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GENERAL STUDIES 2: POLITY
TOPIC: UNIFORM CIVIL CODE

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UCC and Live-in Relationships

- **Lack of Debate on Non-Marital Relationships:** The Uniform Civil Code (UCC) has not traditionally addressed live-in relationships, but Uttarakhand's version includes regulations on them, sparking debates.
- **Limited Empirical Data:** There is little research on the extent and nature of live-in relationships in India. Most opinions are shaped by media, pop culture, and high-profile cases like the 2022 Shraddha Walker case.
- **Judicial and Policy Discussions:** Since the early 2000s, courts, policymakers, and feminists have debated live-in relationships, especially after attempts to redefine "wife" under the Criminal Procedure Code. The **Protection of Women from Domestic Violence Act, 2005**, included "relationships in the nature of marriage," bringing legal attention to such unions.
- **Different Forms of Live-in Relationships:** Live-in relationships are not uniform. They can be trial marriages, alternatives to marriage, relationships for divorced/widowed individuals, or secondary unions where one partner is already married. Certain customary practices in India have long accepted such variations.
- **Legal Resistance to Rights in Live-in Relationships:** Courts have often resisted granting rights to partners in live-in relationships, as seen in cases like **Velusamy vs. D. Patchaiammal (2010)** and **Indra Sarma vs. V.K. Sharma (2013)**, which restricted legal protections.
- **Initial Concern for Women's Rights:** The Malimath Committee recommended expanding the definition of "wife" to include long-term live-in partners, especially women in relationships with already married men, recognizing their vulnerability.
- **Issues with Uttarakhand UCC's Approach:**
 - **Mandatory Registration:** The UCC in Uttarakhand requires live-in relationships to be registered, imposing restrictions and monitoring.
 - **Coercive Nature:** The law may lead to moral policing rather than offering protection.
 - **Contradiction:** Instead of allowing flexibility, it imposes formal regulations similar to marriage, defeating the purpose of live-in relationships.
 - **Poor Drafting:** The law's vague wording may lead to unintended consequences.



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Conclusion

Instead of protecting those in live-in relationships, the Uttarakhand UCC adds excessive regulation, increasing risks like social scrutiny and legal interference. The key questions—whether such relationships need regulation, what rights and protections they should have, and how to address same-sex or secondary unions—remain largely ignored in this legislative effort.

Source: <https://indianexpress.com/article/opinion/columns/uttarakhand-regulating-live-in-relationships-doesnt-understand-9814525/>

