

# Vidya Vikas Mandal's G.R. Kare College of Law

## **Admissions Open to LL.M. Programme 2016-17** **(Choice Based Credit System)**

The LL.M. Programme of Goa University with Choice Based Credit System of Instruction is to enable those students who have passed the LL.B. professional Programme, to seek academic excellence and to facilitate job opportunities, which require higher level of legal learning. The current CBCS is aimed to restructure the LL.M. Programme to suit the present needs and to implement recommendation of University Grants Commission.

### **Duration and Specializations of the Programme**

- The LL.M. Programme shall be of two years duration with four Semesters. Each Semester shall have minimum 15 weeks of teaching, excluding the break, vacation and examination.
- The LL.M. programme shall be offered in any one or more of the following Specializations:
  1. Labour and Industrial Law
  2. Criminal Law
  3. Intellectual Property Rights
  4. Corporate and Commercial Law
  5. Constitution and Administrative Law

### **Admission and Eligibility**

- A. To be eligible for admission to the LL.M. Programme, a candidate shall be required to have obtained a minimum of 50% marks in aggregate at the 5 years

or 3 years LL.B. Programme, recognized by the Bar Council of India.

- B. Admission to the LL.M. Programme shall be based on merit. The Merit List shall be prepared, based on the highest score obtained by the candidate at the 5 years or 3 years LL.B. Programme.
- C. Colleges offering the LL.M. Programme may choose from amongst the above Specializations. Colleges must expressly mention on their website and the prospectus about the Specializations offered, at the beginning of each Academic Year.
- D. Students shall opt for any one of the Specializations offered by the College, at the time of admission to the Programme. The selected candidates shall be admitted by the College in the specified Specialization in the First Semester itself based on merit and the availability of seats.
- E. Reservation of seats shall be in accordance with the directives of the Government of Goa and as adopted by Goa University. A candidate applying for admission under these categories shall be required to submit a valid certificate to that effect, issued by the Officer of the rank of the Deputy Collector or any other authorized Officer as notified by the State Government.

### **Scheme of Instruction**

- A. The instructional scheme for the LL.M. Degree Programme shall be based on the system of time-integrated units called Credits. To be eligible for the award of a Degree under the Choice Based Credit System (CBCS), a student shall be required to earn a minimum of 48 Credits.
- B. One Credit Theory Course shall be equivalent to 15 contact hours of learning activities such as lectures, group discussion, seminars, problem solving, tutorials and assessment. For example, A Four Credit Course shall have 60 contact hours (4 hours per week x 15 weeks) of these learning activities.
- C. The Credits shall comprise of Core Courses, Optional Courses and Dissertation. The Programme shall have Core Courses of 32 Credits,

Optional Courses compulsorily of 8 Credits and a compulsory dissertation comprising of 8 Credits. An adequate number of Optional Courses shall be offered to choose from, as recommended by the Board of Studies (BoS) and approved by the Academic Council, in order to earn the 8Optional Credits. In case a student opts for an Optional Course from outside the parent College, such Course shall be decided by the Departmental Faculty Committee (DFC).

- D. A student shall be eligible for the award of LL.M. Degree on the successful completion of 48 Credits. A student is also permitted to obtain maximum 8 additional Credits (48 + 8 =Total of 56 credits). However, the Degree/final Grade shall be awarded /computed based on his/her performance in Core Courses and the best performance of the Optional Courses required fulfilling the minimum number of Credits for the award of the LL.M. Degree. Additional Credits, if any, shall however, be depicted in the final transcript/mark sheet.
- E. A student is required to obtain a minimum of 40 Credits from the parent Institute, at which the student is registered; of which 32 would be the minimum number of Core Credits and Dissertation of 8 credits. The remaining 8 Credits may be earned by the student by choosing from Optional Courses either from the parent Institute or any other Institute. Permission to transfer Credits in case of Institutions not affiliated to Goa University, may be allowed on a case to case basis by the Departmental Faculty Committee (DFC).

## Course Structure

A. The Semester-wise flow chart of Courses is as under:

Semester	Core Courses	Optional Courses	Credits	Total Credits
Semester I	3	-	3x 4	12
Semester II	3	-	3x4	12
Semester III	1	1	2x4	8
Semester IV	1	1	2x4	8
Dissertation	-	-	1x8	8
<b>TOTAL NUMBER OF CREDITS</b>				<b>48</b>

B. An Optional Course may consist of 1 to 6 numbers of Credit(s).

C. A student is required to choose not less than 8 credits and not more than 16 Credits in a Semester. However, a student may not take up any of the Courses earmarked in a Semester and defer the same till such Semester when the concerned Courses are next offered by the College.

D. A student is required to choose the Optional Courses before the beginning of the Semester. Minimum number of students for an Optional Course shall not be less than five.

## Dissertation

1. The Dissertation work shall be spread over third and fourth Semesters
2. Topics for dissertations shall be finalized by the student in consultation with the DFC before the end of the second Semester.
3. Dissertation being 8 Credit Course, a student is required to engage 120 hours on dissertation work, of which at least 10% (12 hours) shall be compulsorily spent on consultation with the Guide, who shall supervise the student on a regular basis.

4. The final Dissertation shall be screened for Similarity Test as per the University norms.
5. The student shall declare, in the prescribed proforma, that the dissertation is his/her own work and that all the sources used are duly acknowledged.
6. The Guide shall certify, in the prescribed proforma, that the dissertation is an original work of the candidate completed under his/her supervision.
7. The student shall submit the dissertation to the College through the Guide, at least two weeks before the end of the term, which shall be notified by the DFC.
8. Every student shall submit one soft copy in CD and two hard bound copies of the dissertation to the college in the standard format as prescribed by the DFC.

### **Scheme of Examination**

1. The assessment of all Courses shall comprise continuous Intra-Semester Assessment (ISA) and Semester-End Assessment (SEA). The ISA shall be assessed internally by the concerned teacher(s) and the SEA shall be conducted by the University. Provided that if a student chooses any course from an Institute other than the parent Institute, the scores/grades communicated by such other Institute, based on their assessment, shall be accepted by the parent Institute.
2. For each theory Course, Intra- Semester Assessment (ISA) shall be 30% and Semester-End Assessment (SEA) shall be 70%. ISA shall be conducted by assignment, presentation, projects, case reviews and such other as approved by the DFC and the SEA shall be a written component only. However, the Core Course on Legal Education and Legal Pedagogy offered at second Semester shall have 50% of ISA and the remainder 50% of SEA.
3. A One Credit Course shall carry 25 marks. All other Courses shall carry marks

proportionate to the number of Credits. For example a four credit course shall carry  $4 \times 25 = 100$  marks.

### **Scheme of Evaluation**

1. Each component of ISA shall be evaluated for 10% of the total marks of the Course. Total number of ISA components for any Course, other than a one credit course, shall be three, irrespective of the number of Credits in the course, except the Core Course on Legal Education and Legal Pedagogy offered at the Second Semester, which shall be of five components.
2. For all Courses, a student is required to pass both ISA and SEA separately, with a minimum of 40%. Students securing less than 40% marks either in ISA or SEA will be declared as fail. Student cannot appear for SEA without passing in ISA. Students, who have either been declared failed in ISA, may appear for ISA only when ISA in that Course is next offered by the College.
3. The dissertation shall be assessed by a panel of three examiners, consisting of the Guide and two external examiners from the panel recommended by the BoS. The student shall make a presentation of the work before the panel of examiners and students of the College.
4. The dissertation shall be assessed for a total of 200 marks, of which 50 marks shall be for the presentation and viva voce and 150 marks shall be for the dissertation submitted. The average marks of the panel of all three examiners shall be considered for the grade.
5. To pass in the dissertation, a student has to secure a minimum grade of 'P'
6. A student who fails in the dissertation may be allowed to re-submit the dissertation after incorporating suitable modifications under the supervision of the Guide, in any subsequent Semester Examination.

### **Standard of Passing**

#### *Award of Grades*

1. Marks awarded in each Course shall be represented in the form of Grades. The Final result shall be declared as Grade Points.
2. The marks awarded in the ISA and SEA shall be added for awarding the grade for each Course. The percentage of marks and the corresponding grades for the Courses are indicated in the table below:

Range of percentage	Grades	Grade Point
85-100	O (Outstanding)	10
75- <85	A+ (Excellent)	9
65- <75	A (Very Good)	8
55- <65	B+ (Good)	7
50- <55	B (Above Average)	6
45- <50	C (Average)	5
40- <45	P (Pass)	4
0- <40	F (Fail)	0
	Ab (Absent)	0

3. A student shall be required to secure a minimum of 'P' grade to pass the Course.
4. For each Course, a student securing 'F' Grade in the Course, shall not be entitled to earn any Credits for that Course.
5. Students who do not secure a minimum of 'P' Grade in Core Courses shall have the option of answering S E A or to repeat the Course by registering for the Course whenever it is offered in the regular Semester.
6. In the case of Optional Courses, a student shall have the option of answering SEA in theory, as well as practical component, where applicable, in the following Semester(s), or to repeat the Course by registering for the Course whenever it is offered in the regular Semester, or register for an alternative Optional Course to secure requisite number of Credits.

### **Grievance Committee**

1. There shall be Grievance Committee of three teachers, Principal as the Chairperson, Head of the Department and the senior most faculty

members as other two members. No teacher, against whom a grievance is made, shall participate in the meetings of the Committee.

2. The Grievance Committee shall examine and decide on the grievances relating to the marking of answer-scripts/evaluation of tests of the students. The Committee may also consider any other matter related to examination and evaluation.
3. A student shall address his/her grievance(s) to the Principal, who shall place the same before the Grievance Committee for resolution. If the grievances are in the Course(s) taught by the Chairperson, the grievances shall be addressed to the Dean of the Faculty.
4. If the Grievance Committee finds that there is a prima facie case, it may refer the respective answer-scripts/ assignments, to an expert outside the University, for which the student shall have to pay the prescribed fee. The result of such an evaluation shall be final and binding.
5. The decision of the Grievance Committee shall be communicated to the student within one month of his/her filing of the grievance.

## Syllabus

Details (Course /Name)	Internal Assessment (ISA) Max. Marks	Semester Exam. (SEA) Max. Marks	Total Marks	Hrs. Per week	No. of Credits
<b>Semester – I</b>					
<b>Comparative Public Law</b>	30	70	100	04	04
<b>Research Methodology</b>	30	70	100	04	04
<b>Law, Society and Legal Thought</b>	30	70	100	04	04
<b>Semester – II</b>					
<b>Legal Education and Legal Pedagogy</b>	50	50	100	04	04



<b>Specialization Core Course – I</b>	30	70	100	04	04
<b>Specialization Core Course – II</b>	30	70	100	04	04
Semester – III					
<b>Specialization Core Course – III</b>	30	70	100	04	04
<b>Open Elective Course – I</b>				04	04
Semester – IV					
<b>Specialization Core Course – IV</b>	30	70	100	04	04
<b>Open Elective Course – II</b>				04	04
<b>Dissertation</b>					08

## Detailed Syllabus

### 1. COMPARATIVE PUBLIC LAW

#### Unit I: Concept of Public Law

1. Concept of Constitution
  - i. Meaning and Idea of Constitution, Nature and Goals
  - ii. Living Constitution
  - iii. Constitution as Supreme Law

#### Unit II: Study of Comparative Constitutional Law

1. Relevance
2. Problems and Concerns in Using Comparison
3. Globalization of Constitution

#### Unit II: Constitutionalism

1. Concept, Distinction between Constitution and Constitutionalism
2. Essential features of Constitutionalism -Written Constitution, Separation of Powers, Fundamental Rights, Independence of Judiciary and Judicial Review

#### Unit IV: Constitutional foundations of powers

1. Supremacy of Legislature in Law Making
2. Rule of law
3. Separation of powers

### **Unit V: Concept of State and State Action**

1. Meaning of State
2. State Action and Enforcement of Constitutional Rights

### **Unit VI: Forms of Governments**

1. Federal and Unitary Forms
2. Features, Advantages and Disadvantages
3. Models of Federalism and Concept of Quasi-federalism
4. Role of Courts in Preserving Federalism
5. Parliamentary and Presidential Forms of Government

### **Unit VII: Constitutional Review**

1. Methods of Constitutional Review
  - i. Judicial and Political Review
  - ii. Concentrated and Diffused Review
  - iii. Anticipatory and Successive Review
2. Concept and Origin of Judicial Review
3. Limitations on Judicial Review

### **Unit VIII: Amendment of Constitution**

1. Various Methods of Amendment
2. Limitations on Amending Power: Comparative Perspective
3. Theory of Basic Structure: Origin and Development

## **2. RESEARCH METHODOLOGY**

### **Unit – 1: Introduction**

1. Concept of Reflective Thinking
2. Objectivity in a Research and Importance of research
3. Legal Research, significance and its relevance in Indian society
  - a. Objectives and current trends in legal research
4. Methods of legal research
  - a. Doctrinal or traditional research
  - b. Non doctrinal or empirical research
  - c. Descriptive and analytical research
  - d. Applied and fundamental research
  - e. Historical research, case study
5. Scientific Methods in a Research
6. Relevance of Empirical Research
7. Induction and Deduction

### **Unit – 2: Identification & formulation of Research Problem**

1. Research Problem
2. Necessary Conditions for the Formulation of Research Problem
3. Sources of a Research Problem
4. Criterion of a Good Research Problem
  - a. Survey of Available Literature and Bibliographical Research.

- b. Legislative Materials Including Subordinate Legislation, Notification and Policy Statements
- c. Doctrinal Materials Including Foreign Decisions
- d. Juristic Writings
- e. Compilation of List of Reports or Special Studies Conducted Relevant to the Problem

### **Unit – 3: Preparation of the Research Design**

1. Concept of Research Design
2. Need, Features of a Good Research Design
3. Components of an Ideal Research Design
4. Kinds of Research Designs

### **Unit – 4: Formulation of the Research Problem and Literature Review**

- a. Concept of Hypothesis
- b. Salient features and sources of hypothesis
- c. Types of Hypothesis
- d. Hypothesis Formulation
- e. Relation between Hypothesis and theory

### **Unit – 5: Devising Tools and Techniques for Data Collection**

1. Primary data – sources - Observation, Interview, Questionnaire, Schedule
2. Secondary data - Sources of secondary data
3. Methods for the Collection of Statutory and Case Materials and Juristic Literature
4. Use of Historical and Comparative Research Materials
5. Use of Case Studies

### **Unit – 6: Sampling**

- a. Sampling Procedures - Design of Sample, Importance and advantages
- b. Types of Sampling to be adopted

### **Unit – 7: Analysis and Interpretation of Data**

- a. Analysis of data, legal inputs in analysis –
- b. Tabulation of data, - Use of Cards for Data Collection – Rules for Tabulation, Explanation of Tabulated Data
- c. Use of graphs, statistics in research,
- d. Simple methods or Mean and Mode methods in interpretation of data
- e. Use of scaling techniques
- f. Jurimetrics

### **Unit – 8: Computerized Research**

- a. A study of Legal Research Programmes such as Lexis Nexis and West Law coding
- b. Internet material and its application in legal research
- c. Library and its use in legal research

### **Unit – 9: Research Report**

- a. Parts of a Report,
- b. Contents of report,
- c. Steps in preparing the report in general

d. Rules of Citation

**3. LAW, SOCIETY AND LEGAL THOUGHT**

**Unit 1: Concept of Law & Justice**

1. Meaning ,Kinds and Role Law of justice in society
2. Relation between Law and Justice
3. Approaches of different schools
4. Concept of justice or dharma in Indian Thought and in the Indian Constitutional Scheme
5. The concept and various theories of justice in modern Western thought
  - i. Rawl's
  - ii. Nozick
  - iii. Dworkin

**Unit 2: Contemporary Legal Thought**

1. Feminist critique and gender bias in law
2. Radical critique of law and justice
3. Critical legal studies

**Unit 3: Judicial Process**

1. Nature of judicial process - independence of the judiciary
2. Methods of Judicial interpretation
3. Judicial activism and creativity of the Supreme Court - the tools and techniques of creativity.
4. Judicial process in pursuit of constitutional goals and values

**Unit 4: Judicial Law- Making**

1. Introduction to Precedent
2. Doctrine of Stare decisis in theory and practice
3. Ratio Decidendi and Tests to determine the ratio decidendi ,obiter dicta
4. Overruling, Prospective Overruling, Distinguishing trends
5. Precedent in Common law vs. Precedent in Civil countries
6. Precedent in India

**Unit 5: Social Change**

1. Understanding Social Change
2. Meaning of Social Change
  - i. Change in Social Structure
  - ii. Change in Social Institutions
  - iii. Change in Social Behaviour
  - iv. Change in Social Relations
3. Cause of Social Change
  - i. Materialistic and Idealistic
4. Factors of Social Change
  - i. Physical Environment
  - ii. Population
  - iii. Isolation and Contact

**Unit 6: Theories of Social Change**

1. Western Theories

- i. Evolutionary theory
  - ii. Revolutionary
  - iii. Conflict Theory
  - iv. Cyclical Theory
  - v. Functionalist/Equilibrium Theory
2. Indian Theories
- i. Sanskritization
  - ii. Westernization/Modernization

**Unit 7: Correlation between Law And Social Change**

- 1. Law as an Instrument of Social Change
- 2. Institutionalization and Internalization of law

**Unit 8: Role of Legal Institutions, Law And Social Transformation**

- 1. The Role of Law Commission in transforming the Law
- 2. The Role of Judiciary in Expanding the horizons of Law-New Rights Philosophy-Public Interest Litigation
- 3. Role of Legislature and Executive in reforming the Law: Social Stratification and Agrarian Reforms

Semester II

**1. LEGAL EDUCATION AND LEGAL PEDAGOGY**

**1. Legal Education in India: Trends**

**Unit I: Legal Education and its transformation**

- 1. Efforts by BCI
- 2. UGC
- 3. State

**2. Ideas of Justice and Justice Education**

**Unit II: Ideas of Justice**

- 1. Libertarianism
- 2. Utilitarianism
- 3. Egalitarianism and Distributive Justice
- 4. Capabilities Approach to Justice
- 5. Relationship between Law and Justice

**Unit III: Justice Education**

- 1. Legal Education in India: Focus and Emphasis
- 2. Need for a Shift from Legal Education to Justice Education

**Unit IV: Clinical Legal Education**

- 1. Rationale in Introducing the Clinical Curricula
- 2. Justice Oriented Approach in Clinical Methods
- 3. Issues in Implementing the Clinical Curricula

**3. Methods of Teaching, Evaluation and Supervision**

**Unit V: Teaching Methods in Law**

- 1. Role of a Law Teacher
- 2. Teaching Methods

- i. Lecture Method
- ii. Case Method
- iii. Problem Method
- iv. Discussion Method
- v. Simulation and Role Play
- vi. Collaborative Teaching
- vii. Seminar Method
- viii. Other methods

**Unit VI: Learning Objectives and Curriculum Planning**

- 1. Curriculum Planning
- 2. Developing Teaching Plans

**Unit VII: Teaching Professional Values and Skills**

- 1. Identifying Professional Values and Skills
- 2. Employing Clinical Methods in Law Teaching
- 3. Practical Training Courses and Skills Training
- 4. Client Counseling
- 5. Negotiation and Mediation

**Unit VIII: Evaluation of Student's Performance**

- 1. Examination System
- 2. Problems in Evaluation
- 3. Methods of Evaluation – Continuous Evaluation and End – term Exams and Assessment
- 4. Supervision
  - i. Research Supervision and Inculcation of Good Practices
  - ii. Extension Services – Legal Aid and Legal Awareness
  - iii. Internships
  - iv. Placements

Semester I	Semester II	Semester III	Semester IV
Comparative Public Law	Legal Education and Legal Pedagogy	Specialization Core Course – III	Specialization Core Course – IV
Research Methodology	Specialization Core Course – I	Open Elective Course – I	Open Elective Course – II
Law, Society and Legal Thought	Specialization Core Course – II		Dissertation

## Specialization: Criminal Law

### Scheme of Arrangement of Courses Semester wise

Semester No	Core Course	Electives
Semester – II	Crime, Criminology and Crime Prevention	International Criminal Law
	Contemporary Forms of Crime	Human Rights and Criminal Justice
Semester – III	Penology and Treatment of Offenders	Juvenile offenders and the Law
Semester – IV	Victims and Criminal Justice System	Indian Constitution and Criminal Justice Administration

## Specialization: Intellectual Property Rights

Semester No	Core Course	Electives
Semester – II	Patent Law-Creation and Registration	Information Technology and IPR– Law and Practice
	Copyright - Law and Practice	Biotechnology and Intellectual Property Rights
Semester – III	Law on Designs, Trademarks and Geographical Indications	International Trade Law
Semester – IV	Law on Traditional Knowledge, Bio diversity, and Plant Varieties – Promotion and Protection	Economic Development and Intellectual Property Rights Law

## Specialization: Corporate and Commercial Law

Semester No	Core Course	Electives
Semester – II	Corporate Law	Investment and Securities Law
	International Trade Law	Corporate Governance & Human Rights
Semester – III	Banking and Insurance Law	Corporate Social Responsibility
Semester – IV	Consumer and Competition – Law and Practice	Business and Trade Law (IPR)

### Specialization: Constitutional and Administrative Law

Semester No	Core Course	Electives
Semester – II	Constitutional Theory and Practice	Constitutional Review and Adjudication
	General Principles of Administrative Law	Freedom of Expression, Religious pluralism and Minorities
Semester – III	Constitutional Framework of Governance	Disadvantageous Groups and Constitutional Framework
Semester – IV	Federalism and Intergovernmental Relations	Comparative and Global Administrative Law

### Specialization: Labour and Industrial Laws

Semester No	Core Course	Electives
Semester – II	Industrial Relations Law	Law Relating to Service Regulations
	Law Relating to Industrial Injuries And Social Security	Agricultural Labour Law
Semester – III	Law Relating to Labour Welfare	Dispute Resolution in Labour Management Relations
Semester – IV	Trade Unionism, Collective Bargaining and Industrial Adjudication	Laws Relating to Wage Determination and other Benefits



## **FEE STRUCTURE:**

SR. NO.	PARTICULARS	AMOUNT	
		F.Y.LL.M	S.Y.LL.M
1.	Tuition Fee	32,500.00	32,500.00
2.	College Development fund	1000.00	1000.00
3.	Computer Lab Fees	1000.00	1000.00
4.	Library Deposit (Refundable)	1000.00	--
5.	Library Fee	1500.00	1500.00
6.	Gymkhana Fee	250.00	250.00
7.	Student Activity Fee	174.00	174.00
8.	Goa University Registration Fee	500.00	--
9.	University Administration Fee	1000.00	1000.00
10.	Student Aid Fund	58.00	58.00
11.	Other Fees	330.00	330.00
12.	Miscellaneous Fee	200.00	200.00
<b>TOTAL (Rs.)</b>		<b>39,512.00</b>	<b>38,012.00</b>

For more details, contact:

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