

“LAW” : A Review

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Abstract

India is the largest democratic country in the world, as well as the second most populous country. Our country is divided into many languages, dialects, provinces, religions, castes and customs. In our country there are citizens of different views, who have their own beliefs according to their religion and culture.

In spite of this, we need a common Law so that all the citizens can get equal justice. The Law that is available with us in today's environment is neither common nor is it a law made in our country. This law was imposed on us by the British ruler during slavery. This law can never do justice to the citizens of our India. This law system not only has difficult but it can also be manipulated very easily. Getting justice through this law is a very cost-effective and time-consuming process. Delayed justice is in accordance with the saying that “Justice Delayed is Justice Denied”.

Keywords: - India, Law, Legal,

Introduction

We first need to know about the Law of ancient India. In ancient India, the strong gram panchayat had its own law system, which was very easy and quick to approach. All the decisions made by the Gram Panchayat were universally accepted and judicious, while taking these decisions, participation of all village residents was ensured. Even then, if you did not agree with the decision of the panchayat, then you could appeal again to the king's court, for which there was no fee or paper work. Even illiterate man could go directly to the king's court without money, to take his complaint.

In today's environment, getting justice in the law and order is very complicated; the rules of law are also from the British era, who only believed in punishing. Today's law can be manipulated by money and force very easily. In such an environment, it is very difficult for a common man to get justice. In the absence of adequate resources, the common man has to go through very difficult paths to get justice. It also becomes a challenge for him if he is not educated. The misuse of law made sections is also weakening the legal system, Weak legal system leads to bad elements. Corruption is also a strong reason to weaken the legal system.

Law and Legal System of India

1. **Ambiguity or inadequacy in Legal system:** - There are many flaws in the article 375 and 376, by taking advantage of which the innocent can be convicted and the guilty can be made innocent. Both these articles have been made for serious crime which protects the honour of women. But because of lack of ambiguity and directness in both the articles, the wrongdoer can take benefit and survives himself.
2. **Lack of Interaction among the citizen and courts:** - Whenever someone was sentenced in Ancient History, the entire village was gathered near the sarpanch. By this, all the villagers knew about the legal system, what punishment is there for which



crime. But now villages become cities where there is no sarpanch, it is a court system. Where the convict only sentences based on evidence. Many citizens do not even know what the court system and how it works, as they have never seen such a legal system before.

3. **Accused under Trial:** - For those who have committed a crime it is ok but it is fair for an innocent to spend more time in jail just for waiting for his trial. India's jails are full from trials. They will have to remain in jail until definitive conclusions are reached. Many spend their entire lives in jail, but no proper decision is taken by the court. He should not be considered a criminal till he is found guilty because all the money earned throughout the life is respected and everything ends simultaneously.
4. **Corruption in Law and Legal System:-** Today there is lot of corruption in our legal system Criminals are saved by twisting the legal system on the basis of money. In the legal system, from police administration to advocates and judges, they work with bribes. On the other hand, we can say that rich and powerful full persons take the police on their side and the police by harassing the poor, weak person during the long ordeals in the courts. That's why the poor people are less afraid of Criminals and more afraid of police.
5. **Political Interference in Law:** - Political interference is a very large loophole in the legal system. Today all politicians are found in some scam but due to political interference, no one raises their hands to catch them. Those who are in government misuse the legal system a lot. If a criminal is caught, the politician use the power of his position rescues him before reaching the court. Political interference is weakening the legal system and it is helping criminals.
6. **Criminal's right to contest elections:** - India's legal system is unfortunate that a criminal who cannot get a government job, cannot apply for a passport, but can stand in India's election. Election that gives special rights to the culprit after winning and he avoids the law by exercising his exclusive rights. It is far from punishing that the police administration that could have put him in jail for the crime, he roars in front of him in his security.

How to Make Law Strong

1. **Time Bounded Judgment:** - As we know more than 43 Lakh cases pending in the different states high court in last ten year and around 58 thousand cases were pending in Supreme Court of India. To control this situation, we should do a time bonded Judgment. If a case comes to court, its time should be defined as in how many days the judgment should be heard. By doing this, both the police and lawyers on behalf of the court will be under pressure to register the case and close the case.
2. **Zero level corruption/Digitalization:** - In the Outlook the Fully Loaded Magazine printed on dated 16 September 2010 that eight of the last sixteen chief justices of India were definitely corrupt. If corruptions are involved at a high level, then it is understandable that there is no work at the bottom level without bribes. Where bribes is invoked it is not justice, nor is there a sense of equality. To overcome corruption in the legal system, it has to become transparent. We need to emphasize on digitalisation

to create transparencies. Due to digitalisation, the common citizen will have to go to the police and advocates less, and less will make the legal system corruption free.

3. **Government provided advocate to victim:** - Today it has become very expensive to go to court and fight the case, so the common man wants to get away by giving bribes to police. Because he knows that going to court will end his capital and may even have to sell the house. So the legal system needs to be improved a bit, all poor people who cannot bear the court fees will be given an advocate from the government who will not take any fees or expenses from them. By doing this, people will get awareness and they will not be afraid to visit the court. For the legal system, they will have confidence and the legal system will be seen with respect. By doing this, the cases will be closed early and bribes neither will be given nor taken.

Conclusion

We need to change in existing law and legal system. Both law and legal systems have to do transparent. We need to adopt digitalization in law and legal system. Such a law in which the information about the complaint does not go to any police station. Complaint came to the High Authority directly and from that to the police station so that they know only the complaint, not the complainant. By doing this the common man's fear of the police will be eliminated. Time bound to the police the Compliant comes from the Higher Authority has to close within the week. Implementing this system will eliminate bribes and will not allow rich persons, political leaders and criminals to take advantage of our legal system.

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