

UNIFORM CIVIL CODE

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Abstract : India is a second name of multiple diversity. There should not be different kind of spices, different kind of people, different kind of flowers, animals. Everything must be one only.

A large number of Adivasis to whom we have given a guarantee in the Constitution that their caste and culture will not be disturbed at all will also suffer. . That was the agreement which we had with them (in the Constitution).

They also say that , When the Constitution was framed, it was agreed that unless the Uniform Civil Code has the consensus of all the people, it will never be implemented. It would not be forced. Even Dr Babasaheb Ambedkar said so

Keywords - Uniform Civil Code, civil derives, British feared

INTRODUCTION

The word Uniform Civil Code(UCC) consist three terms 'Uniform' means all peoples are same in all circumstances: the term civil derives from Latin meaning the right of citizen the word 'codex' which means books. So therefore it denotes the meaning that uniformly laws that are applicable to all citizen of India irrespective of their caste, religion, birth, sex, tribe.

Uniform civil code is the term which originated from the concept of civil law code. Uniform civil code is the proposal to replace the personal law based on the scriptures and customs of each major religious community in India with a common set governing every citizen . Personal laws cover marriage, divorce ,inheritance and maintenance.

Article 44 of the Directive Principles sets its implementation as duty of the State.

-Personal laws were first framed during the British Raj, mainly for Hindu and Muslim citizens.

-The British feared opposition from community leaders and refrained from further interfering within this domestic sphere.

-The demand for a Uniform Civil Code was first put forward by women activists in the beginning

of the twentieth century, with the objective of women's rights, equality and secularism.

-Uniform Civil Code becomes one of the most controversial topics in contemporary politics during the Shah Bano Case in 1985.

-In India UCC is applicable only in Goa, but known as Goa Civil Code .But the Goa Civil Code is not strictly a Uniform Civil Code.

The main areas covered by Civil Code-

- Personal Status of Person.
- Rights related to acquisition and administration of property.
- Marriage ,Divorce and Adoption of child.

Need for a Uniform Civil Code

First, a secular republic needs a common law for all citizens rather than differentiated rules based on religious practices. This was a key issue debated during the writing of the Constitution, with passionate arguments on both sides. The Indian Constitution was eventually stuck with a compromise solution, a directive principle that says: "The state shall endeavour to secure for citizens a uniform civil code throughout the territory of India."

CHALLENGES .

1. Change in laws in favour of women like Hindu inheritance Act has neither brought about any change in the percentage of Property held by the women nor in their status.

2 . Some sections in minorities claims it is a way of imposing majority views on them.

3 Lack of the political will due to to the complexity and sensitivity of the issue.

4 Different religious communities have different personal laws which lead to poltcialization, due ti these UCC has become next to impossible.

Those who oppose Uniform Civil Code says that large section of even Hindu society practises different religious ethos in different places. So it is for the government to decide whether they are trying to create anarchy or if they are really interested in serving the people.

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