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## An Empirical Study on Level of Legal Awareness among University Students of Kashmir

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**Abstract:** *Legal awareness about the rights of youth can play a significant role in supporting them to obtain equality and strengthen their identity as an essential component of society. In many countries there is a concern about how well-informed youth are about the law, particularly students as frequently they are supposed to deal with a variety of legal issues in daily life. To handle these situations with success they must have a good understanding of the law. In present paper, we apply a well-designed validated questionnaire to collect the information from 400 students (200 male and 200 female) via online/offline mode using simple stratified random sampling technique. The data collected was analysed statistically using statistical software SPSS (Version 20). The results of our study revealed that majority of respondents were aware of legal rights, an important part of contemporary society. It was suggested that legal literacy may be promoted as it will make society more fair and equitable.*

**Keywords:** *Kashmir, Legal Awareness, Students, Society, Statistics.*

### 1. INTRODUCTION

In its literal meaning legal awareness means the information regarding the rights, acts, laws, regulations and legal provisions which are offered to a citizen of a specific country for their security, certainty, equal access to opportunities and helping them to face all the challenges in daily life. In the present scientific technological environment media plays a crucial role as a source of legal information among youth. The exposure to legal issues via printed or electronic

media like T.V. can increase the legal understanding among students'. Further, newspapers and social media give students approach to a large number of legal information, including breaking news about momentous legal cases, updated news on legislative changes as well as commentary and criticism. It is essential that every student must have knowledge about laws given below:

1. According to Section 129 of the Motor Vehicle Act of 1988, it is mandatory for riders of two-wheelers to wear helmets, with Section 128 limiting the number of riders to two per bike.
2. Section 46 of the Criminal Procedure Code stipulates that no woman can be arrested before 6 A.M. or after 6 P.M.
3. As outlined in Section 166 A of the Indian Penal Code, a police officer cannot refuse to register an FIR, and failure to do so may result in imprisonment for up to one year.
4. Under the Indian Sarai Act of 1887, even luxury hotels are not permitted to deny access to potable water and restroom facilities.
5. As per the Police Act of 1861, regardless of whether they are in uniform, police officers are obligated to protect women and cannot refuse assistance to a victim upon request.
6. In accordance with the Maternity Benefit Act of 1961, no company can terminate or replace a pregnant employee, with penalties including imprisonment for up to three years. Pregnant employees in companies with more than 10 staff members are entitled to 84 days of paid maternity leave.
7. The Income Tax Act of 1961 grants tax assessment officers the authority to arrest individuals for tax violations, with the requirement to inform and provide an opportunity to the alleged violator before arrest. The duration of custody is determined by the Tax Commissioner.
8. According to information from the Indian Oil Company website, if a gas cylinder explodes during cooking, the company is liable to compensate the victim with Rs. 50 lakh.
9. Under the Automotive (Modification) Bill of 2016, if fined for any offense, such as driving without a helmet, individuals cannot be fined again for the same offense on the same day.
10. The Limitation Act of 1963 allows individuals to file claims against employers who fail to pay within three years. It is important to note that Indian laws ensure equal punishment for all genders, as guaranteed by the Constitution of India of 1950, which mandates equality before the law and protection of human dignity, irrespective of traffic, penalty, or civil laws. Additionally, citizens have the right not to be discriminated against based on religion, race, caste, sex, or place of birth.
11. Civil procedure code e.g. plaint and written statement together constitute pleadings. One should know locus standi and right to be heard which forms core of principles of natural justice.
12. Law of Torts which is a civil wrong one should know what law of torts is meant for how it's going to benefit you if your legal rights are violated or infringed and you can claim unliquidated damages which is beautiful part of Law of Torts.
13. Contract Laws like Indian contract Act 1872 which forms part of almost our daily routine whether it's a standard form of contract or any other contract we need to create awareness how buyers can be aware of their rights and sellers also get due weightage for their services.

14. Gender equality is the notion which we need to implement in true sense like men and women need to be allies in empowerment if each other. So for that we need create awareness that we together can built a strong foundation and eventually succeed.
15. Cyber crimes are emerging as a new form of crimes and increasing day by day like spamming hyperlinking cyber squatting so we need to aware people about such crimes, that can be done through legal awareness camps seminars workshops etc.

The most powerful and important resource for better development and future of a country are Students. It is very important for every student of a country, specially University students to know their legal rights. Infact, for students in India there is no special right and provision dedicated to students solely. However, in the Indian constitution there are four very important laws of the Indian Penal code.that every student of India must know i.e., Right to Information (Article 19 (1) (a)), Right to Equality (Article 14), Right to Education (Article 21A) and Right to Life (under Article 21).

## **2. LITERATURE REVIEW**

Legal awareness must be highly developed in every society and it is reported that learning literacy is advantageous to both students as well as for teachers (Wagner, 2007). In a study (e.g., Patil and Lavanya 2012) it was reported that lack of legal literacy and People's ability to get justice and effectively participate in the court system was significantly related. According to a study conducted on legal awareness in Iran by Rahmati's 2005, general populace in a country had a relatively low level of legal literacy as legal awareness is affected by a number of variables, like education, income, and age. It revealed that those countries with greater incomes and educational degrees tended to have a more comprehensive awareness of the law and legal system.. In a study conducted by Shaikh et al 2023 on knowledge and awareness about RTI Act, it was found that 72% respondents know that RTI Act is an Act in force in India, 53.25% know it is in force in J&K and 72.25% respondents know that RT1 Act is to provide information to people in general. It was encouraging that 80.25% students were interested in knowing in detail about RTI Act. In another study (e.g., Pulikuthiyil 2012) it was found that enhancing legal literacy can provide more authority to people take part in democratic processes and can call on institutions of power to be transparent and responsible. A vast amount of literature on Sexual Harassment at Workplace and its prevention is available (e.g., Gupta & Hajra 2007; Garima, 2017; Shashi Bala, 2017; Poonia, 2019; Charan. J et al., 2023). Every youth in India must have good knowledge on this topic. The Sexual Harassment Awareness and Prevention Court of India provides guidelines related to right to equality and dignity accorded under the Indian Constitution as well as by the UN Convention on the Elimination of all forms of Discrimination against Women extends to all kinds of employment, from paid to unpaid, across the public and private sector. In 2013, Consistent with the Vishaka judgement, the Government of India in addition to other laws that are presently in force in India enacted Sexual harassment of Women folk at Workplace. Consequently, women who reports instances of sexual harassment at workplace, has been given the right to take recourse of both civil and criminal proceedings. Legal Protection: The Act provides a complete framework which elucidates sexual harassment, establishes mechanisms for its prevention and redressal, and also

ensures legal protection for women in the workplace. This act has calibrated some rules for employers, employees, and internal complaint committees to follow, creating a safer working environment. Empowering Victims: The Act legitimizes victims of sexual harassment by granting them the right to file complaints and seek redressal. It acknowledges their right to work at a workplace which is free from harassment, thereby sanctioning them to assert their rights and hold wrongdoers accountable.

**Internal Complaint Committees:** The Act decrees the constitution of internal complaint committees in organizations with ten or more employees. These committees are responsible for taking account of complaints of sexual harassment, enabling a fair and unbiased investigation, and taking required action against the perpetrators. By virtue of these committees, the Act develops a structure for addressing and resolving cases of sexual harassment.

**Awareness and Sensitization:** The Act accentuates the significance of awareness and sensitization programs within workplaces. Employers must conduct regular training sessions to enlighten employees about sexual harassment, its influences and the required preventive measures in place. This provision encourages a custom of equality, respect and gender sensitivity, fostering a more inclusive work environment.

**Preventive Measures:** The legislation encourages employers to proactively address sexual harassment by advocating for the adoption of a strict policy, implementing effective grievance resolution mechanisms, and fostering a safe and supportive workplace atmosphere. By prioritizing prevention, the legislation aims to tackle the underlying causes of sexual harassment and foster a culture of respect and dignity for all employees.

**Redressal and Remedies:** The legislation ensures that individuals experiencing sexual harassment have access to appropriate avenues for resolution and recourse. It mandates prompt and impartial investigations, along with offering a range of remedies such as financial compensation, disciplinary measures against the perpetrator, and preventive actions to curb future incidents. These provisions are designed to ensure that victims receive fair treatment and support as they navigate their path to recovery. Overall, the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 is significant as it not only establishes a legal framework to combat sexual harassment but also empowers victims, promotes proactive measures, and fosters a culture of respect and equality in Indian workplaces. It plays a pivotal role in reshaping the work environment and contributing to the overall well-being and empowerment of women.

International laws and policies exist to combat sexual harassment in various settings. The United Nations General Assembly's Resolution 48/104123, known as the Declaration on the Elimination of Violence Against Women, categorizes sexual harassment as a form of violence against women, explicitly prohibiting it in workplaces, educational institutions, and elsewhere (Article 2(b)). The resolution also advocates for the implementation of punitive measures and preventive strategies to eradicate such violence (Article 4(d-f)). Additionally, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) instructs member states to take appropriate actions to eliminate gender-based discrimination across different spheres, including legal equality, political participation, employment, education, healthcare, and other societal domains (Articles 7-16). Furthermore, the Beijing Platform for Action, particularly in paragraph 178, acknowledges sexual harassment as a form of violence and discrimination against women. It urges governments, employers, labor unions, and civil society

organizations to enact and enforce laws addressing sexual harassment, and encourages employers to develop policies and strategies aimed at prevention. In view of the literature available (W. Laird Hunter, 2010; Kudeshia & Mittal, 2015; Garg and Duggal 2016; Srivastava and Singh 2017; Durdana et al., 2023 etc) and literature cited above, we chose current study as legal awareness among students which is important for students/youth because they are in a critical phase of life and assuming more responsibility in life.

### Objective

To compare the level of legal awareness among male and female University students of Kashmir

### 3. MATERIAL AND METHODS

In the present survey a well designed pre tested questionnaire was employed to collect the information from the sample of 400 (200 male & 200 female) University students selected randomly via online/offline mode from different higher education institutes of Kashmir using stratified random sampling procedure. The respondents under study were explained, the main purpose of this study to get their consent. The questionnaire was designed to assess the Legal awareness among university students of Kashmir. The 3-point likert scale was used to assess the level of awareness among respondents under study. Further, mean value less than 2 was considered poor legal awareness and mean value >2 was considered as satisfactory legal awareness of respondents. The sample size n for was computed for present study as (Cochran, 1977)

$$n = \frac{Z_{\alpha}^2 P(1-P)}{e^2}$$

We take  $p=0.5$ ,  $Z_{\alpha}=1.96$  and  $e=0.05$  in our study that gives sample size  $n \sim 384$ . To be on the safer side, we chose  $n = 400$ . Standard statistical methods using Statistical software SPSS (version 20) were employed for the analysis and interpretation of data collected during our survey.

### Research Hypothesis

Hypothesis: There is no significant difference in the level of legal awareness between male and female students under study.

In order to test these research hypothesis, we use Chi-square test (with usual notations) given below:

$$X^2 = \sum_{i=1}^2 \frac{(o_i - e_i)^2}{e_i}$$

here  $X^2 \sim \chi_1^2$ ,  $o_i$  and  $e_i$  represent observed frequencies and expected frequencies respectively. We reject  $H_0$  if p-value is less than specified level of significance.

We can also use Mann-Whitney U test for comparison purpose. It is given (with usual notations) as

$$W = N_1N_2 + \frac{N_x(N_x + 1)}{2} - T_x$$

Here, N1 represents the number of observations in group first; N2 represents the number of observations in group second. Tx represents the larger of the two rank totals and Nx represents the number of subjects in this group.

**Data Analysis:**

Graphical representation was used to summarize the demographic characteristics of the participants under study. To assess the level of legal awareness among respondents Descriptive statistics was used. Further, for comparison purpose Mann-Whitney U test was used using statistical software SPSS (version 20).

**Data Interpretation:**

The results obtained were interpreted in the context of the research objective, and conclusions were drawn regarding the level of legal awareness among male and female students in Kashmir.

**4. RESULTS AND DISCUSSION**

The data collected from 400 students, studying in various Universities of Kashmir (50% male and 50% female) was presented below graphically as well as in Tabular form. The primary data was collected using stratified random sampling technique from respondents selected on their consent by employing a well designed validated structured questionnaire. The data presented in Figure 1, shows the demographic characteristics of te respondents under study. It was found that from 400 respondents (50% male and 50% female) majority of the students under study were unmarried (96 %), in 18 to 30 years of age group (98%), residing in urban areas (66%) and majority of respondents were pursuing graduation (56 %).

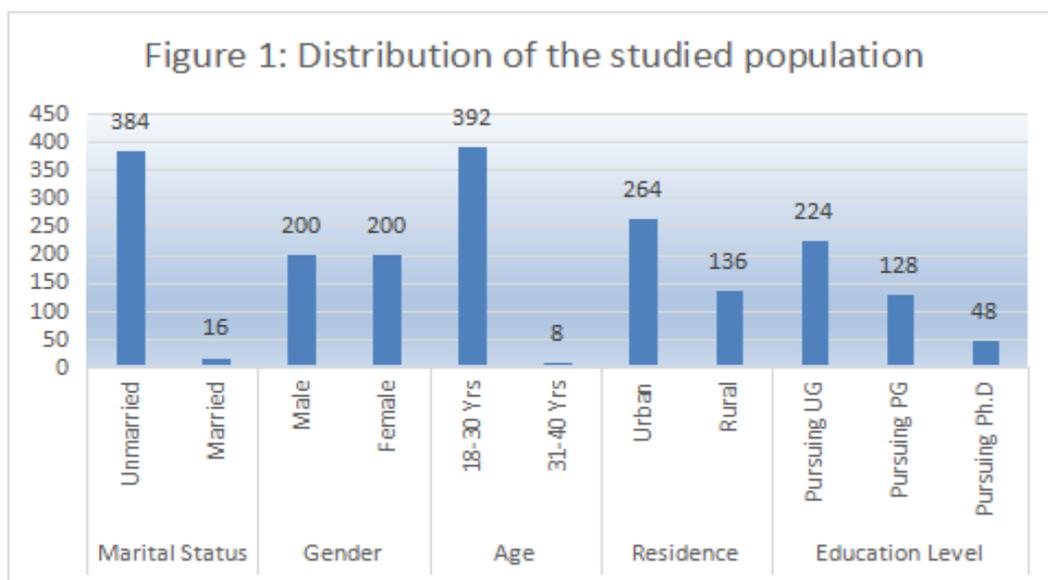


Table 1, revealed that in response to statements 7, 11 and 14, non-significant difference between male and female respondents was observed ( $P > 0.05$ ). In response to statements 1,2,3,4,5,6,8,9,10,12,13,15,16,17,18,19,20,21,22,23,24,25,26,27,28 and statement 29, statistically there is a significant difference in male and female respondents ( $P < 0.01$ ). It has been found that gender, level of legal awareness and practice towards legal issues are linked. It has been found that we have social taboos and stigmas attached to crimes that's why people hesitate to seek legal advise. Further, lack of legal awareness can not be improved only by organising legal camps and awareness programmes. Law and justice being so important but still they are not the part of education curriculum at higher secondary and college level.

Table 1: Comparison between male and female students in legal awareness (male=200, female=200)

S.No.	Statement	Gender	n	Mean	S.E.	Z	P-Value
1.	Do you know your fundamental legal rights and obligations as a citizen?	Female	200	2.66	.043	-4.234	<0.01
		Male	200	2.88	.025		
2.	Do you understand the process of filing a complaint or seeking legal redress?	Female	200	1.46	.052	-7.578	<0.01
		Male	200	2.12	.062		
3.	Have you ever participated in any legal activities (e.g., mock trials, legal workshops, or debates)?	Female	200	1.52	.062	-7.578	<0.01
		Male	200	2.25	.066		
4.	Do you know how to access legal resources (such as legal aid clinics or online legal databases)?	Female	200	1.25	.042	-3.734	<0.01
		Male	200	1.43	.045		
5.	Are you familiar with common legal terms (e.g., due process, jurisdiction, or liability)?	Female	200	1.33	.049	-6.136	<0.01
		Male	200	1.87	.067		
6.	Do you follow legal news or updates related to court cases, legislation, or legal reforms?	Female	200	1.33	.051	-7.236	<0.01
		Male	200	1.96	.066		
7.		Female	200	2.92	.028	-0.082	>0.05

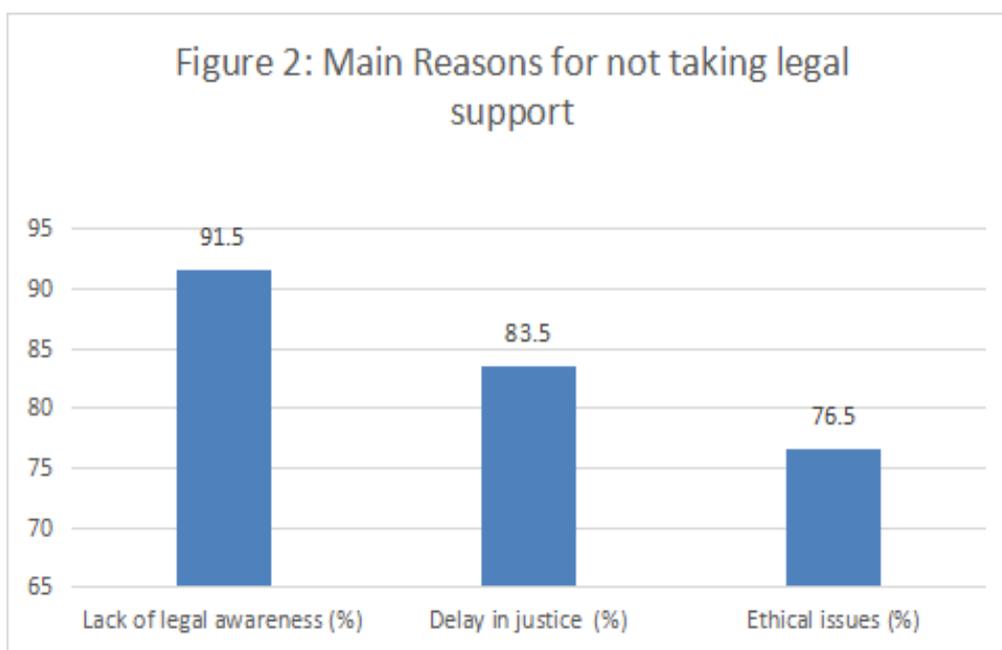
	Do you believe that legal awareness is essential for responsible citizenship?	Male	200	2.96	.014		
8.	Have you or your any friend ever sought information using the Right to Information Act?	Female	200	1.28	.047	-6.144	<0.01
		Male	200	1.80	.066		
9.	Do you believe that freedom of speech extends to educational institutions?	Female	199	2.04	.065	-9.788	<0.01
		Male	200	2.84	.038		
10.	Are you aware of your rights as a consumer under consumer protection laws?	Female	200	1.44	.053	-10.055	<0.01
		Male	200	2.32	.056		
11.	Do you think legal awareness can help prevent discrimination and promote social justice?	Female	200	2.91	.029	-1.367	>0.05
		Male	200	2.98	.011		
12.	Do you believe that legal education should be included in school curricula?	Female	200	2.76	.041	-5.885	<0.01
		Male	200	2.98	.021		
13.	Are you aware of your rights related to privacy and data protection?	Female	200	2.24	.061	-7.979	<0.01
		Male	200	1.52	.057		
14.	Do you understand the concept of intellectual property rights (e.g., copyrights, patents, trademarks)?	Female	200	2.87	.023	-1.332	>0.05
		Male	200	2.92	.019		
15.	Have you ever questioned the fairness of certain laws or regulations?	Female	200	1.72	.068	-9.786	<0.01
		Male	200	2.68	.052		

16.	Do you think legal awareness can lead to positive changes in society?	Female	200	2.76	.046	-3.120	<0.01
		Male	200	2.96	.014		
		Male	200	2.92	.028		
17.	Does educational institutes play a role in legal awareness?	Female	200	2.44	.053	-2.746	<0.01
		Male	200	2.64	.044		
18.	Can technology, such as virtual hearings, contribute to faster case resolution?	Female	200	2.36	.044	-10.329	<0.01
		Male	200	2.92	.019		
19.	Is promoting alternative dispute resolution (ADR) an effective means to achieve speedy justice?	Female	200	2.32	.044	-6.844	<0.01
		Male	200	2.68	.048		
20.	Is strict enforcement of rules of evidence essential for a fair trial?	Female	200	2.56	.040	-6.582	<0.01
		Male	200	2.24	.030		
21.	Does PIL play a crucial role in safeguarding public interest?	Female	200	2.44	.040	-6.009	<0.01
		Male	200	2.16	.026		
22.	Can successful PIL cases serve as precedents for future matters?	Female	200	2.36	.053	-1.763	>0.05
		Male	200	2.32	.033		
23.	Should awareness about Alternative Dispute Resolution (ADR) mechanisms be promoted among litigants?	Female	200	2.08	.066	-0.414	>0.05
		Male	200	2.16	.038		
24.	Is gender-sensitive training for law enforcement and judiciary necessary?	Female	200	2.44	.057	-4.135	<0.01
		Male	200	2.28	.032		
25.	Does promoting women's legal literacy help protect women's rights?	Female	200	2.76	.041	-11.192	<0.01
		Male	200	1.96	.051		
26.		Female	200	2.44	.045	-7.996	<0.01

	Is effective implementation of the Juvenile Justice Act crucial?	Male	200	2.88	.023		
27.	Should medical negligence be addressed through legal measures?	Female	200	2.68	.044	-7.363	<0.01
		Male	200	2.97	.013		
28.	Is enforcing patients' rights important?	Female	200	2.60	.049	-6.645	<0.01
		Male	200	2.96	.014		
29.	Is raising awareness about civil rights through public campaigns effective?	Female	200	2.36	.049	-2.241	<0.05
		Male	200	2.28	.032		

<0.01=significant at 1% l.o.s; <0.05=significant at 5% l.o.s and >0.05=non-significant

The data presented in Figure 2, shows that in response to question why people in general avoid taking legal opinion, it was revealed that the main reasons for not taking legal support were lack of legal awareness (91.5%), delay in justice (89.5%) and ethical issues (76.5%). Majority of people do not know law so they avoid legal help as in many cases people are duped in respect of the court procedure because of lack of awareness of law and illiteracy. It is noticed that besides human cost of delayed justice, lack of resources and overcrowded court results in delay. One must have legal knowledge and patience before filing any suit. It is said that justice delayed is justice denied and justice hurried is justice buried.



## 5. CONCLUSION

In summary, understanding the law is vital in today's society, ensuring individuals know their rights and responsibilities. Enhanced legal knowledge enables people to effectively engage with the legal system, advocate for themselves, and prevent legal disputes. Research highlights a lack of legal awareness among college students, potentially impacting their future personal and professional lives. Factors such as education, peer influence, and involvement in lawful activities significantly affect students' adherence to the law. Thus, educational institutions should focus on implementing programs to educate students about the law and provide practical experience. Additionally, public awareness of the law plays a crucial role in the functioning of the legal system and society overall, influenced by factors like education and age. Promoting legal literacy can empower individuals to understand, advocate within, and navigate the legal system, fostering a more just and equitable society.

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