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Uniform Civil Code Debate Intensifies as States Advance Personal Law Reforms and 2029 Implementation Target Emerges

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Recent Developments:

- **2029 Implementation Target:** On 13 September 2026, Union Home Minister Amit Shah stated that the **Uniform Civil Code (UCC)** would be introduced in all 21 NDA-ruled States before the 2029 Lok Sabha elections. This is a stated political target rather than a constitutionally prescribed deadline.
- **Expansion of State-Level UCCs:** Uttarakhand became the first State to implement a UCC on **27 January 2025**. Gujarat, Assam and Madhya Pradesh subsequently passed their respective UCC Bills in 2026, although their final legal status and commencement depend on the constitutionally required assent and notification processes.
- **Assam and Madhya Pradesh:** The Assam Assembly passed the **Uniform Civil Code, Assam, 2026 Bill** on 27 May 2026, while the Madhya Pradesh Assembly passed its UCC Bill in July 2026. Both frameworks include exemptions for Scheduled Tribes, demonstrating that state-level UCC models are not necessarily identical in scope.

Uniform Civil Code: Constitutional and Legal Framework:

What is a Uniform Civil Code?

- A **Uniform Civil Code** refers to a common set of secular civil laws governing personal matters such as **marriage, divorce, adoption, maintenance, guardianship, succession and inheritance**, irrespective of religion or community.
- India already has several common civil and criminal laws applicable across communities, including laws relating to **contracts, taxation, negotiable instruments and criminal offences**. The UCC debate primarily concerns areas where religious or customary personal laws continue to operate.

Constitutional Basis — Article 44:

- **Article 44**, located in **Part IV — Directive Principles of State Policy**, states that the State shall endeavour to secure a Uniform Civil Code for citizens throughout the territory of India.
- Article 44 is **non-justiciable**, meaning that citizens cannot directly approach a court to compel the State to enact a UCC. However, it remains a constitutional directive that can guide legislative policy.
- The Constituent Assembly placed UCC within the Directive Principles rather than Fundamental Rights because members differed over how to reconcile **legal uniformity, gender equality, religious freedom and cultural diversity**.

Personal Laws in India:

- Different communities have historically been governed by different personal-law frameworks. Hindus, Buddhists, Jains and Sikhs are generally covered by codified Hindpersonal laws, while **Muslims, Christians**

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and Parsis have separate statutory or personal-law frameworks in specified family matters.

- Customary practices also continue to have constitutional and statutory recognition in certain tribal and northeastern areas. Consequently, any nationwide UCC would need to address the relationship between **uniformity and constitutionally protected customary practices**.

Arguments Supporting a Uniform Civil Code:

Equality and Gender Justice:

- Supporters argue that different personal laws can produce different legal outcomes for similarly situated citizens, particularly in **marriage, divorce, inheritance, maintenance and guardianship**.
- A common framework could establish uniform standards for **inheritance, maintenance, matrimonial rights and guardianship**, thereby reducing religion-based differences in civil rights.

Secularism and Equality Before Law:

- Proponents link the UCC with **Articles 14 and 15**, arguing that civil rights should not vary solely because of a person's religion or gender.
- Article 25 protects freedom of conscience and religion but expressly subjects religious freedom to **public order, morality, health and other Fundamental Rights**. This creates an important constitutional space for regulating secular aspects of personal law.

Legal Simplification:

- A common framework could reduce the complexity created by multiple personal-law regimes, particularly in **inter-faith marriages, succession disputes, adoption, maintenance and matrimonial litigation**.
- Uniform statutory procedures may also improve administrative clarity and reduce uncertainty arising from conflicting interpretations of different personal laws.

Arguments and Concerns Regarding a Uniform Civil Code:

Religious Freedom and Cultural Autonomy:

- Critics argue that certain personal-law practices are closely associated with religious identity and that excessive state intervention could affect the **freedom to profess and practise religion under Article 25**.
- Article 29 protects the right of sections of citizens to conserve their distinct language, script and culture. The constitutional challenge is therefore to distinguish **protected cultural practices from discriminatory practices requiring legal reform**.

Tribal and Customary Law Exemptions:

- Existing state-level UCC models have generally retained exemptions for **Scheduled Tribes**, reflecting constitutional recognition of distinctive customary systems.
- This creates a central policy question: how can a law claim uniformity while simultaneously recognising constitutionally protected exceptions based on tribal identity and customary practices?

Majoritarianism and Minority Trust:

- Minority organisations and political groups have expressed concern that a uniform code could reflect the practices of the socially dominant community rather than a genuinely secular synthesis.
- The counterargument is that the legitimacy of a UCC should depend on its **constitutional neutrality, equal application and substantive protection of individual rights**, rather than on the religious origin of the rules it replaces.

UCC and Women's Rights:

Potential Areas of Reform:

- **Monogamy:** A common statutory prohibition on polygamy could establish the same marital standard across covered communities.
- **Equal Succession:** Uniform inheritance rules could provide equal property rights to sons and daughters and reduce differences arising from community-specific succession regimes.
- **Divorce and Maintenance:** Common grounds for divorce, matrimonial relief and maintenance could establish comparable legal protections irrespective of religious identity.
- **Guardianship and Custody:** A gender-neutral framework could emphasise the **best interests of the child** rather than automatically privileging one parent because of gender.
- **Live-in Relationships:** State-level UCC models such as Uttarakhand, Assam and Madhya Pradesh have introduced provisions concerning registration or legal recognition of live-in relationships, illustrating the broader regulatory scope of contemporary UCC legislation.

Alternative Approach: Reform Within Personal Laws:

Law Commission's 2018 Approach:

- The **21st Law Commission of India**, in its 2018 Consultation Paper on Reform of Family Law, stated that a UCC was “**neither necessary nor desirable at this stage**” and emphasised reform of discriminatory provisions within existing personal laws.
- The Commission emphasised that **difference does not automatically amount to discrimination** and suggested that reforms should prioritise equality and constitutional rights while recognising India's social diversity.
- Its approach included targeted reforms concerning **marriage, divorce, custody, guardianship, maintenance and succession**, rather than immediately replacing all personal-law systems with one uniform code.
- This approach creates an important distinction between **equality within communities** and **uniformity between communities**: legal reform can address gender discrimination without necessarily eliminating every community-specific rule.

Way Ahead:

Constitutional and Consultative Approach:

- Any UCC framework should be developed through **wide stakeholder consultation**, including women's organisations, religious scholars, tribal representatives, legal experts and affected communities, to improve legitimacy and reduce implementation disputes.
- The focus should remain on **constitutional morality, individual dignity, equality and non-discrimination**, while carefully distinguishing secular civil regulation from genuinely protected religious practices.

Harmonising Federal and Legal Diversity:

- Marriage, divorce, adoption, succession and related subjects fall substantially within the **Concurrent List**, allowing both Parliament and State Legislatures to legislate within constitutional limits.
- The emergence of different state-level UCCs makes **inter-State legal harmonisation** increasingly important, particularly for citizens who migrate, marry across State borders or hold property in different jurisdictions.

Gender Justice as the Core Objective:

- Whether reform occurs through a single UCC or amendments to existing personal laws, priority should be given to eliminating **gender discrimination, unequal inheritance, arbitrary matrimonial practices and unequal access to maintenance or guardianship**.

- A sustainable framework should combine **equality with legal certainty**, respect constitutionally protected diversity, and ensure that personal laws remain consistent with Fundamental Rights.

Value Addition for UPSC:

Constitutional Linkages:

- **Article 14:** Equality before law and equal protection of laws.
- **Article 15:** Prohibition of discrimination on specified grounds, including religion and sex.
- **Article 25:** Freedom of conscience and religion, subject to constitutional limitations.
- **Article 29:** Protection of language, script and culture.
- **Article 44:** Directive to endeavour towards a Uniform Civil Code.
- **Seventh Schedule:** Marriage, divorce, adoption, succession and related subjects largely fall within the Concurrent List.

Prelims Facts:

- **Article 44** is part of the Directive Principles of State Policy.
- **Uttarakhand:** First State to bring a comprehensive UCC into force, from 27 January 2025.
- **Gujarat:** UCC Bill passed in March 2026.
- **Assam:** UCC Bill passed on 27 May 2026.
- **Madhya Pradesh:** UCC Bill passed in July 2026.
- **Law Commission:** 2018 Consultation Paper favoured targeted family-law reforms over immediate implementation of a UCC.

Conclusion:

- The UCC debate represents a constitutional balancing exercise between **equality and uniformity on one hand, and religious freedom and cultural diversity on the other**.
- The central test for any reform is whether it advances equal citizenship, individual dignity and constitutional rights while remaining legally coherent and socially sustainable.