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WHY IN NEWS

The Gujarat Legislative Assembly passed the Uniform Civil Code (UCC) Bill, 2026 on March 26 after a marathon 7.5-hour debate, making Gujarat the second Indian state after Uttarakhand to legislate a UCC.

Constitutional Basis for UCC

Article 44 of the Indian Constitution, placed under **Part IV — Directive Principles of State Policy (DPSP)**, states: *“The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India.”*

While DPSPs are **not justiciable** (cannot be enforced by courts), the Supreme Court has repeatedly urged Parliament to take steps toward a UCC.

Key Judicial Milestones

CASE	YEAR	SIGNIFICANCE
Shah Bano Case (Mohd. Ahmed Khan v. Shah Bano Begum)	1985	SC upheld maintenance rights for divorced Muslim women under Section 125 CrPC; recommended UCC
Sarla Mudgal v. Union of India	1995	SC directed Government to take steps toward UCC
John Vallamattom v. Union of India	2003	SC declared Section 118 of Indian Succession Act unconstitutional; reiterated UCC need
Jose Paulo Coutinho v. Maria Luiza Valentina Pereira	2019	SC praised Goa's common civil code as a model

Gujarat UCC Bill — Key Provisions

Marriage and Divorce

- **Mandatory registration** of all marriages within 60 days of solemnisation
- **Penalty for non-registration:** Fine up to Rs 10,000
- **Uniform divorce grounds** applicable to all communities — replacing community-specific personal laws
- **Minimum marriage age:** As per existing law (21 for men, 18 for women)

Live-in Relationships

- Must be **registered** with the designated authority
- Provides legal recognition and certain property/maintenance rights to partners
- Aims to protect women in long-term cohabitation arrangements

Inheritance and Succession

- **Equal inheritance rights** for daughters and sons across all communities
- Overrides community-specific succession laws (Hindu Succession Act, Muslim Personal Law, Indian Succession Act provisions)

Comparative: Uttarakhand vs Gujarat UCC

FEATURE	UTTARAKHAND UCC (2024)	GUJARAT UCC (2026)
Passed	February 2024	March 26, 2026
Effective	January 27, 2025	Awaiting notification
Marriage registration window	60 days	60 days
Live-in registration	Mandatory	Mandatory
Inheritance reform	Equal rights for daughters	Equal rights for daughters
Tribal communities	Exempted (Scheduled Tribes)	Details awaited

The Goa Model

Goa has operated under a **common civil code** since 1961, inherited from the Portuguese Civil Code (Código Civil Português). Key features:

- **Uniform marriage registration** for all communities
- **Community of property regime:** Equal sharing of assets acquired during marriage
- **Equal inheritance:** Sons and daughters inherit equally
- **No oral divorce (talaq):** All divorces require court proceedings

The Supreme Court in the *Jose Paulo Coutinho* case (2019) specifically praised this system.

Arguments For and Against UCC

Arguments For

- **National integration:** Promotes unity and removes community-based legal disparities
- **Gender justice:** Ensures equal rights for women across communities (inheritance, divorce, maintenance)
- **Constitutional mandate:** Implements Article 44 DPSP
- **Simplification:** Replaces complex web of personal laws with a single code

Arguments Against

- **Cultural diversity:** India's strength lies in pluralism; uniform code may suppress minority traditions
- **Religious freedom:** May conflict with Articles 25 (freedom of religion) and 26 (freedom to manage religious affairs)

- **Federalism concerns:** Personal laws are on the **Concurrent List** (Entry 5, List III) — both Centre and state can legislate
- **Implementation challenges:** Diverse customs across 28 states make a one-size-fits-all approach difficult

Significance for UPSC

This development is relevant for:

- **Prelims:** Article 44, DPSP vs Fundamental Rights, Shah Bano Case, Goa Civil Code
- **Mains GS-1:** Social empowerment, role of women in society
- **Mains GS-2:** Indian Constitution — features and amendments, separation of powers, federalism
- **Essay:** “Unity in diversity” vs. “Uniformity for equality”

UPSC RELEVANCE

Article 44, DPSP (Part IV), Shah Bano Case (1985), Sarla Mudgal (1995), Goa Civil Code, Concurrent List Entry 5

Fundamental Rights vs. DPSP, federalism, significance of UCC for gender justice, minority rights

★ FACTS CORNER — KNOWLEDGEPEDIA

UNIFORM CIVIL CODE — CORE DATA:

Article 44: DPSP directing State to secure UCC throughout India

Gujarat: 2nd state to pass UCC Bill (March 26, 2026)

Uttarakhand: 1st state (February 2024; effective January 27, 2025)

Goa: Only state with an existing uniform civil code (since 1961, Portuguese-era)

Personal Laws on: Concurrent List (Entry 5, Schedule VII)

KEY CASES:

Shah Bano Case (1985): SC upheld Muslim divorced woman's maintenance right under CrPC S.125

Sarla Mudgal v. UOI (1995): SC urged Parliament to frame UCC

Jose Paulo Coutinho (2019): SC praised Goa's civil code

Shayara Bano v. UOI (2017): SC struck down instant triple talaq

OTHER RELEVANT FACTS:

21st Law Commission (2018): Stated UCC is "neither necessary nor desirable at this stage"

22nd Law Commission: Invited public views on UCC (June 2023)

B.R. Ambedkar in Constituent Assembly: Supported UCC but said it should be voluntary initially

Articles 25-26: Fundamental Rights guaranteeing religious freedom (subject to public order, morality, health)

Article 14: Right to equality — basis for arguing UCC promotes equal treatment

Sources: [DD News](#), [The Hindu](#), [Indian Express](#), [PRS India](#)

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