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In India law cannot discriminate among people on the basis of gender, religion, race, etc. Analyse.

Neevaj Bhaiji

Ans →

India has rule of law as per the Article-14 which states 'Equality before the law'.

This principle states that All people are subject to the same laws of justice

which also means there is equality before law and there is same law for everyone.

Equality before the law is one of the basic principles of liberalism. In India

Law cannot discriminate among people on the basis of gender, religion, race etc because all are equal and are entitled without any discrimination.

The law and the judges must treat everyone equally before the law regardless of his/her race, gender, religion, identity, origin, color or other characteristics.



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Rule of Law →

Dicey's theory has three pillars based on the concept which says

"a government should be based on principles of law and not of men" they are :-

1.) Supremacy of Law -

law rules over all

people including the persons administering the law so there should be absence

of Arbitrary power

2.) Equality before the law -

Established since: 1990

The law cannot

discriminate between people in matters of religion, cast, gender, etc

3.) Predominance of legal spirit -

There

must be an enforcing authority and

the law must be impartial and free

 

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from all external influences.

Way Forward →

In India the rule of law is amongst all but there are some exceptions that provide immunities to some higher authorities like the president or Governor, is not answerable to any court.

But in

modern parlance rule of law has come to be understood as a system which has safe guards against official arbitrariness, prevents anarchy and allows people to plan the legal consequences of their actions

~~Exempt~~