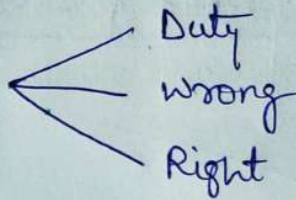


Topic - Rights & Duties

Introductory lecture

1. jurisprudence
online zoom class
By- Vikram Pratap Singh
Dt-16Apr,2020

Understanding
&
Definitions of



Duty

Meaning General & legal
Definition
Types

General Dictionary Meaning

- Hindi - कर्तव्य, जिम्मेवारी, दायित्व
- a moral or legal obligation
 - a responsibility
 - a task or action that is required to perform

Legal Dictionary Meaning

(As per legal Glossary Govt. of India)

- (i) - action or an Act that is due by moral or legal obligation
- (ii) - that which one ought or is bound to do
- (iii) - official function

Definition of Duty

Salmond - Duty is an obligatory Act -
- opposite of which is wrong

Types of Duty

Legal

- Recognised by law
- Required for Adm. of justice
- opposite of - legal wrong

moral

- Natural Duty for Humanity.
- Required by Nature / ~~God~~
- opposite of - moral wrong

2

Wrong

Meaning
Types.

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General Meaning

- अपकार, गलत, दोष, अन्याय, अनुपयुक्त
- unjust, Dishonest,
- immoral action
- Not correct



An Act unjustly or Dishonestly towards → someone

Legal Meaning

- a violation of law
- Infringement of law
- unjustful act



An act contrary or violation to law & justice

Types of wrong

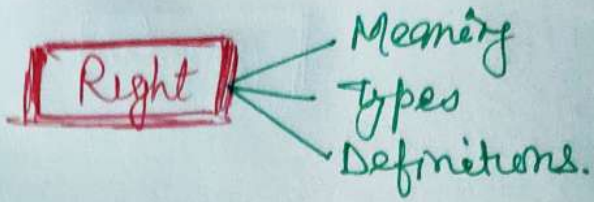
Moral wrong

violation of moral Rights

Legal wrong

violation of legal Rights

3



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Meaning of Right

General Meaning

- सही, उचित, न्यायोचित,
नियमानुसार, अधिकार

- correct
- justified

correct & justified
against
others

Legal Meaning

a claim or title to any
subject matter

Recognised OR protected by law

Power against other to protect
something

Types of Rights

Moral Right

De facto right

Legal Right

De jure right

(A)

Definitions of Right

(Definitions of Legal Right)

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Ihering

Right are -
Legally protected interest

Duguit

No one has any other
right than -
to do his duty

Austin

- Right is a faculty
- Given by law
- avail against other

Salmond

Right is an interest $\left\{ \begin{array}{l} \text{recognised} \\ \text{protected} \end{array} \right.$ by state
disregard of which \rightarrow wrong

Faton

The essential condition of
Right is -
- It should be enforceable
- by legal process of state

Holland

Right is a
- Capacity to control
- actions of other,
- with the assent &
- assistance of state