

It's good and bad, says AIMPLB

Kamal Faruqui

The All India Muslim Personal Law Board (AIMPLB) has interpreted the Supreme Court judgment as “vindication” of its stand that personal laws needed to be protected even as it disagreed with the court’s decision to hold triple talaq as unconstitutional.

The AIMPLB said it would hold internal deliberations before responding in detail to the judgment, which, according to an executive member of the body, will have “wide ramifications” as it had affected the religious rights of minority groups.

The next course of action will be decided by the AIMPLB in its executive meet, where deliberations will be held with its legal committee, scheduled for September 10 in Bhopal.

In a statement, the AIMPLB welcomed the verdict “since it accords protection to Muslim personal law and says that personal laws cannot be tested by courts on the grounds of violation of fundamental rights.”

“The judgment vindicates our stand and ensures the fundamental right of citizens of this country to freely profess and practice their religious faith/beliefs,” the Muslim body said.

Two sides

Talking to The Hindu, Kamal Faruqui, executive member of AIMPLB, said the judgment had both positive and negative sides to it.

“The positive part is that the majority of judges said that personal laws are protected by Article 25 of Constitution of India. That is a big, big victory,” Mr. Faruqui said.

He, however, said the SC setting aside triple talaq as “illegal” had “disturbed” the AIMPLB. “Our contention is we are for putting as much restriction as possible on triple talaq, but we cannot delete anything that is allowed under the Sharia. This is what is disturbing us,” Mr. Faruqui said.

“The Court said that triple talaq is not in the Quran. But the Sharia is not what the entire Quran is. It is a mixture of Quran, Hadees and Ijma. This is where they have faulted. We will see what corrective steps we can take,” he added.

Detailed response

AIMPLB member Zafaryab Jilani said a detailed response would be released only after the executive body meet.

“So far as the government is concerned, I don't think it will be required to bring in any legislation because that will be again against our fundamental rights,” Mr. Jilani said.

Islamic seminary Darul Uloom Deoband also supported the opinion of the AIMPLB. Deoband spokesperson Ashraf Usmani said the seminary would issue a detailed comment only after taking a look at the full order.

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