

University of Mumbai



Examinations Section,
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No.Exam./Com./ 416 of 2023.

CIRCULAR :

The Principals/Directors/Heads of Law Colleges of University, Co-ordinators of Ratnagiri, Thane and Kalyan welfare Sub-Centres and Deputy Registrar/Assistant Registrar of the of the University are hereby informed that as per the resolution passed by Board of Examination and Evaluation vide Item No. 2 at its meeting held on dated 25th April, 2023, regarding guidelines for allowing the students who have a year gap in any of the 1st Year, 2nd year and 3rd Year of law to appear for the examination are as follows:-

It is noticed that few of the Law Colleges affiliated to University of Mumbai regularly ask for the permission to permit the Pass/Ex Students to appear at the University examination after the break of few years from the date of their admission/last-appearance; and may a time the queries are repeated in the similar circumstances.

On this point I would like to bring to your notice the following position as per the rules and regulation applicable to the Faculty of Law.

- 1) **For filling Examination forms for the first time after admission:**
Once a student is admitted to any of the years/semesters of the law programme, on his attending the requisite number of lectures his term is granted and remains granted for the further period of 5 years. During the said period of 5 years from the respective Academic Year he can submit examination form for the examinations of that year, even if he has not filled examination earlier.
e.g.: If a student is admitted to the first year in the A.Y.2002-03, he can submit his examination form for the first time any time till examinations of April, 2007.
- 2) **Reappearing at the examination after filling Examination Form at least once:**
Once a student fills his examination form (without having any need to pass or appear at the examination) for the examinations of the respective year (of both the semesters of that year), his term remains granted and valid for ever without any further limitation of number of years and at any time with the gap of any number of years he can again resubmit his examination for.

e.g.: If a student of A.Y.2002-03, has submitted his examination form for both the semesters for the first time till April, 2007 examinations, he can resubmit examination form for the said semester any time thereafter as the term of 2002-03 remains granted and valid for ever.

3) **Reappearing of the students from the Old Pattern of 6 subjects per year:**

If a student from the old pattern of 6 papers per year has submitted his examination form within the period of 5 years from the date of his admission and failed in some of the subjects-

- a) he has to appear at the examinations as per the present semester pattern (with 4 papers in each semester of that year and practical training of the respective year)
- b) he can claim exemption in the corresponding subjects in the present semester pattern in which he is exempted in the previous examination.
- c) he has to appear at the practical training examination and pass in the same before appearing at the Semester II/IV/VI of 3 years programme and Semesters VI/VIII/X of 5 years programme.

- 4) e.g. : A student of the first year of 1991-92 batch who had to pass in Labour Law, Principles of Contract, Law of Torts, Law of Crimes, Constitutional Law and Mohammedan Law-Indian Succession Act under the Old pattern. But if such student has not passed only in Labour Law and Mohammedan Law-Indian Succession Act, he can appear at the Semester I examination in the subject of Labour Law with additional subjects of Legal Language and also appear at the Semester II examination in the subject of Family Law-I with additional subject of Environmental Law with Practical Training paper of that year.

The said principles shall apply for the subjects of 2nd and 3rd year of the Old Pattern.

5) **Reappearance of the students from old pattern with 40-50 marks:**

In the old pattern a student would be declared passed in individual subject if he gets 40 marks. However if he were not declared 'Passed' overall then he would be granted 'Exemptions' only in those subjects in which he had secured 50 marks. Therefore a student who is overall 'Failed' in the examination of that year he has to appear at the examinations in all those subjects in which he had secured more than 40 marks but less than 50 marks as he is not exempted in those subjects.

6) **Allowing the student to change his optional subject after appearing at the examination in some other optional subject:**

Ordinarily a student is not allowed to change the optional subject once he has appeared at the examinations of the said Semester (Semesters IV and VI of 3 years programme and Semesters VIII and X of the 5 years programme) with some other Optional subject.

However as it appears to me, the said rule is made to secure that the student has attended requisite number of lectures of that Optional Subject; and the same is certified by the Principal of the College while forwarding his examination form. In Law Colleges lectures could be held for any number of Optional Subject, i.e. more than one or two as required to be opted by the students.

University of Mumbai



I am therefore of the opinion that, a student may be allowed to change the optional subject if the Principal of the College certifies that the said student has also attended lectures of the other option subject (which he did not opt previously).

(Dr. Prasad Mahadev Karande)

I/C Director,

Board of Examinations & Evaluations

Place:- Mumbai

Date:- 26th May, 2023