



KAMARAJ IAS ACADEMY
Only IAS Academy by Grandson of "Perunthalaivar Kamarajar"

Uniform Civil Code

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Why is in news? Gujarat govt to set up committee to implement Uniform Civil Code ahead of Assembly Elections

A Uniform Civil Code means that **all sections of the society irrespective of their religion shall be treated equally** according to a national civil code, which shall be applicable to all uniformly.

They cover areas like- Marriage, divorce, maintenance, inheritance, adoption and succession of the property.

Article 44 of the Constitution lays down that the state shall endeavour to secure a UCC for the citizens throughout the territory of India.

Article 44 is one of the Directive Principles of State Policy (DPSP). DPSP as defined in Article 37, are not justiciable (not enforceable by any court) but the principles laid down therein are fundamental in governance.

Indian laws do follow a uniform code in most civil matters – Indian Contract Act, Civil Procedure Code, Sale of Goods Act, Transfer of Property Act, Partnership Act, Evidence Act etc. States, however, have made hundreds of amendments and therefore in certain matters, there is diversity even under these secular civil laws.

UCC vs. Right to Freedom of Religion:

Article 25 lays down an individual's fundamental right to religion

Article 26(b) upholds the right of each religious denomination or any section thereof to "manage its own affairs in matters of religion"

Article 29 defines the right to conserve distinctive culture

Why need UCC?

UCC would provide equal status to all citizens

It would promote gender parity in Indian society.

UCC would accommodate the aspirations of the young population who imbibe liberal ideology.

Its implementation would thus support the national integration.

Hurdles to UCC implementation:

There are practical difficulties due to religious and cultural diversity in India.

The UCC is often perceived by the minorities as an encroachment of religious freedom.

It is often regarded as interference of the state in personal matters of the minorities.

Experts often argue that the time is not ripe for Indian society to embrace such UCC.

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ARGUMENTS IN FAVOR OF UCC



IT WILL INTEGRATE INDIA

It will help in bringing every Indian, despite his caste, religion or tribe, under one national civil code of conduct.



SIGN OF MODERN PROGRESSIVE NATION

It will help the society move forward and take India towards its goal of becoming a developed nation.



IT PROMOTES REAL SECULARISM

A uniform civil code doesn't mean it will limit the freedom of people to follow their religion, it just means that every person will be treated the same.



WILL HELP IN REDUCING VOTE BANK POLITICS

A uniform civil code will also help in reducing vote bank politics that most political parties indulge in during every election.



MORE RIGHTS TO THE WOMEN

A uniform civil code will also help in improving the condition of women in India.

Many provisions of personnel laws violate human rights

Article 25 and 26 guarantee freedom of religion and UCC is not opposed to secularism.



PERSONAL LAWS ARE A LOOP HOLE

By allowing personal laws we have constituted an alternate judicial system that still operates on thousands of years old values. A uniform civil code would change that.



ALL INDIANS SHOULD BE TREATED SAME

All the laws related to marriage, inheritance, family, land etc. should be equal for all Indians.

The codification and unification of the variegated personal laws will produce a more coherent system of laws. This will reduce the existing confusion and enable easier and more efficient administration of laws by the judiciary.