

	<p>maintenance even after the completion of the iddat period.</p> <ul style="list-style-type: none"> ○ Sarla Mudgal v Union of India, 1995: The apex court reiterated the need for the Parliament to frame a UCC, which would help the cause of national integration by removing contradictions based on ideologies. 	
UCC & Fundamental Rights	<ul style="list-style-type: none"> • Gender Justice: Mostly the religious or customary personal laws are biased in favour of men. Personal laws not only violate the right to life, liberty and dignity, guaranteed under Article 21 but also reinforce patriarchal stereotypical notions. Therefore, UCC is need of the hour to bring gender equality. • Religion and personal law are different avenues: In <i>S.R. Bommai v. Union of India</i>, the Apex court upheld that religion is the matter of individual faith and cannot be mixed with secular activities. Secular activities can be regulated by the State by enacting a law. 	<ul style="list-style-type: none"> • Secular state should not interfere with the personal law: A UCC is seen, by many, as a contradiction to the fundamental rights guaranteed under Article 25 (individual's fundamental right to religion), Article 26(b) (right of each religious denomination to "manage its own affairs in matters of religion), and Article 29 (right to conserve distinctive culture). <ul style="list-style-type: none"> ○ Article 25 is subject to "public order, health, morality" and other provisions relating to fundamental rights, but a group's freedom under Article 26 has not been subjected to other fundamental rights
UCC and country's diversity	<ul style="list-style-type: none"> • Promote national integration: Different laws for different religious groups breed communalism. • Single, secular law governing various aspects of personal matters would arouse a sense of oneness and the national spirit. 	<ul style="list-style-type: none"> • Against the diversity of the country: There has been skepticism whether there could ever be uniformity of personal laws in a democratic and diverse country like India. • Lack of national consensus: UCC still is a politically sensitive issue. There are still many organisations who advocate rights of minorities as well as many religious clerics oppose UCC.

Way ahead

- **A Evolution of consensus:** Uniform civil code cannot be imposed as it requires broad consensus. Even the debate of Constituent assembly had noted that it would be unwise to enact Uniform Civil Code ignoring strong opposition from any community. Effective Information, Education and Communication about the significance of an UCC and Article 44 would be helpful in achieving the milestone of national consensus.
- **Reform of personal laws:** In the absence of a consensus on a UCC, the best way forward for India may be to preserve the diversity of personal laws while ensuring that they do not contradict the fundamental rights.
 - **In 2018 the Law Commission of India** in a consultation paper noted that '**a UCC is neither necessary nor desirable at this stage**' in the country. However, the Commission suggests certain measures in marriage and divorce that should be uniformly accepted in the personal laws of all religions.
- An attempt should be made to enact a **model UCC embodying what is best in all personal laws**. It must be a synthesis of the good in our diverse personal laws.

Conclusion

Ours is a secular democratic republic. Freedom of religion is the core of our culture. But religious practices, which are violative of human rights and dignity and suffocate civil and material freedom are not a mark of autonomy but oppression. Therefore, a unified code is imperative, both for protection of the oppressed and for promotion of national unity and solidarity.

1.2. COLLEGIUM SYSTEM

Why in news?

Recently, the Supreme Court asked the government to **clarify on the status of 55 recommendations made by the Collegium** for judicial appointments to various High Courts.

More about news

- 44 of the pending recommendations were made to **fill vacancies** in the Calcutta, Madhya Pradesh, Guwahati, Rajasthan and Punjab High Courts.