

Introduction to Law

Code No. 338

Introduction

In our daily life, we often come across situations where legal advice and interpretations are required. In such cases, basic legal knowledge and skills come in very handy. The growing number of colleges across India, the constantly improving quality of Law education and increasing enrolment of students in Law with every passing year are indicative of the changing trend. This is an opportunity for NIOS to fulfill the tremendous need created by this trend.

Legal education in India refers to the education of lawyers before entry into practice. It is offered by the traditional universities as well as by specialized law universities only after completion of a graduate degree or as an integrated five years degree, which includes a graduate degree. As a matter of legal principle, "Ignorance of law is no excuse" and you have to bear the consequences of breaking any law as applicable. This makes basic introduction and information of legal issues and its implications mandatory as well as beneficial. The course has been designed to develop an insight into various legal processes and practices.

Rationale

Every law is enacted in the manner legally laid down for the purpose by the competent authority designated to legislate without any such procedural laws. If we stop here, there is no complication and nobody gets any justification to resist any law that has been lawfully enacted. But in that case, we would leave the floodgate wide open for an oppressive regime to frame laws to perpetuate its reign. Any law that serves purposes other than public becomes questionable instantly. This makes justness an essential component of the law, without which the legality of the law could well be questionable.

The law determines and enforces one's rights within a politico-legal setup. It is not possible to press rights into service against their sources. This is to say that the laws can be protested or can be challenged within the framework of the law. In other words, laws can be violated with impunity no matter how much hardship it causes. The objective of the legislation is to minimize pain and to provide happiness to the maximum number. According to Ayn Rand, "Happiness is that state of consciousness which proceeds from the achievement of one's values."

"Laws are the dictates by which the State governs its prospects/people but are also binding on the State. By enacting the law the State also undertakes to obey them. But laws are not enacted for their sake. There has to be a clear purpose behind each piece of enacted law because all laws by their very nature have the tendency to impose some restrictions or mount some obligation on someone or other. Hence, introducing Law at senior secondary level shall equip learners with basic information in the legal domain that affects them daily. It will also help them to execute their duties while protecting their own and other's rights.

Objectives

After completing this course, the learner will be able to:

- develop an insight into various legal processes and practices;
- sensitise socio economic, political legal, ethical and moral values emerging from national and global concerns;
- act and demonstrate as law abiding, responsible citizens and agents of democratic governance;
- define the legal institutions and organs of state through which the power is structured and exercised;
- rewrite brief ideas on the underlying legal philosophy and also different types of legal system;
- explain the meaning and significance of legal phenomena and social infrastructure;
- explain various aspect of “We the People” and their impact on the development of the nation; and
- create interest among themselves to learn the basic theory and principles of law.

Scope and job opportunity

The law affects all aspects of our life. It protects us right from the mother’s womb to our education, service, marriage and other important events of life. Law plays a major role in our everyday lives, right from buying a newspaper or a bottle of milk or any other big or small item necessary for our life. The law is so important for our life that it becomes necessary to understand various aspects of the law. Moreover, there is a movement towards introducing ‘Law’ as a career option at increasingly earlier age. From the traditional approach of introducing ‘Law’ as a post-graduation Three years Course it is now being offered as Five years Integrated Course after +2. Studying ‘Law’ as a Course at Senior Secondary level will not only help to acquire working knowledge of Law at the early stage but also will help in higher studies in Law discipline.

Persons possessing Law degree can work as legal counsel and legal advisors for the corporate sector, firms, organizations, legal persons, individuals, and families. Law degree holder can also work as Legal Advisors in Department of Legal Affairs and Legislative Counsel in Legislative Department. Those who are interested in academic jobs can take up jobs in any University or Institute offering law courses to students

Eligibility conditions

Age: 15 Years

Qualification: 10th pass

Medium of instruction: Hindi, English and Urdu

Duration of the course: 1 Year

Weightage

Theory: 100 Marks

Tutor marked Assignments (TMA) : 20% Marks of theory

Scheme of studies: Theory (240 hours), TMA (self paced)

Scheme of evaluation: Theory paper 100 marks (3 hours), internal assessment (TMA) (20% of theory marks).

Pass criteria: 33% in each component.

Course content

S. No.	Module/Topics	Duration (in hours)	Module Approach/Description	Weightage (marks)
1.	Module-I Concept of Law 1. Meaning of Law 2. Classification of Legal System 3. Personal Law I: Hindu Law and Muslim Law 4. Personal Law II: Christian, Parsi and Jewish Law	35	The purpose for this module is to acquaint the learners with the meaning of Law, the Legal Systems that prevail in the globe and the various classifications of legal systems.	14
2.	Module-II Functions and Techniques of Law 5. Normative Functions of Law and Social Control 6. Principles of Natural Justice 7. Techniques of Law and Remedies I 8. Techniques of Law and Remedies II	35	Law is omnipotent and accordingly it has many and varied functions. This module is designed to familiarise the students with the functions and techniques of law which would enable them to understand the application of law.	12

3.	Module-III Classification of Law 9. Territorial Law 10. Civil Law and Criminal Law 11. Substantive Law and Procedural or Adjective Law 12. Public Law and Private Law	30	This module is designed for the purpose of making the students aware about the various sources and classification of law. The basic understanding about the different categories in the types of law can be learned by the learner and their division is also available in this module	14
4.	Module-IV Indian Court System and Methods of Resolution of Disputes 13. Indian Judicial System 14. Justice Delivery System 15. Alternative Dispute Resolution Mechanisms 16. Legal Services and Lok Adalat	30	The module provides for the legal mechanism that is meant to resolve disputes and problems that arise in the day to day transactions even between the neighbours and those who reside in the community through the intervention of Courts, Tribunals and alternative means of dispute resolution.	12
5.	Module-V The Constitution of India (I) 17. Constitution and Its Nature 18. Constitutionalism and Preamble 19. Fundamental Rights and Duties 20. Directive Principles of State Policy	35	This module would give an idea of the structure of Indian Constitutional system. This will also acquaint the learners with the salient features of the Constitution. It has also been designed to develop among learners an insight into the Fundamental Rights, Fundamental duties and Directive Principles of the State Policy enshrined in the Constitution.	14
6.	Module - VI The Constitution of India (II)	35	The purpose of this module is to familiarise the learners with powers, functions and working of the principal	14

	21. The Executive 22. The Legislature 23. The Judiciary		functionaries of three organs of the government both at the Union and the State (provincial) level as embodied in the Indian Constitution.	
7.	Module – VII A* Environmental Law, Role of Citizens, Police and Administration 24. Environmental Law 25. Sustainable Development 26. General Principles of Environmental Law 27. Contemporary Developments	40	The module is designed to generate awareness about the legal mechanism to protect the environment and general principles of Environmental Law as well as the role of citizens in protecting the environment. The module also lays emphasis on the role of citizens in maintaining a good social order, Police System and the need for manpower training.	20
	Module – VII B* Law Relating to Consumer Protection and Right to Information 24. Consumer Protection 25. Unfair Trade Practices 26. Consumer Redressal Agencies 27. Consumer Activism	40	Approach: The emphasis in this module is given to explain the meaning of Consumerism and to inform about the rights of consumers as well as generate awareness about the Right to Information.	20

***Note: Learner has to choose one Module from VII A or VII B**