



**BAL BHARATI PUBLIC SCHOOL, PITAMPURA, DELHI 110034**  
**SOCIAL AND POLITICAL LIFE**  
**CHAPTER 4: UNDERSTANDING LAWS**

DATE: 9/12/20-16/12/20

NO OF BLOCKS: 02

**GENERAL GUIDELINES: (E-MODULE)**

- Watch the videos related to the topic. (Link attached in the module)
- Read the content carefully. (Not to be copied in the notebook)
- Attempt all the given questions and assignment in the Social Science notebook.
- Do refer to the NCERT History textbook.

NCERT TEXTBOOK LINK: <http://ncert.nic.in/textbook/textbook.htm>

Chapter link: <https://ncert.nic.in/textbook.php?hess3=4-10>

Video: <https://www.youtube.com/watch?v=Xj1NNd7VTcQ>

SUB TOPIC:

- LAWS IN THE ANCIENT INDIA
- RULE OF LAW ESTABLISHED BY THE INDIAN CONSTITUTION
- FORMATION OF LAWS IN INDIA
- UNPOPULAR LAW
- CONTROVERSIAL LAW
- FORMATION OF LAW AGAINST THE DOMESTIC VIOLENCE

**LEARNING OBJECTIVES**

Each student will be able to:

- Develop an understanding of the rule of law and our involvement with the law.
- Analyze laws as evolving and subject to change.
- Gain a sense\rationale of the essential elements of the parliamentary form of government.
- Examine the procedure of formulating laws.

LESSON DEVELOPMENT

BLOCK I

**RULE OF LAW**  
All Laws apply equally to all citizens of the country and no one can be above the law.

**RULE OF LAW**

## LAWS IN THE ANCIENT INDIA:-

- In ancient India, there were many local laws.
- Different communities enjoyed different degrees of freedom/relaxation in administering these laws.
- In some cases, the punishment that two persons received for the same crime was different depending on their caste background.
- Lower castes people were harshly penalized or punished.

## DEBATE ON PIONEERS (LEADERS) OF LAW FORMATION IN THE COLONIAL INDIA:-

It is often believed that British colonialists introduced the rule of law in India. Historians however refute the claim that the British introduced the rule of law as:-



**Jallianwala Bagh massacre, 13 April 1919- Several hundreds of people died in this gunfire and many were wounded including women and children**



**Indian nationalists began protesting and criticising this arbitrary use of authority by the British.**

## INDIAN NATIONALISTS DEVELOPED PROPER LAWS IN BRITISH INDIA:-

- ✓ Indians criticized and protested against the arbitrary use of authority by the British.
- ✓ They tried to push for laws that included the idea of justice for all.
- ✓ Indian legal profession also began to demand respect and recognition in the colonial courts. It used laws to defend the legal rights of Indians.
- ✓ Indian Judges played a major role in making decisions in favor of Indian under the colonial rule.

## REACTIONS OF INDIAN NATIONALIST AGAINST THE ARBITRARY LAWS OF BRITISH:-

- ✚ Indian Nationalist began protesting and criticizing the arbitrary use of authority by the British.
- ✚ They began fighting for greater equality and justice.
- ✚ They demanded to change the idea of law from a set of rules that they were forced to obey.
- ✚ By the end of 19th century, Indian legal profession also emerged and demanded respect in colonial courts.

## FORMATION OF LAWS POST-INDEPENDENCE:-

- ✚ After the adoption of the Constitution, our chosen representatives (MP) in the Parliament make laws for the country which is implemented by the executive (Government).

## RULE OF LAW ESTABLISHED BY THE INDIAN CONSTITUTION:-

- ✚ The law cannot discriminate between persons on the basis of their religion, caste or gender.
- ✚ All laws apply equally to all citizens of the country.
- ✚ No one can be above the law.
- ✚ Any crime or violation of law has a specific punishment.



## EVOLUTION OF RULE OF LAW



- Indian legal profession began emerging and demanded respect in colonial courts.
- They began to use law to defend the legal rights of Indians.
- Indian judges also began to play a greater role in making decisions.

### FORMATION OF LAWS IN INDIA:-[A bill turns into a law by the following procedure]:-

- ✚ A bill is introduced in either house of the Parliament i.e. the **Lok Sabha** or the **Rajya Sabha**.
- ✚ A bill has to win the majority and receive **Presidential agreement** before it becomes an **Act** of Parliament.
- ✚ In the event of a **deadlock** (no decision) between the two houses, the issue is resolved at a joint sitting of the two houses.

### BLOCK II

#### UNPOPULAR LAW:-

- Sometimes a law that passes becomes unpopular and unacceptable to people because they feel that the intention behind it is **unfair and harmful**.
- Example:
- **Municipal laws** say that an open space should be there in a market for the people to walk easily but often these spaces are occupied by hawkers and many small vendors.
  - Large numbers of people are dependent on these road side hawkers and vendors for their daily needs.
  - Hence if one laws favour one group and disregards the other then it becomes controversial and lead to conflicts in the society.

## Unpopular and Controversial Laws



#### CONTROVERSIAL LAW:-

- ✚ The laws which favour one group and disregard the other are considered to be controversial laws.
- ✚ People who think that the law is unfair and unjust can approach court.
- ✚ The court has the power to modify or cancel laws if it finds that they do not adhere to the constitution.

## PEOPLE'S EXPRESSION OF THEIR DISCONTENT AGAINST UNPOPULAR LAWS IN A DEMOCRACY:-

People can show their unwillingness to accept repressive laws framed by the Parliament in many ways such as-

- + Criticizing the unpopular laws.
- + Holding public meetings.
- + Using print media like newspapers, magazines etc.
- + Using electronic media like Television, radio.
- + Using social networking.

### CASE STUDY

## FORMATION OF LAW AGAINST THE DOMESTIC VIOLENCE

### MEANING OF DOMESTIC VIOLENCE:-

- Domestic violence refers to the injury or harm or threat of injury or harm caused by an adult male, usually the husband against his wife.
- This injury may be emotional or physical abuse.



### RIGHTS OF THE WOMEN SURVIVORS OF VIOLENCE:-

- + The protection of women from domestic violence Act was passed in 2006.
- + It protects women as they can file a complaint against any kind of domestic violence.
- + They are protected for financial support in case the husband abandons his wife.
- + The law gives them their right to seek justice on the basis of equality.
- + This becomes important for the self-esteem of the women.

### GROUPS THAT TOOK THE LEAD IN THE FORMATION OF DOMESTIC VIOLENCE BILL:-

- ✓ Several women's organizations,
- ✓ National Commission for women,
- ✓ Lawyers and
- ✓ Media took the lead in drafting the domestic violence (Prevention and Protection).

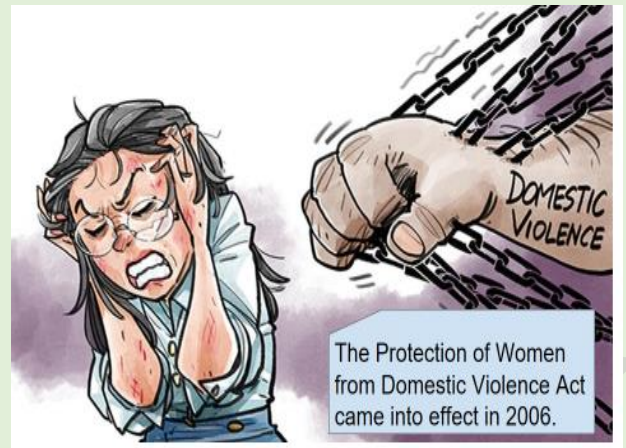
### CLAUSES OF THE DOMESTIC VIOLENCE ACT OF 2006:-

- + The law recognizes the right of women to live in a shared household.
- + It guarantees protection against violence.
- + Women can also get monetary relief to meet their expenses including medical costs.





Throughout the 1990s, the need for a new law was raised in different forums. In 1999, Lawyers Collective, a group of lawyers, law students and Activists, After a nation-wide consultation took the lead in drafting the Domestic Violence (Prevention and Protection) Bill. This draft bill was widely circulated.



The Protection of Women from Domestic Violence Act came into effect in 2006.



### CAUSES OF DOMESTIC VIOLENCE & SOCIAL INFLUENCES

Factors like Substance abuse, unemployment, mental health problems, lack of coping skills, excessive dependence on the abuser, cycle of abuse, social stress.

Social influences like Cultural view, Religion, Custom and tradition.

### ASSESSMENT

#### Multiple Choice Questions (MCQ)

- Which one of the following makes laws for the whole country?
  - The Parliament
  - Supreme Court
  - The Government
  - None of these
- The proposal for a law is called a
  - Bill
  - Act
  - Amendment
  - None of these
- Tax on salt was introduced during which period?
  - British colonial rule
  - Mughal rule
  - Independent India after 1947
  - Chandragupta Maurya's rule

#### Answer the following Question

- What is meant by Unpopular and Controversial Laws?
- Why do we need laws?
- Why did Government of India pass Dowry Prohibition Act?
- Make a list of the unpopular and controversial laws enacted by the Parliament.
- 'All persons in independent India are equal before the Law.' Discuss

**The following is a CROSSWORD. Clues are given to help you find the answers. In brackets is the number of letters that each must have:**

	S(2)											
								C 6				
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P (1)										B 8		
						M 7						

**CLUES: ACROSS**

- 1) It is the highest law – making body in India
- 3) A proposal to pass a new law
- 5) They must be protected against domestic violence
- 7) They are accountable to the parliament

**DOWN:**

- 2) The presiding officer of the Lok Sabha
- 4) Making these is the most important function of the legislature
- 6) A type of government formed by two or more parties
- 8) The annual financial statement placed before the parliament

**ACTIVITY:**

✚ Lots of people tend to take law into own hands these days. Discuss the reasons for such behavior in context with farmers protest.

**State whether the statements are True or False**

- a) Laws cannot be changed with time.
- b) People have the right to protest against a law passed by the Parliament.
- c) Laws passed by the government can get into controversy.
- d) The word ‘law’ is derived from Greek word ‘lag.’