

Uniform Civil Code (UCC): A Comprehensive Overview

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Introduction

The **Uniform Civil Code (UCC)** is a proposed set of laws aimed at replacing personal laws based on religion with a common set of laws applicable to all citizens of India, irrespective of their faith. It seeks to promote unity, equality, and justice by ensuring uniformity in personal matters such as marriage, divorce, inheritance, and adoption.

Historical Background

The concept of a **Uniform Civil Code** finds its roots in **Article 44** of the **Directive Principles of State Policy (DPSP)** in the **Indian Constitution**, which states that “the State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India.” However, due to political and social complexities, the implementation of UCC has been a subject of debate since independence.

Uttarakhand Implements UCC

The **Uttarakhand government** officially implemented the **Uniform Civil Code (UCC)** on **January 27, 2025**, making it the first Indian state to adopt the UCC post-Independence. The UCC, which excludes **Scheduled Tribes and natives who have migrated out of the state**, was passed by the **State Assembly in February 2024**.

Key Highlights of Uttarakhand's UCC

- **Vision:** UCC as a constitutional measure aims to eliminate discrimination and ensure women's empowerment.
- **Exemptions:** Scheduled Tribes, as defined under **Article 342 of the Constitution**, have been exempted from the UCC to protect their rights.
- **Banned Practices:** Prohibits **halala, iddat, and talaq** from Muslim Personal Law.
- **Equal Rights for Women:** Ensures equal property and inheritance rights.
- **Mandatory Online Registrations:** Marriage, divorce, and live-in relationships must be registered on the government portal **ucc.uk.gov.in**.

Marriage Laws

- Legal marriage age: **21 years for men and 18 years for women.**
- **Mandatory marriage registration.**
- **Prohibits polygamy, child marriage, and triple talaq.**

Inheritance and Property Rights

- **Equal inheritance rights** for sons and daughters.
- Recognizes **children of live-in couples as “legitimate,”** granting them **equal inheritance rights.**

UCC Online Portal

- **Aadhaar-Based Verification:** Ensures user authenticity.
- **Multilingual Translation:** AI-based service translates content into **22 languages.**
- **Integrated Database:** Linked with **13 government departments,** including police and courts.
- **Tatkal Facility:** Emergency processing available for a **nominal fee.**

Registration Deadlines

- **Marriages Since 2010:** Must be registered **within six months.**
- **New Marriages:** Register **within 60 days** of marriage.
- **Live-In Relationships:** Register **within one month** of UCC implementation.

Live-In Relationship Rules

- **Mandatory registration** for couples aged **21 and above.**
- **Parental consent required** for couples under **21 years.**

- **Applicable to Uttarakhand residents**, including those in live-in relationships outside the state.
- **Termination:** Can be applied for **online or offline**, requiring **mutual consent**.
- **Pregnancy Notification:** Mandatory to **report pregnancy within 30 days of childbirth**.
- **Housing Rights:** Landlords cannot deny housing to **registered live-in couples**.

Registration of Wills

The **UCC portal** offers three methods for **will registration**:

1. **Online form submission.**
2. **Uploading handwritten/typed wills.**
3. **Recording a three-minute video.**

Registration Process

- Applications are **reviewed within 15 days** or **3 days in emergencies**.
- **Sub-registrars and registrars** will handle documentation and appeals.
- **Appeals against rejections** must be filed **within 30 days**, with decisions taken **within 60 days**.

Penalties for Violations

- **Initial warnings** for non-compliance.
- **Fines** for repeated violations.

Need for UCC

1. **Equality Before Law:** UCC aims to ensure equal treatment for all citizens, regardless of religion or gender.

2. **Women's Rights Protection:** Personal laws have often been discriminatory towards women in matters of inheritance, marriage, and divorce.
3. **National Integration:** A common civil code can help in fostering a sense of unity and reduce communal divisions.
4. **Simplification of Laws:** UCC would replace complex religious-based personal laws with a single legal framework, making the judicial process more efficient.
5. **Modernization and Social Reform:** Ensuring that laws evolve with changing societal norms and values.

Challenges in Implementation

1. **Religious Sensitivities:** Many religious groups view UCC as an interference in their customs and traditions.
2. **Diversity in Customs:** India is home to various cultures and traditions, making it difficult to frame a single law that accommodates all.
3. **Political Controversy:** Implementation of UCC has been a polarizing issue, often used as an electoral agenda.
4. **Opposition from Minority Communities:** Some minority communities fear that UCC may suppress their religious identity.
5. **Judicial and Legislative Hurdles:** The process of drafting and enacting a UCC involves legal complexities and requires broad consensus.

Present Status and Judicial Stand

- **Goa** was the only Indian state to have a **Uniform Civil Code** until Uttarakhand's implementation.
- **The Supreme Court** has, on several occasions, urged the government to consider implementing UCC.
- **Recent Developments:** Discussions and debates on UCC have gained momentum, with some states actively exploring its feasibility.

Global Perspective

Several countries, including **France, the USA, and Turkey**, have successfully

implemented uniform civil laws, ensuring equal rights for all citizens. India, being a secular country, faces unique challenges in balancing religious freedom with legal uniformity.

Conclusion

The **Uniform Civil Code** remains one of the most debated topics in India. While it promises legal uniformity and gender justice, its implementation requires careful consideration of the diverse religious and cultural landscape. Achieving a consensus among all stakeholders is crucial for its successful adoption.

The UCC aims to **abolish practices like halala, polygamy, child marriage, and triple talaq**, fostering **equality among citizens**. By removing **gender biases in inheritance laws** and legitimizing **live-in children**, it seeks to promote **gender equality**.

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