

IN THE HIGH COURT OF DELHI AT NEW DELHI

WRIT PETITION (C) NO OF 2019

(PIL UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

IN THE MATTER OF:

Firoz Bakht Ahmed

...Petitioner

Verses

Union of India & others

...Respondents

URGENT APPLICATION

To,

The Registrar,

High Court of Delhi at New Delhi,

Sir,

Kindly treat the accompanying application as an urgent one in accordance with the High Court Rules and Orders.

Petitioner is filing this writ petition under Article 226 of the Constitution. Matter is urgent in public interest as prayed.

PETITIONER-IN-PERSON

Firoz Bakht Ahmed

IN THE HIGH COURT OF DELHI AT NEW DELHI

WRIT PETITION (C) NO OF 2019

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IN THE MATTER OF:

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NOTICE OF MOTION

To,

The Standing Council

Union of India

High Court of Delhi, New Delhi,

Sir,

Please find enclosed herewith copies of above mentioned Writ Petition, which is being filed today before this Hon'ble Court and likely to be listed before the Court on 30.10.2019 or any other date fixed by registry. It's for your kind information.

PETITIONER-IN-PERSON

Firoz Bakht Ahmed

IN THE HIGH COURT OF DELHI AT NEW DELHI

WRIT PETITION (C) NO OF 2019

(PIL UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

IN THE MATTER OF:

Firoz Bakht Ahmed ...Petitioner

Verses

Union of India & others ...Respondents

MEMO OF PARTIES

Firoz Bakht Ahmed

A-202, Adeeba Market & Apartments,

Near Rehmani Masjid, Main Road,

Zakir Nagar, New Delhi-110025

...Petitioner

Verses

1. Union of India

Through the Secretary

Ministry of Home Affairs,

North Block, New Delhi – 110001

2. Union of India

Through the Secretary

Ministry of Women & Child Development,

Shastri Bhawan, New Delhi – 110001

3. Union of India

Through the Secretary

Ministry of Law & Justice, Legislative Dept.

Shastri Bhawan, New Delhi – 110001

4. Law Commission of India

Through the Chairman/Secretary

4th Floor, Loknayak Bhawan,

Khan Market, New Delhi-110003

...Respondents

PETITIONER-IN-PERSON

Firoz Bakht Ahmed

IN THE HIGH COURT OF DELHI AT NEW DELHI

WRIT PETITION (CIVIL) No. of 2019

[Under Article 226 of the Constitution of India]

IN THE MATTER OF:

Firoz Bakht Ahmed ...Petitioner

Versus

Union of India & others ...Respondents

SYNOPSIS AND LIST OF DATES

Petitioner is filing this PIL under Article 226 of the Constitution seeking writ order or direction or a writ in the nature of mandamus to the Union of India to draft a Indian Civil Code in spirit of Articles 14 and 44 of the Constitution of India within three months, while considering the best practices of all religions and sects, civil laws of the developed countries and international conventions, in order to secure gender justice, gender equality and dignity of women and publish it on the website for extensive public debate, discussion and feedback.

An Indian Civil Code for all citizens throughout territory of India, is essential to promote fraternity, unity and national integration. It proceeds on the assumption that there is no connection between religion and personal laws civilized society.

The object of Article 44 is not to encroach upon religious liberties guaranteed under Article 25. Dr. Ambedkar, during the Constituent Assembly debate said: "*In fact, bulk of these*

different items of civil laws have already been codified during the British Rule and the major items still remaining for a Uniform Civil Code are marriage, divorce, inheritance and succession”.

The Apex Court in Shah Bano Case [(1985)2SCC556, P. 32] had observed thus: *“It is a matter of regret that Article 44 has remained dead letter. It provides that ‘the State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India’ but there is no evidence of any official activity for framing a common civil code....Common civil code will help the cause of national integration by removing desperate loyalties to laws, which have conflicting ideologies. We understand difficulties involved in bringing persons of different faiths and persuasion on. Common platform but beginning has to be made, if the Constitution has any meaning; it is beyond endurance of sensitive minds to allow injustice when it is so palpable. Piecemeal attempts to bridge the gap cannot take the place of Common Code. Justice to all is for more satisfactory way of dispensing justice than justice from case to case.”*

In John Vallamattom vs. Union of India, (AIR 2003 SC 2902: (2003) 6 SCC 611, P.44), the Court observed: *“A common civil code will help the cause of national integration by removing all contradictions based on ideologies”.* The Supreme Court also observed that *“the power of the Parliament to reform and*

rationalize the personal laws is unquestioned and the command of Article 44 of the Constitution is yet to be realized”.

The Apex Court in *Sarla Mudgal Case* [AIR 1995 SC 1531: (1995) 3 SCC 635] had held that fundamental rights relating to religion of members of any community would not be affected thereby. It was held that personal law having been permitted to operate under authority of legislation the same can be superseded by a uniform civil code. Article 44 is based on concept that there is no necessary connection between religion and personal law in a civilized society. Article 25 guarantees religious freedom and Article 44 seeks to divest religion from personal law. Marriage, succession and like matter of secular character cannot be brought under Articles 25-27.

Diversity in personal matters with religious differentiation leads to sentimental tension between different communities as has been learnt by bitter experience from history leading to partition and subsequent events till today. By 42nd amendment; expression ‘Unity of Nation’ was replaced by the ‘Unity and Integrity of the Nation’ and Article 51A provides: *It shall be the duty of every citizen of India (a) to abide by the Constitution and respect its ideals and institutions, the national Flag and the National Anthem; (b) to cherish and follow the noble ideals which inspired our national struggle for freedom; (c) to uphold and protect the sovereignty, unity and integrity of India; (d) to defend the country and render national service when called upon to do so; (e) to promote harmony and*

the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women; (f) to value and preserve the rich heritage of our composite culture; (g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures; (h) to develop the scientific temper, humanism and the spirit of inquiry and reform; (i) to safeguard public property and to adjure violence; (j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement.

The Constitution makers wanted to establish a 'Secular State' and with that purpose they codified Article 25 which guaranteed freedom of religion, freedom of conscience and freedom to profess, practice and propagate religion to all persons. As per Clause 2(a): *Nothing in this Article shall affect the operation of any existing law or prevent the State from making any law regulating or restricting any economic, financial, political or other secular activities, which may be associated with religious practices. A belief seems to have gained ground that it is for the Muslims community to take a lead in the matter of reforms of their personal law. But it is the State which is charged the duty of securing a uniform civil code for the citizens of this country. This duty has been imposed on the state with the object of achieving national integration by*

removing disparate loyalties, which have conflicting ideologies.

The question arises- why the Union Government failed to discharge the constitutional mandate for more than 6 decades? The Answer by the Apex Court was- “*lack of political courage*” – which many other responsible persons have amplified as the fear of losing Muslim votes at the next election. One more logic is given that even if a common civil code is framed, it should be optional for the Muslims to adopt its provisions. Petitioner states that it is only a diluted version of the forgoing pleas, viz. that the Shariat is immutable and that no code can be imposed on Muslims without their consent. It is unmeaning to draw-up an ICC as enjoined by the Article 44, if it is not binding on every citizen.

When Section 125 CrPC was extended to divorced women, Muslims contended that it should not be applied to them as it was contrary to Shariat but Apex Court turned down this contention and rejected the argument that according to Sharia, husband’s liability to provide for maintenance is limited to iddat. It was held that Section 125 CrPC overrides personal law. Even, minor girls are victim of Polygamy and Halala and various form of contract marriage viz. Mutah and Misyar and such incidents are routinely published in electronic, print and social media. That is why India urgently needs a Indian Civil Code in spirit of Article 44 read with Articles 14,15 and 21. Goa has a common civil code since 1965, which is applicable on all. Now a pertinent

question arises- if Uniform Civil Code can be implemented in Goa, why not throughout the territory of India?

In Constituent Assembly, Nasiruddin says: “*certain aspects of the Civil Procedure Code have interfered with our Personal Law and very rightly so and also that marriage and inheritance are similar practices associated with religion*”. [Vol-VII, pg542]

25.10.2019: The Executive had failed to frame a model draft of Indian Civil Code for all citizens in spirit of the Articles 14 and 44. Hence, this PIL.

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(PIL UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

IN THE MATTER OF:

Firoz Bakht Ahmed	...	Petitioner
	Verses	
Union of India & others	...	Respondents

PIL UNDER ARTICLE 226 TO FRAME A MODEL DRAFT OF INDIAN CIVIL CODE IN SPIRIT OF ARTICLE 14 AND 44 OF THE ONSTITUTION

To,
THE HON'BLE CHIEF JUSTICE
AND LORDSHIP'S COMPANION JUSTICES
OF THE HON'BLE HIGH COURT OF DELHI
HUMBLE PETITION OF ABOVE-NAMED PETITIONER
THE MOST RESPECTFULLY SHOWETH AS UNDER:

1. Petition is not guided by self-gain or for gain of any other individual person, institution or body. There is no motive other than the larger public interest in filing this PIL. Petitioner has no personal interest or individual gain, private motive or

oblique reasons in filing this PIL. It is totally bona-fide with sole purpose to secure gender justice, gender equability & dignity of women.

- 2.** The source of averments made in the PIL is personal knowledge information collected from various sources including newspapers and websites. Petitioner is filing this PIL to draft a Indian Civil Code in spirit of the Articles 14 and 44.
- 3.** Present petition is for the benefit of poor, disabled, economically weaker section and socially-economically down trodden people and more particularly for the poor women. As they are incapable of accessing this Hon'ble Court themselves, petitioner is filing this PIL to secure their fundamental rights guaranteed under Articles 14, 15 and 21 of the Constitution.
- 4.** The Union Government is likely to be affected by the orders sought in this PIL and it has been impleaded as Respondent. No other persons, bodies, institutions are likely to be affected by the order/ direction sought in this writ petition.
- 5.** Petitioner's full name is Firoz Bakht Ahmed. Petitioner is able to bear the cost if any.
- 6.** Petitioner has not filed any other petition either in this Court or in any other Court seeking same or similar direction as prayed. It has not submitted representation to the respondents because despite Apex Court observation, they did nothing till date.
- 7.** There is no requirement to move concerned authority for the relief sought in this PIL. There is no other remedy available

except approaching this Hon'ble Court by way of the instant PIL.

- 8.** Petitioner is the Chancellor of Maulana Azad National Urdu University, a Columnist, Educationist, Political Analyst and grandnephew of Freedom Fighter and first Education Minister Maulana Abul Kalam Azad. Petitioner is a social activist and community worker and runs an NGO – *Friends for Education*. It has written many articles on social issues particularly focusing social harmony, cultural heritage, communal amity and reform in the field of education. Petitioner has written more than 2000 articles on various walks of life especially education and history, published in Hindi, Urdu, English newspapers and magazine.
- 9.** On petitioner's PILs, monuments including (i) *Haveli* of Ghalib, (ii) *Mazaar* (mausoleum) of Zauq, tutor of emperor Bahadur Shah Zafar (iii) *Dargah* (shrine) of Hazrat Nizamuddin Aulia, (iv) Maulana Azad's mausoleum, (v) Anglo Arabic School, (vi) Jama Masjid and (vii) Qaumi School have been restored. It has represented the Country in many International Conferences.
- 10.** Petitioner is filing this PIL under Article 226 of the Constitution seeking writ order or direction or a writ in the nature of mandamus to the Union of India to prepare a model draft of Indian Civil Code in spirit of Article 14 and 44 of the Constitution of India within three months, while considering the best practices of all religions and sects, civil laws of the developed countries and international conventions, in order to

secure gender justice, gender equality and dignity of women, guaranteed under Article 21 and publish it on their website for extensive public debate, discussion and feedback.

11. An Indian Civil Code for all citizens throughout territory of India, is essential to promote fraternity, unity and national integration. It should proceed on the assumption that there is no connection between religion and personal laws in a civilized society. The object of Article 44 is not to encroach upon religious liberties guaranteed under Article 25. Dr. Ambedkar in the Constituent Assembly debate said: *“In fact, bulk of these different items of civil laws have already been codified during the British Rule and the major items still remaining for a Uniform Civil Code are marriage, divorce, inheritance and succession”*.

12. The Apex Court in Shah Bano Case [(1985)2SCC556,P. 32] had observed: *“It is a matter of regret that Article 44 has remained dead letter. It provides that ‘the State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India’ but there is no evidence of any official activity for framing a common civil code....Common civil code will help the cause of national integration by removing desperate loyalties to laws, which have conflicting ideologies. We understand difficulties involved in bringing persons of different faiths and persuasion on. Common platform but beginning has to be made, if the Constitution has any meaning; it is beyond endurance of sensitive minds to allow injustice when it is so*

palpable. Piecemeal attempts to bridge the gap cannot take the place of Common Code. Justice to all is for more satisfactory way of dispensing justice than justice from case to case.”

13. In *John Vallamattom v. Union of India* (AIR 2003 SC 2902: (2003) 6 SCC 611, P.44), the Apex Court observed: “A common civil code will help the cause of national integration by removing all contradictions based on ideologies”. The Supreme Court also observed that “the power of the Parliament to reform and rationalize the personal laws is unquestioned and the command of Article 44 of the Constitution is yet to be realized”.

14. The Apex Court in *Sarla Mudgal Case* [AIR 1995 SC 1531: (1995) 3 SCC 635] had held that fundamental rights relating to religion of members of any community would not be affected thereby. It was held that personal law having been permitted to operate under authority of legislation the same can be superseded by a uniform civil code. Article 44 is based on concept that there is no necessary connection between religion and personal law in a civilized society. Article 25 guarantees religious freedom and Article 44 seeks to divest religion from personal law. Marriage, succession and like matter of secular character cannot be brought under Articles 25-27.

15. Diversity in personal matters with religious differentiation leads to sentimental tension between different communities as has been learnt by bitter experience from history leading to partition and subsequent events till today. By 42nd amendment; expression ‘Unity of Nation’ was replaced

by the 'Unity and Integrity of the Nation' and Article 51A provides: *It shall be the duty of every citizen of India (a) to abide by the Constitution and respect its ideals and institutions, the national Flag and the National Anthem; (b) to cherish and follow the noble ideals which inspired our national struggle for freedom; (c) to uphold and protect the sovereignty, unity and integrity of India; (d) to defend the country and render national service when called upon to do so; (e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women; (f) to value and preserve the rich heritage of our composite culture; (g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures; (h) to develop the scientific temper, humanism and the spirit of inquiry and reform; (i) to safeguard public property and to adjure violence; (j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement.*

- 16.** The Constitution makers wanted to establish a 'Secular State' and with that purpose they codified Article 25 which guaranteed freedom of religion, freedom of conscience and freedom to profess, practice and propagate religion to all persons. As per Clause 2(a): *Nothing in this Article shall affect the operation of any existing law or prevent the State from*

making any law regulating or restricting any economic, financial, political or other secular activities, which may be associated with religious practices. A belief seems to have gained ground that it is for the Muslims community to take a lead in the matter of reforms of their personal law. But it is the State which is charged the duty of securing a uniform civil code for the citizens of this country. This duty has been imposed on the state with the object of achieving national integration by removing disparate loyalties, which have conflicting ideologies.

The question arises- why the Union Government failed to discharge the constitutional mandate for more than 6 decades? The Answer by the Apex Court was- *“lack of political courage”* – which many other responsible persons have amplified as the fear of losing Muslim votes at the next election. One more logic is given that even if a common civil code is framed, it should be optional for the Muslims to adopt its provisions. Petitioner states that it is only a diluted version of the forgoing pleas-Shariat is immutable and that no code can be imposed on Muslims without their consent. It is unmeaning to draw-up an Indian Civil Code as enjoined by the Articles 14 and 44, if it is not binding on every citizen.

- 17.** When Section 125 CrPC was extended to divorced women, Muslims contended that it should not be applied to them as it was contrary to Shariat but the Apex Court turned down this contention and rejected the argument that according to Sharia, husband’s liability to provide for

maintenance is limited to iddat. It was held that Section 125 CrPC overrides personal law. Even, minor girls are victim of Polygamy and Halala and various form of contract marriage viz. Mutah and Misyar and such incidents are routinely published in electronic, print and social media. That is why India urgently needs a Indian Civil Code in spirit of Articles 14 and 44 of the Constitution. Goa has a Uniform Civil Code since 1965, which is applicable on all. Thus, pertinent question arises- if Uniform Civil Code can be implemented in Goa, why not throughout the territory of India?

18. In Constituent Assembly, Nasiruddin says: *“certain aspects of the Civil Procedure Code have interfered with our Personal Law and very rightly so and also that marriage and inheritance are similar practices associated with religion”*. [Vol-VII, pg542]
19. The Court can direct the respondents to draft Indian Civil Code in spirit of Article 14 & 44. Law Commission has prepared 244th & 277th report on the Court Order. (**Annex-1**, pg. 23-26)
20. In *Madhu Kishwar v State of Bihar & Anr*, [(1996)5SCC 125] the Court held: **“(20) Article 14 ensures equality of law and prohibits invidious discrimination. Arbitrariness or arbitrary exclusion are sworn enemies to equality. Article 15(1) prohibits gender discrimination. Article 15(3) lifts that rigour and permits the State to positively discriminate in favour of women to make special provision, to ameliorate their social, economic and**

political justice and accords them parity. Article 38 enjoins the State to promote the welfare of the people (obviously men and women alike) by securing social order in which justice - social, economic and political - shall inform of all the institutions of national life. Article 39(a) and (b) enjoin that State policy should be to secure that men and women equally have the right to an adequate means of livelihood and the ownership and control of the material resources of the community are so distributed as best to subserve the common good. Article 38(2) enjoins the State to minimise the inequalities in income and to endeavour to eliminate inequalities in status, facilities and opportunities not only among individuals but also amongst groups of people. Article 46 accords special protection and enjoins the State to promote with special care the economic and educational interests of the Scheduled Castes and Scheduled Tribes and other weaker sections and to protect them from social injustice and all forms of exploitation. The Preamble to the Constitution charters out the ship of State to secure social, economic and political justice and equality of opportunity and of status & dignity of person to everyone. (22). Article 1(1) assures right to development — an inalienable human right, by virtue of which every person and all people are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realised. Article 6(1) obligates the State to observe all human rights and fundamental freedoms for all

without any discrimination as to race, sex, language or religion... ...Appropriate economic and social reforms should be carried out with a view to eradicate all social injustice. (23) Human rights are derived from the dignity and worth inherent in the human person. Human rights and fundamental freedom have been reiterated by Universal Declaration of Human Rights. Democracy, development and respect for human rights and fundamental freedoms are interdependent and have mutual reinforcement. The human rights for women, including girl child are, therefore, inalienable, integral and indivisible part of universal human rights. The full development of personality and fundamental freedoms and equal participation by women in political, social, economic cultural life are concomitants for national development, social and family stability and growth, culturally, socially and economically. All forms of discrimination on grounds of gender is violative of fundamental freedoms and human rights. Vienna Convention on the Elimination of all forms of Discrimination Against Women was ratified by the UNO on 18-12-1979. The Government of India who was an active participant to CEDAW ratified it on 19-6-1993 and acceded to CEDAW on 8-8-1993 with reservation on Articles 5(e), 16(1), 16(2) 29 thereof. The Preamble of CEDAW reiterates that discrimination against women violates the principles of equality of rights and respect for human dignity; is an obstacle to the participation on equal terms with men in the political, social, economic, cultural life of

their country; hampers the growth of the personality from society and family and makes it more difficult for the full development of potentialities of women in service of their countries, of humanity. **(24)** Parliament has enacted the Protection of Human Rights Act, 1993. Section 2(d) defines human rights to mean “the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India”. Thereby the principles embodied in CEDAW and the concomitant Right to Development became integral parts of the Indian Constitution and the Human Rights Act and became enforceable. Section 12 of Protection of Human Rights Act charges the Commission with duty for proper implementation as well as prevention of violation of the human rights and fundamental freedoms. **(25)** Article 5(a) of CEDAW on which Government of India expressed reservation does not stand in its way and in fact Article 2(f) denudes its effect and enjoins to implement Article 2(f) read with its obligation undertaken under Articles 3, 14 & 15 of the Convention vis-à-vis Articles 1, 3, 6, 8 of the Declaration of Right to Development. Though the directive principles, fundamental rights provide the matrix for development of human personality and elimination of discrimination, these conventions add urgency & teeth for immediate implementation. It is, therefore, imperative for the State to eliminate obstacles, prohibit all gender-based discriminations as mandated by Articles 14 and 15 of the

Constitution of India. By operation of Article 2(f) and other related articles of CEDAW, the State should by appropriate measures including legislation, modify law and abolish gender-based discrimination in the existing laws, regulations, customs & practices which constitute discrimination against women. (26)

Article 15(3) of the Constitution positively protects such Acts or actions. Article 21 reinforces “right to life”. Equality, dignity of person and right to development are inherent rights in every human being. Life in its expanded horizon includes all that gives meaning to a person's life including culture, heritage and tradition with dignity of person. The fulfilment of that heritage in full measure would encompass the right to life. For its meaningfulness and purpose every woman is entitled to elimination of obstacles and discrimination based on gender for human development. Women are entitled to enjoy economic, social, cultural and political rights without discrimination and on footing of equality. Equally, in order to effectuate fundamental duty to develop scientific temper, humanism and the spirit of enquiry and to strive towards excellence in all spheres of individual and collective activities as enjoined in Article 51-A(h) and (j) of the Constitution of India, not only facilities and opportunities are to be provided for, but also all forms of gender-based discrimination should be eliminated. It is a mandate to the State to do these acts. Property is one of the important endowments or natural assets to accord opportunity, source to develop personality, to be independent, right to equal status

and dignity of person. Therefore, the State should create conditions and facilities conducive for women to realise the right to economic development including social and cultural rights.

(37) *The public policy & constitutional philosophy envisaged under Articles 38, 39, 46 and 15(1) and (3) and 14 is to accord social and economic democracy to women as assured in Preamble of the Constitution. They constitute the core foundation for economic empowerment and social justice to women for stability of political democracy. In other words, they frown upon gender discrimination and aim at elimination of obstacles to enjoy social, economic, political and cultural rights on equal footing. If law is to adapt itself to the needs of the changing society, it must be flexible and adaptable”*

PRAYER

It is respectfully prayed that this Hon'ble Court may be pleased to use its plenary power conferred under Article 226, to issue a writ, order or direction or a writ in the nature of mandamus to:

- a)** direct the Union of India or the Law Commission of India to draft the Uniform Civil Code or Indian Civil Code in spirit of Articles 14 and 44 of the Constitution within three months and publish it on website for larger public discussion, debate and feedback;
- b)** pass such other order(s) as the Court may deem fit and proper to secure gender justice, gender equality and dignity of women.

New Delhi
25.10.2019

Petitioner in Person
(Firoz Bakht Ahmed)

IN THE HIGH COURT OF DELHI AT NEW DELHI

WRIT PETITION (C) NO OF 2019

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IN THE MATTER OF:

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...Petitioner

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...Respondents

AFFIDAVIT

I Firoz Bakht Ahmed s/o late Nooruddin, at present at New Delhi, do hereby solemnly affirm and declare as under:

1. I am sole petitioner above named and well acquainted with facts and circumstances of the case and as such competent to swear this affidavit.
2. I have filed the present writ petition as PIL. There is no personal gain, private motive or oblique reasons in filing this petition. It is totally bona-fide and purely in larger public interest and interest of justice.
3. I have gone through the Delhi High Court (Public Interest Litigation) Rules, 2010 and do hereby affirm that the PIL is in conformity thereof.
4. I have no personal interest in the litigation and neither myself nor any body in whom I am interested, would in any manner benefit from the relief sought in the present litigation save as a member of the General Public. The petition is not guided by self-gain or gain of any person, institution, body and there is no motive other than of Public Interest.
5. I have done whatsoever enquiry/investigation, which was in my power to do, to collect all data/material which was available and relevant for this Court to entertain the present petition. I further confirm that I have not concealed in the present petition any data/material/information which may have enabled this Court to form an opinion whether to entertain this petition or not and/or whether to grant any relief or not.
6. I have read and understood the contents of accompanying synopsis and list of dates pages 4-8 and writ petition pages 9-20 and total pages 1-23 which are true and correct to my personal knowledge and belief.
7. Averments in the affidavit are true/correct to my personal knowledge and belief. No part of Affidavit is false nor has anything been concealed.

DEPONENT

(Firoz Bakht Ahmed)

VERIFICATION

I, the Deponent do hereby verify that contents of above affidavit are true and correct to my personal knowledge and belief. No part of it is false nor has anything material been concealed there from.

I solemnly affirm today i.e. 25th day of October 2019 at New Delhi.

DEPONENT

(Firoz Bakht Ahmed)

APPENDIX

ARTICLE 14 IN THE CONSTITUTION OF INDIA

14. Equality before law The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth

ARTICLE 15 IN THE CONSTITUTION OF INDIA

15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth

(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to

(a) access to shops, public restaurants, hotels and palaces of public entertainment; or

(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public

(3) Nothing in this article shall prevent the State from making any special provision for women and children

(4) Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes

ARTICLE 21 IN THE CONSTITUTION OF INDIA

21. Protection of life and personal liberty. No person shall be deprived of his life, personal liberty except according to procedure established by law

ARTICLE 44 IN THE CONSTITUTION OF INDIA

44. Uniform civil code for the citizens The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India

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PETITIONER-IN-PERSON

Firoz Bakht Ahmed