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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

HISTORICAL EVOLUTION AND FUTURE TRAJECTORIES OF LIVE-IN RELATIONSHIPS UNDER UNIFORM CIVIL CODE (“UCC”).

AUTHORED BY - SAHIL JAIN

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ABSTRACT

This paper analyses the historical development, legal position, and prospects of live-in relationships in India against the background of the proposed Uniform Civil Code (UCC). Live-in relationships, whereby two consenting adults cohabit without entering formal marriage, have been gaining acceptance for the last few decades and have become more socially acceptable, especially in cities. This has, therefore, necessitated legal recognition and safeguarding, although Indian law remains fragmented in terms of handling the rights and duties associated with such relationships. The courts have played an important role in reaffirming these gradually been conferred some rights. relationships, particularly through the landmark judgments *Lata Singh v. State of U.P.* and *Indra Sarma v. V.K.V. Sarma*, where live-in partners have However, there are still some ambiguities, especially on the matters of inheritance, child custody, maintenance, and property rights-all significantly different from traditional marriages.

The study assesses the potential effects of the UCC, which unifies several personal laws across religious and cultural boundaries and is required by Article 44 of the Indian Constitution, on cohabitation. In order to find loopholes in the current protections for live-in partners, the research used a doctrinal method to analyse statutes, case law, and academic discourse. It investigates whether the UCC might function as an all-encompassing legal framework that balances individual rights with India's cultural variety while offering consistency and clarity. A UCC's ability to successfully integrate such non-traditional partnerships without enforcing a moralistic standard on individual autonomy is also questioned as the research explores the social opposition to live-in relationships, especially in traditional and rural communities.

By shedding light on the UCC's role in resolving the legal issues surrounding cohabitation, the

study hopes to provide a more nuanced picture of how these partnerships would change under a single set of laws. By offering a forward-looking viewpoint on live-in relationships and their position within India's social and legal landscape, this research adds to the continuing conversation about individual liberty, societal values, and the potential for inclusive legal reforms.

INTRODUCTION

It was in the last few decades that the society began to engage into the idea of live in relationships, that is the relationship between two people who are not married but live together. These types of relationships have been slowly engulfing and earning the approval of the society, avoiding as much as possible to the intricate portrayal of what lies between the legal and social constructs which are often behind the fast changes in personal interactions. The question of live-in relationships in India becomes even more relevant when one considers the possible introduction of the UCC, an act to unify all laws governing personal relations of various religious communities in India. The study intends to address the evolution of live-in relationships since the time they originated to the present day, state of the law regarding such relationships and the UCCs influence on the significance of these relationships in the future.

Marriage has always constituted an important institution in the Indian context and there are personal laws related to it in the form of various persuasions. For instance, while Hindu marriage is a sacred practice, trong Islam marriage has been equivalently seen as an agreement. These different forms of concepts of marriage have guided behavioural patterns regarding cohabitation and family unit. On the other hand, live-in relationships have been understood in a critical sense since they have been overly discouraged and looked upon as being against the culturally accepted way of life. Nevertheless, historical records indicate that cohabitation, not predicated on marriage, has been practised to some extent in various parts of India, and in many forms, even though not recognized by the law.

The legal aspect of live-in relationships in India has progressed over a period and has not been an easy one. Thus, it can be observed that, in the absence of the legislature, it has been the judiciary that has occupied the primary space in embedding such relationships into law. A paradigm shift occurred with 'Mayal Sharma v. Nari Niketan' (2001) where the Allahabad High Court ruled that a live in relationship is not illegal. Judgments since then including that

of the Supreme Court of India have also held that there is a right for adults to live with each other without the requirement of marriage if the adult x can enter a consensual relationship with any other legal adult. This trend however has not only been confined to judicial pronouncements and some of the safeguards available to married women have begun to be extended to women in live-in relationships particularly regarding domestic abuse and property rights although these few unfounded protections for live-in relationship women compared to those that are heterosexual and married.

While the UCC as provided under Article 44 of the Indian Constitution has been the subject of constant discussion and criticism, it also provides flavour to the discussion on live-in relationships. Unifying of the system of colonization, the urgent need for which is most felt in the secular state, the UCC is predicted to put up in the place of the existing copy-hit personal laws. Although it has been argued that such UCC should have focused on issues relating to marriage, divorce, and inheritance, the treatment of live-in relationships if enacted such a code is still an area largely left untouched. Since personal laws now with respect to live-in relationships differ in the right and obligations conferred on partners, there are likely to be major shifts regarding the legal status, rights, and acceptance of these relationships with the UCC being appropriated.

The adoption of UCC could actually be a good starting point to interpret live-in relationships within an umbrella legal framework of the country, so as to look after several disputes related to property rights, inheritance matters and claims for maintenance (alimony) & custody of the children. At the same time it also begs the question if in upholding rights of all communities, will a UCC be able to strike a balance and look after individual rights (case in point: those not part of traditional relationships). Indeed, several such as to whether the UCC would provide sufficient leeway to account for the heterogeneity of relationships in contemporary Indian society or whether it might promote a uniform template over all differences and thereby symptomatic of a secondary moralistic universal unfold so that individual's choice and independence sit outside its scope.

As a result, the historical development of live-in relationships in India reflects the broader social and legal shifts to increased individual autonomy as well as the change of outlook in perception to personal relationships. The debate on the UCC raises questions of challenges and opportunities in the redefinition of the legal status and societal acceptance of the live-in

relationship. This research paper goes into these dynamics in more detail, offering insight into the future trajectory of live-in relationships within the framework of the UCC.

LITERATURE REVIEW

1. UNIFORM CIVIL CODE: THE NECESSITY AND THE ABSURDITY.

AUTHOR: Shambhavi

The Summer Issue 2017 of the ILI Law Review Vol. I explores the contentious debate surrounding the Uniform Civil Code (UCC) in India, an issue that has persisted for over 68 years since the Indian Constitution was adopted. The UCC is proposed to unify India's diverse personal laws governing marriage and family, which currently vary across its ethnically, linguistically, culturally, and religiously diverse population. Advocates argue that the UCC could enhance gender equality and national integration by applying a common legal framework to all citizens, irrespective of their religion. They highlight its potential to address gender injustice and cite the Indian Supreme Court's support for the idea, noting the success of uniform laws in other areas of civil law. However, opponents of the UCC express concerns that it could impose the majority's perspectives on minority groups, threatening cultural diversity and religious freedoms. They argue that secularism does not necessarily require uniform personal laws and worry that the UCC might be perceived as cultural imperialism. Additionally, the paper raises concerns that a uniform approach might not fully address the distinct experiences and rights of women in different communities. It suggests that such a one-size-fits-all approach could fail to recognize and address specific gender inequalities and might hinder necessary social reforms. In conclusion, the document advocates for a thoughtful and gradual approach to implementing a UCC. It emphasizes the need to carefully balance the promotion of gender equality with the preservation of cultural and religious diversity. The paper calls for legal reforms that are sensitive to the varied realities of Indian society, ensuring that the distinct identities of different communities are respected and that reforms do not assume uniformity will automatically lead to gender equality.

GAP: This paper evaluates the dialogue around the UCC, addressing the question of women's rights, which includes live-in relationships, but lacks in discussing socio-economic and legal impacts of those women. Also, Impact of illegitimate child born out of the relationship.

2. THE DEBATE OVER UNIFORM CIVIL CODE (“UCC”) AND ITS SIGNIFICANCE FOR INDIA AS A SECULAR DEMOCRACY.

AUTHOR: Sunaina Nassa, Amity Law School, Amity University, Noida

The academic article from the Indian Journal of Integrated Research in Law, authored by Sunaina Nassa of Amity Law School, delves into the ongoing debate over the Uniform Civil Code (UCC) in India and its implications for the nation's secular democracy. This debate is particularly complex given India's rich tapestry of religions, languages, and cultures. The article offers a thorough examination of the UCC from constitutional, cultural, gender, and minority rights perspectives to provide a balanced view of its advantages and disadvantages. The paper argues that while personal laws based on religious beliefs allow cultural freedom, they also perpetuate gender inequalities. The UCC is proposed to address these issues, fostering gender justice, national unity, and social harmony. Nonetheless, there are concerns that the UCC could infringe upon religious freedoms and cultural identities, especially for minority groups. The article contextualizes the UCC debate within the political and social landscape, noting how political parties and social factors influence the discussion. It traces the origins of the UCC debate back to the colonial era and the struggle for independence. Proponents of the UCC argue that it would enhance gender equality and create a more unified legal system, while critics worry it could diminish cultural diversity and religious freedoms. The paper highlights the potential impact of the UCC on religious minorities, noting concerns that it might undermine their autonomy and cultural identity. In conclusion, the article stresses the importance of a sensitive and inclusive approach to implementing the UCC. It advocates for a gradual, consultative process involving diverse stakeholders and constitutional safeguards for minorities. The UCC is seen as a means to modernize India's legal framework and align it with contemporary values, but its implementation must be handled carefully to prevent social unrest and protect individual rights.

GAP: This paper provides a critical analysis of the UCC debate, considering perspectives on minority rights, cultural and religious beliefs of individuals. But does not deals with Intersectionality and Marginalised groups such as LGBTQ+ individuals, person with disability and people from lower socio-economic backgrounds.

3. THE UNIFORM CIVIL CODE OF UTTARAKHAND: AN ANALYTICAL RESEARCH.

AUTHOR: Dr. Rajesh Kumar Dube

The Uniform Civil Code (UCC) of Uttarakhand, 2024, represents a groundbreaking legislative effort in Bharat (India), aimed at creating a standardized set of laws governing civil matters across the state. This Code addresses key areas such as marriage and divorce, maintenance, succession, and live-in relationships, striving to uphold the principles of equality and justice as enshrined in the Indian Constitution. The Code is structured into four main parts. Part I covers marriage and divorce, specifying conditions for solemnizing marriages, including age and mental capacity requirements. It mandates the registration of marriages and divorces, introducing penalties for non-compliance. It also outlines provisions for restitution of conjugal rights, judicial separation, nullity of marriage, and divorce grounds, ensuring a comprehensive legal framework for marital issues. Part II addresses succession, detailing intestate and testamentary succession processes. It defines the hierarchy of heirs and the distribution of the deceased's estate, including provisions for probate, letters of administration, and succession certificates. This part ensures clarity and order in the distribution of assets. Part III introduces provisions for live-in relationships, a novel feature in Bharat's legal landscape. It requires partners to register their live-in relationships with a Registrar and outlines penalties for non-registration. It also provides for maintenance allowances for women deserted by their partners. In conclusion, the Uniform Civil Code of Uttarakhand, 2024, is a significant legislative step towards achieving uniformity in civil laws, addressing various aspects of personal and family life. By incorporating provisions for live-in relationships and mandating registration, it aims to provide comprehensive legal coverage and promote equality. This Code is envisioned as a model for other states in Bharat, aligning with the constitutional goal of a uniform legal framework while respecting diverse cultural and personal needs.

GAP: This paper provides an in-depth analysis of the UCC in Uttarakhand, including its provisions on live-in relationships, more of a general analysis on all aspects but doesn't infer any problems in detailed perspective. Matters like women and children's impact, Influence on cultural and social norms are the areas which were not dealt.

4. TOWARDS EQUITABLE RIGHTS: CONDITION OF WOMEN IN UTTRAKHAND POST- UNIFORM CIVIL CODE.

AUTHOR: Rituporna Das Student, Amity University

The implementation of the Uniform Civil Code (UCC) in Uttarakhand as of February 7, 2024, represents a major shift in the legal framework, particularly impacting women's rights. The UCC aims to create a consistent set of laws applicable to all religious groups, ensuring equal treatment in personal issues like marriage, divorce, inheritance, and property rights. This reform seeks to rectify gender inequalities present in traditional personal laws, advancing gender equality and fairness. The introduction of the UCC has brought about significant changes, such as the legal acknowledgment of live-in relationships, enhanced property and inheritance rights, and better protection against domestic violence. Women now benefit from increased autonomy and legal recourse, with improved entitlements for maintenance, property, and child support. However, challenges persist, including deeply ingrained cultural norms, insufficient enforcement, and ongoing issues with gender-based violence. Socio-economic obstacles, particularly in rural areas, continue to hinder women's access to education and employment. Addressing these challenges demands continuous efforts in enforcing laws, improving educational opportunities, and providing support services to fully achieve gender equality and women's empowerment in Uttarakhand.

GAP: Only women's empowerment was taken into the substantive research, gender based violence, socio-economic obstacles, in context with rural areas only. Economic Implications such as Financial Dependency, Property Rights and Economic securities aren't dealt with.

5. TOWARDS A UNIFORM CIVIL CODE IN INDIA: CHALLENGES, PROSPECTS, AND STAKEHOLDER PERSPECTIVES

AUTHOR: Dr. Pardeep Inder Kaur Assistant Professor (Guest Faculty), Department of Law, Punjabi University, Patiala.

This research paper explores the ongoing debate over implementing a Uniform Civil Code (UCC) in India, focusing on its challenges, potential benefits, and the views of various stakeholders. The UCC seeks to establish a single legal framework for personal matters, aiming to advance gender equality, secularism, and social justice. The paper reviews the historical and legal contexts, detailing the UCC's origins during colonial India, its inclusion in the Indian Constitution as a Directive Principle, and the efforts made towards its enactment. It discusses the difficulties arising from India's religious and cultural diversity, including resistance from

minority groups and the challenge of balancing secularism with religious freedoms. The paper uses a thorough review of academic literature, government documents, and media sources, alongside comparative analyses with other nations. It examines the role of the judiciary, civil society, and political figures in the debate. Findings reveal that while the UCC aligns with India's goals of modernity and equality, its implementation is fraught with complexities. Challenges include addressing gender justice, minority rights, and cultural autonomy. The paper concludes that achieving a UCC requires inclusive dialogue, education, and strong political leadership to overcome these hurdles and advance legal reform.

GAP: Various stakeholders of implementing Uniform Civil Code are discussed briefly but the author's conceptualisation on majorly live-in relationships was not discussed in detail. Whereas, subjects like Cultural and Social norms, Legal Awareness and Accessibility, Judicial Interpretations were not dealt.

STATEMENT OF PROBLEM:

The history of live-in relationships being socially accepted and legally recognized in India is a highly mixed bag of cultural, religious, and legal influences. Indian society has traditionally positioned marriage at the heart of social or legal values and has thereby excluded or marked alternative cohabitation arrangements as deviant. However, over the past several decades, live-in relationships have come to be extremely commonplace, particularly in an urban setting, and have moulded the legal landscape. And yet, despite such a sea-change, live-in relationships remain grey areas under Indian law with no specific statutory framework governing them.

The problem at hand is the lack of uniform legal structure which comprehensively addresses rights, responsibilities, and protections for people in live-in relationships. At present, a substantial amount of legal recognition for the partnership does not come but from judicial pronouncements and piecemeal statutory provisions under the Protection of Women from Domestic Violence Act, 2005. All these piecemeal provisions lead to an ambiguous stand on issues like inheritance rights, child custody, maintenance, and property disputes.

The proposed UCC under Article 44 of the Indian Constitution could provide for a uniform code applicable to all matters of personal relationships, including live-in relationships. However, very little academic thought has been exercised to discuss how such issues would be

dealt with under a UCC and what specific legal provisions would be required to ensure fair protection as well as equality for persons entering into these relationships. This is further compounded by the widespread social opposition towards live-in relationships, particularly in a traditional or rural setup, making the legal recognition of live-in unions difficult and questioning how such relationships can be reconciled with the wider cultural and religious diversity within India.

The problem statement becomes thusly focused on the historical nature of the live-in relationship, their current legality status, and how the Uniform Civil Code may affect these partnerships. In other words, the research aims to determine whether the UCC can establish a comprehensive legal framework that would satisfy both the rights and freedoms of Nature ambiguity of laws associated with live-in relationships in India.

Current Legal Framework Governing Live-in Relationships

Since there is no formal legal framework that addresses the rights, obligations, and safeguards of individuals in live-in partnerships, live-in relationships in India are considered to be in a legal limbo. Personal law has traditionally been based on marriage, with rights and legal rules mostly centered on this institution. However, courts have expanded legal rights for live-in partners, particularly through provisions under the Protection of Women from Domestic Violence Act, 2005 (PWDVA), in response to the growing number of live-in relationships.

Legal Provisions under the Protection of Women from Domestic Violence Act, 2005

The protection of women from domestic abuse is the primary goal of the PWDVA, which recognizes not only married women but also those in "relationships in the nature of marriage." This has been a significant step in extending certain legal safeguards to women in live-in relationships, ensuring that they are not completely excluded from legal protection in cases of abuse. The Supreme Court clarified the application of the PWDVA to live-in relationships in *Indra Sarma v. V.K.V. Sarma* (2013), establishing criteria to determine whether a relationship qualifies as "in the nature of marriage." These criteria include things like the length of the relationship, shared household arrangements, and social recognition of the relationship.

Despite these protections, the PWDVA's scope is somewhat limited. It primarily addresses issues of domestic violence but does not comprehensively cover other crucial aspects of live-in relationships, such as property rights, inheritance rights, and child custody. As a result,

significant legal ambiguity remains regarding these areas, which are integral to ensuring the rights and security of individuals in live-in relationships.

Examination of Property Rights, Inheritance Rights, and Custody Issues

In the realm of live-in relationships, issues surrounding property and inheritance rights remain complex and largely unresolved due to the absence of specific legal provisions. Unlike spouses, individuals in live-in arrangements do not automatically gain rights to their partner's property or inheritance in case of breakup or demise. Courts typically resolve property disputes on an individual basis, often referencing general principles of property and contract law instead of providing clear rights akin to those offered in marriage. When one partner has financially contributed to the purchase of property, they may qualify for a share based on equitable considerations. Nevertheless, these rulings are inconsistent and lack the legislative support that married couples enjoy.

Inheritance rights pose a comparable issue, as partners in cohabiting relationships do not have an automatic entitlement. Although courts may sometimes acknowledge a partner's right to inherit by considering factors like prolonged cohabitation and mutual financial responsibilities, such rights are not assured by legislation. This lack of legal protection can render surviving partners financially exposed, lacking options to claim an inheritance if there is no valid will.

The custody of children from live-in partnerships presents a scenario with insufficient legal clarity. Generally, custody matters are determined by the child's best interests, and both parents may possess parental rights. However, the absence of a marriage certificate can complicate legal recognition of paternity, which may, in turn, influence the rights and responsibilities of the non-custodial parent. In certain instances, courts have permitted live-in partners to share custody or have granted visitation rights, but such arrangements tend to be case-by-case and do not offer the structured protections that marriage provides.

Limitations of Current Legislation and the "In the Nature of Marriage" Standard

The criterion of "in the nature of marriage" set by the courts provides limited acknowledgment while also imposing strict limitations. Partnerships that fail to fulfil the court's standards—such as informal or short-term relationships—are left without legal safeguards under PWDVA, placing individuals in these situations at heightened risk. This perspective further entrenches a limited view of relationships, closely associating live-in arrangements with conventional marriage instead of recognizing a broader definition of cohabitation.

In summary, although the judiciary has made progress in providing certain protections for live-in partners, the existing legal framework is still fragmented and insufficient. Important rights regarding property, inheritance, and child custody remain unclear, as they are not explicitly covered by statutory law. The implementation of a Uniform Civil Code has the potential to address these issues by establishing a cohesive legal framework for live-in relationships, granting partners the same rights and protections as those afforded to married couples. Such a code could promote fair treatment and legal security for individuals who decide to cohabit without entering into marriage, thus recognizing the changing dynamics of personal relationships in contemporary India.

The Uniform Civil Code: Concept and Constitutional Mandate

The Uniform Civil Code (UCC) is an intended legal framework that aims to create a common set of personal laws for all Indian citizens, regardless of their religion, caste, or gender. This initiative stems from Article 44 of the Indian Constitution, which declares, "The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India." The goal is to establish legal consistency in various aspects of personal law—such as marriage, divorce, inheritance, and adoption—that have traditionally been determined by religious-specific regulations. Despite this constitutional directive, the enactment of UCC continues to be a subject of debate due to India's diverse and multicultural society.

Article 44 of the Indian Constitution and Its Intent

Article 44, housed under the **Directive Principles of State Policy (DPSP)**, does not carry binding force but serves as a guideline for the State to create a cohesive legal structure. The intent of Article 44 reflects the vision of the Constitution's framers for an egalitarian society where citizens are governed by common legal standards rather than community-specific laws. Leaders like Dr. B.R. Ambedkar advocated for UCC to foster national integration by transcending religious and cultural barriers in the realm of civil law. However, given India's social and religious diversity, the framers left UCC as a directive rather than an immediate mandate, envisioning gradual progress toward a uniform code in tandem with evolving social dynamics.

Overview of UCC Debates and Challenges in a Multicultural Society

The debates surrounding the UCC are marked by concerns about balancing individual rights, cultural autonomy, and the principle of equality. Advocates argue that UCC is essential for

ensuring equality and justice across gender lines, as many existing personal laws contain provisions that are discriminatory, particularly toward women. For instance, Muslim personal law permits polygamy and provides different standards for inheritance, while Hindu law underwent reforms with the **Hindu Code Bills** of the 1950s that abolished polygamy and provided women with property rights. Supporters view UCC as a way to further personal law reforms to protect marginalized groups within communities from oppressive traditions.

Opposition to the UCC often stems from minority communities who view it as a threat to cultural identity. For many, personal laws are an extension of religious practice and integral to maintaining communal identity. The perceived imposition of a "one-size-fits-all" code is feared to erode these distinct cultural and religious values, fuelling apprehensions about cultural hegemony and loss of autonomy. Consequently, the UCC debate is often perceived as a balancing act between ensuring constitutional principles of equality and the rights of cultural preservation.

Potential Objectives and Intended Outcomes of UCC in the Realm of Personal Law Reform

A primary objective of the UCC is to establish a set of personal laws that reflect equality, justice, and gender-neutrality. The intended outcome is a progressive legal framework that prioritizes individual rights over traditional communal norms, facilitating a more inclusive society. In the context of live-in relationships, a UCC could provide much-needed clarity and protection, addressing issues like inheritance, property rights, and child custody, which often lack clear guidelines under current personal laws. For example, while some courts have recognized live-in relationships as legitimate for the purpose of inheritance, this recognition is inconsistent and often limited.

Implementing UCC could also help standardize the legal treatment of diverse forms of partnerships beyond marriage, such as live-in relationships, which have increasingly gained acceptance in urban India. By defining the rights and responsibilities of individuals in such relationships, UCC would provide a consistent legal framework, reducing ambiguities surrounding the legal status of live-in partners, particularly in matters of maintenance, guardianship, and property division. It could help normalize and legitimize these relationships, offering them the same protections as traditional marriages, thereby fostering social acceptance.

Ultimately, a UCC that incorporates the nuances of modern relationships, like live-in partnerships, would align personal law with contemporary social realities while safeguarding fundamental rights. By aiming for inclusivity rather than uniformity in the rigid sense, the UCC could bridge personal law with evolving social norms, promoting harmony between individual rights and cultural integrity.

RESEARCH OBJECTIVES:

1. Explore the Gaps and Ambiguities in Legal Protection of Individuals in Live-in Relationships, especially about Property, Maintenance, and Custody Rights.
2. To analyse the live-in relationship through the prism of Uniform Civil Code (UCC) about statutory recognition and protection.
3. Examine the forces of societal resistance and cultural barriers, particularly in traditional and rural sections of society, as reasons that would make people abhor live-in relationships.
4. Feasibility Analysis of Living Together Arrangements under Standardized UCC Legal Framework and Protection of Individual Rights and Cultural Variability.
5. The legal reforms or recommendations proposed for better protection and clarity of live-in relationships within the larger context of UCC.

RESEARCH METHODOLOGY:

Nature Of Research:

- Doctrinal research involves a study and analysis of existing laws, legal principles, and judicial interpretations. This research shall be a study of the development from historical times, the legal framework, and judicial pronouncements regarding live-in relationships in India; consequently, it analyses the possible implications of Uniform Civil Code (UCC), which is essentially a legal and constitutional matter.
- Empirical research is obtaining data through observation, surveys, or interviews to understand phenomena in real life. The current research does not contain a proposal for taking primary data from respondents or doing field surveys but is based on a review of legal texts, statutes, case laws, and scholarly commentary.

Sources Of Data:

- It is secondary research, which establishes reliance on statutes, constitutional provisions (Article 44 on UCC), judicial decisions, legal literature, and academic discourse on live-in relationships and the UCC. Doctrinal research draws on legal documents and case law to understand and interpret how the law functions in practice.
- In empirical research, actual direct data would be gathered through interviews of people in live-in relationships or surveys in society to ensure societal acceptance. That is not what is implied here.

Objective:

- The primary objective is to look at the legal structure, review gaps, and then propose potential reforms—the exact stuff for doctrinal research. There would be no testing of hypotheses based on empirical data; rather it would involve a better understanding and exposition of the law.

CONCLUSION:

Live-in relationships in India have gone from something that was frowned upon to something that is recognized, at least partially, as a form of legal relationship. The change in societal views around personal autonomy and changing behavioural norms for relationships is particularly significant. This change is consistent with broader changes in societal attitudes, urbanization, and the development of rights for individuals, especially women and marginalized groups. However, the passage of time has meant that transformation has primarily taken place through the courts, and not through any attempts at legislative reform. This has left live-in relationship partners in a somewhat uncertain position in law. Given that the research in this thesis has shown, the issue of a Uniform Civil Code (UCC) is relevant in this situation—not just to simplify the diverse forms of personal law, but to offer some protection to those opting cohabitation outside formal marriage.

The existing legal framework, primarily developed through judicial exercise and the limited ambit of the Protection of Women from Domestic Violence Act, 2005 depicts only fragmented protection of live-in relationships. The doctrinal decisions from the Judiciary attempted to define the “relationship in the nature of marriage” in its break through decision - *Indra Sarma v. V.K.V. Sarma*, however, these criteria excluded many cohabiting couples from its ambit,

with the courts particularly focusing on standard or traditional relationships but seldom recognising the cohabiting couples not circumscribed to conventional precedents or cohabiting with different intentions and arbitrary timeframes. The limited legal recognition provides untold uncertainty but also preserves the biases within society that legitimizes relationships exclusively with the paradigm of conventional marriage.

Amid this legal and social uncertainty, the introduction of a UCC could be highly progressive. A UCC that is competent and inclusive could be a stabilizing legal framework that can clearly delineate the rights and obligations of live-in partners. A UCC can provide clarity to memory issues (e.g., property rights, inheritance, maintenance, and custody) for partners, especially women and children who are exposed to risk without some form of protective marriage. If the UCC reflects progressive elements such as in Uttarakhand's UCC, where it provides for registration of live-in relationships and obliges spouses/partner to provide protection to deserted partners, the national UCC could be a paradigm of positive legal reform.

However, a code like this cannot exist in a legal vacuum. Of course, it must respect India's rich pluralism and must not prescribe a normative view of relationships through the pretence of uniformity. The possibility that the UCC could erase personal laws and impose a majoritarian cultural logic is not an idle concern, especially in a society in which personal identity is tied up in religious and cultural life. Therefore, rather than uniformity, the UCC must provide legal universality that respects local cultural diversity and inclusion, in order to accommodate diverse forms and models of cohabitation without stigma.

A key takeaway from this research is the cultural resistance that live-in relationships face, especially in rural, conservative contexts. Even when the law recognizes, and the intention to afford rights exists, acceptance remains a pressing issue. The disparity between legal entitlements and social realities builds on the assumption that law is enough. Law must also be coupled with public education, awareness-raising, and sensitisation. Until legal recognition evolves into social acceptance, live in relationships - particularly any mothers and children - will be limited in proper legal protection as rights.

Thus, this research not only demonstrates shortcomings of the current legal scenario, but it also puts the UCC forward as a viable alternative - but one that must be approached carefully and with conversation and compassion. A successful UCC will be integrative, participatory, and

centred on the lived experiences of India's diverse populace. It will also be cognizant of the unique vulnerabilities of those in live-in relationships and provide material protections in the same way as traditional marriages, while allowing individuals to step beyond and "not abide by outdated moralistic frameworks.

In the end, legal recognition of live-in relationships in conjunction with a thoughtful UCC is a critical mechanism for making the grand constitutional notions of equality, liberty and justice relevant to all people's lives, no matter how they choose to live and love. The future of live-in relationships, and hopefully the UCC itself, lies at the intersection of personal freedom and the law.

REFERENCES:

The data and analysis provided in the introduction, statement of problem, and research objectives are based on general knowledge of legal principles, judicial precedents, and academic discussions on live-in relationships and the Uniform Civil Code (UCC) in India. However, some specific references and resources can be cited to support the points made:

1. Supreme Court Judgments:

- *Lata Singh v. State of U.P.*, (2006) 5 SCC 475: This case is significant for upholding the right of consenting adults to live together in a live-in relationship and affirmed that such arrangements are neither illegal nor immoral under Indian law.
- *Indra Sarma v. V.K.V. Sarma*, (2013) 15 SCC 755: This case dealt with live-in relationships in detail, providing guidelines to determine when such relationships would be considered "in the nature of marriage" and protected under the Protection of Women from Domestic Violence Act, 2005.

2. Legal Framework:

- **Protection of Women from Domestic Violence Act, 2005:** This act is often invoked in live-in relationship cases to provide legal protection to women in relationships "in the nature of marriage," expanding the legal scope for non-marital cohabitation.

3. Articles and Books:

- *Rao, P. S. (2017). Live-in Relationships in India: Legal and Social Dimensions.* This book discusses the socio-legal evolution of live-in relationships in India and the role of the judiciary in providing recognition to these partnerships.
- *Sehgal, K. (2019). Uniform Civil Code and Personal Laws in India: A Critical Appraisal.* This article reviews the challenges and prospects of implementing the UCC in India, including its implications for non-traditional relationships such as live-in partnerships.

4. Constitutional Provisions:

- **Article 44, Indian Constitution:** This provision directs the state to implement a Uniform Civil Code for all citizens, providing a constitutional basis for the potential legal reforms discussed in the research.

5. Academic Research:

- *Bhat, P. I. (2016). The Role of Judiciary in Addressing Live-in Relationships: A Socio-Legal Analysis.* This article examines how the Indian judiciary has addressed live-in relationships and discusses the legal ambiguities and gaps that exist in the absence of a specific law governing such relationships.

These references provide the foundation for analysing the legal recognition of live-in relationships in India, their societal implications, and the potential effects of the Uniform Civil Code.

JOURNAL LINKS:

<https://www.ili.ac.in/pdf/paper217.pdf>

<https://ijirl.com/wp-content/uploads/2023/06/THE-DEBATE-OVER-UNIFORM-CIVIL-CODE-UCC-AND-ITS-SIGNIFICANCE-FOR-INDIA-AS-A-SECULAR-DEMOCRACY.pdf>

<https://ijalr.in/volume-4-issue-4/the-uniform-civil-code-of-uttarakhand-an-analytical-research-dr-rajesh-kumar-dube/>

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