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WOMEN'S PROPERTY RIGHTS AND NEED FOR UNIFORM CIVIL CODE

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ABSTRACT:

This study focuses on the need of a standardised civil code for protecting women's property rights. It will make sure fundamental rights are protected. Indian people are divided by their beliefs. There are Hindus, Muslims, and people who believe in many other religions. All ideologies have their own laws that deal with things that only their followers care about. In this age of modernization, where things are always changing and people are moving around, it is crucially important to have a law that applies to all religions and deals with their unique problems. There is a serious need for a law that applies to all religions and deals with their different problems. If gender equality is to be protected and articles 14, 15, and 25 of the constitution are to be preserved, there must be a standardized civil code governing personal law, especially as it pertains to women's property. The idea of a universal civil code will be introduced initially in this article. Based on the ideals contained in Article 44 of the Constitution, this study tracks the evolution of legislation meant to preserve women's financial security. This study analyses the historical and contemporary contexts that need a global legal norm. The essay also examines the Indian Constitution's application of the universal law of an eye. The central argument of this paper is that ensuring men and women have equal property rights is crucial to economic development, particularly in urban areas, for reasons that go beyond basic human decency. This paper also makes recommendations for improving the country's application of universal laws in the country. Included in this paper's discussion of women's inheritance and succession rights; will also investigate marriage and divorce as they are viewed from a variety of religious perspectives. The discriminatory nature of the personal laws, especially with regards to women's rights. This paper will examine gender biases in depth, considering various religions and their respective personal law.

Keywords: Uniform civil code, Property rights, Gender equality, Women, Personal laws.

CHAPTER 1: INTRODUCTION:

Women may be the future, but women still possess a small percentage of other real estate and just 2 to 4 percent of the world's land.¹ Protecting women's property rights is crucial to ensuring long-term economic development and is also a question of human rights and gender equality. Numerous studies have shown that as women's salaries rise, family consumption and the economy as a whole benefit. In contrast, males tend to spend a larger percentage of their income on luxury goods.² There is growing evidence that the denial of property rights to women is at the root of many other issues in global development, including poverty, disease, and illiteracy.³ There is a correlation between rural and urban poverty, especially for women. If land was legally owned or managed by rural women individually or collectively, and if their rights to use and inherit the property were protected, household earnings would increase. An increasing number of women-headed or women-only households can be found in urban slums, where substandard housing and homelessness are the norm. This is mostly due to the persistent exclusion of women from rural land rights. However, the legislation's guarantees for women's equal treatment and property rights have not been properly applied.⁴ The right to own property is recognised as fundamental in numerous international treaties and declarations, including the Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948, the Beijing Platform for Action for the Fourth World Conference on Women adopted in 1995, and the Millennium Development Goals established in 2000. The population of India can be roughly divided into those who adhere to the ideologies of Hinduism, Islam, and a great number of other religious traditions. Every ideology has its own law that governs how its adherents should conduct themselves in various circumstances. There have been discussions concerning national unity, modernity, secularism, and, most recently, gender equality ever since the topic of whether a Uniform Civil Code (UCC) for all of India should replace current religious personal law system was raised. India continues to use a religion personal law system, much as other post-colonial states. Pluralistic personal law systems are problematic from a feminist perspective because, first, they apply various standards to persons of different faiths and, second, they have distinct standards for men and women. The development of a secular Uniform Civil Code has been proposed as a potential solution to this issue. According to Article

¹ Food and Agriculture Organization of the United Nations (FAO). "Women's Right to Land: A Human Right," 2002.

² Steinzor, Nadia. "Women's Property and Inheritance Rights: Improving Lives in a Changing Time," 2003.

³ Steinzor, 2003

44 of the Constitution, which defines the "Directive Principles of State Policy," it is essential that all of India be subject to the same set of laws. The Uniform Civil Code is utilised for this purpose. It would be fair and wouldn't give any religion an unfair advantage to combine several personal religious norms into a single legislation. In addition to the Indian Christian Marriage Act and the Parsi Marriage and Divorce Act, there are also Shariat laws, Shia laws, and Hindu laws in effect in the country of India. These laws vary for Muslims, Christians, and Parsis. There has not been sufficient enforcement of the laws that protect women in matters of divorce and property ownership. In light of this, the Uniform Civil Code places a premium on secular advancement and the spiritual significance of uniformity. Marriage, divorce, child support, inheritance, succession, and other legal concerns are governed by civil law or specialized legislation in every faith tradition. Marriage, inheritance, and succession are all handled differently among the many religious groups in India; Hindus, Muslims, and Christians all have their own sets of laws, while Jains and Sikhs were once subject to Hindu law. Article 44 of the Indian Constitution mandates the establishment of a standard civil code; however, this has not yet been passed by the legislature. The universal civil code regulates or administers all matters including religious restrictions, much as the Indian penal code, which originated in 1860 and governs all criminal matters in India. The only Indian state with a legally enforceable universal civil code is Goa.

So long as personal laws are upheld and religious identities are protected, an optional UCC would still achieve the aim of Article 44 of the Constitution. The potential for this Code to coincide with broader reforms to laws pertaining to human beings is another reason why this proposal has promise. However, the issue will not improve until these adjustments are made. Indira Jaising, the founder and secretary of Lawyer's Collective, argues that if gender equality is to have any meaning, we must choose between gender-just secular legislation and personal laws that support the values of equality. The State should not enforce laws that are unequally applied.

The battle for gender justice in private law has become more difficult as a result of this paradigm change. Women's rights activists today understand that a secular Code that prioritises equality over religious freedom is the best solution to the problem. To Jenkin, understanding women's right to religious freedom necessitates looking at how their gender and faith interact.

LITERATURE REVIEW:

1. Srimati Basu, She Comes to Take Her Rights: Indian Women Property and Propriety, https://www.google.co.in/books/edition/She_Comes_to_Take_Her_Rights/zz4jDkOoxy4C?hl=en&gbpv=1&printsec=frontcover

This is a study of how cultural practices, especially ideas about gender ideology, affect the way the law works. This is accomplished through following the perspectives of middle-class and low-income Indian women as they interact with modern Indian property law. It says that decisions made by women that seem to go against their material interests and that support patriarchal ideas should be looked at closely. In India, property law is based on cultural practices and ideas about men and women, which leads to decisions that support patriarchal ideas. To ensure that daughters of Hindu households would inherit their parents' accumulated wealth in a way that did not discriminate against male heirs, Indian lawmakers passed the Hindu Succession Act in 1956. However, few individuals really abide by it. This book explores the difficulties women face when deciding how to divide up family assets. This demonstrates that individuals do not act out of a sense of passivity, legal ignorance, or naive obedience to societal expectations of gender. In four chapters, the author looks at inheritance, marriage exchanges, myths about wealth, and legal texts. In Chapter 6, we look at how legal decisions are influenced by myths about women's rights to property. Basu looks at the dowry as a way to help pay for the bride's clothes and jewellery and the in-laws' needs, and he comes to the conclusion that patriarchal ideas about inheritance are still strong in India. Basu's plan and ideas about the economic security of widows in Delhi City, India, are based on their social class, where they live, and whether or not they own property. As well as economic control over production and resources, property rights are based on kin-based ideas of justice, security, and rights.

2. M.S Ratnaparkar, Uniform Civil Code: An Ignored Constitutional Imperative, https://www.google.co.in/books/edition/Uniform_Civil_Code/6NCQOn0ixZUC?hl=en&gbpv=1

In accordance with Article 44 of the Indian Constitution, this book delves into the contentious topic of creating a "Uniform Civil Code" that would apply to all Indian citizens regardless of caste, creed, or religion. The author did a good job of looking at the topic from all of its different angles. Just like in India, Muslims live with people of other religions, ethnicities, or races and are governed by the same Civil Laws. They do not have any animosity or bad feelings toward

their fellow countrymen. Several court decisions and relevant "Ayyats" from the Quran have been highlighted in relation to the alterations adopted in various Islamic nations across the globe where personal laws have been modified to match the local situation. The author has warned the informed public that, regrettably, the subject has given rise to a great deal of unavoidable and acrimonious controversy that has nothing to do with logic and everything to do with false religious beliefs. All of the book's ideas are thought-provoking, and they give intellectuals a reason to explain to people, especially Muslims, the good things about the Uniform Civil Code and put an end to their unfounded fears.

SCOPE AND OBJECTIVE:

- To examine and understand uniform civil code.
- To understand the personal laws and its origin in India.
- To grasp the importance of a standardised common law system.
- To examine why a universal civil law protecting women's property rights is so essential.
- The goal of this initiative is to raise policymakers' and funders' awareness about the significant contribution women might make to economic growth if they were given better access to property rights.
- To elaborate advantages of uniform civil code.

RESEARCH PROBLEM:

Gender equality in property rights refers to women's legal and societal rights to participate in property use and ownership. Gender justice is not addressed under the constitutional requirement, nor is it clear if such a Code would replace or just augment personal laws. Despite their divergent views on legal pluralism, this study claims that both organizations have come to embrace the concept. The women's movement has distanced itself from article 44 of the constitution and publicly claims that the UCC is not conceivable, while the Supreme Court continues to mention the constitution when it requests the Code but does nothing to further the idea. Unlike its militancy in instances concerning other Directive Principles, it has been slow to rule personal legislation invalid. Therefore, calling for the UCC is empty rhetoric. There is no unified system of property rights for Indian women. The Indian woman's property rights are determined by her religion and religious school, marital status, place of origin, tribal or non-tribal status, and other factors. Manu, the author of the ancient classic Manusmriti, is reported

as saying, "Her father protects her in infancy, her husband protects her in youth, and her sons protect her in old age." A woman is never ready for independence. Historically and legally, Hindu women face multiple barriers when attempting to own property. However, women did not always have to forego their right to inherit property, whether it was immovable or not. The failure to enforce inheritance rights with the necessary earnestness has only contributed to a dramatic rise in poverty, especially among women. This is one of the main causes of general unrest amongst the poor people, more women have become subjugated in more and varied ways against any such movements. Everyone agrees that women have low status around the world in part because they do not have land. India's traditional view of women is the main reason why women cannot inherit their fair share of land. In this context, another grey area is the inheritance rights of tribal women, who, according to traditional customary laws, do not have the right to inherit. The personal law does not give women the right to own property, which is one of the main ways they could be free.

RESEARCH QUESTIONS:

- Whether is it feasible that the constitution no longer serves its original purpose of providing a uniform set of laws?
- Whether there is need for uniform civil code regarding the women's property rights?

HYPOTHESIS OF THE STUDY

After going through several paper, we have assumed the following hypothesis. There is no uniform civil law for the property rights for the women in the Indian society.

METHODOLOGY:

Since this study will mostly include collecting data from multiple sources, it will adhere to the doctrinal approach. Primarily secondary sources are used. All available books, journals, and papers were read. Published books and papers are the gold standard for research. The following strategies will be used to achieve the study's goals and gather the required data.

- Study of the existing books.
- Books, journals, and articles may serve as both secondary sources.
- Internet surfing.

CHAPTER 2: WHETHER IS IT FEASIBLE THAT THE CONSTITUTION NO LONGER SERVES ITS ORIGINAL PURPOSE OF PROVIDING A UNIFORM SET OF LAWS?

The Indian Constitution contains a reference to the Uniform Civil Code (UCC). It promotes the development of a single body of law. UCC is a single law that all Indian citizens must follow. This law has to do with inheritance, getting divorced, getting married, having children, and having an abortion. Its main goal is to get rid of laws that affect people's lives.

The Constitution's initial goal of establishing a unified body of laws has been lost in the mix. The Uniform Civil Code of India, an initiative to harmonise India's personal laws, has largely superseded the varying doctrines of the country's major faiths. A "uniform civil code" is the name given to a set of laws that everyone is supposed to obey. Today, several religious groups such as the Hindus and Muslims each have their own set of personal rules. Personal law governs such topics as property, marriage, divorce, inheritance, and succession. The pursuit of gender equity and the establishment of a standard civil code in India are inextricably linked from a socio-legal perspective. It is crucial to improve women's standing in society, eliminate prejudice based on gender, improve their health and safety, and increase their sense of agency. Though India does have a unified criminal code, there is no such thing as a common civil code. There is no distinction between the sexes in the Criminal Code with respect to Indians. Personal laws are not standardized between civil law systems. The Hindu Marriage Act of 1955, the Hindu Succession Act of 1956, the Hindu Minorities and Guardianship Act of 1956, and the Hindu Adoption and Maintenance Act of 1956 are only some of the statutes that regulate personal matters for Hindus. The Shariat Act of 1937, the Dissolution of Muslim Marriage Act of 1939, and the Muslim Women's Act of 1986 are all regulations that regulate Muslims' personal lives and are based on the Holy Quran.

The laws governing Parsis are also distinct. As a result, there is no consistency in personal laws or in women's property rights. Adopting a kid under your own name is against Hindu law for women. And if her kid is past the age of five, she has no legal say over what happens to him or her. In a Hindu Joint Family before 2005, girls could not share ownership of real estate. Despite the Hindu Succession (Amendment) Act of 2005, discriminatory laws continue to be in place. If a Hindu woman goes away intestate, her husband's heirs would receive whatever assets she

inherited from him. However, there is no equivalent provision for intestate males. Husbands of the Muslim faith are allowed to engage in polygamy, while women are restricted to one partner. Divorce is far more difficult for a Muslim woman than a guy. Additionally, under Islamic inheritance law, a woman's portion is still less than a man. According to the Indian Succession Act of 1925, if a child dies without a will, the mother has no claim to the deceased kid's assets. The father is the one who inherits the land, or the siblings if the father has passed away. Christian Personal Law was likewise a point of contention for quite some time. According to Section 10 of the Indian Succession Act, a husband must demonstrate adultery before he may seek for divorce, whereas a woman must demonstrate adultery and another ground for divorce, such as cruelty or desertion. The Indian Divorce (Amendment) Bill of 2001 changed this. Prejudice against female and male descendants was legal under Parsi law until 1991. The "fossilised in the name of religious inviolability" nature of most personal laws means that they are seldom changed to reflect contemporary norms. In India, personal rules from the Hindu, Muslim, Christian, and Parsi faiths are all codified. There is no single set of personal laws that all Indian citizens must follow. Furthermore, Article 44 clearly stated that efforts should be made to ensure that individuals had access to a unified civil code across India's entire territory. When it comes to elevating women's rights in India, adopting a unified civil code is one alternative being considered. The uniform civil code strengthens the nation's unity and benefits women as well. No group that believes in the Constitution of India should find it hard to accept these ideas about fair inheritance. Such rules should apply to all kinds of rights that can be passed down, including easement rights. We hope that a plan to reduce poverty would start in a different but more sure way. So, we need the Uniform Civil Code right away to get rid of gender bias. Even though the country got its independence, people are still not free. A nation like India does not need any further legal framework beyond the Uniform Civil Code.

Since the Supreme Court has "read" Directive Principles "into" Fundamental Rights in prior judgments, it is not viable to challenge the validity of the personal legislation based on an alleged infringement of article 44. Despite the fact that those situations were exceptional in that they included social or economic rights rather than a legislation like article 44, it is still feasible that the Supreme Court may use its jurisprudence to raise the relevance of article 44. The court may, if it deems it necessary, make analogies between the Directive Concept and the right to equality guaranteed by Articles 14 and 15, or the secularism concept stated in the preamble, to emphasise the importance of the Directive Concept.

CHAPTER 3: WHETHER THERE IS NEED FOR UNIFORM CIVIL CODE REGARDING THE WOMEN'S PROPERTY RIGHTS?

No gender discrimination can be tolerated; hence a universal civil law is urgently required. The "State should try to construct for its residents a Uniform Civil Code (UCC) across the territory of India," as stated in Part 4, Article 44 of the Constitution of India, 1950. A Uniform Civil Code would standardise the law across the country by replacing the myriad of local and religious statutes currently in effect. The concept has been met with mixed responses from various sectors of society. Each Indian citizen has unrestricted religious liberty under Articles 25–28 of the Constitution. It also says that the State must use directive principles and common law when making national policies. The British colonial authority emphasised the necessity for Buddhist, Hindu, Jain, and Sikh personal laws to be the same straight immediately in 1835, which is when the UCC was first formed. They did not punish Muslims, Christians, or Parsis, though.

The male members of the family and society at large must accept laws that end systemic discrimination against women, especially in regard to the right to property. However, women should be warned that they should only seek to enforce their rights to obtain property from ancestral for marital families when doing so will significantly contribute to the financial stability of the family. Such a shift in perspective and inter se accommodation may assist much to attaining true gender equality and can help maintain the peace and stability within the family, the fundamental unit of society. Justice Any discussion of women's empowerment, in B.V. Nagarathna's opinion, must address the problem of women's right to property and economic power in the broadest sense of the term, which includes the right to subsistence. Equal wealth distribution, bargaining power, and decision making are all more likely to occur in households when women have access to. A huge proportion of Indian women do not have distinct property as such, therefore when we think of economic empowerment, it is mostly in the sense of inheriting the property. Consequently, policies and laws that seek to expand women's rights to own property and pass down inheritance have gained a great deal of support in addition to those that seek to increase women's access to economic possibilities. "that personal distinct laws are based on different religious group and sects and such a plurality is a facet of Indian multiculturalism," she said, describing how personal law governs women's property rights in India. The Indian constitutional culture must be considered while analysing and applying

Indian legislation in this area. Although it is common to refer to article 44 in Directive principles of state policy when discussing the Indian constitution, this fact alone does not allow for a departure from the rules established in Chapter 3 of the text, particularly Articles 14 and 15, which deal with the issue of gender equality. In reality, the constitution's Article 15(3) allows for additional protections to be given to women so that they are shielded from discrimination in all its forms. This constitutional guarantee and the positive action it entails must be kept in mind when making, enforcing, or interpreting any legislation that affects women's rights, including laws based on the personal law system. Efforts to create a universal civil code must prioritize the rights of women without discriminating against males. That would finally make India a place where men and women had equal rights. A consistent civil code protecting the property rights of women is necessary since such discrimination is both unconstitutional and unethical, specifically violating articles 15 and 25 of the constitution. In a modern secular democratic republic, all citizens should be subject to the same civil and personal laws, regardless of their colour, gender, socioeconomic status, or other characteristics. Women are treated unfairly under the personal laws of almost all major religions, according to the majority of the population. Succession and inheritance are often areas where males have greater privileges than women. A universal civil law would put all citizens on an equal footing. Today's India is a young and vibrant society, with 55% of its population being under 25 years old. Their societal outlooks and ambitions are shaped by the global and universal principles of equality, humanism, and modernity. If we are serious about harnessing all of their abilities to create a nation, we must take seriously their proposal that they not identify with any religion. The criminal and civil laws (save for personal laws) of India apply uniformly to all citizens. When the Uniform Civil Code is fully implemented, every citizen will be held to the same standard in terms of the rules that govern their personal affairs. Discrimination, concessions, or special benefits given to certain persons on the basis of their religious laws shall not be able to be politicized. All religious personal laws reflect traditional, patriarchal norms of the upper class. Angry women are demanding UCC as a solution to the problem of personal law changes being opposed by patriarchal orthodoxy for fear of violating people's purity.

The vast religious, sectarian, caste, regional, and state-level cultural differences in India make it difficult to establish uniform guidelines for intimate relationships like marriage. Many organisations, especially minority ones, see the Uniform Civil Code as a restriction on the right to practise one's faith. They fear that a universal code would put the laws in place that are largely defined by and influenced by the religious sects who have the most members, while

ignoring their own traditions. When the state interferes in private matters. Constitutionally, everyone has the freedom to practice their faith of choice. If laws are codified and enforced, religious liberty will be curtailed. To be complete, this code must draw liberally from various personal laws, making slight modifications to each, issuing judicial rulings that guarantee gender equality, and adopting broad interpretations of marriage, maintenance, adoption, and succession to account for the mutual benefits that each community enjoys. This task will take a lot of time and require a lot of people. Such a government should always treat both the majority and minority groups with care and fairness. If not, it could lead to violence between people, which would be even worse. At the same time as the beef scandal, the saffronization of school and college curriculum, and the love jihad debate, the Muslim community in India is strongly opposed to this matter. Given the absence of any word from the highest levels of government on any of these matters, it will take time to restore faith. Such the government should be sensitive. If it is not, these efforts to bring people together will backfire, making minorities, especially Muslims, feel more unsafe and more likely to be drawn to fundamentalist and extremist ideas.



CHAPTER 4: CONCLUSION:

Even though women have property rights and that laws ensure that women are treated equally, laws have failed to be implemented. There are situations in which a woman's right to life or her ability to live with dignity within her own family is threatened even if her husband, children, or brothers are still there. There is often no one they can turn to for help. Therefore, the government should quickly establish two laws: one mandating that any assets obtained during the marriage be held jointly by the woman and husband, and another mandating that the property so acquired be split equally in the case of marital strife. Some government regulations have already taken steps in this direction. The Delhi Development Authority and the Ghaziabad Development Authority, for example, have begun allocating flats in joint names, indicating joint ownership to husband and wife. The other piece of legislation should be one in which every Indian citizen is presumed to have died with a will directing that his or her estate be divided equally among his or her primary heirs. Daughter(s), son(s), wife, and mother will be the primary heirs. In the event of contrary intentions, a written will would be required, providing valid and acceptable reasons for deviating from the prescribed inheritance principle. Such provisions should be acceptable to all communities, including Muslims, because they do not violate applicable laws. Hindus have two separate forms of legislation that are applied differently throughout the nation, which is their biggest issue when it comes to succession. Equal rights for men and women are now more difficult to achieve at the end. Last but not least, a UCC can only develop via an evolutionary process that respects the diversity of India's own legal traditions. There is a risk that achieving the desired religious and racial parity via the formulation and implementation of the UCC will not happen. In order to effectively modify the present personal law reforms, significant community awareness initiatives are essential. For this change to occur, current institutions must be modernized, democratized, and strengthened. Women of all religions must make genuine efforts to empower themselves.

India now is defined by its plural democratic system. Thus, for Indian democracy to thrive, it is essential that people work toward building bridges across India's many cultural and religious traditions rather than imposing a single, unified set of values on the whole country. Indian state governments were driven to create impartial succession regulations as a result of the ongoing study of Hindu women's succession rights. Because of the Hindu Succession (Andhra Pradesh) Amendment Act of 1985, a lot has altered. According to this law, a female has the same legal protections as a male sibling. This law says that the Mitakshara system goes against the basic

right to equal treatment. Women are now allowed to join the coparceners in the Indian states of Tamil Nadu, Maharashtra, and Kerala due to new legislation. Unfortunately, though, this legislation does not extend to all countries. The southern states of India were the only ones to adopt gender-neutral property laws like Marumakkattayam⁵⁵ and Aliyasantana⁵⁶; the rest of India was unwilling to abandon its patriarchal heritage. This law said that everyone had the right to. There are several laws that prohibit discrimination against men and women, but none of them are powerful enough to affect significant societal change. Access to financial services and home ownership for individuals are priorities of the Sustainable Development Goal 5. Possessing financial independence may improve women's safety, empower them in the family, and pave the way to greater economic security. And the Goa Civil Code is one of the best examples of how family laws and the rights of men and women can be made the same. Goa is one place that shows how India could be more uniform. This code gives a lot of money and recognition to different customs and traditions in Goa that are important to different religious groups (Shetreet and Chodosh 2015). They devised concrete strategies to maintain social stability. In order to eliminate discrimination based on gender, a universal civil code is required immediately. The people are not free even if the nation has independence. Any nation the size of India could get by with only one set of laws: the Uniform Civil Code. In India, the Hindu, Muslim, Christian, and Parsi faiths have all written down their rules for living. There isn't one set of personal laws that all Indian citizens must follow. Also, it is clear that Article 44 required that efforts be made to make sure that everyone in India had access to a single civil code. The greatest method to improve women's rights in India is to adopt a standard civil code throughout the country. Women benefit much from a standardised civil code, which is good for the country as a whole. If gender parity is to be attained by 2030, immediate action is needed to address the myriad forms of systematic discrimination that continue to hinder women's rights at home and in the workplace. To further equality, justice, and the empowerment of women, unfair laws, such as personal laws, should be eliminated from the UCC. The Sustainable Development Goal 5 is to guarantee that all women get equal treatment and have the power to speak out for themselves. The 2030 Agenda for Sustainable Development places a strong emphasis on putting an end to discrimination and making sure that everyone has equal rights, regardless of gender. The importance of SDG Goal 5 for women, gender equality, women's empowerment, and women's rights are becoming more apparent through UCC. If a woman's rights are limited by personal law, the UCC may be utilized to help her break free. Women are treated as family members rather than as autonomous people. One sure way to improve women's status is to grant them ownership of all types of property, including usufructuary rights. All Muslims, with

the exception of those located in Jammu and Kashmir and those falling under the other categories already listed, are subject to the regulations of Application 1937. Under Muslim law, the Muslim Shariat Act, the daughter gets half of what the son gets, and the widow gets the same amount as the daughter. As a wife, daughter, or mother, a woman's share of an inheritance is not the same as that of the corresponding male heir. In reality, daughters and widows don't often get their fair share of an inheritance. Because of local customs and traditions, Muslim women from the lower classes rarely inherit anything. This is not the case for Muslim women from the upper classes, however. They can stand up for what is right. Despite laws to the contrary, women do not have a bad deal in terms of customary inheritance in the Parsi community, which is very small but highly cultivated, hardworking, and affluent. A Parsi daughter receives half of her father's inheritance, as does a widow. This is a classic case in which the wealth of the community renders gender equality irrelevant. The establishment of UCC will lead to gender parity, which, in turn, will lead to stability, safety, and peace in society.

CHAPTER 5: REFERENCES:

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