



## APPLICABILITY OF LAWS IN INDIA WITH SPECIAL REFERENCE TO RURAL AREA

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### Abstract-

*India is the country with the lengthiest written constitution and with the help of that constitution, our government ensures that we will protect by it. Law & order is available for the betterment of citizens and that is also mentions in the “Directive Principles of State”. The constitution of India has so many powers in itself and through its directions the whole structure run. We are aware about the politics, economics and other stuffs but the major disaster in India is something else and that we are ignoring. Our administration is keep on saying that they are doing their work with full liability but is that truth? We know the applicability of our laws in rural areas is still a dream for those who are living there. Here, we are determining those issues which are the big stumbling blocks in the development of rural areas.*

### Introduction-

There are so many laws which protect our rights but the major problem starts with its applicability. We know the government is doing its functions by the help of so many bodies still the applicability of laws in rural India is a big hurdle for the government. There are so many fields where the enforcement of laws is very crucial.

There are so many laws in India for every certain act, whether it is criminal act or civil act. But only the assistance of laws is not good enough to achieve the real motto of the constitution of India.

The field of applicability laws is still not very much endeavour towards the rural India. In last two years the highest court in the country have responded to a mass call for more protection for

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women, alongside there have been many judgments from non constitutional decisions made by body like Khaap Panchayat and kangaroo courts sanctioning violence against particular women or curtailing women's freedom in a significant ways. Two year ago, a 20 year old Santhal tribal woman was raped by 12 men in West Bengal on the order of kangaroo court called a Salishi sabha. Her crime was to fallen in love with a man outside her community.<sup>3</sup>

The government itself not takes sufficient guards towards the rural society. It is clear because in the tribal area and villages there is no law applicability. Even they never follow the law of country. They are having their own laws which they apply on them who even try to change their antediluvian thinking. So many time we say the Supreme court is the apex court of India but such kind of news shows that in India there is an another India.

How can this possible that government can show two faces to the same countrymen. If we talk about the public health consciousness, we will find that there is a huge margin of error which commits by the government. In our metro cities or in those cities where so many wealthy people living, we can see that their infrastructure about the public health is proficient and skilled on the contrary in rural areas where the indigent persons live the same thing becomes inferior and unsatisfactory. Why it is so? Why not the government of India is capable to maintain the same public health infrastructure on both side of the country?

“The new agenda for public health in India includes the epidemiological transition, demographical transition, environmental changes and social determinants of health based on the principles outlined at Alma-Ata in 1978. There is an urgent call for revitalizing primary health care in order to meet these challenges”.<sup>4</sup>

The practice of public health has been a big issue in all over the world but in India it is very much dynamic and has witnessed many stumbling blocks in its attempt to affect the lives of the rural people of this country. In the rural areas most of the hospitals are empty and almost going to be close because there are no facilities of doctors as well the good equipments which can be live saver. This

<sup>3</sup>.The Hindu news paper report on 1<sup>st</sup> February 2014.(West Bengal)

<sup>4</sup>.Health sector intersect oral issues, public health role of government. Research paper of Dr. Atul Kotwal (Prof. Department of community Medicine, AFMC) Pune, India.



kind of role of government shows the diversity in the applicability of laws in rural and slums area of the country.

### **Problem of illiteracy in rural India-**

Literacy is the way through that one can get knowledge of his rights and can behave like a civilized person in the society. But the level is well below the world average literacy rate of 84% and of all nations. In spite of that the biggest democracy is has the biggest illiterate population and mostly belongs to the rural areas. Despite of government programs, India's rural areas literacy rate increased "sluggishly" and a study estimated by government in 1990 that it might take 2060 for India to achieve universal education at then current rate of progress.<sup>5</sup>

It is good enough to shows that how's the government ignoring the education in rural areas. The most of the population of India is residing in rural area but they don't get the best education which government should provide them. There is a fundamental right relating to this and that is Article 21(A), which states that it is the duty of state to provide free and basic education to every child below the age of 14. But still we can see that there are so many children who don't have basic education they are doing work to help their parents finically. They are helpless, they don't know about their right to education so here the thing applicability of laws comes.

### **Why applicability of laws is a difficult task in India-**

As we already discussed about the applicability of laws in India is not that much ensuring the people that it should be, the laws are available for the citizens but the knowledge of that laws at rural areas not reached in absolute manner. There are so many programs run by the government for the benefit of the citizens but there are some problems also due to those problems, these programs cannot run smoothly. The administrative department of government is very indispensable department, because this body has power of implementation laws in the society. It is very hazardous if this body does not play its functions carefully, the implementation of laws in rural area is a difficult task due to these some reasons-

### **Sanitation-**

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5. UNISEF 31<sup>st</sup> December 2015 Annual report on world education and problems.



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Due to lack sanitation Indian government is not able to protect the rural area's progress. By a statistic which provided by UNICEF in 2012 have shown that only 31% of India's population is able to utilize proper sanitation facilities as of 2012 in every ten deaths one is linked to poor sanitation and hygiene. UNICEF's report clearly indicates that in the India there are no proper channels which can stop such disasters. In rural India the position of sanitation is much more worthless, so many deaths occurs in rural area just because of this worthless sanitation, the present government (2016) is trying reduce this problem in rural area very desperately. They produced so many sachems and welfare programs to avoid the problem of sanitation in rural India. We have hope that very soon our rural area as well urban area will overcome by this sanitation problem.

## Indian Caste system-

The caste system is one of the biggest social evil in India. This evil was a monster in post independent India, but we can say that still it is not vanished from the country. There are so many cases occur in the country which is related by the caste on an individual. In the Article 15 of the Indian Constitution, it is says that state will not discriminate any one on the basis of Race, Caste, Sex, Religion or place of birth. But the fact is different than this and the dark side of this thing is very well known by the government also. The problem of caste system is rapidly reducing from the urban areas but in the rural area this problem is still taking so many lives. We have to understand that, this system was the past of India, now the Constitution of India is not allowing such discrimination on this basis. The mentality of people is not changed yet. In the rural India where the laws are not applied properly, this system will take so much time for vanishing. The government needs to take major steps to stop such problems and they will have to apply laws in a proper manner, thus the real motto of Constitution can be achieved.

## Exordium –

It is very known fact to the government that the applicability of laws in rural areas is not up to the mark; still they shout for their achievements what they have done in the urban areas or metropolitan areas. The government makes so many laws for the welfare India but the supporting bodies are not doing their work properly. To ensure the rights of rural population government has to take some strong actions against those persons who do not perform their duty towards them. We have to understand that the most of the Indian are residing in the rural areas; if government will not take



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care of them then it might be possible that they can go against the government's functioning. In the rural India we know the applicability of laws is a difficult task to do but to ensure the dream of Incredible India we all have to help our government and government has to take some proper decisions to make sure the value of rural India.

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1. The HINDU NEWS paper report on published 1<sup>st</sup> February 2014 (West Bengal)
2. Report of UNICEF on world education and problems published in June 2015
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