



UCC in Uttarakhand from January 2025 | Uttarakhand | 21 Dec 2024

Why in News?

Recently, The **Chief Minister announced** at a meeting in Dehradun that the **Uniform Civil Code (UCC)** will be **implemented across Uttarakhand from January 2025**.

Key Points

- **Uniform Civil Code:**
 - **About:**
 - The **UCC** is outlined in **Article 44 of the Constitution** as part of the **Directive Principles of State Policy**, which states that the government should **strive to establish a uniform civil code for all citizens across India**.
 - However, its implementation is left to the discretion of the government.
 - **Historical Context:**
 - While the **British established uniform criminal laws in India**, they avoided standardising family laws due to their sensitive nature.
 - During the debates the **Constituent Assembly** discussed the UCC and Muslim members raised concerns about its impact on community personal laws, proposing safeguards for religious practices.
 - On other hand supporters like **K.M. Munshi, Alladi Krishnaswami, and B.R. Ambedkar** argued for the UCC to promote equality.
- **Milestone Achievement:**
 - Uttarakhand will become the **first state in India to implement the UCC** after Independence.
 - **Goa** was the only state in India where a UCC was in place, **following the >Portuguese Civil Code of 1867.**

Supreme Court of India's Stance on UCC:

- **Mohd. Ahmed Khan vs Shah Bano Begum Case, 1985:** The Court noted with regret that "Article 44 has remained a dead letter" and advocated for its implementation.
- **Sarla Mudgal v. Union of India, 1995 and John Vallamattom v. Union of India, 2003:** The Court reiterated the need for implementing the UCC.
- **Shayara Bano v. Union of India, 2017:** The Supreme Court ruled that the practice of triple talaq was unconstitutional and violated the dignity and equality of Muslim women.
 - It also suggested that Parliament should pass legislation to regulate Muslim marriages and divorces.
- **Jose Paulo Coutinho v. Maria Luiza Valentina Pereira Case, 2019:** The Court praised Goa as a "shining example" where "the uniform civil code is applicable to all, regardless of religion except while protecting certain limited rights" and called for its implementation across India.