



LEGAL LITERACY: THE NEED OF THE HOUR

¹Dr.HEMALATHA MANOHARAN, ²Dr.K.PERUMAL, ³Dr.V.PONNUSWAMY

¹ Professor, SKY WCSC, ALIYAR,

² Director, WCSC, ALIYAR,

³ Research Supervisor, WCSC, ALIYAR

ABSTRACT

Legal awareness or public legal education is very essential for the current scenario. Law stipulates that Ignorance of Law is no Excuse. The society on the whole is unaware of the Law and its functioning. Majority of the population are not exposed to the functioning of the legal system. So it is, the duty of the state to educate its citizen about the Judiciary system. The modern youth should know their constitutional Rights and Duties, The legal Aid Schemes and suggestions should be taught. The remedies are provided under Legislations and Laws relating to Alternative justice delivery system can be instructed. Without Legal literacy common masses are alienated from Law and deprived from getting proper legal Assistance. The components of the Indian constitution should be taught. The brief content of the civil procedure code (CPO), Criminal procedure code (Cr.P.C) and the Indian penal code (IPC) should be made known to public. The basic definition of crime, punishment and penalty should be made clear to the younger generation. The law relating to women protection Acts is extensive and each women must be made aware of it. Now, the technology and scientific innovations are evolving in geometrical proportions, and the cyber crimes are increasing. The youth community should be cautioned about the Interent law or Digital Law.

Key words: Legal literacy – Alternate Justice -Legal Aid -Constitution – Civil procedure code – Criminal procedure code – Indian penal code – Cyber laws.

INDIAN CONSTITUTION

The constitution of India is the supreme law of the country. The constitution of India was adopted by constituent Assembly on 26th November 1949. It came into force on 26th January 1950. The constitution contains the working procedure or fundamental rules and regulations that determine how a country should function. The Drafting committee was headed by Dr.Ambedkar and he is known as the father of Indian constitution. Pandit Jawaharlal Nehru drafted the Preamble of Indian constitution. The Constitution, originally consisted of 395 Articles, 8 schedules, 22 parts and 145,000 words. It establishes India as a Sovereign, Socialist, Secular, Democratic, Republic, Ensuring justice, Liberty, Equality and Fraternity for its citizens.

CONSTITUTION: FUNDAMENTAL RIGHTS

1. Right to Equality
2. Right to Freedom
3. Right against Exploitation
4. Right to Freedom of Religion
5. Cultural and Educational Rights.
6. Right to Constitutional Remedies.

The Indian constitution is the longest constitution in the world. The dedicated effort of the drafting committee members in framing the constitution of India can be witnessed in their work. The individual who demands his right should fulfil certain duties, only then he/she is eligible. The fundamental duties of an Indian citizen are given below:

1. To abide by constitution and respect its ideal
2. To protect sovereignty, unity and integration.
3. To defend country and render national service.
4. To promote harmony and spirit of common brotherhood.
5. To value and preserve the rich heritage of our nation.
6. To protect and improve natural environment including creatures.
7. To develop scientific temper and humanism.
8. Safe guard public property.
9. To strive towards excellence in all spheres of individual achievement.
10. Parent or Guardian to provide opportunities to children from 6years to 14 years of age.

THE THREE MAIN LEGAL CODES IN INDIA

India has three main codes to maintain law and order in the country. They are called as Civil procedure code, criminal procedure code and Indian penal code. The law defines what is crime. It's behaviour, either by act or omission defined by statutory or common law deserving punishment or penalty. The definition of punishment is said, to be an act of punishing and it is infliction of some kind of pain or loss upon a person for misdeed.

The law also gives a complete narration of stages of crime, the first stage of crime is the intention, the second stage of crime is the preparation of crime, making attempt is the third stage and finally the accomplishment is the fourth stage. In the Indian penal code different punishments are enlisted. They are the capital punishment, Life imprisonment, Rigorous Imprisonment, simple Imprisonment and Fine.

CIVIL COURT AND CRIMINAL COURT

The Civil court deals with issues arising in between two parties their damage to property, probate issue, family issues, Divorce, Land lord and tenant disputes and juveniles misconduct. The criminal procedure code deals with classification of courts, their constitution, power and procedures to be followed.

THE INDIAN PENAL CODE

The Republic of India conferred the Indian penal code to be the official criminal code. It was first drafted by the first law commission headed by Thomas Macaulay. The Indian penal code contains Introduction, and General explanation of punishments. Some of the few offences under this code are right to private defence, criminal conspiracy, offences against state. Offences relating to Army, Navy and Airforce. Offences against public Tranquillity, offences relating to elections and false evidence. Besides, offences relating to weight and measures, offences affecting public health, safety and morals. Crimes relating to religion. Offences affecting Human body, affecting life which includes murder, causing miscarriage. Hurt, wrong confinement, kidnaping, Abduction, Slavery, Rape and forced labour. Some offences against property are Robbery, Dacoity, receiving stolen property, cheating and criminal trespass marriage related offences and defamation.

WOMEN PROTECTION LAWS IMPORTANCE

If in India, during the early Vedic period of women had equal rights and status like men. The contents of Rig Veda states that women during those times were married at matured age and selected their own husbands in a ritual called Swayamvara. As time passed the women of India were deprived of many rights and privileges which the male population enjoyed. So, to bring back the lost glory of Indian women many laws and acts were passed in favour of the women. The importance of these laws were to promote gender equality, ensuring the safety of women and empowering women. Some of the women protection acts are listed below:

1. Immoral Traffic prevention Act (1956).
2. Dowry Prohibition Act (1961).
3. The commission of Sati prevention Act (1987).
4. Protection of women from domestic violence Act (DVA).
5. Sexual harassment of women at workplace (2013).
6. Maternity benefit Act (2013).
7. Equal Remuneration Act (1976).
8. The Hindu succession Act (1956).
9. The Indecent Representation of women (1986).
10. The National Commission for Women (NCW) (1990).

Some of the reliefs sanctioned for aggrieved women are protection, Order, residence order, compensation order, Maintenance order and custody order.

CYBER LAW

The legal and regulatory aspects of Internet and world wide web relating to legal issues, committed by Netizens in cyberspaces, lay under the category of cyberlaw. The constitution of India has clearly laid down codes and laws to be followed. But the emergence of Internet and complicated issues arising due to usage of internet and cyberspaces made the existing laws insufficient. So it was very necessary to construct a new set of laws and acts dealing with internet, illegal activity involving computers, internet or network devices. Cyber law known as internet law is also or digital law.

There are different kinds of cyber crimes. To mention few of them phishing, which is similar to the word fishing, where to catch a fish, food are placed as a bait, similarly sensitive data like credit card numbers, bank account information's are stolen with the help of fraudulent communications. Hacking is another cyber crime, where the computer system of an individual or firm is accessed through unapproved and illegal software. Identity theft is also an cyber crime. Ransomware is using malicious software to encrypt files. Cyber stalking is a practice where internet is used maliciously to harass others.

CONCLUSION

Nelson Mandela has stated rightly "Education is the most powerful weapon which you can use to change the world". To establish a crime free society, legal literacy is very essential. Justice is the first virtue of social institutions. In order to provide justice to all the citizens, legal education is necessary. In the current scenario only Judges, Advocates and Law students are aware of the law of the land. Common masses should understand the legal terms and conditions of the country.

Every laws and Acts of the country should be made known to the citizens. To accomplish this task basic laws like constitutional law, criminal procedure code, civil procedure code, Indian penal code should be taught the higher secondary schools and colleges. Through which our citizen can be come legally literate we can make our citizens legally literate.

REFERENCES

1. Constitution of India

Publishers:

Commercial law publishers (India) Pvt. Ltd

4239/1, Shakaherbhawan

Ansari road, Daryaganji, New Delhi-110002

Printed at -Taj press, Noida

2. Text book on Cyber law

Author – Pavan Diggall

Publication- Lexis Nexis

14th floor, Building No.10, Tower-B,

DLP Cyber city, Haryana, India.