

Double Credit Course on Gender & Law



DOUBLE CREDIT COURSE

ON

GENDER & LAW

(Course Outline and Schedule)

Organised by:

*Gender Sensitisation Committee
National Law University Odisha*

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ABOUT THE COURSE

This 32-hour credit course offers an interdisciplinary introduction to gender and law in India, bringing together conceptual foundations with practical engagement. Learners will engage with key themes: the evolution of gender studies, constitutional protections, reproductive rights, major gender legislations, and institutional mechanisms such as the Internal Committees under the POSH Act. The course also covers emerging concerns at the intersection of gender, technology, and digital governance.

Through a series of interactive modules, participants will explore and learn about the multifaceted approach to gender along with its legal background. Case-study analysis and reflective discussions will help deepen personal insight and foster empathy. The course shall consist of lectures and practical assignments to be given to students, which would give clarity to the concept taught in lectures.

By the end of this course, students will be well-versed in interpreting gender norms and the legal and institutional frameworks set up to exercise them and help contribute to an inclusive and gender-sensitive society. This course is ideal for law students, educators, social workers, policymakers, and anyone committed to advancing gender justice in both professional and community settings.

COURSE OBJECTIVES

1. **Understand** foundational concepts in gender studies, including key theories, terminology, and the evolution of gender discourse in India.
2. **Examine** constitutional principles related to gender equality, non-discrimination, and fundamental rights.
3. **Analyse** major gender-related legislations such as laws on sexual harassment (POSH Act), domestic violence, reproductive rights, and personal laws.
4. **Explore** emerging intersections between gender, technology, digital governance, and online safety.
5. **Foster** empathy and ethical engagement in addressing gender-based discrimination within legal and social contexts.

LEARNING OUTCOMES

Upon successful completion of this course, participants will be able to:

1. **Assess** gendered dimensions of legal issues, demonstrating the ability to spot bias, gaps,

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or discriminatory impacts in legal processes and outcomes.

2. **Reflect** on the interaction between law and lived experiences, demonstrating empathy, awareness, and ethical understanding.
3. **Develop** informed arguments and recommendations for strengthening gender justice through legal reform, policy design, or institutional practice.
4. **Collaborate effectively** in group discussions and assignments, demonstrating improved communication and analytical skills in gender-related legal contexts.

WHO CAN JOIN

This course will be useful for:

1. Law students and recent graduates seeking a foundational and critical understanding of gender justice, feminist legal theory, and gender-related legislations in India.
2. Practicing advocates and legal professionals interested in strengthening their engagement with gender-sensitive legal frameworks, constitutional protections, and emerging issues in gender and law.
3. Educators, researchers, and academics working in law, gender studies, sociology, or related disciplines who wish to deepen their interdisciplinary approach to gender and legal analysis.
4. Social workers, NGO professionals, and human rights practitioners involved in gender advocacy, workplace equality, reproductive rights, or community-based legal interventions.
5. Policymakers, journalists, administrators, and professionals engaged in governance, institutional mechanisms (such as POSH compliance), or law-making, who seek informed perspectives on gender, technology, and legal institutions.

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COURSE OUTLINE	
Module 1	<p>Gender, Law, and Constitutional Framework (4 Hours)</p> <ol style="list-style-type: none">1. Equality and Non-Discrimination under the Constitution: Articles 14, 15, 16, 21.2. Transformative constitutionalism and gender equality.3. Gender and Personal Laws in India4. Feminist legal methods and rights-based advocacy.5. Landmark cases: Vishaka v. State of Rajasthan, NALSA v. Union of India, Joseph Shine v. Union of India, Navtej Singh Johar v. Union of India, Supriyo v. Union of India. <p><i>Key Readings:</i></p> <ol style="list-style-type: none">1. Aniruddha Dutta, 'Contradictory Tendencies: The Supreme Court's NALSA Judgment' (2014) Journal of Indian Law and Society <https://theasiadialogue.com/wp-content/uploads/2017/06/105_jils_vol-5_monsoon_2014.pdf>.2. Balaji Jwalika and Mandar Prakhar, 'Rewriting Supriyo: Unpacking India's Marriage Equality Judgment' (2025) Amicus Curiae Vol 7 No 1 (Series 2) https://journals.sas.ac.uk/amicus/article/view/5842.3. Gautam Bhatia, 'India: A Constitution in Search of an Identity / On Transformative Constitutionalism' (2019) SSRN Electronic Journal <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4075049>.4. Omar H. Khan, 'Commentary: Joseph Shine v Union of India (Decriminalisation of Adultery)' (2018) NLS Repository <https://repository.nls.ac.in/cgi/viewcontent.cgi?article=1386&context=nlsj>.
Module 2	<p>Conceptual Foundations of Gender Studies and its Implications in India (4 Hours)</p> <ol style="list-style-type: none">1. Understanding sex, gender, and sexuality.2. Evolving notions of sex and gender in culture and biology.3. Patriarchy, masculinity, and intersectionality (caste, class, religion, region).4. Gendering the state, family, and community.5. Feminist Institutionalism: Gender as a category of policy and analysis. <p><i>Key Readings:</i></p> <ol style="list-style-type: none">1. Nivedita Menon, 'Is Feminism about "Women"? A Critical View on Intersectionality from India' (2015) 50(17) Economic and Political Weekly

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	<p><https://www.epw.in/journal/2015/17/perspectives/feminism-about-women.html>.</p> <p>2. Sharmila Rege, 'Dalit Women Talk Differently: A Critique of "Difference" and Towards a Dalit Feminist Standpoint' (1998) Economic and Political Weekly (WS issue) <https://www.hansrajcollege.ac.in/hCPPanel/uploads/elearning/elearning_document/Dalit_Women_Talk_DifferentlyA_Critique_of_Difference_and_Towards_a_Dalit_Feminist.pdf>.</p> <p>3. Kimberlé Crenshaw, 'Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color' (1991) 43(6) Stanford Law Review <https://blackwomenintheblackfreedomstruggle.voices.wooster.edu/wp-content/uploads/sites/210/2019/02/Crenshaw_mapping-the-margins1991.pdf>.</p> <p>4. Sweta Arya, 'Dalit or Brahmanical Patriarchy? Rethinking Indian Feminism' (2020) Caste: A Global Journal on Social Exclusion <https://journals.library.brandeis.edu/index.php/caste/article/download/54/10/451>.</p> <p>5. Georgina Holmes, 'Feminist Institutionalism' in Kseniya Oksamytyna and John Karlsrud (eds), <i>United Nations Peace Operations and International Relations Theory</i> (Manchester University Press 2020) <https://centaur.reading.ac.uk/86471/>.</p>
Module 3	<p>Reproductive Rights and Abortion Law (4 Hours)</p> <p>1. The legal evolution from the MTP Act of 1971 to the MTP (Amendment) Act of 2021.</p> <p>2. The constitutional basis of abortion rights grounded in privacy and bodily autonomy under <i>Puttaswamy v. Union of India</i>.</p> <p>3. The judicial expansion of reproductive rights through <i>Suchita Srivastava v. Chandigarh Administration</i> and <i>X v. Union of India</i>.</p> <p>4. Comparative debates on abortion following <i>Dobbs v. Jackson</i> and their contrast with India's socio-legal context.</p> <p>5. The governance conflict between state regulation and private medical autonomy in determining access and enforcement.</p> <p><i>Key Readings:</i></p> <ol style="list-style-type: none">1. S Magill, 'The Right to Privacy and Access to Abortion in a Post-Puttaswamy World' (2020) <i>Oxford Human Rights Hub Journal</i> <https://ohrh.law.ox.ac.uk/wp-content/uploads/2021/04/U-of-OxHRH-J-The-Right-to-Privacy-and-Access-to-Abortion-1.pdf>.2. Centre for Reproductive Rights, <i>Securing Reproductive Justice in India</i> (Chapter 7, 'Reproductive Rights')

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	<p><https://reproductiverights.org/wp-content/uploads/2020/12/SecuringReproductiveJusticeIndia-Chpt07.pdf>.</p> <p>3. R Kaufman <i>et al</i>, 'Global Impacts of Dobbs v Jackson Women's Health Organization and Abortion Regression in the United States' (2022) 30(1) <i>Sexual and Reproductive Health Matters</i> 2135574 <https://pmc.ncbi.nlm.nih.gov/articles/PMC9673802/> .</p> <p>Further Resource:</p> <ol style="list-style-type: none">1. <i>Reversing Roe</i> (Ricki Stern and Anne Sundberg, 2018, Netflix) — Documentary film exploring the legal and political history of abortion rights in the United States.
Module 4	<p>The POSH Act 2013 and Institutional Compliance (4 hours)</p> <ol style="list-style-type: none">1. From Vishaka Guidelines to the POSH Act.2. Structure and functions of Internal Complaints Committees.3. Due process, confidentiality, and employer liability.4. Drafting a model POSH policy and ICC handbook.5. Simulation of ICC hearings and report writing.
	<p><i>Key Readings:</i></p> <ol style="list-style-type: none">1. Mitali Mehta, 'The Inefficacy of Internal Complaint Mechanisms in Resolving Sexual Harassment Claims' (2021) NUJS Law Review <https://nujslawreview.org/2021/11/10/the-inefficacy-of-internal-complaint-mechanisms-in-resolving-sexual-harassment-claims-a-study-in-the-context-of-sexual-harassment-law-and-metoo-in-india/>.2. Human Rights Watch, "No #MeToo for Women Like Us": Poor Enforcement of India's Sexual Harassment Law' (2020) <https://www.hrw.org/report/2020/10/14/no-metoo-women-us/poor-enforcement-indias-sexual-harassment-law>.3. 'Sexual Harassment at Workplace: Rethinking Internal Committees / False-Complaint Discourses' (2019) Economic and Political Weekly <https://www.epw.in/engage/article/rethinking-internal-committees-effectively-deal>.4. Sayantani Biswas, 'A Micro Study on the Internal Complaints Committee on Sexual Harassment in Academic Institutions in South Bengal and Nearby' (2021 Winter Issue) ILI Law Review <https://ili.ac.in/pdf/win21_20.pdf>.
Module 5	<p>Gender Legislations and Institutional Practice (6 Hours)</p> <ol style="list-style-type: none">1. Protection of Women from Domestic Violence Act, 2005.2. Maternity Benefit (Amendment) Act, 2017.3. Transgender Persons (Protection of Rights) Act, 2019.4. PCPNDT Act, 1994 and Prohibition of Child Marriage Act, 2006.5. Implementation and intersectional challenges.

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	<p><i>Key Readings:</i></p> <ol style="list-style-type: none">1. 'Implementation of the Domestic Violence Act, 2005' (2016) 51(14) Economic and Political Weekly <https://www.epw.in/journal/2016/14/implementation-domestic-violence-act-2005.html>.2. Amee S Kalokhe and others, 'Domestic Violence against Women in India: A Systematic Review' (2016) Journal of Family Violence <https://pmc.ncbi.nlm.nih.gov/articles/PMC4988937/>.3. Saptarshi Bhattacharya, 'Transgender Persons (Protection of Rights) Act' of India: An Analysis of Substantive Access to Rights of the Transgender Community' (2022) Journal of Family Medicine and Primary Care <https://pmc.ncbi.nlm.nih.gov/articles/PMC9555747/>.4. Meenakshi Dhar, 'The Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act — Law and Implementation' (2018) Journal of Family Medicine and Primary Care <https://pmc.ncbi.nlm.nih.gov/articles/PMC6299775/>.
Module 6	<p>Gender, Technology, and Digital Governance (4 Hours)</p> <ol style="list-style-type: none">1. Gendered labour in digital economies.2. Online harassment and cybercrime laws in India.3. Data protection, surveillance, and privacy rights.4. Algorithmic bias and gender in AI systems.5. Digital feminist activism and online movements (#MeToo, #PinjraTod).
	<p><i>Key Readings:</i></p> <ol style="list-style-type: none">1. Anja Kovacs, 'The Cost of Transgression: Gender, Sexuality and Online Violence in India' (2024) Centre for International Governance Innovation <https://www.cigionline.org/publications/the-cost-of-transgression-gender-sexuality-and-online-violence-in-india/>.2. International Centre for Research on Women (ICRW) and USAID, 'Technology-Facilitated Gender-Based Violence in India: Issues and Evidence' (2021) <https://www.icrw.org/wp-content/uploads/2021/09/USAID-TFGBV-India.pdf>.3. Pallavi Gupta, 'Nikhat Fatima and Sandeep Kandikuppa, 'Sexual Harassment at the Workplace Act: Providing Redress or Maintaining Status Quo?' (2021) 51(2) Social Change <https://journals.sagepub.com/doi/10.1177/0049085720957753>.4. Mitali Mehta, 'The Inefficacy of Internal Complaint Mechanisms in Resolving Sexual Harassment Claims — A Study in the Context of Sexual Harassment Law and #MeToo in India' (2021) NUJS Law Review <https://nujslawreview.org/2021/11/10/the-inefficacy-of-internal-complaint-mechanisms-in-resolving-sexual-harassment->.

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	<p><u>claims-a-study-in-the-context-of-sexual-harassment-law-and-metoo-in-india/</u></p>
Module 7	<p>International Law and Global Gender Frameworks (4 Hours)</p> <ol style="list-style-type: none">1. CEDAW and India's compliance processes.2. Beijing Platform for Action (1995) and SDG 5.3. ILO Convention No. 190 on Violence and Harassment.4. Comparative gender frameworks (UK Equality Act 2010, US Title IX).5. Drafting CEDAW-style shadow reports and policy briefs. <p><i>Key Readings:</i></p> <ol style="list-style-type: none">1. 'ILO Convention No 190: Implications for India and Scope for Change' (2019) Economic and Political Weekly <https://www.epw.in/journal/2019/51/commentary/ilo-convention-190.html%20accesseed%202027%20October%202025>.2. Sriparna Vasudevan, 'A Case Study of India's CEDAW Compliance' (2019) 33(2) Emory International Law Review <https://scholarlycommons.law.emory.edu/cgi/viewcontent.cgi?article=1202&context=eilr>.3. India Second NGO Shadow Report on CEDAW (2006) <https://archive.nyu.edu/bitstream/2451/42261/2/India%20Shadow%20Report%20on%20CEDAW.pdf>.4. 'A World of Work Free from Violence: Will Ratification of ILO Convention 190 Transform India's Sexual Harassment Laws for the Workplace?' (NLUJ Law Review, 2022) <https://nlujlawreview.in/uncategorized/a-world-of-work-free-from-violence-will-ratification-of-ilo-convention-190-transform-indias-sexual-harassment-laws-for-the-workplace/>.

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CREDIT COURSE SCHEDULE

MODULES	CLASS SCHEDULE	
Module 1 – Gender, Law, and Constitutional Framework	19.01.2026, Monday 20.01.2026, Tuesday	2 hr session each day (4 hrs)
Module 2 – Conceptual Foundations of Gender Studies and its Implications in India	22.01.2026, Thursday 23.01.2026, Friday	2 hr session each day (4 hrs)
Module 3- Reproductive Rights and Abortion Law	24.01.2026, Saturday 25.01.2026, Sunday	2 hr session each day (4 hrs)
Module 4 – The POSH Act 2013 and Institutional Compliance	02.02.2026, Monday 03.02.2026, Tuesday	2 hr session each day (4 hrs)
Module 5 – Gender Legislation and Institutional Practice	06.02.2026, Friday 07.02.2026, Saturday	2 hr session on Fri 4 hr session on Sat (6 hrs)
Module 6 – Gender, Technology, and Digital Governance	08.02.2026, Sunday 13.02.2026, Friday	2 hr session each day (4 hrs)
Module 7 – International Law and Global Gender Frameworks	14.02.2026, Saturday 15.02.2026, Sunday	2 hr session each day (4 hrs)