

	BHAGWAN MAHAVIR UNIVERSITY	Effective From (2023-2024)
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Bhagwan Mahavir College of Legal Education

LL.B course (3 Year)

Semester: I

Subject Code	Subject Title	Teaching Scheme					
		(Hours/Week)		Credits	Examination Marks		Total Marks
		Theory	Tutorial		Internal	External	
1LB304T	Banking Law	4	0	4	50	50	100

Duration of Exam: 2:30 Hours

COURSE OBJECTIVES

<ul style="list-style-type: none"> • To make students sensitized about the role of the Banking and Finance institutions play in the development of the Nation
<ul style="list-style-type: none"> • To inculcate a thorough understanding of the changing notions of the Banking rules and regulations
<ul style="list-style-type: none"> • To trace the brief historical background and origin of Banking and Finance law
<ul style="list-style-type: none"> • To make students understand about the crucial role played by the Banks belonging to the Private Sector
<ul style="list-style-type: none"> • To make students understand about and also to spread massive awareness about the Negotiable Instrument Act
<ul style="list-style-type: none"> • To make students understand about the various intricacies involved in dealing with the various consumer grievances and their redressals in effective manner.

Sapna S. Patil

Chairman - BOS
Chairman
Board of Studies
Faculty of Law
Bhagwan Mahavir University

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Bhagwan Mahavir University
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Course Outcomes:

Sr. No.	CO statement	Marks % weightage
1	To successfully practice and earn great reputation in the domain of Banking law.	20
2	Students should be able to demonstrate the ability to apply both in theory and in practice the law relating to Banking and Finance.	20
3	Student should be able to understand the dynamic concepts of Banking regulations, and the various concepts pertaining to nationalization.	20
4	Students should possess the ability to articulate and evaluate how Banking law, its rules and regulations contribute to nation development of its economy.	20
5	To understand and practice effectively the various legal issues involved in the Negotiable Instrument Act.	20

Detail Content:

Sr.No.	Topic	Total Hrs.
UNIT-1	Definition of Bank and Customer, Historical Development of Banking Institutions in India. General and Legal Relationship of Bank and Customer, Special classes of Customers, Nature and Type of Accounts, Obligation to Maintain Secrecy and its Exceptions, Function of Banking Institutions.	12
UNIT-2	The Banking Regulation Act, 1949: Definitions, Business of Banking Companies; Control over Management, Board of Directors, their Qualifications and Dis-qualifications, Provision for the Appointment of Chairman, Regulation regarding Share capital, Suspension of Banking Business and Winding up process of Banking Companies. Balance Sheet; Audit and Inspection; Amalgamation and Reconstruction. Recent Trends of Banking System. New Technology, e-Banking, Automatic Teller Machine and Use of Internet, Smart Cards, Credit Cards and use of Expert System.	12

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UNIT-3	Reserve Bank of India Act, 1934- Reserve Bank as Banker to the State Government, Reserve Bank as Banker's Bank, Organizational Structure of Reserve Bank of India, Legal Status, Powers and Functions of the Reserve Bank of India. RBI and Commercial Banks, Banking Ombudsman; Security and Exchange Board of India Act, 1992- Management, Power and Function of SEBI, The Prevention of Money laundering Act, 2002- Offence of Money Laundering, Attachment, Adjudication and Confiscation, Authorities under the Act, Power and functions of Appellate Tribunal and Special Courts, Role of Financial Intelligence Unit.	12
UNIT-4	Banking Securities: Pledge; Hypothecation, Charge, Lien and Mortgage, Bank Frauds: Definition, classification of Frauds and action required by Banks, Fraud prone areas in different accounts- Saving Bank Accounts, Current Accounts, Thefts, Burglary and Fraud in cases of advances, Frauds in cases of remittances and preventive measures.	12
UNIT-5	Negotiable Instrument Act, 1881: Definition; Kinds of Negotiable Instruments; Holder and Holder in due course; Payment in due course, Capacity of Parties, Negotiation, Modes of negotiations, Endorsement and its kinds, Acceptance and Dishonour of cheque, Crossing of cheque, Penalties in case of dishonor of cheque.	12
	<p>Books Recommended:</p> <ul style="list-style-type: none"> • B.R. Sharma and R.P. Nainta, Principles of Banking Law and Negotiable Instruments Act (1881) • R.B. Sethi, Banking Regulation Act, 1949. • A. Ramaiya, the Reserve Bank of India Act, 1934 • J.S. Khargamwala, the Negotiable Instrument Act 1881. • R N Chaudhary, Banking Laws • The Security and Exchange Board of India Act, 1992 • Banking law and Practice - PN. Varshney (Sultan Chand & Sons, New Delhi-110 002) 	

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