

# UTTARKHAND UNIFORM CIVIL CODE: POLITY

**NEWS:** How Uttarakhand UCC rules for live-in relationships raise privacy and surveillance concerns

## WHAT'S IN THE NEWS?

The Uttarakhand Uniform Civil Code (UCC) has introduced a mandatory registration system for live-in relationships, treating them with legal scrutiny similar to marriage. This law applies to both state residents and individuals from other states residing in Uttarakhand. While the intent is to prevent fraud and exploitation, it raises serious concerns about privacy, autonomy, and state surveillance.

### 1. Mandatory Registration of Live-in Relationships

- **Compulsory registration** is required both at the beginning and end of a live-in relationship.
- Couples can register **online via a dedicated portal** or **offline by submitting a 16-page form** with supporting documents.
- **Non-registration within one month** can lead to penalties, including imprisonment and fines.

#### Key Documentation Required:

- Proof of identity (Aadhaar, Passport, Voter ID, etc.).
- Proof of residence (electricity bill, rent agreement, etc.).
- Affidavit stating marital status and absence of coercion or fraud.

### 2. Eligibility & Restrictions on Live-in Relationships

- Only **unmarried, heterosexual couples** are allowed to enter into a live-in relationship.
- Individuals in a **marriage or another live-in relationship** cannot register.
- **Minors are not permitted** to register under this law.

#### Parental Notification Clause:

- The registrar **must notify the parents/guardians** upon registration or termination of a live-in relationship.
- Raises concerns about **personal autonomy and privacy violations**, especially for consenting adults.

### 3. Relationship History & Prohibited Relationships

- Couples must provide:
  - **Proof of past live-in relationships (if any).**
  - **Current relationship status:** Single, married, divorced, annulled, separated, or widowed.
- If a couple falls within **prohibited degrees of relationship** (as per **Schedule 1 of the Hindu Marriage Act, 1955**), they must obtain:
  - **Approval from a religious/community leader** certifying their eligibility.
  - Prohibited relationships include **close blood relatives**, unless allowed by specific customs.

#### 4. Housing & Landlord Obligations

- Couples **already living together** must submit proof of shared accommodation (e.g., **latest electricity or water bill**).
- Couples **not yet living together** must:
  - Apply for a **provisional certificate** before cohabitation.
  - Secure **accommodation within 30 days** (extendable by 15 days).
  - Submit proof of new residence to obtain final registration.

#### Landlord Responsibilities:

- Must verify and ensure the couple has a **valid live-in registration certificate** before renting.
- Failure to comply can result in **penalties and legal action**.

#### 5. Penalties & Legal Consequences

Offense	Penalty
<b>Failure to register within one month</b>	Up to 3 months' imprisonment or ₹10,000 fine or both.
<b>Providing false information</b>	Up to 3 months' imprisonment or ₹25,000 fine or both.
<b>Non-compliance with registrar's inquiry</b>	Additional fines and legal proceedings.

#### Summary Inquiry & Complaint Mechanism:

- The **registrar has the authority to verify** the relationship for coercion, undue influence, fraud, or misrepresentation.
- Complaints can be filed by:
  - The **registrar (suo motu)**.
  - **Parents, guardians, or concerned individuals**.
- False complaints may attract penalties, and repeat offenses carry **higher fines and stricter legal action**.

## 6. Legal Protections & Benefits of Registration

### (a) Women's Rights & Maintenance

- A woman **abandoned by her live-in partner** can seek **maintenance**, similar to married women under **Section 125 of the CrPC**.
- Prevents **economic exploitation and legal neglect** of women in such relationships.

### (b) Legitimacy of Children & Inheritance Rights

- Children born out of live-in relationships are **legally recognized as legitimate**.
- They are granted **inheritance rights**, preventing discrimination against children from such unions.

### (c) Protection Against Housing Discrimination

- Landlords **cannot refuse tenancy** solely because a couple is unmarried.
- A valid **provisional or final registration certificate** ensures housing rights for live-in couples.

## 7. Concerns & Criticism of the Law

### (a) Violation of Right to Privacy

- The **mandatory registration clause** is seen as an **infringement on personal liberty** under **Article 21** of the Indian Constitution.
- The Supreme Court's ruling in *Justice K.S. Puttaswamy vs. Union of India (2017)* emphasized:
  - **Informational privacy** as a fundamental right.
  - **Decisional autonomy** in personal relationships.
  - **Proportionality principle** restricting excessive state interference.

### **(b) Risk of Social Surveillance & Harassment**

- The law enables **third-party access** to personal data **without proper safeguards**.
- No penalties for **data breaches**, increasing risks of **harassment and moral policing**.
- **Interfaith & inter-caste couples** may face **disproportionate targeting** and **societal backlash**.

### **(c) Ethical & Constitutional Dilemmas**

- The law **equates live-in relationships with marriage**, imposing **rigid regulations** on personal choices.
- Critics argue this sets a **dangerous precedent for state control over private relationships**.
- Could lead to **further government intervention in personal and marital matters**.

### **8. Broader Implications & Future Outlook**

- Uttarakhand's law is the **first of its kind in India**, potentially influencing other states.
- Balances **fraud prevention with personal freedom**, raising debates on **state intervention vs. individual autonomy**.
- Constitutional challenges may arise, questioning its **validity under fundamental rights**.

**Source:** <https://www.thehindu.com/news/national/how-uttarakhand-ucc-rules-for-live-in-relationships-raise-privacy-and-surveillance-concerns/article69158545.ece>