

## Indian regulatory framework,

### Criminal law 3-

→ Pertaining to violation of the rule of the law or public wrongs and punishment of the same.

Criminal law governed under Indian penal code 1860 and code of criminal procedure, 1973 (CrPc)

Penal code 1960 defines crime, nature and punishment

Crime procedure code 1973. exhaustive procedure for executing the punishment of the crimes.

Ex 3- Murder, rape, theft, fraud, Cheating and assault.

### Civil law 3-

→ Matters of disputes between individuals and organisation

→ These courts enforce the violation of certain rights and obligation through institutions of the civil law.

→ focuses on dispute resolution other than punishment

→ Code of civil law procedure → 1908 (CPC)

→ classified into law of Contract, family law,





## Property law, Law of Tort.

### Common law 3-

- Judiciary precedent or case law is common law.
- under the article 141 any judgment delivered by the supreme court will be binding upon the courts within the territory of India.
- "doctrine of the state decides" Principal Supporting Common Law it is a Latin phrase that means "to stand by that which is decided"

### Principles of natural justice 3-

- Also called natural deals with certain fundamental principles of justice going beyond written law.
- "Nemo iudex in causa sua"  
No one should be a judge in his own cause  
ity of rule against prejudice.

### → "Audi alteram Partem"

Hear the other party or give the other party a fair hearing

- A judgement can override or alter a Common law but it cannot override or change the statute



## Enforcing Law

- After the law is passed in a parliament it has to be enforced
- Someone has to monitor whether the law is being followed. This is the job of executive.
- depending whether a law is a central law or a state law
- central law or state law Govt. will be the enforcing authority.
- Popular ministries are:
  - ministry of finance,
  - ministry of corporate affairs,
  - ministry of home affairs,
  - ministry of law and justice.
- These ministries are headed by a minister and run by the officers of Indian administrative and other services.

→ for example:-

The income tax act is implemented and enforced by the ministry of finance. Through the central board of direct taxes, Comptroller and its department of direct revenue and its administered by the officers of the Indian revenue system.



union budget as a finance minister

Shri. Hazari devi → finance minister between 1962 - 1964  
was presented 10 union budgets

Shri. P. Chidambaram at 7

Shri. Prunab mukherjee. 8

Shri. Yashwantrao Chavan. 9

Dr. Manmohan Singh. 6.

Ministry of finance.

→ is Govt. apex controlling authority

→ of four central bank services namely:

Indian Reserve Service

Indian Audit and Accounts Service

Indian Economic Service.

Indian Civil Accounts Service

→ Also one of the apex controlling authority of Indian  
Audit and Accounts Service.

→ Indian cost and management Accounts Service.

→ Reserve Bank of India

• regulatory body

• Under the ownership of ministry of finance, Govt of India

• It is responsible for the control, issue and

maintaining supply of the Indian rupee

• It also manages the country's main payment

system and work to promote its economic  
development.

• Charities reserve bank of India is specialised division of RBI

which prints Indian currency & market (western India)

DELTA Notebook

Dewas (East of India)



## Structure of Indian judicial system.

If there is any disputes between citizens or citizens or Government.

functions of judiciary system of India are :-

- Regulations and interpretation of Acts and codes
- Dispute resolution
- Promotion of fairness among the citizens of the land.

Supreme court is the apex body of the judiciary followed by high courts and district courts.

Decisions of the high court binding on all high courts in the respective states but are only persuasive in other states.

Decisions of Supreme Court are binding on all high courts under article 141 of the Indian Constitution.

Supreme Court was established on 26th January 1950.

Under article 126, Chief Justice is the highest authority.

Principal bench of India consist seven members including chief justice of India.





Due to rise in the workload and cases - the bench has extended to 30 including chief justice.

Individual can seek relief in the Supreme court by filing writ petition under article 32

### High court

→ Each state and a union territory has one high court

→ 214. Article of Indian constitution states that one high court in each state and union territory is mandatory.

→ India has 25 high courts, 3 states share single high court

→ Individual can seek remedies against violation of fundamental rights in high court by filing a writ under Article 226.

→ The oldest high court of India is Calcutta high court established in 1862 of 2nd July

### District court

→ Below high courts are district courts

→ Judges in this court deal with civil case matters.

→ eg. Contracted disputes and claim for damages etc.

→ Courts of sessions deal with criminal law.





## Metropolitan Courts

→ established in metropolitan cities in consultation with a high court.  
These courts are established in those states whose population is ten lakh or more than.

→ chief metropolitan magistrate has power as a chief judicial magistrate

## Multiple Choices Questions /

(1.) (a) He has to advise management and clients on legal matters at a basic or threshold levels.