

B.A.LL.B.

Perspective

Modern Legal Education began taking place only in B.S. 2028, when a fulltime three-year Diploma in Law, after graduation, was introduced by Tribhuvan University. The development presented a promising future of legal education as an independent 'Institute of Law' was established to look-after. However, it got a shocking treatment in B.S. 2037, when 'institute' was converted into a low profile 'Faculty of Law'. The proficiency certificate level was eliminated, and the older version of graduate + three-year course was reintroduced.

Purbanchal University's efforts to introduce five-year LL.B course after higher secondary (10+2) education revamped the early 1970s enthusiasm in legal education. From B.S. 2059, Purbanchal University affiliated Kathmandu School of Law formally began to implement the course. After seven years, T.U. also introduced the five-year LL.B course, naming it B.A.LL.B.

Currently, Purbanchal University, Tribhuvan University and Kathmandu University are successfully implementing the five year LL.B. course.

Demands and Supply Situation

Human resource produced by law schools have has wider demand in the market. The following sector are 'consumer sectors':

- (a) Judiciary- Judiciary consumes legal human resource as law officers and bench assistants in different tiers of court. On average, each year about 50 new officers are inducted.
- (b) Attorney General Office: Attorney General's office is another significant consumer of the legal human resource. On average, 50 fresh law graduates are inducted each year.
- (c) Ministry of law and justice and other law offices of the Government of Nepal: Ministry of Law and Justice, Law Commission, Judicial Training Center consume on average 25 fresh law graduates annually.
- (d) Security Agency: Nepal Military Nepal Police, Armed Police Force induct about 10 fresh law graduates annually.
- (e) Banking and Business Sector: Banking and business community is the largest consumer of the law graduates. Company registers, legal officers, loan officers and legal advisors are the internal sectors inducting fresh graduates in banking and business establishments. It is not possible to state exactly the annual induction ratio in this sector, it can wisely assumed that over hundred fresh graduates have opportunity in this sector.
- (f) Bar Association: Defense law practice is the widest consumer of the fresh graduates once they are qualified from the Bar Association. This sector can comfortably accommodate 200 fresh graduates every year.
- (g) Opportunity of employment in the new perspective of federal structure and local government: The Local Government Act has provision concerning mediation and legal settlement of disputes, in addition to the provision under constitution. With the level and volume of works required by the constitution and law each of 744

local government require at least three law graduates to carry out its legal or judicial function. About 2,500 fresh graduates is the recent necessity of the local government sector. The federal structure will have 7 ministries of Law and Justice besides seven offices of the 'Chief Prosecutor'. Addition 200 fresh graduates will be required in these new offices to be established.

Present Production

Purbanchal University and Tribhuvan University are producing about 200 fresh graduates each year, of which larger part is consumed by defense Bar and Business sector. Legal human resource is therefore in a state of under supply to the government and judicial sector. The demands of the new law graduates at this point require at least five new law schools to be established.

Some new Universities have introduced law but their products are yet to be tested in the legal field may it be practicing lawyers, government attorneys, officials or corporate houses.

Review of the existing program and course structures:

Purbanchal University runs a five-year BA.LL.B. annual program. Same is the situation of Tribhuvan University. Kathmandu University has initiated a B.M.LL.B. program. In market, only graduates produced by Purbanchal University and Tribhuvan University are working, as KU has just graduated students yet to be tested in legal practicing field. KU, MPU and TU however, has introduced a semester system.

Course Details

- (a) Purbanchal University- 3900 Full Marks
- (b) Tribhuvan University- 3400 Full Marks
- (c) Kathmandu University- No complete curriculum is available
- (d) Madhyapaschimanchal University - No complete curriculum is available

Characteristics Distribution

Purbanchal and Tribhuvan Universities both have adopted the following modalities.

- (a) Inter-disciplinary approach is adopted. Purbanchal University has included under number of social sciences, such as sociology, political science, economics, management and history.
- (b) Purbanchal University has emphasized the 'discipline of philosophy and logic'.
- (c) Purbanchal University and Tribhuvan University both have adopted 'Clinical Education Modality' however, Purbanchal University has the following additional Clinical Courses:
 - Trial Advocacy: Simulation Courses.
 - Community Outreach Program at 1st, 2nd, 3rd and 4th year.
 - Professional Development Course is included in 5th year.
- (d) Purbanchal University has adopted a strategy of partial specialization where Tribhuvan University has offered 'General' course. PU has offered partial specialization in

Criminal Law, Business Law, constitutional Law and Environment and Development Law.

Curriculum Summary

There are 77 subjects in total out of which 57 are compulsory and 20 optional having 18 to 21 credits per semester. The subjects of Humanities and Social Sciences are 15 remaining the rest under the disciplines of Law. The total Credit is 189 and one credit consist of 16 hours. There are two compulsory subjects as alternatives for foreign students as Legal English instead of Legal Nepali. At the end, students complete 55 compulsory and Five optional subjects/ courses through both internal and external exams for obtaining the BALLB Degree.

Teaching Methods

The methods of teaching shall be based on lectures, discussions, tutorials, case studies, research, simulation, moot-court, seminars, workshops, role-playing, problem-solving, self-study, book/article reviews, class presentation, etc. The main features of teaching methods include inter-disciplinary approach with Socratic and participatory methods. Guest lectures by eminent personalities are an integral part of teaching and research. The medium of teaching and research is English unless it is specified otherwise.

Teaching and Reading Materials

All teachers and students must take references of all legal materials such as the constitutions, legislations, rules and regulations, guidelines, including policies and directives issued by the concerned authorities both at national and international levels- at least up to the period of the past six months from the date of the completion of the courses and subsequent exams. Further, both teachers and students are required to refer to the latest edition of reference materials as prescribed and those newly published during the academic periods. In addition to the reference materials prescribed for each of the courses, more materials shall be updated regularly in the website of the FoL at materials shall be updated regularly in the website of the FoL at www.fol.edu.np.

Research Activities

The Research Branch of the Faculty of Law regularly conducts research projects by involving teachers and students as far as possible. Other activities include organizing seminars, workshops, and interaction programmers regularly. The RJU Centre for Human Rights (RJUCHR) and the RJU Centre for Environmental Law (RJUCEL) are also involved in academic research and training activities. The Clinical Law Program established in the RJU also offers practical learning opportunities for students.

Law Journals/Magazines

The FoL is considering the publication of various thematic journals in future. Currently, the Nepal Law Review, published by the Nepal Law Campus, Kathmandu, Kathmandu School of Law Review, KSL, PU and KUSL Review, KUSL, KU are most useful resource materials for students.

In addition, students are required to regularly consult the following law journals and from other institutions in Nepal and abroad as related to the subject matters:

In Nepali

Nepal Kanoon Patrika, Supreme Court of Nepal

Nyayadut, Nepal Bar Association

Kanoon, Lawyers' Club

Pairavi, Pairabhi Prakashan

Bahash Pairabi, Pairabhi Prakashan

Hamro Sampada Monthly, Kathmandu

In English

Annual Survey of Nepalese Law/Nepal Bar Council, Nepal Bar Council

National Judicial Academy Journal, National Judicial Academy

Supreme Bar Journal, Supreme Court Bar Association, Nepal

Business Law Journal, Commercial Law Society, Nepal

Libraries

All of the constituent and affiliated campuses/colleges shall have their own libraries and computer lab as necessary. For more access to literature and legal materials, the following libraries also exist around. Tribhuvan University Central Library, Supreme Court Library, Nepal Bar Association Bar Library, Library of Ministry of Law and Justice, Central Law Library, The American Center, The American Library, British Council Library, Water and Energy Commission Secretariat Library.

Internal Evaluation and Final Exams

Exams are conducted as internal and external as final through written in-class assessments and written in each semester. Internal assessments are conducted by the concerned subject teachers. Final written exams are carried by the FoL. The course of Legal Research Methodology and Practical ones such as clinical law, seminar and dissertation carry internal and external evaluation marks plus VIVA - VOCE/ Interview as specified. The theoretical subject carry 40% marks from internal assessment based on class attendance, assignments, presentations and project works, etc. with the pass marks of 50%. Meanwhile, in case the subject of a marks obtained in the internal exam exceeds the semester-end examination marks by more than 20%, the marks obtained in the internal exam will be adjusted only up to 20%.

No students shall be allowed to proceed from the one semester to the other without obtaining pass marks atleast in one subject. Students failing in not more than two subjects throughout the ten semesters shall be given the opportunity for makeup exams in the following cycle of the regular exam and within one month after the final result of tenth semester out. In addition, 75% of class attendance is also mandatory. In case of failure with reasonable justifications, students with 65% attendance shall be given a chance to appear in the exam with the submission of

required documents or certificate (s). Rest of the rules and procedures are applied as per the regular RJU rules and procedures.

Curriculum Revision and Development

Faculty Board of 27 members and the 7 subject committees (jurisprudence, international law, constitutional law, family and commercial law, procedural law, criminal law and humanities and Social Sciences) determines the basic issues relating to curriculum development in response to the need of country and in pursuance of the policy and guidance of RJU, taking into account the emerging International Trends.