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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

SOCIO LEGAL ISSUE

AUTHORED BY - BODHINI HARSHAD SHELKE

Abstract:

India is a country full of contrasts. In India, one may see various religions, castes, traditions, dialects, civilizations, and interconnected social fabric. The slavery of foreigners created various problems in Indian society over generations. Illiteracy, healthcare, overpopulation, pollution, women's safety, and insufficient plumbing and sanitation tend to be social and legal challenges in our magnificent country. Legal empowerment and the judicial system are historical phenomena that have evolved over time in response to social situations and developments. As a result, social justice is a vital component of the legal justice system and its coverage. As society grows, the Judicial System addresses and attempts to resolve an increasing number of problems faced by society. A few of these challenges have been tackled below.

1. **Illiteracy:** Illiteracy is an illness that has infected independent India. We discovered that our illiteracy was a major barrier to our development after securing our independence. It is a shame that the nation that was supposed to provide a model for other countries has such a high illiteracy percentage. Illiteracy is especially widespread in India's rural areas. Poverty, a lack of quality education, illiteracy among women, and other factors contribute to illiteracy in India.

In 2009, the "Right to Education" Act was passed, stating that children aged 6 to 14 would get free education and other necessities. Many more programs have been launched by the government to enhance the literacy rate in India. India's literacy rate is at 74.04%. More attempts are being made, and there will come a time when illiteracy in India will be eliminated.

The figures on illiteracy in India are possibly staggering. There are many people who have not received even basic learning, and their situation is pitiful to say the least.

When we address the issue of illiteracy in India, we're talking about people who never attended school and were denied their right to an education. While there are government

schools and rules stating that primary education is free for all, these rules are frequently not followed. Even in remote areas where the regulations are enforced, parents from low-income households put their children to work to help them accumulate more revenue.

The sole strategy is to raise public awareness of the importance of education. It is critical for citizens to be literate if our country is to achieve significant progress. Illiteracy in India is one of the major issues that must be addressed before it grows too large to handle. So, try to create an awareness campaign to inform people about their fundamental entitlement to free education. Giving the correct incentives could spark the transformation that is much needed.

2. Healthcare: Medical centres, surgical instruments, research projects, outsourced services, telemedicine, tourism for medical treatment, insurance for health care, and medical equipment are all part of healthcare. The Indian healthcare system is expanding rapidly as a result of improved coverage, expanded services, and increased spending by both public and private entities. The system for delivering healthcare in India is divided into two key components: public and private. The public healthcare system, which is run by the government, has a limited number of tertiary care facilities in major cities and emphasizes on providing basic healthcare services in rural regions through primary healthcare centers. India has a big supply of well-trained healthcare professionals, which lends it an edge over others. India is also less expensive than its Asian and Western counterparts. Surgery in India costs around one-tenth of what it does in the United States or Western Europe. The low cost of medical services has resulted in an increase in medical tourism in the country, attracting people from all over the world. Furthermore, due to the low cost of clinical research in India, it has emerged as a hub for R&D operations for foreign businesses.

As public health is a state matter, eight states have drafted a public health law. Because public health law must be identical, the Central Government has drafted three models of Public Health Acts: The Model Public Health Bill by the Central Bureau of Health Intelligence (1987), The National Public Health Bill by the National Institute of Communicable Diseases (2002), and The National Health Bill by the Ministry of Health and Family Welfare Task Force (2009).

3. **Overpopulation:** Overpopulation is one of our country's most critical challenges, accounting for more than 1.20 billion of the world's population of over 7 billion people. Surprisingly, the United States, which ranks third on the list of the world's most populous countries, is home to 311.1 million people, or almost one-quarter of India's population. This disparity is even more startling when one considers that the United States is three times the size of India. In terms of population, certain Indian states outnumber numerous countries. Uttar Pradesh, with a population of 166 million, surpasses the Russian Federation, which has a population of 146.9 million. Similarly, the population of Orissa exceeds that of Canada, and Chhattisgarh's that of Australia.

Certain of the challenges caused by overpopulation are as follows:

Food and nutrition issues; housing issues; hunger and famine; infectious illnesses and crises; rising demands on municipalities and poverty growth; a heavy demand on most assets; decrease in agricultural areas; continuous destruction of forests; threat to the environment, including wildlife; political insecurity, war, social evils, and corruption, among other things.

People will take action to reduce population growth if they understand that unemployment, poverty, illiteracy, unpleasant living conditions, natural resource depletion, and environmental problems are all the outcome of overpopulation.

Unchecked population increase is unquestionably a concern that our country must address. Government, non-governmental associations, and residents must all cooperate to address our nation's overpopulation issue. Humans must clearly stop overpopulating the planet. We must not tear open the Earth's innards to feed ourselves because it has a finite capacity.

4. **Pollution:** What are the most significant sources of pollution in India?

Excavation produces a lot of dust, which makes it a major contributor to pollution. Delhi has a population of 25 million people and between 3,000 and 4,000 factories that contribute to air pollution. Additionally, Delhi has eleven or so tiny thermal stations that create electricity, and thermal stations are notoriously polluting. The city is likewise densely populated and rapidly expanding. We have quite heavy vehicular traffic. Transportation strategies in all of our cities must be revised. There is some kerosene contamination of petrol in Delhi and other metro cities with considerable automobile traffic. It is largely due to the rules governing petrol pricing. People require financial rewards to use clean fuel.

New Delhi has recently made headlines due to excessive levels of pollution. What's the deal with that place?

It is bounded geographically by mountains and bordered by these nineteen districts. Because the air becomes confined there, heated air removes any impurities in the summer. When it's cold, however, the air settles and there's no way for contaminants to escape—it's like a lid. All of the garbage that is burned, as well as all of the pollutant particles that are released from other sources of contamination, become confined.

That is why Delhi has a particularly severe situation in terms of air pollution. The physical and climatic restrictions are comparable throughout the north. India holds the significant distinction of having the biggest number of highly polluted cities. And Delhi is unquestionably one of the three most polluted cities in the world.

5. Women's safety: In accordance with the most recent NCRB report, there were over 4 lakh documented incidences of crime against women in 2019. The NCRB reported 32,033 rape cases, or about 88 rape cases every day. More than 93 percent of rape cases reported in 2018 were committed by someone known to the victim. Women have reported being assaulted and sexually harassed both outside and inside their houses. Causes for the rise in violence against women in India
The patriarchal attitude:

The first and most serious issue is that the patriarchal ideology has conditioned males to believe in their own superiority. Males are always perceived as more strong than females, which they exploit.

Unreported incidents:

There is an increase in the number of rape cases, one of the reasons being that many of these crimes go undetected, giving criminals power to repeat violence against women. For every reported rape case, hundreds more go unreported due to shame and fear. Families are afraid of having their daughters' names revealed, thus they choose to remain silent on such topics.

Inadequate awareness:

Two out of every three victims under the age of 18 are between the ages of 12 and 17.

Schools and universities must raise awareness regarding women's safety in order for girls to come out and report their difficulties. Adult boys and girls in India receive noeffective counselling. This is also the reason why our youth are unaware of sex- related crimes.

Legal Vacuums:

Rape is a non-bailable offence under Indian law, however some are granted bail owing to a lack of proof. Police officers, politicians, and even lawyers are frequently employed to protect the accused. This complicates the entire legal process. 'Justice delayed is justice denied,' as the saying goes. While rape and sexual harassment occur on a daily basis, providing justice to the victims takes time.

Women's Security Requirements

Women are treated differently than boys in many families from an early age. Many families believe that women should not be allowed to express themselves and that they are inferior to men. In this instance, the non-working class of women suffers the most, as they must rely on male family members for survival.

This patriarchal culture is the primary source of violence against women, and it must be eradicated. People's attitudes must shift in order for women in India to have a better future. It is disheartening to learn that even today, the victim is frequently blamed after a rape. Rape instances have enraged many Indians. Rapists are now facing the death penalty, according to some. There have also been requests for the perpetrators to be publicly hanged. According to analysts, a low conviction rate and faults in the country's court system are giving birth to vigilante justice. This demonstrates the critical need for quick courts to hear matters in a timely way.

Some of the fundamental initiatives towards women's safety include the installation of streetlights, night drop vans, and increased awareness at the school and college levels. They were simply enacting laws that were insufficient.

The primary focus should be on the proper implementation of these laws. Both print and electronic media should speak out against crime, but same time, the privacy of any victim should not be compromised. Understanding and resolving the issue of women's safety is crucial if women are to live with dignity. Until they feel safe, women cannot feel

empowered. While India waits to be a better country for women, many women wait for justice to be served. No woman should be denied the right to women's safety. We can create a nation where women feel safer and have greater authority.

6. India has made considerable strides towards eliminating open defecation nationwide, which has a substantial positive impact on WASH.

Due to a lack of access to toilets, almost fifty percent of India's 568 million people endured the humiliation of peeing in fields, woods, bodies of water, or other public areas in 2015. 90% of South Asians and half of the 1.2 billion people worldwide who defecated in the open reside in India alone. In addition to eliminating open defecation, effective solid and liquid waste management in all towns and cities is now a part of UNICEF's extended vision. According to the most recent projections, there will be 450 million fewer people without access to toilets by 2019.

A tremendous feat only made possible by the Government's top effort, the Prime Minister-led clean-up mission Swachh Bharat (SBM) (Clean India Campaign). UNICEF has enthusiastically supported the Swachh Bharat Mission, which is presently in its second phase of implementation. India has made rapid progress in its attempts to end open defecation. There are now considered to be 450 million fewer people in India who publicly defecate. However, it is imperative that we all regularly exercise proper hygiene and make use of the facilities. Open defecation is more prevalent among the poorest urban or rural inhabitants.

The risk of spreading diarrheal and water-related illnesses is increased by the lack of regular handwashing and microbial contamination of the water in their own homes and neighbourhoods. Due to this practise, tonnes of faeces were spilled into the environment every day, often exposing India's children to excrement. Over 100,000 children under the age of five in India died from diarrheal disease as a result of the situation.

Furthermore, inadequate sanitation can hinder national progress since it causes workers to be sicker, live shorter lives, produce and earn less, and are unable to afford education and stable futures for their children. Inadequate sanitation, water supply, and hygiene (WASH) care is the cause of India's high neonatal mortality rate, which is currently 24 fatalities per 1,000 deliveries in medical facilities there.

Sepsis, which is mostly spread in medical facilities, is to blame for 15% of all neonatal deaths and 11% of maternal deaths. The risks do not stop there when they return home to a community without toilets, either.

(Reference: 2014 Lancet report)

According to studies, 22% of schools in India did not have restrooms that were suitable for girls, 58% of preschools lacked any sort of restroom, and 56% lacked access to water.

(Source: Children's 2013–2014 Rapid Survey)

In 1.96 million homes, water is chemically contaminated, primarily by fluoride and arsenic. Less than 50% of the population, however, has access to properly managed drinking water that is available when needed, on-site, and uncontaminated. Additionally, acute water depletion affects two-thirds of India's 718 districts, and the existing absence of water safety and security planning is a major worry.

Conclusion: Social problems affect a nation's average citizen, and as justice is a cornerstone of the Indian democracy and constitution, lawmakers and law enforcers must take the initiative to address social injustice and disparities from time to time. Our history, customs, and cultural stereotypes may contain social issues. India, like every other nation on earth, deals with a variety of socioeconomic problems. India, an ancient culture with frequent changes of rulers, has its unique societal problems. Unfortunately, more than 29% of Indians live in poverty in the current era. Therefore, it is everyone's responsibility to uphold the true values of social justice. Finally, social issues can cause unhappiness, disruptions, and violence if they are not resolved. Social law issues will take on different forms and shapes as we all transition to a new millennial generation where technology has become the new norm. We must be ready to approach the same challenges as before.¹

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