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## MESSAGE FROM THE DESK OF EDITOR IN CHIEF

The Chief Editor and Editors of the advanced research journal of Management, Engineering, Law, Paramedical Science, Nursing, Basic Science, Education, Physical Education and Yoga, Special Education, Clinical psychology and Liberal Arts i.e. IUT Journal of Advanced Research and Development (JARD) would take it as their duty to express the deep gratefulness to the contributors and readers of current volume.

We feel proud to bring the present issue of the online IUT Journal of Advanced Research and Development. We consider that the contribution in this multidisciplinary will help in the inclusive and sustainable growth process. Keeping in tune with this dignified idea, the current issue of IUT-JARD has addressed some current issues covering diversified field.

This issue needs an integrative and a holistic approach to the solution. Finally, the information contains in this journal volume has been published by the IUT obtains by its authors from various sources believed to be reliable and correct to the best of their knowledge, and publisher is not responsible for any kind of plagiarism and opinion related issues.



**Prof.(Dr.) Dhananjoy Datta**

Dean - Research &  
Development,  
The ICFAI University, Tripura,  
India.

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## UNIFORM CIVIL CODE: IMPLEMENTATION & COMPLEXITIES

Eshika Thakur & Hritvij Saxena  
Prestige Institute of Mgmt & Research, DD Nagar, Gwalior (M.P)  
Indian Institute of Technology, Bombay (Maharashtra)

### ABSTRACT

*The government/state is resolute in its determination to enact this law, which has garnered attention from several views, both positive and negative. It ultimately aims to impact the entirety of India. The precise implementation strategy for the legislation, whether it will be executed on a state-by-state basis or implemented nationwide, has yet to be disclosed to the public. In light of the prevailing conditions, a pivotal inquiry pertaining to the Uniform Civil Code is around the level of preparedness for its implementation. This study aims to provide insight into the obstacles that must be addressed to ensure the successful nationwide adoption of the Uniform Civil Code (UCC).*

**KEYWORDS:** Personal laws, inheritance, succession, fundamental rights, directive principles, Goa code

### INTRODUCTION

The majority of civic affairs in a nation are regulated by laws, namely the civil code, which applies universally to all religions, communities, castes, and genders without any exclusions.<sup>1</sup> The idea behind the notion of the Uniform Civil Code (UCC) is the equitable treatment of persons, wherein individuals of the same class are subject to equal regulations. Article 14 of the Indian Constitution upholds equality before the law, assuring a consistent set of regulations for a particular cohort of citizens.<sup>2</sup> Nevertheless, ensuring this classification does not infringe on the restrictions stipulated in Article 15 of the Constitution is crucial. The provision of personal laws in entry number 5 of the concurrent list confers jurisdiction to the state and the union to enact legislation concerning this particular subject.

It is important to comprehend that the notions of standard civil code and uniform civil code are distinct from one another since the former pertains to the implementation of identical regulations for all individuals. Civil- The notions of right in rem and right in personam are separate from one

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<sup>1</sup>Aparna Rao *Uniform Civil Code in India: Challenges and Possibilities* (2016)

<sup>2</sup>Zoya Hasan *Secularism and its Critics: The Case of the Uniform Civil Code in India* (2005)



another.<sup>3</sup> The "right in rem" concept encompasses equality and equal opportunity rights. The term "right in personam" pertains to conflicts that arise between two persons, such as divorce, contract disputes, custody battles, and similar cases. This constitutes a breach of personal rights.

Code – The term "code" does not always refer to a singular statute. The Hindu Code Bill encompasses many legislations, such as the Hindu Marriage Act, Hindu Adoption Act, and Hindu Succession Act, among others, inside a unified legal framework. However, it is essential to note that there is now no one comprehensive law governing these matters. Therefore, the code does not need the presence of only one legislation. The Indian Penal Code is not the sole legislation governing criminal law in India. Other laws, such as the Foreign Exchange Management Act, the Food Adulteration Statute, and the Prevention of Corruption Act, also significantly regulate criminal activities.<sup>456</sup> The Supreme Court has asserted in several judicial rulings that it is the state's responsibility to ensure the implementation of a uniform civil code for all residents. In order for the Constitution to possess any substantive significance, it is essential to initiate a first phase.

### Religion & UCC

According to KM Munshi, the Constitution grants the government the authority to enact legislation pertaining to secular aspects of religious practices, provided that such measures are aimed at effecting social change. He campaigned for the Uniform Civil Code (UCC), asserting its advantages, such as fostering national unity and encouraging gender equality.<sup>7</sup> The individual also asserted that if the personal laws pertaining to inheritance, succession, and related matters were seen as integral components of religion, it would impede the eradication of several discriminatory practices against women within Hindu Personal law. The Constitution granted the government the authority to enact legislation pertaining to non-religious aspects of religious practices, provided that such laws were aimed at effecting social change.<sup>8</sup> Article 44 effectively separates religion from both social interactions and personal legal matters. Article 26 of the Indian Constitution mandates that

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<sup>3</sup>B.S. Markose, 'Right in Rem vs. Right in Personam: A Comparative Analysis' Indian Journal of Legal Studies, 2019 5(1): 1-15

<sup>4</sup>The Foreign Exchange Management Act, 1999

<sup>5</sup>The Prevention of Food Adulteration Act, 1954

<sup>6</sup>The Prevention of Corruption Act, 1988

<sup>7</sup>Zoya Hasan *Secularism and its Critics: The Case of the Uniform Civil Code in India* (2005)

<sup>8</sup> How Hindu personal law can be reformed. (2017, September 18). The Times of India. [https://m.timesofindia.com/india/how-hindu-personal-law-can-be-reformed/amp\\_articles/60726036.cms](https://m.timesofindia.com/india/how-hindu-personal-law-can-be-reformed/amp_articles/60726036.cms)

denominational groups are subject to constitutional principles and are obligated to comply with the law.<sup>9</sup>

### Fundamental Rights & Directive Principles

According to Article 44 of the Constitution, the state must make efforts towards implementing a Uniform Civil Code (UCC) throughout the various areas of the nation. Article 44, a component of the directive principles, falls under the category of non-justiciable provisions, implying its lack of enforceability by legal means.<sup>10</sup> However, it is essential to note that fundamental rights are subject to judicial review and can be enforced by legal proceedings

in the courts. The inclusion of phrases such as "in particular strive", "shall, in particular, direct its policy", and "shall be the obligation of the state" inside the directive principles signifies that these principles impose a policy-level requirement rather than being subject to judicial interpretation.<sup>11</sup>

However, whereas Article 43 states that the state should make efforts through appropriate legislation, Article 44 does not include the requirement for adequate legislation, rendering it non-binding on the legislature.<sup>12</sup> The fundamental rights hold greater significance in comparison to the directive principles. In its ruling on the *Minerva Mills* (1980) case<sup>13</sup>, the Supreme Court stated that the Indian Constitution is based on the fundamental principle of maintaining equilibrium between Parts III (Fundamental Rights) and IV (Directive Principles).<sup>14</sup> Disturbing the harmony of the Constitution occurs when one grants ultimate supremacy to one element over another. The Court also asserted that the construction of fundamental rights and directive principles should be approached cohesively.

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<sup>9</sup> Anupam Kumar, 'Uniform Civil Code and Secularism in India' *Journal of the Indian Law Institute*, 2014 56(3): 405-434

<sup>10</sup> H.M. Seervai *Constitutional Law of India* (latest edition)

<sup>11</sup> UCC- A balance between fundamental rights and directive principles. (2023, June 27). The Amikus Qriae. <https://theamikusqriae.com/ucc-a-balance-between-fundamental-rights-and-directive-principles/>

<sup>12</sup> Amita Dhanda *India's Constitution: A socio-legal commentary* (2019)

<sup>13</sup> *Minerva Mills v. Union of India* (1980) AIR 1980 SC 1739

<sup>14</sup> Upendra Baxi, 'Balancing Fundamental Rights and Directive Principles: The Indian Experience' *Modern Law Review*, 1982 45(3): 402-420

## Minerva Mills v. Union of India

Fundamental rights are basic for individual existence, while Directive Principles guide governance. Courts interpret the balance between them, termed "Conscience of the Constitution." The Minerva Mills case clarified their interrelationship, but the issue remains contentious.

The divergence in opinions between the majority and minority views in the Supreme Court of India's *Minerva Mills Ltd. & Ors. v. Union of India & Ors.* presents intriguing jurisprudential queries. These include the balancing act of conflicting interests, the decision-making process of judges in areas without set rules, and the unique status of Part IV (Directive Principles of State Policy) within the Hohfeldian right-duty framework, being non-enforceable under the Constitution of India.

To destroy the guarantees given in fundamental rights in order perpetually to achieve goals of directive principles is plainly to subvert the Constitution by destroying its basic structure. In the name of Uniform Civil Code, no one can take away the right to religion or right to culture of people because fundamental rights are superior to directive principles'. The Court harmoniously stated.<sup>15</sup> As stated in Article 26 of the Constitution, even denomination groups, the constitutional goals bind section, and they must abide by the law.

### Marriage laws

In order to facilitate the implementation of the Uniform Civil Code, it is imperative to perceive marriage as a contractual arrangement rather than a sacramental institution. The Hindu Code Bill<sup>16</sup>, also known as the Hindu Marriage Act, is predominantly grounded on Brahmanical Hindu Law and conceptualises marriage as a sacrament rather than a contractual arrangement.<sup>17</sup> Consequently, this personal law pertaining to Hindus necessitates special reforms. Establishing a more precise definition of even the most basic rites is a fundamental requirement, representing the primary imperative for reform in the institution of marriage. In order to mitigate the potential for increased complexity in personal laws, it is imperative to offer elucidation on the basic inquiry posed by the jury on the definition of marriage within society and the eligible individuals who may partake in such a union.<sup>18</sup>

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<sup>15</sup> Amita Dhanda, 'The Minerva Mills Case and the Harmonious Construction of Fundamental Rights and Directive Principles' *Economic and Political Weekly*, 2006 41(46): 4593-4595

<sup>16</sup> The Hindu Marriage Act, 1955

<sup>17</sup> B.R. Ambedkar, 'The Need for Reform of Hindu Personal Laws in India' *Annihilation of Caste*, 1936

<sup>18</sup> Upendra Baxi, 'Challenges in Implementing Uniform Civil Code in India' *Economic and Political Weekly*, 2015 50(40): 30-32

Additionally, addressing the issue of second marriages in India is imperative in the context of implementing a Uniform Civil Code. It would be necessary to prove the rights of the second wife. As previously mentioned, Brahminical Hindu Law predominantly governs the Hindu Marriage Act. According to the Manusmriti, the marriage is considered fully accomplished only during the completion of the seventh feras (satpadi). In certain instances, particularly within the Hindu community, second weddings may deviate from the customary practice of completing seven feras during the wedding ceremony. Instead, a reduced number of five feras may be undertaken, among other variations.<sup>19</sup> The Supreme Court, in the case of *Bhaurao v. State of Maharashtra*<sup>20</sup>, established a connection between the anti-bigamy provisions of the act and the requirement for a ceremonial solemnisation of marriages as outlined in Section 7(2) of the HMA.<sup>21</sup>

The Court determined that if a marriage is legally nonexistent due to the improper or unfulfilled performance of the customary ceremony, it would not be governed by the anti-bigamy provisions of the act. In a separate case, the Supreme Court rendered a decision wherein the burden of proof about the second marriage is with the claimant, namely the initial spouse.<sup>22</sup> However, it is commonly seen that second weddings are often conducted clandestinely. Hence, it is unreasonable to demand that the woman substantiate the existence of this marriage, particularly given the husband's cohabitation with another individual and lack of official marital recognition. To mitigate the imposition of the second marriage penalty on a Hindu individual in the absence of any other legal matrimonial options, the presence of two marriages becomes necessary. The denial of rights to a significant number of Hindu women can be attributed to the complexity of the legal framework. In an unexpected pronouncement at a Supreme Court hearing, Justice Markandey Katju asserted that the second wife should be regarded as a concubine or mistress and, therefore, does not possess the right to receive financial support.<sup>23</sup>

In a manner akin to the scenario mentioned above, it is noteworthy that live-in relationships are not legally proscribed in India. However, an intriguing question arises: what are the implications if one individual initiates such a relationship while still being engaged to another individual of the opposite gender? In the scenario mentioned above, it is important to note that under the provisions of the

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<sup>19</sup>Report of the Law Commission of India on Reforms in Family Law (2008)

<sup>20</sup> *Bhaurao v. State of Maharashtra* (1985) 3 SCC 621

<sup>21</sup>The Prohibition of Bigamy Act, 1978

<sup>22</sup>Nita Rao 'Uniform Civil Code and the Challenges of Bigamy Laws in India' *Journal of the Indian Law Institute*, 2018 60(2): 309-334

<sup>23</sup> Rekha Pandey, 'Towards Gender Justice: Rethinking Polygamy in India' by (Economic and Political Weekly, 2022) 57(42): 30-32



Hindu Marriage Act<sup>24</sup>, the husband cannot be held liable for the offence of bigamy. Furthermore, the woman's sole recourse for seeking a divorce would be to present compelling evidence of the husband's act of adultery before a court. The necessity of reforming polygamy legislation and establishing a definitive limit on the number of cohabiting partners is evident.

Child marriage is a significant issue of concern within our society, necessitating not only the theoretical prohibition of such practices but also the implementation of more robust enforcement measures. Currently, child marriage remains unconditionally illegal, with legal consequences limited to the individual responsible for facilitating the marriage of minors. This individual may face a relatively lenient punishment with rigorous imprisonment which may extend to two years or a fine of up to which may extend to one lakh rupees, as determined by the Court<sup>25</sup>. However, the marriage would still be deemed valid (voidable) and recognised as authentic according to legal standards. Consequently, any child born from such a marriage would be entitled to all inheritance rights concerning parental property and would be appropriately referred to as a legitimate offspring. Currently, laws aligned with the PCMA have been implemented in just 24 states and union territories.<sup>26</sup>

Furthermore, the appointment of CMPOs has been carried out in only 20 states and union territories. Despite the demands made by India's Ministry of Women and Child Development (MWCD), state administrations still need to provide information regarding implementing these laws.<sup>27</sup> According to a research study, it was found that a significant proportion of girls, around 47 per cent, were married at a young age between the years 2005 and 2013.<sup>28</sup> However, it is noteworthy that only a limited number of these cases were reported to the PCMA (name of the organisation).<sup>29</sup> Furthermore, the PCMA has a very high proportion of cases now pending resolution.

Moreover, a mere 40 individuals were convicted for the offence of child marriage, being around 25% of the total number of cases concluded.<sup>30</sup> Another essential consideration pertains to the

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<sup>24</sup>The Special Marriage Act, 1954

<sup>25</sup>Prohibition of Child Marriage Act, 2006

<sup>26</sup>Smriti Zubin Irani, Minister of Women and Child Development. "Child Marriages". *Press Information Bureau*. 2023.

<sup>27</sup> Ministry of Women and Child Development (MWCD) Reports on Child Marriage

<sup>28</sup> Doe, J., 'Child Marriage in India' iPleaders (Sept. 10 2021) <https://www.iplayers.in/articles/the-evil-of-child-marriage-provisions-loopholes-and-challenges/>

<sup>29</sup> Rekha Pandey, 'Child Marriage and Gender Inequality in India: A Review of Current Literature' *Indian Journal of Gender Studies*, 2019 26(2): 231-254

<sup>30</sup>National Crime Records Bureau (NCRB) Reports on Child Marriage Cases

treatment of children born outside of marriage and the potential impact on their inheritance rights in relation to property following the implementation of reforms facilitated by the Uniform Civil Code and the strict prohibition of child marriage within society.<sup>31</sup> Within the Hindu community, a multitude of cultural practices exist, resulting in a significant prevalence of child marriages in some areas of India.<sup>32</sup> It is noteworthy to mention that this discussion does not encompass the topic of marriage age within the Muslim community.<sup>33</sup> In accordance with the Hindu Marriage Act of 1955, weddings between direct family members are prohibited; however, an exception exists in certain regions of southern India.<sup>34</sup> Hence, it is imperative to develop suitable solutions for these issues while simultaneously upholding the immense variety within our nation.

### **Inheritance**

The lack of consistency in inheritance laws is evident due to the existence of religious organisations that have established their own rules pertaining to inheritance and succession.<sup>35</sup> These laws exhibit varying degrees of gender equality and prioritise certain family members. Determining succession and inheritance is contingent upon applying diverse personal laws, which vary based on religious affiliations. In the event of an accident resulting in the demise of both parents and grandparents, the allocation of assets would be contingent upon the religious affiliation of the individuals involved, as each group in India adheres to its own distinct set of personal laws.<sup>36</sup> There exists a misconception that personal laws pertaining to inheritance are exclusively adhered to by the Muslim community. However, it is essential to note that other communities in India also observe their respective personal laws in matters of inheritance, similar to the Muslim community.<sup>37</sup> In contemporary times, in the event of a matrimonial union between a Hindu male and a Hindu female, the regulations

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<sup>31</sup> Nita Rao, 'Inheritance Rights of Children Born from Void Marriages in India: A Critical Analysis' *Journal of the Indian Law Institute*, 2020 62(4): 785-812

<sup>32</sup> Sehgal, D. R. (2021, September 9). The evil of child marriage : Provisions, loopholes, and challenges. iPleaders. <https://blog.iplayers.in/evil-child-marriage-provisions-loopholes-challenges/>

<sup>33</sup> The Personal Laws (Shariat) Application Act, 1937

<sup>34</sup> An expert explains: The issues in uniform civil code. (2022, February 15). *The Indian Express*. <https://indianexpress.com/article/explained/expert-explains-issues-in-uniform-civil-code-7771828/>

<sup>35</sup> From the India today archives (2022) | How a uniform civil code could change inheritance laws. (2023, June 30). *India Today*. <https://www.indiatoday.in/india-today-insight/story/from-the-india-today-archives-2022-how-a-uniform-civil-code-could-change-inheritance-laws-2400267-2023-06-30>

<sup>36</sup> Explained: How a uniform civil code will impact succession and tax laws. (2023, June 29). *India Today*. <https://www.indiatoday.in/law/story/uniform-civil-code-impact-on-hindu-undivided-family-tax-exemption-succession-laws-2399830-2023-06-29>

<sup>37</sup> The Personal Laws (Shariat) Application Act, 1937

pertaining to inheritance would be dictated by the Hindu Succession Act or Hindu Personal Law, as opposed to the Indian Succession Act subsequent to its revision in 1976.<sup>383940</sup>

According to Muslim Law, it is mandated that both sons and daughters are entitled to receive equal rights in family property.<sup>41</sup> Although daughters and sons are guaranteed equal proprietary rights, some provisions in Hindu law allow fathers to create a will for property distribution.<sup>42</sup> Consequently, this provision often results in depriving a daughter's proprietary rights. Contrary to the absence of testamentary provisions in Muslim Law.<sup>43</sup> The drafting of a will does not permit bias towards any specific successor, and it also restricts the allocation of more than one-third of the property's part in the will. In several jurisdictions, even in contemporary times, legislation pertaining to the abolition of zamindari has been enacted, stipulating that in cases where a male heir exists, female heirs shall not be entitled to any portion of agricultural property. This policy was implemented subsequent to attaining independence with the promulgation of the Constitution.<sup>44</sup> The rationale for placing this provision under Schedule 9 was to prevent its challenge, as it violates Article 14 of the Constitution.<sup>4546</sup> Therefore, in order to promote gender equality, it is necessary to make adjustments to both the revenue law and the land code.

The antiquated concept of daughters being seen as "Paraya Dhan" has persistently influenced significant decisions about the inheritance rights of females, favouring males.<sup>47</sup> When addressing the allocation of a deceased family member's property and assets, two options are often considered: the presence of a legally recognised will or the application of personal laws.<sup>48</sup> Nevertheless, there may

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<sup>38</sup> P.V. Kane *Hindu Law & Custom* (latest edition)

<sup>39</sup> P.B. Gajendragadkar *Family Law and Succession* (latest edition)

<sup>40</sup> Loopholes in personal law. (2004, January 19). The Economic Times. <https://m.economictimes.com/news/economy/policy/loopholes-in-personal-law/articleshow/431253.cms>

<sup>41</sup> G. Haragopal, 'Islamic Inheritance Laws: Balancing Gender Equality and Religious Principles' *Journal of Comparative Law*, 2019 21(4): 785-810

<sup>42</sup> P.V. Kane *Hindu Law & Custom* (latest edition)

<sup>43</sup> Sinha, B. (2023, July 11). *Child custody to inheritance, how personal laws shape family dynamics in India*. ThePrint. <https://theprint.in/judiciary/child-custody-to-inheritance-how-personal-laws-shape-family-dynamics-in-india/1662788/>

<sup>44</sup> Leela Dube, *Unequal Daughters: Gender and Inheritance in South Asia* (2000)

<sup>45</sup> The Indian Succession Act, 1925

<sup>46</sup> The Hindu Succession Act, 1955

<sup>47</sup> Upendra Baxi, 'Challenging the 'Paraya Dhan' Notion: Rethinking Inheritance Rights for Daughters in India' *Journal of the Indian Law Institute*, 2017 59(3): 507-532

<sup>48</sup> Aparna Rao, 'Daughters as 'Paraya Dhan': Examining the Impact on Inheritance Rights in India' (*Economic and Political Weekly*, 2012 47(41): 45-50)

be instances when a will is ruled unacceptable or void. Within the realm of personal laws, several statutes regulate the distribution of property among various classifications of recipients.

According to Islamic personal law, no differentiation exists between ancestral and self-acquired property. This implies that the individual with the property is regarded as its unequivocal proprietor, with no entitlement of any lawful successors being acquired until the owner's demise. According to legal provisions, individuals adhering to the Islamic faith are restricted from allocating more than one-third of their remaining assets by testamentary disposition subsequent to the settlement of burial costs and outstanding obligations.<sup>49</sup> In matters of inheritance, girls are recognised as legitimate legal beneficiaries of their parent's estate, but with a part that is half the size of that allocated to male heirs.<sup>50</sup> In accordance with Islamic law, a Muslim woman is eligible to receive a portion of her husband's assets. If the couple has children, she is entitled to one-eighth of his property. However, she is entitled to one-fourth of his property if they do not have children.

Furthermore, it may be necessary to include clauses such as dower or "nikahnama" (prenuptial contracts) within the framework of the Uniform Civil Code (UCC).<sup>51</sup> Muslim females were denied their rightful portion of agricultural land when the Shariat Law was enacted.<sup>52</sup> Promoting the concept of "jurist-given law" is crucial to establishing a favourable atmosphere for applying the Uniform Civil Code (UCC) practically.

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<sup>49</sup>Committee on the Status of Women Reports on UCC and Muslim Personal Law

<sup>50</sup>Nita Rao, 'Challenges and Debates surrounding the Impact of UCC on Land Inheritance for Muslim Women' National Law Review, 2023 61(2): 215-240

<sup>51</sup>Upendra Baxi, 'Dower, Nikahnama, and the Need for Reform in Muslim Personal Law in India' by Economic and Political Weekly, 2019 54(38): 42-47

<sup>52</sup>The Personal Laws (Shariat) Application Act, 1937



## A shining example of UCC?

The Goa Civil Code has been hailed by certain journalists, intellectuals, and notably our former Chief Justice of India, S.A. Bobde, as a prominent illustration of a Uniform Civil Code.<sup>53</sup> It is considered a potential model for a uniform civil code due to its inclusion of several provisions that reflect a progressive legislative approach. In 1867, the nation of Portugal implemented a civil code of Portuguese origin, which was subsequently expanded in 1869 to encompass the overseas provinces under Portuguese jurisdiction, including Goa.<sup>54,55</sup> The legal framework mandates the obligatory registration of marriages under the supervision of a civil authority. This requirement safeguards the equitable inheritance rights of wives, who are entitled to an equal share, precisely half, of the jointly owned assets, including those acquired by the husband through inheritance, in the event of a divorce.<sup>56,57</sup> This entitlement remains valid unless a prenuptial agreement stipulates otherwise.

Additionally, the law compels parents to distribute at least fifty per cent of their property, including assets, to their children, including daughters.<sup>58</sup> The regulations pertaining to succession exhibit a considerable degree of progressiveness. Although total consistency is not observed in the context of marriage and adoption, it is widely acknowledged that these rules exhibit a higher degree of gender equity compared to other legal frameworks within the nation. The continuity of the Portuguese Civil Code in Goa, India, was ensured through Section 5(1) of the Goa, Daman and Diu Administration Act, 1962.<sup>59</sup> This act, enacted by the new Indian Administration, stipulated that all laws in effect prior to the appointed day (December 19, 1961, when Goa was liberated) in Goa, Daman and Diu, or any of its parts, would remain in force until modified or revoked by a competent legislature or other

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<sup>53</sup> CJI Bobde needs to know that Goa family laws are not all uniform or equal. (n.d.). The Wire. <https://thewire.in/law/cji-bobde-needs-to-know-that-go-a-family-laws-are-not-at-all-uniform-or-equal>

<sup>54</sup> IASbaba. (2022, August 13). Common civil code of Goa. <https://iasbaba.com/2022/08/common-civil-code-of-go/>

<sup>55</sup> Nita Rao, 'Goa Civil Code and Gender Equality: Can it be a Model for UCC in India?', National Law Review, 2021 59(4): 509-534

<sup>56</sup> Committee on the Status of Women Reports on Goa Civil Code and UCC

<sup>57</sup> G. Haragopal, 'Inheritance Rights of Spouses under the Goa Civil Code' Economic and Political Weekly, 2018 53(8): 27-32

<sup>58</sup> Aparna Rao, 'Child Adoption Provisions in the Goa Civil Code and their Compatibility with National Laws Journal of the Indian Law Institute, 2021 63(3): 595-620

<sup>59</sup> Leela Dube *Family Law and Succession in Goa* (2015)

authorised body.<sup>60</sup> Despite being superseded by a more contemporary version in its nation of origin, Portugal, the Portuguese civil code remains in effect in Goa.

### Provisions

In the context of matrimonial unions, it is a universally established legal requirement that a sequential procedure must be followed, often known as the initial and subsequent endorsement. The initial component is the declaration of intentions, accompanied by an invitation for any objections, while the subsequent element is the formalisation of the marriage by the signing of documents. The legal framework has several universally applicable requirements, like the requirement to allocate fifty per cent of the property to a daughter and the necessity for spousal approval to formulate a will.<sup>61</sup> The consistently applicable provisions contain a positive provision. The subsequent topic of discussion is the distinctive notion of marriage property rights, a feature that is absent within the personal laws of the remaining regions of India<sup>62</sup>.

In the state of Goa, in the absence of explicit provisions, the prevailing legal framework for matrimonial unions is the regime of the communion of assets.<sup>63</sup> Under this regime, when entering into marriage, partners assume joint ownership of all assets acquired or inherited individually or collectively before or after the marriage. In the event of a divorce, it is often recognised that each spouse is entitled to an equal division of the marital assets.

Nevertheless, it is worth noting that the legal framework also permits the use of antenuptial agreements, which have the potential to establish an alternative allocation of assets in the event of a marital dissolution. Furthermore, these agreements allow the spouses an opportunity to maintain separate ownership of assets acquired before the commencement of their marriage.<sup>64</sup> These agreements are immutable and irrevocable. In the context of marriage, the sale of property needs the approval of both spouses.

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<sup>60</sup> Are we really prepared for a uniform civil code? (2017, September 12). The Times of India. [https://m.timesofindia.com/india/are-we-really-prepared-for-a-uniform-civil-code/amp\\_articleshow/60471358.cms#amp\\_tf=From%20%251%24s&aoh=16909116923428&referrer=https%3A%2F%2Fwww.google.com](https://m.timesofindia.com/india/are-we-really-prepared-for-a-uniform-civil-code/amp_articleshow/60471358.cms#amp_tf=From%20%251%24s&aoh=16909116923428&referrer=https%3A%2F%2Fwww.google.com)

<sup>61</sup> Ranjana Kumari, 'Impact of the Communion of Assets Regime on Inheritance Rights in Goa' Economic and Political Weekly, 2018 53(8): 27-32

<sup>62</sup> Patriarchy and property rights: Goa's 'Uniform civil code'. (2023, July 17). The Leaflet. <https://theleaflet.in/patriarchy-and-property-rights-goas-uniform-civil-code/>

<sup>63</sup> G. Haragopal, 'Challenges in Implementing Goa Civil Code Marriage Provisions in a National Context' Journal of the Indian Law Institute, 2022 64(2): 349-378

<sup>64</sup> Uniform divorce, maintenance & alimony laws. (2022, November 27). Supreme Court Observer. <https://www.scobserver.in/cases/ashwini-kumar-upadhyay-union-of-india-uniform-divorce-maintenance-alimony-laws-case-background/>

It is not legally permissible for parents to completely disinherit their children. A minimum of fifty per cent of their assets must be transferred to their offspring. The distribution of this hereditary asset should be divided equitably among all offspring.<sup>65</sup> Polygamy is not permissible for Muslim men, even if their marriages are recorded in Goa<sup>66</sup>. Furthermore, it is important to note that there is no provision within the existing legal framework for the dissolution of a marriage by verbal means.

The legal framework mandates the obligatory registration of marriages under the supervision of a civil authority. This requirement serves to guarantee equitable inheritance rights for wives, entitling them to a fifty per cent share of the "common assets," which includes any assets inherited by the husband in the event of a divorce, unless a prenuptial agreement stipulates otherwise. Additionally, the law compels parents to share at least half of their property, including assets, with their children, including daughters.<sup>67,68</sup>

### **Uniformity model**

However, as the famous adage suggests, the intricacies of a matter can often be of great significance, and this principle holds true in the context of the Portuguese Civil Court in 1867. Goa's Uniform Civil Code still may exactly be called a shining example of a progressive law or uniform, given the fact that it discriminates based on gender,<sup>69</sup> even in allowing polygamy for Hindus, amongst other things.<sup>70</sup> After the Hindu's demand, just two years after the establishment of the Goa Civil Court, they have provided that if, after a certain period of years, the couple is not able to procreate, especially a boy. The parties to the marriage can get married again. Even the registration of marriage procedure is different for Hindu couples than for catholic couples. Hindu couples are required for two-step verification to give legal validity to their marriage, i.e. firstly, they are required to give 15 days prior notice, and signatures would be done then after 15 days. Again, after a couple of weeks, the couple's signatures after they get married are required to consider their marriage valid in the eyes of the law.<sup>71,72</sup>

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<sup>65</sup> Ranjana Kumari, 'Inheritance Rights of Children under the Goa Civil Code' *Economic and Political Weekly*, 2018 53(8): 27-32

<sup>66</sup> Faizan Mustafa *Muslim Personal Law and the Goa Civil Code* (2023)

<sup>67</sup> Aparna Rao, 'Challenging Parental Discretion in Inheritance under the Goa Civil Code' *Journal of the Indian Law Institute*, 2021) 63(3): 595-620

<sup>68</sup> Aparna Rao, 'Comparing Marriage Provisions in the Goa Civil Code and Personal Laws of other Indian States' *Economic and Political Weekly*, 2021 56(46): 52-57

<sup>69</sup> Lesson from Goa's uniform civil code: Uniformity can be unjust to women. (2023, July 11). *The Indian Express*. <https://indianexpress.com/article/opinion/lesson-goas-uniform-civil-code-uniformity-unjust-women-8817832/lite/>

<sup>70</sup> Leela Dube *Goa Civil Code and Succession* (2015)

<sup>71</sup> Portuguese Civil Code (as applicable in Goa)

On the other hand, for Catholic Christians, the second signature event would be done by the couple in the Church itself, which would become the final basis for providing the marriage certificate. In the same way, the Goa Court has been given the power to annul marriage, but this rule is not enforced on Christian Catholics. Christian couples get an annulment of their marriage from the Catholic Church, and the High Court mechanically abides by the decision of the Church and gives it official recognition in the eyes of the law.<sup>73</sup> So, there is a lack of uniformity in registration as well as termination of marriage.

Article 1204 of the Goa Civil Code provides the reasons for separation. In cases when a husband seeks to initiate divorce proceedings, infidelity, as a standalone factor, might serve as a valid cause for divorce. In the event that a wife seeks a divorce from her husband, she must provide evidence of adultery accompanied by public scandal, abandonment by the husband, or the husband's maintenance of a mistress, in addition to other grounds.<sup>74</sup> The criteria for divorce for women are considerably more stringent in comparison to those applicable to husbands. In the context of prenuptial agreements, it is observed that property allocation is often stipulated, wherein a 50-50 distribution between spouses in the event of divorce or death is specified. However, it is noteworthy that the management and administration of this property are typically entrusted solely to the husband.<sup>75</sup>

Prior to 1955, Hindu men were not subject to any restrictions regarding the number of wives they could have or the frequency of their marriages. In contrast, in the sixth to seventh century, Muslim law imposed a limitation on men, stipulating that they could not have more than four wives. However, this restriction was accompanied by the provision that such an allowance would only be granted if the husband could ensure fairness and justice among his wives. It was acknowledged that achieving such justice would be exceedingly difficult for any man to accomplish. Therefore, Islamic law generally prohibited the widespread practice of polygamy.<sup>76</sup> However, it is worth noting that Hindus residing in Goa have historically been granted the privilege of limited polygamy under specific circumstances. This privilege is extended to Hindu men if their wives are above the age of 25 and are unable to conceive a child or if the wives have reached the age of 30 or have been

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<sup>72</sup> Explained: The Goa civil code, the new model for a uniform civil code. (2022, May 12). Hindustan Times. <https://www.hindustantimes.com/india-news/explained-the-go-civil-code-the-new-model-for-a-uniform-civil-code-101652304333768.html>

<sup>73</sup>Upendra Baxi *Goa Civil Code: A Model for Uniform Civil Code in India?* (2019)

<sup>74</sup>Upendra Baxi *Patriarchy and Property Rights: Goa's 'Uniform Civil Code'* (2023)

<sup>75</sup>Ranjana Kumari, 'Goa Civil Code: Progressive Yet Gender Discriminatory?' *Journal of the Indian Law Institute*, 2022) 64(1): 129-154

<sup>76</sup>Amita Tyagi *History of Marriage in India* (2023)



married for ten years without bearing a male child. In such cases, Hindu men may enter into a second marriage with the consent of their wives.<sup>77</sup>

The legal system in Goa, which is based on French Law, has demonstrated a progressive trajectory during its historical evolution. Nevertheless, when analysed from a modern standpoint, it is challenging to categorise it as a definitive or all-encompassing system of gender coding. In recent times, India has experienced the implementation of several current legislations, including the Hindu Succession Act, Hindu Marriage Act, and Indian Succession Act.<sup>7879</sup> The primary objective of these laws is to expand their provisions to encompass the people of Goa, guaranteeing that the inhabitants of Goa are eligible to receive their respective entitlements.

### Uttarakhand Uniform Civil Code

The government of Uttarakhand has established a committee comprising specialists to conduct a comprehensive examination of the pertinent personal laws.<sup>80</sup> Pertaining to various aspects such as marriage, divorce, property rights, succession and inheritance, adoption, maintenance, custody, and so on.<sup>81</sup>

No significant measures have been undertaken to implement coding education in the country. During a committee address in Ahmedabad in 1971, Indira Gandhi, the nation's leader and her political party, encouraged the populace to contemplate the implementation of a Uniform Civil Code. Subsequent to that time, the administration has yet to undertake any significant measures, resulting in a lack of a comprehensive plan for deliberation.<sup>82</sup>

One may raise the question of whether the Uniform Civil Code (UCC) may be formulated and enforced by individual states and what precisely constitutes the term 'state' as defined in Article 44 of the Indian Constitution.<sup>83</sup> The UCC, or Uniform Civil Code, encompasses the entirety of the

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<sup>77</sup>Ranjana Kumari, 'Evolution of Polygamy Regulations in Hindu and Muslim Laws: A Comparative Analysis' *Journal of the Indian Law Institute*, 2020 62(4): 847-876

<sup>78</sup>Aparna Rao, 'Examining the Goa Civil Code as a Potential Model for the Uniform Civil Code in India' *Economic and Political Weekly*, 2020 55(52): 40-45

<sup>79</sup>Nita Rao, 'Harmonizing Religious Freedom and Gender Equality under the Goa Civil Code' *National Law Review*, 2020 58(3): 273-300

<sup>80</sup>Jahnavi Binu, K. (2023, July 7). *TNM explainer: Impact of UCC on marriage, inheritance, divorce and adoption. The News Minute.* <https://www.thenewsminute.com/article/tnm-explainer-impact-ucc-marriage-inheritance-divorce-and-adoption-179447#:~:text=A%20UCC%20is%20likely%20to,succession%20and%20inheritance%20of%20property>

<sup>81</sup>'UCC Uttarakhand', 'UCC Uttarakhand' (8 February 2024) accessed 8 January 2024. <https://ucc.uk.gov.in/>

<sup>82</sup>After Uttarakhand, Gujarat seeks to bring uniform civil code: What is it? (2022, October 31). *The Indian Express.* <https://indianexpress.com/article/explained/everyday-explainers/what-is-uniform-civil-code-gujarat-uttarakhand-8238306/>

<sup>83</sup>Ranjana Kumari, 'Who is the 'State' under Article 44 of the Indian Constitution?' *Journal of the Indian Law Institute*,

nation. In contrast, the term "state" refers to the government and Parliament of India, the Government and the Legislature of each individual state, all local authorities, and other entities within the territorial boundaries of India or under the jurisdiction of the Government of India.<sup>84</sup> Local government authorities do not possess the authority to establish a Uniform Civil Code (UCC), and a state is limited to enacting laws just for its own jurisdiction rather than for other states. The laws pertaining to personal matters, such as intestacy and succession, wills, joint family and partition, marriage and divorce, fall under Entry 5 of List-III-Concurrent List of the Seventh Schedule to the Constitution.<sup>8586</sup>

Article 12 of the Constitution consequently, the States are also authorised to enact legislation concerning these areas. The committee was furthermore assigned the responsibility of producing a report for implementing a Uniform Civil Code in Uttarakhand.<sup>87</sup> According to the committee leader, former Supreme Court judge Justice Ranjana Desai, our primary aim is to promote gender equality, with particular attention given to the well-being of women, children, and disabled individuals.<sup>88</sup> Upon its implementation, Uttarakhand will become the first state in post-independence India to adopt such a code. According to the panel leader, the draft of the Uniform Civil Code (UCC) has placed particular emphasis on the rights pertaining to gender equality, inheritance, polyandry, and polygamy. The approach used by the Government of Uttarakhand is commendable since applying the Uniform Civil Code (UCC) on a state-by-state basis allows for a systematic evaluation of its impact. This phased implementation strategy enables a clearer understanding of the potential outcomes and increases the likelihood of achieving successful results. Moreover, fostering consensus and promoting comprehension of the code will effectively address the concerns of those who feel insecure about expressing their religious beliefs and cultural practices.<sup>89</sup> Suppose the legislation in Uttarakhand effectively addresses gender inequality and establishes consistent legal standards without infringing upon individuals' rights to religion or culture. In that case, it might serve as a viable prototype for other governments.

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2021 63(4): 759-788

<sup>84</sup> What is the uniform civil code and how will it play out in a country as diverse as India? (2023, July 3). The Hindu. <https://www.thehindu.com/news/national/explained-the-uniform-civil-code/article66105351.ece>

<sup>85</sup> Aparna Rao, 'Can Individual States Implement a Uniform Civil Code under Article 44?' by Economic and Political Weekly, 2022 57(30): 45-50

<sup>86</sup> India, L. (2023, February 2). Uniform civil code and its effect on the marriage in India. Lead India. <https://www.leadindia.law/blog/en/uniform-civil-code-and-its-effect-on-the-marriage-in-india/>

<sup>87</sup>Nita Rao, 'Article 44 and the Limits of State Power in Implementing a UCC' (National Law Review, 2021 59(1): 127-152

<sup>88</sup>'Uttarakhand forms panel to examine personal laws for drafting UCC' *The Hindu* (June 27, 2022)

<sup>89</sup> 'Uttarakhand UCC Draft Submitted to CM Dhami, Proposes Ban on Triple Talaq' *The Indian Express* (2 February 2024)

## CONCLUSION

The enduring nature of our Constitution has exemplified its effectiveness in aiding the operation of the democratic system and safeguarding its fundamental ideals. The Uniform Civil Code is an extra-constitutional objective. Using a staged strategy to implement the Uniform Civil Code (UCC) might be considered a more strategic and cautious approach, in contrast to a simultaneous and comprehensive implementation. An illustration of continuous changes may be observed in the Hindu Code Bill, enacted during 1955-56. In 2005, a notable amendment was made to the Hindu Act, which bestowed upon women the entitlement of coparceners within the Hindu Joint Family. Forming an expert group dedicated to implementing a Uniform Civil Code is an imperative and vital action that should be considered. The involvement of expert committees representing distinct religious groups, such as Christian experts for reforming Christian law and Hindu experts for developing Hindu law, is of utmost importance in this process. The decision of the Uniform Commercial Code (UCC) is a subject of policy that falls under the government's jurisdiction. The legal systems of Hinduism, Islam, Parsi, and Christianity are based on personal laws, leading to the presence of separate legal frameworks for different religious communities.

Nevertheless, it is crucial to prioritise the maintenance of gender equality and the harmonisation of all legislation with constitutional tenets. The prohibition of enacting any rule that opposes the principle of equality implies that although unique Hindu laws may be present, they are not permitted to engage in discriminatory practices based on a person's gender. The establishment of consensus has significant importance in the pursuit of attaining gender equity. The presence of a patriarchal mindset requires specific and focused actions in order to bring about a slow and progressive change.



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Program	Duration	Eligibility	Career Prospects Employment Opportunities
B. Tech ( CE, CSE, ECE, ME, EE )	4 Years	Pass in 10 + 2 (Phy/Chem/Math) with minimum 45%, (40 % in case of SC/ST/ OBC) aggregate marks	IT,ITEs, Manufacturing,Companies, Corporates, Telecom, Banks, Govt. Services
B. Tech - Lateral Entry ( CE, CSE, ECE, ME, EE )	3 Years	Pass in 3 - year diploma course with minimum 45 % (40 % in case of SC/ ST/ OBC) aggregate marks	IT,ITEs, Manufacturing,Companies, Corporates, Telecom, Banks, Govt. Services
BCA	3 Years	Pass in 10 + 2 ( any Discipline) examination	IT,ITEs, Corporates, Banks, Govt. Services, NGO's.
Integrated MCA	5 Years	Pass in 10 + 2 ( any Discipline) examination	IT,ITEs, Corporates, Banks, Govt. Services, NGO's.
MCA	2 Years	Graduation in any discipline, with 40% and above aggregate marks.	IT,ITEs, Corporates, Banks, Govt. Services, NGO's, Research
M.Tech	2 Years	Valid GATE Scorer with B.Tech /B.E in Civil Engineering or B.Tech /B.E in Civil Engineering with 60% marks	Research, consultant to Pvt. Organization in the field of flood forecasting, flood inundation, flood disaster management, Entrepreneur.

### Basic Science

Program	Duration	Eligibility	Career Prospects Employment Opportunities
B.Sc. Physics (Hons.)	4 Years	Pass in 10 + 2 with 40 % marks in Physics & pass in maths	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate
B.Sc. Chemistry (Hons.)	4 Years	Pass in 10 + 2 with 40 % marks in Chemistry	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate
B.Sc. Mathematics (Hons.)	4 Years	Pass in 10 + 2 with 40 % marks in Mathematics	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate
M.Sc. Physics	2 Years	Graduate with 45 % (40 % in case of SC/ST/ OBC) marks in Physics	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate
M.Sc. Chemistry	2 Years	Graduate with 40 % marks in Chemistry from a recognized University	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate
M.Sc. Mathematics	2 Years	Graduate with 40 % marks in Mathematics	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate

### Liberal Arts

Program	Duration	Eligibility	Career Prospects Employment Opportunities
BA - English (Hons.)	4 Years	Pass in 10 + 2 (any Discipline) with 40 % marks in English	Jobs in Govt., Teaching in Schools/Educational Administrators/ Corporate, Banks, Telecom, Media, Journalism
MA - English	2 Years	Graduate in any Discipline with minimum 45 % (40% in case of SC/ST/ OBC) aggregate marks	Jobs in Govt., Teaching in Schools/Educational Administrators/ Corporate, Banks, Telecom, Media, Journalism/ Research
B.A - Psychology (Hons)	4 Years	Pass in 10 + 2 (any Discipline) with 50 % (45% in case of SC/ST/ OBC) marks	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate
MA - Psychology	2 Years	Graduate with 45 % (40 % in case of SC/ST/ OBC) marks in Psychology	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate
B.Sc.- Psychology (Hons)	4 Years	Pass in 10 + 2 (any Discipline, with Economics or Maths as a combination subject) with 50 % (45% in case of SC/ ST/ OBC) marks	Teaching in Schools/ Colleges/ Educational Administrator/ Corporate

### Law

Program	Duration	Eligibility	Career Prospects Employment Opportunities
BBA-LLB Integrated	5 Years	Pass in 10 + 2 with minimum 45 % (40 % in case of SC/ST, 42% in case of OBC) aggregate marks	Corporates, Banking, Judiciary, Legal Practice, NGO's IPR
BA-LLB Integrated	5 Years	Pass in 10 + 2 with minimum 45 % (40 % in case of SC/ST, 42% in case of OBC) aggregate marks	Corporates, Banking, Judiciary, Legal Practice, NGO's IPR
LLB	3 Years	Graduate in any Discipline with minimum 45 % (40 % in case of SC/ST, 42% in case of OBC) aggregate marks	Corporates, Banking, Judiciary, Legal Practice, NGO's IPR
LLM	2 Years	Graduate with LLB degree (Recognised by BCI)	Corporates, Banking, Judiciary, Legal Practice, NGO's IPR, Research

### Management & Commerce Studies

Program	Duration	Eligibility	Career Prospects Employment Opportunities
B.Com (Hons.)	4 Years	Pass in 10 + 2 examination in commerce or Science with 45% ( 40% in case of ST/ SC/OBC) marks	Banks, Financial Services, Corporates

Program	Duration	Eligibility	Career Prospects Employment Opportunities
BBA	4 Years	Pass in 10 + 2 ( any Discipline) examination with minimum 40% marks	Banks, Financial Services, IT, Insurance, Telecom, Corporates, Consulting Companies.
MBA	2 Years	Graduate in any discipline with minimum 45 % (40 % in case of SC/ST/OBC) aggregate marks	Banks, Financial Services, IT, Insurance, Telecom, Corporates, Consulting Companies, Research
M.Com	2 Years	B.Com with 45%(40% in case of ST/SC/OBC) Marks	Banks, Financial Services, Corporates

### Allied Health Sciences

Program	Duration	Eligibility	Career Prospects Employment Opportunities
Bsc. in Emergency Medical Technology	4 Years	Pass in 10 + 2 (Science Discipline) with 45% marks in PCB (5% relaxation for SC/ST/OBC Candidates)	Opportunity in Government /Private hospital having ICU/ITU/Critical care unit, Demand in disaster management team for both state/central government, army/navy/airforce. Eligible for Post graduation courses.
Bsc. in Cardiac Care Technology	4 Years	Pass in 10 + 2 (Science Discipline) with 45 %marks in PCB (5% relaxation for SC/ST/OBC Candidates)	Opportunity in Government /Private Hospitals in cardiology department, different cath- labs or diagnostic centers. Eligible for postgraduate courses.
Bsc. in Dialysis Therapy Technology	4 Years	Pass in 10 + 2 (Science Discipline) with 45 % marks in PCB (5% relaxation for SC/ST/OBC Candidates)	Opportunity in Government /Private hospitals, NRHM, NUHM, NGO, clinics/ healthcare setup offering dialysis treatment. Eligible for Post Graduation courses in dialysis.
Bachelor in Health Information Management	4 Years	Pass in 10 + 2 (any Discipline) with 45 % marks (5% relaxation for SC/ST/OBC Candidates)	Opportunity in Government / Private hospitals, diagnostic centers, NRHM/ NUHM, legal firms, Healthcare consultancy .Eligible for Post Graduate courses.
B.Sc. Medical Lab Technology (BMLT)	4 Years	Pass in 10 + 2 (Science Discipline) with 45% marks in PCB (5% relaxation for SC/ST/OBC Candidates)	Opportunity in Government /Private hospital having ICU/ITU/Critical care unit, Demand in disaster management team for both state/central government, army/navy/airforce. Eligible for Post graduation courses.
B.Sc. Medical Lab Technology (BMLT) (LE)	3 Years	Pass in 3 years diploma with 45% marks in aggregate (5% relaxation for SC/ST/OBC Candidates)	Opportunity in Government /Private hospital having ICU/ITU/Critical care unit, Demand in disaster management team for both state/central government, army/navy/airforce. Eligible for Post graduation courses.
Master in Medical Lab Technology (MMLT)	2 Years	Candidate must have passed degree, e.g. B.Sc. MLT/ B.Sc. Physiology/ Microbiology/ Biotechnology/ Biochemistry or equivalent B.Sc. Biosciences from a recognized University	Opportunity in Government / Private sector, Lab Technician, Medical Lab Incharge, Research and Development Manager (Laboratory), Technical Officer etc. Can pursue research or can flourish in academics as well

### Education

Program	Duration	Eligibility	Career Prospects Employment Opportunities
B.Ed.	2 years	Graduate or post graduate in any discipline with minimum 50 % (45 % in case SC/ST/ OBC) aggregate marks	Teaching in Secondary level
MA - Education	2 years	Graduate in any discipline	Teaching in Schools/Educational Administrators/ Research
M.Ed.	2 years	B.Ed. (1/2 years)/ B.EL,ED/B.Sc.B.Ed./B.A B.Ed./ D.EL.Ed. /D.Ed. with a Bachelors degree. 50% marks at all the levels	Teaching in Teacher Education

### Physical Education

Program	Duration	Eligibility	Career Prospects Employment Opportunities
B.P.Ed	2 years	Graduate or post graduate in any discipline with minimum 50 % (45 % in case SC/ST/ OBC) aggregate marks	Jobs in School/ College/ University, Physical Trainer
D.P.Ed	2 years	Pass in 10+2 or equivalent with 50% of marks in any stream	Jobs in School/ College/ Physical Trainer
B.P.ES	3 years	Pass in 10 + 2 examination or equivalent from any recognised education Board/ University	Jobs in School/ College/ University, Physical Trainer
B.P.ES(LE)	1 year	Pass in two years diploma in Physical Education	Jobs in School/ College/ University, Physical Trainer
M.P.ES	2 years	Candidates must have passed with at least 50% marks for Gen/OBC and 45% for SC/ST category. B.P.E.D (4yr. integrated)/B.P.E.D (1yr. or 2yr.)/B.P.E (3yrs.)/ B.sc (Physical Education)/ B.P.E.S (3yrs.)	Jobs in School/ College/ University, Physical Trainer/Sports/ Job in Govt. and Private sector as teacher, instructor, coach etc.

## Yoga & Naturopathy

Program	Duration	Eligibility	Career Prospects Employment Opportunities
Post Graduate Diploma in Yoga Therapy	1 year	Any graduate	Yoga Teacher in Schools, Yoga Therapist/ Yoga Psychologist/ Yoga Inspector in MNC's, Health Club, Yoga Club

## Special Education

Program	Duration	Eligibility	Career Prospects Employment Opportunities
B.Ed.Spl.Ed. (ID)	2 years	Graduate or post graduate in any discipline with minimum 50 % (45% in case SC/ST/ OBC) aggregate marks	Teaching in Secondary level and at special schools
D.Ed.Spl.Edu (ID)	2 years	Pass in 10 + 2 (any Discipline) with minimum 50% (45 % in case SC/ ST/ OBC) aggregate marks.	Special schools, Sarva Siksha Abhiyan/ Resource teacher in General School/ Integrated/ Inclusive setup
M.Ed.Spl.Ed(ID)	2 years	B.Ed. Spl. Ed (ID) / B.Ed. General with D.Ed. Spl. Ed (ID) with 50% marks (RCI).	Professional preparation of teacher educators- engaged in continuous professional development of teachers
Integrated B.A/ B.Com /B.Sc/ B.Ed. Spl.Ed.	4 years	Pass in 10 + 2 with 50% marks	Teaching in Secondary level and at special schools

## Clinical Psychology

Program	Duration	Eligibility	Career Prospects Employment Opportunities
M. Phil in Clinical Psychology	2 years	M.A / M.Sc degree in the Psychology with 55% marks in aggregate, Preferably with special paper in Clinical Psychology .	Qualified professional & extensive inputs & widespread Clinical experience to acquire the necessary skills in the area of Clinical Psychology

## Library And Information Sciences

Program	Duration	Eligibility	Career Prospects Employment Opportunities
B.Lib.I.Sc	1 Year	Graduate in any discipline	School/ College/ University/ district/ State / National Libraries, Bank, Govt. Services, NGO's, Research
M.Lib.I.Sc- Integrated	2 Years	Graduate in any Discipline	School/ College/ University/ district/ State / National Libraries, Bank, Govt. Services, NGO's, Research
M.Lib.I.Sc	1 Year	Graduate with B.Lib.I.Sc	School/ College/ University/ district/ State / National Libraries, Bank, Govt. Services, NGO's, Research

## Nursing Science

Program	Duration	Eligibility	Career Prospects Employment Opportunities
GNM	3 years	10+2 with English and must have obtained a minimum aggregated score of 40% marks for the general candidates for any stream <ul style="list-style-type: none"> <li>• 35% SC/St candidates marks required from any stream</li> <li>• Age should be 17-35 (and for SC/ST 5 years relaxation)</li> <li>• Boys &amp; Girls both are eligible</li> </ul>	Hospitals(Government /Private), NUHM, NRHM, NRLM, Healthcare consultancy firm, Hospitality industry, Medico-legal consultancy firm, Insurance sector (Government/ Private)

## P.hD

Program	Duration	Eligibility	Career Prospects Employment Opportunities
Ph.D	4 years	A two-year postgraduate degree or equivalent from a recognized Institution, with 55% marks or equivalent CGPA in concerned subject. or A regular, full time M.Phil degree from any recognized University	Faculty position, Scientist, Post-doc researcher

D\* = Domicile: Students from North East States (Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura). ND\*\*= Non-Domicile: Students from states other than North East states.



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- Yoga for all
- Medical center featuring on-site residential doctors and nurses.
- 24 x7 Ambulance service
- Gymnasium / Outdoor gym
- Soccer field / Basket ball court / Badminton court
- ICAI University Tripura is having its professional football club named ICAI FC
- 24 Hours power generator back-up etc.
- Full campus is covered by JIO wifi, BSNL wifi, ICAI wifi

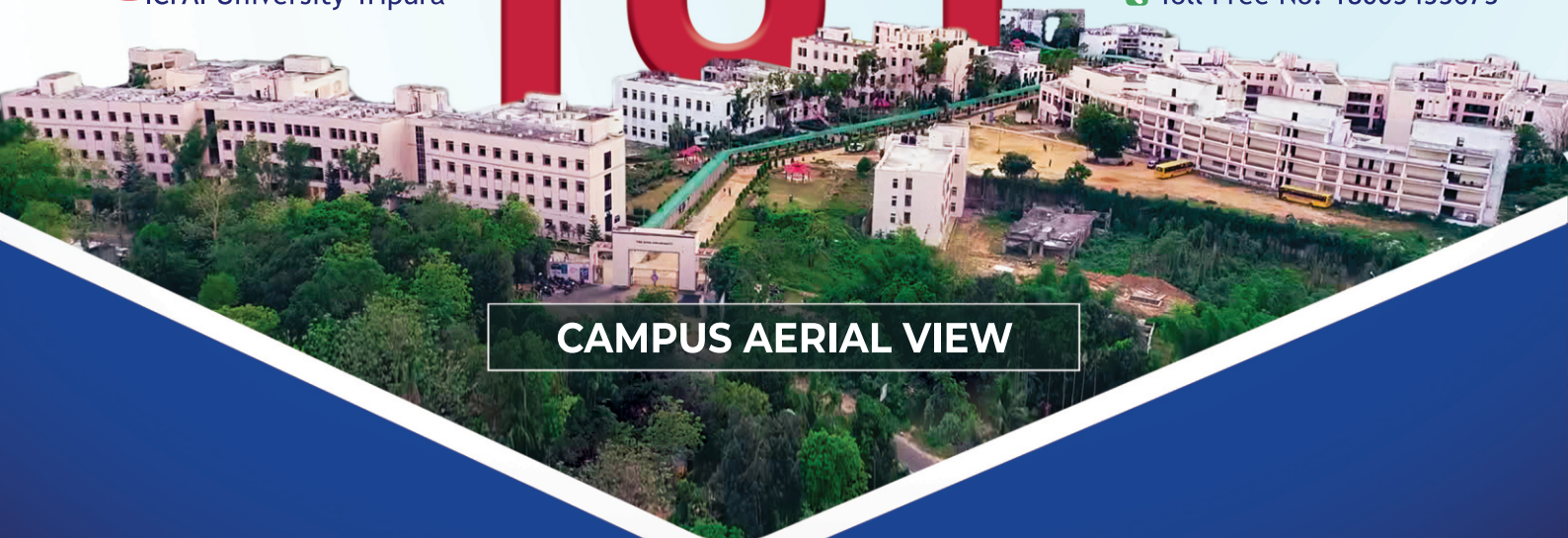
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### ICAI University Tripura

Campus-Kamalghat, Mohanpur,  
Agartala -799210, Tripura (W), India  
Ph: +91381-2865752/62,  
7005754371 , 8787816796  
9612640619, 8415952506  
Fax No; +91381-2865754

### Silchar Office, Assam

1st floor, c/o surma Valley  
(g-next building) , hospital road,  
Silchar-788001  
Ph: 76379 68599,  
9101555707

### Agartala City Office

Colonel Chowmuhani, House no. 226797,  
Palace Compound, Agartala -799001,  
Tripura (W), Ph: +91381-2329198, 7005302245

### Manipur Office

Uripok palem Leikai, Mahum Building 3rd Floor,  
Imphal West, Pin- 795001, Manipur. Ph: 7422916755,  
7085789234, 9362807590, 7005878404

### Siliguri Office

Opp. Anjali Jewellers Ramkrishna Road, Beside Sarada Moni  
School P.O. & P.S. Siliguri. Ashrampara. Pin - 734001  
Ph: 9933377454

### Guwahati Office

Uma Bora Complex, 1st. Floor,  
Bora Service Bylane, G.S. Road,  
Guwahati, Assam - 781007,  
Ph: +913613595807, 9854116517,  
7086011651, 7002325671

### Kolkata Office

195, Canal Street, Shreebhumi Bus Stop,  
Near Vivekananda Statue  
Shreebhumi, Kolkata-700048  
Phone:- 7003634670, 9883791321,  
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