



**C. U. SHAH UNIVERSITY**  
**Name of Program : LL.B.**  
**Name of Branch : LAW**  
**Semester : III**  
**Name: Banking Laws**  
**Code:4LW03BNK1**

Teaching & evaluation scheme:-

Subject Code	Name of the Subject	Teaching Scheme (Hours)				Credits	Evaluation Scheme							
		Th	Tu	Pr	Total		Theory				Practical (Marks)			Total
							Sessional Exam		University Exam		Internal		University	
							Marks	Hrs	Marks	Hrs	Pr/Viva	TW	Pr	
4LW03BNK1	Banking Laws	5	0	0	5	5	30	1.5	70	3	---	---	---	100

## **Banking Laws.**

**100**

### **1. Introduction.**

- 1.1. Banking : definition – common law and statutory.
- 1.2. Commercial banks : functions.
  - 1.2.1. Essential functions.
  - 1.2.2. Agency services.
  - 1.2.3. General utility services.
  - 1.2.4. International trading service.
  - 1.2.5. Information services.
  - 1.2.6. Emergence of multi functional dimensions.

- 1.3. Systems of Banking : Unit banking, branch banking, group banking and chain banking.
- 1.3. Banking companies in India.

## **2. Banks and Customers.**

- 2.1. Customer : meaning.
- 2.2. Legal character of banker – customer relationship.
- 2.3. Rights and obligations of banks.
  - 2.3.1. Right of set-off.
  - 2.3.2. Banker's lien.
  - 2.3.3. Right to charge interest and commission.
  - 2.3.4. Obligation to honour customers' cheques.
  - 2.3.5. Duty of confidentiality.
    - 2.3.5.1. Nature and justification of the duty.
    - 2.3.5.2. Exceptions to the duty.
  - 2.3.6. Garnishee orders.
- 2.4. Accounts of customers.
  - 2.4.1. Current Accounts.
  - 2.4.2. Deposit Accounts.
  - 2.4.3. Joint Accounts.
  - 2.4.4. Trust Accounts.

- 2.5. Special types of customers : - Lunatics, minors, agents, administrators and executors, partnership firms and companies.

### **3. Control over Banks.**

- 3.1. Control by Government and its agencies.
  - 3.1.1. Need for elimination of systemic risk, avoidance money laundering, consumer protection, promotion of fair competition. On management.
  - 3.1.2. On account and audit.
  - 3.1.3. On money lending.
  - 3.1.4. Reorganization and reconstruction.
  - 3.1.5. On suspension and winding up.
- 3.2. Control by ombudsman.
- 3.3. RBI.

### **4. Control Banking Theory and the RBI.**

- 4.1. Evolution of Central Banks.
- 4.2. Characteristics and functions of central banks.
- 4.3. Central bank as banker and adviser of the State.
- 4.4. Central bank as banker's bank.
- 4.5. The Reserve Bank of India as central bank in India.
  - 4.5.1. Objectives and organizational structure.
  - 4.5.2. Functions.

- 4.5.3. Regulations of the monetary system.
- 4.5.4. Monopoly f note issue.
- 4.5.5. Credit control.
- 4.5.6. Determination of bank rate policy.
- 4.5.7. Open market operations.
- 4.5.8. Banker to government.
- 4.5.9. Control over Non-banking financial institutions.
- 4.5.10. Economic and statistical research.
- 4.5.11. Staff training.
- 4.5.12. Control and supervision of other banks.

## **5. Lending by Banks.**

- 5.1. Principles of good lending.
- 5.2. Securities for bank advances.
  - 5.2.1. Pledge.
  - 5.2.2. Mortgage.
  - 5.2.3. Charge.
  - 5.2.4. Goods or documents of title to goods.
  - 5.2.5. Life insurance policies as security.
  - 5.2.6. Debentures as security.
  - 5.2.7. Guarantees as security.
    - 5.2.7.1. Contract of guarantee and contract of indemnity.

- 5.2.7.2. Kinds of guarantees : specific & continuing.
- 5.2.7.3. Surety's rights and liabilities.
- 5.3. Repayment.
  - 5.3.1. Interest : Rule against penalties.
- 5.4. Default and Recovery.
  - 5.4.1. Recovery of Debts Due to Banks and Financial Institutions Act, 1993.
  - 5.4.2. Establishment of; debt recovery tribunals – constitution and functioning.

## **6. Merchant Banking**

- 6.1. Merchant Banking in India.
- 6.2. SEBI (Merchant Bankers) Regulations, 1992.

## **7. Letter of Credit and Demand Guarantee.**

- 7.1. Letter of Credit.
  - 7.1.1. Basic features.
  - 7.1.2. Parties to a letter of credit.
  - 7.1.3. Fundamental principles.
- 7.2. Demand Guarantee.
  - 7.2.1. Legal character.

- 7.3. Distinction between irrevocable letter of credit and demand guarantees.

## **8. Law Relating to Negotiable Instruments.**

- 8.1. Negotiable instruments kinds.
- 8.2. Holder and Holder in due course.
- 8.3. Parties.
- 8.4. Negotiation.
- 8.5. Presentment.
- 8.6. Discharge from liability.
- 8.7. Dishonour.
- 8.8. Civil liability.
- 8.9. Liability: procedure for prosecution: extent of penalty.
- 8.10. The Paying Banker.
- 8.11. Duty to honour customers' cheques.
- 8.12. Conditions.
- 8.13. Exceptions to the duty to honour cheques.
- 8.14. Money paid by mistake.
- 8.15. The Collecting Banker.
  - 8.15.1. Liability for conversion.
  - 8.15.2. Duties.
  - 8.15.3. Good faith and statutory protection to the collecting banker.

### **Select bibliography :**

- 1. M.S. Parthasarathy (Ed.), Kherganvala on the Negotiable Instruments Act (1998) Buterworth, New Delhi.
- 2. M.L. Tannen, Tannen's Banking Law and Practice in India, (2000) India

Law House, New Delhi.

3. Mukherjee. T.K., Banking Law and Practice (1999), Universal, Delhi.

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**C. U. SHAH UNIVERSITY**  
**Name of Program : LL.B.**  
**Name of Branch : LAW**  
**Semester : III**  
**Name: Environmental Laws**  
**Code:4LWO3ENW1**

Teaching & evaluation scheme:-

Subject Code	Name of the Subject	Teaching Scheme (Hours)				Credits	Evaluation Scheme							
		Th	Tu	Pr	Total		Theory				Practical (Marks)			Total
							Sessional Exam		University Exam		Internal		University	
							Marks	Hrs	Marks	Hrs	Pr/Viva	TW	Pr	
4LW03ENW1	Environmental Laws.	5	0	0	5	5	30	1.5	70	3	---	---	---	100

## *Environmental Laws.*

**100**

### **Syllabus.**

#### **1. Concept of environment and Pollution.**

- 1.1. Environment.
  - 1.1.1 Meaning and contents.
- 1.2. Pollution.
  - 1.2.1. Meaning.
  - 1.2.2. Kinds of pollution.
  - 1.2.3. Effects of pollution.



## **2. Legal control : historical perspectives.**

- 2.1. Indian tradition : dharma of environment.
- 2.2. British Raj – Industrial development and exploitation of nature.
  - 2.2.1. Nuisance : penal code and procedural codes.
- 2.3. Free India – continuance of British influence.
  - 2.3.1. Old law and new interpretations.

## **3. Constitutional Perspectives.**

- 3.1. Constitution making – development and property oriented approach.
- 3.2. Directive principles.
  - 3.2.1. Status, role and interrelationship with fundamental rights and fundamental duties.
- 3.3. Fundamental Duty.
  - 3.3.1. Contents.
    - 3.3.2. Judicial approach.
- 3.4. Fundamental Rights.
  - 3.4.1. Rights to clean and healthy environment.
    - 3.4.1. Right to education.
    - 3.4.2. Right to information.
    - 3.4.3. Environment v. Development.
  - 3.5. Enforcing agencies and remedies.
    - 3.5.1. Courts.
    - 3.5.2. Tribunal.

- 3.5.3. Constitutional, statutory and judicial remedies.
- 3.6. Emerging principles.
- 3.6.2. Precautionary principle.
- 3.6.3. Public trust doctrine.
- 3.6.4. Sustainable development.

#### **4. Water and Air Pollution.**

- 4.1. Meaning and standards.
- 4.2. Culprits and victims.
- 4.3. Offences and penalties.
- 4.4. Judicial approach.

#### **5. Noise Pollution.**

- 5.1. Legal control.
- 5.2. Court's balancing : permissible and impermissible noise.

#### **6. Environment Protection.**

- 6.1. protection agencies : power and functions.
- 6.2. Protection : means and sanctions.
- 6.3. Emerging protection through delegated legislation.
- 6.3.1. Hazardous waste,
- 6.3.2. Bio-medical waste.
- 6.3.3. Genetic engineering.
- 6.3.4. Disaster emergency preparedness.
- 6.3.5. Environment impact assessment.
- 6.3.6. Coastal zone management.

- 6.3.7. Environmental audit and eco mark.
- 6.4. Judiciary : complex problems in administration of environmental justice.

## **7. Town and country planning.**

- 7.1. Law : enforcement and constrain.
- 7.2. Planning – management policies.

## **8. Forest and greenery.**

- 8.1. Greenery conservation laws.
  - 8.1.1. Forest conservation.
  - 8.1.2. Conservation agencies.
  - 8.1.3. Prior approval and non-forest purpose.
  - 8.1.4. Symbiotic relationship and tribal people.
  - 8.1.5. Denudation of forest : judicial approach.
- 8.2. Wild life.
  - 8.2.1. Sanctuaries and national parks.
  - 8.2.2. Licensing of zoos and parks.
  - 8.2.3. State monopoly in the sale of wild life and wild life articles.
  - 8.2.4. Offences against wild life.

## **9. Bio-diversity.**

- 9.1. Legal control.
- 9.2. Control of eco-unfriendly experimentation on animals, plants, seeds and micro organism.

**10. International regime.**

- 10.1. Stockholm conference.
- 10.2. Green house effect and ozone depletion.
- 10.3. Rio conference.
- 10.4. Bio-diversity.
- 10.5. U.N. declaration on right to development.
- 10.6. Wetlands.

**Select Bibliography.**

- 1. R.B. Singh & Suresh Misra, Environmental law in India (1996), concept Publishing Co., New Delhi.
- 2. Environmental Law – Meet publication.

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**C. U. SHAH UNIVERSITY**

**Name of Program : LL.B.**

**Name of Branch : LAW**

**Semester : III**

**Name: Labour and Industrial laws - 1**

**Code:4LW03LAB1**

Teaching & evaluation scheme:-

Subject Code	Name of the Subject	Teaching Scheme (Hours)				Credits	Evaluation Scheme							
		Th	Tu	Pr	Total		Theory				Practical (Marks)			Total
							Sessional Exam		University Exam		Internal		University	
							Marks	Hrs	Marks	Hrs	Pr/Viva	TW	Pr	
4LW03LAB1	Labour and Industrial laws Paper - 1	5	0	0	5	5	30	1.5	70	3	---	---	---	100

## **Labour and Industrial laws - 1      100**

- 1. Industrial Disputes Act 1947**
- 2. Trade Union Act.1926**
- 3. Industrial Employment[Standing Orders] Act, 1946**
- 4. Factories Act, 1948**

### **Reference Books :**

1. Industrial Law – P.L.Malik



**C. U. SHAH UNIVERSITY**

**Name of Program : LL.B.**

**Name of Branch : LAW**

**Semester : III**

**Name: Labour and Industrial laws-2**

**Code:4LW03LAB2**

Teaching & evaluation scheme:-

Subject Code	Name of the Subject	Teaching Scheme (Hours)				Credits	Evaluation Scheme							
		Th	Tu	Pr	Total		Theory				Practical (Marks)			Total
							Sessional Exam		University Exam		Internal		University	
							Marks	Hrs	Marks	Hrs	Pr/Viva	TW	Pr	
4LW03LAB2	Labour and Industrial laws Paper - 1	5	0	0	5	5	30	1.5	70	3	---	---	---	100

**Labour and Industrial laws - 2**

**100**

- (1) Minimum Wages Act 1948.
- (2) Payment of Wages Act 1936.
- (3) Payment of Bonus Act 1965.
- (4) Payment of Gratuity Act.-1972

**(5) Employees State Insurance Act -1948**

**(6) Workmen's Compensation Act-1923.**

**Reference Books:**

1. Industrial Law – P.L.Malik.



**C. U. SHAH UNIVERSITY**

**Name of Program : LL.B.**

**Name of Branch : LAW**

**Semester : III**

**Name: Principles of Taxation Laws -1-**

**Code:4LW03TAX1**

Teaching & evaluation scheme:-

Subject Code	Name of the Subject	Teaching Scheme (Hours)				Credits	Evaluation Scheme							
		Th	Tu	Pr	Total		Theory				Practical (Marks)			Total
							Sessional Exam		University Exam		Internal		University	
							Marks	Hrs	Marks	Hrs	Pr/Viva	TW	Pr	
4LW03TAX1	Principles of Taxation Laws -1- Direct Taxes (Income Tax)	5	0	0	5	5	30	1.5	70	3	---	---	---	100

Principles of Taxation Laws -1- 100

## Syllabus :

### 1. General Perspective.

- 1.1. History of tax law in India.
- 1.2. Fundamental principles relating to tax laws.
- 1.3. Governmental financial policy, tax structure and their role in the national economy.
- 1.4. Concept of tax :
  - 1.4.1. Nature and characteristics of taxes.
  - 1.4.2. Distinction between :



- 1.4.2.1. Tax and fee
- 1.4.2.2. Tax and cess.
- 1.4.2.3. Direct and indirect taxes.
- 1.4.2.4. Tax evasion and tax avoidance.
- 1.5. Scope of taxing powers of Parliament, state Legislature and local bodies.

## **2. Income Tax.**

- 2.1. Basic Concepts :
  - 2.1.1. Income
    - 2.1.2. Total income.
    - 2.1.3. income not included in total income.
    - 2.1.4. Deemed income.
    - 2.1.5. Clubbing of income.
  - 2.2. Assessee.
- 2.3. Person.
- 2.4. Tax Planning.
- 2.5. Chargeable income.
  - 2.5.1. Heads of income.
    - 2.5.1.1. Salaries.
    - 2.5.1.2. Income from house property.
    - 2.5.1.3. Income from business or profession.
    - 2.5.1.4. Capital gains.
    - 2.5.1.5. Income from other sources.
  - 2.5.2. Deductions, relief and exemptions.
  - 2.5.3. Rate of income tax.
- 2.6. Income Tax Authorities :

- 2.6.1. Power and functions.
  - 2.7. Offences and penal sanctions :
  - 2.8. Settlement of grievances :
  - 2.8.1. Authorities, powers and functions.
3. VAT Act

**Select bibliography :**

1. Sampath iyenger, Law of Income Tax (1998), Bharat Law House, New Delhi.
  2. R.V. Patel, The Central Sales Tax Act (1966) Thripathi, Bombay.
  3. Direct Tax Law & Practice – V.K. Singhania.
  4. Gujarat Sales Tax Act.
  5. Avak Vera Kayda – Laxmikant Sheth.
  6. Gujarat Vechan Vera Dhara.
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