

the effect that cotton farmers of Vidarbha region in Maharashtra have been subjected to inexplicable miseries, sometimes leading to suicide, because of the introduction of BT Cotton hybrids and pesticides by companies like Monsanto.

**श्री राधा मोहन सिंह :** देखिए, आत्महत्या पर कल भी हमने चर्चा की थी। आज भी हम आपको बताना चाहते हैं कि 2013 में पूरे देश में जो 11,772 आत्महत्याएं हुई हैं, वे कृषि परिवार से जुड़े हुए लोगों ने की हैं। राज्य सरकार के द्वारा जो रिपोर्टिंग की जाती है, उसके मुताबिक इन 11, 772 आत्महत्याओं में से 511 आत्महत्याएं कृषि कारणों से हुई हैं। कुल आत्महत्याएं 11,000 से ज्यादा हैं, लेकिन उनमें स कृषि कारणों से हुई आत्महत्याएं 511 हैं। देखिए, आत्महत्या चाहे जिस कारण से भी हो, निश्चित रूप से दुःखद है।

आपने कुछ अध्ययन संस्थानों की बात की है, हमारे देश में इन्दिरा गांधी विकास अनुसंधान संस्थान, मुम्बई, सामाजिक विकास केन्द्र और राष्ट्रीय विकास केन्द्र, हैदराबाद, यशवंत राव चव्हाण विकास प्रशासन अकादमी, पुणे, इन लोगों ने भी कुछ अध्ययन किए हैं। इनकी जो रिपोर्ट्स आई हैं, उनमें बताया गया है कि इन आत्महत्याओं के पीछे केवल एकमात्र कारण ऋण ही नहीं है, बहुत से कारणों में से ऋण भी एक कारण है, लेकिन फिर भी यह स्थिति चिन्ताजनक है। आज ऋण प्रवाह को हम और भी तेज कर रहे हैं। पिछली सरकारों ने भी ऋण प्रवाह को तेज किया था, पिछले वर्ष यह 7,000 करोड़ रुपये था, इस वर्ष हमने इसे 8,000 करोड़ रुपये किया है। साहूकारों से जो ऋण लिया जाता है, वह भी आत्महत्याओं में एक बहुत बड़ा कारण बनता है। किसानों को संस्थागत ऋण मुहैया करवाया जा सके, इसके लिए सरकार ने समय-समय पर ऋण प्रवाह को तेज किया है।

### Uniform Civil Code

†\*265. SHRI RAJEEV SHUKLA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the country is prepared to have a Uniform Civil Code, if so, the details thereof;

(b) whether creation of Uniform Civil Code would violate the cultural diversity of the country and if not, how; and

(c) whether a Uniform Civil Code would affect the personal laws of any particular community and if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA):

(a) to (c) A Statement is laid on the Table of the House.

†Original notice of the question was received in Hindi.

***Statement***

(a) to (c) Article 44 of the Directive Principles of the Constitution sets implementation of Uniform Civil Code as duty of the State. The object of article 44 is to introduce a Uniform Civil Code for the purpose of national consolidation. The Uniform Civil Code is based on the assumption that the personal laws based on scriptures and customs of each religious community in the Country be replaced with a common set governing every citizen in a civilized society. The Uniform Civil Code covers marriages, divorce, inheritance, adoption and maintenance.

2. Dr. B.R. Ambedkar explained in the Constituent Assembly (Vol.VII CAD p. 550) that in fact, the bulk of these different items of civil laws have already been codified during the British rule and the only major items still remaining for a Uniform Code are marriage, divorce, inheritance and succession (adoption, guardianship).

3. In view of the importance of the subject matter and sensitivity involved, wide consultation with stakeholders would be required for taking further steps in this regard.

SHRI RAJEEV SHUKLA: Hon. Chairman, Sir, the Minister has given a reply and I think his reply is full of ambiguity and ambivalence. It is not clear whether they are going to implement it or they are not going to implement it because they have written that implementation of Uniform Civil Code is the duty of the States. Now there are a lot of apprehensions after this answer. What exactly is the Government going to do? Is there any plan *in cognito* to implement it? Please clarify it.

SHRI D.V. SADANANDA GOWDA: Mr. Chairman, Sir, I have made it very clear that the matter is of utmost importance because Article 44 of the Constitution mandates that we should have a common civil code. Of course, for the last several years, there were several deliberations, discussions and debates across the country with regard to this Common Civil Code. Sir, there are various judgements of the Supreme Court right from the Shah Bano case, Sharda Mudgal case, even in 2003 in the Vellimuttam's case. All these observations made by the Supreme Court say that there need to be a Uniform Civil Code. Unfortunately, because of various issues, we could not come to a common opinion. Taking into consideration all these things, however, I would like to assure the House that we have to move forward on Uniform Civil Code only with an absolute clarity on various issues related to it. It is our duty to move forward as it is mandated by the makers of our Constitution. So, totally this is a debatable issue. Certainly, this Government wants to have more debate on this issue and we should come out with a Common Civil Code, a Uniform Civil Code across the country.

SHRI RAJEEV SHUKLA: It further confuses us. He says it is very difficult because there are a lot many problems. Then he is saying it is our duty to implement it. What this exactly is I am not able to figure out. He says that a lot many deliberations are going on. In the answer he has written that the process of consultation with stakeholders is required. When is he going to initiate the process of consultation with the stakeholders? Doesn't he think it will create problems in the country because there are a lot many apprehensions?

SHRI D.V. SADANANDA GOWDA: Chairman, Sir, certain issues need to be deliberated. We are well aware of various factors that certainly by bringing this Uniform Civil Code we will be able to enhance the status of women and the so-called lower castes because many of the personal laws are biased against them. Many provisions are violative of human rights. All these things are to be discussed. ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: Are you going to do it or aren't going to do it? They are being politically exploited by the Government. ...*(Interruptions)*... I want to know what the concrete answer is. Are you going to implement it? Or, are you not going to implement it? ...*(Interruptions)*... This is what I want to know.

SHRI D.V. SADANANDA GOWDA: Mr. Chairman, Sir, I have made it very clear in my statement that it needs to be implemented, but after wider consultations with the stakeholders. I have made that very clear. You can go through the reply.

SHRI RAJIV SHUKLA: When will it be initiated?

SHIR D.V. SADANANDA GOWDA: Sir, we will initiate it at the earliest. You know, there are certain customary laws in different States, especially in the case of the Scheduled Tribes. So, all those things are to be kept in mind. Even some precaution has to be taken with regard to articles 25 and 26 of the Constitution, so that there is no conflict with article 44 of the Constitution. So, I am very particular that this needs to be taken up. We will initiate our deliberations and discussions as early as possible. We would like to see that a Uniform Civil Code is there in the country, so that it leaves a very good impression all over the world.

SHRI D. RAJA: Sir, my question is related to the last part of the answer. The last part of the answer is: In view of the importance of the subject matter and sensitivity involved, wide consultation with stakeholders would be required for taking further steps in this regard. If consultations lead to consensus, it is well and good; else, my question to the Minister is: Is the Government contemplating to set up some kind of a mechanism to initiate the process of consultations? If you are thinking on this, can you please share

with the House what the Government is trying to do; what mechanism the Government is contemplating? Can you share all this? You have talked about 'consultation'. How this process of consultation will begin?

SHRI D.V. SADANANDA GOWDA: Sir, it is not that this initiation has started just now. It had started even pre-Independence. Even during the British Rule, the Caste Disability Renewal Act, the Child Marriage Act, etc., had been enacted. Even after the Independence, in 1954, the Special Marriages Act had been enacted, which enables the people of all religion to solemnize marriage as per this law. Even today, I would like to inform this August House, in Goa, there is a Uniform Civil Code, known as the Family Law. And, this has been accepted by all the castes and communities of Goa. Even after the merger of Goa with the Indian Union, that law is continuing. So, we have to work it out. We should plan for it. What Mr. Raja has said is absolutely correct. We will have to work out the modalities. We will have to identify the issues and take up them in and outside the Parliament. A clear vision will have to be given by the Government. We are working on all this. We will certainly come before the House with all those things.

SHRI K. RAHMAN KHAN: Sir, the answer, by the Minister, says that article 44 of the Constitution, under the Directive Principles of State Policy, says that Uniform Civil Code is one of the duties of the State. There are several Directive Principles, including 'prohibition'. Why is the Government not keen in bringing prohibition in the country? Why is the Government only interested in bringing a Uniform Civil Code? It has to be kept in mind whether any Directive Principle clashes with the Fundamental Rights. Has the Government thought of it? You are talking about scriptures. There are many scriptures. It is fundamental for Muslims to follow what is mentioned in *Quran*. You cannot change the scripture. That is not possible, it interferes with Article 25 of the Constitution, which deals with the Fundamental Right to freedom of conscience and free profession, practice and propagation of religion. Has the Government done a study in this regard? What is the intention of the Government when they talk of a Uniform Civil Code? Is it possible in our country, with so much diversities, to bring a Uniform Civil Code? Has the Government done any exercise in this regard?

SHRI D.V. SADANANDA GOWDA: For that only, I have said in my reply that it is a very sensitive issue. And, because it is a sensitive issue, wider consultations need to be held. There is a judgement in the case of *Sarla Mudgal Versus Union of India*. There, they have said, "...had to emphasise the urgency of infusing life into Article 44 of the Constitution which provides "That States shall endeavour to secure the citizens a uniform civil code throughout the territory of India." On how long it will take for the Government

of India to implement the mandate of the framers of the Constitution under Article 44 of the Constitution – even a direction in the form of a request is also made by the Supreme Court to implement this – we will have to work out modalities. We will have to sit across the table. I don't dispute that Articles 25 and 26, which relate to our religion and other things, should not conflict with Article 44 of the Constitution. At this stage, I do not want to comment anything about bringing of prohibition and other things.

SHRI K. RAHMAN KHAN: That is also a Directive Principle. ...*(Interruptions)*... Prohibition is also a Directive Principle.

SHRI D.V. SADANANDA GOWDA: Mr. Chairman, Sir, I am answering an issue with regard to Uniform Civil Code only. I am not going beyond this limit. As far as Uniform Civil Code is concerned, certainly, the Government is working on it. We will come up with certain issues, which will be placed into the public domain. So, only after detailed discussions, a conclusion will be arrived at.

चौधरी मुनव्वर सलीम : माननीय सभापति जी, अनुच्छेद 44 के एक हिस्से का तसकीरा करके माननीय मंत्री जी एक विवाद खड़ा करना चाहते हैं, देश के बहुत सारे मुद्दे हैं। ...*(व्यवधान)*...

MR. CHAIRMAN: Please be careful.

चौधरी मुनव्वर सलीम : महोदय, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि भारत के संविधान की जो मुख्य धारा है, जिसमें बाइबिल, गीता, कुरान, सबको अहमियत दी गई है, आपकी मंशा इन सबके विपरीत जाती है, आप समान नागरिक संहिता को क्यों प्रधानता देना चाहते हैं?

SHRI D.V. SADANANDA GOWDA: Mr. Chairman, Sir, I don't dispute the question raised by my friend. Of course, there are certain issues that need to be consulted. I would like to place before the House that even in Tribal Customary, customs are notified for the tribal areas, which come under Schedules V and VI. So, all those things need to be considered. For that only, right from the beginning, I have been saying that these are the issues on which the Government can't take a decision immediately. The Government has to place all these things before the Parliament. They also need to be placed into the public domain. There should be wider consultations, as I said earlier. After that only, we are going to have a Uniform Civil Code. Till then, the matter is into the public domain.

#### **Nabarangpur-Jeypore railway line**

\*266.SHRI A.V. SWAMY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the survey and estimate of the Nabarangpur – Jeypore railway line have been received by the Railway Board; and