
UNIFORM CIVIL CODE IN MADHYA PRADESH: A GAME-CHANGER LEGISLATION

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ABSTRACT

The introduction of the Uniform Civil Code (UCC) in Madhya Pradesh in July 2026 is a major step in India's discussion about changing personal laws. This idea comes from Article 44 of the Constitution, which aims to have the same civil laws for everyone. The UCC in Madhya Pradesh tries to bring together different personal laws that deal with marriage, divorce, inheritance, and how property is passed on. It stops things like polygamy and *nikah halala*, makes marriage and live-in relationships require registration, and gives equal rights to both men and women when it comes to inheriting property. However, it allows Scheduled Tribes to keep their own traditions. Previous court cases like *Mohd. Ahmed Khan v. Shah Bano Begum* (1985), *Sarla Mudgal v. Union of India* (1995), and *John Vallamattom v. Union of India* (2003) have supported the idea of having uniform laws and fairness for both genders, giving a strong legal basis for this change. Even though the UCC in Madhya Pradesh helps with equality and clear laws, it also brings up issues about how to actually implement it, follow the rules, and balance different cultures with the idea of having the same laws for everyone. This article looks closely at the Madhya Pradesh UCC in relation to the Constitution and court rulings, placing it in the context of India's path towards having “One Nation, One Law.”

INTRODUCTION

In Indian law, the Uniform Civil Code (UCC) has been a major and ongoing topic of discussion. The UCC wants to have the same civil laws for all people in India, regardless of their religion. These laws would cover areas like marriage, divorce, inheritance, and how property is passed on. This idea is mentioned in Article 44 of the Indian Constitution, which is part of the Directive Principles of State Policy. However, this article is not a law that can be enforced by itself. It needs to be made into a law by the government. Before the UCC, people followed different personal laws based on their religion, and in some cases, women were not treated equally or their rights were not clear. These issues have come up many times in court cases, such as *Mohd. Ahmed Khan v. Shah Bano Begum* (1985), *Sarla Mudgal v. Union of India* (1995), and *John Vallamattom v. Union of India* (2003). The Supreme Court has also said that having a uniform code is important for fairness for all genders and to keep the country secular. The UCC was passed in July 2026, making Madhya Pradesh the fourth state to adopt it, after Uttarakhand, Gujarat, and Assam. The law aims to bring all personal laws together by banning polygamy and *nikah halala*, requiring marriage and live-in relationships to be officially registered, and ensuring fair inheritance for everyone, regardless of their gender. At the same time, it allows Scheduled Tribes to follow their traditional customs, showing the need to balance cultural diversity with uniformity.

KEY PROVISIONS

Several major changes in personal law are introduced under the Madhya Pradesh UCC. Its provisions are divided into four main categories:

1. Marriage and Divorce:

All marriages, divorces and annulments must be registered with the court within 60 days.

Polygamy and oral divorce are not allowed in any community, and dissolution by informal councils or marriage council meetings is not valid.

To ensure uniformity across religions, the minimum age for marriage is set at 21 years for males and 18 years in females.

2. Live-in Relationships:

Within a month, couples are required to register their live in relationship.

Children born from live in relationships are entitled to complete inheritance rights.

Abandoned partners, particularly women, can be entitled to claim maintenance....

3. Inheritance and Succession:

Equal rights in inheritance are granted to all individuals, including sons and daughters, as well as widows or widowers.

The law is uniform across communities, covering all citizens except those exempted from discrimination. This guarantees succession rights for all.

4. Exemptions:

Scheduled Tribes: Bhil, Gond, Korku, Baiga, Sahariya, and Bharia are exempt from the tribe classification system.

The UCC does not have jurisdiction over communities protected under Part XXI of the Constitution. This is due to constitutional safeguards.

JUDICIAL PRECEDENTS

Thus, the debate surrounding a Uniform Civil Code has been heavily influenced by the judiciary, which often pressurizes legislature to act on the constitutional vision of Article 44."

Various important verdicts demonstrate this course:

- Mohd. Ahmed Khan v. Shah Bano Begum, (1985) 2. S.C.R. 654. In this case, the Supreme Court upheld Section 125 of the Code of Criminal Procedure, which allows a divorced Muslim woman to seek maintenance under personal law. To ensure gender justice, the Court stressed the importance of religious practices and called for a UCC to be established.
- Sarla Mudgal v. Union of India, (1995) 3. S.C.C. 635. Here, the Court dealt with a case in which some Hindu men decided they wanted to practice polygamy and not convert to Islam.[]. It condemned such abuse of personal laws and reaffirmed the

constitutionality of Article 44. A UCC would prevent exploitation and ensure equality across communities, as noted by the Court.

- *John Vallamattom v. Union of India*, (2003) 6. S.C.C. 611. This case challenged the discriminatory provisions of the Indian Succession Act, 1925 which prohibited Christians from laying inheritance for religious or charitable purposes. The Court rejected these provisions as unconstitutional and reiterated the importance of a UCC in removing inequality from succession laws.

BROADER JUDICIAL ASPECT

Beyond these landmark cases the Supreme Court of India has always stated that a Uniform Civil Code is necessary, which is constitutional in nature. The Court has consistently asserted in various judgments and obiter dicta that personal laws often perpetuate inequality, particularly against women, and undermine the importance of secularism.

Article 14's guarantee of equality before law is breached by personal laws that discriminate based on gender, as pointed out repeatedly by the Court. It is viewed by some as correcting and maintaining substantive equality through the UCC.

The judiciary has recognized the importance of religious freedom in Article 25 but stressed that it is interdependent with public order, morality, and fundamental rights. The Court has stated that if practices like polygamy or unilateral divorce are not in violation of Article 25, they cannot be protected by law.

In its rulings, the Court has frequently referenced Article 44 to highlight that Directive Principles are indispensable for guiding legislative actions even though they are not justiciable. It is believed that the UCC is a constitutional ambition that must eventually be realized.

Recurrent Requests for Legislative Action: Taking into account *Shah Bano*, *Sarla Mudgal* and *John Vallamattom*, the Court went beyond the immediate dispute by calling on Parliament and state legislatures to move towards a UCC. The public and academic debate has been sustained by these judicial rulings. Rather than solely advocating for state-level legislative reform, the Madhya Pradesh UCC is part of a wider constitutional dialogue between legislatures and judiciary.

In the wake of decades of judicial activism, Madhya Pradesh has adopted the UCC as a way to promote diversity in personal law while also upholding the principles of constitutional equality and secularism.

KEY HIGHLIGHTS OF DIFFERENT STATES

STATE	YEAR	KEY HIGHLIGHTS
UTTRAKHAND	2024	The first state to pass UCC, with mandatory marriage registration and live-in regulations.
GUJARAT	2026	Dissimilar regulations; forbids polygamy; guarantees inheritance equalness.
ASSAM	2026	Emphasize reforms related to marriage and divorce, as well as tribal exemptions.
MADHAYA PRADESH	2026	Strongest stance on banning. Nikah halala, compulsory live-in registration.

CHALLENGES

The Madhya Pradesh Uniform Civil Code, while a step towards legal uniformity, presents several issues that require serious consideration:

- **Implementation and Compliance: The Administrative Cost:** In rural and tribal areas where digital platforms are not readily available, mandatory registration for marriages, divorces and live in relationships requires robust infrastructure.

Flaw: A lot of people may not be aware of the new requirements, which could result in them not being able to comply and potentially facing legal action.

- **Diversity vs. Uniformity:** By exempting Scheduled Tribes, the state's personal laws become a dual system. This leads to the question of whether true uniformity can be

attained without compromising traditional practices.' Community resistance can be characterized by the rejection of uniform standards, which they believe violates their identity.

- **Constitutional Scrutiny:** Critics contend that the UCC infringes upon religious freedom, particularly in matters governed by personal law. Keeping with the balance of Article 14 (Equality Before Law) is necessary for courts to strike a balance between equality and religious autonomy, leading them to face constitutional challenges.
- **Political and Social Opposition:** Despite the UCC's proponents' attempt to achieve gender justice, opposing groups argue that it undermined India's pluralistic culture. Public perception: Misconceptions or politicization of the law can lead to social unrest, especially if communities feel excluded or misrepresented.
- **Judicial Review and Future Litigation:** The Supreme Court and High Courts are likely to scrutinize the law. The likelihood is that there will be significant litigation regarding constitutionality, scope of exemptions, and compatibility with fundamental rights.

CONCLUSION

Madhya Pradesh's Uniform Civil Code implementation is a significant milestone in India's constitutional aspirations under Article 44. By prohibiting polygamy and *nikah halala*, requiring registration of marriages and live-in relationships, and creating gender-neutral inheritance provisions, the law advances the values of equality and secularism as enshrined in the Constitution. Despite the balance between cultural homogeneity and uniformity, Scheduled Tribes are exempt from it. Several high-profile cases, such as *Shah Bano*, *Sarla Mudgal* and *John Vallamattom*, have repeatedly called for establishing a UCC to ensure equal rights in education, work towards gender equality, and legal clarity. The Madhya Pradesh UCC is a legislative response to the long-standing judicial activism, harmonizing statutory reform with constitutional principles. However, there are still issues with implementation, compliance and reconciling religious freedom as equality.