

**DEPARTMENT OF LAW
SAURASHTRA UNIVERSITY,
RAJKOT**



[Accredited Grade “A”]
By NAAC

FACULTY OF LAW

**PG DIPLOMA IN BANKING
LAWS**

Syllabus [cbcs]

Effective From June - 2019

**Saurashtra University
University Campus, Rajkot – 360 005
Gujarat , India.**

Website : www.saurashtrauniversity.edu

Saurashtra University
Faculty of Law
DIPLOMA IN BANKING LAWS
IN FORCE FROM JUNE, 2019
Ordinances and Regulations

O.D.B.L.1.Candidate shall be admitted to the course should have passed a bachelor's degree examination having three years duration from this university or any other recognized university.

O.D.B.L.2.The Diploma Course is a regular full time of one year duration consisting of two academic terms.

O.D.B.L.3.The admitted candidate can not join any other course of study without prior permission of the university.

O.D.B.L.4.The Medium of instruction & Examination shall be English, Hindi or Gujarati as the case may be which shall not be changed during the entire Diploma programme.

O.D.B.L.5.Admission granted by the affiliated college/institute to any student shall be provisional till the enrollment/registration/enlistment is made by the University & in case the admission is granted on the bases of provisional eligibility certificate, the conditions & instruction given by the University should be complied within the time limit fixed by the University or latest by the beginning of next semester otherwise term kept by the such a student shall be cancelled and no fees on any account will be refunded.

O.D.B.L.6.Every affiliated college or institution shall have to take appropriate measures against ragging & gender problems in the college/institution. The word college/institution included college building, sports complex, Hostels and such other components which are within the purview of the college. In case of occurrence of any such incident the violator shall be dealt with very seriously and appropriate stringent action be taken by the principal of the college observing principle of natural justice. The head of college may appoint a committee to inquire in to the matter which will also observe the principle of natural justice. The committee will submit its report to the Head of college who may take further necessary action in the matter.

Regulation's:

R.D.B.L.1.The Teaching and examination scheme shall be as under

Semester - 1

Sr.	Name of Subject	Minimum Passing Marks	Max. Marks	Exam. Hours
1.	Banking Law	50	100	Three Hours

Semester – 2

Sr.	Name of Subject	Mini. Passing Marks Internal Total 75	Mini. Passing Marks Viva (External) Total 25	Total 100	Minimum aggregate for passing	Exam. Hours
1.	Project	30	10	-	50	Half Hour

R.D.B.L.2.Candidates must forward their application for admission to university Controller of Examination on or before the prescribed date with a certificate of attendance duly signed by the principal along with the examination fees prescribed by the University.

R.D.B.L.3.(1)Minimum passing standard 50%. (2) Candidate securing 50% to 59% marks will be awarded second class. (3) Candidate securing 60% or more marks in the examination will be awarded first class.

R.D.B.L.4

Candidate who remain absent in viva shall be declared fail in the examination.

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Saurashtra University, Rajkot

Structure to be prepared in the Beginning of the Syllabus for All Semester / Year
PG. Diploma in Banking Laws Programme – 2019

Semester – 1

No.	Course Code	Course Title	C	IM	EM	TM
1.	1604010005010100	Banking Laws	6	00	100	100

C = Credits

IM=Internal Marks

EM=External Marks

TM=Total Marks

CCT=Core Course

SO=Sill Oriented Course

ICT=Interdisciplinary Course

SS=Self Study Course

DP=Dissertation / Project Work

ECT=Elective Course

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Structure to be prepared in the Beginning of the Syllabus for All Semester / Year
PG. Diploma in Banking Laws Programme – 2019

Semester – 2

No.	Course Code	Course Title	C	IM	EM	TM
1.	1604010005020100	Project	6	75	25	100

C = Credits

IM=Internal Marks

EM=External Marks

TM=Total Marks

CCT=Core Course

SO=Sill Oriented Course

ICT=Interdisciplinary Course

SS=Self Study Course

DP=Dissertation / Project Work

ECT=Elective Course

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PG DIPLOMA IN BANKING LAWS

(Revised w.e.f. June-2019)

Faculty of Law

Name of Course	Semester	Core/Elective/Allied/Practical/Project	Course/Paper Code	Course/Paper Title	Credit	Internal Marks	External Marks	Practical / Viva Exam Marks	External Exam Time Duration
PGDBL	1	Core	1604010005010100	Banking Law	6	00	100	-	Three Hours

P. G. Diploma in Banking Law – Semester - 1

Design of Programme

This course is of one year-two semester's course. It is a theory-practical study. During the first semester, in theory, the students shall take guidance from the concerned teacher through attending lectures, interactions with teachers as well as professionals or concerned officials. This subject is taught on every Monday, Tuesday and Wednesday during 8.30.a.m. to 9.30 a.m. and on Sunday during 8.30 a. m to 11.30 a.m.in the Department. In practical, the students shall visit minimum ten concerned banks, companies, corporate houses, firms, offices, professionals, etc. and acquire knowledge regarding practical aspect of the subject, then prepare a report of about 25 to 30 pages and submit it before the Department of Law on or before 10th October and make a presentation thereof. This will be evaluated by the teacher of the Department.

The second semester is for the preparation of project in which the student shall have to conduct a case –study. It may be of a firm / company / corporate house / office / professional, etc., dealing with the banking activities. The report is to be prepared, which shall include introduction of the case to be studied, objectives of the study, hypothesis and methodology, collection of data, treatment of data, significance, conclusion and suggestions, which may be of minimum 50 pages. That shall be submitted before the Department of Law on or before 20th March and make a presentation thereof. This will be evaluated by the teacher of the Department and give marks accordingly out of 100.

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BANKING LAW.

Course Objectives:

- A vitally important economic institution the banking system is deeply influenced by socio-political and economic changes.
- The emerging changes in India, particularly after the initiation of the planning process as an instrument of rapid economic development had moulded and affected the banking structure, policies, patterns and practices.
- A significant development in the banking system is diversification in banks financing. The commercial banks entered 'into the field of wide ranging financial assistance to industry, both large and small scale, requiring the need for social control of the banking system eventually leading to the nationalization of banks.
- This course is designed to acquaint the students with the conceptual and operational parameters of banking law, the judicial interpretation and the new and emerging dimensions of the banking system.

Course Contents:

1. Introduction.

- 1.1. Nature and development of banking.
- 1.2. History of banking in India and elsewhere – indigenous banking – evolution of banking in India – different kinds of banks and their functions.
- 1.3. Multi-functional banks – growth and legal issues.

2. Law Relating to Banking companies in India.

- 2.1. Controls by government and its agencies.
 - 2.1.1. On management.
 - 2.1.2. On accounts and audit.
 - 2.1.2. On accounts and audit.
 - 2.1.4. Credit policy.
 - 2.1.5. Reconstruction and reorganization.
 - 2.1.6. Suspension and winding up.
- 2.2. Contract between banker and customer : their rights and duties.

3. Social Control over Banking.

- 3.1. Nationalization.
- 3.2. Evaluation : private ownership, nationalization and Disinvestment.
- 3.3. Protection of depositors.
- 3.4. Priority lending.
- 3.5. Promotion of underprivileged classes.

4. Deposit Insurance.

- 4.1. The Deposit Insurance Corporation Act 1961 : objects and reasons.
- 4.1.2. Establishment of Capital of DIC.
- 4.1.3. Registration of banking companies insured banks, liability of DIC to depositors.
- 4.1.4. Relations between insured banks, DIC and Reserve Bank of India.

5. The Central Bank.

- 5.1. Evolution of Central Bank.
- 5.2. Characteristics and functions.
- 5.3. Economic and social objectives.
- 5.4. The Central Bank and the State – as bankers' bank.
- 5.5. The Reserve Bank of India as the Central Bank.
 - 5.5.1. Organisational structure.
- 5.6. Functions of the RBI.
 - 5.6.1. Regulation of monetary mechanism of the economy.
 - 5.6.1.1. Credit control.
 - 5.6.1.2. Exchange control.
 - 5.6.1.3. Monopoly of currency issue.
 - 5.6.1.4. Bank rate policy formulation.

- 5.7. Control of RBI over non-banking companies.
- 5.7.1. Financial companies.
- 5.7.2. Non-financial companies.

6. Relationship of Banker and Customer.

- 6.1. Legal character.
- 6.2. Contract between banker and customer.
- 6.3. Bankers's lien.
- 6.4. Protection of bankers.
- 6.5. Customers.
- 6.5.1. Nature and type of accounts.
- 6.5.2. Special classes of customers – lunatics, minor, partnership, corporations, local authorities.
- 6.6. Banking duty to customers.
- 6.7. Consumer protection : banking as service.

7. Negotiable Instruments.

- 7.1. Meaning and kinds.
- 7.2. Transfer and negotiations.
- 7.3. Holder and holder in due course.
- 7.4. Presentment and payment.
- 7.5. Liabilities of parties.

8. Lending by Banks.

- 8.1. Good lending principles.
- 8.1.1. Lending to poor masses.
- 8.2. Securities for advances.
- 8.2.1. Kinds and their merits and demerits.
- 8.3. Repayment of loans : rate of interest, protection against penalty.
- 8.1. Default and recovery.
- 8.4.1. Debt recovery tribunal.

9. Recent trends of Banking System in India.

- 9.1. New technology.
- 9.2. Information technology.
- 9.3. Automation and legal aspects.
- 9.4. Automatic teller machine and use of internet.
- 9.5. Use of expert system.
- 9.6. Smart Card.
- 9.7. Credit cards.

10. Reforms in Indian Banking Law.

- 10.1. Recommendations of committees a review.

Select bibliography.

- 1. L.C. Goyle, The Law of Banking and Bankers (1995) Eastern.
- 2. M.L. Tannan, Tannan's Banking Law and Practice in India (1997)
India Law House, New Delhi, 2. Volumes.

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Semester – 2

Name of Course	Semester	Core/Elective/Allied/Practical/Project	Course/Paper Code	Course/Paper Title	Credit	Internal Marks	External Marks	Practical / Viva Exam Marks	External (Viva) Exam Time Duration
PGDBL	2	Core	1604010005020100	Project	6	00	75	25	Half Hours

Project

- 100

Course Objectives :

- To make the students aware of practical problems.
- To create in students his or her creative potential.
- To stimulate the students to deal with the practical problems.
- To use the theoretical knowledge in practical life.

Course Content :

In project students shall have to take the practical training in an institution and shall submit the report for the same / or conduct empirical research and prepare a report.

The students of the Semester –II, pursuing the Diploma in Banking law/EXIM Law/Forensic Science shall have to prepare the Project in their respective area in the below mentioned format/guidelines. If there is any query, seek guidance from your respective teacher.

Total pages should be minimum 30 and maximum 50 with spiral binding.

Report is to be submitted on or before 20th March in triplicate.

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1. Title page

- Title of Research
- Thesis/Dissertation/Clinical Report/Project/Case Study submitted in partial fulfillment of the Requirements for the

Degree of Doctor of Philosophy in Law/

Master of Laws/Diploma

- Name of Scholar
- Guided by
- Year

2. Declaration:

I....(full name) hereby declare that the work reported in this thesis/dissertation/report entitled '.....' submitted at Department of Law, Saurashtra University, Rajkot is an outcome of my original work and effort. No part of it has been published or submitted for the award of any other degree or diploma. I have declared all the resources from which the ideas and extracts have been borrowed

Rajkot:

Date:

Signature of Scholar

3. Certificate:

This is to certify that this thesis/dissertation/report entitled '.....' is a record of original work done by Mr./Miss.... at Department of Law, Saurashtra University, Rajkot under my supervision. I also certify that this thesis/dissertation/report has not formed in part or fully the basis for the award of any other previous any research degree/master degree/diploma in this Department or anywhere else.

Rajkot:

Date:

Signature of Guide

4. Acknowledgement

5. Contents:

- Chapter -1: Introduction (survey of Literature; Title of the Problem; Objectives; Hypothesis; Methodology; Significance)
- Chapter - 2 : Evaluation of Previous Research; Doctrinal information
- Chapter - 3 : Design of Research - Scope; Scheme of collection of data; Analysis of Data; Treatment of Data; Interpretation of Data
- Chapter – 4 : Findings/ Conclusion; Recommendations/Suggestions
- Bibliography – Books, Journals, Magazines, News Papers, and Web sites, Etc.
- Appendix

Bibliography:

- Books
- Journals
- Magazines
- News Papers
- Web cites

Remember:

- **Font Size: 12, Times New Roman(English)**
- **Title of Chapter: Capital letter, 14 size**
- **Title of Paragraph: Bold, size -12**
- **Margin: Left-1.5”; rest three sides – 1.0”**
- **Photos: if necessary, but size – proportionate**
- **Language: In Past Tense- Third person – Singular**
- **Footnotes to be used**

Wish you all the Best

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