**Shyama Prasad Mukherji College**

**Teaching Plan (2022-23)**

**Course and Year: B.A (P) III YR**

**Semester: V**

**Taught individually or shared: INDIVIDUAL**

**Paper: - YOUR LAWS YOUR RIGHTS**

**Faculty: DR. RAJKUMAR FALWARIA**

**No. of Classes** (per week)**: 4, LECTURES AND 2 TUTORIALS**

**Unit 1**

Rule of law and the Criminal Justice System in India (1 week)

**Unit 2**

Laws relating to criminal justice administration (2 weeks)

a) How to file a complaint, First Information Report (FIR)

b) Detention, arrest and bail

**Unit 3**

Equality and non-discrimination (4 weeks)

a) Gender: the protection of women against domestic violence, rape and sexual harassment

b) Caste: laws abolishing untouchability and providing protection against atrocities

c) Class: laws concerning minimum wages

d) Disability and equality of participation and opportunity

**Unit 4**

Empowerment (2 weeks)

a) Access to information

b) Rights of the consumer

**Unit 5**

Redistribution, recognition and livelihood (2 weeks)

a) Traditional rights of forest dwellers and the issue of women’s property rights

b) Rural employment guarantee

**Unit 6**

Access to Identification documents and Social Security Schemes (1 week / exercises only)

Familiarise yourself with the following: Procedure for obtaining an Election Commission of

India Identity Card, Driving license, Ration Card, Rashtriya Swasthya Bima Yojna, Old Age

Pension Scheme.

**Course Descriptions**

More often than not, when we talk of laws we mean authoritatively sanctioned rules, which are considered essential for a well-ordered society. Yet laws in a democracy are also about constituting a society marked by equality, freedom, and dignity. The rights approach to law has assumed importance in democracies, precisely because of people’s struggles to broaden the understanding of law as something which reflects the will of the people. As such law becomes an important source of rights and duties, which develop and strengthen alongside institutions ofrepresentative democracy, constitutional norms, and the rule of law. This course aims to help the students understand law as a source of rights, and as a progressively widening sphere of justice, welfare, and dignity. This relationship between laws and rights will be studied through specific values which have come to be seen as integral for a democratic society viz., equality and nondiscrimination, empowerment, redistribution and recognition of traditional rights etc.

Students will receive interactive lectures on conception of rule of law. Students will engage in discussions on law as a source of rights, as a progressively widening sphere of substantive justice, welfare, and dignity. The relationship between laws and rights will be studied through specific values which have come to be seen as integral for a democratic society viz., equality and non-discrimination, empowerment, redistribution and recognition of traditional rights etc.Suggested exercises for students

1. Discuss the debates around any recent Ordinance, Bill or Act in Parliament.

2. How to file an FIR? In case there has been a theft in the neighbourhood how would you

file the first Hand Information Report?

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3. Under what circumstances can detention and arrest become illegal?

4. Discuss any contemporary practice or event that violates the equality and protection

against discrimination laws.

5. Read Ordinance XV -D of University of Delhi and make a list of the kinds of conduct that would qualify as sexual harassment.

6. Your friend has shared with you an incident of unwelcome verbal remarks on her by a person of higher authority in your college, what would you do?

7. Visit any nearby construction site and talk to the workers about their daily wage. Find out the minimum wage in Delhi for such construction work. Make an assessment of the awareness among the workers about their minimum wages and the law related to it.

8. You have seen a lady in your neighbourhood being beaten up by her husband. Identify the concerned Protection Officer in case you want to provide information about this incident.

9. Read the Vishakha Guidelines as laid down by the Supreme Court and the Act against sexual harassment at the workplace. Discuss what constitutes sexual harassment and the mechanisms available for its redressal in your institution.

10. What is the procedure to file an RTI?

11. You bought a product from a nearby shop which was expired, the shop keeper refused to return it. Use your knowledge of Consumer Protection Act to decide what you do next?

12. Do you think the provisions of Forest Rights Act (FRA) address the question of gender equality?

13. What must you keep in mind as a consumer while making a purchase that may later help you make use of Consumer Protection Act? (Hint- Should you ask for a Bill?)

14. In your surroundings have you witnessed any incident that would be considered offensive under the SC and ST Act? Make a class room presentation on it.

15. After reading the Disabilities Act, discuss in your classroom, whether the differently abled people in your college are able to exercise the rights and facilities guaranteed under the law.

16. Discuss the procedure for issuing a job card under MNREGA.

17. You have read the rural job guarantee scheme under MNREGA. Do you think that there is a need for similar guarantee scheme in urban areas? Discuss with your classmates

**Course Learning Outcomes**

On the successful completion of the course, students would be able to:

• Demonstrate an understanding of law as a source of right.

• Develop an understanding of democratic values such as equality, justice etc. and learn

about different laws enacted to uphold these value.

• Demonstrate an awareness of democratic rights guaranteed to Indian citizens and persons

• Develop skills related to using ordinary legal procedures to safeguard the rights

guaranteed to citizens and persons

• Show basic awareness of ordinary procedures such as obtaining different kinds of identity

documents.

• Show understanding of the structure and principles of the Indian legal system

**ASSESSMENT**

Internal Assessment: 25 Marks

Students in this course will primarily have three modes of assessment:

1) Written assignment

2) Class Test

3) Attendance

1) Students will have to write one essay based assignment inclusive of bibliographies. In this assignment students will justify the theme with suitable literature. For this purpose reading material provided for the paper course and other sources like internet sites, journals and books will be used.

2) There will be a Class Test of 5 marks. It will take place tentatively in the third week of June. Quizzes on specific topics will be organized time to time after discussion with students.

3) Maximum 5 Marks will be given for attendance according to number of classes students attended.

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SAHRDC, (2006) ‘Criminal Procedure and Human Rights in India’ in Oxford Handbook of Human Rights and Criminal Justice in India- The system and procedure, New Delhi: Oxford University Press, pp.5-15.

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**III. Equality and non-discrimination**

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**IV. Empowerment**

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Vishnu Konoorayar, (2008), ‘Consumer Law’, In Towards Legal Literacy in India. K. Sankaran and U.K. Singh (eds). New Delhi: Oxford University Press.

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J. Dreze, Dey and Khera, (2008) Employment Guarantee Act, A Primer, New Delhi: National Book Trust (Also available in Hindi).

**Additional Resources:**

Bare Acts:

o Consumer Protection Act, 1986, Available

at http://chdslsa.gov.in/right\_menu/act/pdf/consumer.pdf

o Criminal law Amendment Act, 2013, Available

at http://egazette.nic.in/WriteReadData/2013/E\_17\_2013\_212.pdf

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o Protection of Women Against Domestic Violence Act, 2005, Available at

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o Right to Information Act, 2005, Available at http://righttoinformation.gov.in/rti-act.pdf

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o The Persons with Disabilities (Equal Opportunities, Protection of Rights, Full Participation)

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**Other suggested readings:**

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**Keywords**

Democracy, Dignity, Equality, Empowerment, Justice, Recognition, Redistribution, Rule of La