
UNIFORM CIVIL CODE IN INDIA: GUJARAT'S 2026 BILL AND UTTARAKHAND'S LEAD

Introduction

Gujarat became the second state after Uttarakhand in India to pass the Uniform Civil Code Bill in 2026. The initial strategy positioned Uttarakhand as a pilot site for UCC implementation, revealing practical insights into challenges for widespread adoption throughout India. Introducing the bill, the Chief Minister Bhupendra Patel mentioned that the primary objective of presenting the bill is to promote national unity and social harmony. Identifying the balance that ensures justice and equality while preserving India's pluralistic nature and constitutional guarantee of religious freedom is the central approach of UCC.

Constitutional & Legal Framework of UCC

Article 44 of the Constitution of India lays down an important Directive Principle of State Policy (DPSP), which states that the State shall endeavor to secure for its citizens, a Uniform Civil Code throughout the territory of India. However, as clarified by Article 37, DPSPs are not enforceable in any court, thereby allowing legislature discretion, although, they are fundamental in the governance of the country.

Article 25 guarantees every individual, the freedom of conscience and religion, also specifying the right not to be absolute, where therein specifically mentioned that nothing shall affect the operation of any existing law or prevent the State from making any law regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice.

In the case of *Mohd. Ahmed Khan v. Shah Bano Begum*, the then CJI, J. Chandrachud stated that a common civil code will help the cause of national integration by removing disparate loyalty to law which have conflicting ideologies, thus highlighting equality over biased personal laws.¹ The importance of a UCC was also emphasised in the *Sarla Mudgal Case* in 1995 which addressed the issues of religious conversion and polygamy.²

Gujarat Uniform Civil Code, 2026

Under the present set of laws, Hindus are bound by law to practice monogamy, whereas, Muslims are not. Hindus have a comprehensive enactment on adoption and this concept is not recognised by personal laws of Christians and Parsis. The introduction of the Gujarat Uniform Civil Code Bill, 2026 would guarantee that all citizens follow the same uniform secular laws regarding marriage, divorce, maintenance, adoption, and inheritance.

The State Law Minister addressing the State Assembly highlighted that all citizens would be subject to the same law, which centres on equality and justice, applying to everyone regardless

¹ *Mohd. Ahmed Khan vs Shah Bano Begum and Ors.* 1985 AIR 945

² *Smt. Sarla Mudgal, President, Kalyani & Ors Vs. Union of India & Ors.* 1995 AIR 1531

of caste and religion, guaranteeing that women from all faiths and backgrounds receive equal rights realising the concept of Ek Bharat Shreshtha Bharat.³

The Gujarat Uniform Civil Code Bill, 2026 applies to everyone, with exemptions for Scheduled Tribes and persons whose customary rights are protected under Part XXI of the Constitution. The Bill seeks to require the registration of marriages, registration of live-in relationships, equal inheritance rights for daughters and sons, standardised divorce regulations, and strict enforcement with penalties. Further, a comprehensive perspective is adopted by studying similar laws in democratic countries around the world. The provisions laid down in the bill are as under:

- a. [Couples must register their marriage within 60 days, and non-compliance will attract a penalty up to Rs. 10,000/- (Rupees ten thousand only). Cases of forced, coerced, or fraudulent marriages may attract punishment up to 7 years, with similar consequences for polygamous marriages. Mandatory registration ensures legal recognition, protects women and children, and helps avoid fraudulent marriages.
- b. In the matrimonial proceedings, registration must occur post-court approval as registration helps regulate such relationships protecting women from abandonment, and it would be considered void without such approval. Invalid divorces may attract punishment up to 3 years, and women are granted the right to remarry without conditions ensuring transparency, prevents fraud, and establishes a uniform and fair divorce process across communities.
- c. For the benefits of women and children, the bill guarantees financial maintenance for women ensuring legal recognition for all children ensuring better protection of children's right to identity, maintenance, and inheritance.
- d. It is compulsory to register live-in relationships, and non-compliance could lead to imprisonments for a maximum of 3 months or a penalty of Rs. 10,000/- (Rupees ten thousand only). If the individuals are aged 18 to 21 years, parents of such individuals will be informed or notified and severe punishment will arise for any form of coercion or fraud.
- e. The provisions of Protection of Children from Sexual Offences (POCSO) Act, 2012 will be carried out in cases involving minors, and stricter penalties will be applied if a married individual steps into a live-in relationship.]⁴

The Chief Minister Bhupendra Patel clarified that geographical and cultural diversity of the state has been considered so that no community is treated unfairly. Retired Supreme Court Judge, Hon'ble Justice (R.), Ranjana Prakash Desai, served as the Chairperson of the UCC Committee, Gujarat, which submitted its final UCC report to the state government where all the necessary issues were studied in detail. It was also appealed by the UCC Committee to the residents of Gujarat and Gujarat based organisations including government agencies, non-government organisations, social groups and communities, religious bodies and political

³ *Gujarat to Implement Uniform Civil Code, Becomes Second State After Uttarakhand.*, <https://www.newsonair.gov.in/gujarat-to-implement-uniform-civil-code-becomes-second-state-after-uttarakhand/>.

⁴ *Gujarat Assembly Passes Uniform Civil Code Bill*, <https://ddnews.gov.in/en/gujarat-assembly-passes-uniform-civil-code-bill/>.

parties to put forth their opinions, views, representations, suggestions through web-portal, e-mail or through post.⁵

Uttarakhand's Lead and Gujarat's Legislative Push

Notably, in May, 2022, a Committee of Experts constituted by the Government of Uttarakhand and in February, 2025, the Uniform Civil Code Committee Gujarat, 2025, both committees were chaired by the same retired judge, Hon'ble Justice (R.), Ranjana Prakash Desai.

Both the Committee appealed to the residents of their respective states and state-based organisations, social groups and communities, religious bodies and political parties to put forth their opinions, views, representations, suggestions through web-portal, e-mail or through post within a given time limit. According to the Uttarakhand Committee, a total of 2,32,961 suggestions were made through web portal, post, by hand, and e-mail including a total of 1,452 suggestions made during the Public Consultation.⁶ Both the Bills will extend to their entire state and also apply to all the residents residing outside their territorial limits.

The UCC bill of Uttarakhand was passed in February, 2024 and was granted assent by the President of the Republic of India on 12th March 2024. The Gujarat Legislative Assembly passed the UCC Bill, 2026 on 25th March 2026, and it has not yet received its final assent.

Gujarat's UCC Bill, presented by the ruling party was strongly opposed by the opposition parties. It was objected by Congress MLA Imran Khedawala stating that he opposes the present bill as it seeks to disturb Shariyat and Quran, and matters related to Muslims like nikah and inheritance are not just rules but Allah's order and they are bound to follow it calling the legislation 'anti-Muslim' in the end. Senior Congress MLA Amit Chavda alleged that the bill violates the constitutional guarantees. Another Senior Congress MLA Shailesh Parmar solidly stated that this bill was brought in a haste in view of the upcoming assembly election in 2027, and demanded it should be sent to assembly's select committee.

Supporting the bill titled the 'Gujarat Uniform Civil Code, 2026', the Deputy Chief minister Harsh Sanghavi cited global and domestic examples to justify the move and stating that these laws are solely to eliminate discrimination and not to erase cultures.⁷ The ruling party enjoyed an overwhelming majority of 161 out of 182 seats in the assembly passing the bill with a majority vote after several members expressed their views on the proposed legislation.⁸

To sum up, exercising the Uniform Civil Code is less about uniformity of law and more towards a uniformity of justice.

⁵ *Uniform Civil Code Committee Gujarat, 2025*, <https://uccgujarat.in/>.

⁶ *Uniform Civil Code*, <https://ucc.uk.gov.in/faqs> (last visited Apr. 16, 2026).

⁷ *Gujarat Assembly Passes Uniform Civil Code Bill, Mandates Common Law for Marriage, Divorce, Inheritance*, The New Indian Express (Mar. 24, 2026), <https://www.newindianexpress.com/states/gujarat/2026/Mar/24/gujarat-assembly-passes-uniform-civil-code-bill-mandates-common-law-for-marriage-divorce-inheritance>.

⁸ *Gujarat Passes Uniform Civil Code Bill 2026: Common Law on Marriage, Divorce, Live-in Ties Cleared; Polygamy Banned, STs Exempt*, The Times of India, Mar. 25, 2026, <https://timesofindia.indiatimes.com/city/ahmedabad/guj-passes-ucc-bill-with-uniformmarriage-divorce-live-in-norms/articleshow/129785922.cms>.