CHAPTER – I
CONCEPTUAL FRAMEWORK OF THE STUDY
“Numberless are the world’s wonders, but none more wonderful than man; the storm grey sea yields to his prows, the huge crests bear him high; earth; holy and inexhaustible, is graven with shining furrows where his ploughs have gone”.

- SHAKESPEARE
# CHAPTER - I

## CONCEPTUAL FRAMEWORK OF THE STUDY

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CHAPTER – I

CONCEPTUAL FRAMEWORK OF THE STUDY

1.0 INTRODUCTION

“The purpose of education is not to produce people who loiter for jobs,
but to produce responsible citizens”.

- Sardar Patel.

Education is the learning process by which values, attitude, information and
skills are acquired and integrated. Education is bound up with human race. The
boundaries are as wide as those of life. Its impacts are rich and varied. It is a
continuous process that occurs from birth to death. It is imparted in oral and written
form. The United Nations Educational, Scientific and Cultural Organization
(UNESCO) has defined literacy in very clear terms that ‘literate is an individual who
is able to read and write, understand the sentences of daily life’. It should aim at all
round development of students. It should impart knowledge and information and also
to develop character and personality. It should broaden the outlook, develop skills
and abilities and prepare the students for life and world.

Education is the sub-set of social reality and the education process that goes on
in the school is the outcome of man-made environment created specially in order to
manipulate the same, thereby the desired objectives of education are achieved. In this
process the role of a teacher becomes crucial. Teaching fraternity has constituted an
important segment of any society since times immemorial. Creation of a good society
is certainly the main objective of this fraternity through working towards the all round
development of children. Society, especially in the present century, is dynamic and
the aspirations of society are also undergoing tremendous changes. Any education
must be able to respond to societal aspirations. Thus, the teacher’s role also changes.
This is truer in the present context as conditions are fast changing in society.

1.1 IMPORTANCE OF EDUCATION

“The act of teaching leads to reciprocal contacts between the teacher and the
pupils and the interchange itself is teaching.”

- Flanders

Education is not the amount of information which is put into our brain to
remain there all through our life undigested. It is man making, character building and
assimilation of ideas.

Education is a process of enculturation of every human group, be it formal or
non-formal. Every child is born in a culture, grows up in it to maturity where he
develops the capacity to modify, change or replace existent material and non-material
aspects of the culture for further transmission to future generations. Education is
expected not only to provide skills for survival and growth but also has to engender in
the students some basic human values and familiarize them with the formal and
informal normative principles of the society. Educational processes, thus, have to be
directed towards creating a human civilization where every person regardless of caste,
creed, sex, religion etc., leads a life of dignity and honour. It is therefore, crucial that
the adults, responsible for this process are familiarized not only with their own
national constitutional and legal frameworks but also with the international covenants and conventions to which their nations are committed.

Considering the general malice affecting most human groups in the form of conflicts arising out of continuing deep seated inequalities of caste, class, race, religion and above all gender, it is important to build in our educational system enough understanding and commitment to human progress through the social transformatory processes of education. The key to human development lies in ensuring observance of laws and not enforcement by external agencies.

THE CONSTITUTION OF INDIA, as the fundamental for all laws, rules and regulations, confers equal rights on both women and men but also provides for a protective discrimination in favour of women and children.

The college plays a key role in shaping the values and the behaviour of the young as conceived by a society. The nation has placed immense responsibility on education to catalyze and to transform the society and to lead the process of social action for change. The National Policy on Education (1986) has given a mandate to the educational system to become a major vehicle of bringing out equality between all its sections of population especially between women and men. The programme of Action (1992) for the Policy focuses legal literacy as a major instrument of gender equality and empowerment.

Education is regarded as the potential instrument of national development. Education mainly and basically deals with improvement of human resources. It is through education that a nation transmits its heritage, recreates its culture, strengthen its economy and conserves its values. It is the means of promoting “individual
excellence”. It is due to such immense importance that education has been enunciated as one of the fundamental human rights. The Charter of Human Rights framed by the United Nations Organizations in 1948 declares.

1. Everybody has the right to education. Education shall be free, universal and compulsory, at least in the elementary and fundamental stages. Technical and professional education shall be generally available and higher education shall be equally accessible to all one the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial and religious groups and shall further the activities of the United Nations.

The World Bank has described education as a “a basic human need” that enables one “to respond to new opportunities to adjust to changing situation”, to acquire knowledge and skills, enhancing productivity and income and to create and manage resources that accelerate the over all development.

Education is the most important single factor in achieving rapid economic development and technological progress and in creating a social order founded on the values of freedom, social justice and equal opportunity. The Education Commission, described education as a key input to development and which was Emphasized. In a world based on science and technology, it is education that determines the level of prosperity, welfare and security of the people. On the quality and number of persons passing out of our schools and colleges will depend our success in the great enterprise
of national reconstruction whose principal objective is to raise the standard of the people.

Education is a vital element for individual self-fulfillment and development of society. It is also considered an important instrument of social mobility, equality and empowerment both at the individual and collective levels. Education is a power which imbibes the values of tolerance, solidarity and co-operation. Education that liberates minds from the thralldom of obscurantism, bigotry and narrowness and nurtures, democratic values and promotes a societal transformation based on human rights culture.

For the development of values such as moral, social and spiritual in children, the place of teacher is matter of great significant. The little student looks the teacher as his ideal. Teacher is considered as friend, philosopher and guide. Teaching is the noblest and sacred profession.

The Constitution of India not only grants equality to all citizens regardless of caste, creed, race, sex or place of residence but also empowers the State to take special measures to remove the cumulative disadvantage of women and other historically deprived groups of population through special policies, programmes and ever new laws when required. The Constitution has since added the section of Fundamental Duties of every citizen (Part IV A) where among others it is the duty of every Indian to renounce practices derogatory to the dignity of women.

That women have equal rights is not known to women themselves, and men do not know women have these rights at par with them. The Indian society has been governed by the concept of Dharma, duty to oneself and duty towards others. Men
have had absolute rights over women, over children, over property. This has to be changed if we profess loyalty to our own Constitution which reflects the same human values that are contained in all international conventions and covenants to which we are a signatory.

The rules of the game, our laws, our hopes for a just and humane society have to be passed on to our children and youth and who else be a better vehicle of this but our teachers. For students to be able to become key actors in this unprecedented drama of humanizing an erstwhile unjust and highly iniquitous social order, it is important to introduce them on the basic tenets of our Constitution and the laws that govern the working of a society wedded to democratic ideals and secularism. This study upon general legal awareness is a test made upon educational and professional context.

1.2 LEGAL EDUCATION

“Justice delayed is justice Denied”

“The seat of justice is the seat of God”

“Buyers beware”

Legal literacy, per se, is the call of the day in particular regarding men’s rights and issues for creating a harmonious and a just society. Democracy becomes a lame horse in that case women are not equal. Both the reasons of expediency of the survival of a society and for recognition of the personhood of women, we need to know more about our normative structures. Like it or not, life operate on a legal playing field–cross the foul line, and may get sued, have a government agency fit our
life with a regulatory straightjacket, or be forced to watch our life collapse in a bankrupt heap amid a public scandal and personal humiliation.

Legal missteps are incredibly expensive, yet mainstream management theory largely ignores the legal consequences of decision making. Let us have business as example. It’s time for businesses to get proactive and use the legal risk management process to their advantage. This require management awareness of potential legal pitfalls at the beginning of their decision making processes, not after things have gone wrong and the lawyers are called in to clean up the mess.

Legal literacy throughout the business value chain puts managers—not their lawyers—in the driver’s seat of legal risk management, driving down the burdensome costs of excess legal risk. This is applicable to every walk of life of the citizen. Law may be termed as a behavioral science as it regulates human behaviour. It is expressed in words which are used in a particular context. Whatever be the source of law, it cannot provide remedy for all the situations and for all the time to come. Changes in society demand that law should move with the time if it has to remain alive and active and it can remain alive, active and useful, if it aware of its lacunae and takes step to overcome it with the passage of time.

‘Legal Research’ means research in that branch of knowledge which deals with the principles of law and legal institution. There are three main sources of law, viz., legislation, precedent and custom. Juristic writing are another important though secondary source of law and their importance is dependent on the fact whether it is given due recognition by the Courts or the Legislature or jurists in solving problems or not. The contents of these sources of law change with the changing requirement of the
society and if these changes are not taken into account in interpreting the law, the existing law is bound to be doomed.

The aim of law is, therefore, to regulate the human behaviors in the present day society and hence, legal research must be directed to the study of the relationship between the world of the law and the world that the law purports to govern.

1.3 EDUCATION IN INDIAN CONSTITUTION

Though higher education in the Western form was imported into India much earlier, only by the Acts of 1857 the three chartered universities at Bombay, Madras and Calcutta were created and the Allahabad University by the Act of 1887. The Indian Universities Act 1904 introduced great reforms and uniformity among the four universities. It is under the devolution Rules, the Government of India Act 1919 transferred education as a provincial subject. And based on this legislative power the different provinces passed Allahabad University Act 1921; Madras University Act 1923; Bombay University Act 1928; thereby repealing the previous central legislations. The Government of India Act 1935 also maintained Education as a provincial subject. The Constitution of India also maintained the same position in its original form by including the subject ‘Education including University’ in item 11 of the State list, but this power was carefully limited by subjecting it to the power granted to parliament in items 63, 64, 65 and 66 of the Union list. To say in short, ‘Education’ even when it was in the State’s purview had to be exercised subject to the exclusive powers allotted to the Union Government in items 63 and 66. It is worth noting here even that limited power was taken to Concurrent list by 42nd amendment and included as item 25 in the Concurrent list.
The legal position regarding Concurrent power is that, if any provision of the state law is repugnant to the provisions enacted by parliament, irrespective of the fact whether the parliamentary law passed before or after the state law, will prevail over the state law. However if any such repugnant or inconsistent provision of the state law was reserved for the consideration of the President of India and has received his assent despite the fact of its repugnancy with the parliamentary law on that subject in Concurrent list then in spite of its said repugnancy the state law will prevail in the concerned state.

The present constitutional position as interpreted by the Supreme Court, may be briefly summarized here. According to item 25 in the Concurrent list both the Parliament and State legislature can legislate on “Education, including technical education, medical education and Universities, SUBJECT TO the provisions of entries 63, 64, 65 and 66 of List I (Parliament), etc. coming to the parliament’s power in entries 63, 64, 65and 66 in List I. the first three entries namely 63, 64 and 65 specifically extend the power of parliament to exclusively deal with Banaras Hindu University, the Aligarh Muslim University, Delhi University, Scientific or Technical institutes funded wholly or in part by Central Government, Professional and Vocational institutions and such institutions to be establish by a law of Parliament and declared to be an institution of National importance. It is the entry 66 which is the vibrant and potential which reads as co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions”. It is to be noted here that any law passed by parliament under item 66 being in exercise of its exclusive power with over-riding effect and the state legislature’s power
in as much as having been subjected to the provisions of item 66, the logical conclusion is that the activities and ambit of the state legislature is confined to what is left over or permitted by the law passed by parliament under item 66 and the state’s have to conform to anything that has been prescribed by any law passed by Parliament under item 66 of Union list. This was the position of states power even when Education was in the State list. After transferring Education to Concurrent list, it is the parliament which has further gained and the states power is further limited to do anything without getting into inconsistency with the provision of law passed by parliament. As otherwise the doctrine of repugnancy will come into operation to nullify the provision of state law to the extent of inconsistency.

In the Indian Constitution, it is stated that all Indians are to be treated like socially, politically and before the law. Principles of “Equality” and “Social Justice” have propelled our constitution makes to provide adequate safeguards for the advancement of weaker sections of the society like scheduled castes and tribes. Article 46, which is in the directive principles of the state policy, states that “the state shall promote with special care the educational and economic interests of the weaker sections of the people and in particular of the scheduled tribes and shall protect them from social injustice and all forms of exploitations.

Although article 15 of the constitution rightly prohibits all discriminations against citizens on grounds of religion, race, caste or sex, place of birth, or any other thing, an exception is made by clause (4) of the Article which provides ‘nothing in this Article or in clause (5) of the Article 29 shall prevent the state from making any
special provisions for the advancement of any socially and educationally backward classes of citizens or for the scheduled castes and scheduled castes.

In pursuance of the clause (4) of Article 15 special reservations have been made [18% for S.C. 1% for S.T. and 31% for B.C. (it is 50% in Tamil Nadu) in education and employment by our governments. To promote ‘Equity’ in education. ‘The National Policy on Education (1986)’ recommended that “to provide for equalization of educational opportunities to all is not only for getting education but also to succeed in quality”. People glamour for equality and forget that quality cannot be sacrificed. Equality without quality leads to multiplicity of mediocrity. So we should aim to transform the system of education so that the promise of equality of opportunity and the promise of high quality education implicit in the democratic ideal are fulfilled. To put it in a crisp way, we have to proceed from ‘quantity’ to ‘quality’ so that ‘equity’ [‘equality with quality’] is achieved and all attain fatnesses to enter into the field of competition on the basis of performance. Education will be used as an agent of basic change in the status of Human being. In order to neutralize the accumulated distortions of the past, there will be a well conceived edge in favour of younger generation. The National Education System will play positive, interventionist role in the empowerment. It will faster the development of new values through redesigned curricula, textbooks, the training and orientation of teachers, decision-makers and administrators, and the active involvement of educational institutions.

1.4 LEGAL AWARENESS

For a common citizen of India there is a moral and legal necessity to know the legal set of the country. The citizen is always covered and protected by natural and
constitutional rules and regulations. The law paves a way to lead a peaceful life and to protect the environment. Hence for every citizen of India, it is necessary to know the laws of the country by which he/she is provided and protected. The national and international laws keeps the individual in a comfortable and combatable climate which ensures the human community in a more hale and healthy environment. “Ignorance of law is not excused” which means that any person cannot be excused as he/she is not aware of the law. It is a common duty of the individual to know about the law at least the basic and fundamental legal information’s on which the country is formed. This legal awareness is a must which ensures the peaceful life of each and everybody. Hence legal literacy is to be brought under the common schedule of the education. The legal awareness is felt necessary throughout the globe. Recently Union Minister for Human Resources Development Kapil Sibal have expressed the necessity for creating the legal awareness among people in general and students of schools and colleges in particular.

1.4.1 LEGAL AWARENESS PROGRAMMES

In order to generate the legal awareness among people it is the prime responsibility of the government to undertake certain special steps. The primary mandate of the National Commission for Women (NCW) is to seek justice for women, safeguard their rights, and promote women’s empowerment. The Commission monitors the proper implementation of all the legislations enacted to protect the rights of women so as to enable them to achieve equality in all spheres of life.

Recognizing the need to impart legal awareness to women and girls, regarding their rights, the Commission has initiated a ‘Countrywide Legal Awareness
Programme for Women and Girls’. The awareness programme is implemented through Non Governmental Organizations (NGOs) and reputed institutions and aims to empower women and girls with the knowledge of their legal rights and duties, ultimately to be able to share power equally, gain full access to the means of development and to inspire a whole generation of women to work together towards achieving equality and justice.

The National Commission for Women regularly extends financial support to NGOs and educational institutions to conduct Legal Awareness Programmes to enable women and girls to know their legal rights and to understand the procedure and method of access to the legal systems. There are free legal aid camps and legal awareness camps which interact with people to get rid of their legal disputes by which legal awareness is being encouraged. Union Government of India is contemplating to create legal awareness in the form of introducing law lessons in High Schools and Colleges (Kapil Sibal, Union Minister for Human Resources Development 2009).

1.5 INDIAN LAWS AND EDUCATION

Law may be termed as a behavioral science as it regulates human behaviour. It is expressed in words which are used in a particular context. Whatever be the source of law, it cannot provide remedy for all the situations and for all the time to come. Changes in society demand that law should move with the time if it has to remain alive and active and it can remain alive, active and useful, if it aware of its lacunae and takes step to overcome it with the passage of time. The Indian Constitutional Law provides all sorts of rules and regulations which are enacted as law to maintain law
and order in the society for the well being of the citizens. There are provisions for the amendments in order to be flexible with the passage of time and technology.

1.5.1 OBJECT OF LAW

The object of law is clear as per our Indian Constitution. In the eyes of Indian Constitutional law all are equal and its main focus is upon the maintenance of law and order of the society which has legal remedy for affected person.

1.5.2 GENESIS OF LAW

Indian Constitutional law has precedents from British Laws and are enacted in Central and State democratic set ups in Parliament and State Assemblies. Indian Constitution has its jurisdiction throughout the Country and the President of India can declare emergency by suspending the activities and dissolving the parliament and assemblies during emergency situations like war, external aggression, internal disturbance etc.,

1.5.3 INDIAN CONSTITUTIONAL LAW, 1949

Indian Constitution is the lengthiest Constitution in the world. It contains 405 Articles, divided into 24 parts and 10 schedules. Its main source is the Government of India Act 1935. It was drafted by the constituent Assembly formed for this purpose.

The Indian Constitution broadly deals with the structure and functions of the Union and State Executive, Legislature and Judiciary. In addition, it also deals with
the Fundamental Rights, Directive Principles of State Policy, Emergency Provisions and Amendment of the Constitution. Education is made has Fundamental Right to every citizen of India, and every individual is having the right to start any form of Educational Institutions.

A Constitution is the basic design of the structure and powers of the State (Country) and the rights and duties of its citizens. In other words, it is the collection of principles according to which the powers of the Government, the rights of the governed and the relation between the two are adjusted. There cannot be a State without a Constitution. The State is sovereign and the Constitution in general terms is the body of rules which directly or indirectly affect the distribution of the exercise of sovereign power in the State. Thus, according to Gilchrest, “the Constitution of a State is that body of laws, written or unwritten which determines the organization of Government, the distribution of powers to various organs of Government and the general principles on which these powers are to be exercised.”

It is the entire body of fundamental law of state consisting of rules, regulations, laws, conventions and precedents dealing with the organization of the State, the distribution of powers to various organs, the rights and duties of its subjects and their relationship with each other.

The ‘preamble’ of this constitution clearly explains the overall content of the whole constitution. The fundamental rights and duties are as the two sides of a same coin which have been explained and emphasized with its Indian applicability. The Indian Constitution Law is highly flexible as they can be repealed and amended as and
when they are warranted. Hence they are having high adaptation and adoption in the form of commissions and omissions.

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens.

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

IN OUR CONSTITUTENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

According to the canons of statutory interpretation, the proper function of a preamble is to explain certain facts which are necessary to be explained before the enactments contained in the Act can be understood. In short, it contains a recital of the facts or state of the law for which it is proposed to legislate by the statute, the object and policy of the legislation and the evils or inconveniences it seeks to remedy. But though it is a recital of some inconveniences, it does not exclude others, for which remedy is given by the enacting parts of the statute. Hence, where the language of the
enacting sections is clear and *unambiguous*, the terms of the Preamble cannot qualify or cut down that enactment.

### 1.5.4 LEGAL JURISDICTION

Indian Law is applied to each and everybody without any valid exclusion. Ignorance regarding the law either in the form of legal literacy or in the form of basic concepts of law can not be excused in any manner and there should be constant awareness for quick and genuine remedy for the violations of law.

### 1.5.5 APPLICATION OF LAW

The taluk, district, state and national level courts as per their hierarchy and powers are having their name with fame for their legal activities in the country and has national application.

### 1.5.6 OPERATION OF THE COURT

The contempt of any court has its strict action for the deliberate violations of the court and its activities. Apart from regular courts, tribunals are formed for special and urgent issues by the government for a definite period. Lok Adalats and evening courts are coming for the rescue to overcome over border of the regular courts.

### 1.5.7 CIVIL PROCEDURE CODE, 1908
The property disputes, copy rights, defamation, wills like issues are brought in the civil courts.

This is an act to consolidate and amend the laws relating to the procedure of the Courts of Civil Judicature.

Whereas it is expedient to consolidate and amend the laws relating to the procedure of the Courts of Civil Judicature; it is hereby enacted as follows:

This Act may be called as the Code of Civil Procedure, 1908.

It shall come into force on the first day of January, 1909.

It extends to the whole of India except–

a) the State of Jammu and Kashmir;

b) the State of Nagaland and the tribal areas;

1.5.8 CRIMINAL PROCEDURE CODE (CRPC), 1973

The criminal cases are initially registered in the police stations in the form of First Information Report (FIR) and then brought to magistrate and sessions courts for trial. The bail for the accused will be decided in the criminal courts. To maintain peace in the society, section 144 of criminal procedure code is declared. The injuries which may amount to murder, corporal offences, dishonor of cheque cases, treason, like cases are tried in the criminal courts.

Be it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows;

The Act may be called the Code of Criminal Procedure, 1973.
It extends to the whole of India except the State of Jammu and Kashmir:
Provided that the Provisions of this Code, other than those relating to Chapters VIII, X
and XI thereof, shall not apply

a) to the State of Nagaland.
b) to the tribal areas.

This Act contains 37 Chapters and 484 Sections with 2 Schedules

1.5.9 FAMILY LAWS

In the family courts the disputes arising out of married life of the couples are
tried for restitution of conjugal rights, divorce, maintenance, etc.,

We can classify sources of Hindu Family Law into two main categories. They
are ancient sources and modern sources. The ancient sources are: 1) the Sruti, 2) the
Smriti, 3) commentaries and digests 4) Sadachara or customs. The modern sources are
1) Judicial decisions 2) Principles of justice, equity and good conscience and 3)
Legislation.

Family Courts Act, 1984; An Act provided for the establishment of Family
Courts with a view to promote conciliation, in, and secure speedy settlement of,
disputes relating to marriage and family affairs and for matters connected therewith
(as amended Act No. 5 of 1991). This Act contain 6 Chapters and 23 Sections.

Hindu Marriage Act, 1955; An Act to amend and codify the law relating to
marriage among Hindus. This Act contains 30 Sections.

Hindu Succession Act, 1956; An Act to amend and codify the law relating to
intestate succession among Hindus. This Act contains 4 Chapters and 31Sections.
The Indian Succession Act, 1925; An Act to consolidate the law applicable to intestate and testamentary succession. This Act contains 4 Parts and 392 Sections.

1.5.10 THE NATIONAL HUMAN RIGHTS COMMISSION (PROCEDURE) REGULATIONS, 1994

In exercise of the powers conferred by sub-section (2) of section 10 of the Protection of Human Rights Act, 1993 (10 of 1994), the National Human Rights Commission hereby makes the following regulations.

These regulations may be called THE NATIONAL HUMAN RIGHTS COMMISSION (PROCEDURE) REGULATIONS, 1994.

They came into force with effect from the 1st day of March, 1994.

The struggle to preserve, protect and promote human rights is perhaps as old as human civilization. It continues all over the world even today. India, being the mother-land of many cultures and civilizations, is also a great and old companion of this struggle. Many centuries ago, it was from this holy land that the highest ideal of human life was echoed. That is, let all people be happy. In fact, the protection and promotion of human rights are possible only in a society where all people, irrespective of their castes, creeds, sex and religions, live happily.

It was against the backdrop of unprecedented destruction and disasters perpetrated by man against man in the World War II that the United Nations was established in 1945 for promotion of international peace and prosperity. It marked the beginning of a new era of internationalization of human rights ideals with the proclamation of Universal Declaration of Human Rights (UDHR) on the historic day
of December 10, 1948. Today, when the World human rights community is celebrating the Golden Jubilee of UDHR, it would be worthwhile and timely to make an assessment of the past, present and future of human rights movement in modern India.

Today education is as much about learning to live together, learning to know, learning to do and learning to be. Yet we cannot live together if our possibilities of expression are limited to a single linguistic frame. This is often at the root of problems encountered in multicultural societies.

The need for human rights education has been emphasized in the Universal Declaration of Human Rights and other international documents and treaties. Provisions from these instruments state that human rights education consists of efforts to build a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes. Such education should be directed towards: strengthening respect for human rights and fundamental freedoms; fully developing the human personality and its sense of dignity; promoting understanding, tolerance, gender equality and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups; enabling everyone to participate effectively in a free society; and furthering the United Nations, activities for maintaining peace.

A growing consensus holds that human rights education can help to reduce human rights violations and contribute to building free, just peaceful societies. Human rights, as inscribed in the Universal Declaration, form the common language of humanity. The objective of the United Nations in its human rights educational
efforts is to teach the “common language of humanity” to people everywhere. The organization strives to make humankind fluent in the vocabulary of human rights, and to enable people everywhere.

Through education, the UN proposes to build a universal culture of human rights. Through the years, the United Nations’ efforts to promote and encourage respect for human rights as a fundamental freedom, without regard to race, sex, language or religion, have ranged from standard-setting to monitoring, from facilitating international dialogue and cooperation to providing technical assistance and from commissioning technical studies to deploying large-scale peace-keeping missions; the universal standards, international mechanisms, and an ethical and legal foundation of rights and responsibilities of nations and people. There are three dimensions to the promotion of human rights through education: knowledge—providing information about human rights and the mechanisms that exist to protect those rights; values, beliefs and attitudes—promoting a human rights culture through the development of these processes; and action—encouraging people to defend human rights and prevent human rights abuses.

In June 1993 the UN World Conference on Human Rights at Vienna, Austria, boldly recommended that “States should strive to eradicate illiteracy and should direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedom; the World Conference calls on all States and Institutions to include HUMAN RIGHTS, HUMANITARIAN LAW, DEMOCRACY AND RULE OF LAW AS SUBJECTS IN THE CURRICULA OF ALL LEARNING INSTITUTIONS.” Consequently, action
has been initiated at all levels. There is an urgent need for training of teachers in the teaching of human rights.

Human rights are the rights a person has simply because he is a human being. Human rights are held by all persons equally, universally, and forever. The time has come that we should teach human rights, integrated in all subjects in the classroom. Indubitably, human rights education is a subject worthy of close attention by those concerned about the nature of education itself. Moreover, education in human rights is itself a fundamental right, and also a responsibility. The Preamble to the Universal Declaration of Human Rights (UDHR) exhorts “every individual and every organ of society” to “strive by teaching and education to promote respect for these rights and freedom.” The international Covenant of Civil and Political Rights (ICCPR) declares that a government “may not stand in the way of people learning about their rights.”

1.5.11 EDUCATIONAL LAWS

Education is a birth right as per the Indian constitutional law. Hence in all angles. Education is made mandatory for every human being according to the National and International law. In general Human Resources Ministry of Central government guides University Grants Commission. In turn UGC guides NCTE and NCERT for the quality and quantity maintenance of man making education. Education is brought under the central and state list for flexible maintenance of education. The above hierarchy have framed several educational rules and regulation for the promotion of standards of education.

1.5.12 ENVIRONMENTAL LAWS
Basically, there are six pollution regulations out of which the Water (Prevention and Control) Act, 1974 can be considered to be truly the first regulation.

1. The Air (Prevention and Control of Pollution) Act, 1981 and its amendments;

2. The Water (Prevention and Control of Pollution) Act, 1974 and its amendments;

3. The Water (Prevention and Control of Pollution) Cess Act, 1974 and its amendments;

4. The Environment (Protection) Act, 1986 and its amendments,
   (A) National Environmental Tribunal Act of 1995 and
   (B) National Environmental Appellate Authority Act of 1997;


**Environmental Protection Act 1986**

This Act intended to serve three purposes. Firstly, it is to protect and improve the environment; secondly, to prevent hazard to human beings and thirdly, at is in respect of living creations plants and property. This act is divided into four chapters.

Under the “Environmental protection Act, the definition “Environment” is given as under “Environment includes water, air and land and the inner relationship which exist among and between water, air and land, human beings, other living creatures, plants, micro-organism and property”.

“Environment pollution” means any solid, liquid or gaseous substance present in such concentration as may be or tend to be, injury to environment.

“Hazardous substance” means any substance or preparation which by reason of its chemical or physico-chemical properties or handling is liable to cause harm to human beings, often living creations, plants, microorganisms, property or the environment.

**Legal Aspects:** There are a number of legislations which deal with pollution control. To mention a few, the Indian Penal Code, the Indian Fisheries Act, the Indian Ports Act, the Factories Act, the Air (Prevention and Control of Pollution) Act, the Environment Protection Act, etc. In section 217(i)(e) of Companies Act, 1956, mention has been made of conservation of energy whereas an equally important aspect relating to environment and ecology does not find a place in it.

**1.5.13 CONSUMER PROTECTION ACT, 1986**

Nowadays consumers are having their rights over trade practices. The aggrieved persons are able to seek remedy in the form of compensation and replacement of goods and services. Recently medical service has been brought under their consumer protection Act executed by District, State and National level forms, Boards and Tribunals respectively and the retired judges of District, High court and Supreme courts are heading these activities respectively.

This is an act to provide for protection of the interests of consumers and for that purpose to make provision for the establishment of Consumer Councils and other
authorities for the settlement of consumers’ disputes and for matters connected therewith.

   The provisions of the Consumer Protection Act, 1986 are in addition to and not in derogation of the provisions of any other law for the time being in force.

   This Act contains Four Chapters and Thirty One Sections.

**1.5.14 COPYRIGHT RULES, 1958**

Freedom of expression in any form is given to all the citizens of India in the Constitution of India which should not damage the name, fame and image of anybody. Hence copyright Act comes in the rescue during the above unwanted situations.

The existing law relating to copyright is contained in the Copyright Act, 1911 of the United Kingdom (hereinafter referred to as the United Kingdom Act) as modified by the Indian Copyright Act, 1914. Apart from the fact that the United Kingdom Act does not fit in with the changed constitutional status of India, it is necessary to enact an independent self-contained law on the subject of copyright in the light of growing public consciousness of the rights and obligations of authors and in the light of experience gained in the working of the existing law during the past years, New and advanced means of communications like broadcasting, lithography, etc., also call for certain amendments in the existing law. Adequate provision has also to be made for fulfillment of international obligations in the field of copyright which India might accept. A complete revision of law of copyright, therefore, seemed inevitable, and the Bill attempts such a revision.

   This Act contains 15 Chapters and 78 Sections.
The Copy Right Act 1957 contains 9 Chapters and 28 Sections.

**1.5.15 INCOME TAX ACT, 1962**

Income-tax is behind as a step towards establishing a fair economic condition of the society. The supply amount of income is calculated and taxed in the form of tax for income, wealth, asset sources of an individual and group for a particular period within income slabs.

It has some concessions to special cases as senior citizens, endowments and charitable purposes. The annual income of the individual is limited from Rs. 1,10,000 to Rs. 1,50,000/- 10% tax is levied and from Rs.1,50,000/- to Rs. 2,50,000/- 20% tax is levied and above Rs. 2,50,000/- 30% tax is levied, for employed male, Rs. 1,45,000/- there is no income tax for employed females and from above the Rs. 1,50,000/- the usual form of tax is levied for the assessment year 2008. For 2009 assessment year Rs. 10,000 has been added. The senior citizens are getting concessions and the super taxes are levied for the income which are arbitrarily high as per the income tax act.

**1.5.16 INFORMATION TECHNOLOGY ACT, 2000**

This era is devoted and designed as the global era as the development of information technology in all fields. The unlimited development paves ways for violations and misuses of it. Hence true is need for protecting the execution of Income Tax. The electronic computer internet oriented offences are increasing through out the globe which is checked by Anti Cyber Crime.

This Act may be called THE INFORMATION TECHNOLOGY ACT, 2000.
It is extend to the whole of India and, save as otherwise provided in this Act, it applies also to any offence or contravention there under committed outside India by a person.

It came into force on such date as the Central Government, by notification, appoint and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.

This Act contains 13 Chapters and 94 Sections.

1.5.17 THE INDIAN PENAL CODE (IPC), 1860:

Indian Penal code is a guide for the avoidance of punishable offences which has more than 500 sections which are often amended with suitable punishments as and when there is a need for it like the lifetime sentence which is imprisonment for the whole life time of an accused.

It is expedient to provide a General Penal Code for India; it is enacted as follows;

This Act shall be called Indian Penal Code, and shall extend to the whole of India except the State of Jammu and Kashmir.

Every person shall be liable to punishment under this Code and not otherwise for every act or omission contrary to the provisions thereof, of which he shall be guilty within India. Any person liable, by any Indian Law, to be tried for an offence committed beyond India shall be dealt with according to the provisions of this Code
for any act committed beyond India in the same manner as if such act had been committed within India.

The provisions of this Code apply also to any offence committed by–

1) any citizen of India in any place without and beyond India;

2) any person on any ship or aircraft registered in India wherever it may be,

It contains 23 Chapters and 511 Sections.

1.5.18 INDIAN EVIDENCE ACT, 1872

Indian Evidence Act clearly explains the persons, circumstances, methods, objects, media etc., Based upon the evidences a person may either be convicted or acquitted. The geniuses of the evidence is decided by more then one factor of the evidence is not clear or the benefit of the doubt is given to the accused. Dying declaration, confession statements are among the highlights of this act.

This Act may be called the Indian Evidence Act, 1872. It extends to the whole of India except the State of Jammu and Kashmir and applies to all Judicial proceedings in or before any Court, including Courts-martial, other than Courts-martial convened under the Army Act, the Naval Discipline Act or the Indian Navy (Discipline) Act, 1934, or the Air Force Act but not to affidavits presented to any Court or Officer, nor to proceedings before as arbitrator. This Act contains 11 Chapters and 167 Sections.
1.5.19 ESSENTIAL COMMODITIES ACT, 1955

Indian Constitution gives emphasis for economic, social, political, cultural, equality in the society. Hence, tampering activities are prohibited. The adulteration in any form which is injurious to the health of the citizen is prevented by Essential Commodities Act which maintains the purity and quality of an individual. An Act to provide, in the interests of the general public, for the control of the production, supply and distribution of, and trade and commerce in certain commodities.

1.5.20 THE REGISTRATION ACT, 1908

Indian Registration Act provides the legal registration for movable, immovable, will, marriage, endowments, trusts, etc., By this registration, true registration gives legal and perpetual rights and ownership which can be maintained or transferred. This Act to consolidate the enactments relating to the Registration of Documents.

Whereas it is expedient to consolidate the enactment relating to the registration of documents; It is hereby enacted as follows:

This Act may be called as the Registration Act, 1908.

It extends to the whole of India except the State of Jammu and Kashmir.

Provided that the State Government may exclude any districts or tracts of country from its operation.

It came into force on the first day of January, 1909.

This Act contains 15 Chapters and 93 Sections.
1.5.21 THE INDIAN CONTRACT ACT, 1872

Indian contract Act is an old act derived form English Contract Act which provides the facility for making all types of contracts in the form of arguments, sale, lease, mortgage, pledge, indemnity etc., with the eligibility to make contracts as valid, void and voidable contract forms. The registration of the contract is not a compulsory except for legal validity.

It extends to the whole of India except the State of Jammu and Kashmir; and it came into force on the first day of September, 1872.

The Indian Contract Act came into force on the first day of September, 1872. Prior to this enactment, the law relating to contracts as applied in India was wanting in uniformity and certainly. The English law so far as it was suitable to local circumstances, was introduced into the Presidency towns of Madras, Bombay and Calcutta by the Charter granted in 1726 by Kin George I to the East India Company. In 1781 the Act of settlement passed by the British Parliament provided that questions of inheritance and succession, and matters of contracts and dealing between parties should determined in the case of Mohammedans and Hindus by their respective laws, and where only one of the parties should be a Mohammedan or Hindu “by the laws and usages of the defendant”. This was the rule in the Presidency towns. In the mofussil, that is, outside the Presidency towns, there was no Law of Contracts as such and suits involving questions of contract were to be decided according to justice, equity and good conscience.
The contract Act of 1872 dealt inter alia with Sale of Goods, Indemnity and Guarantee, Law of Bailment, Agency and Partnership. In 1930 a separate Act on the Sale of Goods was passed. In 1932 the Indian Partnership Act was passed. These two Acts closely follow the analogous English Acts and have stated the law more fully and accurately. In consequence of the passage of these Acts the corresponding chapters of the Contract Act have been repealed. Apart from this the Contract Act has not been much modified from the date of its enactment.

This Act contains 11 Chapters and 239 Sections.

1.5.22 INTERNATIONAL LAWS

International laws are having common and noble Universal object of maintaining peace and order in the society. English law has its shadow upon Indian law directly and the UN enactments are used as guidance for foreign relationship maintenance.

1.5.23 PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005

Women are protected for their rights, and privileges in all the ways possible. They are protected from domestic violence and sexual harassment by protection of women from Domestic violence Act. This is an Act to provide for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and for matters connected therewith or incidental thereto.
This Act may be called the Protection of Women from Domestic Violence Act, 2005.

It extends to the whole of India except the State of Jammu and Kashmir.

It came into force on such date¹ as the Central Government, by notification in the Official Gazette, appointed.

This Act contains 5 Chapters and 37 Sections.

1.5.24 THE JUVENILE JUSTICE CARE AND PROTECTION OF CHILDREN ACT, 2000

An Act to consolidate and amend the law relating to juveniles in conflict with law and children in need of care and protection, by providing for proper care, protection and treatment by catering to their development needs, and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under this enactment.

Whereas the Constitution has, in several provisions, including clause [3] of article 5, clauses [3] and [f] of article 39, article 45 and 47, impose on the State a primary responsibility of ensuring that all the needs of children are met and that their basic human rights are fully protected;

And whereas, the General Assembly of the United Nations has adopted the Convention on the Rights of the Child on the 20th November, 1989;

And whereas, the Convention on the Rights of the Child has prescribed a set of standards to be adhered to by all State parties in securing the best interests of the child;
And whereas, the Convention on the Rights of the Child emphasizes social reintegration of child victims, to the extent possible, without resorting to judicial proceedings;

1.5.25 THE LIMITATION ACT, 1963

This is an act to consolidate and amend the law for the limitation of suits and other proceedings and for purposes connected therewith.

Be it enacted by the Parliament in the Fourteenth Year of the Republic of India as follows,

This Act may be called the Limitation Act, 1963.

It extends to the whole of India except the State of Jammu and Kashmir.

It came into force on such date as the Central Government may, by notification in the Official Gazette, appointed.

This Act has 5 Parts and 32 Sections.

1.5.26 THE INDUSTRIAL DISPUTES ACT, 1947

This is an act to make provision for the investigation and the settlement of industrial disputes, and for certain other purposes.

It is hereby enacted as follows,

This Act may be called the Industrial Disputes Act, 1947.

It extends to the whole of India.

It came into force on the first day of April, 1947.
The terms “Industrial Law” and “Labour Law” are often used interchangeably in our country. The scope of the term Industrial Law is, however, much wider. Broadly speaking, Industrial Law covers all Statutes and Case Law pertaining to industry. As such, it covers not only laws affecting or relating to industry and labour but also laws pertaining to taxation and corporate matters. In the restricted sense, the term Industrial Law is “confined only to those laws which have bearing on industry in its relation to or as affecting labour.” In this sense, Industrial Law is a term synonymous with Labour Law which obviously covers only those laws which are primarily concerned with labour.

The term “Labour Law” is used to denote that body of laws which deal with employment and non-employment, wages, working conditions, industrial relations, social security and labour welfare of industrially employed persons. The origin and growth of Labour Law may be ascribed mostly to the development of organised industry where a large number of workers, including women and children, are employed “under conditions which tend to be detrimental to their health, safety and welfare and against which they are often unable to protect themselves.”

This Act contains 7 Chapters and 40 Sections. It has 35 Amendments

1.5.27 THE NEGOTIABLE INSTRUMENTS ACT, 1881

An Act to define and amend the law relating to Promissory Notes, Bills of Exchange and Cheques.

This Act may be called the Negotiable Instruments Act, 1881.
It extends to the whole of India but nothing herein contained affects the Indian Paper Currency Act, 1871 (III of 1871), Section 21, or affects any local usage relating to any instrument in an oriental language.

The progress of commerce has been greatly aided by means of negotiable instruments. In primitive times commerce consisted in barter. Barter, that is, the exchange of goods, gave place to trade with the use of coined money. Money serves a useful purpose as a medium of exchange. Coined money has been supplemented by paper money or currency notes. Transporting money from one place to another is inconvenient and hazardous. So merchants invented negotiable instruments. These are documents containing a promise to pay or requiring some one to pay ‘on demand’ or on a specified date. They represent money and can be used as money and can be used as substitutes for money. They are negotiable, i.e., property therein can pass as in the case of money by mere delivery. The Negotiable Instruments Act deals with three classes of negotiable instruments, viz., Promissory Notes, Bills of Exchange and Cheques.

1.5.28 LABOUR AND INDUSTRIAL LAWS

1.5.29 THE RIGHT TO INFORMATION ACT, 2005

This Act provide the facility for getting the required informations from the Government offices for the common citizen of India. This Act facilitates for penalizing the defaulters where if they fail in the duty to furnish the details required under the act.

1.5.30 RECENT LAWS

The Indian Constitution has high flexibility to accommodate subsequent amendments which are constantly enacted and included as recent laws. Teachers are punished if they impose any corporal punishment to the students. Indian citizen is having the right to know the information in the democratic set up in the form of Right to know the Information Act. UGC, AICTE, MCI, ICAR and similar organizations are forming new rules and regulations like the exemptions of SLET/NET qualification in college teaching/administration. Railway enquiries, Military enquiries, Arbitrations, Revenue enquiries, are some of the parallel law executing machineries which has no ultra vires with Indian Constitutional Laws. Minor, Major, Special Acts are having numerous Acts to be executed and protect people through these laws.

1.6 LEGAL DIMENSIONS

THE CONSTITUTION OF INDIA, as the fundamental for all laws, rules and regulations, confers equal rights on both men and women. As per the opinions and suggestions of the experts in education and law the basic laws were considered which are often applied by each and every individual. The professional course students have
also having the chance of coming across certain general rules and regulations with legal applications which are selected for the study as follows,

<table>
<thead>
<tr>
<th>S.No</th>
<th>Legal Dimensions</th>
<th>No. of Items</th>
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<tbody>
<tr>
<td>1.</td>
<td>Object of Law</td>
<td>4</td>
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<tr>
<td>2.</td>
<td>Genesis of Law</td>
<td>5</td>
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<tr>
<td>3.</td>
<td>Legal Jurisdiction</td>
<td>5</td>
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<tr>
<td>4.</td>
<td>Application of Law</td>
<td>4</td>
</tr>
<tr>
<td>5.</td>
<td>Operation of the Court</td>
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<tr>
<td>6.</td>
<td>Indian Constitutional Law</td>
<td>8</td>
</tr>
<tr>
<td>7.</td>
<td>Civil Procedure Code</td>
<td>3</td>
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<tr>
<td>8.</td>
<td>Criminal Procedure Code</td>
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<tr>
<td>9.</td>
<td>Family Law</td>
<td>2</td>
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<tr>
<td>10.</td>
<td>Human Rights Act</td>
<td>6</td>
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<tr>
<td>11.</td>
<td>Educational Law</td>
<td>7</td>
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<tr>
<td>12.</td>
<td>Environmental Law</td>
<td>6</td>
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<tr>
<td>13.</td>
<td>Consumer protection Act</td>
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<td>14.</td>
<td>Copy Right Act</td>
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<td>15.</td>
<td>Income Tax Act</td>
<td>3</td>
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<tr>
<td>16.</td>
<td>Information Technology Act</td>
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<td>17.</td>
<td>Indian Penal Code</td>
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<td>18.</td>
<td>Indian Evidence Act</td>
<td>5</td>
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<td>19.</td>
<td>Essential Commodities Act</td>
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<td>20.</td>
<td>Indian Registration Act</td>
<td>2</td>
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<tr>
<td>21.</td>
<td>Indian Contract Act</td>
<td>5</td>
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<tr>
<td>22.</td>
<td>International Law</td>
<td>3</td>
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<tr>
<td>23.</td>
<td>Protection of Women from Domestic Violence Act</td>
<td>3</td>
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</tbody>
</table>
1.7 PROFESSIONAL EDUCATION

Apart from the traditional arts and science courses there are some other courses which are specially designed for the specially aptituted students which ensures towards the profession in various fields. On knowing the importance and demand of the professional courses, Government has designed separate syllabus and system in various professional branches combined with the subject knowledge, required skills and technological competencies are being given along with proper intensive training. These courses comprises Education, Engineering, Management, Medical, Nursing, Pharmacy, Agriculture, Physical Education, Veterinary Science etc., The students from these professional courses were selected for the present study.

1.8 PROFESSIONAL EDUCATION IN TAMILNADU

There are several professional courses are being given to the eligible students. The brief details of the professional courses selected for the study are given below.

Education, Engineering, Management, Medical, Dental, Nursing, Pharmacy, Agriculture, Physical Education and Veterinary Science.

The eligibility for getting admission on the above professional courses, the duration of the courses, rules and regulations etc., are prescribed by the respective National and State authorities viz., UGC, CSIR, NCTE, NCERT, UNIVERSITIES etc. In all the professional courses higher studies like Post Graduate courses, Research
Degrees, are also given on par with future expansions and expectations. The brief description about these professional courses are given below:

**Teacher Education Professional Courses (B.Ed., M.Ed., M.Phil., Ph.D.):**

Tamil Nadu has a long tradition of respecting teachers who dedicate their lives for the promotion of education and society. An old Tamil saying goes thus “verily the man who teaches is god”. Teacher also known by various attributes like “Asan” “Asiriyar” perhaps denoting the various levels of their academic excellence. The word “Asiriyar” means one who removes the blemishes.

Colleges of education cater mainly to secondary education. In Tamil Nadu there are more number of colleges of education and University departments of education, which offer B.Ed., M.Ed., programmes. From the academic year 2008 – 2009 onwards all the B.Ed Colleges in the Tamil Nadu State have been brought under the management of the separate exclusive university called Tamil Nadu Teachers Education University, situated at Chennai. There are more than five hundred B.Ed colleges affiliated with this newly established State University

**Goals and Objectives of Teacher Education**


1) To serve as the conscience of the Nation and from this print of view, they should encourage individuality, variety and dissent with a climate of tolerance.

2) To promote a rational outlook and scientific temper.
3) To promote the development of the total personality of students and inculcate commitment to society through involvement in national service programmes.

4) To promote commitment to the pursuit of excellence.

5) To contribute to the important of the entire educational system so as to serve the nations.

All the Teacher Education institutions offer B.Ed., programme (One year) some colleges are offering M.Ed., M.Phil., Ph.D., programmes also.

**Engineering Professional Courses (B.E., B.Tech., M.E., M.Tech.,)**

Engineering is role of an expertise then a career, which can open tools into a vast range of jobs. Engineering probably has a wider choice in an environment to look them any other profession. Engineering is to do with the application of science and mathematics to the solving of practical problems and the making of useful things. The technological and industrial infrastructure of a country is laid down by engineers. The wide range of engineering functions appeal to different temperament and talents.

Creative design, developing ideas, translating them into the end product, selling, managing resources, people and processes, research are just a few of the activities where engineers are involved in.

**Academic Goals with reference to Engineering**

1) To prepare carefully selected students for quality education in science, technology, and engineering in order to produce and creative scientists; technologists, and engineers imbued with a sense of purpose and confidence essential for building a dynamic, vibrant nation.

2) To establish, on the campus, an academic community of teachers, researchers and students bristling with ideas that generate knowledge that tends to innovation that creates wealth, thus making engineering education a thriving entity in the age of knowledge, with age of intelligence close to its heels, in an environment of continuous learning.

3) To make engineering education, dependable technological resources for a whole gamete of problems related to technology and management faced by industry and for meeting all needs of industry related to human resource development.

4) To foster inter-disciplinary approach and inter-departmental involvement in the Engineering Education Programme.

**Medical Education Professional Courses (M.B.B.S., M.D., M.S., etc.,)**

**Aims and Objectives of Medical Education**

Graduate medical curriculum is oriented towards students to undertake the responsibilities of the general practitioner who are capable of looking after the preventive, promotive, curative and rehabilitative aspects of medical care.
To undertake the responsibilities of various service situations which is essential to provide adequate placement training tailored to the needs of such services.

To avail of opportunities and engage in professional activities the graduate shall endeavor to acquire basic training in different aspects of medical care. (Medical Council of India).

**Courses of Study offered**

<table>
<thead>
<tr>
<th>Under Graduate Course</th>
<th>M.B.B.S</th>
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</table>

Degree Courses

| Duration | 4½ + 1 Year. (Internship) |

**Agriculture Professional Courses (B.Sc Agri., M.Sc Agri., etc.,)**

India possesses a sizeable number of Agriculture Universities in all States. Technology infrastructure spread across the country with all Agricultural Universities, with research institutions leading to Ph.D. This country is in an enviable position as regards science and technologies manpower.

**Objectives of Agriculture Education (Tamil Nadu Agricultural University)**

To impart agriculture education in different branches of agriculture and allied sciences.

1) To further the advancement of learning and prosecution of research.
2) To undertake the extension of agriculture and allied sciences to rural people.
Courses Offered:
B.Sc., (Agri), B.Sc., (Sericulture), B.Sc., (Horticulture), B.Sc.,
(Fisheries Science)
M.Sc., (Agri)
M.Sc., (Hort)
M.E (Agricultural Engineering) and Ph.D.,

Pharmacy Professional Courses (B.Pharm., M.Pharm., Ph.D.,)

Pharmacy may be defined as the art and science of identifying, collecting, preparing, preserving, evaluating, standardizing and dispensing of medicines. It also embraces the legal and professional aspects and regulation of proper distribution of medicines. The Greek word designating the idea of pharmacy is pharmacon, “a drug, a medicine, remedy, a potion, charm, spell” that has been anglicized into such words as pharmacy, and pharmacist, one who acquired knowledge and skills in pharmacy.

The study of pharmacy includes the study of the theories and exercise of the operations necessary to the intelligent preparation and dispensing of substances used in the healing art. It is concerned with the collection, identification, preparation, standardization and preservation of drugs used in medical practice,

In the broadest interpretation, this definition carried the drug from its original source to the actual consumer or patient. In such an activity, one encounters an academic, a professional and a commercial aspect. The following are the some branches of pharmacy:

- Official Pharmacy,
• Extemporaneous Pharmacy

• Institutional Pharmacy

• Clinical Pharmacy

• Theoretical Pharmacy

• Operative Pharmacy

• Wholesale Pharmacy

• Pharmacy Administration

As per the Pharmacy Council of India (PCI)
A Pharmacist is a person, who is skilled or engaged in pharmacy, one who prepares or dispenses medicines, one who is legally qualified to sell drugs.

• A Pharmacist should hold the health and safety of patients to be of first consideration.

• A pharmacist should never condone the dispensing, promoting or distributing of drugs or assist therein, which are not of good quality, which do not meet the standards required by the law or which lack therapeutic value for the patient.

• Pharmacist should not engage in any activity that will bring discredit to the profession and should expose, without fear or favour, illegal or unethical conduct in the profession.

• No attempt should be made to capture business of a contemporary by cut-throat competition, by offering prizes or gifts or allurements to physicians.
• A pharmacist should strive to provide information to patients regarding professional services truthfully, accurately and fully and should avoid misleading patients regarding the nature, cost or value of the pharmacist’s professional services.

The pharmacist should possess the following qualities:

• Knowledge of pharmacy, regarding collection of drugs substances, preparation, preservation, handling and dispensing.

• Knowledge of pharmacopoeia.

• Qualified, honest, humanitarian, trustworthy and must be aware of his/her responsibilities.

• Proper skill in performance.

• Pharmacist must exercise painstaking care and accuracy in every step of preparation, handling and dispensing.

Management professional courses (B.B.A., M.B.A., etc)

“Management is the process of planning, organizing, leading and controlling the efforts of organization members and of using all other organizational resources to achieve stated organizational goals”.

- James A.F. Stoner

Aims and Objectives of Management Education

Management Professional Course curriculum is oriented towards students to undertake the responsibilities of the managers/administrators/executives who are
capable of looking after the planning, organizing, directing and controlling aspects of management carrier.

To understand the responsibility of various service situations which is essential to provide adequate placement training scheduled to the needs of such services.

To avail of the opportunities and engage in the professional activities the graduates and endeavor to acquire basic training in different aspects of management.

To ensure manpower planning, right person for the right job, resource management, marketing research etc.,

**Nursing Professional Courses B.Sc., (Nursing), M.Sc., (Nursing), Ph.D**

The Nursing Council of India is framing the rules and regulations for the conduct of Nursing Courses as B.Sc., Nursing and M.Sc., Nursing which is a Paramedical course of four years and two years duration of UG and PG respectively. Nursing course is having both theoretical and practical training which covers knowledge and technological skills. They are having neat uniform throughout their service which denotes the dignity, neatness, simplicity and devotedness.

**Aims and Objectives (As Per Nursing Council of India)**

- To import education in different branches of nursing and allied sciences.
- To further the advancement of learning and prosecution of research.
- To undertake the extension of such a nursing and allied services to human society.
To dedicate the nursing services for the patients with technical skills, drug administration, patience, timeless due care etc.,

To maintain neatness, simplicity, parental care, punctuality, regularity etc.,

**Dental Professional Courses (B.D.S., M.D.S.,)**

The B.D.S Course is having four years study and six months internship whereas M.D.S course is three years durations. Research is also conducted in this field. The profession of the dentist is to look after the dental care of the human beings beginning from childhood. It has many branches like Oral Pathology, Orthodontics, Oral Surgery, Prosthodontics etc.,

**Aims and Objectives : (Dental Council of India)**

∗ To dedicate the paramedical service to the needy patients.
∗ To expertise their knowledge and skills to respective field.
∗ To enriched with advanced knowledge and skills.
∗ To provide best service to the patients with dedication.

**1.9 NEED AND SIGNIFICANCE OF THE STUDY**

Future professionals, have a social and professional activities and behaviour which have a tremendous bearing on society. So, the students of professional courses should establish and maintain clear standards of behavior and encourage his/her people to behave towards himself/herself, towards one another and towards the entire community in a desirable way. It is his/her duty to possess adequate legal awareness to reflect upon his/her social environment.
Professionalization of education suggested for inculcation of social, moral and spiritual values in employment depend on the sincerity and resourcefulness of students of Professional Courses in the process of implementation.

Professional Courses Student should develop personality with social values in their career. The students should be enabled to know and appreciate that he/she is the main architect of his/her personality whatever may be his/her origin, caste, creed, color or birth. This sense of attitude and accountability will help in eliminating racial, cultural and religious prejudices which requires legal awareness.

“Ignorance of Law is not excused” – Any person can not be excused for committing an offence as he is not aware of Law. This legal maxim explains the importance of Law and its awareness to layman to lawman. As all citizens are entitled with Fundamental Rights and Duties as provided by Indian Constitutional Law. It can be divided into two as General Rights (Right in Rem) and Personal Right. (Right in personam). Therefore to avail the fruits of Rights and Duties it is quite necessary to know and have awareness of legal literacy.

The Professional Course Students are having special Environment where they are made to be aware of legal fact and factors. The Professional Course Students are selected based upon certain rules and regulations. If the selection of the Professional Course Students is kept under dispute students go for legal remedy in the form of writ petitions in the higher courts. The Age Proof, Driving license, Passport Act etc., like general legal requirements are coming across the normal life of the students.

The Engineering Course Students are studying the Pollution Act, Quality Maintenance Rules, Environmental Laws etc., during their course of study.
Management students are studying the Company Laws, Property Law, Trade Union Acts, Industrial Laws, Provident Fund Act, Bonus Act, Apprentice Act, Maternity Benefit Act, Mercantile Laws etc., which make them to be fit for administration and to safeguard the Properties, Capital and Welfare of the Employees.

Medical Professional (Medical and Para-medical) Course Students are having remarkable legal literacy inclusions throughout their study and internship. These students are governed by medical Laws and Ethics. Medical council of India and State Councils enacted many acts. There are so many acts are coming across the course of study viz., Indian Medical Degrees Act 1916, Drugs and Cosmetic Act, The Workmen Compensation Act 1923, Consumer Protection Act 1986, The Transplantation of Human Organs Act 1994, The Protection of Human Rights Act 1993, The Penal Provisions which are applicable to Medical practice are as below:

Section. 118, I.P.C.: Concealing design to commit offence punishable with death or imprisonment for life.

S. 175, I.P.C.: Omission to produce document to public servant by person legally bound to produce it.

S. 176, I.P.C.: Omission to give notice or information to public servant by person legally bound to give it


S. 178, I.P.C.: Refusing oath or affirmation when duly required by public servant to make it.

S. 179, I.P.C.: Refusing to answer public servant authorized to question.
S. 182, I.P.C.: False information with intent to cause public servant to use his lawful power to the injury of another person.


S. 194, I.P.C.: Giving or fabricating false evidence with intent to procure conviction of capital offence.

S. 195, I.P.C.: Giving or fabricating false evidence with intent to procure conviction of offence punishable with imprisonment for life or imprisonment.

S. 197, I.P.C.: Issuing or signing false certificate.

S. 201, I.P.C.: Causing disappearance of evidence of offence, or giving false information to screen offenders.

S. 202, I.P.C.: Intentional omission to give information of offence by person bound to inform.

S. 203, I.P.C.: Giving false information respecting an offence committed.

S. 204, I.P.C.: Destruction of document to prevent its production as evidence.

S. 269, I.P.C.: Negligent act likely to spread infection of disease dangerous to life.

S. 270, I.P.C.: Malignant act likely to spread infection of disease dangerous to life.

S. 39, Cr. P.C.: Every person, aware of the commission of, or of the intention of any other person to commit any offence punishable under I.P.C. shall forthwith give
information to the nearest Magistrate or police officer of such commission or intention.

S. 160, Cr.P.C.: Police officer has the power to summon any witness (doctor) to police station for recording a statement.

S. 161, I.P.C.: The police has the power to examine witnesses.

S. 162, Cr.P.C.: Oral statements made to the police and recovered by the police should not be signed.
Legal protection to medical doctors is provided by S. 88 to 93, I.P.C.

Agricultural Professional Course Students are enriched with Patent Right Act, Consumer Protection Act, Pollution Acts, Environmental Acts, Quality Control Acts, etc., from the above legal enactments they are made aware of certain legal literacy.


Thus the Professional Course Students have to be aware of legal literacy during the course of their study and life with out which it would not be sufficient to perform the duties of an normal citizen of the Country. The study upon the level of general legal awareness will accelerate the Professional Course Students to develop a general legal awareness. Hence, it is an urgent need to study the General Legal Awareness as provided by the Indian Constitutional Law. The PREAMBLE of the Indian Constitutional elaborately discusses the Rights and Duties of the individuals in order to have social harmony and social justice. Based upon this democratic
obligations it is quite necessary and mandatory for the Professional Course Students to
be aware of the do’s and do not’s of the Indian Constitution.

1.10 SCOPE OF THE STUDY

Every citizen of India whether literate or illiterate must follow the Indian
Constitutional Law along with the fruits of the Laws. The professional course
students are also having the mandatory and obligatory responsibilities to be acquainted
with the preliminary and fundamental legal rules and regulations. The present
professional course students ought to be familiar with the legal literacy and awareness
on the legal provisions like – the Driving license Act, Passport Act, Consumer Act,
Educational Act, Property Act, Family Laws, Civil procedure Code, Criminal
Procedure Code, Factories Act, Labour Act, Employee Provident Fund Act, Bonus
Act, Prevention of Adulteration Act, Marriage Act etc., Anti Ragging Act, Anti Cyber
Crimes Act, Political Acts and Laws are coming across the normal and professional
life of the professional course students. “Ignorance of law is not excused” is the legal
maxim which means the unaware of the law will not bring excuse for the charged
individual. Hence, the legal literacy and legal awareness of the domestic applications
are to be feeded for the professional course students who are the future responsible
professionals. Hence, the scope of knowing the preliminary idea of Indian
Constitution and the practical procedure for the execution of the laws are getting more
scope for the ever changing environment in order to establish a harmonious life of the
citizen.

Though the professional course students are exposed to limited legal literacy
requirements which are furnished in the curriculum. There is no either uniformity or
completion in the General Legal Awareness which is needed to motivate the study upon this area as it has its scope to concentrate upon the level of General Legal Awareness, which is quite necessary to shape an ideal citizen, to introduce law in the Curriculum Development, Improve law abiding nature with net result in making Patriotism, Universal Brotherhood, Value Education, Removal of Exploitation, Healthy Society, Social Harmony, Proper Utilization of Resources, Solidarity of the nation and high level of Professional Ethics.

1.11 STATEMENT OF THE PROBLEM

This study is focused upon the basic and fundamental legal information on which amount to general legal awareness possessed by the professional course students studying in various professional course institutions viz., Education, Engineering, Management, Medical, Dental, Nursing, Pharmacy, Agriculture, Physical Education and Veterinary Science.

Academic and actual life activities of professional course students face many legal problems and seek remedies which cannot be refused as of their ignorance. This is an attempt made by the investigator to assess the general legal awareness through the basic legal literacy among the various above professional course students with fourteen selected variables tested upon twenty four sub-legal dimensions. These professional course students were selected throughout Tamil Nadu State.

Hence, the problem of study is stated as follows: “A STUDY ON THE GENERAL LEGAL AWARENESS AMONG THE PROFESSIONAL COURSE STUDENTS.”
1.11.1 OPERATIONAL DEFINITION OF THE TECHNICAL TERMS USED

General Legal Awareness

Webster’s New Dictionary (1990) define “Awareness as caution of something. It means having knowledge on realization of a person about a particular object”.

As per the Indian Constitutional Law, every citizen of India is blessed with certain fundamental duties and liabilities.

“Ignorance of Law is not excused”, “justice delayed justice denied” like legal maxims reveals with the importance of the legal literacy and its awareness who ever it may be. Hence, General Legal Awareness must be encouraged to each and every citizen of India irrespective of their educational conditions in general and particularly for the professional course students.

Professional Course Students

Professional course students differ from traditional course students in their special aptitude to develop specialized knowledge and skills towards the profession. Knowledge and Skills with practical training/Internship are given to these professional course students viz., Education, Engineering, Management, Medical, Dental, Nursing, Pharmacy, Agriculture, Physical Education and Veterinary Science.

1.12 OBJECTIVES OF THE STUDY

The objectives of the study are stated below.
1. To study the general legal awareness among the students of professional courses.

2. To find out the level of general legal awareness among the professional courses students.

3. To find out whether there is any significant difference in the general legal awareness between male and female professional course students.

4. To find out whether there is any significant difference in the general legal awareness between the professional course students of rural and urban areas.

5. To find out whether there is any significant difference in the general legal awareness between the married and unmarried professional course students.

6. To find out whether there is any significant difference in the general legal awareness between the professional course students of SC/ST’s and Non SC/ST’s.

7. To find out whether there is any significant difference in the general legal awareness between the professional course students of Government and Private Institutions.

8. To find out whether there is any significant difference in the general legal awareness between normal and differently-abled professional course students.
9. To find out whether there is any significant difference in the general legal awareness between Hindu and Non-Hindu professional course students.

10. To find out whether there is any significant difference in the general legal awareness between the professional course students of Day Scholars and Hostellers.

11. To find out whether there is any significant difference in the general legal awareness between the Graduate and Post-Graduate professional course students.

12. To find out whether there is any significant difference in the general legal awareness between the professional course students from Nuclear and Joint families.

13. To find out whether there is any significant difference in the general legal awareness between the professional course students of educated and uneducated parents.

14. To find out whether there is any significant difference in the general legal awareness between the professional course students from agriculture, business and employed parents.

15. To find out whether there is any significant difference in the general legal awareness between Medical and Other Professional Course Students.

16. To find out whether there is any significant difference in the general legal awareness between Teacher Education and Other Professional Course Students.
17. To find out whether there is any significant association between the professional course students of Male and Female and their general legal awareness.

18. To find out whether there is any significant association between the professional course students of rural and urban area and their general legal awareness.

19. To find out whether there is any significant association between married and unmarried professional course students and their general legal awareness.

20. To find out whether there is any significant association between SC/ST’s and Non-SC/ST’s professional course students and their general legal awareness.

21. To find out whether there is any significant association between the professional course students of Government and Private Institutions and their general legal awareness.

22. To find out whether there is any significant association between Normal and Differently-Abled professional course students and their general legal awareness.

23. To find out whether there is any significant association between Hindu and Non-Hindu professional course students and their general legal awareness.
24. To find out whether there is any significant association between the professional course students of Day Scholars and Hostellers and their general legal awareness.

25. To find out whether there is any significant association between Graduate and Post-Graduate professional course students and their general legal awareness.

26. To find out whether there is any significant association between the professional course students from Nuclear and Joint families and their general legal awareness.

27. To find out whether there is any significant association between the professional course students of educated and uneducated parents and their general legal awareness.

28. To find out whether there is any significant association between the professional course students from Agriculture, Business and Employed parents and their general legal awareness.

29. To find out whether there is any significant association between the Medical and Other professional course students and their general legal awareness.

30. To find out whether there is any significant association between the Teacher Education and Other professional course students and their general legal awareness.

1.13 HYPOTHESES OF THE STUDY
The hypotheses of the study are stated below.

1. There is no significant difference in the general legal awareness mean scores between male and female professional course students.

2. There is no significant difference in the general legal awareness mean scores between the professional course students of rural and urban areas.

3. There is no significant difference in the general legal awareness mean scores between the married and unmarried professional course students.

4. There is no significant difference in the general legal awareness mean scores between the SC / ST’s, and Non-SC/ST’s professional course students.

5. There is no significant difference in the general legal awareness mean scores between the professional course students of Government and Private Institutions.

6. There is no significant difference in the general legal awareness mean scores between Normal and Differently-Abled professional course students.

7. There is no significant difference in the general legal awareness mean scores between Hindu and Non-Hindu Professional course students.

8. There is no significant difference in the general legal awareness mean scores between the professional course students of Day Scholars and Hostellers.
9. There is no significant difference in the general legal awareness mean scores between professional course students pursuing UG and PG degree courses.

10. There is no significant difference in the general legal awareness mean scores between the professional course students of Nuclear and Joint families.

11. There is no significant difference in the general legal awareness mean scores between the professional course students of Educated and Uneducated parents.

12. There is no significant difference in the general legal awareness mean scores between the professional course students from Agriculture, Business and Employed parents.

13. There is no significant difference in the general legal awareness mean scores between the Medical and other Professional course students.

14. There is no significant difference in the general legal awareness mean scores between the professional course students of Teacher Education and Other Professional Course Students.

15. There is no significant association between the professional course students general legal awareness and their gender.

16. There is no significant association between the professional course students locale and their general legal awareness.
17. There is no significant association between the marital status of the professional course students and their general legal awareness.

18. There is no significant association between professional course students belonging different communities and their general legal awareness.

19. There is no significant association between the professional course students general Legal awareness and their type of management of the Institutions.

20. There is no significant association between the professional course students physique conditions and their general legal awareness.

21. There is no significant association between the professional course students belonging different religion and their general legal awareness.

22. There is no significant association between the professional course students type of stay and their general legal awareness.

23. There is no significant association between the level of pursuing the professional course students and their general legal awareness.

24. There is no significant association between the professional course students family type and their general legal awareness.

25. There is no significant association between the professional course students educational status of parents and their general legal awareness.

26. There is no significant association between the professional course students from different occupation parents and their general legal awareness.

27. There is no significant association between the Medical professional course students and others and their general legal awareness.
28. There is no significant association between the Teacher Education course students and others and their general legal awareness.

1.14 METHODOLOGY IN BRIEF

The Normative survey method was adopted and the details of the method followed in the study namely construction of tool, Sample design, Collection of data, Scoring of the responses and the various statistical techniques employed in the analysis of data are presented.

1.14.1 SAMPLE OF THE STUDY

For the purpose of the study, a total of 1000 UG and PG professional courses students were selected as sample from various professional course Institutions by using stratified random sampling techniques.

1.14.2 TOOL USED

For assessing the general legal awareness of the Professional Course Students, the General Legal Awareness Questionnaires was developed and used by the investigator.

1.15 STATISTICAL TECHNIQUES APPLIED
The data obtained were analyzed by using appropriate statistical techniques such as Percentage analysis, Differential analysis and Relational analysis.

1.16 LIMITATIONS OF THE STUDY

The following are the limitations of the present study:

a). This study is limited only to the professional course students.

c). The study is limited only with selected Professional Courses in Tamil Nadu.

d). The study is limited to find out the level of General Legal Awareness only.

e). The study is limited only to selected variables viz., Gender, Locality, Marital Status, Community, Type of Management, Religion, Type of Stay, Level of Professional Degree, Type of Family, Parent’s Educational Status, Parent’s Occupations, Physique Condition, Medical and Other professional Courses, Teacher Education and Other professional Courses.
1.17 CONCLUSION

With the scope of assessing the level of general legal awareness among the students of professional courses are continued subsequently with the passing chapters. The study may reveal certain lacunae in the curriculum of professional course education with the present and future expectations to ensure the enriched professional education with required legal literacy with General Legal awareness.