



Law is a system of rules, imposed through a Government or institution and is applied to govern a group of people. The most important law in the Indian constitution is that all persons are equal before the law. At the time of framing the constitution, members of the constituent assembly were agreed that there should be no arbitrary exercise of power in independent India. They, therefore, instituted several provisions in the constitution that would establish the rule of law. The most important of these was that all persons in independent India are equal before the law.

- The law cannot discriminate between persons on the basis of their religion, caste or gender. What neither the rule of law means is that all laws apply equally to all citizens wealthy person nor even the president of the country is above the law.

- Any crime or violation of law in our country has a specific punishment as well as a process through which the guilt of the person has to be established.

- It is often believed that, it was the British colonialists who introduced the rule of law in India. Historians have disputed this claim on several grounds:

1. First, that colonial law was arbitrary,

2. Second, that the Indian nationalists played a prominent role in the development of the legal sphere in British India.

- One perfect example of the arbitrariness that continued to exist as part of British law is the sedition act of 1870. The idea of sedition was very broadly understood within this act. Under this act, any person protesting or criticizing the British government could be arrested without due trial.

- Indian nationalists began protesting and criticizing this arbitrary use of authority by the British. They also began fighting for greater equality and wanted to change the idea of law from a set of rules that they were forced to obey, to law as including ideas of justice.

- By the end of the nineteenth century, the Indian legal profession also began emerging and demanded respect in colonial courts.

- They began to use law to defend the legal rights of Indians. Indian judges also began to play a greater role in making decisions. Therefore, there were several ways in which Indians played a major role in the evolution of the rule of law during the colonial period.

- Every year, representatives pass new laws as well as amend the existing laws.

The Hindu Succession Amendment Act 2005: According to this new law, sons, daughters and their mothers can get an equal share of family property.

How do new laws come about?

- The parliament has an important role in making laws. An important role of parliament is to be sensitive to the problems faced by people.

- The role of citizens is crucial in helping parliament frame different concerns that people might have into laws.

- From establishing the need for a new law to its being passed, at every stage of the process the voice of the citizen is a crucial element. This voice can be heard through TV reports, newspaper editorials, radio broadcasts, local meetings-all of which help in making the work that parliament does more accessible and transparent to the people.

Unpopular and controversial laws: Sometimes the parliament passes laws that turn out to be very unpopular. Sometimes a law can be constitutionally valid and hence legal, but it can continue to be unpopular and unacceptable to people because they feel that the intention behind it is unfair and harmful. Hence, people might criticize this law, hold public meetings, and write about it in newspaper, reports to TV news channels etc. in a democracy like ours, citizens can express their unwillingness to accept repressive laws framed by the parliament.

Classification of Fundamental Rights: Our constitution has six fundamental rights-

1. **Right to equality**:-The practice of untouchability goes against the ideals of equality. Preventing a person from entering a public place of worship, or from the use of public



wells punishable offences. It also abolished the use of titles like Maharaja, Rai Sahib etc. Equal opportunity in public employment.

There are two exceptions: The state can make reservations for women and Provisions for backward class and SC and ST.

2. Right to freedom:

- freedom of speech and expression
- freedom to assemble peacefully without arms
- freedom to form associations and unions
- freedom to move freely throughout India
- freedom to settle in any part of India
- freedom to practice any trade ,profession or business

In case of arrest constitution grants three rights:

- A person cannot be detained in custody without being informed about informed about the grounds of arrest.
- He can be defended by a lawyer of his choice.
- He has right to be produced before the nearest magistrate within 24 hours of arrest.

3. Right against exploitation:-

- Under this right we find provisions for the prohibition of
- beggar or bounded labour
- slavery
- human trafficking
- Practice of engaging children below fourteen yrs in factories ,mines or hazardous occupations.

4. Right to freedom of religion:-

- There is no state religion; neither does the state favour any particular religion.
- People are free to practice their own religion in the ways they deem fit.
- People can freely profess, practice and propagate their religions.

5. Culture and Educational rights:-

- India has many different culture and languages.
- Some groups are large in number while other in minority.
- Constitution has granted the minorities certain rights to protest there languages scripts like they have freedom to set up their own educational institutions for this purpose.

6. Right to constitutional remedies:-

- If government imposes restrictions, suppose a person wants to settle in another part of country and government imposes restrictions on such a movement without offering any explanation, The Constitution provides that the person has right to moves the court.The court may check upon such petitions and issue special orders to the government.

Domestic violence: Domestic violence refers to the injury or harm or threat of injury or harm caused by an adult male, usually the husband, against his wife. Injury may be caused by physically beating up the women or by emotionally abusing her.

- Abuse of the women can also include verbal, sexual and economic abuse. The protection of women from Domestic Violence Act 2005, extends the understanding of the term domestic to include all women who live or have lived together in a shared household with the male member who is perpetrating the violence.

Role as citizens: We need to remember that our role as citizens does not end with electing our representatives. Rather, it is then that we begin to use newspaper and the media to carefully chart the work that is being done by our MPs and criticize their actions when we feel it is required. Thus, what we should bear in mind is that it is the extent, involvement and enthusiasm of the people that helps parliament perform its representative functions properly.

