

# **MATS UNIVERSITY, RAIPUR**

(Established by CG Act No 29/2006 and recognized by UGC under section 2 (f) of UGCAct 1956)

## **MATS LAW SCHOOL**

(Recognized by BCI under 7(1)(h) of Advocates Act, 1961)

**ORDINANCE NO ...../2010**

### **Short title and Commencement**

1. These ORDINANCES shall be known as LL. D. Degree (Special) programme for hon'ble judges of High Courts and Supreme Court of India and learned advocates practicing in the apex court and the High Courts in country or abroad eligibility ordinance 2010.
2. The ordinance shall come in effect on the date notified by State Government.

### **Admission Eligibility**

3. This is super specialicity programme only for hon'ble judges of High Courts and the apex court of India and abroad and advocates practicing in apex courts or the high courts for more than 10 years from the date of registration as an advocate, to complete their academic accomplishments by enrolling and submitting thesis on any area of their interest in the way and in accordance with the provisions appended hereafter.
4. The LL D programme aforesaid shall be of three years from the date of enrolment in the University.
5. All the candidates desiring to get enrolled for the degree shall intimate their willingness to Director, MATS Law School and shall also signify the area and the topic along with synopsis for consideration of the research/academic bodies of the university.
6. The schedule of the programme includes that all the candidates shall have to appear in six papers as core course within six months from the date of enrolment namely:

- i) Law & Social Transformation
- ii) Constitutional Law of India - New Challenges
- iii) Judicial process
- iv) Legal Methods

- v) Research Methodology & Legal Education
- vi) Jurisprudence

7. In remaining six months of the first year, all the candidates shall be required to appear and pass in minimum six papers of any one of the optional groups detailed below. It is expected that their option would be limited to the subject of their research.

### **CONSTITUTIONAL LAW GROUP**

- Federalism with special reference to India and USA
- Fundamental Rights in light of Directive Principles of State Policy
- Constitutional Governance with special reference to relationship between three organs of the government.
- The comparative study of the constitutions of UK, Canada and USA with India
- Constitution of Russian Federation as compared with Constitutions of other Marxist Countries with special reference to China and Yugoslavia.
- Constitutionalism, Constitution and the Course Structure of Civil Law Countries.
- Constitutionalism, Constitution and the Course Structure of Common Law Countries with special reference to Japan, Sri Lanka and Nepal.
- Socio-economic problems including naxalites and terrorists in India and abroad in the light of human rights
- International aspects of Organizations of Law and Law Enforcement and in certain selected countries.

### **INTERNATIONAL LAW**

- International Law (Introduction)
- International Law Relating to Peace
- International Law Relating to War
- International Originations
- International Relations
- Air And Space Law
- Nuclear Armed Race and Effectiveness Of International Bodies
- International trade law
- International economic law
- Private International Law
- Maritime Law

### **HUMAN RIGHTS GROUP**

- Human Rights - General

- Human Rights of Refugees
- Human Rights of Disabled
- Human Rights of Anti social elements
- Human Rights of disadvantaged groups including Women and Children
- Science, Technology & Information in Human Rights

## **LABOUR LAWS**

- Labour Management Relations – Philosophy and Concepts
- Trade Union Act and Related Issues including Standing Orders
- Industrial Disputes Act
- Social Security Legislations Philosophy
- Workmen Compensation Act
- Bonus Act
- Minimum Wages Act
- Factories Act
- Unorganised Labour
- Minimum Wages Act

## **IPR GROUP**

- Concept of Property – Transfer of Property with special reference to TPA
- Specific Transfers and formal agreements
- TRIPS and other international agreements
- Copyright Act with special emphasis on international aspects
- Design Act and Mercantile
- Biodiversities Act with special reference to Biomass and other bio products.
- Patents Act
- Geographical indication

## **CRIMINAL LAW**

- Criminology & Penology including General Exceptions excluding criminal liability
- Major Crime-I (Crimes Against Human Body)
- Major Crime –II (Crime Against Property)
- Minor Crimes/
- Crime against society
- Crimes Against women including domestic violence (prevention of atrocities act)
- Crime Against Schedule Castes and Minorities
- Cr PC and comparative procedure

- Evidence Act
- Cyber Crimes
- Medical Jurisprudence
- Juvenile Diligences
- While colour crimes including crimes against society and humanity
- Investigating Agencies including Interpol.

#### **MINES MINERAL LAWS GROUP**

- Law Relating to Mineral - General Provisions
- Protection of Mineral Resources
- State Management of Minerals
- Basic Geological Surveys of Mineral Resources
- Areas for Mineral Activities, Protection of the Environment in Mineral Activities
- Exploration for Minerals
- Mining and Processing of Minerals
- Regulations relating to minerals
- Law relating to Mining

#### **ENERGY AND PETROLIEUM LAWS GROUP**

- Hydro Electricity
- Thermal power projects
- Solar energies, Petroleum
- Law relating to acquisition
- Understanding Oil & Gas Business
- Understanding Power & Energy Sector Business
- Understanding Transport Sector
- Oil & Gas Law & Policy – Upstream Sector
- Regulatory Framework for Power Sector
- Energy Economics
- Health, Safety & Environment challenges in Energy Sector

#### **FOREST AND ENVIRONMENTAL LAW GROUP**

- Constitutional provision and liability relating to environment with special reference to Art 48 A and Art 51 A (g) a comparative study with certain
- Indian Forest Act,
- Law & Agriculture
- State Laws Regulating relating to forest
- Health, Safety & Environment challenges in Energy Sector
- Law relating to prevention of water, air & e-Waste management
- International aspects relating to prevention and control of pollution,

- Green IST & empowerment of rural India

### **TRIBAL LAWS GROUP**

- Customs & rituals of different tribes
- Domestic institution Social institution of tribes
- Education
- Issues like naxalism (causes & remedies under law)
- Organization of law among tribal people & their role in est rule of law
- Rights of tribal people over forest & their products
- Fundamental rights and tribes
- Health, Safety & Environment challenges in Energy Sector

### **CORPORATE LAW GROUP**

- Simple contracts including Indian Contract Act from promise to agreement with special reference to international aspects.
- Formal agreements including Specific Contracts including higher purchase agreements
- Sales of goods Act including international sales
- Partnership Act including LLP
- Company Law
- Corporate finance
- Corporate reconstruction
- Corporate regulation
- Competition Law
- Consumer Protection Laws
- Securities & Investment laws

### **TAXATION LAW GROUP**

- Central state relations legislative and administrative
- Financial Relations between Central and State Government under the Constitution of India
- Finance Commission and Finance Bills and other related matters.
- Direct Taxes (Income tax act 1961 (Income tax code 2011)
- Indirect Taxes including (Central excise act, Customs act, VAT, Sales including GST) Anti Dumping Laws with special reference to e-waste management
- Double Taxation and International conventions relating thereto
- International taxation
- Emerging issues including taxation on agriculture income

## **Examination**

8. The examination for all these subjects shall be online in English medium and no candidates shall be required to appear personally at the campus of the MATS Law school. However, for other purposes, candidates may visit the campus on all the working days if they so desires.

9. Each subject will be of 100 marks and for Passing the Examination, a student must secure 50% marks in each subject, subject to the provisions of the grace marks as provided hereinafter.

## **Grace Marks**

10. A grace of up to a maximum of 2 marks (in maximum three papers) may be given irrespective of the number of paper/papers where in it is so required for pass only. Grace marks shall be excluded in deciding division/grade/CGPA.

## **Moderation**

12. Any result may be moderated by the Examination Committee. There shall be no reevaluation of any paper what so ever.

13. The Actual research work for the degree shall start after the candidate passes the six mandatory course papers and six papers out of the optional group chosen by the candidate. But this period shall be counted in three years duration required for submission for the thesis. The thesis can be submitted any time with the permission of MATS Law School.

## **Evaluation of the Thesis**

14. The thesis so submitted in accordance with the provisions of the law applicable in the university, shall be submitted in MATS Law School in five copies. The examiners shall be appointed in accordance with the procedure in the university and other discipline. Minimum of three examiners shall examine the thesis. Two must be external examiners not based at Chhatishgarh. One internal examiner shall be from CG State. The decision whether to recommend for award or not shall be taken by majority of the three above.

## **Fee**

15. Fee structure for the hon'ble judges shall be the same as may be fixed by discussion with the management. For advocates, proposing to join this course, the fee structure shall be announced from time to time each year. It may be ordinarily the same as is payable for equivalent degree like D Sc, D Lit in other streams, in the University.

## **Removal of Doubt**

16. If there is any confusion on any point, in the ordinance aforesaid or any provision thereof, Director MATS Law School shall be final authority to interpret the provision and interpretation

placed by the Director, MATS Law School shall be final and binding on all the candidates so affected.

**Overriding Clause**

17. These ordinance shall override if there is any provision to the contrary elsewhere on the subject.