Maharashtra Stree Mukti Parishad

Statement

Maharashtra Stree Mukti Parishad is a forum for thought and action established through the collective efforts of various feminist organisations, activists and scholars in Maharashtra.

The Government of Maharashtra has constituted a committee to implement a Uniform Civil Code (UCC) in the state and has also published a questionnaire on its website. Through this statement, we, activists from the women's movement in Maharashtra, wish to convey our views and objections regarding the proposed Uniform Civil Code.

First and foremost, we wish to make it clear that personal and family laws, as well as reforms to these laws, must be formulated on the basis of gender justice as their core principle. Merely stating that a Uniform Civil Code will be applicable to all religions and communities is insufficient. The formulation of such laws must be undertaken after taking all sections of society into confidence and, most importantly, considering the views of women belonging to all castes and religions.

Decisions on these matters must be taken through consultations with people of all genders, religions, castes and tribes, particularly women.

The following are the important questions and concerns in this regard.

1. The committee appointed by the government to prepare a draft Uniform Civil Code and its functioning

In July 2026, the Government of Maharashtra appointed a committee to implement a Uniform Civil Code. In constituting this committee, the government did not take all sections of society into confidence. Except for certain exceptions, the criteria on which the members were selected have not been clearly explained to the public.

Representatives of minorities, Adivasis, Dalits, nomadic and denotified communities, and women have not been included in the committee. Similarly, experienced activists and scholars from the feminist movement, who have been working on these issues for many years, have also been excluded. The committee does not include experts on this subject. Representatives of the LGBTQ community are also absent.

Consequently, we are certain that the concerns of these groups and the question of ensuring justice for them will not be adequately discussed by the committee. We are convinced that a committee constituted in this manner cannot produce a law that advances gender equality and ensures justice for all sections of society.

Former judge R. C. Chavan, a member of the government-appointed committee, resigned in September. In his resignation, he cited clear differences of opinion regarding the process of seeking public feedback, the absence of substantive discussions at meetings, and the presence at committee meetings of individuals who were not committee members. The reasons given for his resignation shed light on the functioning of the committee.

Following his resignation, the government made no changes to the committee's functioning. Instead, it appointed an official from outside Maharashtra in place of Justice Chavan.

The committee should not proceed with its work unless representatives of all the sections of society mentioned above are appointed as members.

2. The recommendations of the 2018 Law Commission of India report on the reform of family laws have been disregarded

The 21st Law Commission, established by the Central Government, consulted numerous organisations and citizens across the country and submitted its 182-page report, along with recommendations, to the Central Government on 31 March 2018.

The Commission clearly stated in its recommendations that, given the circumstances and prevailing social climate at the time, there was no need to introduce a Uniform Civil Code in the country. Its major recommendations included the following:

- The Commission stated that a Uniform Civil Code (UCC) was “neither desirable nor feasible at this stage.” Instead, it recommended codifying all personal laws to address gender inequalities between women and men.
- It also recommended addressing discriminatory provisions in personal and secular laws while preserving cultural diversity.
- No provisions should be introduced that are inconsistent with the fundamental rights guaranteed by the Constitution.

We firmly believe that the Government of Maharashtra should implement the recommendations made by the 21st Law Commission. Doing so would facilitate the development of laws that advance gender equality.

3. The Directive Principles of State Policy and our concerns regarding the Uttarakhand Uniform Civil Code

The primary objective of the Directive Principles of State Policy in the Constitution is to provide the people of India with freedom in a positive and meaningful sense. They also seek to liberate citizens from the stagnation caused by social and natural constraints that have persisted for centuries.

Another objective is to remove the obstacles created by poverty, hunger and adverse living conditions so that individuals can achieve the full development of their personalities. In keeping with these objectives, Article 44 directs the State to endeavour to secure a Uniform Civil Code throughout India.

However, an examination of the Uniform Civil Code enacted in Uttarakhand under the leadership of former judge Ranjana Desai, who heads the committee appointed by your government, suggests that the law is directed not towards the welfare of citizens but towards the government exercising extensive control over their private lives.

The law appears to contain provisions that can lead to citizens being sent to prison at various stages. It also appears to make the registration of live-in relationships compulsory.

In this manner, the law interferes in people’s private lives and deprives them of fundamental rights guaranteed by the Constitution.

Entrusting the responsibility of drafting Maharashtra's law to the same former judge is therefore objectionable.

4. The Yes/No questionnaire, its contradictions and its lack of transparency

You have placed a questionnaire before the public in a "Yes/No" format. However, many of the questions cannot adequately be answered with a simple "Yes" or "No", and the responses may lead to incorrect conclusions.

The first question in Part I of your questionnaire asks:

"Do you support the implementation of a Uniform Civil Code (UCC) in the State of Maharashtra at the present stage? (Yes/No)"

This question is meaningless because what matters is the content of the law, not the name given to it. Merely including the word "uniform" in its name does not mean that the law will necessarily deliver "justice" to everyone.

To give just two further examples, the assumptions underlying several questions suggest that certain proposed measures have not even been left open for discussion. This makes the entire consultation process appear to be merely a formality.

For example:

Question 5: "Should there be a uniform system for the registration and maintenance of records relating to marriages, divorces, live-in relationships and other matters falling within the scope of the Uniform Civil Code (UCC)?"

This question assumes that a decision has already been taken to register live-in relationships.

Similarly:

Question 18: "Should there be a uniform law making it mandatory for financially capable adult children to maintain their dependent parents?"

This question asks only whether such a law should be uniform. It ignores the lived realities of many people, particularly queer and transgender individuals. Many of them have struggled to survive after experiencing severe violence at the hands of their families of origin.

Such individuals may not wish to be legally compelled to care for family members who failed to care for them.

There is no transparency regarding how the information collected through this questionnaire will ultimately be used. This makes the exercise appear to be merely a token gesture. If the genuine objective is to ensure justice for everyone, transparency must be increased.

5. Previous public consultations have been disregarded

Many of us had earlier submitted our views regarding the Maharashtra Special Public Security Act, 2024. However, those views were not considered at all.

Consequently, the present exercise also appears to be merely a formality. The same situation arose in the case of the Maharashtra Freedom of Religion Act, 2026.

It is evident that the government intends to enact laws on the strength of its numerical majority, without genuinely seeking or considering the opinions of citizens.

6. Women's organisations were represented on committees dealing with several earlier laws

For example, the **Protection of Women from Domestic Violence Act, 2005**, was formulated with the consensus of women's organisations across the country.

Similarly, the **Criminal Law (Amendment) Act, 2013**, which followed the work of the Justice Verma Committee, emerged from discussions involving women's organisations and activists throughout India.

However, while constituting the committee on the Uniform Civil Code, the Government of Maharashtra has failed to follow this democratic practice.

The committee you have constituted does not provide representation to women or women's organisations. Instead, it has placed a limited questionnaire before the public without clarifying how the responses will subsequently be used.

7. Compulsory registration of live-in relationships and government interference in, and surveillance of, private lives

Several questions in your questionnaire concern the registration of live-in relationships. These questions clearly indicate an intention to extend government control over citizens' private lives.

The Uniform Civil Code enacted in another state under the leadership of former judge Ranjana Desai also appears to contain provisions for sending citizens to prison if they fail to register their live-in relationships.

Taking such a decision regarding live-in relationships is contrary to Article 15 of the Indian Constitution and also contrary to the judgments delivered by the Supreme Court in cases concerning live-in relationships.

8. The rights of the LGBTQI community have been neglected

Your questionnaire contains no provisions addressing the rights of the LGBTQI community. Similarly, the Uniform Civil Code formulated in another state under the leadership of former judge Ranjana Desai contains no provisions addressing their rights.

In October 2023, while hearing petitions concerning the right of LGBTQI persons to marry, the Supreme Court clarified that the authority to enact or amend laws to legally recognise same-sex marriages or civil unions rests exclusively with Parliament (the legislature).

Despite this, you have taken no steps to address these issues. This demonstrates a disregard for the rights of the LGBTQI community.

9. Several marginalised groups in society have been completely neglected

In Maharashtra, deserted women have been struggling for their rights for several decades. There are also serious concerns affecting single women, orphaned children, persons with disabilities, LGBTQI individuals who experience domestic violence, and elderly people without family support.

You have not sought any suggestions on how to ensure justice and support for these groups. The absence of provisions addressing their concerns is also evident in the Uniform Civil Code enacted in the other state under the leadership of former judge Ranjana Desai.

Our demands

We strongly insist that, before any draft prepared on the basis of these and other submissions is finalised and converted into law, it must be made widely available to the public and extensive consultations must be held with diverse communities.

We therefore demand that the exercise of formulating a “Uniform Civil Code” on the basis of the present questionnaire be **stopped immediately**. Appropriate steps must also be taken to implement the recommendations made by the Law Commission of India in 2018.

The activists of Maharashtra Stree Mukti Parishad wish to engage in a dialogue with the government on this matter. We therefore request that an appointment be given to us for a meeting.

Yours sincerely,

Maharashtra Stree Mukti Parishad