which was already affiliated to the University and approved to run professional courses of either scheme or both by the Bar Council of India after inspection of the University, falls short of required full time faculty, the new admission in courses may be required to remain suspended until new required number of faculty is procured. The University shall before starting a new academic session, notify which institutions are only be allowed to admit fresh students.

Provided further that if while inspecting the University it was found that in any institution of the University adequate number of full time faculty was not there in the staff, the Bar Council after giving notice to the University might give a public notice directing the University not to admit students in the new academic year in that institution.

18. **Minimum weekly class program per subject (paper):** There shall be for each paper (with 4 credit) Four class-hours for one hour duration each and one hour of tutorial/moot court/project work per week.

19. **Examination rule guideline:** The examination shall ordinarily be held at the end of every semester. The University shall, however, be at liberty to hold examination quicker frequency on continuing basis. Suitable allocations of subjects for each semester program as the case may be, shall be planned by the University and the same shall be intimated to the Bar Council of India along with the Examination Rules adopted by the University concerned.

20. **Minimum qualification needed for the Faculty:** Full-time faculty members including the Principal of the Centre of Legal Education shall be holders of a



Master's degree or as prescribed by UGC or other such standard setting bodies. However faculty for teaching clinical program may be appointed from the retired judicial officers or from the Bar, a person with professional experience for a minimum period of 10 years. Visiting faculty from the Bar, bench or academy shall have a minimum experience of 10 years.

21. Teaching load: The teaching load of full-time and part time teachers shall be according to the norms prescribed by the U.G.C. from time to time.

22. Salary scale: The salary paid to the Principal shall be according to the scales recommended by the U.G.C from time to time with other benefits. Core Full Time Faculty shall ordinarily be given usual UGC scale.

An Institution may however have faculty whose remuneration is based on contract provided the remuneration is comparable with or more favorable to the faculty in comparison with the UGC Scale and salary shall be paid through account payee cheque.

23. Standard Academic practice: The Bar Council of India may issue directives from time to time for maintenance of the standards of Legal Education. The Centre of Legal Education /University has to follow them as compulsory.

24. The Questionnaire specified in Schedule VI & VII and as amended from time to time, is to be responded to by the applicant for approving an affiliated institution by the Bar Council of India under the Rules, which shall be deemed to be directive issued under this Rule. The questionnaire shall be submitted with the application for initial inspection with such other particulars, documents and fees as may be prescribed.

25. Minimum Period of Internship: (a) Each registered student shall have completed minimum of 12 weeks internship for Three Year Course stream and 20 weeks in case of Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

(b) Each student shall keep Internship diary in such form as may be stipulated by the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4<sup>th</sup> Clinical course as stipulated under the Rules in Schedule II.

26. District-wise list of Senior Lawyers willing to guide students under internship: The State Bar Councils shall be required to prepare a list of suggested Senior Advocates District-wise with at least ten years experience who are willing to take under internship students during the vacation period. The Bar Council of

India shall then publish the list of senior lawyers willing to guide students under internship in the web-site as well as make the list available with the Institutions.

27 Formal Dress Code during internship: Students placed under internship or in moot court exercise shall have formal dress of legal professional in pupillage as follows:

(For all) White/Black trouser, white shirt, black tie, black coat, black shoe and black socks. When students have problems of getting the entire formal dress for any reason, they have to have a white trouser, full sleeve shirt to be tucked in and covered shoe.

(Optional for Girl students) Black printed sharee, with white full sleeve blouse and covered black shoe or Lawyer's Suit with black covered shoe.

The Organization or Advocate under whom the internee is placed is required to follow suitable dress code.

28. Age on admission: (a) Subject to the condition stipulated by a University on this behalf and the high degree of professional commitment required, the maximum age for seeking admission into a stream of integrated Bachelor of law degree program, is limited to twenty years in case of general category of applicants and to twenty two years in case of applicants from SC, ST and other Backward communities.

(b) Subject to the condition stipulated by a University, and the general social condition of the applicants seeking legal education belatedly, the maximum age for seeking admission into a stream of Three Year Bachelor Degree Course in Law, is limited to thirty years with right of the University to give concession of 5 further year for the applicant belonging to SC or ST or any other Backward Community.

## SCHEDULE IV

### Inspection and other fees

N.B. All fees are payable in bank draft payable to the Bar Council of India at New Delhi.

(i) Initial /Regular inspection fees:	Rupees one lakh
(ii) Accreditation Assessment Fees	Rupees two lakh
(iii) Guarantee for fulfilling all the norms of the Bar Council of India	Rupees two lakh
(iv) Uniform Identity Number (to be collected by the Institution and to be sent to the Bar Council of India with such particulars as may be prescribed)	Rs one hundred for each student
(iv) Uniform Identity Number and Central data (For Faculty members)	Rs two hundred for each faculty

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**Explanation :**

1. Each institution requiring inspection, initial or regular, by the Inspecting Committee of the Bar Council of India shall and pay inspection fee of rupees one lakh or any other sum as may be stipulated by the Bar Council of India from time to time in a draft payable to Bar Council of India at New Delhi along with submission of application Form.
2. Whenever approval of affiliation is granted to the Centres of Legal Education, it shall be necessary for the Centres of Legal Education to deposit Rupees Two Lakh in the shape of guarantee to fulfill all the norms of the Bar Council of India. The same shall be liable to be forfeited if norms are not complied with and same shall carry no interest.
3. Any institution seeking accreditation from the Bar Council of India shall pay an accreditation fee of Rupees two lakh or such fee as may be prescribed.

**SCHEDULE V**

List of Foreign Universities whose degrees is recognized by the Bar Council of India under Section 24 (1) (c) (iii) in the Advocates Act, 1961

Visit Website of the Bar Council of India ([www.barcouncilofindia.org](http://www.barcouncilofindia.org)) and select "Legal Education" column and go to "Foreign Degrees recognized by the Bar Council of India."

**SCHEDULE VI****Proforma Inspection report****THE BAR COUNCIL OF INDIA**

21, ROUSE AVENUE, NEW DELHI - 110 002

PROFORMA FOR APPLICATION (PART I), INSPECTION (PART II),  
EXPLANATION AND COMPLIANCE REPORTING (PART III) IN RESPECT OF  
LAYING DOWN STANDARDS OF LEGAL EDUCATION UNDER SEC 7(b) AND  
RECOGNITION OF DEGREES IN LAW UNDER SEC. 7(1) AND RULES MADE  
THERE UNDER SEC. 24(1) (c) (iii), (iii-a) AND SEC. 49(1) (d) OF ADVOCATES  
ACT, 1961.

**NOTE :**

- (a) Part I is the form in which Centres of Legal Education / departments seeking recognition have to apply. Three copies of the application in hard and soft copies have to be filed along with supporting documents. All columns must be completed; incomplete applications will not be taken up for consideration. Forms submitted without the prescribed fee will not be considered. It may take 12 to 16 weeks for the Bar Council of India to cause the inspection after submission of the applications.
- (b) Part II is the form in which the inspection team will verify data and prepare its report to the Legal Education Committee.

- (c) Part III is the form in which the Bar Council of India office will seek explanation/clarification and wherever necessary, compliance to the Bar Council of India rules before submission of the application along with the inspection report to Legal Education Committee for consideration.
- (d) Correct and honest statement of facts supported by documentary evidence and prompt response from the management to the correspondence will enable the Bar Council of India to process the applications at the shortest possible time.
- (e) Any attempt to influence the judgement of the inspection team or Legal Education Committee/ Bar Council of India will entail summary rejection of the application itself.

**PART - I**

**APPLICATION SEEKING APPROVAL OF AFFILIATION / RECOGNITION  
OF CENTRES OF LEGAL EDUCATION/ UNIVERSITIES TEACHING LAW  
FOR PURPOSES OF ADVOCATES ACT, 1961**

[Note: Each affiliating University shall submit its Rules of Affiliation to the Bar Council of India while seeking approval of Affiliation of a Centre of Legal Education. In case of direct application the applicant shall annex with the application Rules of Affiliation of a Centre of Legal Education in the respective University]

**I. ESTABLISHMENT, MANAGEMENT AND STATUS OF THE  
INSTITUTION:-**

**A.**

- (a) Name and complete address of the Centre of Legal Education including Pin code, Phone & fax numbers and addresses of email and Website
- (b) Name, designation and address of the person making the application with Phone & Fax numbers and address of email.
- (c) Year of establishment of Centre of Legal Education and Name of University to which affiliated.
- (d) When was it affiliated ?  
Whether temporary or Permanent?  
(enclose letter from University)



- (c) What courses in law are being offered at present (i). (ii). (iii).
- (f) When did the BCI give recognition ? (letter from BCI)
- (g) Was the Centre of Legal Education inspected before by BCI ? Details of the same.
- (h) Recognition of courses to which this application refers:
- (i) How many batches of LL.B / LL.B Integrated graduates passed out of the Centre of Legal Education ?
- (j) How many batches of Post graduate (LL.M) students passed out of the Centre of Legal Education ?

B.

- (a) Who manages the Centre of Legal Education and under what framework ? (Enclose : Statute, Regulation, etc.)
- (b) Give the names, addresses of the members of Board of Management. (Enclose documents in support)
- (c) What are the other institutions run by the same management and where?
- (d) How long the present management will continue under the rules ?
- (e) What are the sources of funding of the Centre of Legal Education ?

- (f) What are the assets of the Centre of Legal Education ? (Details of documents in support)
- (g) Who appoints the staff of the Centre of Legal Education and under what procedure ?
- (h) Does the Centre of Legal Education pay U.G.C. scales ? If not, how much for different cadres of academic staff.
- (i) Was the Centre of Legal Education ever disaffiliated by the Govt./ University ? If so, under what reasons ?
- (j) Give additional evidence, if any, to guarantee the financial viability of the Centre of Legal Education.

## II. INFRASTRUCTURAL FACILITIES

- (a) Land and Buildings : Area, built-up space, description of class rooms, staff rooms, student facilities used for Centre of Legal Education only. (enclose documents)
- (b) Does the Centre of Legal Education have its own building ? If not, when it proposes to build ?
- (c) Size, furniture, budget, personnel, system of lending etc. of the Centre of Legal Education's law library.
- (d) Number of text books, reference books and periodicals in law library (Give detailed break-up in separate paper)



- (e) Name, rank, salary, qualification and teaching experience of academic staff including Principal (Use separate sheet, if necessary)
- (f) Give details of supporting (administrative) staff available to the Centre of Legal Education.
- (g) Is there a Hall of residence for students? How many can be accommodated?
- (h) Are there common room facilities for students? Boys and Girls?
- (i) How far is the nearest court from the Centre of Legal Education? What are the other courts in the neighbourhood?
- (j) Are there other law teaching Centres of Legal Education in the area? Give details.

### III. ACADEMIC AFFAIRS AND POTENTIAL FOR DEVELOPMENT

- (a) What are the courses now being offered?
- (b) What is the strength of students in each of the courses now offered?
- (c) What is the process of student selection for admission.
- (d) What is the maximum intake the Centre of Legal Education had in the last five years? (Give detailed break-up)

- (e) What is the duration and normal schedule for teaching in the Centre of Legal Education? (attach the time-table used in the last year/ semester)
- (f) How many classes a student has to attend on an average on a working day?
- (g) Is the attendance taken once a day or once in every class?
- (h) Who keeps the attendance register? office/ teacher after class hours.
- (i) What percentage of students live in the locality and what percentage commute from outside the area?
- (j) Are there periodic examinations conducted by the Centre of Legal Education to assess progress of learning of students?
- (k) Who supervises the regularity and quality of teaching and under what procedure?
- (l) How does the management ensure that classes are regularly held?
- (m) Give details of the Students the Centre of Legal Education admitted in the 1<sup>st</sup> LL.B class, the number of students presented for the final year LL.B examinations and number of students passed (with Distinctions if any) in the last five years.

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(11) What are the outstanding academic achievements of the Centre of Legal Education in legal learning ?

(12) What evidence are there to show research accomplishment of the faculty ?  
(Attach data separately of each such faculties)

(13) Does the Centre of Legal Education publish any journal ?  
(Give details & attach copies)

(14) What is the system in vogue for Practical Training of students ?  
(Give details)

(15) Is the Centre of Legal Education students / staff involve themselves in legal aid activities ?  
(Give details)

(16) Give the names of teachers handling the practical training courses.

(17) What are the problems perceived in imparting practical training ?

(18) Did the Centre of Legal Education introduce the BCI prescribed curriculum ?

(19) Does the Centre of Legal Education follow an annual or semester system ?

#### IV. SELF ASSESSMENT REPORTS

The Legal Education Committee / Bar Council of India would like to have an objective, honest and transparent assessment of the academic performance and potential of the Centre of Legal Education / department from each member of the teaching staff including Principal and of the management independently when they can frankly express the strengths and weaknesses of the institution as they perceive it. If any member wants to keep that information confidential the Legal Education Committee / Bar Council of India will make every effort to keep it so. The individual reports may also be directly sent to the Chairman, Legal Education Committee if they so desire.

#### V. UNDERTAKING

I Mr./Ms..... hereby declare that the information provided above are true to the best of my knowledge and I have not attempted to suppress or exaggerate data concerning the above institution which is directly under my management.

PRINCIPAL / DEAN

PLACE:

DATE :

CORRESPONDENT/ MANAGEMENT

P.S. Send this report only in the form serially numbered and available only from the Secretary, Bar Council of India, New Delhi. Keep a xerox copy of the same with you for record and consultation when the inspection team visits your Centre of Legal Education.

#### PART - II

THE BAR COUNCIL OF INDIA : LEGAL EDUCATION INSPECTION  
PROFORMA TO BE FILLED BY BAR COUNCIL OF INDIA APPOINTED  
INSPECTION TEAM AFTER VISITING CENTRES OF LEGAL EDUCATION /  
DEPTS.

(Each member to file independent inspection reports. Please file the report on the same day of inspection or in the following day)

#### A. PRELIMINARY DETAILS

(a) Names of Inspection Team :

(b) Date of Inspection :

(c) Did you study Part I application filed by the Centre of Legal Education and formulated the questions you want to specifically raise with management, faculty, students and alumni ?

#### B. VERIFICATION OF DETAILS ON INFRASTRUCTURE, MANAGEMENT AND ACADEMIC ENVIRONMENT

(Note : The team will go through each and every item in Part I with the Management/Principal, personally visit the premises and satisfy itself of the statements made therein. Discrepancies and inadequacies noticed are to be recorded here in detail as they would form the basis of queries / classifications under Part III to be raised by Bar Council of India Secretariat later. Use separate sheets and attach with the report).



### C. VERIFICATION OF ACADEMIC AFFAIRS AND POTENTIAL FOR DEVELOPMENT

(Note : This should contain information on the quality of teaching, academic performance in the past, library resources available and its use by students, the competence of teachers for respective jobs including clinical teaching, extent of student satisfaction, general reputation of the Centre of Legal Education etc. The inspection team will use the self-assessment reports of teachers for verifying this item in discussion with the teachers concerned. Separate meetings with groups of students and advocates in the area who passed out of the institution are desirable to come to a fair conclusion on standards for the purpose of suggesting improvements in academic affairs. Use separate sheets to record your impression on academic standards, its strength and weaknesses. It is important that each team member prepare the impressions independently so that the Legal Education Committee can come to an objective assessment with the help of inspection reports.)

### D. CONCLUSION AND RECOMMENDATIONS

- (a) On Infrastructure including library and staff :
- (b) On standards of teaching, research, co-curricular activities :
- (c) On reforms immediately required if Bar Council of India Rules were to be complied with in letter and spirit :
- (d) Recommendations for Legal Education Committee / Bar Council of India consideration :

Place & Date : \_\_\_\_\_

Signature : \_\_\_\_\_

### PART - III

#### THE BAR COUNCIL OF INDIA : LEGAL EDUCATION - EXPLANATIONS AND CLARIFICATIONS OF CENTRE OF LEGAL EDUCATION ON QUERIES RAISED AFTER INSPECTION

(Note : This part is to be filled by management of the Centre of Legal Education if they are asked to do so by the Bar Council of India Secretariat on the basis of the findings of the inspection team. Only applications which are complete in all respects alone will be submitted to the Legal Education Committee. As such, Bar Council of India Secretariat will examine the application (Part I) with the inspection reports (Part II) in the context of Rules of the BCI Rules and point out inadequacies and non-compliance and seek clarifications from Centre of Legal Education by sending this proforma (Part III).

Before sending the Part III proforma, the BCI Secretariat will enter the queries and clarifications they are seeking from the Centre of Legal Education management)

Queries from the BCI Secretariat to Centre of Legal Education management :

- 1.
- 2.

#### FOR OFFICE USE ONLY

- (i) Recommendations of the LEGAL EDUCATION COMMITTEE :
- (ii) Decision of the Bar Council of India :

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# THE BAR COUNCIL OF INDIA PROFORMA FOR INSPECTION REPORT OF CENTRE OF LEGAL EDUCATION

( While preparing the report of inspection of the Centre of Legal Education, members are requested to follow the following proforma)

1. Name of the Centre of Legal Education with complete address
2. Name of the University to which the Centre of Legal Education is affiliated / sought to be affiliated with photocopies of relevant documents.
3. Name of the Society / Trust / Organisation sponsoring the Centre of Legal Education, its financial position, details of the organisation etc. (Full details)
4. Date of inspection
5. Name of the members of the Inspection Team
6. Approximate population of the State and the area where the Centre of Legal Education is located / proposed to be located.
7. Number of Centres of Legal Education in the area, their names, total strength of students in each year of the course (Both three year and five year )
8. Number of degree colleges ( both undergraduate and post-graduate ) in the area
9. Necessity for starting a new Centre of Legal Education / continuance of the existing Centre of Legal Education in the area
10. Details of the courts in the area
11. Number of lawyers practising in the area

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12. If the Centre of Legal Education is already affiliated by University and permitted by State Government, details thereof with Photocopies of documents
  - (i) Details of affiliation of University with documentary proof
  - (ii) Permission of the State Government with documentary proof.
13. Whether five year course has been introduced in the Centre of Legal Education / Deptt. of University, If so, when ?  
If five year course is not introduced yet whether the Centre of Legal Education is intending to do so or not.
14. Details about the course of study imparted / sought to be imparted and timings of Centre of Legal Education.
15. Details about the teaching staff, their qualifications, salary and other service conditions with complete details of full time and part time teachers.
16. (a) Details about the accommodation at the Disposal of the Centre of Legal Education.  
(b) Whether the land and building are owned by the Centre of Legal Education or the same is rented or leased? ( Full details thereof with photocopies of relevant documents)
17. Details about the Administrative Staff in the Centre of Legal Education.
18. (a) Details about the Library in terms of space, equipments and full details of text books, reference books, journals and other periodicals  
(b) State whether the books and periodicals mentioned in Clause 15 of Schedule III of the Rules are available in the library or not ?  
Give details  
(c) Working hours of library and details of Library staff  
(d) Whether there is qualified and trained librarian or not ?



19. Views of Members of inspecting team with regard to starting of the proposed Centre of Legal Education / continuing the existing Centre of Legal Education in terms of its utility (with specific recommendations as to whether the proposed Centre of Legal Education can be granted approval of affiliation/ existing Centre of Legal Education can be allowed to retain approval of affiliation or not)
20. Whether approval can be granted on regular basis or it should be on temporary basis for a limited period (give reasons for this and mention about the period for which recommendation is made).
21. Conditions, if any, that can be imposed and the time limit for fulfilling those conditions (if temporary affiliation is recommended)
22. Any other fact which the Hon'ble members want to mention and is not covered under this proforma.

MEMBER,

BCI

MEMBER, BCI.

**SCHEDULE VII**

**Proforma Application Form for approval of affiliation to be submitted to the Bar Council of India with copy of application for affiliation of a University**

1. Name of the Centre of Legal Education :
2. Address with phone number, email ID:
3. Name and address of the body running the Centre of Legal Education :
4. Name of the University:
5. When the University affiliated the Centre of Legal Education (copy of the letter of affiliation to be attached):
6. Affiliation granted up to:
7. Conditions of affiliations, if any:
8. When NOC from the State Government obtained, if required (a copy of the NOC to be attached):

9. Affiliation approved by Bar Council of India on (in case of subsequent approval needed):
10. Approval valid up to (in case subsequent approval needed):
11. Conditions of approval of the Bar Council of India, if any (in case of subsequent approval needed):
12. Specific response on each condition of approval (in case of subsequent approval needed):
13. When was the initial inspection by Bar Council of India done (in case of subsequent approval needed):
14. Annual Report & audited Accounts of the previous years (in case of subsequent approval needed):
15. Detailed statement of the infrastructure if not provided in the application:
16. List of teaching faculty & None – teaching staff with qualifications & experience.

**SCHEDULE VIII**

Forms of Annual Return

To be specified later and incorporated as and when prescribed

**SCHEDULE IX**

Application form accreditation and credit rating

To be specified later and incorporated as and when prescribed

**SCHEDULE X**

Information of enrolled student for Uniform Identity Card

To be specified later and incorporated as and when prescribed

**SCHEDULE XI**

Centralised data for Faculties

To be specified later and to be incorporated as and when prescribed

**SCHEDULE XII**

List of approved Foreign Universities whose degree in law can be considered for enrolment under Chapter V of the Rules

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## SCHEDULE XIII

List of dates fixed for various Regulatory purposes

**New Proposal**

1. Last date for submission of completed application form with the required fee for initial approval of a proposed institutions  
December 31
2. Submission of any further information as may be required by BCI on the above application  
within January 31
3. Conduction of initial inspection of new application as above  
within April 30
4. Consideration of initial inspection report and recommendation by LEC to BCI  
within May 31
5. BCI's recognition letter or reason for refusal to be communicated to the applicant and the concerned State Government/ University whichever is applicable  
within June 15

**Renewal of approval of affiliation**

1. Last date of submission of completed application Form with the required fee for renewal inspection earlier recognition unless relaxed by BCI on special reasons  
six months' earlier from the date of expiry of the approval of affiliation
2. Last date for submission of renewal inspection Report to LEC  
June 30 and December 31
3. Last date for recommendation of LEC to BCI  
February 28 (for Dec. Report) August 31 (for June Report)  
March 31 (For December Report) September 30 (For June Report)
4. BCI to communicate recognition letter

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**Application for accreditation**

1. Last date for submission of application For accreditation with fees  
July 31
2. Submission of accreditation report to BCI by the committee and notification Special inspection any time  
within December 31
- Submission of Report to LEC  
within one month of inspection



(2)



**Hidayatullah National Law University,  
Raipur (C.G.)**



**Student's Manual**

**(Including Examination Rules, Library  
Rules, Hostel Rules, Internship Rules,  
Disciplinary Rules)**



# **Hidayatullah National Law University, Raipur**

## **Examination Rules – 2009**

### **1. EXAMINATION COMMITTEE AND ITS FUNCTIONS:**

#### **1.1 Constitution of Examination Committee:**

There shall be an Examination Committee constituted by the Vice-Chancellor through an order. The tenure of the Committee shall be for one academic session. The Committee shall consist of minimum five members.

#### **1.2 Powers and Functions of Examination Committee:**

- a) Upkeep of examination records.
- b) Conduct examinations
- c) Notification of results
- d) Preparation and dispatch of Grade Cards.
- e) Remedy the grievances
- f) Enforce examination rules.
- g) Maintaining and upholding the sanctity of examination rules.
- h) Perform such other functions as may be assigned by the Vice-Chancellor.

#### **1.3 Meeting of Examination Committee**

Meeting of the examination committee shall be conducted by the Controller of Examinations as frequently as may be necessary. The quorum shall be of three members.

### **2. ATTENDANCE AND ATTENDANCE MAKE-UP**

#### **2.1 Classroom Attendance & Participation:**

All the students who are participants to a particular course shall regularly participate in the class in the manner outlined in these rules.

#### **2.2 Minimum Percentage of Attendance:**

2.2.1. B.A. LL.B - In order to be allowed to appear in the End Semester Examination, a student shall attend at least 70% of the total classes held in the course concerned during the semester. Attendance for the purpose of 70% limit means coming to the class well prepared with the assignments.

2.2.2. LL.M - In order to be allowed to appear in the End Semester Examination, a student shall attend at least 75% of the total classes held in the course concerned during semester. Attendance for the purpose of 75% limit means coming to the class well prepared with the assignments.

### **2.3 Marks for Attendance:**

2.3.1. B.A. LL.B - The following are the marks that shall be allowed for the purpose of encouraging the students to attend the undergraduate/postgraduate programme of the University.

(i)	Above 70% to 80%	2 marks
(ii)	Above 80% to 90%	3 marks
(iii)	Above 90% to 95%	4 marks
(iv)	Above 95%	5 marks

2.3.2. LL.M. – The following are the marks that shall be allowed for the purpose of encouraging the students to attend the undergraduate/postgraduate programme of the University.

(i)	Above 75% to 80%	1 marks
(ii)	Above 80% to 90%	3 marks
(iii)	Above 90% to 95%	4 marks
(iv)	Above 95%	5 marks

### **2.4 Closure of Attendance:**

Attendance shall be closed four days before the first day of End Semester Examination to enable Examination Department to publish list of “Not Eligible” students due to less attendance for appearing in End-Semester Examination.

### **2.5 Status of Attendance**

The status of attendance shall be declared by 4<sup>th</sup> of every academic month by the examination department. The faculty members shall submit the status to the examination department by 3<sup>rd</sup> of every academic month. Any objection pertaining to the notified attendance shall be communicated, in writing, to the examination department within two days of publication failing which the notified attendance shall be deemed as final.

Provided that if the student(s) will be absent for any authorized reasons, s/he shall submit the objection immediately after joining the University.



**2.6 Discollegiate:**

2.6.1. B.A. LL.B (Hons) - A Student not attending 70% of classes of the total classes held shall not be allowed to appear in the End Semester Examination or in case appeared the result shall be withheld. Any further relaxation in this rule shall be governed by the Bar Council of India Rules.

Provided that a student representing the University in any Inter-University, National and International Contests for the actual number of days devoted for participation and or suffering from any illness preventing the student to attend the classes may apply for attendance make up according to the attendance make up rules.

Provided further, that if the class attendance of a student selected for representing the University in any Inter-University, National and/or International contests, falls below the statutory requirement of the semester, the student shall not be allowed to represent the University for the next one semester.

2.6.2. LL.M.- A Student not attending 75% of classes of the total classes held shall not be allowed to appear in the End Semester Examination or in case appeared the result shall be withheld.

Provided that a student representing the University in any Inter-University, National and International Contests for the actual number of days devoted for participation and or suffering from any illness preventing the student to attend the classes may apply for attendance make up according to the attendance make up rules.

Provided further, that if the class attendance of a student selected for representing the University in any Inter-University, National and/or International contests, falls below the statutory requirement of the semester, the student shall not be allowed to represent the University for the next one semester.

**2.7 Attendance make up:**

2.7.1 A student may claim attendance make-up on following grounds:

2.7.1.1 If the student represents the University in any Inter-University, National and International Moot Court Competitions or other academic competitions with prior approval, on prescribed format, of the University.

2.7.1.2 If the student concerned suffers from any communicable disease/illness which disenables him/her from participating in the class.

2.7.2 For availing attendance make-up, a student has to apply in prescribed form within 07 days (seven days) of returning/joining the University.

2.7.3 All the Attendance make-up applications should be forwarded by the respective course teachers of the student. In addition to this, in case of attendance make-up on medical grounds, the Medical Certificate and/application should be verified by the Warden. In case of representation of the University in Moot Court and other academic competitions approved by the University, the attendance make up application &/certificates of participation should be verified by the respective Faculty Advisor/s.

## **2.8 Calculation of marks on attendance make-up:**

2.8.1 In case of attendance make-up for sickness, no marks (marks on attendance) will be awarded and marks will be calculated on the basis of actual attendance only. But the attendance make up will be calculated for the purpose of determining the eligibility to appear in the end-semester examination.

2.8.2 In case of attendance make-up for representing the University in moot court competition etc. marks (marks on attendance) will be calculated as if the concerned student was present on the days of participation. This will also include the journey period with shortest route to the venue of the Competiton.

## **3. AVERAGE MARKS**

### **3.1 Award of Average Marks:**

For availing award of average marks in Snap Test/Mid Term Examination/Project, a student will be required to apply to the Examination Section within 07 days (Seven Days) of returning/re-joining the University.

### **3.2 Grounds for availing Average Marks in Snap Test/Mid Term Examination:**

3.2.1 If a student is unable to appear in snap test or mid-term examination on medical grounds and requests for award of average marks, his/her request may be considered by the Examination Committee, only if:

- (a) He/she is hospitalized in the University empanelled hospitals/Nursing homes as notified by the University time to time, and
- (b) He/she submits a request for grant of average marks within seven days, duly forwarded by the Warden.



Provided that notwithstanding anything contained above, the award of average marks shall not exceed forty percent of the maximum marks of that paper.

3.2. If a student represents the University in a Moot court competition or other events he may apply for the average marks in Snap Test/Mid Term Examination. Application for average marks will be supported by the participation certificate and verification, in the prescribed format, from the Moot Court Committee Faculty Advisor or in case of other events by the concerned committee Faculty Advisor.

There will be no limitation/ceiling on award of average marks for this reason/ground.

### 3.3 Average Marks in Project Component

A student may apply for awarding average marks in project component of a subject, if he/she has represented to the University in any moot court competition. Application for award of average marks should be supported by participation certificate, in prescribed format, and forwarded by the Moot Court Committee Faculty Advisor or in case of other event by the concerned committee Faculty Advisor. Average marks of rest of the components of that subject of that semester will be taken as the base for award of average marks for that project.

### 3.4 Limitations on Average Marks and Project Exemption

3.4.1. In case of participation in a competition during snap test/mid term, student will be awarded average marks. Student will not be eligible to claim exemption in project.

3.4.2. There shall be exemption in project only in participation in Moot Court Competitions. Exemption shall be available only in one subject.

3.4.3. A student may be allowed to waive the benefit of the exemption in project.

3.4.4. There shall be no average marks for end term component.

Explanation: Exemption in project shall be construed for Memorial also.

## 4. **AWARD OF MAXIMUM CREDITS POINTS FOR PUBLICATION OF PROJECT.**

4.1 A student may apply for award of maximum credit points in a project, if his/ her Project has been published in any reputed national/international law journal.

4.2 For award of maximum credit, a student must submit application with the following:-

- (a) Acceptance of the publisher within one year (two academic sessions) from that Subject/Semester concerned.
- (b) Application should be forwarded and verified by the concerned faculty member endorsing that "The project topic allotted and the project published is same".
- (c) In addition to this, student has to submit proof of publication also. Maximum credit will be awarded only after receiving the proof of publication.

In case of acceptance from reputed national/international journal, the time limit may be reconsidered by the Examination Committee on a case by case basis.

4.3. In case of co-authorship, amongst students, the maximum credit shall be awarded to student to whom the project topic is allotted.

4.4. The maximum credit shall be allowed for publication of a seminar project in the form of book with ISBN/ISSN.

## **5. DISTRIBUTION OF MARKS/GRADES/SCHEME OF EXAMINATION:**

### **5.1 Distribution of Marks:**

Following is the scheme of distribution of Marks for B.A. LL.B. (Honours) and LL.M.

#### **B.A. LL.B. (Honours)**

##### **(1) Compulsory Papers (100 Marks)**

Attendance:	05 Marks
Snap Test/Continuous Assessment:	10 Marks
Moot Court Exercise/Project:	25 Marks
Mid Term Examination:	20 Marks
End Term Examination:	40 marks

##### **(2) Optional Papers (100 Marks)**

Attendance:	05 Marks
Snap Test/Continuous Assessment:	10 Marks



	Project:	25 Marks
	Mid Term Examination:	20 Marks
	End Term Examination:	40 marks
(3)	<u>Honours Papers (100 Marks)</u>	
	Attendance:	05 Marks
	Class Presentation:	10 Marks
	Project:	25 Marks
	Mid Term Examination:	20 Marks
	End Term Examination:	40 marks
(4)	<u>Seminar Papers (100 Marks)</u>	
	Attendance:	05 Marks
	Presentation (Synopsis):	15 Marks
	Presentation (Final):	30 Marks
	Written Evaluation:	50 Marks
	<u>LL.M.</u>	
	Attendance:	05 Marks
	Class Presentation (two presentations):	10 Marks
	Project:	25 Marks
	Mid Term Examination:	20 Marks
	End Term Examination:	40 marks

## **5.2 Scheme of Examination:**

The scheme of examination shall be same for B.A. LL.B. (Hons) and LL.M. unless specified otherwise.

### **5.2.1 Marks for Attendance:**

The students may get Marks for attendance as stipulated in Rule 2.3

### **5.2.2 Snap Test:**

5.2.2.1 There shall be two snap tests to be conducted by the course teacher within the specified week prescribed in an academic calendar.

5.2.2.2. Dates for the snap test shall not be disclosed. Respective faculty members should coordinate among themselves to finalize the date of snaps. Snap test shall be conducted in the first hour of the scheduled week in an academic calendar.

5.2.2.3. Each snap test shall be of 5 Marks.

5.2.2.4. There shall be written examination unless some other method has been approved by the Under-Graduate Council. Such method must be approved in writing by the Under-Graduate Council.

**5.2.3 Guidelines for Projects:**

The students are required to comply with the guidelines contained in the Schedule – I

**5.2.4 Guidelines for Memorial and Moot Court Exercise:**

The students are required to comply with the guidelines contained in the Schedule – II

**5.2.5 Class Presentation:**

There shall be one class presentation in honors paper in BA LL.B and two class presentations in LL.M on the topic allotted by the faculty.

**5.2.6. Mid Term Examination:**

There shall be a written mid-term examination. For compulsory papers and optional papers, student shall attempt two questions out of three questions. In the honors paper, student shall attempt one question out of two questions. For LL.M, the scheme of honors paper shall be followed. The duration of mid-term shall be one and half hours.

**5.2.7 End Term Examination:**

There shall be written examination. For compulsory papers and optional papers, student shall attempt four questions out of five questions. In the honors paper, student shall attempt two questions out of three questions. For LL.M, the scheme of honors paper shall be followed. The duration of end term shall be three hrs.

For appearing in the End Term examination, a student shall apply in a prescribed form and obtain an admit card from the examination department failing which a student shall not allowed to appear in the end term.

**5.2.7 Seminar Paper:**



The students are required to comply with the guidelines contained in the Schedule – III

**5.2.8. Dissertation (LL.M)-** A dissertation carrying maximum of 200 marks on a topic approved by the University has to be submitted on or before 30<sup>th</sup> April of the year in which the candidate is a student of the IV term. In special cases, however, the Post-Graduate Council may permit a student to submit his dissertation after 30<sup>th</sup> April, but not later than 31<sup>st</sup> August of the year. In case the dissertation is not submitted by 31<sup>st</sup> August as aforesaid, the candidate will have to register himself as an ex-student after obtaining necessary permission from the Vice-Chancellor. Such candidate shall have to pay the fee as mentioned in the Schedule of Fees.

In case where a student fails to obtain the required percentage of marks in the dissertation submitted by him/her, s/he should be permitted to revise and resubmit the dissertation on the same topic or on a fresh topic, after approval from the Post-Graduate Council, if s/he desires.

The dissertation for LL.M would be evaluated by an internal course teacher as well as an external examiner. However, if the difference between internal and external examiners is more than fifteen percent then it would be sent to a third examiner, who shall be an external examiner and whose evaluation shall be final. The students are required to comply with the guidelines contained in Schedule-IV.

### **5.3 Result and Grading System:**

#### **5.3.1. B.A. LL.B (Hons)**

Score	Grade	Grade	Grade Points
Above 80%	Outstanding:	O	10
Above 75% to 80%	High Distinction	D+	9
Above 70% to 75%	Distinction	D	8
Above 65% to 70%	High First Class	A+	7
Above 60% to 65%	First Class	A	6
Above 55% to 60%	High Second Class	B+	5
Above 50% to 55%	Second Class	B	4
Above 45% to 50%	High Average	C+	3
Above 40% to 45%	Average	C	2
Above 30% to 40%	Poor	E+	1
Below 30%	Very Poor	E	0

#### **5.3.2. LL.M**

	Score	Grade	Grade Points
1.	70% and above	O	7
2.	65% to less than 70%	A+	6
3.	60% to less than 65%	A	5
4.	55% to less than 60%	B+	4
5.	50% to less than 55%	B	3
6.	Below 50%	F	0

**6. RULES OF PROMOTION:**

**6.1. B.A. LL.B (Hons)-**

6.1.1 There shall be no automatic promotion to the students.

6.1.2 The students are required to obtain 4 GPA to pass their semester examination.

6.1.3 The students will be promoted to second year even if they have not secured the minimum CGPA in the 1st year but they will not be promoted to fifth semester unless they have secured minimum 4 Grade Point in every subject of first and second semesters as well as cumulatively.

6.1.4 The students will be admitted to the ninth semester only if they secure 4 Grade Point in their subjects of first, second, third, fourth, fifth and sixth semesters as well as cumulatively.

6.1.5 If the students fail to secure 4 CGPA even after appearing two times (one initially & second repeat), they will be treated as year back students.

6.1.6 Ex-Student:

If a student fails to obtain 4 CGPA during 5 year regular course, he shall be treated as Ex-Student. Ex-Student shall apply for examination as and when dates are announced by the examination department.

6.2. LL.M. – Students shall have to secure B grade in five papers in order to be eligible for promotion to the next year. The student who fails to secure B Grade shall be declared ex-student and will continue the courses of first year as non-resident students.



Those who secure at least B Grade in every subject shall be declared successful. Those who secure F Grade shall be deemed to have failed. Such failed student may take same course again and complete all the requirements as indicated above in corresponding semesters. However, the students failing in the dissertation may resubmit the dissertation on such date as may be fixed by the Post-Graduate Council.

Explanation: GPA shall mean Grade Point secured by a student in a concerned subject. CGPA shall mean Cumulative Grade Point Average which will be calculated on the basis of total grade credit secured divided by total credit points allotted for subjects in B.A. LL.B. (Honors) programme/ LL.M Programme. Total Grade Credit shall be calculated on the basis of grade points secured in a subject multiplied by the maximum credit of the subject.

**7. REPEAT EXAMINATION**

- 7.1. Eligibility of Students for Repeat – Student fails in a subject shall be eligible to appear in repeat exam.
- 7.2 Repeat shall be available in the end term component of the subject after payment of fees as prescribed in Schedule V.
- 7.3 Repeat shall be available only when the subject is offered in the semester.
- 7.4 The candidate shall be given only one opportunity in addition to original examination of that subject.
- 7.5 In case of Seminar Paper, the repeat exam will be evaluated only on written submission of the Seminar Paper subject to the payment of fees as prescribed in Schedule-V.
- 7.6 In case where a subject is not offered, the Committee may decide to allow repeat examination in such subject(s) in exceptional cases.
- 7.7 In case of ex-student, s/he shall be allowed to appear in the repeat exam with limitation of 20 papers (maximum five papers in a semester) provided such paper is offered by the University.

**8. UNFAIR MEANS:**

- 8.1 Unfair means shall mean copying of complete project/seminar paper or substantial portion of project/seminar paper or using of impermissible means during snap test, mid term and end term or canvassing for the marks.

8.2 The use of unfair means shall be reported to the Controller of Exams in writing by the invigilator detailing out means adopted by the student during examination.

8.3 After detection of use of unfair means in the examination hall, the student shall be provided with the new answer script and will be directed to continue answering the question in a new answer script.

8.4 The student shall be given an opportunity, oral or written, to present his case of use of unfair means before the decision on such use.

8.5 Punishment for using Unfair Means:

8.5.1. Disqualification from the individual component of the subject in which s/he was found using unfair means.

8.5.2. Disqualification from all the component of the subject in which s/he was found using unfair means.

8.5.3. Disqualification from all the subjects of that academic semester

8.5.4. Removal of the name of the student from the rolls of the University.

**9. EVALUATION OF ANSWER SCRIPTS, PROJECTS AND SEMINAR PAPERS**

9.1. Evaluated answer scripts of Snap Test and Mid Term would be shown to the students as per the schedule published in academic calendar.

9.2. Marks of the oral presentation of Moot Court Exercises shall be shown to the students.

9.3. Marks of the project viva-voce will be shown to the students.

9.4. Answer scripts of end term examinations shall be evaluated after codification done by the examination department.

9.5. In case more than 30% students in a particular end term of honors/optional subject have secured more than 80% or less than 25% marks, the answer script may be sent for moderation. Moderation Committee shall be constituted by the Vice-Chancellor in consultation with the Examination Committee.

9.6. The faculty members shall submit guidelines for evaluation of answer scripts of end term if called for by the Moderation Committee.



**10. REVALUATION/RE-TOTALING OF PAPER OF END TERM EXAMINATION:**

**10.1 Reevaluation/Re-totaling:**

Reevaluation/Re-totaling shall be available only for end term paper. Re-totaling shall be limited only to re-totaling of marks obtained in the end term paper. Revaluation of the end term paper will be sent to two external evaluators for evaluation. Instructions for inviting application for Re-evaluation/Re-totaling will be notified by the examination department after declaration of result.

**10.2 Calculation of Marks:**

If the marks awarded in the paper by any of the two evaluators are higher than the marks given by the original examiner by more than 10% of maximum marks in the paper, the average of the marks awarded by two nearest examiners shall be taken to represent the final marks. This average of marks shall be awarded to the candidate for the revision of result.

**11. GENERAL RULES FOR EXAMINEES:**

11.1 Candidates must not tear out pages or parts of pages of answer books.

11.2 Rough work and all calculations must be written in the answer books at the end of the answer scripts and the same should be crossed. There is no separate "rough paper".

11.3 A candidate must not communicate in any way with another candidate during the examination and must not disturb other candidates. This would amount to unfair means.

11.4 Candidates must not leave their examination desks during an examination except with the permission of the invigilator only in the end term examination.

11.5 Eatables, drinks, etc., are not permitted in examination hall(s).

11.6 Candidates who need to take medication during an examination should inform the Invigilator before start of the exam.

11.7 No candidate shall leave the examination hall during the first hour. The candidate may leave the examination hall in the last 15 minutes after submitting their answer scripts. Candidates who wish to leave may do so at other times with an invigilator's consent provided that they hand-over their completed scripts to the invigilator before leaving. Candidates must leave the examination hall without disturbing the other candidates.

11.8 Candidates who have handed over their completed scripts to the invigilator and who have left the examination room will not be re-admitted under any circumstances.

11.9 Candidates must stop writing when instructed to do so by the Invigilator.

11.10 Candidates will not be allowed to enter the examination hall after 15 minutes from the commencement of the examination.

11.11 It is candidate's responsibility to check that they have received the correct question paper and the answer sheets are in order. If there is any doubt, candidates should bring it to the notice of the invigilator.

11.12 The candidates shall not make any identification mark in their answer scripts so as to reveal their identity except their roll number.

11.13 No candidates shall be allowed to enter in the examination hall with any type of electronic gadgets including the cell phones.

11.14 All the entries in the answer script should be duly filled by the candidate. Nothing else should be written thereon before the commencement of the examination.

11.15 Misbehavior and noncompliance of the instructions given by the invigilator shall amount to gross misconduct under these rules.

## **12. AWARD OF DEGREE**

### **12.1 B.A. LL.B. (Honours)**

A candidate shall be eligible for the award of B.A.LL.B. (Hons.) Degree only when he/she has successfully completed all the prescribed courses, by securing at least the minimum B grade in all courses and a minimum grade point average of 4 out of 10.

A candidate admitted to B.A.LL.B. (Hons.) Degree programme shall have to complete all the prescribed requirements within a maximum period of seven years from the date of enrollment to be eligible for the award of the degree.

If the candidate is not successful to complete all the prescribed requirements within the stipulated period of five years, he/she will have to pay the examination fees for re-appear examination unless he qualifies for the award of degree.

### **12.2 LL.M.**



A candidate shall be eligible for the award of the LL.M degree only when s/he has completed all the prescribed courses, including the dissertation, by securing at least the minimum B grade in all courses and a minimum grade point average of 3 out of 7 within a maximum period of five years from the date of enrollment. But after passing of first two years, s/he will have to pay examination fee for additional semester of his/her continuation in this programme.

### **13. Issue of Documents**

The following documents shall be issued by the examination section, on request of students, after successful completion of the programme. The student will have to obtain "No Dues" certificate from the all departments of the University. They are:

1. Transfer Certificate.
2. Character Certificate.
3. Migration Certificate.
4. Attendance Certificate.
5. Transcript.
6. Provisional Degree/Degree.

### **14. AWARD OF GOLD MEDAL/S:**

The University awards the following Gold Medals to its B.A. LL.B. (Honors):

#### **13.1 University Gold Medal: For First Rank Holder.**

University Gold Medal shall be awarded to the First Rank Holder student in B.A.LL.B.(Honors) and LL.M. on the basis of CGPA taking the programme as a whole.

Provided that:

- (a) The student must have completed all courses under the Programme in one chance i.e. without any repeat in any course and
- (b) There is no proven charge of misconduct on the ground of violation of rules or breach of any disciplinary rules of the University.

#### **13.2 Chancellor's Gold Medal: For Overall Best Performance.**

Chancellor's Gold Medal will be awarded to a student for Overall Best Performance in B.A.LL.B. (Hons.).

The Vice Chancellor shall constitute a committee and the committee would decide the criteria for "overall best performance" for award of the Medal.

**13.3 Syed Afzal Ahmed Rizvi Gold Medal: For Criminal Law and Advocacy**

The Syed Afzal Ahmed Gold Medal shall be awarded to a B.A. LL.B. (Honors) student as per the procedure laid down in Schedule – V (include from the decision of Academic Council).

**14. EMERGENCY POWERS**

Notwithstanding anything contained in the above Rules, the Vice Chancellor is empowered to revise/ update the examination rules as and when required in accordance with course/syllabus and other conditions from time to time.

**15. REPEAL AND SAVINGS**

After notification of operation of these examination rules, all preceding rules relating to examination stand repealed. Except, rule of promotion and award of degree shall be governed by the related provisions mentioned in prospectus applied/issued to the concerned batch.



## **SCHEDULE – I**

### **GUIDELINES FOR PROJECT WRITING**

#### **1. Object of Writing a Project:**

Students are expected to collect, compile, assimilate, understand and analyze the literature.

The Main objective of expecting students to projects in most of the subject's right from first year is to improve their learning skills through writing. A study on a specific issue will give immense confidence to the students regarding the subject.

The projects with a little effort can be converted into Articles and sent to Journals for publication. Even otherwise, these projects will remain as unpublished research work and will help the prospect of higher education and placement opportunities.

#### **2. Structure of a Project:**

- Cover Page
  - Title of the Project
  - Name of the Student, Roll No. and name of the Programme
  - To whom the project is submitted
  - Name of the University and place
  - Date of Submission
- Certificate of Declaration regarding originality of research work
- Table of Contents
- List of Abbreviation, if any
- Table of cases/ diagrams/ graphs/ photographs etc., if any
- The project should be divided into several sections relating to Introduction, Scope, Methodology, systematic treatment of the subject and conclusions.
- Bibliography

#### **3. Formalities of a Project**

- (a) Project has to be typewritten
- (b) Table of cases, list of abbreviation, bibliography etc. must be arranged in alphabetical order.
- (c) Bibliography and footnoting must be done in “Blue Book form of Citation”.
- (d) The body of the project in compulsory and optional papers should be between 5000-8000 words (approximately 10 pages).
- (e) The body of the project in Honours paper should be between 10000-12000 words (approximately 30-40 pages).

**4. Project Submission:** Project shall be submitted both in soft and hard copy.

**4.1 Date of Submission:** The hard copy of the project(s) must be submitted to the Academic Department on or before the date mentioned in the Academic Calendar. Candidates must also send a soft copy of their project(s) through e-mail to [academic@hnlu.ac.in](mailto:academic@hnlu.ac.in) File name of the submission should be Semester.nameofthesubject.nameofthestudent.rollno.doc. For example **semX.corporatelawI.Ramesh.Project.32**. The date of submission of project would be reckoned from the date of submission through e-mail or hard copy, whichever is earlier. The academic department shall not accept the submission of project/memorial after seven days of last of date of submission unless the student remains absent from the University on due authorization. Once submitted, the hard copy of the project shall not be returned to the student in any circumstances.

**4.2 Negative Marking:** Half a mark will be deducted everyday for late submission after the last date of submission.

**5. Copy right and violation of copy right:**

Any copying from a project report submitted earlier or from any journal or any other materials downloaded from websites without acknowledgement is strictly prohibited. There may be a negative mark given for unnecessary copying without application of mind.



## **SCHEDULE – II**

### **GUIDELINES FOR MEMORIAL WRITING AND MOOT COURT EXERCISE**

**1. Object of Memorial Submission:**

The object of memorial is to equip the student about nuances of pleading and drafting of legal memorandum. The idea underlying is to analyze a legal problem and give an objective legal opinion on that problem with legal arguments. The research skill requires to prepare a memorandum contributes in shaping up legal mind of student. It also helps student in participation in international and national moot court competition. The preparation of memorial graduates the skill of student who desires to join challenging legal profession.

**2. Structure of Memorial shall be as follows.**

- Cover Page ( Name of Court, Parties Name appearing on behalf of ..., Roll No. )
- Table of Contents
- List of abbreviations, if any, in alphabetical order
- Index of authorities
- Statement of Jurisdiction (only for the petitioner/ Plaintiff/ Appellant)
- Statement of facts
- Questions presented
- Summary of arguments
- Written submissions
- Prayer

**3. Copy of Memorials:** Copy of memorials from one submitted earlier or reproduction from any book on cases and materials is prohibited.

**4. Project Submission:** Project shall be submitted both in soft and hard copy.

**4.1 Date of Submission:** The hard copy of the memorial(s) must be submitted to the Academic Department on or before the date mentioned in the Academic Calendar. Candidates must also send a soft copy of their memorial(s) through e-mail to [academic@hnlu.ac.in](mailto:academic@hnlu.ac.in) File name of the submission should be Semester.nameofthesubject.nameofthestudent.rollno.doc. For example

- semX.corporatelawI.Ramesh.Memorial.32.** The date of submission of memorial would be reckoned from the date of submission through e-mail or hard copy, whichever is earlier. The academic department shall not accept the submission of memorial after seven days of last of date of submission unless the student remains absent from the University on due authorization. Once submitted, the hard copy of the memorial shall not be returned to the student in any circumstances.
- 4.2 Negative Marking:** Half a mark will be deducted everyday for late submission after the last date of submission.
- 5. Formalities of submission:**
- 5.1 Memorial should be typed.
  - 5.2. Index of authorities, Table of cases, list of abbreviation, bibliography etc. must be arranged in alphabetical order.
  - 5.3. Memorial work must contain foot-notes style as prescribed in “Blue Book: Uniform form citation” or any other standard format of foot-noting.
  - 5.4. The Memorial should consist of approximately 8 pages.



### **SCHEDULE - III**

#### **GUIDELINES FOR THE SEMINAR PAPER**

**1. Objective of Seminar Paper**

The objective of seminar paper is to train a student to write a comprehensive project work in their area of interest. It helps the student to sharpen the writing and research skill with detailed references and resources consulted. It also provides for the opportunity to students to undertake a research topic in their area of interest.

**2. Structure of the Paper**

- **Cover Page**
  - Title of the Seminar Paper
  - Name of the Student, Roll No. and name of the Programme
  - Name of the Guide
  - Name of the University and place
  - Date of Submission
- **Title Page** (this page should contain only the title of the seminar paper)
- **Certificate** from the Guide.
- **Table of Contents**
- **List of Abbreviation**, if any
- **Table of cases/ diagrams/ graphs/ photographs etc.**, if any
- The paper should be divided into several sections/chapters relating to Introduction, Scope, Methodology, systematic treatment of the subject and conclusion and suggestions.
- **Bibliography**

**Important Note:** In seminar paper, the candidate is supposed not to write his name, roll number, or any other identification mark except the cover page as mentioned above. Violation of this rule may lead to treatment of the project under rule for unfair means.

**3. Formalities of Submission**

The word limit for the body of the Seminar Project (excluding the title, acknowledgements, abbreviations, bibliography, etc) shall be 15,000 to 20,000 words (approximately 50-80 pages). Project shall be typed in Times New Roman, Font size 12 and printed in 1.5 line space on single side of the paper with 1 inch margin on all sides.

A student will not be allowed to submit the seminar project without the certificate of guide. A soft copy of the seminar project shall be submitted along with hard copy without which the hard copy will not be accepted by the Examination Department.

**4. Mode of Attendance:**

1 mark shall be awarded for 2 consultations with the guide before synopsis presentation.

2 marks shall be awarded for 4 consultations with the guide before final presentation.

In both the cases the student will be required to take certificate from the Guide. The student will have to submit the certificate before the presentation.

2 marks shall be awarded for attending the synopsis and final presentation.

**5. Changing the Seminar topic/title**

After the synopsis presentation there would be no change in the seminar topic in any circumstances whatsoever. Before synopsis presentation, any change in the topic/title shall be entertained after obtaining necessary certificate from the guide.

**6. Mode of Evaluation:**

The Seminar project will be evaluated by two evaluators. Mean of the two marks will be the marks of the Project.

**7. Project Submission:** Project shall be submitted both in soft and hard copy.

**7.1 Date of Submission:** The hard copy of the Seminar Paper must be submitted to the Academic Department on or before the date mentioned in the Academic Calendar. Candidates must also send a soft copy of their Seminar Paper through e-mail to [academic@hnlu.ac.in](mailto:academic@hnlu.ac.in) File name of the submission should be Semester.nameofthesubject.nameofthestudent.rollno.doc. For example **semX.corporatelawI.Ramesh.Seminar.32**. The date of submission of Seminar Paper would be reckoned from the date of submission through e-mail or hard



copy, whichever is earlier. Once submitted, the hard copy of the Seminar Paper shall not be returned to the student in any circumstances.

8. Plagiarism shall be dealt with under the rules of unfair means.

## **Schedule - IV**

### **GUIDELINES FOR DISSERTATION**

#### **1. Structure of the Dissertation**

- Cover Page
  - Title of the Dissertation (as approved by the Post-Graduate Council)
  - Name of the Student, Roll No.
  - Name of the Guide
  - Name of the University and place
  - Date of Submission
- Title Page
- Certificate from the Guide.
- Table of Contents
- List of Abbreviation, if any
- Table of cases/ diagrams/ graphs/ photographs etc., if any
- The paper should be divided into several sections/chapters relating to Introduction, Scope, Methodology, systematic treatment of the subject and conclusion and suggestions.
- Bibliography

#### **2. Formalities of Submission**

The word limit for the body of the Seminar Project (excluding the title, acknowledgements, abbreviations, bibliography, etc) shall be 20,000 to 25,000 words (approximately 80-120 pages). Dissertation shall be typed in Times New Roman, Font size 12 and printed in 1.5 line space on single side of the paper with 1 inch margin on all sides.

A student will not be allowed to submit the dissertation without the certificate of guide. A student will have to submit three copies of the dissertation.



**SCHEDULE V**

**Fee**

1. Repeat Examination Fee for individual component	Rs. 250 per subject
2. Repeat Examination Fee (Ex-Student) for individual component	Rs. 250 per subject
3. Repeat Examination Fee (Seminar Paper)	Rs. 300
4. Migration Certificate	Rs. 500
5. Transcript	Rs. 200
6. Convocation Fee (In person)	Rs. 1000
(In absentia)	Rs. 2000
7. Reevaluation Fee	Rs. 500 per subject
8. Re-totaling Fee	Rs. 200 per subject
9. Duplicate certificate (Transfer Certificate, Character Certificate, Attendance Certificate, Migration Certificate, Transcript, Semester Grade Sheet)	Rs. 200 per certificate

# H.N.L.U LIBRARY PROTOCOL

## EXTENT AND APPLICATION

These rules shall apply to all the students and faculty members of the Hidayatullah National Law University. It extends to the library complex and shall also include rooms notified "Reading Rooms" by the Library Committee (herein referred to as "The Committee") from time to time. Computers, printers, Xerox machines, notice board inside the library complex are all under the exclusive jurisdiction of the committee.

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## CHAPTER – I

### WORKING HOURS

1. The Library shall be open from 9:00 AM to 9:00 PM on all working days.
2. The Library shall be open from 11:00 AM to 5:00 PM on Sundays and other holidays as and when declared by university (subject to prior notice of the committee ). However , during exams, it shall be open from 11:00 AM to 7:00 PM.
3. During End term exam the library shall be open from 8:00 AM to 10 PM.

## CHAPTER – II

### ISSUING AND RETURN OF BOOKS

1. Undergraduate students are permitted to borrow only one academic book at a time, for the period of two days and post graduate students can borrow 03 books for period of two days by depositing their library card in compliance of borrowing procedures.
2. The lending time for books for all semesters shall be from 12:00 AM to 5:30 PM. No books will be issued on Sundays; only return of books will be done.
3. The borrowed books etc. must be shown at the library security gate for making entries in the register and verification.
4. All books issued shall be returned by 11:45 AM (on Sundays 2:00 PM). In case any student fails to return the book after the period of two days (up to 11.45 A.M) he/she will have to pay the fine of Rs. 10/- per day as long as the book remain with him.
5. Students are instructed not to let others borrow books on their library card.
6. The loss of library card is to be reported immediately to the circulation desk. A duplicate card will be issued on the payment of Rs. 20 to the account section.
7. The library card of the defaulter student shall be confiscated unless and until he/she pays the fine, as above mentioned.
8. Without prejudice to the other rules, reference books, which are regularly used by student as a subject book in the academic semester, shall not be issued.
9. Without prejudice to other rules, law reports , magazines , bare acts, manuals shall not be issued under any circumstance.
10. Student shall not be allowed to borrow the same book for three consecutive times. The borrowed book must be brought to the circulation counter for making entry for re-issuing in the library records.



11. Request for Re-issuance will not be considered if the book is reserved by any borrower.
12. Any student in need of a borrowed book may submit a prescribed "Reservation Slip" to the librarian in charge, who will lend the reserved book to the concerned student when the book is returned to the library, however, this service will be based on "First come, first served" policy.
13. The library shall consider reservation of already borrowed books. In addition to that, the books available in the library can also be reserved for issuance.
14. During issuance of books, the student requiring any book of his/her semester subject shall be preferred over others borrowing the same book.
15. The borrowing of books shall stop seven days before the mid-term and end-term examinations.
16. In case of loss of book(s), the students have to replace the books to the library or pay five times of the cost of the book(s), together with the accumulated fine according to Rule 7, until he fulfills the former condition. He/she has to replace the books with the running semester otherwise his/her result will be withheld.
17. Loose parts of Reports and Journals will be made available only for referring inside the library subject to submission of prescribed Requisition Slip. The loose parts have to be returned to the Circulation Counter after reading.
18. The Committee shall reserve the right to frame and recommend ad- hoc rules, with approval of the Competent Authority, in order to meet the immediate concerns as and when required.
19. No student is allowed to spoil the books by mutilation or writing anything with pen, pencil, and marker on the library books.

## CHAPTER-III

### CONDUCT INSIDE THE LIBRARY PREMISES

1. Students shall maintain silence and discipline inside the library at all times.
2. Students are not allowed to take their bags inside the library. Without specific permission, no student is allowed to take personal books inside the library.
3. Eatables are not allowed inside the library so also chewing and munching.
4. No electronic gadgets are allowed except calculator, watch or cell phone. Cell phone must be kept on silent mode only. Students also shall not attend any call inside the library. Any violation will attract a fine of Rs.50 / - and the confiscated gadget will be returned only after paying the fine and submitting the receipt.
5. Laptops in the library shall be used according to the directions/ instructions of the library staff/ members.
6. Students must carefully note the condition of the book at the time of borrowing and referring and is expected to take care like an ordinary prudent person. Personal liability for replacement and repair shall be imposed for any mutilation, wrong handling or misuse of books and periodicals.
7. Misplacement of books within the library is strictly prohibited. Students, after referring the books shall replace the concerned books in their respective shelves.
8. Sleeping/ napping/ dozing inside the library are prohibited.
9. After completion of photocopying, the books, reports etc should not to be left in the photocopying room.
10. Any Student found violating the above mentioned rules shall be imposed a fine of Rs. 50/- and their names will be displayed on the notice board. On further violation, his/her library card will be confiscated



## CHAPTER - IV

### WORKING OF THE COMMITTEE

1. The committee reserve the power to amend, repeal or to modify the existing rules with the approval of Competent Authority.
2. As far as practicable, there shall be frequent meetings of the committee.
3. Student should not enter any altercation or arguments etc. with the library staff/ members. If it happens, the matter will be put up before the Disciplinary Committee and till the decision, the student will be barred from using the library.
4. Any grievances or suggestions regarding the functioning of the library may be submitted in writing to the Convenor of the committee and the convener shall immediately take up the matter with the appropriate authority for necessary action.
5. Notwithstanding anything contained in the rules, the facts and circumstances of exceptional case and emergency of situation will be considered, and accordingly actions will be taken.

*Ref*

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**CHAPTER-V**  
**RULES FOR MOOT COURT COMPETITION**

1. The book shall issue books only to those teams who are representing the HNLU in any national or international moot court competition after the decision of consult faculty members.
2. Without prejudice to the other rules, reference books, which are regularly used by student as a subject book in the academic semester, shall not be issued.
3. If library has only one copy of the subject book, which is being taught in the academic semester, then library committee may consult the relevant course faculty before issuance of book.
4. Without prejudice to other rules, law reports , magazines , bare acts, manuals shall not be issued under any circumstance.
5. The books shall be immediately returned after the completion of moot court competition.

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**CHAPTER-VI**  
**RULES FOR FACULTY MEMBERS**

1. Faculty member can borrow ten (10) books / Subject at a time out of these they can have Six (06) books for the entire semester and four (04) books for maximum period of two weeks.
2. Reference books shall not be issued.
3. Notwithstanding anything contained in the above rules, if in any exceptional circumstances, the reference book is issued to faculty member than it would be returned back with in 3 days if not reminder letter will be issued to that faculty member.
4. At the end of the academic semester, every faculty member shall return back the issued books to the library. (This is for the stock verification purpose.)

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# **RULES OF CONDUCT IN HOSTEL (RCH)**

## **1. GENERAL RULE**

- 1.1 No one shall stay in the Hostel during class hours without prior Permission from the Warden. If any student is staying back due to any health problem or any other reason, he will inform it to the warden.
- 1.2 Students should sign the attendance register daily between 9.00 am to 10.30 pm.
  - (i) A fine of Rs. 25/- per day will be collected from student who does not sign on time.
  - (ii) Proxy signatures will result in disciplinary proceedings and a fine of 50/- will be imposed to the students who did proxy.
- 1.3 No one shall leave their rooms and cupboards open. In case of theft no complaints shall be entertained.
- 1.4 Valuable things should be kept in properly locked cupboard, when student is outside of hostel otherwise the administration will not be responsible for missing of any article.
- 1.5 No one shall leave the fans, tube lights or any electrical gadgets switched on. No one shall leave the taps open. A fine of Rs. 10/- will be imposed for non-compliance of their rule. Fine amount should be paid within 2 days; in case of default disciplinary action will be taken. Fine should be raised up to Rs. 50/- for continuous breach of duty per day.
- 1.6 Students having some specific health problem are requested to give in writing about their health problem.
- 1.7 Parents shall not be taken to the room of the students. They can only meet in the place, which is prescribed for that purpose by the university, unless in special circumstances the warden permits the Parents in the room.
- 1.8 No student is permitted to visit any other room other than the room allotted to them after 11.00 pm to 5.00 am and loitering inside/around the hostel during the this time is restricted.
- 1.9 Students who are ordering food from outside should ensure that the food will be supplied before 9.30 pm.
- 1.10 Consumption or / and possession of any kind of intoxicating or / and contraband substances shall be prohibited, in case of non compliance a fine of Rs. 1000/- shall be imposed. Repeat of non-compliance shall be referred to an enquiry committee constituted by the Vice- Chancellor.
- 1.11 Smoking shall be strictly prohibited within the hostel premises. In case of non-compliance of fine of Rs. 500/- shall be imposed.
- 1.12 All cases of disciplinary action will be recorded in the personal file of respective students.

*Handwritten signature and date:*  
25/5/18  
12:10 AM

*Handwritten number in a circle:*  
80



## **2. LEAVE AND OUT PASS**

- 2.1 Student who wishes to take leave from the hostel should submit an application, two days before the proposed leave, and her mother/father/local guardian should directly contact the warden for sanction of leave. He/She must also sign in the Leave Register before leaving the Hostel.
- 2.2 Without giving any information to the warden, if the student fails to return to the hostel within the period for which permission is taken, the allotment of room in the Hostel will stand cancelled automatically. He/She will be allowed into the Hostel only after getting permission form the appellate authority.
- 2.3 Stay out overnight is strictly prohibited unless a prior written permission upon an application is obtained from the warden and the same shall be only with the consent of the parents/local guardian. Provided further that, the application must specify reason for stay out, place of stay out and the telephone number.
- 2.4 On Sundays, students who are going out of university campus should get prior permission from the warden through their Parents/local guardian.
- 2.5 Localities who are going home on Sundays should return back to the hostel before 9.30 pm.
- 2.6 Students shall vacate the hostel room, after completion of every academic semester/year.
- 2.7 Students shall have to obtain leave certificate from the Warden before leaving the Hostel in the format appended to the RCH.

## **3. ELECTRONIC/ELECTRICAL INSTRUMENT'S USE AND PROHIBITION**

- 3.1 Mobile phones, laptops or music instruments can be used within room without causing any kind of disturbance or annoyance to the other inmates of the Hostel. Violation of this will attract disciplinary action and confiscation of the instrument. After 10.00 pm students will use only earphones to listen the music. Failing which the student will be imposed a spot fine of Rs. 100 for subsequent breach.
- 3.2 Any instrument of Music, Television or any audio or visual instruments in the common room of the hostel shall not be played in a manner causing disturbance or annoyance to the any inmates of the Hostel. Television must be switched off at 11.00 pm (Saturday at 12.00 am).
- 3.3 Students are prohibited from using electric irons and heaters, any type stove, or any electrical gadget found using the same shall be punished with confiscation of found article and a fine of Rs. 250. Repetition of same act will attract disciplinary action.
- 3.4 Students shall use all the furniture's, electrical fixtures and other assets provided by the university in the Hostel, with due care and caution. Any damage caused to the above shall be resituated by the student concerned.

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25/10/19  
12 Nov 2019

#### **4. PERSONAL HYGIENE AND APPEARANCE**

It shall be the responsibility of all the students to keep the Hostel premises and respective flats clean and tidy. Spitting on wall or windows grill is strictly prohibited. A fine can be imposed up to Rs. 100 in case dirty and untidy rooms, corridors, windows etc.

#### **5. PROHIBITION OF RAGGING AND OTHER MALPRACTICES**

- 5.1 Ragging in any form is absolutely prohibited and anyone found indulging in ragging will be expelled from both the hostel and the University apart from regular criminal prosecution, under the law in force.
- 5.2 Obscene and indecent behaviour shall invite strict disciplinary action.
- 5.3 Eve teasing and any practice derogatory to human dignity and personal privacy are strictly prohibited. Indulgence in any such acts shall invite strict disciplinary action.

#### **6. INSTRUCTIONS OF WARDEN**

The respective wardens are authorized to frame rules & issue instructions as and when situation arises. All students shall comply with the instructions given by the warden.

#### **FORMAT**

### **Office of the warden, HNLU Raipur (C.G.)**

#### **HOSTEL LEAVE CERTIFICATE**

Date.....

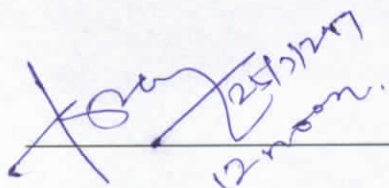
This to certify that **Mr./Ms.** .....of **LL.M./B.A.LL.B.** Semester .....has applied for leave of.....days from..... till .....for the reason

.....

..... His/her application is allowed for leave of .....days.

Remarks:.....

**Seal & Signature of the Warden**

  
12/5/2017

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# **Internship Rules**

## **1. General Rules**

- 1.1 Hidayatullah National Law University shall have no financial liability. The expenses for the purposes of travel, stay, food and other incidental expenses for internship purposes shall be borne by the respective student.
- 1.2 Students shall maintain strict confidentiality of the Institution imparting internship.
- 1.3 Students are not to solicit for any remuneration/ honorarium and /or reimbursement of any expenses from the Advocates/ Institution of internship concerned.
- 1.4 Students shall be required to maintain a daily-diary during the internship period the Advocate/Institute should countersign the diary every week.
- 1.5 Any report written and submitted by a student as part of internship assignment shall be the property of HNLU.

## **2. Internship Co-ordination Committee**

- 2.1 There shall be an Internship Co-ordination Committee.
- 2.2 The internship Co-ordination Committee shall be comprised of nominated member of each semester.
- 2.3 There shall be two nominations from each semester to be done by the semester in writing.
- 2.4 The member of the Internship Co-ordination Committee shall elect Convener. The Convener shall convene the meeting as and when asked for by the Committee.
- 2.5 The Vice Chancellor shall appoint faculty advisor(s) to the Internship Co-ordination Committee.

## **3. Categories of Internship: Non-Governmental Organizations, Government Institutions, Civil Societies, Trial, Appellate, Lawyers, Law Firms and Corporate Houses.**

- 3.1. The Internship would be made in the following manner:-
  - 3.1.1. First Internship:-Non-Government Organization, Civil Society, Trial Court Criminal/ Civil.
  - 3.1.2. Second Internship:- Appellate Court High Court/ Trial Court (Civil-Criminal).
  - 3.1.3. Third Internship:- Appellate Court, Law Firms, Corporate Houses.
  - 3.1.4. Fourth Internship:- SC Advocates, Law Firms, Corporate Houses.

*Prashant*

#### **4. Rules and Procedures for Internship**

- 4.1. The Internship is mainly meant for giving exposure in courts, civil and criminal, law firms, government institutions, civil societies, corporate houses. This will enable the candidate to be acquainted with the law and emerging areas of law.
- 4.3. The place of internship will be decided by the Committee as far as possible.
- 4.5. The Committee will decide, with majority, the allocation of internship to various semesters.
- 4.6. The Committee shall put up the offer of internship on the notice board.
- 4.7. The Committee shall maintain the record of internship.
- 4.8. The Students are required to submit a detailed report of their internship/ placement.
- 4.9. A "Confidential Report" by the respective Advocates, law firms, corporate houses and non-government organizations will be requested by the committee, for which purpose a "Confidential Cover" (with postage stamps) will be provided to the Advocates.
- 4.10. On the basis of the "Confidential Report" the University will maintain a "Record of performance".

#### **5. Emergency Powers**

The Vice-Chancellor in consultation with the Faculty Advisor may amend, repeal or modify any rules.



# **DISCIPLINARY CODE OF CONDUCT**

## **1. General Rules**

1.1 No one is allowed to go on the terrace for any reason whatsoever.

1.2 No one should damage or destroy or misuse HNLU property. Person found guilty will be required to indemnify the same.

1.3 Students must refrain themselves from making noise while passing from the places like classroom, teachers cabins, computer lab etc.

1.4 No one should be found roaming in the university campus during the class hours without the permission of the concerned Faculty.

## **2. Misconduct & Misbehaviour**

2.1 Unruly and Unbecoming behaviour inside and outside the campus is strictly prohibited.

2.2 Harassment and any kind of ragging is strictly prohibited.

## **3. Use of Mobile Phones and Lap Top**

3.1 Use of mobile phones is permitted in the University campus, provided that it is on silent mode during the class hours.

3.2 Lap top shall not be used during the class hours.

## **4. Prohibition of Smoking in the Campus**

4.1 Smoking is strictly prohibited in the university campus, includes Halls of Residence and university bus.

4.2 Consumption and/or possession of alcohol or any intoxicated and contraband substances shall be strictly prohibited inside the university campus, includes Halls of Residence.

## **5. Prohibition of Littering of University Campus**

5.1 Students must refrain themselves from indulging into any activity which results into littering of classroom, corridor, computer lab, library or any other places in the campus and the same should be disposed properly in dustbin.

5.2 In specific cases of classroom where the person violating rule cannot be located then person occupying that desk will be liable and if it is still difficult then a collective fine on the class coupled with reformative measures will be observed.

5.3 No eatables are allowed in the classroom, library and computer labs.

## **6. Rules of Conduct for Outsiders**

7.1 The students are required to advise their visitors that:-

7.1.1. They need to sign the register with the gatekeeper both while entering and leaving the university premises.

7.1.2. They should park their vehicle at prescribed place by the university.

7.1.3. They will not disturb the routine activity of the university.

7.2. For any kind of misbehaviour with any member of HNLU employee by any outsider/visitor the student whom the former is related, shall be held liable.

## **7. Procedure for Disciplinary Action**

7.1 Unless provided otherwise any person violating the above mentioned rules, shall be served a 'memo' by the Proctorial Board. Such 'memo' shall specify the date and time on which such violator should be present before the committee or sub-committee to present his case.

In case of breach of Rules 3 and 4, punishment may be awarded on summary proceedings.

7.2 In case a fine is imposed on the person then the same should be deposited with the bank in the university within 3 days and photocopy of the receipt should be produced to the disciplinary committee who will keep a record of it. Non-Payment of fine within the stipulated period will be treated as repletion of misconduct.

## **8. Punishment**

8.1. Issuance of warning letter with a copy to personal file of the student or/and,

8.2. A monetary to the maximum limit of Rs. 1000 may be imposed or/and,

8.3. Suspension from classes and the University or/and,

8.4. Expulsion from the roll of the University.

## **9. Emergency Powers**

The Vice Chancellor in consultation with the Proctorial Board may add, amend or alter any of the above mentioned rules at any point of time as it may deemed fit.

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## DISTANCE LEARNING PROGRAMME

### POST GRADUATE DIPLOMA IN TRADE AND INVESTMENT LAW

Course Coordinator

Dr. Ajay Kumar  
S. R. Subrahmanian

#### About the University:

HNLU is a Residential University and is sixth in the series of National Law Schools in India. From its modest beginning in 2003, Hidayatullah National Law University has been making rapid strides to become *Unus Unorum* (first among equals) and a Centre of Excellence in Legal Education.

HNLU has been included in the list of the Universities of University Grants Commission under Section 2(f) of the UGC Act, 1956 and has been declared fit to receive Central assistance in terms of the rules framed under Section 12 (B) of the UGC Act, 1956. The University is also recognized by the Bar Council of India under Section 7(1) of the Advocates Act, 1961.

**Distant Education Program:** University believes in dissemination of knowledge not only to its residential students but even to the candidates who don't want to shift their base or engage in full time higher studies. Distant Education Program would allow the candidates to learn.

#### OBJECTIVE OF COURSE

Trade and Investment are increasingly becoming international or global in its competitive environment, orientation, content and strategic intent. This is manifested/necessitated/facilitated by the following facts: -

- The Competition of a firm- Local, National or Foreign- Now encounters, in many cases, is global, i.e. besides the competition from the domestic firms it has complete with products manufactures in India by foreign and imports.
- Because of the liberalization, a firm has the challenging opportunity to improve its competitiveness and scope of business by global sourcing of technology, materials, finance, human resources etc.
- Globalisation is facilitating globalisation of operation management to optimise operation and improve competitiveness. Global value chain management is indeed a key factor of success.
- The Universal liberalization and the resultant global market opportunities are taken advantage by firms to consolidate and expand business. The growing competition at home is pushing many companies overseas.
- The global orientation of an increasing number of companies in evident form their mission statements and corporate strategies.



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The sweeping political and consequent economics policy changes in the erstwhile Communist and Socialist countries, dramatic shifts in the economic policies in a large number of countries as diverse as communist country like China to democratic countries like India, Privatization in a number of market economies and the liberalization of Trade and Investment fostered by the GATT/ WTO have set in motion several forces of globalization. The globalization is not an option; it is a reality. If it is an option, it is an inevitable option. If it is an evil, it is an inevitable evil. The challenge, therefore, to the individual, businesses and nation is to endeavour to take advantage of the benefits of globalization and mitigate the adverse effects.

### **TARGET GROUP**

This Program is designed for persons involved in or opting for career as market leader, share brokers, market makers, market regulators. In a world of increasingly sophisticated and rapidly changing trading and investment markets, which are becoming more international in nature, organisations need well-educated, competent staff. This Postgraduate Diploma programme provides students with an in-depth understanding of the legal issues involved with international trade and investment and will provide students with a reputable qualification in this exciting area of study and all others who are directly or indirectly connected with Trading or Investment etc.

### **Duration of the course:**

**One Academic Year with year end examination in the month June.  
Maximum duration of complete the course is three years.**

### **Minimum Qualifications :**

Minimum Qualification for admission to the Post Graduate Diploma Courses is a Graduate Degree with minimum of 45% aggregate marks in any discipline from a recognised University or an equivalent degree from a foreign University duly recognised by the University. The relaxation of 5% marks will be given to the Candidate belongs to SC and ST category.

The course will consist of four papers, each paper carrying 100 marks and one project report/dissertation for 100 marks. Dissertation carries 60 marks and viva-voce examination carries 40 marks. However, Paper-II is divided into two parts each viz. Part A and Part B. The course will consist of the following four papers :-

### **PAPER I**

### **FUNDAMENTALS OF INTERNATIONAL TRADE LAW**

**(100 Marks)**

- Origin of International Trade Law
- Development of International Economic Law
- GATT Regime
- TRIPS and TRIMS
- WTO



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## **PAPER II**

### **PART - A**

#### **LEGAL ISSUES IN INTERNATIONAL TRADE LAW**

**(50 Marks)**

- Trade and Environmental Law
- Trade and Human Rights
- Trade and Competition Law
- Anti dumping Law
- Protectionism V/S Liberalisation
- Regionalism V/S Globalisation

### **PART - B**

#### **JURISPRUDENCE OF THE DISPUTE SETTLEMENT MEASURES IN INTERNATIONAL TRADE**

**(50 Marks)**

## **PAPER - III**

#### **EVOLUTION OF THE FOREIGN INVESTMENT LAW**

**(100 Marks)**

- Origins of the law of foreign investment: the early years
- National standards v. International minimum standard
- Origins of Bilateral Investment treaties (BITs)
- The contents and significance of Bilateral Investment treaties (BITs)
- Regional treaties: North American Free Trade Agreement (NAFTA)
- International Disputes: International Centre for Settlement of International Disputes. (ICSID)

## **PAPER V**

**Dissertation / Project work on any theme on International Trade or International Investment allotted at the time of enrolment in the course.**

**Project Work : 60**  
**VIVA : 40**

*Prs*

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## **CONTACT CLASS**

There would be one-week contact class for registered candidates appearing in examination before the examination to remove their doubts. During the days University will provide accommodation and food to the candidates at a subsidized rate in the campus subject to the availability. The contact class is not mandatory for candidates.

## **STUDY MATERIAL**

The University will provide printed material on the paper mentioned above to the registered candidates, which would be guidelines for them. However they have to consult the referred books and journals for preparation.

## **MODE OF COMMUNICATION AND EXAMINATION**

The mode of communication and writing examination would be English only.

## **COURSE FEES**

Prospectus and Application form	:	Rs. 1000
Admission Fee	:	Rs. 3000
Course Material Fee	:	Rs. 10000
Examination Fee	:	Rs. 2500 (500 Per Paper)
Diploma Award Fee	:	Rs. 1000

## **OTHER FEES**

Late Fee for submitting Application:	Rs. 500
Library Fee	: Rs. 1000 (OPTIONAL)*
Security Deposit (Refundable)	: Rs. 1500 (OPTIONAL)*
Admission Late Fee	: Rs. 500
Late payment of Examination Fee	: Rs. 300(Per Paper including Project Rs. 1500)
Late submission of Project	: Rs. 200
Continuation Fee	: Rs. 1500
Revaluation of exam Paper	: Rs. 500 (Per Paper)

**Note :** (The total fee will be deposited at the time of admission in the course.)

### **\*UNIVERSITY LIBRARY**

The registered candidates can access the University Library subject to payment of Library fee and Security Deposit (Refundable).

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### COMMUNICATION:

After admission the candidates would be provided with an Enrolment ID which should be mentioned in all communications with the university by the candidate. In the application form the candidates are required to provide an e-mail ID which would be their registered e-mail ID on which all communications regarding the course, notification of examination dates, etc. would be communicated.

### REQUIREMENT FOR FULFILMENT OF THE COURSE

- Every candidate has to appear for examination in four Papers. Each Paper carries equal marks. Candidate are supposed to secure at least 50 % marks in each paper.
- Every candidate shall work on allotted Dissertation/Project and submit the same on or before 1<sup>st</sup> June 2010 or with late fee before he/she appears for the written examination. The same would be considered as Paper 5.
- Late fee will have to be paid in case of late submission of Dissertation/Project, which is acceptable only 15days after the stipulated last date. After this period Dissertation/Research Project will not be accepted.

### AWARDING OF CERTIFICATE

Candidate successfully completing all requirements of the course will be awarded their Diplomas during the Convocation.

### IMPORTANT DATES

Last date for accepting application form	31st August 2009 (15 <sup>th</sup> September 2009 with late fine)
Contact Class	8 <sup>th</sup> June 2010 to 13 <sup>th</sup> June 2010
Last date for Submission of Dissertation/Research Project	1 <sup>st</sup> June 2010 (15 <sup>th</sup> June 2010 with late fee)
Final Examination and Viva Voce	16 <sup>th</sup> June 2010 onwards

### GUIDELINES FOR WRITING DISSERTATION/RESEARCH PROJECT

1. The Dissertation/Research Project must be based on original study and research . Copying of other's work is strictly prohibited and will be met with penalty as decided by examination board.
2. Research project does not mean mere copy or reproduction of the existing legal framework or academic work.
3. Critical Analysis of Research Project is encouraged. Candidates are encouraged to reflect on other world view with their observation.
4. The Dissertation/Research Project should be of about 70 - 75 pages, including Endnotes, Bibliography, Tables and Annexure. It should be neatly typed/computer printed and bound. Only one copy is to be submitted.

**The format for the Dissertation/research Project should be as follows:-**

**1. COVER PAGE**

- Name of the TITLE (Dissertation/Research Project)
- Name of the Course
- Name of the Subject
- ID No. and the year
- Name of the Candidate
- Address of the Candidate
- **LAST LINE – HIDYATULLAH NATIONAL LAW UNIVERSITY, RAIPUR**

**2. ACKNOWLEDGEMENT**

**3. DECLARATION: The Dissertation/Research Project shall be duly signed by the candidate in the following format**

This is to certify that this Dissertation/Research Project is original work and that I have not taken or borrowed any materials from other's work nor have I presented this partly or fully to any other Institution/College/University for obtaining any degree. The excerpts taken from other sources have been duly acknowledged. I have complied with all formalities prescribed in this regard.

Date :

Candidate's Name and Signature  
ID NO. and Year

**4. Content page along with page numbers.**

**5. Suggested Chapterisation:**

Chapter I – Introduction, Introducing the topic, statement of the problem to be Addressed, methodology.

Chapter II – Existing legal system along and provisions and relevant cases.

Chapter III – Approaches to the issue, views from different quarters, various court decisions in India.

Chapter IV – Prevailing system in other countries, comparative study of foreign laws and cases decided by courts in other countries.

Chapter V – Any other related matters, survey, field work, data analysis if collected.

Chapter VI – Conclusions and Suggestions.

**6. Footnotes** should be given from 1 to the end, continuously. Quotations from books, Judgments and cases must be clearly acknowledged in the footnotes. Uniform style of Footnotes/Endnotes must be followed throughout the report.

**7. All cases mentioned must italicized in the text.**

**8. A Bibliography** must be given in the end, clearly distinguishing the primary and secondary sources, books, articles, case laws and other material.

*PS*

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**FOR ANY CLARIFICATION**  
**COURSE COORDINATOR**

**Dr. Ajay Kumar, Associate Professor (Law)**  
**S. R. Subrahmanian, Lecturer (Law)**  
**Hidayatullah National Law University,**  
**HNLU BHAWAN, Civil Lines, Raipur, (Chhattisgarh) Pin : 492001**  
**Ph: 0771 – 4080114, Fax: 0771 – 4080118**  
**Mob: 09425290646, 09752391284**  
**E- Mail: pgdti@hnl.ac.in**

**Textbooks**

1. A.K. Koul, The GATT/WTO: Law, Economics and Politics, Satyam Books
2. M.B. Rao and Manjula Guru, WTO Dispute Settlement and Developing Countries, LexisNexis
3. Sheela Rai, Anti Dumping Measures under WTO
4. Jayant Bagchi, World Trade Organization: An Indian Perspective,
5. Ravindra Pratap, India at the WTO Dispute Settlement System
6. Surendra Bhandari, World Trade Organization and Developing Countries, Deep and Deep
7. K.R. Gupta, World Trade Organization, Atlantic Publishers, Delhi, 2006
8. Rupa Chanda, Globalization of Services: India's Opportunities and Constraints, Oxford
9. Anil Kumar Thakur and Nageshwar Sharma, WTO and India, Deep and Deep
10. T.K. Bhaumik, The WTO: A Discordant Orchestra, Sage
11. Anwarul Hoda, Tariff Negotiations and Renegotiations under the GATT and the WTO: Procedures and Practice, Cambridge
12. Catherine Button, The Power to Protect Trade, Health and Uncertainty in the WTO, Hart Publishing
13. Ernst-Ulrich Petersmann, Reforming the World Trading System: Legitimacy, Efficiency and Democratic Governance, Oxford
14. Federico Ortino, The WTO Dispute Settlement System, 1995-2003, Kluwer

15. Francis Snyder, *Regional and Global Regulation of International Trade*, Hart
16. Kym Anderson and Tim Josling, *The WTO and Agriculture*,
17. Marion Panizzon, *Good Faith in the Jurisprudence of the WTO: The Protection of Legitimate Expectations, Good Faith, Interpretation and Fair Dispute Settlement*, Hart Publishing
18. Sacha Wunsch-vincent, *The WTO: The Internet and Trade in Digital Products: EC-US perspectives*, Hart Publishing
19. Anupam Goyal, *The WTO and International Environmental Law*, Oxford
20. M. Sornarajah, *The International Law on Foreign Investment* 2nd ed (Cambridge University Press: Cambridge, 2004), ISBN: 0521545560.
21. Peter T. Muchlinski, *Multinational Enterprises and the Law* 2nd ed (Blackwell: Oxford, 1999), ISBN: 063121676.
22. Peter T. Muchlinski *The Oxford Handbook of International Investment Law*, OUP, July 2008

## Bibliographies

- The **most comprehensive specialized database** for research on different aspects of international investment law is **hosted by** The Hague Academy of International Law. Equipped with a powerful search engine, this database is in the form of a bibliography and originally was **prepared** to facilitate the work of The Hague Academy's fellows in the 2004 seminar on New Aspects of International Investment Law. It is constantly updated. **To access this database**, you should go to [www.ppl.nl](http://www.ppl.nl). Click on the *bibliographies* and then click on *bibliography for New Aspects of International Investment Law*. Follow the instructions on how to use the search engine. A great majority of the materials that you find in that database is available in the Wolff International Library. Use the Library's catalog to locate these materials.
- **ICSID Bibliography**: International Centre for the Settlement of Investment Disputes (ICSID), which is the main arbitral institution currently administering investor-state arbitrations, also has a very useful bibliography. <http://www.worldbank.org/icsid/pubs/bibliogr/part2.htm>

*Post*

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## Online Case Reporters

Investor-state dispute resolution cases are found in several databases. For instance, you can find them in ILM in Westlaw or Lexis. But, in line with the new transparency trend, most of these awards are **currently available to the public** free of charge through the following websites:

- ICSID website. This website only contains those awards that have been administered by ICSID. <http://icsid.worldbank.org/ICSID/Index.jsp>
- Investment Claims, co-edited by Todd Weiler and Ian Laird. This website contains all the public investment arbitration awards, whether administered by ICSID or by other arbitral institutions. <http://www.investmentclaims.com>
- Investment Treaty Arbitration Website, edited by Professor Andrew Newcombe. This website also contains all the public investment arbitration awards, whether administered by ICSID or by other arbitral institutions. <http://ita.law.uvic.ca>
- NAFTA Claims, edited by Todd Weiler. This website contains all the awards as well as briefs of NAFTA Chapter 11 investor-state disputes. <http://naftaclaims.com>

NAFTA Government Website. These websites contain all NAFTA Chapter 11 awards

- and briefs:
  - United States <http://state.gov/s/l/c3433.htm>
  - Canada <http://dfait-maeci.gc.ca/tna-nac/nafta-en.asp>
  - Mexico <http://www.economia.gob.mx/index.jsp?P=2259>

## Online Legal Journals & Investment Arbitration-Related Databases

- Kluwer Arbitration. This database contains different cases, notes, book reviews and other information related to arbitration in general, including investment arbitration. It is accessible through the Georgetown Law Library list of databases.
- Transnational Dispute Management (TDM). This database contains information (articles, transcripts of speeches, discussions between professionals, book reviews, reports, etc.) regarding the most recent developments in the field of investor-state dispute settlement. <http://www.transnational-dispute-management.com/about/welcome.html>
- OGEMID Electronic Discussion List, moderated by Prof. Thomas W. Waelde. "This electronic discussion list has been set up...to provide professionals with a special interest in Oil-Gas-Energy-Mining and Infrastructure investment, legislative reform, contracting, arbitration and other forms of dispute management with a forum for peer discussion." This discussion forum or listserv is one of the most interesting phenomena in the field of investment arbitration. Some of the most distinguished scholars and practitioners post messages on the listserv regarding the latest developments in the field, which can be viewed by all subscribers. Subscribers can respond to all messages. This service is provided by the same institution that hosts TDM, see previous bulleted point. After

subscribing to TDM, students will have access to OGEMID archives of the discussions through TDM. <http://www.dundee.ac.uk/cepmlp/journal/html/ogemidannounce.html>

- International Institute for Sustainable Development. This database provides useful information about **current** issues of interest in the field of international investment law. In addition, it has a newsletter that provides periodic information regarding investment treaty arbitrations. <http://iisd.org/investment>
- UNCTAD Course on Dispute Settlement. The United Nations Conference on Trade and Development (UNCTAD) has developed modules on methods of resolving dispute in different fora (WTO, WIPO, ICSID, etc.). These modules are available online free of charge for educational purposes. For the purpose of this guide, the most relevant modules are those listed under number 2, International Centre for the Settlement of Investment Disputes. <http://r0.unctad.org/disputesettlement/course.htm>
- UNCTAD International Investment Agreements (IIAs) Database. This database contains a host of useful information on various aspects of international investment law ranging from studies on evolution of investment treaties to those dealing with the **content** of specific standards of protection investment treaties such as fair and equitable treatment. <http://www.unctad.org/Templates/StartPage.asp?intItemID=2310&lang=1>

### Online Treaty & Law Databases

- UNCTAD Database. This database has a search engine which allows the public to search for and access the majority of bilateral investment treaties that have entered into force to this date (more than 2,200). <http://www.unctadxi.org/templates/DocSearch.aspx?id=779>
- OECD Website and SourceOECD (GULC only)
- International Law in Brief. This service is provided by the American Society of International Law and provides free periodical newsletters containing the most recent cases of international law including investment arbitration cases. <http://www.asil.org/ilib/ilibarch.htm>
- United States Trade Representative (USTR) The USTR website contains information regarding U.S. BITs, FTAs, and other investment and trade-related treaties, whether existing or under negotiation. In order access the information regarding U.S. BITs, click on the "Trade Sectors" tab and choose "Investment" from the drop-down menu.
- Westlaw and Lexis

### Commentary on Draft Articles on Responsibility of States for Internationally Wrongful Acts

This is available online in pdf. After almost four decades of discussion, the UN International Law Commission adopted these articles in 2001. It is widely recognized that these articles codify the customary law on state responsibility. They are also available in



hardcopy in the Wolff International Library. See *The International Law Commission's Articles on State Responsibility : Introduction, Text, and Commentaries*

### Specialized Journals

- *ICSID Review - Foreign Investment Law Journal*
- *The Journal of World Investment & Trade*
- *Journal of International Arbitration* Also available online through Kluwer Law International.
- *Arbitration International* Also available online through Kluwer Law International.
- *Stockholm International Arbitration Review*
- *The American Review of International Arbitration* Also available in Lexis and Westlaw.

### Other Journals

- The American Journal of International Law Also available online through HeinOnline.
- *The British Year Book of International Law*. Also available online through HeinOnline.
- *Columbia Journal of Transnational Law*. Also available online through HeinOnline.
- Georgetown Journal of International Law. Also available online through HeinOnline.

### Books, References and Case Reporters

#### Books

- *Investor-State Arbitration* Forthcoming Spring 2008. Draft currently available to Georgetown students. Copy on order for Library.
- *International Investment Arbitration : Substantive Principles*
- *New Aspects of International Investment Law*.
- *Investment Arbitration in Eastern Europe : In Search of a Definition of Expropriation*
- *Investment Treaty Arbitration and Public Law*
- *Investment Arbitration and the Energy Charter Treaty*
- *Legal Framework for the Admission of FDI*
- *Denial of Justice in International Law*
- *Foreign Investment Disputes : Cases, Materials and Commentary* (2005)
- *International Investment Law and Arbitration : Leading Cases from the ICSID, NAFTA, Bilateral Treaties and Customary International Law*
- *NAFTA Investment Law and Arbitration : Past Issues, Current Practice, Future Prospects* (2004)
- *Arbitrating Foreign Investment Disputes* (2004)
- *Annulment of ICSID Awards* (2004)

BS

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- *Bilateral Investment Treaties* (1995)
- *General Principles of Law as Applied by International Courts and Tribunals*

## References

- *The ICSID Convention : A Commentary* (2001)
- *Investment Disputes under NAFTA : An Annotated Guide to NAFTA Chapter II* (updated regularly)
- *Investment Promotion and Protection Treaties* (1983-) This print publication is updated regularly.
- *Recueil des Cours : Collected Courses of the Hague Academy of International Law.*

This valuable collection contains the teaching of some of the most prominent international law scholars and practitioners on different aspects of international law (public and private) in English and French. It covers a broader range of topics than is relevant for the study of international investment law, but it contains several different lectures on various topics of interest for international investment law scholars and practitioners. You can **search for relevant topics** in the bibliographic references in hardcopy, or you can simply go **online to The Hague Academy's website**. Click on Recueil des cours - Collected Courses and then, using the search engine that will appear, look for your different areas of interest. After doing this, you can find the relevant volumes in the Wolff International Library by using the Library catalog.

- Bibliography on New Aspects of International Investment Law (Peace Palace Library)

## Case Reporters

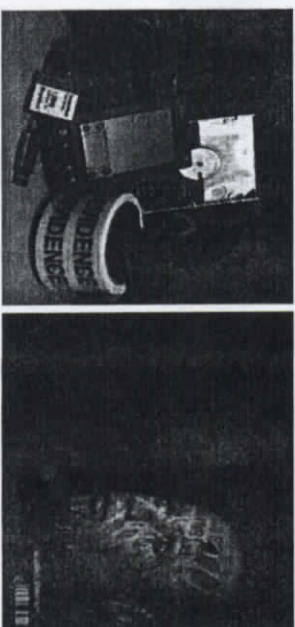
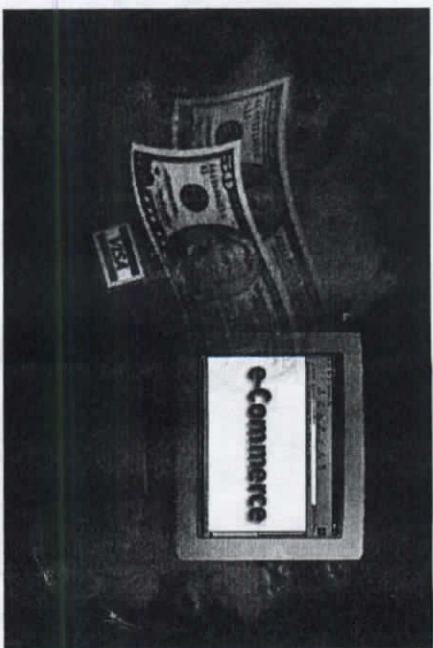
- *ICSID Reports : Reports of Cases Decided under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States* (1993-)  
*Iran-United States Claims Tribunal Reports* Also available on Westlaw.
- See also the following books which summarize the jurisprudence of the Iran-U.S. Claims Tribunal:
  - *The Iran-United States Claims Tribunal*
  - *The Jurisprudence of the Iran-United States Claims Tribunal*

Older case reporters such as the United Nations' *Reports of International Arbitral Awards*, Moore's *History and Digest of the International Arbitrations to which the United States has Been a Party* and other older reporters.

*PS*



Post Graduate Diploma in  
*Cyber and Information Technology Law*  
(PGDCITL)  
(Distant Education Program)



*For any clarifications and questions contact:*  
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### About HNLU:

HNLU is a Residential University and is sixth in the series of National Law Schools in India. From its modest beginning in 2003, Hidayatullah National Law University has been making rapid strides to become *Unus Unorum* (first among equals) and a Centre of Excellence in Legal Education.

HNLU has been included in the list of the Universities of University Grants Commission under Section 2(f) of the UGC Act, 1956 and has been declared fit to receive Central assistance in terms of the rules framed under Section 12 (B) of the UGC Act, 1956. The University is also recognized by the Bar Council of India under Section 7(1) of the Advocates Act, 1961.

Hon'ble Mr. Justice K.G. Balakrishnan, the Chief Justice of India is the Visitor of the University, Hon'ble Mr. Justice Rajeev Gupta, the Chief Justice of High Court of Chhattisgarh is the Chancellor and Prof. (Dr.) M.K. Srivastava, is the Vice-Chancellor of the University.

### THE SIX SCHOOLS:

One of the features of HNLU is its Six Schools as Centres of Excellence in the respective fields and Six Units/Centres under each School with total of thirty six units. The six schools are:

- The School of Juridical & Social Sciences (SJSS)
- The School of Constitutional & Administrative Governance (SCAG)
- The School of International Legal Studies (SILS)
- The School of Science, Technology & Sustainable Development (SSTSD)
- The School of Business & Global Trade Laws Development (SBGTLD)
- The School of Administration of Justice, Continuing & Clinical Legal Education (SAJCCLE)

**Distant Education Program:** After six years of its successful completion, HNLU finds it right time to launch PG Diploma course for knowledge seekers who don't want to shift their base or engage in full time higher studies. Distant Education Program would allow the candidates to learn while they earn from a National Law University. HNLU proposes to get its courses accredited by Distant Education Council in coming years.

**ABOUT THE COURSE:** One of the significant changes in the 20<sup>th</sup> Century is brought by computers. Computers have changed the way people used to work, think and behave. We all have entered into a cyber-generation. Computers have brought a host of positive things to facilitate the human work but at the same time they have increased the crimes too. New forms of crime with the aid of computers are increasing; it is becoming an easier, cheaper and faster communication medium, not only for corporate executives but even for terrorists.

There was a need to regulate the interaction in the cyber world and which gave birth to cyber law. Cyber law is a contemporary topic of study and needs to be examined in closer details. It is an area which is relevant for each and every person who is concerned with the 124 keys on the keyboard and the device called mouse. But this does not mean that others who are not using the same are not affected by the click of the mouse. Everyone is affected by the computers.

The present course is designed with objective of providing a diploma in cyber and information technology law to graduates with basic knowledge of computers (basic understanding of computer working).

The aforesaid course would be useful to:

- Law Graduates
- Lawyers
- Judges
- IT Professionals
- Police Personnel





## **ELIGIBILITY CRITERIA AND ADMISSION FORMALITIES:**

The course is open to any graduate with basic knowledge of computer operation.

The course is also open for 5 year Law students who have successfully completed their 3 years, provided they have not opted cyber law as one of their optional paper.

**Mode of Communication:** After admission the candidates would be provided with an Enrolment ID which should be mentioned in all communications with the university by the candidate. In the application form the candidates are required to provide an e-mail ID which would be their registered e-mail ID on which all communications regarding the course, notification of examination dates, etc. would be communicated.

## **MODE OF LEARNING:**

This is a distant education program wherein the students would be provided with the course material for study (printed or electronic). The diploma is divided into eight papers plus one dissertation, which the candidates are supposed to complete within three years of their enrolment to the course.

Each paper carries 100 Marks which includes 60 marks for theory and 40 marks for assignments. Dissertation is of 200 marks and can be completed only when the candidates passes in six of the eight papers.

**Duration of the Course:** One year (to be completed within three years from the enrolment to the course subject to the payment of continuation fees of Rs. 1500). For example if a candidate enrolls in session 2009-10, he should complete all the formalities in the same session. If it extends to the next session, would be required to pay a continuation fee.



## COURSE MATERIAL

The course material for each paper would be provided in electronic and printed form at the option of the candidates. Course material would consist of collection of articles and noting. Candidates are free to access books on cyber law and other web resources. The students would be provided with regular updates on the course material as and when available.

## COURSE FEES

Prospectus and Application:	Rs. 500
Admission Fee:	Rs. 2000
Caution Money	Rs. 2500 (if using university library)
<b>Course Material Fee:</b>	
Printed:	Rs. 700 (per paper) = Rs. 6300 (for all 9 papers)
Via E-Mail (pdf document):	Rs. 400 (per paper) = Rs. 3600 (for all 9 papers)
<b>Examination Fee:</b>	
Assignments:	Rs. 50 (per assignment) = Rs. 900 (for all 18 assn)
Repeat Assignments	Rs. 40 per assignment
Papers	Rs. 300 (per paper) = Rs. 2700 (for all 9 papers)
Repeat Exam	Rs. 200 per paper
Continuation Fee	Rs. 1500 per year.
Dissertation:	Rs. 1000
Diploma Award Fee:	Rs. 500

Total: (13900-printed) (11200-email)

### Note:

1. The fees do not include the accommodation and food charges during the contact program days.
2. The course would commence only when there are 30 enrolments in the course.





## **COURSE CURRICULUM**

The following are the eight papers to be covered under the PG Diploma Program.

- Paper 1: Fundamentals of Computers and Information Technology Law**
- Paper 2: Cyber Law, Cyber Space, Jurisdictional issues**
- Paper 3: Indian Cyber Law – E Governance**
- Paper 4: E-Commerce**
- Paper 5: Digital Signatures**
- Paper 6: Intellectual Property and Cyber Law**
- Paper 7: Cyber Crimes**
- Paper 8: Investigating cyber crimes – procedure and challenges**



## PROTOCOL FOR ASSIGNMENTS:

Assignments constitute the continuous evaluation. The main purpose of assignment is to test the candidate's comprehension of the learning material and contents of the course. Assignments carry 40% weightage and thus requires serious attention by the candidates. Each of the eight papers mentioned above would carry two assignments of 20 Marks each. Each assignment would carry five questions out of which four questions are required to be answered.

Assignments would be allotted by the university and informed via e-mail to the candidates. Assignments should be handwritten and sent to the university by speed post. Candidates are advised to retain a copy of assignment for their record.

Each candidate has to secure 50% marks for the respective assignment. Candidates may resubmit the assignments if failed, however, candidates are not allowed to submit the assignment for improvement once they pass the assignment with required grade.

The cover page of the assignment should mention the following details.

- a. *First Line* [Post Graduate Diploma in Cyber and Information Technology Law (PGDCITL)] – Distant Education Program
- b. Name of the Candidate
- c. Candidate's Enrollment Number
- d. Assignment Code
- e. Attempt: First/Second/Third/Fourth....
- f. Signature of the Candidate
- g. *Last Line:* Hidayatullah National Law University, Raipur (Year, i.e. 2009)

Do not enclose or express doubt for clarification, if any, along with the assignments. Send your doubt to the e-mail ID mentioned in the brochure.



## **PROTOCOL FOR DISSERTATION:**

Candidates are required to submit a dissertation/project of about 40-50 pages [roughly 15,000 words] on any topic covered under the aforesaid eight papers. Dissertation would carry 200 marks which include 75 marks for viva-voice and 125 for written work. A candidate may undertake the work of dissertation only after attending at least one contact class and securing pass grade in at least four papers of the course (both the written exam and assignment component). The project topic has to be approved by the Course Coordinator.

Candidates are required to submit the proposal for dissertation/project work outlining the following:

- Title of the project
- Objective of the project
- Problem/rationale to be examined in the project

Once the title of the project is approved the candidate should work on the project.

### **Parameters for Evaluation:**

The examiner will evaluate the dissertation taking into account the following points:

1. Coverage of the Subject Matter
2. Arrangement and Presentation
3. Nature of reference and material used
4. Critical appreciation and original contribution of the candidate

### **Format for Writing Dissertation:**

- Cover Page
  - Title of the Dissertation/Project Work
  - Name of the Student, Name of the Course and Enrollment ID
  - Address of the Candidate
  - Hidayatullah National Law University, Raipur



- Declaration Page [I hereby declare that this dissertation/project work entitled "title of the project" has been prepared by me in fulfillment of the research work carried out by me for the award of PG Diploma in Cyber and Information Technology Law (PGDCITL) Distant Education Program. This project work, in full or in part, has not been submitted by me in any other University for grant of any other Degree or Diploma. ....Signature of the candidate (name of the candidate: Enrolment ID)]
- Acknowledgments
- Table of Contents
- List of Abbreviation, if any
- Table of cases/ diagrams/ graphs/ photographs etc., if any
- The paper should be divided into several sections/chapters relating to Introduction, Scope, Methodology, systematic treatment of the subject and conclusion and suggestions.
- Bibliography

**Note:** Few of the selected project work may be included in the publication by the university on Cyber Law.

### **CONTACT CLASSES AND EXAMINATIONS:**

**Contact Classes:** There would be two contact classes during the course as per the schedule enclosed. The contact classes would be followed by written examinations. Thus, a candidate would be allowed to appear for examinations on two occasions. They are free to decide which papers to appear after which contact classes. Candidate may appear for maximum six papers at a time after contact classes. Candidates are required to fill in the examination form accordingly.

Contact classes would cover lectures on different aspects of the course curriculum. The candidates would have an opportunity to clarify their doubts and also they would be in a position to see their corrected assignments personally and clarify any factual errors.



During the days of contact classes the university would provide accommodation and food to the candidates at a subsidized rate in its campus subject to availability.

### **Repeat Examinations**

Candidates who fail in written examinations after first contact class would have one opportunity to appear in repeat examination after second contact class. Similarly, who fail in the written examinations after second contact class, would have one opportunity to appear in the written examination in the next session without paying continuation fee. However, no candidate would be allowed to appear in repeat more than once without paying continuation fees.

### **Privileges:**

Library of HNLU has one of the best collections of books on cyber laws. The students of Diploma Program would be entitled for a free access to the university library during the contact program days. Any candidate who wants to access the university library other than the contact program days would be required to deposit the library fees of Rs. 1000 and get a card issued on his/her name which would be valid throughout the tenure of the Diploma Program.

### **AWARD OF DIPLOMA**

Candidates are required to complete all the components of the PG Diploma Program. Candidates have to secure minimum 50% marks in each paper and overall they should secure minimum 55% marks to complete the diploma program.

Candidates would be awarded the Diploma at the University Convocation Ceremony.

## IMPORTANT DATES

- |  |                                   |
|--|-----------------------------------|
| Last date for obtaining application form:<br>Application can be downloaded from the<br>website also and sent along with a DD of<br>Rs. 500/- in the name of Registrar, HNLU) | 15 <sup>th</sup> Sep 2009         |
| • Filled in application form should reach us by  | 30 <sup>th</sup> Sep 2009         |
| • Course Commences on<br>Dispatch of First Set of Course Material<br>(as requested by the candidate)   | 1 <sup>st</sup> Oct 2009          |
| • Allotment of Assignments for First Set   | 20 <sup>th</sup> Oct 2009         |
| • Last date for submission of completed Assignments  | 31 <sup>st</sup> Dec 2009         |
| • First Contact Class  | March 2010                        |
| • Written exam of First Set  | immediately after contact classes |
| • Dispatch of Final Set of Course Material<br>(Remaining papers of first set)  | 15 <sup>th</sup> Apr 2010         |
| • Allotment of Assignments for Second Set<br>of assignments and finalization of topic of<br>Dissertation/Project Work  | 30 <sup>th</sup> May 2010         |
| • Last date for submission of completed<br>Assignments   | 31 <sup>st</sup> July 2010        |
| • Last date for submitting Dissertation/Project  | 31 <sup>st</sup> Aug 2010         |
| • Second Contact Class   | Sep 2010                          |
| • Written exam of Second Set   | immediately after contact classes |
| • Dissertation – Viva-Voice  | immediately after contact classes |

### Note:

1. Dates are subject to change, which would be communicated to the candidates accordingly.
2. Specific dates of contact classes, written exams and viva-voice would be communicated later.



Hidayatullah National Law University  
Raipur, Chhattisgarh  
Post Graduate Diploma in Patent Law (PGDPL)  
(Distant Education Program)

**About the University:**

HNLU is a Residential University and is sixth in the series of National Law Schools in India. From its modest beginning in 2003, Hidayatullah National Law University has been making rapid strides to become *Unus Unorum* (first among equals) and a Centre of Excellence in Legal Education.

HNLU has been included in the list of the Universities of University Grants Commission under Section 2(f) of the UGC Act, 1956 and has been declared fit to receive Central assistance in terms of the rules framed under Section 12 (B) of the UGC Act, 1956. The University is also recognized by the Bar Council of India under Section 7(1) of the Advocates Act, 1961.

**Distant Education Program:** University believes in dissemination of knowledge not only to its residential students but even to the candidates who don't want to shift their base or engage in full time higher studies. Distant Education Program would allow the candidates to learn.

**MISSION:** To provide a comprehensive knowledge about the concept, enforcement and procedural aspect of patent law. To make the candidates efficient enough to understand the technicalities of patent law. To create a community within India who will protect the interest of this country in the era of knowledge based economy and will play a leading role technological advancement of the country.

## Goals and Objectives of the PGDPL

### GOALS

- To develop a knowledge and understanding in the patent law.
- To train the person engaged this course regarding the basic concepts in patent, the process of acquiring patent right, enforcement of this right.

### OBJECTIVES

The Post Graduate Diploma programs in patent law focus on:

- To equip the interested graduates and professionals in the area of intellectual property rights specially in patent rights
- To increase awareness among the Indian scientist to protect their inventions under new patent regime
- To provide technicalities of patent law in simpler form
- To understand the global development in patent law and India's position

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- To create an intellectual community to face the challenges of India in the field of patent and make India as a global partner in this regard.

## TARGET GROUP

This program is designed to meet the needs of person involved in technical field like engineering, medical, pharmaceuticals, biotechnology etc. This course is also helpful for lawyers, legal professionals, law students or any person who has keen interest in patent law.

## DURATION OF THE COURSE

The duration of the course will be one academic year with year end examination. Maximum duration for the completion of the course is three years.

## MINIMUM QUALIFICATION:

Minimum Qualification for admission to the Post Graduate Diploma Courses is a Graduate Degree with minimum of 45% aggregate marks in any discipline from a recognised University or an equivalent degree from a foreign University duly recognised by the University. The relaxation of 5% marks will be given to the Candidate belongs to SC and ST category.

The course will consist of four papers, each paper carrying 200 marks and one project report/dissertation for 200 marks. Dissertation carries 150 marks and viva-voce examination carries 50 marks. The course will consist of the following four papers :-

## COURSE CURRICULUM

### PAPER 1: INTRODUCTION TO PATENT LAW

This paper focuses on the special kind of intangible property i.e. intellectual property, whose most of the properties are like a tangible property. Its aim is to provide the cause of the genesis of these properties with its various kinds. It will discuss the importance of these properties in globalised world and specifically after the TRIPS agreements.

#### The objective of the paper

- To make the students familiar with intellectual property and its various kinds
- To help the students in understanding of importance and justifications of intellectual property rights particularly with patent right
- To provide a critical understanding of TRIPS Agreements and India's response.
- To know about the basic of patent and its content
- To provide the knowledge about the enforcement of patent right

#### Expected outcome:

After the completion of this paper, the student would have been equipped with:

- The concept about the intellectual property and its different kinds
- Analysis of the justifications of intellectual properties particularly for patent

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- Understanding about the essentials of patent
- The knowledge about result of non fulfillment of legal obligations

This paper is divided into three units and each unit is further divided into subunits

1. Introduction to intellectual property and its kind
2. Definition and content of patent
3. Enforcement and exploitation of patent

## PAPER 2: ESSENTIALS OF PATENT AND NON-PATENTABILITY

This paper deals with the basic essentials of patent and examines the patentability criteria by analyzing actual patents and case law in various jurisdictions. This paper covers multi-disciplinary approach varying with engineering to biotechnology. The essentials of patent and non-patentability criteria will be discussed with the help of USA, EU and UK patent law as a comparative study with Indian patent law including the analysis of relevant case law of concerned jurisdiction.

The objective of the paper

- To know about the essentials of patent
- To know about the limits of patentability
- To equip the student in comparative study

Expected outcome:

After the completion of this paper, the student would have been equipped with:

- Knowledge of essential ingredients of patent and to what extent they differ in different jurisdiction and different field of technologies
- Understanding of the policy of non-patentability criteria and its contents

This paper divided into four units and each unit is further divided into subunits

1. Novelty
2. Inventive step
3. Utility
4. Non- Patentability

## PAPER 3: PROCEDURE, ENFORCEMENT AND REVOCATION OF PATENT

This paper deals the elaborate procedure for acquiring the patent right under Indian patent system. It will also cover the enforcement of patent right as general and specific i.e. compulsory licensing. It discuss the condition on which patent can be revoked It helps the student to understand the technical aspect of patent procedural law. It also covers the drafting of certain documents used in patent offices.

The objective of paper:

- To orient the student in the procedural law of patent
- To prepare the student to draft certain document used for getting the patent right
- To develop the knowledge about the enforcement procedure and to restrict the abuse of patent.
- To know about the grounds of non-granting or revocation of patent.

Expected outcome:

After the completion of this paper, the student would have been equipped with:

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- Understanding of the procedure to acquire the patent and its technicalities
- Knowledge about the process for the enforcement of patent right and to restrict the abuse of it
- Criteria under which a patent can be challenged for the revocation

This paper divided into four units and each unit is further divided into subunits

1. Application of patent
2. Grant of patent
3. Compulsory licenses
4. Infringement of patent

#### PAPER 4: INTERNATIONAL TREATIES AND CONVENTION ON IPR

This paper covers the development of international cooperation among the states on intellectual property through conventions and treaties. This paper deals with a global perspective of the Patent System with the increasing harmonization of Patent Laws. The paper examines the international laws and conventions applicable to patents. The module also emphasizes the role of international organizations like the WTO and WIPO.

The objective of paper:

- To aware the student about the international conventions and treaties on patent system
- To develop the critical thought in students about the challenges before the patent system in 21<sup>st</sup> century

Expected outcome:

After the completion of this paper, the student would have:

- Been oriented to the international policy and legal framework related to patent system
- Developed an understanding about the basic principles and provisions of international conventions and treaties.
- Critically analyzed various provisions in the laws related to patent in international system

This paper divided into seven units and each unit is further divided into subunits

1. Paris Convention
2. Patent Co-operation Treaty
3. TRIPS Agreement
4. Budapest Treaty
5. Madrid Agreement
6. Convention on Bio-Diversity
7. World Intellectual Property Organisation (WIPO)
8. World Trade Organisation (WTO)

#### STUDY MATERIALS:

This is a distant education program wherein the students would be provided with the course material for study (printed or electronic). The University will provide printed material on the paper mentioned above to the registered candidates, which would be guidelines for them. However they have to consult the referred books and journals for preparation.

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## STRUCTURAL FRAMEWORK OF THE COURSE

Thus, the distribution of marks would be as follows:

Paper 1	200 (150 Theory + 50 Assignment)
Paper 2	200 (150 Theory + 50 Assignment)
Paper 3	200 (150 Theory + 50 Drafting)
Paper 4	200 (150 Theory + 50 Assignment)
Dissertation	200 ( 150 Dissertation + 50 Viva- Voice)

### ASSIGNMENT:

All the papers except paper third would comprise of 50 marks for assignments. In each paper the candidate would be required to submit one assignment of 50 marks. The paper third would cover 50 marks for drafting of certain patent document in place assignment. The topic of assignment and drafting document would be allotted by the university and informed via e-mail to the candidates.

### CONTACT CLASSES

There would be one week contact classes at the university before the examination. During the days of contact classes the university would provide accommodation and food to the candidates at a subsidized rate in its campus subject to availability. The contact classes are not mandatory.

### EXAMINATION:

The candidates are required to take an examination for each paper at HNLU, Raipur. There would be yearly examinations pattern after the end of the course.

### COMMUNICATIONS:

After admission the candidates would be provided with an Enrolment ID which should be mentioned in all communications with the university by the candidate. In the application form the candidates are required to provide an e-mail ID which would be their registered e-mail ID on which all communications regarding the course, notification of examination dates, etc. would be communicated.

### ACCESS TO UNIVERSITY LIBRARY

Library of HNLU has one of the best collections of books on Intellectual Property Rights and Patent Law. The students of Diploma Program would be entitled for a free access to the university library during the contact program days. Any candidate who wants to access the university library other than the contact program days would be required to deposit the library fees of Rs. 1500 and get a card issued on his/her name which would be valid throughout the tenure of the Diploma Program.

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## COURSE FEES

Prospectus and Application:	Rs. 1000
Admission Fee:	Rs. 2500
Course Material Fee:	
Printed:	Rs. 2000 (per paper) = Rs. 8000
Via E-Mail (pdf document):	Rs. 1250(per paper) = Rs. 5000
Examination Fee:	
Assignments:	Rs. 250 (per assignment) = Rs. 1000
Papers	Rs. 500(per paper) = Rs. 2000
Diploma Award Fee:	Rs. 500

TOTAL FOR PRINTED MATERIAL-----Rs.15000.

TOTAL FOR SOFT COPY-----Rs.12000.

*For any clarifications contact:*

Course Coordinator

**AMRENDRA KUMAR AJIT**

(Faculty of Law)

Hidayatullah National Law University

HNLU Bhavan, Civil Lines

Raipur – Chhattisgarh 492001

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Mob: +919753671319

E-Mail: amar1bhu@gmail.com.



**Hidayatullah National Law University**  
**Raipur, Chhattisgarh**  
***Post Graduate Diploma in Corporate Taxation (PGDCT)***  
**(Distant Education Program)**

**About the University:**

HNLU is a Residential University and is sixth in the series of National Law Schools in India. From its modest beginning in 2003, Hidayatullah National Law University has been making rapid strides to become *Unus Unorum* (first among equals) and a Centre of Excellence in Legal Education.

HNLU has been included in the list of the Universities of University Grants Commission under Section 2(f) of the UGC Act, 1956 and has been declared fit to receive Central assistance in terms of the rules framed under Section 12 (B) of the UGC Act, 1956. The University is also recognized by the Bar Council of India under Section 7(1) of the Advocates Act, 1961.

**Distant Education Program:** University believes in dissemination of knowledge not only to its residential students but even to the candidates who don't want to shift their base or engage in full time higher studies. Distant Education Program would allow the candidates to learn.

**MISSION :** To provide a comprehensive knowledge about the assessment, liability and procedure aspect of corporate taxation in India scenario. To make the candidates efficient enough to understand the technicalities of corporate tax.

**Goals And Objectives Of The (PGDCT)**

**GOALS**

- To develop a knowledge and understanding the skills in corporate taxation.
- To train the students in the process of ascertaining taxable corporate income, tax planning, tax procedure & tax management.

**OBJECTIVES**

The Post Graduate Diploma programs in tax focus on:

- Complex technical issues of corporate tax law, using practical case studies.
- Contemporary developments in corporate tax practice and influential international trends.
- Constantly changing knowledge base in corporate taxation.
- Identification and resolution of corporate taxation law problems at an advanced level.
- The theoretical framework for corporate taxation.

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- The policies embodied in corporate tax legislation, as well as the technical detail of the tax rules.
- Skills, including problem solving, analyzing and evaluating outcomes, and the articulation of knowledge and understanding in oral and written presentations.

## **TARGET GROUP**

This program is designed to meet the needs of those in the Tax profession, (e.g. lawyers, accountants, and public administrators or academics) who wish to build on their experience and attain a high level of specialist tax expertise.

## **Duration of the course:**

**One Academic Year with year end examination in the month June. Maximum duration of complete the course is three years.**

## **Minimum Qualifications :**

Minimum Qualification for admission to the Post Graduate Diploma Courses is a Graduate Degree with minimum of 45% aggregate marks in any discipline from a recognised University or an equivalent degree from a foreign University duly recognised by the University. The relaxation of 5% marks will be given to the Candidate belongs to SC and ST category.

The course will consist of four papers, each paper carrying 100 marks and one project report/dissertation for 100 marks. Dissertation carries 60 marks and viva-voce examination carries 40 marks. The course will consist of the following four papers :-

## **COURSE CURRICULUM**

### **PAPER 1; TAX STRUCTURE IN INDIA: CORPORATE TAXATION**

This paper will provide an study of different concepts relating income specifically corporate income including income of societies, trust, AOP and BOI. The objective of this paper to enable the students with the basic structure of income tax in India and the impact of Indian Income tax on the income of corporate bodies in India.

### **CONTENTS OF THE PAPER;**

1. Important concepts and definitions, Principles and rules of Interpretation.
2. Definition and scope of Total Income , Determination of Residential Status and Rules for determination , Firms, Association of persons, body of individual ,Company ,Incomes which do not form part of Total Income.
3. Assessment of Corporate Bodies, AOP, BOI and Firms.

Expected Results for studying this paper.  
The student will be able to understand –



1. The structural frame work of Indian Income Act.
2. Identification of taxable income of corporate bodies and their taxability.
3. Different tax liability on different bodies.
4. Dimensional aspect of corporate tax in India.

## **PAPER 2; TAXATION OF COMPANIES**

This paper gives emphasis on taxability of corporate bodies in India. This paper will be based on theoretical framework and accounting procedure for calculating the total income of Corporate bodies. The object of this paper is to familiarize the students with the various provision of income tax Act and understand the accounting principals and standards.

### **CONTENTS OF PAPER;**

1. Carry forward and Set off of business losses and depreciation.
2. Taxable Income and Tax Liability.
3. MAT (Minimum Alternative Tax).
4. Tax on Distribution of Profit.

Expected Results for studying this paper.

The student will be able to understand –

1. The difference between business losses and personal losses.
2. The concept of depreciation and their carry forward and set off system.
3. The Minimum Alternative Tax in India and Alternative Minimum Tax in U.S.
4. The technicalities of assessment of total income.

## **PAPER 3; TAX IMPLICATIONS ON CORPORATE RECONSTRUCTION AND NEW ESTABLISHMENT.**

This paper deals with the legal framework of tax implications on corporate reconstruction and the taxation with reference to newly established business. Crucial considerations to be taken care of for getting tax incentives while establishment new business. The object of this paper is to provide knowledge about the importance of management decisions for getting tax incentives in new establishment and reconstruction.

### **CONTENT OF PAPER;**

1. Tax implication of Amalgamation and Demerger.
2. Taxing effect of conversion Sole Proprietary or Firm into company.
3. Tax incentives to newly established business.
4. Effect of management decision on tax liability.

Expected Results for studying this paper. –

The student will be able to understand –

1. Cascading effect of tax while going under corporate reconstruction.

2. The taxability of conversion from one form of organization into other.
3. Importance of management decision in getting tax incentives.

#### **PAPER 4; BUSINESS TAX PROCEDURE AND MANAGEMENT.**

This paper deals with international aspect of corporate tax and the mechanisms for providing tax benefits. It covers different tools which are available within legal parameters for the tax saving. The objective of this paper is to give practical knowledge regarding tax avoidance, tax planning and tax management.

#### **CONTENTS OF PAPER;**

1. Double Taxation Avoidance Agreement.
2. Advance Payment of Tax.
3. Deductions available to Corporate Bodies.
4. Collection of Tax at Source and E—TDS Return.
5. Tax planning and Management and the dispute resolving authorities.

Expected Results for studying this paper.

The student will be able to understand –

1. The international agreements regarding tax avoidance.
2. The practical problems regarding procedural technicalities.
3. The identification of the major sources for tax management and planning.
4. The global prospective of international taxation.

**PAPER 5; Dissertation / Project work** on any theme on International Trade or International Investment allotted at the time of enrolment in the course.

<b>Project Work :</b>	<b>60</b>
<b>VIVA :</b>	<b>40</b>

#### **MODE OF LEARNING:**

This is a distant education program wherein the students would be provided with the course material for study (printed or electronic). The diploma course duration is for one academic year and maximum duration to complete the course is two years.

#### **STRUCTURAL FRAMEWORK OF THE COURSE**

This course consists of two semesters each consisting of two papers.

Thus, the distribution of marks would be as follows:

Paper 1	100 (60 Theory + 40 Assignment)
Paper 2	100 (60 Theory + 40 Assignment)
Paper 3	100 (60 Theory + 40 Assignment)
Paper 4	100 (60 Theory + 40 Assignment)
Paper 5	100 (60 Dissertation + 40 Viva)



**Assignments:**

In each paper the candidate would be required to submit one assignments of 40 marks. The topic of assignment would be allotted by the university..

**CONTACT CLASS**

There would be one-week contact class for registered candidates appearing in examination before the examination to remove their doubts. During the days University will provide accommodation and food to the candidates at a subsidized rate in the campus subject to the availability. The contact class is not mandatory for candidates.

**STUDY MATERIAL**

The University will provide printed material on the paper mentioned above to the registered candidates, which would be guidelines for them. However they have to consult the referred books and journals for preparation.

**MODE OF COMMUNICATION AND EXAMINATION**

The mode of communication and writing examination would be English only.

**Enrolment ID**

After admission the candidates would be provided with an Enrolment ID which should be mentioned in all communications with the university by the candidate. In the application form the candidates are required to provide an e-mail ID which would be their registered e-mail ID on which all communications regarding the course, notification of examination dates, etc. would be communicated.

**Access to University Library**

Library of HNLU has one of the best collections of books on Corporate tax and Income tax. The students of Diploma Program would be entitled for a free access to the university library during the contact program days. Any candidate who wants to access the university library other than the contact program days would be required to deposit the library fees of Rs. 1000 and get a card issued on his/her name which would be valid throughout the tenure of the Diploma Program.

**COURSE FEES**

Prospectus and Application form	:	Rs. 1000
Admission Fee	:	Rs. 3000
Course Material Fee	:	Rs. 10000
Examination Fee	:	Rs. 2500 (500 Per Paper)
Diploma Award Fee	:	Rs. 1000

### **OTHER FEES**

Late Fee for submitting Application:	Rs. 500
Library Fee :	Rs. 1000 (OPTIONAL)*
Security Deposit (Refundable) :	Rs. 1500 (OPTIONAL)*
Admission Late Fee :	Rs. 500
Late payment of Examination Fee :	Rs. 300(Per Paper including Project Rs. 1500)
Late submission of Project :	Rs. 200
Continuation Fee :	Rs. 1500
Revaluation of exam Paper :	Rs. 500 (Per Paper)

**Note :** (The total fee will be deposited at the time of admission in the course.)

### **REQUIREMENT FOR FULFILMENT OF THE COURSE**

- Every candidate has to appear for examination in four Papers. Each Paper carries equal marks. Candidate are supposed to secure at least 50 % marks in each paper.
- Every candidate shall work on allotted Dissertation/Project and submit the same on or before 1<sup>st</sup> June 2010 or with late fee before he/she appears for the written examination. The same would be considered as Paper 5.
- Late fee will have to be paid in case of late submission of Dissertation/Project, which is acceptable only 15days after the stipulated last date. After this period Dissertation/Research Project will not be accepted.

### **AWARDING OF CERTIFICATE**

Candidate successfully completing all requirements of the course will be awarded their Diplomas during the Convocation.

### **IMPORTANT DATES**

Last date for accepting application form	31st August 2009 (15 <sup>th</sup> September 2009 with late fine)
Contact Class	8 <sup>th</sup> June 2010 to 13 <sup>th</sup> June 2010
Last date for Submission of Dissertation/Research Project	1 <sup>st</sup> June 2010 (15 <sup>th</sup> June 2010 with late fee)
Final Examination and Viva Voce	16 <sup>th</sup> June 2010 onwards

### **GUIDELINES FOR WRITING DISSERTATION/RESEARCH PROJECT**

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1. The Dissertation/Research Project must be based on original study and research . Copying of other's work is strictly prohibited and will be met with penalty as decided by examination board.
2. Research project does not mean mere copy or reproduction of the existing legal framework or academic work.
3. Critical Analysis of Research Project is encouraged. Candidates are encouraged to reflect on other world view with their observation.
4. The Dissertation/Research Project should be of about 70 - 75 pages, including Endnotes, Bibliography, Tables and Annexure. It should be neatly typed/computer printed and bound. Only one copy is to be submitted.

**The format for the Dissertation/research Project should be as follows:-**

**1. COVER PAGE**

- Name of the TITLE (Dissertation/Research Project)
- Name of the Course
- Name of the Subject
- ID No. and the year
- Name of the Candidate
- Address of the Candidate
- **LAST LINE – HIDYATULLAH NATIONAL LAW UNIVERSITY, RAIPUR**

**2. ACKNOWLEDGEMENT**

**3. DECLARATION: The Dissertation/Research Project shall be duly signed by the candidate in the following format**

This is to certify that this Dissertation/Research Project is original work and that I have not taken or borrowed any materials from other's work nor have I presented this partly or fully to any other Institution/College/University for obtaining any degree. The excerpts taken from other sources have been duly acknowledged.

I have complied with all formalities prescribed in this regard.

Date :

Candidate's Name and Signature  
ID NO. and Year

**4. Content page along with page numbers.**

**5. Suggested Chapterisation:**

Chapter I – Introduction, Introducing the topic, statement of the problem to be Addressed, methodology.

Chapter II – Existing legal system along and provisions and relevant cases.

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Chapter III – Approaches to the issue, views from different quarters, various court decisions in India.

Chapter IV – Prevailing system in other countries, comparative study of foreign laws and cases decided by courts in other countries.

Chapter V – Any other related matters, survey, field work, data analysis if collected.

Chapter VI – Conclusions and Suggestions.

6. **Footnotes** should be given from 1 to the end, continuously. Quotations from books, Judgments and cases must be clearly acknowledged in the footnotes. Uniform style of Footnotes/Endnotes must be followed throughout the report.
7. **All cases mentioned must italicized in the text.**
8. A Bibliography must be given in the end, clearly distinguishing the primary and secondary sources, books, articles, case laws and other material.

*For any clarifications contact:*

**Course Coordinator**

**GAURAV SHUKLA**

(Faculty of Law)

Hidayatullah National Law University

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