

Sixteenth Lok Sabha

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Title: Regarding setting up of Shariat court by AIMPLB.

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): The plan of the All India Muslim Personal Law Board (AIMPLB) to set up a shariah court (Darul Qaza) in every district of India is an illogical and regressive decision. This will not only complicate religion-based, personal law jurisprudence in India, but also work against the ambition of implementing a uniform civil code in the nation.

The arguments put forward by the AIMPLB make us feel that the plan is innocent and objective, as it is based on a righteous motive to lessen the burden of litigation in Indian courts, which are reeling under the burden of millions of overdue cases. Shariah courts, AIMPLB claims, are not 'courts' or any parallel legal system; rather they are the Darul Qaza or 'house of consultations', where experts of Islamic laws guide and advise Muslims who submit their personal disputes to them for arbitration, as suggested under the Arbitration and Conciliation Act. Further, Zafaryab Jilani, member of the AIMPLB, maintains that the Darul Qaza is 'legal and upheld by the Supreme Court' and that the same is a "100 per cent constitutional exercise".