

A Study of the Individual's Rights and the State's Function in the Uniform Civil Code

Vijay Shankar Mishra¹ and Dr. Pravin Kr Chauhan²

Research Scholar, Department of Law¹

Assistant Professor, Department of Law²

Sunrise University, Alwar, Rajasthan, India

Abstract: *The study project focuses on investigating the issues that arise when there is no uniform civil code. It talks about the issues the nation is now experiencing and how various persons are treated depending on their own laws. India is a multilingual, multireligious nation that is divided in many ways but bound together by a sense of nationalism. Nowadays, every individual is subject to their own unique laws concerning marriage, inheritance, divorce, and other matters.*

The word "secular" is used in the preamble of the Constitution to ensure people's freedom of religion and to state that the state is secular and should not meddle in matters of personal faith. The State is negatively commanded by Indian secularism to treat its citizens in accordance with "Sarva Dharm Sambhava" and to avoid identifying with any one religion. A small number of academics have maintained that Indian society is not sufficiently evolved socially to make use of the "Uniform civil code" (henceforth referred to as UCC, and hence remains a matter of controversy in Indian context). The researcher has noted that this is because India is a large country with a variety of cultures, religions, and other factors. Enforcing UCC may be seen as an unwarranted encroachment of State law, which would violate several religious customs and cultural traditions.

In the event that UCC is implemented, uniting the tribes will provide another difficulty. There are still many tribal people in India that want to be run according to their traditions and were given freedom to do so. In this sense, there are additional exceptions made by other pieces of legislation and secular procedural laws. In the recent past, there has needed to be extraordinary community unanimity in order to implement a UCC throughout the nation

Keywords: Uniform Civil Code, Legal Pluralism, Social Justice