



UCC in Uttarakhand | Uttarakhand | 21 Oct 2024

Why in News?

The proposed [Uniform Civil Code \(UCC\)](#) in Uttarakhand, expected to be enacted on the [state's foundation day](#), **9th November**, will introduce **several new legal requirements and penalties concerning marriage and live-in relationships**.

Key Points

- The **proposed UCC aims to modernise legal practices in Uttarakhand**, addressing issues related to marriage registration, inheritance, and legal procedures while also simplifying processes through the use of technology.
- **Key Aspects of the Proposed Law Include the Following:**
 - **Marriage and Live-in Relationship Registration:**
 - It will be mandatory for married couples to register their marriages within six months of the UCC's implementation.
 - Couples in live-in relationships **must register their relationship** within one month of the notification.
 - Failure to comply with these requirements will result in penalties. Couples who do not register their marriages within the stipulated time will be **ineligible for government welfare schemes**.
 - Those who have already registered their marriage in other states must update their records in Uttarakhand.
 - **Penalties for Non-Compliance:**
 - If couples fail to register their live-in relationship within one month, they **could face imprisonment** of up to three months, a fine of up to Rs 10,000, or both.
 - Providing false information will result in penalties of up to three months in jail, a fine of Rs 25,000, or both.
 - Complete failure to register a marriage or live-in relationship may lead to a jail term of up to six months, a fine of Rs 25,000, or both.
 - Landlords who rent properties to unregistered couples and deliberately conceal information may also face legal action.
 - **Provisions for Children and Maintenance:**
 - Under the UCC, any child born out of a live-in relationship will be considered legitimate.
 - In cases of desertion, the **woman will be entitled to claim maintenance** from her partner.
 - Although the UCC ensures confidentiality for live-in couples, it requires that parents of individuals aged 18 to 21 be informed about their live-in relationship.
 - **Property Rights and Inheritance:**
 - The UCC proposes changes to inheritance laws to address concerns raised by elderly parents, who often find themselves alone in villages after their children migrate to cities.
 - The law suggests that **the deceased's movable and immovable property be divided into four parts**, with shares allocated to the wife, children, and parents, treating each as a separate unit.
 - Thousands of suggestions regarding inheritance were considered, including issues where elderly parents were left without support after the death of their son.
- **Simplifying Legal Procedures:**
 - A new mobile app will facilitate the registration process for marriages and live-in relationships. The **app will allow couples to register without needing to visit**

government offices.

- Additionally, **the app will simplify the process of drafting and updating a will,** making it possible for individuals to make changes to their will at any time.

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UNIFORM CIVIL CODE

All sections of the society irrespective of their religion shall be treated equally according to a National Civil Code - the Uniform Civil Code.

THEY COVER AREAS LIKE

- Marriage
- Divorce
- Maintenance
- Inheritance
- Adoption
- Succession of Property

It is based on the premise that there is necessarily no connection between religion and personal law in a civilized society.

"UCC refers to a common set of laws governing civil rights of every citizen."
Article 44 of Directive Principles sets duty of state for implementing UCC.

TIMELINE

- 1954: Passage of Special Marriage Act provides permission of civil marriage above any religious personal law.
- 1956: Hindu code bill passed dividing personal laws in:
 - Common Indian Citizen.
 - Muslim Community.
- 1986: Rajiv Gandhi government's law in Shah Bano case widens the difference in civil rights.
- 2003: Then President Dr. Abdul Kalam supported UCC.
- 2015: Supreme court asserted the need of UCC.

The dialogue for UCC was started by the Law Commission in the year 2016