



INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed Edition :

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume 2 Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis

IJLRA

EDITORIAL TEAM

EDITORS



Megha Middha

Megha Middha, Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar

Megha Middha, is working as an Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar (Rajasthan). She has an experience in the teaching of almost 3 years. She has completed her graduation in BBA LL.B (H) from Amity University, Rajasthan (Gold Medalist) and did her post-graduation (LL.M in Business Laws) from NLSIU, Bengaluru. Currently, she is enrolled in a Ph.D. course in the Department of Law at Mohanlal Sukhadia University, Udaipur (Rajasthan). She wishes to excel in academics and research and contribute as much as she can to society. Through her interactions with the students, she tries to inculcate a sense of deep thinking power in her students and enlighten and guide them to the fact how they can bring a change to the society

Dr. Samrat Datta

Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board



Dr. Namita Jain



Head & Associate Professor

School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.

Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi.(2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019

Mrs.S.Kalpana

Assistant professor of Law

Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr. Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr. Ambedkar Law College, Pudupakkam. Published one book. Published 8 Articles in various reputed Law Journals. Conducted 1 Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.



Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

ABOUT US

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
ISSN

2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

THE UNIFORM CIVIL CODE OF UTTARAKHAND: AN ANALYTICAL RESEARCH

AUTHORED BY - DR. RAJESH KUMAR DUBE

ABSTRACT

The Uniform Civil Code, Uttarakhand, 2024 (hereinafter shall be referred as the Code) was enacted by Uttarakhand Legislative Assembly in the 75th years of the Republic of Bharat and received assent of the President of Bharat on 13th March 2024. The Code provides governance and regulations relating to the laws on marriage and divorce, maintenance, succession, live-in relationships and matters concerning thereto. The State of Uttarakhand is the first state Bharat, which has fulfilled its constitutional obligation for governing and regulating through laws relating to marriage and divorce, maintenance succession, live-in relationship and other matters incidental to. In this research paper there is an endeavour to carry out Analytical research of the Code.

INTRODUCTION

We the people of Bharat, has solemnly resolved to constitute Bharat as a sovereign and democratic republic in order to attain the constitutional objective of socio-political justice. One of the very attributes of such justice is equality before law and equal protection of the law which envisages that the State shall govern the Bharat, in accordance with the provisions contained under law of the land, without causing discrimination on the basis of religion, *Dharma*,¹ race, caste, sex, place of birth etc.² There is constitutional mandate to the State to provide Uniform Civil Code under the Directive Principles of the State Policy (hereinafter shall be referred as DPSP) for the citizens. Accordingly, the State shall endeavour to secure uniform Civil Code for citizens.³ The provisions contained under DPSP are not enforceable by the Courts established under the Constitution of the Bharat, but the principles contained therein are fundamental in the governance of the Bharat and State is under legal obligation to apply such principles in making laws.⁴ Under entry 5th of the List III-Concurrent List, both the Parliament and the State Legislative

¹ As per researcher's opinion religion and *Dharma* are altogether different concepts and should be used appropriately, according to the context.

² The Constitution of Bharat: Article-14.

³ Id. Article 44.

⁴ Id. Article 37.

assemblies are competent to legislate on subjects relating to marriage and divorce, intestacy and succession, will, joint family and partition and matters relating to personal laws of any community. The Constitution of Bharat confers fundamental rights that no person shall be denied equality before law or equal protection of the laws.⁵ The Scheduled tribes under sub-clause (25) of the Article 366 read with Article 342 of the Constitution of Bharat and certain group of persons whose customary rights are specifically protected under part XXI of the Constitution have been exempted from the applicability of the provisions of the Code.⁶ This Code consist of four parts.

MARRIAGE AND DIVORCE

Part-I of the Code has been dealt with the marriage and divorce which has been divided into seven chapters which shall be elaborated in this research paper appropriately. The connotation of the word 'child' has been assigned broader meaning under the Code and accordingly, besides biological child relating to parents, other children such as adopted child, an illegitimate child, child born through surrogacy etc. are included within its scope.⁷ There are certain prohibited degree of relationship between a man and a woman which prohibits such man and woman to enter into matrimonial relationship through marriage.⁸ The parties to the marriage means a man and woman between such marriage is either solemnised as per *Dharmik Samskar*,⁹ and customary rites/rituals of either parties to the marriage and also any kind of ceremonies and practices including *Saptapadi*, *Ashirvad* etc; or, contracted as per religious beliefs and practices such as '*Nikah*', '*Holy Union*', '*Anand Karj*'.¹⁰ The meaning of the term 'estate' includes both movable and immovable property, self-acquired or ancestral, coparcenary, joint property of any kind either tangible or intangible and includes share, interest or right in such property.¹¹ The provisions of the UCCUK regarding registration of marriage¹² or live-in relationship¹³ shall apply on all resident of the State. The term 'resident' means a citizen of Bharat, who is eligible to be a permanent resident of Uttarakhand; or is a permanent employee of the State and Central Government (within the territory of the State of Uttarakhand) or its entities; or has been residing in the State of Uttarakhand for not than less than a year; or is a beneficiary of any scheme of the

⁵ Supra at note 2.

⁶ The Uniform Civil Code of Uttarakhand, 2024; Section 2.

⁷ Id. Section 3 (1) (a).

⁸ Id. Section 3 (1) (d).

⁹ *Dharmik Samskar* is an essential and integral part of the *Sanatan Dharma* for performing *Vivah Samskar* of any *Sanatani* practicing such *Dharma* in his/her life.

¹⁰ Supra at note 6; Section 5.

¹¹ Id. Section 3 (1) (e).

¹² Id. Section 6.

¹³ Id. Section 378 read with 381.

State of Uttarakhand and the Central Government applicable in the State of the Uttarakhand.¹⁴ The term 'spouse' has been defined as either husband or wife in a marriage.¹⁵ The term 'maintenance' shall be interpreted as all kind of provisions relating to food, clothing, home, education, medical treatments any kind special needs.

Essential Conditions for Solemnising or Contracting marriages

There are certain essential conditions for solemnizing or contracting marriage provided under Chapter-1 of the Part-I of the Code. Accordingly, for the solemnization or entering into contract for the marriage a man and woman shall fulfil following five conditions.¹⁶ Firstly, at the time of marriage neither party to the marriage should have a spouse living. Secondly, at the time of marriage neither party to the marriage should be of unsound mind so as to make him/her incapable of giving valid consent; or suffering from such mental disorder so as to unable him/her to be fit for marriage; or subject to recurrent attacks of insanity. Thirdly, the man must be twenty-one years old and woman must be of eighteen years old. Fourthly, the parties to the marriage should not be within prohibited degree of relationship, unless customs permit them to do so. Fifthly, the said marriage should not be prohibited under any law for the time being in force.

Registration of Marriages or Divorce

There are provisions regarding registration marriage and divorce under Chapter-2 of the Part-I of the Code. There are provisions regarding compulsory registration of marriages which are solemnised or contracted after commencement of the Code.¹⁷ The marriages which are solemnised or contracted between 26th March 2010 to the date of commencement of the Code, are compulsorily to be registered.¹⁸ It is for the first time in the legislative history of Bharat that there are statutory provisions regarding registration of divorce. There are provisions regarding compulsory registration of decree of divorce or nullity which have been granted by the Court of competent jurisdiction after commencement of the Code.¹⁹ The decree of divorce or nullity which have been granted by the Court of competent jurisdiction before commencement of the Code may be get registered.²⁰ There is penal provision for non-registration of marriages, divorce or nullity of marriage, accordingly, the defaulter persons shall be liable to be punished with fine which may

¹⁴ Id. Section 3 (1) (n).

¹⁵ Id. Section 3 (1) (o).

¹⁶ Id. Section 4.

¹⁷ Id. Section 6.

¹⁸ Id. Section 7.

¹⁹ Id. Section 8.

²⁰ Id. Section 9.

extend to maximum twenty-five thousand rupees.²¹ But non-registration of marriage would not invalidate such marriages.²²

Restitution of Conjugal Rights and Judicial Separation

There are provisions regarding Restitution of Conjugal Rights and Judicial Separation under Chapter-3 of the Part-I of the Code. When either husband or wife has withdrawn from the society of another without any reasonable excuse, the aggrieved party may file a petition a petition before the Court of competent jurisdiction and the Court after verifying the truth and falsity of the case may issue decree for restitution of conjugal rights and burden of proving such reasonable excuse lies with the spouse who has withdrawn oneself from the society of another spouse.²³ Either party to the marriage may file the petition for judicial separation before the Court on the same grounds as may be sought for divorce.²⁴ After decree for judicial separation, it shall not be obligatory for the spouses to live together till the decree for judicial separation is under force, which may be rescinded through separate petition in the Court and during such separation, the martial tie shall remain intact.²⁵

Nullity of Marriage and Divorce

There are provisions regarding Nullity of Marriage and Divorce under Chapter-4 of the Part-I of the Code. Any marriage solemnised or contracted by violating conditions specified under clauses (i), (ii), (iv) and (v) of Section 4 of the Code shall be null and void and may be get declared by decree of nullity after filing petition before the Court.²⁶

Any marriage solemnized or contracted shall be voidable by a decree of nullity on any one of the following grounds claimed by the petitioner: that due to impotency of the respondent the marriage could not be consummated; or, that the marriage was solemnized or contracted in contravention of the condition specified in the clause (iii) of Section 4; or, that the consent of the petitioner was obtained by force, fraud, or coercion and the petition has been presented within one year, when such force or coercion had ceased to operate and also the petitioner was not living with the respondent with his/her full consent after such cessation of the force or coercion; or, that the wife was pregnant by a man other than the husband, or the husband had impregnated a woman other

²¹ Id. Section 18 (2).

²² Id. Section 20.

²³ Id. Section 21.

²⁴ Id. Section 22 (1).

²⁵ Id. Section 22 (2).

²⁶ Id. Section 23.

than his wife but subject to condition that the petitioner was ignorant of the alleged fact.²⁷

Any marriage solemnized or contracted may be dissolved by a decree of divorce on any one of the following grounds claimed by the petitioner: (1) that the respondent had voluntary sexual intercourse with any person other than petitioner; or, (2) that the respondent treated the petitioner with cruelty; or, (3) that the respondent deserted the petitioner for more than two years before filing the petition; or, (4) that the respondent has converted to another Dharma/religion than that of the petitioner; or (5) that the respondent has been incurably of unsound mind; or that the respondent has been suffering from communicable venereal disease which is of incurable nature; or, (6) that the respondent has renounced the world by entering any religious order or otherwise; or, (7) that the respondent has not been heard alive by any person for more than seven years; or, (8) that the respondent has solemnised or contracted another marriage in contravention of clause (i) of Section 4; or (9) that the respondent has failed to comply with maintenance order issued by the Court of competent jurisdiction.²⁸

Decree for dissolution of the marriage may also be granted on the ground that (a) there has not been resumption of cohabitation between spouses to the marriage for a period more than one year since the issuance of the decree of judicial separation; or, (b) there has not been restitution of conjugal rights between spouses to the marriage for a period more than one year since the issuance of the decree of restitution of conjugal rights.²⁹

The wife may also present a petition for the dissolution of marriage on the ground that (a) the husband has been held guilty of the offence of rape or any other unnatural offence of sexual assault since the solemnization or contracting of the marriage; or, (b) the husband had more than one wife from marriages solemnized or contracted before the commencement of the Code.³⁰

The marriages solemnized or contracted may be dissolved by mutual consent on the ground that parties to a marriage have been living separately for a period of one year or more and their inability to live together anymore and there should be mutual agreement to dissolve the marriage by mutual consent between such parties.³¹

²⁷ Id. Section 24.

²⁸ Id. Section 25 (1).

²⁹ Id. Section 25 (2).

³⁰ Id. Section 25 (3).

³¹ Id. Section 27.

SUCCESSION

Part-II of the Code has been dealt with the Succession. This part of the Code has been dealt with Intestate Succession under chapter-1; Testamentary Succession under Chapter-2; Protection of Estate of the Deceased under Chapter-3; Representative Title to Estate of Deceased on Succession under Chapter-4; Probate, Letters of Administration and Administration of Assets of Deceased under Chapter-5; Succession Certificates under Chapter-6; and Miscellaneous provision relating to succession under Chapter-7 of the Code.

Intestate Succession

A person who is dying intestate means the deceased had not making any testamentary arrangement relating to his estate, his/her interest in the estate shall be devolved in the following order of preference: Firstly, the heirs specified in Class-1 of Schedule-2 of the Code shall have preferential entitlement over any class of heirs; Secondly, the heirs specified in Class-2 of Schedule-2 of the Code shall be entitled to inherit, if there is no qualified heir in Class-1; Thirdly, the other relatives would be entitled to inherit, if there is none qualified heir is found in both Class-1 and 2; Finally, the estate shall escheat upon the Government, if there is no qualified heirs found in the aforesaid clauses.³²

The List of Class I heirs for Succession are as follows: Son; Daughter; Widow; Mother and Father; Son of predeceased son; Daughter of predeceased son; Son of predeceased daughter; Daughter of predeceased daughter; Widow of predeceased son; Son of predeceased son of a predeceased son; Daughter of predeceased son of a predeceased son; Widow of predeceased son of a predeceased son; Son of a predeceased daughter of a predeceased daughter; Son of a predeceased daughter of a predeceased son; Son of a predeceased son of a predeceased daughter; Daughter of a predeceased daughter of a predeceased daughter; Daughter of a predeceased son of a predeceased daughter; and Daughter of a predeceased daughter of a predeceased son.³³

The List of Class II heirs for Succession are as follows: Entry I: Brother and Sister; Entry II: Brother's Son, Sister's Son, Brother's Daughter, Sister's Daughter; Entry III: Father's father, Father's mother; Entry IV: Father's widow (Step mother), Brother's widow; Entry V: Father's brother, Father's sister; Entry VI: Mother's father, Mother's mother; Entry VII: Mother's brother,

³² Id. Section 49.

³³ Id. Schedule-2.

Mother's sister.³⁴

Other relatives mean such other persons who are related to the intestate but not specified under Class-1 or Class-2 heirs as mentioned above.³⁵

The distribution of estate of the intestate among Class-1 heirs, who shall inherit simultaneously, shall be as follows: every surviving spouse shall take one share each;³⁶ every surviving child shall take one share each;³⁷ the heirs in the branch of each predeceased child shall take one share each;³⁸ the share apportioned to each branch of the predeceased child under rule 3 shall be equally divided among the surviving spouse and child;³⁹ The share devolving upon each branch of the predeceased shall be equally divided among all members of the branch.⁴⁰ Surviving parents of the intestate shall take together one share.⁴¹

The distribution of estate amongst Class-2 heirs shall be as follows: the heirs of first entry shall be preferred over heirs under rest of the entries of the Class-2.⁴² All heirs under any entry shall inherit equally and simultaneously.⁴³

The nearest degree relatives of the intestate shall be preferred over the other relatives.⁴⁴ The Code has made no distinctions between actually born child and child in mother's womb and who has born alive, of the intestate and are equally entitled to inherit the estate.⁴⁵ The widow or widower of the intestate shall be disqualified to inherit the estate who has married during lifetime of the intestate.⁴⁶ A person, who commits murder of any person whose estate, such person is entitled to inherit shall be disqualified to succeed the estate of the murdered intestate.⁴⁷ The disqualified persons to inherit the estate shall be deemed to be died before the intestate under the Code.⁴⁸

³⁴ Id.

³⁵ Id.

³⁶ Id. Section 51; Rule 1.

³⁷ Id. Rule 2.

³⁸ Id. Rule 3.

³⁹ Id. Rule 4.

⁴⁰ Id. Rule 5.

⁴¹ Id. Rule 6.

⁴² Id. Section 52; Rule 1.

⁴³ Id. Rule 2.

⁴⁴ Id. Section 53.

⁴⁵ Id. Section 55.

⁴⁶ Id. Section 57.

⁴⁷ Id. Section 58.

⁴⁸ Id. Section 59.

Testamentary Succession

Chapter-2 of the Part-2 of the Code has been dealt with the testamentary succession which provide laws relating to Wills and Codicils⁴⁹; Execution of Wills⁵⁰; Attestation, Revocation. Alteration and Revival of Wills⁵¹; Construction of Wills⁵²; Void Bequests⁵³; Vesting of Legacies⁵⁴; Onerous Bequests⁵⁵; Contingent Bequests⁵⁶; Conditional Bequest⁵⁷; Bequests to an Executor⁵⁸; Specific Legacies⁵⁹; Demonstrative Legacies⁶⁰; Ademption of Legacies⁶¹; Payment of Liabilities in respect of the Subject of Bequest⁶²; Bequest of Things described in General Terms, Bequests of the Interest or Produce or Fund, Bequest of Annuities and Legacies to Creditors and Portioners⁶³; Election⁶⁴.

Protection of Estate of the Deceased & Representative Title to Estate of Deceased on Succession

Chapter 3 & 4 of the Part-2 of the Code has been dealt with the laws relating to the Protection of Estate of the Deceased & Representative Title to Estate of Deceased on Succession.⁶⁵ This chapter is mainly dealt with provisions relating the right of any person claiming succession to estate of deceased; provision regarding inquiry made by Judge and its procedure; appointment of curator and his powers; the character and estate of executor or administrator; proof of representative title a condition precedent to recovery etc.

Probate, Letters of Administration and Administration of Assets of Deceased

Chapter 5 of the Part-2 of the Code has been dealt with the laws relating to the Probate, Letters of Administration and Administration of Assets of Deceased⁶⁶. All grants of probate and letter of administration with the Will and the administration of the assets of the intestate deceased shall

⁴⁹ Id. Sections 61 to 63.

⁵⁰ Id. Sections 64 & 65.

⁵¹ Id. Sections 66 to 69.

⁵² Id. Sections 70 to 106.

⁵³ Id. Sections 107 to 112.

⁵⁴ Id. Sections 113 to 115.

⁵⁵ Id. Sections 116 & 117.

⁵⁶ Id. Sections 118 & 119.

⁵⁷ Id. Sections 120 to 134.

⁵⁸ Id. Section 135.

⁵⁹ Id. Sections 136 to 143.

⁶⁰ Id. Sections 144 & 145.

⁶¹ Id. Sections 146 to 160.

⁶² Id. Sections 161 to 164.

⁶³ Id. Sections 165 to 173.

⁶⁴ Id. Sections 174 to 185.

⁶⁵ Id. Sections 186 to 207.

⁶⁶ Id. Sections 208 to 358.

be carried out in accordance with the provisions provided under Chapter 5 of the Part-2 of the Code. In this Chapter of the Code, there are provisions regarding Grant of Probate and Letters of Administration; Limited Grants; Grants for special purposes; Alteration and Revocation of Grants; Powers of Executor or Administrator; Duties of an Executor or Administrator etc.

Succession Certificates and Miscellaneous

Chapter 6 & 7 of the Part-2 of the Code has been dealt with the laws relating to the Succession Certificates and Miscellaneous provisions pertaining to Succession.⁶⁷

LIVE-IN RELATIONSHIP

Part-III of the Code has been dealt with the Live-In Relationship.⁶⁸ This is relationship between a man and a woman, who live together in shared household through a relationship in the nature of marriage.⁶⁹ Such a man and a woman who live-in relationship is called as partners to live-in relationship.

The existing partners in a live-in relationship or persons intending to enter into a live-in relationship will have to submit a statement in this regard to the concerned Registrar in the prescribed format. After examination and summary inquiry, the Registrar may register such entries in the prescribed register or refuse to register within 30 days from the submission of statement.⁷⁰

The Registrar may refuse to register the aforesaid statement submitted by the partners to live-in relationship, where the partners are within prohibited degree of relationship; or one of the persons are already married or living in live-in relationship; or at least one of the persons are minor; or where the consent of one of the partners are obtained unlawfully.⁷¹ The persons who are living in live-in relationship for more than one month without submitting the aforesaid statement to the Registrar shall be liable to punishment with imprisonment for a term which may extend to three months or with fine not exceeding ten thousand rupees on conviction by a Judicial Magistrate.⁷²

The woman shall be entitled to maintenance allowance, if deserted by her live in partner.⁷³

⁶⁷ Id. Sections 359 to 377.

⁶⁸ Id. Sections 378 to 389.

⁶⁹ Id. Section 4 (b).

⁷⁰ Id. Section 381.

⁷¹ Id. Section 380.

⁷² Id. Section 387.

⁷³ Id. Section 388.

CONCLUSION

The Uniform Civil Code of Uttarakhand, 2024 is one of the historic and unprecedented legislation enacted by the Uttarakhand Legislative Assembly in the Bharat. The Code has been dealt with the provisions relating to Marriage and Divorce; Maintenance; Succession both Intestate and Testamentary; and Live-in Relationship. The law regarding live-in relationship is unique feature of the Code and its first ever legislation in any of the State of Bharat. The registration of Marriage, Divorce and Live-in relationship has been made mandatory under the Code. After carrying on analytical research of the Code, it may be concluded that very nice and progressive legislation has been enacted which covers all aspect of the Civil life pertaining to Marriage and Divorce; Maintenance; Succession and Live-in Relationship. This Code would be a model Code for Bharat for fulfilling the Constitutional mandate regarding Uniform Civil Code.

