

NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination August-December 2025

Semester I - LL.M. (Corporate Law)

Subject: Banking Law

Time: Three Hours

Marks: 100

Instructions:

1. *The question paper contains six (06) questions out of which the student must attempt any four (04).*
2. *No materials, aids and instruments are permitted in this examination.*
3. *All questions carry equal marks.*

Q.1) Examine the difference of opinion between Dr. Ambedkar and J.M. Keynes in their recommendation of Gold Standard and Gold Exchange standard for India.

(Marks: 25)

Q.2) How did the Supreme Court of India upheld the constitutional validity of Demonetisation exercise of 2016? Identify the major legal issues that the Apex Court dealt with while examining the validity of Demonetisation of 2016 and 1978.

(Marks: 25)

Q.3) Recommendations of P.J. Nayak Committee report on banking reforms are regarded as necessary and vital for improving the efficiency and productivity of banking services in India. However, there have been widespread protest against the idea of government reducing its shareholding in the banking companies which, is argued, will promote crony capitalism and deny capital opportunities to the neglected section of society.

(Marks: 25)

Q.4) The SARFAESI Act establishes a specialised and self-contained mechanism for enforcement of security interests, thereby restricting the jurisdiction of civil courts and limiting High Court intervention under Article 226. Critically examine the constitutional and statutory rationale for this limited supervisory role of High Courts. In your analysis, discuss the contours of the 'exceptional circumstances' doctrine—such as violation of natural justice, jurisdictional errors, or actions taken in bad faith—and evaluate whether the current framework appropriately balances judicial oversight with the objective of expeditious debt recovery

(Marks: 25)

Q.5) Government dominance in India's banking sector has been criticised for reducing efficiency, distorting competition with private banks, enabling political interference, and imposing substantial fiscal burdens due to recurring recapitalisation of PSBs. In this context, critically evaluate the contemporary relevance of bank nationalisation and assess whether a reduced government presence or privatisation would improve sectoral performance.

(Marks: 25)

Q.6) Write short notes on:

- a) Securitisation structure under SARFAESI 2002
- b) The utility of Minimum Reserve System

(Marks: 12.5*2 = 25)