

Live-in Relationships and the Law

Posted at: 11/02/2025

Uttarakhand's Uniform Civil Code and Live-in Relationship Regulations

Context

The **Uniform Civil Code (UCC)** aims to **bring uniformity in personal laws** across different religions in India. Uttarakhand is the **first state** to introduce its own **state-level UCC**, which includes **rules for live-in relationships**.

Key rules under **Uttarakhand's UCC for live-in relationships**:

- **Couples must register their live-in relationship** with the government.
- **Not registering is a crime**, with punishment of **up to six months in jail or a ₹25,000 fine**.
- **Children born in live-in relationships will be considered legitimate**.
- **People under 21 years old must inform their parents** before registering.
- **Police will be informed of all registered live-in relationships**.
- **Couples must provide proof of living together** (like a rental agreement).

The **government says these rules protect women and children**, but **critics argue they invade privacy and restrict personal freedom**.

Intentions of the Law and Its Shortcomings

The law aims to **prevent exploitation** and protect dependent partners by ensuring:

- **Children get legal rights** (like inheritance).
- **Partners can claim maintenance** if abandoned.

However, there are several **flaws and exclusions**:

1. **Limited Maintenance Rights** - If a couple **breaks up by mutual consent**, the dependent partner **may not get financial support**.
2. **Excludes Same-Sex Couples** - The law applies **only to heterosexual couples**, leaving **same-sex partners without legal protection**.
3. **Forces Registration Quickly** - The law assumes **all live-in relationships start formally**, but many **develop gradually**.

The **one-month deadline** for registration **does not consider how relationships naturally**

evolve, making it **too rigid**.

Concerns Over Privacy and Personal Freedom

The **Supreme Court of India** has ruled that **privacy and sexual autonomy** are **fundamental rights** (Shakti Vahini v. Union of India, 2018). However, the new law:

- **Requires young adults under 21 to inform their parents**, limiting their freedom.
- **Sends relationship details to the police**, leading to fears of **harassment or moral policing**.
- **Imposes strict penalties** for couples who don't register.
- **Demands personal documents**, making the process **bureaucratic and intrusive**.
- **Allows third parties (family, landlords, or outsiders) to raise complaints**, increasing **social interference** in private matters.

These provisions **violate personal freedoms** and could allow **society to control private relationships**.

Practical Problems and Social Risks

1. Complicated Registration Process

- **Couples must submit many documents**, making the process **difficult and discouraging**.
- **They need to prove shared accommodation**, which is not always possible in the early stages of a relationship.

2. Housing Issues

- **Landlords can refuse to rent** if couples don't provide registration certificates.
- This could lead to **housing discrimination**, especially for unmarried couples.

3. Risk of Social Policing

- **Moral policing groups** may misuse this law to **target interfaith or inter-caste couples**.
 - Families could **pressure individuals to leave relationships** using the law as a tool.
 - Some people might face **violence or harassment** because of their relationships.
-

How to Improve the Law?

For a **fair and balanced approach**, the following **changes are necessary**:

1. **Respect Privacy** - Remove the rule that **requires parental notification for adults**.
2. **Make Registration Optional** - Couples should **register only if they want legal protection**.
3. **Remove Criminal Punishment** - Not registering **should not be treated as a crime**.
4. **Include Same-Sex Couples** - The law must **protect all relationships**, not just

heterosexual ones.

5. **Prevent Housing Discrimination** - Landlords should not misuse the law to deny housing.
-

Conclusion

Uttarakhand's **Uniform Civil Code for live-in relationships** is a **major legal change**, aiming to **protect partners and children**. However, it **ignores privacy rights, limits personal freedom, and can be misused for social control**.

For real empowerment, the law **must focus on protection without restricting personal choices**. Without changes, it **may harm the very people it claims to protect**.



AKKA IAS ACADEMY
www.akkaias.com