

PROSPECTUS

The National University of Advanced Legal Studies (NUALS) had its origin in 2002 with the formation of the National Institute for Advanced Legal Studies (NIALS) sponsored by the Bar Council of Kerala. By the Act 27 of 2005, the Kerala State Legislature has transformed the Institute into the present University. In 2008, an amendment streamlined the powers and functions of the authorities of the University and ensured the active involvement of the Government of Kerala.

NUALS is located in the heart of the city at present and will be shifted to the new campus in the suburbs of Kochi in due course with residential facilities for all students.

The present campus is Wi-Fi enabled and it provides adequate academic infrastructure including internet connectivity, on-line legal resources including Westlaw, and a computer lab besides a good collection of standard books and reports, both foreign and Indian.

The NUALS teaching pedagogy is non-conventional with a combination of various methods of studying law with emphasis on student centered education. There is continuous internal assessment on student participation and performance. In order to develop analytical skills and critical faculties and to keep the students abreast with the changes in law and social mores, seminars and debates on recent cases and legal developments are held regularly. The special lectures periodically delivered by eminent judges, distinguished jurists and reputed visiting fellows attract enlightened audience to the NUALS campus providing opportunity for more academic and intellectual discourses. Some of the judges of the High Court of Kerala offer periodic lectures.

The NUALS Law Journal, managed by the students, carries research articles on topics of current importance. The NUALS Legal Aid Clinic organizes awareness and outreach programmes and initiates the students to render legal advice and counseling.

The NUALS organizes a number of training programs, diploma and certificate courses and continuing education programs.

UNIVERSITY GOVERNING BODIES

The NUALS has the following authorities:

1. The General Council
2. The Executive Council
3. The Academic Council
4. Such other bodies as may be declared by regulations to be the authorities of the University.

The General Council shall have the power to review the policies and programmes of the University and suggest measures for the improvement and development of the University. It also

reviews the annual report and audited accounts of the University presented to it by the Executive Council. The General Council shall meet once in a year. The Chancellor, or in his absence, the Vice-Chancellor shall preside over the meeting. Registrar is the Ex-officio Secretary.

The Executive Council is the Chief Executive body of the university. The administration, management and control of the University is vested with the Executive Council. It is empowered to manage and regulate the finances, accounts, investment and properties and all other administrative affairs of the University. The Vice-Chancellor is the Chairman of the Executive Council and the Registrar is the Secretary, Ex-Officio.

The Academic Council has the power of superintendence and control of and be responsible for the maintenance of standards of instruction, education, research, publications and examinations of the University. It can also make recommendation to the Executive Council with regard to the creation, abolition or classification of teaching posts in the University and duties and functions attached thereto.

The Chief Justice of India is the Visitor of NUALS and the Chief Justice of the High Court of Kerala is the Chancellor of the University. The Minister of Education of Kerala State is the Pro-Chancellor of the University.

MEMBERS OF THE EXECUTIVE COUNCIL

- 1) Prof. (Dr.) N. K. Jayakumar
Vice-Chancellor
- 2) Hon'ble Mr. Justice K. T. Sankaran
Judge, High Court of Kerala
- 3) Sri. C.P. Sudhakara Prasad
Advocate General of Kerala
- 4) Sri. S. Gopakumaran Nair
Sr. Advocate & Member, Bar Council of India
- 5) Sri. Vinod Singh Cherian
Advocate & Chairman, Bar Council of Kerala
- 6) Principal Secretary
Higher Education Dept., Government of Kerala
- 7) Principal Secretary to Finance Department
Government of Kerala
- 8) Law Secretary
Government of Kerala

- 9) Dr. N. Narayanan Nair
Managing Trustee, Bar Council of Kerala Trust
- 10) Sri. V.D. Satheesan
Member, Legislative Assembly
- 11) Adv. N. Santha
- 12) Adv. K.A. Balan
- 13) Dr. G.C. Gopala Pillai
- 14) Dr. P. Leelakrishnan
- 15) Sri. M.K. Damodaran
Senior Advocate, High Court of Kerala
- 16) Smt. Indira Ravindran
Advocate, Thiruvananthapuram
- 17) Shri. Jacob Joseph
Lecturer, NUALS
- 18) Prof. M. P. Kannan
Professor, Department of Chemistry
University of Calicut
- 19) Ms. Devika S. Sruthy
Student, NUALS

FACULTY

- 1) Prof. (Dr.) N. K. Jayakumar
Vice-Chancellor
- 2) Dr. M.C. Valson
Professor
- 3) Dr. Balakrishnan K.
Reader
- 4) Shri. Sudheesh Kumar S.
Lecturer

- 5) Shri. Jacob Joseph
Lecturer
- 6) Shri. Hari S. Nayar
Lecturer
- 7) Shri. Anil R. Nair
Lecturer
- 8) Shri. Raveendra Kumar D.
Lecturer
- 9) Smt. Namitha K. L.
Lecturer
- 10) Ms. Sheeba S. Dhar
Lecturer
- 11) Ms. Liji Samuel
Lecturer
- 12) Mr. Abhayachandran K.
Lecturer

Prof. Dr. Markus Schefer LL.M., Chair for Constitutional and Administrative Law, University of Basel, Switzerland had joined the faculty as Visiting Professor and Dr. Krista Beth Nadakavukaren Schefer, Dr. iur. J. D., Attorney-at-Law, Specialist in International Trade Law, as Visiting Fellow from January to July, 2010. They were associated with the LL.M programme and offered classes in Comparative Constitutional Law and International Trade Law, respectively.

In addition to the regular and visiting faculty mentioned above, sitting and retired Judges of the Supreme Court and High Courts, Senior Advocates, Senior Academicians, top bureaucrats and eminent public men will be associated with the LL.M Program as Adjunct and Visiting Faculty.

ELIGIBILITY

The minimum qualification for admission shall be a pass in the 5 year B. A. LL.B. (Hons.) Degree Examination of the National University of Advanced Legal Studies or an examination recognized as equivalent thereto with a minimum of 50% of the total marks in the aggregate. However, candidates belonging to Scheduled Castes/Scheduled Tribes (SC/ST) are allowed to apply if they do have not less than 45% marks in the qualifying examination. Students who are appearing for the qualifying examination in full are also allowed to appear for the

entrance test. However, they should submit the results of the qualifying examination at the time of interview/admission. If they do not do so, the candidate shall be considered ineligible.

INTAKE AND RESERVATION

Intake for the LL.M. Degree Programme shall be 12. Reservation of seats shall be as applicable to SC/ST and Backward and Other Backward candidates as prevalent in the state of Kerala.

FEE STRUCTURE

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| 1. Tuition Fee | - | Rs. 25,000/- per annum |
| 2. Library Deposit | - | Rs. 5,000/- (Refundable) |
| 3. Library Fee | - | Rs. 5,000/- per annum |
| 4. Infrastructure Fee | - | Rs. 1,000/- per annum |

The candidate shall have to remit Rs. 1,000/- as Caution Deposit annually. They will have to remit Rs. 1,000/- as Alumni Association fee at the time of leaving the institution after completing the course and the same will be deducted from the caution deposit. Additionally, the candidate will have to remit the usual examination fee and such other fees prescribed to be remitted by the University from time to time. NUALS reserves the right to revise the fee structure. The other fees to be remitted at the time of admission are:

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| a. Computer / Internet fee | - | Rs. 300/- |
| b. Students' Council fee | - | Rs. 200/- |
| c. Quasi University fee | - | Rs. 100/- |
| d. Matriculation fee | - | Rs. 200/- |
| e. Recognition fee | - | Rs. 150 (for candidates coming from Institutions outside Kerala) |
| f. Contribution towards PTA Fund | - | Rs. 500/- |

ADMISSION PROCEDURE

Spot Admission will be made on 10.08.2010.

GENERAL INFORMATION

The following documents should be submitted along with the application form:

- 1) Attested copies of the mark lists of the qualifying examination (if received)
- 2) Attested copies of the Caste/Community Certificate (for those who are claiming reservation)
- 3) Attested copy of certificate to prove the date of birth
- 4) Two copies of recent passport size photographs attested by a gazetted officer

Registration Fee of Rs. 1,000/- (Rs. 500/- in respect of SC/ST candidates on production of proof of community) shall also be remitted along with the filled-in application form.

The Vice-Chancellor may refuse admission to any candidate whose character and conduct in his opinion, is not satisfactory.

Any dispute involving NUALS will be adjudicated only in the Courts within the territorial jurisdiction of which NUALS situates.

If it is found at any stage during the entire period of the Programme that the candidate has furnished any false or incorrect information on the Application Form or at any time of admission, his/her candidature for the Programme will be cancelled summarily and fee paid till then will also be forfeited.

If it is found at any stage during the entire period of the Programme that the candidate does not fulfill the requisite eligibility conditions, his/her admission will be cancelled and the entire fee will also be forfeited.

The University maintains a zero tolerance policy towards anti social activities like ragging. In case any applicant for admission is found to have indulged in ragging in the past or if it is noticed later that after admission to NUALS he/she has indulged in ragging, admission may be refused or if already admitted, he/she shall be expelled from the University summarily.

SALIENT FEATURES OF THE COURSE

The LL.M. Degree Programme of the National University of Advanced Legal Studies is a full time regular course of two years' duration in the credit and semester system, with each year consisting of two semesters.

A student who is admitted to the LL.M. Degree programme can opt to pursue the programme under any one of the Subject Groups offered by the University in that year.

The two Subject Groups offered in the 2010 admissions are (1) International Trade Law and (2) Constitutional & Administrative Law. Not more than six students will be enrolled under each subject group. The allocation of the students to the subject groups will be made on the basis of their choice and their respective rank as determined through the admission process. A candidate shall at the time of applying for the course indicate his preferences as to the Subject Groups offered in that year.

A student enrolled under a particular subject group will have to undergo Compulsory, Core and Elective Courses. The LL.M. Degree programme shall also have a Term Research Paper Programme, Tutelage Programme, Legal Aid Programme as well as a Dissertation and a Viva Voce.

Accumulated minimum credit required for successful completion of the programme shall be 72.

No student shall register for more than 24 credits and less than 16 credits per semester.

No student shall be permitted to appear for the end semester examination unless he has fulfilled the requirements of the course and has attended not less than 75 % of lectures in aggregate of all papers in a semester.

Unless otherwise provided the performance of a student in each course shall be assessed out of 100 marks. The marks for Continuous Assessment (CA) shall be 50 and the marks for End Semester Examination (ESA) shall be 50.

A student shall be declared to have passed in a course only if he has secured not less than 50% of the total aggregate marks allotted for that course and has also secured not less than 50% of the maximum marks for the end-semester examination in that course.

Those who fail in any Compulsory, Core or Elective course shall be given not more than two additional chances for appearing in the end semester examination within a period of two years after the completion of the course.

The allocation of marks for each component under continuous assessment shall be in the following proportion:

Attendance	-	5 Marks
Written tests	-	15 Marks
Class participation & discipline	-	5 Marks
Preparation of short assignment/s	-	15 Marks
Participation in Seminars	-	10 Marks

Every student undergoing the LL.M. Degree Programme shall submit a dissertation at the end of the Fourth Semester.

The total marks allocated for the dissertation shall be 200 i.e., 150 marks for the written work and 50 marks for the viva voce. The minimum marks for securing a pass in the dissertation programme shall be 50% of the total marks allocated for the dissertation work.

A candidate who has failed to secure the minimum marks for the dissertation may submit a new or revised dissertation before the LL.M. Degree examination of the next year.

A student shall not be permitted to submit a new or revised dissertation after two years from the completion of his course.

The tutelage programme shall be an integral component of the second, third and fourth semesters of the LL.M. programme. The purpose of the programme is to give the students hands on experience in teaching. It is also intended to assess the ability of a student in teaching and other academic aspects related to teaching.

Every student undergoing the LL.M. Degree Programme shall prepare at least one term research paper in the first, second and third semesters. The objective of this programme is to enable the students to put into practice the concepts and theories taught in the Core course on research methodology in the first semester and to enable the student to write a paper on any subject of importance so that at the end of the course he would have to his credit at least three publications.

SCHEME OF LL.M. DEGREE PROGRAMME

Semester	Compulsory Courses	Core Courses	Elective Courses
Semester I	<ol style="list-style-type: none"> 1. Law in Society (80 Hours) (100 Marks) (4 Credits) 2. Legal Education & Research Methodology (40 Hours) (50 Marks) (2 Credits) 3. Term Research Paper (50 Marks) (2 Credits) 	<ul style="list-style-type: none"> • Core Course 1 (80 Hours) (100 Marks) (4 Credits) • Core Course 2 (80 Hours) (100 Marks) (4 Credits) 	Minimum credits to be compulsorily acquired from the subject group of specialisation: 4 Additional credits that may be acquired from Additional Elective Courses: 4 (Depending upon the choice of electives offered by the university)
Semester II	<ol style="list-style-type: none"> 4. Judicial Process (80 Hours) (100 Marks) (4 Credits) 5. Term Research Paper (50 Marks) (2 Credits) 6. Tutelage Programme (50 Marks) (2 Credits) 	<ul style="list-style-type: none"> • Core Course 3 (80 Hours) (100 Marks) (4 Credits) • Core Course 4 (80 Hours) (100 Marks) (4 Credits) 	Minimum credits to be compulsorily acquired from the subject group of specialisation: 4 Additional credits that may be acquired from Additional Elective Courses: 4 (Depending upon the choice of electives offered by the university)
Semester III	<ol style="list-style-type: none"> 7. Term Research Paper (50 Marks) (2 Credits) 8. Tutelage Programme (50 Marks) (2 Credits) 	<ul style="list-style-type: none"> • Core Course 5 (80 Hours) (100 Marks) (4 Credits) • Core Course 6 (80 Hours) (100 Marks) (4 Credits) 	Minimum credits to be compulsorily acquired from the subject group of specialisation: 4 Additional credits that may be acquired from Additional Elective Courses: 8 (Depending upon the choice of electives offered by the university)
Semester IV	<ol style="list-style-type: none"> 9. Tutelage Programme (50 Marks) (2 Credits) 10. Dissertation (200 Marks) (6 Credits) 11. Course Viva Voce (50 Marks) (2 Credits) 12. Clinical Legal Education (50 Marks) (2 Credits) 	<ul style="list-style-type: none"> • Core Course 7 (80 Hours) (100 Marks) (4 Credits) 	Additional credits that may be acquired from Additional Elective Courses: 8 (Depending upon the choice of electives offered by the university)

SUBJECT GROUP I – INTERNATIONAL TRADE LAW

Introduction

Policies relating to globalisation and development are inextricably intermingled with a complex system of international agreements and domestic regulation of industry and other economic entities. The result is a contentious world of market forces exerting much influence on the multilateral trading order, and in the process, challenging beliefs about the effectiveness of the trading system in achieving the shared goals of prosperity and justice. The course is intended to give an introduction to the bewildering world of global trade in terms of its legal framework. The basic objective of the course is to give the student an indepth overview of the world trading system. It aims to introduce the students to the principles and practice of international trade law. The course will explore the theoretical underpinnings, objectives and core principles of International Trade Law as well as the political and economic dimensions of international trade rules. The course seeks to address questions related to globalization and the international trading system, focusing on the principles, law and procedures of the WTO. The functioning of the dispute settlement system of the WTO will be explored, together with the general principles as they apply to trade in goods, investment, and trade in services. The course attempts to create awareness of the political context in which the various trade disputes are being determined and thereby enable the students to identify the policy debates surrounding them. Potential conflicts between trade liberalization and other important societal values will be addressed as well as the role of developing countries in the international trading system. The course is designed for those students who may practice in the subject area (either in private firms or government positions) as well as students who would like to have an understanding of the world trading system for scholarly or leadership reasons.

CORE COURSES

- ❖ Legal Control of International Trade
- ❖ World Trade Organisation: Evolution, Structure and Dispute Resolution
- ❖ General Principles of GATT & WTO Law
- ❖ International Economic Institutions
- ❖ Law of Transnational Sales
- ❖ SPS Measures, Technical Barriers to Trade and WTO Law
- ❖ Anti-Dumping Law and The Law Relating to Subsidies and Countervailing Measures

Elective courses include Carriage, Marine Insurance, Trade and Environment, Law Relating to Trade in Services (GATS), Trade and Human Rights.

All Elective Courses may not be offered every semester. The University reserves the right to offer any one or more of the abovementioned courses or any course not mentioned in the above list in one or more semesters.

SUBJECT GROUP II – CONSTITUTIONAL & ADMINISTRATIVE LAW

Introduction

Even after the emergence of many ‘cutting edge’ subjects, which have attained great popularity among students, the importance of Constitutional Law remains unchallenged. Specialized knowledge of Constitutional Law enables a person to perform better as a lawyer in the High Court and the Supreme Court and also in advisory and policy making roles. Administrative Law, which is considered as the dynamic aspect of Constitutional Law, also assumes equal significance, especially in the context of the emerging regime of administrative regulation in the liberalized economy. Academics and researchers specially trained in Constitutional and Administrative Law are needed to sustain our constitutional democracy, safeguard rule of law, and to improve the system of governance. The combination ‘Constitutional and Administrative Law’ is offered in our LL.M. Program with Core Courses aimed at building up a strong conceptual foundation and a wide range of fascinating Elective Courses with emphasis on practical applications and problem solving.

CORE COURSES

- ❖ Constitutional principles & structure
- ❖ Constitutional Rights and Social Justice
- ❖ Judicial Review of legislations & Constitutional Amendments
- ❖ Judicial review of administrative action
- ❖ Discretionary powers & governmental liability
- ❖ Centre- State relations
- ❖ Law relating to public employment.

Elective courses include Emerging regime of Administrative Regulation, Legal Control of Corruption and Maladministration, Law of Education, Immigration law, and Atomic Energy law.

All Elective Courses may not be offered every semester. The University reserves the right to offer any one or more of the above mentioned courses or any course not mentioned in the above list in one or more semesters.