

LIVE IN RELATIONSHIP: LEGAL PROVISION

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A Live-in relation i.e. cohabitation is an arrangement whereby two people decide to live together on a long-term or permanent basis in an emotionally and/or sexually intimate relationship. The term is most frequently applied to couple who are not married. The term 'wife' should include live-in partner too: SC Today, cohabitation is a common pattern among people in the Western World. People may live together for a number of reasons. These may include wanting to test the compatibility or to establish financial security before marrying. It may also be because they are unable to legally marry, for instance, if they are of the same sex, some interracial or inter-religious marriages are not legal or permitted. Other reasons include living with someone before marriage in an effort to avoid divorce, a way for polygamists or polyamorists to avoid breaking the law, a way to avoid the higher income taxes paid by some two-income married couples (in the United States), negative effects on pension payments (among older people), philosophical opposition to the institution of marriages and seeing little difference between the commitment to live together and the commitment to marriage.

Couples cohabit rather than marry for a variety of reasons. They may want to test their compatibility before they commit to a legal union. They may want to test maintain their single status for financial reasons. In some cases, such as those involving gay or lesbian couples, or individuals already married to another person, the law does not allow them to marry. In other cases, the partners may feel that marriage is unnecessary. Whatever the reasons, between 1970 and 1990, the number of couples living In Whatever the reasons, between 1970 and 1990, the number of couples living together outside of marriage quadrupled, from 523,000 to nearly 3 million. These couples face some of the same legal

issues as married couples, as well as some issues that their married friends need never consider.

India stands on the grounds of traditional integrity and strong moral values. Somehow, with the changing times values are changing or better if putted as rigidity of values are changing with the spinning time wheel. Today India is adopting liberal culture and is being influenced by the western lifestyle. But it is only being influenced by western culture; it still holds its original ground.

Times have changed but not the sight. In the present scenario also couples go in live in relationship because of their parents over interference in the personal arena. To enjoy complete privacy couples engage in such relations. They want to lead their life on their terms and conditions. When this standard of living is so refined then why is it opposed? Well there are certain points which depict the dark side this. India is on its way of development with positive and free vision but is still rich in tradition. Our moral ethics does not allow a girl and a boy to live together before marriage. In fact today in the 21st century also there are areas or small areas where people don't even think of such associations. For them there is always just one association and that is termed as marriage. People engage in live in thing because somewhere found the corner they are in love. But the partners do not enjoy the proper status of legally plus ethically associated couples and are hence not accepted by the society.

India is a culturally rich country and even in the age of modernization, people follow century old culture and traditions. Marriage is a social institution and one of the important parts of Indian culture. We feel peace and proud in following the custom of marriage created by our ancestors. Western people do not give any importance to social customs and for change they in-corporate new things in

their life style. Live-in, gay and lesbian relationships are some of the traditions started by them. A certain section of India too seems to have followed the Western culture. Now the important question arises, does India need legalization of live-in relationship or other similar, kind of unethical relationships? However, legalisation of such relationships would only encourage bad trend in the society. Change in law for a small section would surely affect the country's whole Population. Chances are fair that the coming generation might forget the importance of marriage and follow illegitimate relationship. Bottom lines are that legalization of live-in relationship will generate more problems. Divorce, suicides, sexual transmitted disease (STD) like AIDS are rising at an alarming rate due to such relationship. Centre must not advocate live-in or other related relationship in the country, as it would certainly malign the pious view identity of the culturally rich land.

Positive Effect:

- ❖ Living together before marriage can help both the partners get emotional support which is essential to do our daily activities with in enthusiasm.
- ❖ A good and caring live in partner can also provide the other with financial assistance in the time of need or emergency
- ❖ It can help people to understand the personality traits of their partner well. There are many people, who prefer being in a live-in relationship before committing to their partners, to check, if they would be comfortable living with the person throughout their lives.
- ❖ It can expose the negative aspects of a person and alert is partner at the right time
- ❖ Many people believe that walking out of a live-in relationship would be easier than walking out of a marriage as there are no legal hassles in the case of living together before marriage
- ❖ It can bring a lot of joy and fun and can provide the best moments in the life of the people in the relationship. However, being in a live-in relationship requires a lot of courage and a person should be firm on his/her views.

- ❖ Many relationship experts are of the opinion that living together before marriage can be helpful for both the persons, if, they get along well with each other. However, in order to get a long well with the person, it is important that we choose a partner whose thoughts and priorities in life are the same as ours.

Negative Effect:

- ❖ Living together before marriage can be the lack of trust or loyalty.
- ❖ There are many people who become over aggressive and possessive and start dictating all the.
- ❖ Terms in the relationship. They wish to call all the shots in the relationship and make their partner follow all there orders.
- ❖ Living in such a kind of relationship can lead to the loss of personal freedom and space. So you should set clear rules and boundaries before you say, "YES!" to cohabitation before marriage.
- ❖ The best thing to do for the success of any relationship is to give each other needed space and make the most of the time you spend together
- ❖ Another wrong side of living together before marriage is the loss of believe in the institution of marriage, in the case of some couples.

Uttarakhand Uniform Civil Code Bill: Major Provisions Regarding Live-in Relationships

Definition and Registration:

The Bill defines a live-in relationship as cohabitation between a man and a woman in a shared household through a relationship in the nature of marriage, provided such relations are not prohibited. Section 378 mandates that parties in a live-in relationship residing in the State of Uttarakhand shall submit a 'statement of the live-in relationship' to the Registrar within whose jurisdiction they reside, within one month of entering into the relationship. Residents of Uttarakhand in live-in relationships outside the State can submit this statement to the Registrar of their respective jurisdictions. Non-compliance with the registration requirement may result in punitive

measures, including imprisonment for up to three months, a fine of up to ₹10,000, or both.

Registrar's Powers and Duties:

Section 381 empowers the Registrar to:

Examine the contents of the submitted statement. Conduct a summary inquiry into various aspects of the relationship, including the marital status of partners, their age, and the nature of consent. Summon the partners or any other person for verification. Require additional information or evidence for inquiry. The Registrar, under Section 381(4), shall within thirty days of receipt of the statement:

Enter the statement in a prescribed register and issue a registration certificate, or Refuse to register the statement, providing reasons in writing for such refusal. The Registrar is obligated to inform the local police station and parents/guardians if any party to the live-in relationship is less than 21 years old.

Legal Status and Rights:

Section 382 stipulates that the incorporation of the statement in the prescribed register is for record purposes only. Section 379 declares that a child born of a live-in relationship shall be deemed legitimate.

Section 388 provides for maintenance rights:

If a woman is deserted by her live-in partner, she shall be entitled to claim maintenance. Such claims may be filed in the competent Court having jurisdiction over the place where they last cohabited. The provisions of Chapter 5, Part-1 of this Code shall apply mutatis mutandis to such maintenance claims.

Conclusion

The legal framework surrounding live-in relationships in India remains ambiguous, often favouring traditional marriage over other forms of partnership. This ambiguity, coupled with societal pressures, leaves many couples vulnerable to discrimination and legal challenges. There is a growing need for clearer, more inclusive laws that balance individual rights with cultural sensitivities and for societal attitudes to evolve to accommodate diverse relationship choices in modern India.

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