



Ch-1 Indian Regulatory Framework:-

Procedure of making Act:-

Legislative :- People involved in making law
↓
Parliament
↓
Central Govt.

Executive :- People involved in implementing the laws.

Judiciary

:- Justice make people follow rule.

Head of Parliament

House of People

Council of members

President
↓
Act

Lok Sabha

Rajya Sabha

Parliament → State Govt.

Legislative Assembly → Legislative Council → Head of Parliament

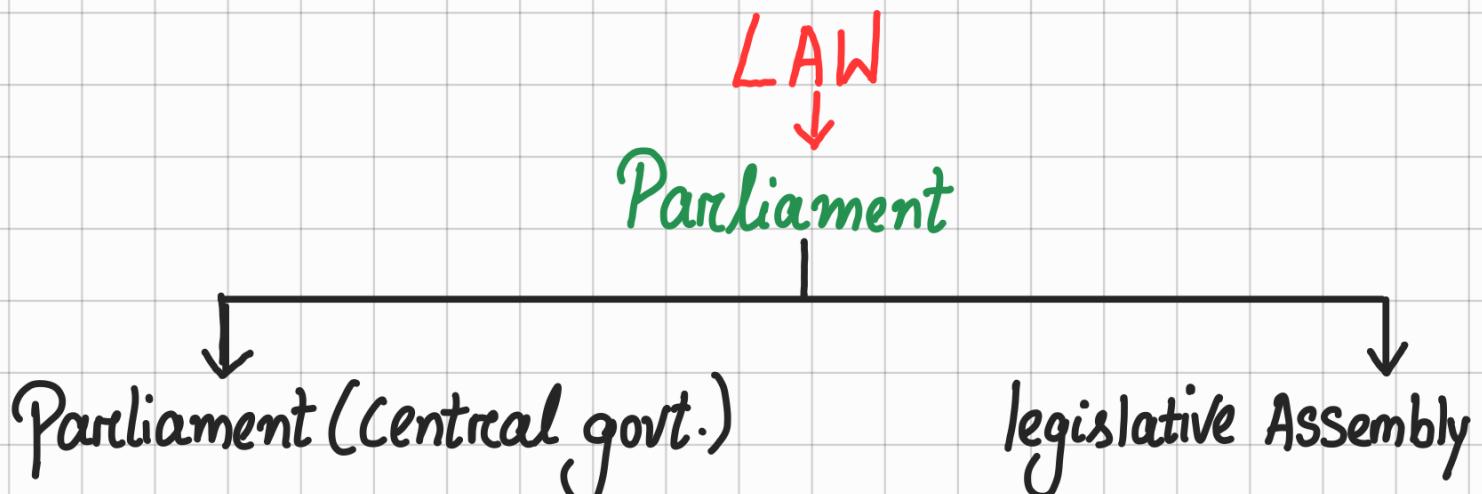
Vidhan Sabha

Vidhan Parishad

Governor

What is law?

Law is a set of obligations and duties imposed by the government for securing welfare and providing justice to society. India's legal framework reflects the social, political, economic and cultural aspects of our vast and diversified Country.



Laws are applied to all over a position of India.

Laws applied only within the borders of the State.

Government of India Act, 1935

Passed by the United Kingdom.

Federal Govt.
Divide Powers between Centre and State.

Precursor of the Indian Constitution

Federal Court

Formed in 1937
Operated for 12 yrs
Heard 151 cases

Later, Supplanted as Supreme Court of India.

Jurisdiction of appellate, original & Advisory.

civil and criminal cases

advices to Governor General in matters of Public Opinion.

The Constitution of India, 1950.

**Foremost law, deals
with framework, within
which Constitution works**

Made for the people,
by the people, to the people.

There are three lists,
General lists, State list
and Joint list.

Protects fundamental rights of citizens lays down fundamental duties as well as Powers & duties of government both

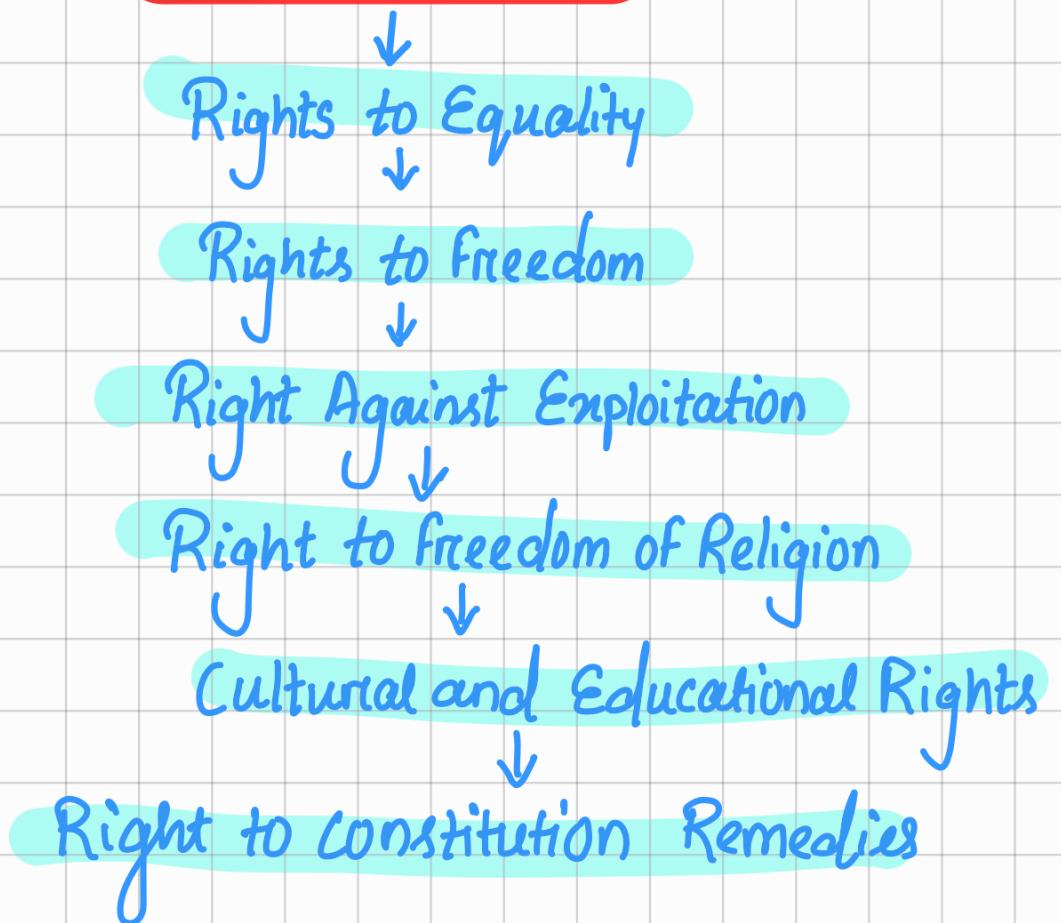
Laws are interconnected forming hybrid legal System.

Eg:- According to The Indian Contract Act , 1872.

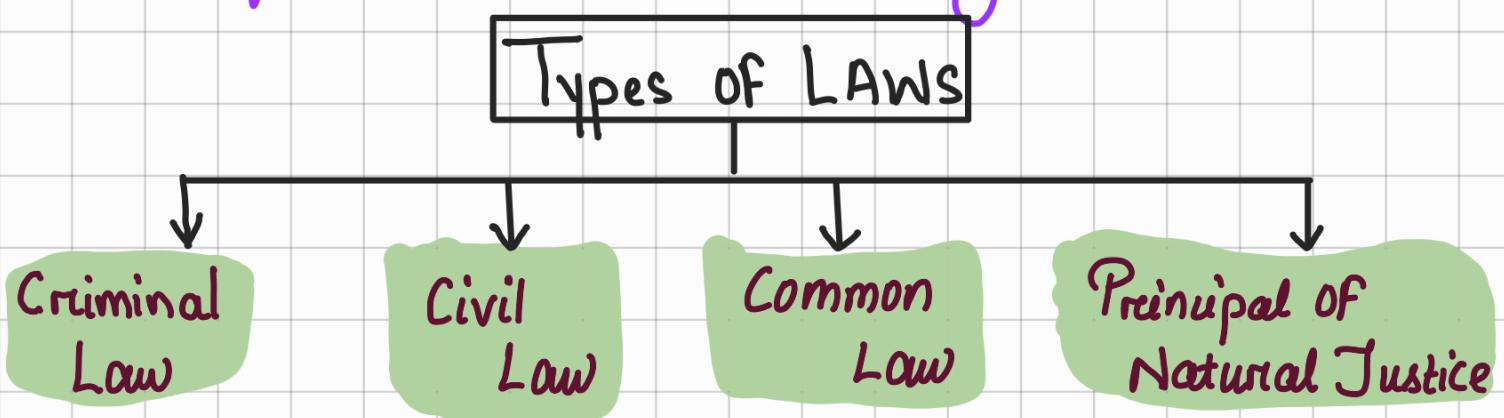
First letters Should be Capital while writing the Act because every word has its own Specific meaning.

Eg- According to ICA, 1872 Sec 2(d) (i)(a)
Sub - Sec ↴ |

Fundamental Rights



Types of Laws in the Indian Legal Framework:-



CRIMINAL LAW:-

★ Law Pertaining to Violations of the rule of the law.

★ Public Wrongs and Punishment of the Same.

Eg:- Murder, Rape, Theft, Fraud, Cheating or any assault.

Governed by

★ Indian Penal Code, 1860 (IPC)
Define:- The crime, its nature & Punishments.

Code of Criminal Procedure (CrPC) 1973

★ Define:- The exhaustive procedure for executing the punishments of the crime.

Civil law

- ★ disputes between landlорd and tenant, Seller, defatimation, breach of contract, non-delivery of goods, non-payment of dues to tender.
- ★ law of Contract, family law, property law, law of love.
- ★ Matters of dispute between individuals or organisation are civil.
- ★ Enforce the violation of certain rights & obligations through.

Code of Civil Procedure, 1908 (CPG)

Governs the Act of process and the administration of civil law.

COMMON LAW

A judicial precedent on a case law is common law.

A judgement delivered by the Supreme Court will be binding upon the Courts within the territory of India under

Article 141 of the Indian constitution

Doctrine of 'Stare Decisis'

It is the principal supporting Common law

It is a latin phrase that means 'to stand by that which is decided.'

It reinforces the obligation of court to follow the same principle or judgement established by previous decisions while rearing the case where the facts are similar or 'on all four legs' with the earlier decisions.

Principles of Natural Justice

Deals with certain fundamental principles of Justice going beyond within law.

Rules of Natural Justice

Nemo judex in
Causa Sua

No one should be made a judge in his own cause, and it's a 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 statutes.

Enforcing the law

- * The job of the executive is to monitor whether the law is being followed.
- * Depending upon whether a law is a Central law or a state law the Central or the state government will be the enforcing authority.

- ★ Some of the popular ministries are the ministry of finance, the ministry of Corporate Affairs, the Ministry of Home Affairs, the Ministry of Law and Justice and so on.
- ★ These Ministries are headed by a minister and run by Officers of the Indian administrative and other Services.
- ★ The government of India exercises its executive authority through a number of government ministries or departments of State.
- ★ A ministry is composed of employed officials known as civil servants, and is politically accountable through a minister.

