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THE UTTARAKHAND UNIFORM CIVIL CODE ACT, 2024: A SCALABLE NATIONAL BLUEPRINT OR A FLAWED STATE EXPERIMENT?

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ABSTRACT

The Uniform Civil Code of Uttarakhand, 2024 (hereinafter 'the Act') is the most significant intervention by legislation in the sphere of Indian personal law since independence. The Act, enacted by the Uttarakhand Legislative Assembly on 7 February 2024 and coming into force on 27 January 2025, aims to abolish the religion-specific personal laws and replace them with a secular and unified system of marriage, divorce, succession, adoption, and live-in relationships. Although the Act is constitutionally based on Article 44 of the Constitution of India, which binds the State to establish a unified civil code on all citizens, it includes substantive elements, which pose a multifaceted and unresolved issue of privacy, federalism, minority rights, gender justice, and the democratic legitimacy of homogenising legal pluralism by subordinate state legislations.n. The paper is a critical analysis of the structural architecture of the Act, its constitutional validity, its differences with current judicial pronouncements and the extent to which it can be used as a prototype within the nation. It holds that, although the Act represents a real and long-overdue effort to achieve a directive principle of constitutional morality, its intrusive system of live-in registration, its selectivity that excludes Scheduled Tribes and leaves the Hindu Undivided Family unharmed, and its lack of reference to LGBTQ+ persons all serve to disqualify its pretensions to universality. The paper has concluded that the Act is not an infallible blueprint or completely failed experiment, but a learning and imperfect prototype whose flaws need to be questioned before it can be duplicated at the national level.

Keywords: Uniform Civil Code, Article 44, Directive Principles of State Policy, personal law, live-in relationships, right to privacy, gender justice, federalism, Scheduled Tribes.

I. INTRODUCTION

One of the unique features of constitutional democracies in India has been its preservation of separate personal law regimes of various religious groups. The Hindu marriage act, 1955, the Muslim personal law (Shariat) application Act 1937, the Indian Christian marriage act 1872 and the Parsi marriage and divorce act 1936 are a haphazard collection of religious acts that govern the most intimate of the civil lives of an individual birth, marriage, death and property disposal.y. This legal plurality was at independence, not a constitutional ideal, but a political compromise. The framers of the Constitution, with the future of imposing uniformity upon a post-partition society of fractious minds so vividly in mind, preferred not to incorporate in the Constitution the question of a Uniform Civil Code, but to leave it to future

legislatures, when the time should be ripe, to decide whether to enforce it.[524]

Seven decades that reckoning had been postponed. Inaction of the legislature was repeatedly lamented by the Supreme Court of India. In Mohd. Ahmed Khan vs Shah Bano Begum,[525] the Court observed that Article 44 had remained a 'dead letter' and directed Parliament to move towards codification. In the case of Sarla Mudgal, President, Kalyani v. Union of India.[526] the Court once again pointed out that not implementing Article 44 was tantamount to a serious malfunction of Indian democracy. in John Vallamattom v. Union of India,[527] the Court overturned Section 118 of the Indian Succession Act, 1925, and once again urged a Uniform Civil Code be enacted. And in Shayara Bano v. Union of India,[528] the constitutional bench overturned the practice of instant triple talaq by a unanimous vote, recognizing that religion-specific personal law could be invalidated, when it infringed upon fundamental rights. But following every one of these judicial prods, Parliament was shrinking back to political silence.

It is in this context of judicial urgency and parliamentary stasis that the parliamentary inertia of the State of Uttarakhand, which is under the Bharatiya Janata Party, made the bold move of enacting the Uniform Civil Code of Uttarakhand, 2024 by original legislation: the first state in independent India to do so.[529] In 2022, the report of an expert committee led by former Supreme Court Justice Ranjana Prakash Desai was issued, which paved the way to the enactment.[530] The report of an expert committee led by former Supreme Court Justice Ranjana Prakash Desai, which was constituted in 2022, led to the enactment of it. The Act is a very broad act that consists of hundreds of sections, which cover marriage, divorce, succession and live-in relationships.

The given paper would be divided into four sections. Part II puts the Act within the framework of the constitutionalism of the discussion of the Uniform Civil Code, and the interaction of the rights of Article 44 and Articles 25 to 28 with those of Part III. Part III critically analyzes the substantive text of the Act section-by-section and where it appears to be constitutionally strong and doctrinally strained. Part IV raises the question of scalability of the Act as a national model, in which any structural corrections any national UCC must possess in order to survive constitutional review and become democratically legitimate. Part V concludes.

II. THE CONSTITUTIONAL FRAMEWORK: BETWEEN ASPIRATION AND OBLIGATION

2.1 The Nature of Article 44

Article 44 of the Constitution of India, which is part of Part IV of the Directive Principles of State Policy, provides: The State shall work towards the achievement of a single civil code within the borders of the territory of India. It was a constitutional decision to have this provision placed outside Part III and thus beyond the jurisdiction of judicial enforcement under Article 32.ice. This position was pragmatically accepted by Dr. B.R. Ambedkar in the Constituent Assembly debates. He admitted that the UCC was constitutionally desirable but admitted that during the early stages, it should be strictly voluntary that the State could start by passing a code that would only apply to those who voluntarily submitted to it.[531]

This jurisdiction is important in jurisprudence. It implies that the vision of uniformity expressed in the constitution does not imply the need to impose uniformity coercively. The Constituent

[524] Constitution of India, art 44; Constituent Assembly Debates (23 November 1948) vol VII, 547–551 (Dr B.R. Ambedkar).
[525] *Mohd. Ahmed Khan v. Shah Bano Begum* (1985) 2 SCC 556 (Supreme Court of India).
[526] *Sarla Mudgal, President, Kalyani & Ors. v. Union of India & Ors.* (1995) 3 SCC 635 (Supreme Court of India), per Kuldip Singh J.
[527] *John Vallamattom v. Union of India* (2003) 6 SCC 611 (Supreme Court of India).
[528] *Shayara Bano v. Union of India* (2017) 9 SCC 1 (Supreme Court of India).
[529] he Uniform Civil Code of Uttarakhand 2024 (Act No 3 of 2024) (Uttarakhand), published in the Uttarakhand Gazette Extraordinary, 12 March 2024.
[530] Government of Uttarakhand, Expert Committee for Uniform Civil Code, Uttarakhand (Report, 2023) (Committee chaired by former Supreme Court Justice Ranjana Prakash Desai).
[531] Constituent Assembly Debates (23 November 1948) vol VII, 548 (Dr B.R. Ambedkar).

Assembly was thinking of a gradual, consensual shift towards uniformity, and not of a legislative takeover of different personal law traditions. It is this caveat which as it will be seen is largely disregarded in the Uttarakhand Act in that it makes its provisions obligatory and supported by the threat of prosecution a legislative gesture which is ill at ease with the ethos of the original vision of Ambedkar.

Meanwhile, it should be noted that Article 44 is not just in the form of aspirational rhetoric. In a continuum of authority, the Supreme Court has been of the view that though not binding on its own, Directive Principles are a constitutional component of the governance of the nation and no law can be struck down on the basis that it has contravened a Directive Principle.[532] More importantly, the Court has declared that Directive Principles may provide guidance when interpreting fundamental rights and where a Directive Principle is codified in legislation, the legislation is presumed to be constitutionally valid.

2.2 The Tension with Articles 25 to 28

The Uniform Civil Code has been attacked on the ground of Articles 25 and 26, which assure to each human being the right to conscience, and the right to profess, practise and propagate religion freely, as well as the right of religious denominations to regulate their own affairs in matters of religion. The point of contention is, are personal laws of marriage, inheritance, and succession matters of religion in the sense of Article 26, or are they secular matters, dressed in religious clothes?arb.

This has been dealt with more and more explicitly by the Supreme Court. In a case in Sarla Mudgal, Justice Kuldip Singh clearly said that marriage, succession and such other matters of secular nature could not be subjected to the guarantee stipulated under Articles 25, 26 and 27.[533] The Court made a clear doctrinal distinction between religious rites and ceremonies related to marriage that are and should be safeguarded and the civil ramifications of marriage like legal rights, property and maintenance which are not.o not. This difference is legally valid and offers the UCC the greatest theoretical backing.

The Uttarakhand Act tries to reflect this difference, by authorising marriages to be solemnised in the manner they deem appropriate to the religious beliefs, practices, customary rites, and ceremonies of the parties involved, but prescribing equal civil rules regarding capacity, registration, grounds of divorce, and succession.[534] Theoretically, then, a Muslim couple can still marry each other in accordance with Islamic rituals, a Hindu couple with their saptapadi, and a Christian couple with their church service the Act simply demands that the civil aspects of those marriages be brought under homogenous regulation. This is the best constitutional argument of the Act and is a truly progressive way of dealing with the religion-civil law separation.

2.3 Entry 5 of the Concurrent List and State Competence

One of the superior constitutional questions is whether a state legislature has the ability to act in the competence of enacting legislation that will control personal law issues. Marriage and divorce, infants and minors, adoption, wills, intestacy and succession, joint family and partition is listed in Entry 5 of the Concurrent List (List III) under the Seventh Schedule to the Constitution.[535] This means both Parliament and State legislatures may legislate on these subjects, with parliamentary legislation prevailing in the event of repugnancy under Article 254. This resolves the federalism question in the Act's favour: Uttarakhand was constitutionally competent to enact this legislation, and no central legislation directly

[532] *State of Bombay v. F.N. Balsara* AIR 1951 SC 318; *Minerva Mills Ltd. v. Union of India* (1980) 3 SCC 625.
[533] *Sarla Mudgal* (n 3), per Kuldip Singh J.
[534] The Uniform Civil Code of Uttarakhand 2024 (n 6), s 6.
[535] Constitution of India, Seventh Schedule, List III (Concurrent List), Entry 5.

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occupies the field in a manner that would render the Act repugnant.[536]

Nonetheless, the extra-territorial jurisdiction of the Act that claims to cover the residents of Uttarakhand that are not within the state presents a more intricate issue of jurisdiction.[537] Article 245(2) of the Constitution specifies that Parliament has the power to pass laws of extra-territorial effect, but does not so specify the state legislatures. The application of state law extra-territorially is usually not possible and the alleged extension of the Act to the Uttarakhand citizens residing in other states is thus constitutionally dubious, which may be the case that the courts hearing the challenges presented so far will likely have to acknowledge.

III. CRITICAL ANALYSIS OF THE ACT'S SUBSTANTIVE PROVISIONS

3.1 Marriage and Divorce: Progressive Uniformity with Gender Equity

Part I of the Act provides a standard in a valid marriage, that the minimum ages of eighteen years apply to women, and twenty-one years to men and that marriage must not occur within the banned degrees of relationship and that both parties must be of sound mind at the time of solemnisation.[538] These are the same conditions that existed in Special Marriage Act, 1954 which has been the secular model of interfaith marriages in India.

The divorce provisions in the Act are also liberal. It gives a list of all forms of dissolution of marriage that are applicable in all communities cruelty, adultery, desertion, conversion, unsoundness of mind, virulent communicable disease and mutual consent.t.[539] This is a transformation to Muslim women in Uttarakhand. According to the Muslim Personal Law (Shariat) Application Act, 1937, a Muslim husband was entitled to dissolve a marriage at his own discretion (talaq) whereas a Muslim wife was obligated to obtain dissolution under the Dissolution of Muslim Marriages Act, 1939, which placed much heavier procedural requirements. The Uttarakhand Act balances out this imbalance by ensuring the reasons behind divorce are the same regardless of religion and that the change of genuine substantive weight is a change of genuine substantive weight to Muslim women specifically.

The other progressive aspect is compulsory registration of marriages. The Act makes the registration mandatory of all marriages solemnised in the territory of the state and of marriages solemnised outside the state provided at least one party is ordinarily resident in Uttarakhand.[540] The practical importance of the compulsory registration is therefore immeasurable: unregistered marriages exposes the women to legal insecurity, especially on upkeep and succession issues. Registration gives documentary evidence of the legal association, which establishes a formal documentation that prevents females against being deserted and deprived of marital status. The Act in this regard conforms to the suggestion of the Law Commission of India, in its 270th Report (2017) of which had suggested that marriages should be mandatorily registered as an act of gender justice, even in the absence of a UCC.[541]

3.2 Succession and Inheritance: Genuine Equality, Incomplete Implementation

One of the most substantively radicals changes in the current personal law structure in the Act is its succession provisions. It gives sons and daughters equal rights as regards to both hereditary and self-acquired property, ends special consideration to male heirs, and abolishes differences founded on legitimate versus illegitimate birth as pertains to inheritance.[542] When these are enforced well,

[536] Constitution of India, art 254; *M. Karunanidhi v. Union of India* (1979) 3 SCC 431.
[537] The Uniform Civil Code of Uttarakhand 2024 (n 6), s 2(2); Uttarakhand UCC Rules 2025, r 3.
[538] The Uniform Civil Code of Uttarakhand 2024 (n 6), ss 4–7.
[539] ibid ss 36–47 (grounds for divorce).
[540] ibid ss 8–12 (registration of marriages).
[541] Law Commission of India, 'Reforms of Family Law' (Report No 270, August 2018) 7–9.
[542] The Uniform Civil Code of Uttarakhand 2024 (n 6), ss 91–110 (succession and inheritance).

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they would be a real redistribution of economic power within the family unit of all religious people in the state of Uttarakhand.

The equal inheritance rights of daughters in Hindu families had already been extended to daughters by the Hindu Succession Act, 1956 as amended in 2005.[543] The Muslim personal law of inheritance, on the other hand, gives half the portion of sons to daughters, and the Uttarakhand Act replaces this, giving equal portions. It is the most clear provision of gender justice in the Act and it is constitutionally correct since the judiciary has ruled that arrangements of succession and inheritance are commercial and not subject to the protective provisions of Articles 25 and 26.

Nevertheless, the inheritance arrangements of the Act have a serious structural gap: the Act does not refer to the Hindu Undivided Family (HUF), a Hindu-specific institution which offers considerable tax benefits to Hindu coparceners.[544] The HUF is preserved untouched by the Act. It is no trifling omission. A UCC which repeals the Muslim rules on inheritance in the name of consistency but allows the HUF to remain an institution of law and taxation on a religion-specific basis opens itself to a very strong accusation of unequal treatment. The Act can not truly assert universality and at the same time fail to offer any solution to the Hindu-specific institution, which grants economic advantages not extended to other groups. The lack of this consistency also gives some credence to critics who hold the view that the UCC as implemented is actually a minor reformation of minority personal law rather than a uniform civil code.

3.3 The Live-In Relationship Provisions: Waiting Constitutional Crisis.

Nothing about the Uttarakhand UCC has received more vehement criticism both legally, socially and constitutionally than the provisions in the law pertaining to live-in relationships. The UCC Rules and Chapter [part] of the Act which acknowledges marriages in live-in relationships in January 2025 will obligate couples to register with a chosen registrar. The registration involves a sixteen pages form, Aadhaar based one-time passwords, a certificate signed by a religious leader that the parties have chosen to marry each other, and all past live-in relations and marriages have to be disclosed.[545] In case any party is less than twenty-one years of age, the registrar must inform the parents. Non-registration is a crime punishable by imprisonment up to three months, fine up to ten thousand rupees or both.[546]

Section 386 of the Act goes a step further by allowing third parties neighbours, relatives, community members to bring complaints claiming contravention of the live-in provisions of the UCC, in effect, institutionalising moral policing into the law.[547]

These clauses are squarely and irreconcilable with the right to privacy as proclaimed by the Supreme Court in Justice K.S. Puttaswamy (Retd.) v. Union of India.[548] The Supreme Court, in this historic ruling of the 9-judges bench, declared in a unanimous decision of 24 August 2017, that a right to privacy was a fundamental right guaranteed by Articles 14, 19 and 21 of the Constitution of India. In making the judgment, Justice D.Y. Chandrachud on behalf of the plurality believed that privacy appreciated the capacity of individuals to regulate crucial life areas and protect the autonomy of personal choices made by people in regards to personal intimacies, home and marriage, the sanctity of family life and sexual orientation.[549] The Court also determined that any state action that violates privacy has to meet three requirements: legality (the restriction should be supported by law), legitimate aim (the state

[543] Hindu Succession Act 1956, s 6 (as amended by the Hindu Succession (Amendment) Act 2005).
[544] Income Tax Act 1961, ss 2(31), 10(2), 10(4); the HUF is recognised as a separate taxable entity under Indian income tax law, a privilege exclusive to Hindu, Jain, and Sikh coparceners.

[545] Uttarakhand UCC Rules 2025, r 12 (registration of live-in relationships); The Uniform Civil Code of Uttarakhand 2024 (n 6), ss 378–387.
[546] The Uniform Civil Code of Uttarakhand 2024 (n 6), s 381 (penalty for non-registration of live-in relationship).
[547] ibid s 386 (third-party complaints).
[548] *Justice K.S. Puttaswamy (Retd.) and Anr. v. Union of India and Ors.* (2017) 10 SCC 1 (Supreme Court of India) (Nine-judge Constitutional Bench).
[549] ibid, per Chandrachud J (plurality opinion).

should seek an actual purpose) and proportionality (the restriction should be reasonable to the purpose sought).[550]

It is argued that the compulsory registration of live-in relationships, which are designed according to the Uttarakhand Act, does not pass the test of proportionality. The purpose protection of women and children in live-in relations stated in the legislation is a valid purpose. However, the fact that registration is required in threat of criminal penalty, there is one that requires disclosure of the history of relationships, that of certification of the religious leaders and the establishment of a system of complaints by the third party is already too much of a government encroachment on intimate life to say the least, and is well beyond that point. In a series of rulings before the Act, the Supreme Court had repeatedly approved of the legitimacy of live-in relationships. S. Khushboo v. Kanniammal,[551] The Court decided that live-in relationships are not criminal and the right to live under Article 21 constitutes the right to make a choice as to how to live. The Uttarakhand Act has the effect of criminalising the failure to inform the state of a constitutionally safeguarded intimate arrangement a constitutionally invalid stance..

Additionally, the requirement of parental notifications in cases of persons below the age of twenty-one is quite distressing. Adults aged eighteen to twenty-one who have reached majority as per Indian Majority Act, 1875 also enjoy full constitutional and civil rights, such as being able to enter into contracts and may also get married. The fact that state notification of a parent is required when registering a live-in relationship is equivalent to an unwarranted interference with adult autonomy that cannot be justified under the Puttaswamy framework, in relation to this cohort.

3.4 The Scheduled Tribe Exemption: A Principled Carve-Out or a Structural Contradiction?

The Act also specifically excludes the application to the members of the Scheduled Tribes enabling them to still be governed by their traditional personal laws.[552] Both sides have criticized this exemption; those who believe that the exclusion defeats the very concept of universality that the UCC purports to encourage, and those who believe that tribal communities should have been consulted, and allowed a choice.

The constitutional ground of the exclusion lies in Articles 244 and 371 with the Fifth and Sixth Schedules to the Constitution which safeguard the traditional rights and governance systems of Scheduled Tribes. These clauses are a constitutional acknowledgement that the tribal peoples of India are in a special position, which their customary law is inseparably part of who they are, their land claims, and their social structure in such a way as it cannot be replaced without the real community approval.t. The exemption hence is constitutionally justifiable.

But there is a structural contradiction in the logic of the Act in its exemption. When the reason to invoke a UCC is the encouragement of gender justice and the abolishment of discriminatory personal laws, the same reasoning could be applied to tribal women who are victims of customary laws which could be worse than the written religious personal laws. The fact that the Uttarakhand Act does not address this is not neutral because it continues a hierarchy in which the benefits of uniform law are enjoyed by some and not all, and it puts the Act in the position of facing the accusation of being selective in its universality.

[550] ibid (the three-fold test of legality, legitimate aim, and proportionality for privacy restriction).
[551] *S. Khushboo v. Kanniammal and Anr.* (2010) 5 SCC 600 (Supreme Court of India).
[552] The Uniform Civil Code of Uttarakhand 2024 (n 6), s 2(3) (exclusion of Scheduled Tribes); Constitution of India, arts 244, 371 and Fifth, Sixth Schedules.

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IV. SCALABILITY AS A NATIONAL BLUEPRINT: PROMISE AND PRECONDITION

4.1 What Uttarakhand Gets Right

Despite its shortcomings, the Uttarakhand Act has a number of contributions that should be preserved to be developed by any national UCC. The standardized grounds of divorce in all societies that do away with the unilateral privilege that Muslim husbands have enjoyed since early times is a real and constitutionally justified redress to gender discrimination. The same principle of equal rights to sons and daughters in the succession is also progressive. Another long-lasting contribution is the compulsory registration of marriages, which has been long advocated by the Law Commission and women rights movements.

The Act also shows that UCC legislation on a state level exists in a constitutionally viable form and that the political economy of the problem, despite being a contentious matter, is not doomed to be intractable. The exercise in Uttarakhand presents a valuable empirical data on the design of legislations, the problems of implementation and the reaction of the community to the same that would be invaluable in any other national endeavour ahead. In this regard, it is helpful to think of the state-level experimentation long understood as the role of an experimenter in comparative constitutional law as being played by the so-called laboratory federalism.[553]

4.2 What Must Change Before National Adoption

In case the Uttarakhand model is to be a real national model, there are a few structural corrections that are needed.

First, the live-in relationship registration regime needs to be re-thought. The required criminal sanctioned registration and third-party complaint systems as well as the requirement to notify the parent are not compatible with the right to privacy and should be removed or reconfigured. Any safeguarding of women and children in live-in relationships, including maintenance rights, protection against domestic violence and parental rights in relation to children, can be obtained by registration-on-demand mechanisms or extending the scope of the current legislation like the Protection of Women from Domestic Violence Act, 2005 to live-in relationships. It is not necessary that the state should be acquainted with all intimate relationships, it should only be at hand when parties require to be safeguarded.

Second, it has to take care of the Hindu Undivided Family. To have a truly universal civil code, it must not tolerate a religion-sensitive legal institution, with a major tax and property bonus to Hindu coparceners, coexisting with a code which otherwise nullifies religion-sensitive personal laws. Either the HUF has to be abolished or reformed into a secular family property institution accessible by all communities or its existence has to be recognized as a conscious political decision that weakens the assertions of the Act to be universal.

Third, the issue of inclusion of LGBTQ+ can no longer be postponed. Under the Uttarakhand Act, marriage is a union of man and woman and does not provide any option of same sex couples or non-binary individuals. Although the Supreme Court in Supriyo v. Union of India.[554] declined to make same-sex marriage the subject of judicial recognition, referring the matter to Parliament, the Court also gave a new assertion that same-sex couples have a right to equal dignity and non-discrimination. The sexual orientation and gender identity can not be structurally blind in a UCC that truly aspires to be universally applicable to all citizens regardless of religion, gender, caste, or sex.ity. The exclusion of LGBTQ+ individuals in the

[553] Justice Louis Brandeis (dissenting) in *New State Ice Co. v. Liebmann* 285 US 262, 311 (1932): 'a state may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.' The principle has been adopted in Indian federalism scholarship: see Madhav Khosla, *The Indian Constitution* (OUP 2012) 89–94.

[554] *Supriyo @ Supriya Chakraborty v. Union of India* (2023) (Writ Petition (Civil) No 1011 of 2022) (Supreme Court of India, Five-judge Constitutional Bench, decided 17 October 2023).

framework of the Act is not just a blank, but a constitutional issue, which will be addressed once the national UCC discussion comes of age.

Fourth, the blacklisting of the Scheduled Tribes, though constitutionally justifiable at this point, should not be repeated as a permanent component of any national UCC. The right move would be consultation, consent and gradual inclusion wherein tribal communities can weigh the provisions of the code and choose to be included where they find it helpful instead of considering exclusion as part and parcel.n. This is an embodiment of the Ambedkarian vision of a purely voluntary beginning as well as the constitutional promise of tribal self-governance.

Fifth, the extra-territorial nature of the application of the Act has to be reconsidered. Although the Act is supposed to apply to Uttarakhand residents not residing within the state, this is constitutionally invalid of state law and will have to be restricted to cases where one of the parties to a transaction has their ordinary residence within or the act in question takes place within the territorial jurisdiction of the state of Uttarakhand.

4.3 The Federalism Question: State UCC and Conflict of Laws

Development of state-level UCCs where Gujarat has already passed its UCC law in March 2026[555] creates a new and unresolved challenge of conflict of laws in personal matters. People periodically cross state borders. Two married people living in Uttarakhand, and then move to another state in which there is no UCC, may be left in a jurisdictional gray area as to what the law is governing the divorce and succession. The combination of this patchwork of personal law regimes overlaid on religious diversity, results in a legal labyrinth that is exactly what a national UCC was to destroy.

It is a structural argument in support of national UCC legislation passed by Parliament pursuant to Entry 5 of the Concurrent List, as opposed to a multiplicity of state-level experiments which introduce new conflicts of laws in the name of solving old ones. The framers of the Constituent Assembly saw Article 44 as being a nationwide venture, not a state-by-state venture. State-level UCCs can be constitutionally sound and even a necessary political compromise on a transitory basis but cannot be used in place of the full national legislation Article 44 ultimately considers.

V. CONCLUSION

The Uniform Civil Code of Uttarakhand, 2024 is a historic document that is not flawless, challenged and unfinished, yet historic. It has managed to achieve what 70 years of parliamentary inactivity failed to achieve: to transform the language of aspiration of Article 44 into effective law, to establish the jurisprudential facts of the ground, and to make a constitutional and democratic confrontation with the issue of legal pluralism in personal affairs.

The real success of the Act that the grounds of divorce are equal, equal succession rights, and mandatory registration of marriage are lasting additions to gender justice and should be appreciated and adopted by the country. Its shortcomings the constitutionally questionable live-in registration regime, the maintenance of the Hindu Undivided Family, and the silence towards LGBTQ+ persons, as well as the complete non-admission of Scheduled Tribes, are not minor technical flaws. These are structural contradictions which discredit the Act as truly claiming to be a genuinely universal code and subject it to the criticism of majoritarian selectivity.

The inquiry in the title of this paper, whether this Act is a national blueprint that can be scaled or is a faulty state experiment is an inquiry to which neither a bald yes nor a bald no will do.wer. It is at once: a blueprint with sound architecture, but whose implementation needs massive correction before it can support the weight of national adoption, and an experiment

[555] Gujarat Uniform Civil Code 2026 (Gujarat Legislative Assembly, enacted March 2026); see 'Gujarat Passes UCC Bill After Seven-Hour Debate' (*The Hindu*, 2026).

with its own faults, which is instructive in its own way, its warnings of what a national UCC must not attempt to do were it were to assume constitutional legitimacy and democratic acceptance on the full scale of Indian pluralism.

It is not whether a Uniform Civil Code attains formal uniformity that it is simply the administrative tidiness of such uniformity but whether it fulfils the substantive constitutional values of equality, dignity, and non-discrimination of every citizen, of every religion, every caste, every gender, and every sexual orientation. The Uttarakhand Act as it is is accomplishing that goal to some. The project is yet to be completed.

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