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INDIAN REGULATORY FRAMEWORK

Q1) Explain the Structure of the Indian Judicial System.

Answer

- **Supreme Court:** The Supreme Court is the apex body of the judiciary. It was established on 26th January, 1950. The Chief Justice of India is the highest authority appointed under Article 126. The principal bench of the Supreme Court consists of seven members including the Chief Justice of India. Presently, the number has increased to 34 including the Chief Justice of India due to the rise in the number of cases and workload. An individual can seek relief in the Supreme Court by filing a writ petition under Article 32.
- **High Court:** The highest court of appeal in each state and union territory is the High Court. Article 214 of the Indian Constitution states that there must be a High Court in each state. The High Court has appellant, original jurisdiction, and Supervisory jurisdiction. However, Article 227 of the Indian Constitution limits a High Court's supervisory power. In India, there are twenty-five High Courts, one for each state and union territory, and one for each state and union territory. Six states share a single High Court. An individual can seek remedies against violation of fundamental rights in High Court by filing a writ under Article 226.
- **District Court:** Below the High Courts are the District Courts. The Courts of District Judge deal with Civil law matters i.e. contractual disputes and

claims for damages etc., The Courts of Sessions deals with Criminal matters. Under pecuniary jurisdiction, a civil judge can try suits valuing not more than Rupees two crore. Jurisdiction means the power to control. Courts get territorial Jurisdiction based on the areas covered by them. Cases are decided based on the local limits within which the parties reside or the property under dispute is situated.

- **Metropolitan courts:** Metropolitan courts are established in metropolitan cities in consultation with the High Court where the population is ten lakh or more. Chief Metropolitan Magistrate has powers as Chief Judicial Magistrate and Metropolitan Magistrate has powers as the Court of a Magistrate of the first class.

Q2) Write a detailed note on Reserve Bank of India (RBI)

Reserve Bank of India:

- i. is India's Central Bank and regulatory body responsible for regulation of the Indian banking system. It is under the ownership of Ministry of Finance, Government of India.
- ii. It is responsible for the control, issue and maintaining supply of the Indian rupee.
- iii. It also manages the country's main payment systems and works to promote its economic development.
- iv. Bharatiya Reserve Bank Note Mudran (BRBNM) is a specialised division of RBI through which it prints and mints Indian currency notes (INR) in two of its currency printing presses located in Nashik (Western India) and Dewas (Central India).
- v. RBI established the National Payments Corporation of India as one of its specialised division to regulate the payment and settlement systems in India.
- vi. Deposit Insurance and Credit Guarantee Corporation was established by RBI as one of its specialized division for the purpose of providing insurance of deposits and guaranteeing of credit facilities to all Indian banks.

Q3) Write a short Note on The Securities and Exchange Board of India (SEBI)

Answer - The Securities and Exchange Board of India (SEBI):

4. is the regulatory body
5. for securities and commodity market in India
6. under the ownership of Ministry of Finance within the Government of India.
7. It was established on 12 April, 1988 as an executive body and was given statutory powers on 30 January, 1992 through the SEBI Act, 1992.

Q4) Write a short note on The Ministry of Finance.

Ans

The Ministry of Finance (Vitta Mantralaya) is a Ministry within the Government of India concerned with the economy of India, serving as the Treasury of India. In particular, it concerns itself with taxation, financial legislation, financial institutions, capital markets, centre and state finances, and the Union Budget.

As a Chartered Accountant, many of your day-to-day work life will be impacted by this ministry and its proclamations. This Ministry is so important that many ministers have preferred to hold the portfolio of Finance Minister also.

One of the important functions of the Finance Ministry is the presentation of the Union Budget. This annual event is eagerly awaited by professionals and the common man as it provides for the rates of taxes and budget allocations for the ensuing year.

Q5) What do you understand by Indian Judicial System and what are its various functions?

Answer

Indian Judicial System is a branch which through the enforcement of Law resolves dispute between citizens or between citizens and the Government.

The functions of judiciary system of India are:

- Regulation of the interpretation of the Acts and Codes,
- Dispute Resolution,
- Promotion of fairness among the citizens of the land.

Indian Judicial System performs his functions through the hierarchy of courts, the Supreme Court is at the top, followed by the High Courts, District Courts and Metropolitan Courts. Decisions of a High Court are binding in the respective state but are only persuasive in other states. Decisions of the Supreme Court are binding on all High Courts under Article 141 of the Indian Constitution. In fact, a Supreme Court decision is the final word on the matter.

Q6) What is Law and what is the process of making a law?

Ans

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.

The Process of Making a Law

1. When a law is proposed in parliament, it is called a Bill.
2. After discussion and debate, the law is passed in Lok Sabha.
3. Thereafter, it has to be passed in Rajya Sabha.
4. It then has to obtain the assent of the President of India
5. Finally, the law will be notified by the Government in the publication called the Official Gazette of India.
6. The law will become applicable from the date mentioned in the notification as the effective date.
7. Once it is notified and effective, it is called an Act of Parliament.