

1999

---

# The Indian Christian Marriage Act, 1872

Asst. Inspector General of  
Registration Assam  
Guwahati-32

---

with SHORT NOTES



**Universal**  
Law Publishing Co. Pvt. Ltd.

Price Rs. 25.00

## Universal's Authentic and Updated BARE ACTS With Short Notes

- Administrative Tribunals Act, 1985 alongwith allied Rules	50.00	- Delhi Development Act alongwith Delhi Development (Amendment) Ordinance, 1992	15.00
- Advocates Act, 1961	28.00	- Delhi Land Reforms Act, 1954	28.00
- Air (Prevention and Control of Pollution) Act, 1981 alongwith Rules, 1982	28.00	- Delhi Land Revenue Act, 1954 alongwith Delhi Lands (Restrictions on Transfer) Act, 1972	20.00
- Air Force Act, 1950 along with Air Force Rules, 1969	70.00	- Delhi Police Act, 1978	22.00
- Apprentices Act, 1961 along with allied Rules	35.00	- Delhi Prohibition of Smoking and Non- Smokers Health Protection Act, 1996	10.00
- Arbitration and Conciliation Act, 1996	22.00	- Delhi Public Gambling Act, 1955	8.00
- Arbitration Act, 1940	12.00	- Delhi Rent Act, 1995 with Comparative Charts	25.00
- Arms Act, 1959 as amended by Act 22 of 1995 alongwith Rules, 1962	45.00	- Delhi Rent Act, 1995 (Hindi) with Comparative Charts	25.00
- Bankers' Books Evidence Act, 1891	10.00	- Delhi Sales Tax Act, 1975 alongwith Rate of Tax on Goods under First Schedule	30.00
- Benami Transactions (Prohibition) Act, 1988	10.00	- Delhi School Education Act alongwith Rules (H.L. Kumar)	98.00
- Bonded Labour System (Abolition) Act, 1976 along with Rules, 1976	12.00	- Delhi Shop & Establishments Act alongwith Rules (H.L. Kumar)	60.00
- Border Security Force Act, 1968 alongwith Rules, 1969	55.00	- Depositories Act, 1996	15.00
- Cable Television Networks (Regulation) Act, 1995 alongwith Rules, 1994 & Notification	20.00	- Divorce Act, 1869	18.00
- Cantonments Act, 1924	55.00	- Dowry Prohibition Act, 1961 along with Rules and Relevant Provisions of IPC & Evidence Act, 1872	10.00
- Carriers Act, 1865	10.00	- Drugs & Cosmetics Act, 1940	30.00
- Cattle Trespass Act, 1871 with State Amendments	20.00	- Easements Act, 1882	15.00
- Central Excise Act, 1944	35.00	- Electricity Act, 1910	25.00
- Central Sales Tax Act, 1956 alongwith Rules, 1957	30.00	- Electricity Rules (Indian), 1956	50.00
- Child Labour (Prohibition and Regulation) Act, 1986 along with Rules, 1988 and Children (Pledging of Labour) Act, 1933	15.00	- Electricity (Supply) Act, 1948	35.00
- Chit Funds Act, 1982	22.00	- Emigration Act, 1983 alongwith Rules, 1983	24.00
- Christian Marriage Act, 1872 with State Amendments	25.00	- Employees' Pension Scheme, 1995 as amended by Employees' Pension (Amendment) Scheme, 1996	20.00
- Cinematograph Act, 1952 along with Cinematograph (Certification) Rules, 1983 as amended in 1996	25.00	- Employees' State Insurance Act, 1948 with Central Rules, 1950 and Regulations	70.00
- Citizenship Act, 1955 alongwith Rules, 1956	30.00	- Environment (Protection) Act, 1986 alongwith Rules, 1986 & Hazardous Wastes Rules, 1989 and Allied Rules	55.00
- Code of Civil Procedure, 1908 <i>Pocket size Edition</i>	220.00 110.00	- Equal Remuneration Act, 1976 along with allied Rules	15.00
- Code of Criminal Procedure, 1973 with Comparative Chart & Subject Index <i>Pocket Size Edition</i>	90.00 40.00	- Essential Commodities Act, 1955 alongwith Essential Commodities (Special Provisions) Act, 1981 and Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980	20.00
- COFEPOSA Act, 1974 and SAFEMFOP Act, 1976	20.00	- Evidence Act, 1872	22.00
- Commissions of Inquiry Act, 1952 alongwith Rules, 1972	12.00	- Factories Act, 1948	35.00
- Commission of Sati (Prevention) Act, 1987 alongwith Rules, 1988	10.00	- Family Courts Act, 1984	10.00
- Constitution of India with selective comments by P. M. Bakshi (Incorporating upto 78th Amendment Act) Regular Edn. 1996	100.00	- Fatal Accidents Act, 1855	8.00
<i>Pocket size Edn. 1996</i>	45.00	- Foreigners Act, 1946 along with Order, 1948, Registration of Foreigners Act, 1939 and Rules, 1992	24.00
- Consumer Protection Act, 1986 alongwith Rules, 1987	18.00	- Foreign Exchange Regulation Act, 1973 alongwith Rules, 1974	30.00
- Contempt of Courts Act, 1971 alongwith Rules to Regulate Proceedings for Contempt of the Supreme Court, 1975	12.00	- Forest Act, 1927 alongwith The Forest (Conservation) Act, 1980 and The Forest (Conservation) Rules, 1981	22.00
- Contract Act, 1872	22.00	- General Clauses Act, 1897	12.00
- Contract Labour (Regulation and Abolition) Act, 1970 along with Rules, 1971	30.00	- Gift-tax Act, 1958	40.00
- Copyright Act, 1957 as amended by Copyright (Amendment) Act, 1994 (effective from 10-5-1995) alongwith Copyright Rules, 1958 as amended by Copyright (Amendment) Rules, 1995 and International Copyright Order, 1991	35.00	- Guardians and Wards Act, 1890	12.00
- Court Fees Act, 1870	18.00	- Hindu Laws (Containing 5 Acts)	22.00
- Criminal Manual—Containing Cr.P.C., I.P.C. and Evidence Act with Subject Index (Hardbound Pocket Size)	120.00	- Hindu Adoption & Maintenance Act, 1956	10.00
- Customs Act, 1962	50.00	- Hindu Marriage Act, 1955	10.00
- Delhi Co-operative Societies Act, 1972	20.00	- Hindu Minority & Guardianship Act, 1956	10.00
		- Hindu Succession Act, 1956	10.00
		- Hire-Purchase Act, 1972	12.00
		- Identification of Prisoners Act, 1920	8.00
		- Immoral Traffic (Prevention) Act, 1956	22.00
		- Indecent Representation of Women (Prohibition) Act, 1986 alongwith Rules, 1987	10.00

# The Indian Christian Marriage Act, 1872

with  
SHORT NOTES

*Shy m*  
10/1/1999  
Asstt Inspector  
Registration Assam  
Guwahati-21

UNIVERSAL LAW PUBLISHING CO. PVT. LTD.

© Publishers

No part of this publication can be reproduced or transmitted in any form or by any means, without prior permission of the Publishers.

*Distributors*

**UNIVERSAL BOOK TRADERS**

80, Gokhale Market, Opp. Tishazari New Courts,  
Delhi-110 054

Phones : 2911966, 2511288, 2914487

FAX : 011-2924152, 011-7459023

E-Mail : books.unilaw@axcess.net.in

*Branch :*

C-27/1, Connaught Place,

Middle Circle, New Delhi-110 001

Phones : 3323277, 3713671

**IMPORTANT**

Although every care has been taken to avoid errors or omissions, this publication is being sold on the condition and understanding that information given in this book is merely for reference and must not be taken as having authority of or binding in any way on the authors, editors, publishers and sellers who do not owe any responsibility for any damage or loss to any person, a purchaser of this publication or not, for the result of any action taken on the basis of this work. For authoritative information, please contact the Department concerned or refer to the Gazette Notification. The publishers shall be obliged if mistakes are brought to their notice for carrying out corrections in the next edition.

*Published by*

**UNIVERSAL LAW PUBLISHING CO. PVT. LTD.**

C-FF-1A, Ansal's Dilkhush Industrial Estate, G.T. Karnal Road, Delhi-110 033

Phones : 7215334, 7438103, 7458529 FAX : 011-7459023

Computer Set at ULPC (Typesetting Division) & Printed at Taj Press, New Delhi

**CONTENTS**

	Page
<i>Introduction</i>	1
<b>Preamble</b>	3
<b>Sections</b>	
1. Short title	3
2. Enactments repealed	3
3. Interpretation-clause	3
<i>PART I</i>	
<b>THE PERSONS BY WHOM MARRIAGES MAY BE SOLEMNIZED</b>	
4. Marriages to be solemnized according to Act	4
5. Persons by whom marriages may be solemnized	4
6. Grant and revocation of licenses to solemnize marriages	5
7. Marriage Registrars	5
8. Marriage Registrars in Indian States	5
9. Licensing of persons to grant certificates of marriage between Indian Christians	5
<i>PART II</i>	
<b>TIME AND PLACE AT WHICH MARRIAGES MAY BE SOLEMNIZED</b>	
10. Time for solemnizing marriage	6
11. Place for solemnizing marriage	7
<i>PART III</i>	
<b>MARRIAGES SOLEMNIZED BY MINISTERS OF RELIGION LICENSED UNDER THIS ACT</b>	
12. Notice of intended marriage	7
13. Publication of such notice	7
14. Notice of intended marriage in private dwelling	8
15. Sending copy of notice to Marriage Registrar when one party is a minor	8
16. Procedure in receipt of notice	8
17. Issue of certificate of notice given and declaration made	8
18. Declaration before issue of certificate	8
19. Consent of father, or guardian or mother	9
20. Power to prohibit by notice issue of certificate	9

Sections	Page
21. Procedure on receipt of notice	9
22. Issue of certificate in case of minority	9
23. Issue of certificate to Indian Christians	9
24. Form of certificate	9
25. Solemnization of marriage	9
26. Certificate void if marriage not solemnized within two months	9

## PART IV

REGISTRATION OF MARRIAGES SOLEMNIZED BY  
MINISTER OF RELIGION

27. Marriages when to be registered	10
28. Registration of marriages solemnized by Clergymen of Church of England	10
29. Quarterly returns to Archdeaconry	10
30. Registration and returns of marriages solemnized by Clergymen of Church of Rome	11
31. Registration and returns of marriages solemnized by Clergymen of Church of Scotland	11
32. Certain marriages to be registered in duplicate	11
33. Entries of such marriages to be signed and attested	11
34. Certificate to be forwarded to Marriage Registrar, copied and sent to Registrar-General	12
35. Copies of certificates to be entered and numbered	12
36. Registrar to add number of entry to certificate, and send to Registrar-General	12
37. Registration of marriages between Indian Christians by persons referred to in clauses (1), (2) and (3) of section 5	12

## PART V

MARRIAGES SOLEMNIZED BY, OR IN THE PRESENCE OF,  
A MARRIAGE REGISTRAR

38. Notice of intended marriage before Marriage Registrar	13
39. Publication of notice	13
40. Notice to be filed and copy entered in Marriage Notice Book	13
41. Certificate of notice given and oath made	13
42. Oath before issue of certificate	14
43. Petition to High Court to order certificate in less than fourteen days	14
44. Consent of father or guardian	14
45. Petition where person whose consent is necessary is insane, or unjustly withholds consent	15

Sections	Page
46. Petition when Marriage Registrar refuses certificate	15
47. Petition when Marriage Registrar in Indian State refuses certificate	15
48. Petition when Registrar doubts authority of person forbidding	15
49. Liability for frivolous protest against issue of certificate	16
50. Form of certificate	16
51. Solemnization of marriage after issue of certificate	16
52. When marriage not had within two months after notice, new notice required	17
53. Marriage Registrar may ask for particulars to be registered	17
54. Registration of marriages solemnized under Part V	17
55. Certificate to be sent monthly to Registrar-General	17
56. Officers to whom Registrar in Indian States shall send certificates	18
57. Registrars to ascertain that notice and certificate are understood by Indian Christians	18
58. Indian Christians to be made to understand declarations	18
59. Registration of marriages between Indian Christians	18

## PART VI

## MARRIAGE OF INDIAN CHRISTIANS

60. On what conditions marriages of Indian Christians may be certified	18
61. Grant of certificate	19
62. Keeping of register-book and deposit of extracts therefrom with Registrar-General	19
63. Searches in register-book and copies of entries	20
64. Books in which marriages of Indian Christians under Part I or Part III are registered	20
65. Part VI not to apply to Roman Catholics	20

## PART VII

## PENALTIES

66. False oath, declaration, notice or certificate for procuring marriage	20
67. Forbidding by false personation, issue of certificate by Marriage Registrar	21
68. Solemnizing marriage without due authority	21
69. Solemnizing marriage out of proper time, or without witnesses	21
70. Solemnizing without notice or within fourteen days after notice, marriage with minor	21
71. Issuing certificate, or marrying, without publication of notice	22

Sections	Page
72. Issuing certificate after expiry of notice, or, in case of minor, within fourteen days after notice, or against authorized prohibition . . . . .	22
73. Persons authorized to; solemnize marriage (other than clergy of Churches of England, Scotland or Rome) . . . . .	22
74. Unlicensed person granting certificate pretending to be licensed . . . . .	23
75. Destroying or falsifying register-book . . . . .	23
76. Limitation of prosecutions under Act . . . . .	24
 <i>PART VIII</i> <b>MISCELLANEOUS</b>	
77. What matters need not be proved in respect of marriage in accordance with Act . . . . .	24
78. Corrections or errors . . . . .	24
79. Searches and copies of entries . . . . .	25
80. Certified copy of entry in marriage-register, <i>etc.</i> , to be evidence . . . . .	25
81. Certificates of certain marriages to be sent to Central Government . . . . .	25
82. State Government to prescribe fees . . . . .	25
83. Power to make rules . . . . .	26
84. Power to prescribe fees and rules for Indian States . . . . .	26
85. Power to declare who shall be District Judge . . . . .	26
86. Powers and functions exercisable as regards Indian States . . . . .	26
87. Saving of Consular marriages . . . . .	26
88. Non-validation of marriages within prohibited degrees . . . . .	26
<i>SCHEDULE I</i> . . . . .	27
<i>SCHEDULE II</i> . . . . .	27
<i>SCHEDULE III</i> . . . . .	28
<i>SCHEDULE IV</i> . . . . .	29
<i>SCHEDULE V</i> . . . . .	30

## THE INDIAN CHRISTIAN MARRIAGE ACT, 1872

### INTRODUCTION

The law relating to solemnization in India of marriages of persons professing the Christian religion was spread over in two Acts of English Parliament and three Acts of Indian Legislature. To reduce into a smaller compass and to simplify the then prevalent law on this subject by the consolidation of the different enactments The Indian Christian Marriage Bill was introduced in the Legislature.

### STATEMENT OF OBJECTS AND REASONS

The law relating to solemnization in India of marriages of persons professing the Christian religion is at present distributed over two English Acts of Parliament and three Acts of the Indian Legislature.

The objects of this Bill is to reduce into a smaller compass and simplify the existing law on this subject by the consolidation of the different enactments referred to, and at the same time to amend the law in those matters in which it has been shown to be defective.

For example, by Act V of 1865 it is provided that marriages between Native Christians shall be valid where the ages of the contracting parties are not less than sixteen and thirteen years, respectively, and where they do not stand in relation to each other within the prohibited degrees of consanguinity or affinity.

It has been very forcibly represented by the President and several members of the Bengal Christian Association that this provision of the law works injuriously by freeing the children of Native Christian parents from the control which all other parents can legally exercise over their sons and daughters are the latter have attained their majority.

The Bill requires the consent of the parents or guardians of Native Christian to a marriage between them, where the age of either of the parties about to contract such marriage is less than eighteen years, except in cases in which the minors have been altogether separated from their parents or natural guardians, and by reason of such separation are not properly subject to their control.

There is also some ambiguity in regard to the provisions of the law respecting the submission of returns, and the disposal of the records of the registration of marriages solemnized between Native Christians.

The Bill lays down distinctly how such marriages are to be recorded in all cases, and provides for the disposal of the record. It also substitutes for the fixed rates of fees in respect of marriages solemnized by or before Marriage Registrars, a power to the Local Government to regulate such fees and their remission; and lastly, extends the Marriage law to all places within the territories of Native Princes in alliance with Her Majesty, in respect of marriages between British subjects professing the Christian religion.

### ACT 15 OF 1872

The Indian Christian Marriage Bill having been passed by the Legislature received its assent on 18th July, 1872. It came on the Statute Book as THE INDIAN CHRISTIAN MARRIAGE ACT, 1872 (15 of 1872).

## LIST OF AMENDING ACTS AND ADAPTATION ORDERS

1. The Repealing Act, 1874 (16 of 1874).
2. The Births, Deaths and Marriages Registration Act, 1886 (6 of 1886).
3. The Indian Christian Marriage Act (1872) Amendment Act, 1891 (2 of 1891).
4. The Amending Act, 1891 (12 of 1891).
5. The Repealing and Amending Act, 1903 (1 of 1903).
6. The Indian Christian Marriage (Amendment) Act, 1911 (13 of 1911).
7. The Repealing and Amending Act, 1928 (18 of 1928).
8. The Government of India (Adaptation of Indian Laws) Order, 1937.
9. The Repealing Act, 1938 (1 of 1938).
10. The Indian Independence (Adaptation of Central Acts and Ordinances) Order, 1948.
11. The Adaptation of Laws Order, 1950.
12. The Part B States (Laws) Act, 1951 (3 of 1951).
13. The Repealing and Amending Act, 1952 (48 of 1952).
14. The Adaptation of Laws Order, 1956.
15. The Child Marriage Restraint (Amendment) Act, 1978 (2 of 1978).
16. The Delegated Legislation Provisions (Amendment) Act, 1983 (20 of 1983).

## THE INDIAN CHRISTIAN MARRIAGE ACT, 1872

(15 of 1872)

[18th July, 1872]

*An Act to consolidate and amend the law relating to the solemnization in India of the marriages of Christians.*

**Preamble.**—WHEREAS it is expedient to consolidate and amend the law relating to the solemnization in India of the marriages of persons professing the Christian religion; It is hereby enacted as follows:—

## PRELIMINARY

**1. Short title.**—This Act may be called the Indian Christian Marriage Act, 1872.

**Extent.**—<sup>1</sup>[It extends to the whole of India <sup>2</sup>[except <sup>3</sup>[the territories which, immediately before the 1st November, 1956, were comprised in the States] of Travancore-Cochin, Manipur and Jammu and Kashmir].<sup>4</sup>

<sup>5</sup>[\*\*\*]

**2. Enactments repealed.**—[Rep. by the Repealing Act, 1938 (1 of 1938), Sec. 2 and Sch., Pt. I.]

**3. Interpretation-clause.**—In this Act, unless there is something repugnant in the subject or context,—

“Church of England” and “Anglican” mean and apply to the Church of England as by law established;

“Church of Scotland” means the Church of Scotland as by law established;

“Church of Rome” and “Roman Catholic” mean and apply to the Church which regards the Pope of Rome as its spiritual head;

“Church” includes any chapel or other building generally used for public Christian Worship;

<sup>6</sup>[“India” means the <sup>7</sup>[territories] to which this Act extends;]

“minor” means a person who has not completed the age of twenty-one years and who is not a widower or a widow;

1. Subs. by the A.O. 1950, for the second paragraph as amended by the A.O. 1937 and the A.O. 1948.

**NOTE:**—The act does not extend to the State of Manipur *vide* Act 30 of 1950, sec. 3 (2A) and Sch. as amended by Act 68 of 1956, Sch 2.

The Act has been extended to and brought into force in Dadra and Nagar Haveli (w.e.f 1-7-1965) by Reg. 6 of 1963, sec. 2 and Sch. I.]

2. Subs. by Act 3 of 1951, sec. 3 and Sch., for “except Part B States”.

3. Subs. by the A.O. 1956, for “the States”.

4. In its application to Pondicherry, in sec. I, the following shall be inserted at the end—“Provided that nothing contained in this Act shall apply to the Renoncants of Union territory of Pondicherry” *vide* Act 26 of 1968.

5. The commencement clause Rep. by Act 16 of 1874, sec. 1 and Sch. Pt. I.

6. Ins. by Act 3 of 1951, sec. 3 and Sch.

7. Subs. by the A.O. 1956, for “territory comprised in the States”.

<sup>1</sup>[\*\*\*]

the expression "Christian" means persons professing the Christian religion;

<sup>2</sup>[and the expression "Indian Christians" includes the Christian descendants of natives of India converted to Christianity, as well as such converts;]

✓<sup>3</sup>["Registrar General of Births, Deaths and Marriages" means a Registrar General of Births, Deaths and Marriages appointed under the Births, Deaths and Marriages Registration Act, 1886 (6 of 1886)].

#### STATE AMENDMENT

**Karnataka:**—In section 3, the definition of "Registrar General of Births, Deaths and Marriages" shall be substituted as follows:

"Registrar General of Births, Deaths and Marriages" means the Registrar General of Births, Deaths and Marriages appointed under the Mysore Registrar General of Births, Deaths and Marriages Act, 1956." [Mysore Act 20 of 1956, sec. I read with Act 31 of 1973, sec. 5.]

#### COMMENTS

The expression Christian means persons professing the Christian religion and Indian Christian includes the Christian descendants of natives of India converted to Christianity, as well as such converts. Marriages between persons at least one of whom is Christian are governed by the Christian Marriage Act, 1872 (15 of 1872). The Act is not only an amending but a consolidating Act and provides a Code in itself. It extends to the whole of India except States of Travancore-Cochin, Manipur and Jammu and Kashmir.

#### PART I

#### THE PERSONS BY WHOM MARRIAGES MAY BE SOLEMNIZED

**4. Marriages to be solemnized according to Act.**—Every marriage between persons, one or both of whom is [or are] a Christian, or Christians, shall be solemnized in accordance with the provisions of the next following section; and any such marriage solemnized otherwise than in accordance with such provisions shall be void.

✓**5. Persons by whom marriages may be solemnized.**—Marriages may be solemnized in <sup>5</sup>[India]—

- (1) by any person who has received episcopal ordination, provided that the marriage be solemnized according to the rules, rites, ceremonies and customs of the Church of which he is a Minister;
- (2) by any Clergyman of the Church of Scotland, provided that such marriage be solemnized according to the rules, rites, ceremonies and customs of the Church of Scotland;

1. The definition of "Native State" Rep. by the A.O. 1937.
2. Subs. by the A.O. 1950, for the original definition.
3. Ins. by Act 6 of 1886, sec. 30.
4. Ins. by Act 12 of 1891, sec. 2 and Sch. II.
5. Subs. by Act 3 of 1951, sec.3 and Sch, for "Part A States and Part C States".

(3) by any Minister of Religion licensed under this Act to solemnize marriages;

(4) by, or in the presence of, a Marriage Registrar appointed under this Act;

(5) by any person licensed under this Act to grant certificates of marriage between <sup>1</sup>[Indian] Christians.

<sup>2</sup>**[6. Grant and revocation of licenses to solemnize marriages.**—The <sup>3</sup>[State] Government, so far as regards the territories under its administration, <sup>4</sup>[\*\*\*] may, by notification in the <sup>5</sup>[Official Gazette] <sup>6</sup>[\*\*\*], grant licences to Ministers of Religion to solemnize marriages within such territories <sup>7</sup>[\*\*\*] and may, by a like notification, revoke such licences.]

✓**7. Marriage Registrars.**—The State Government may appoint one or more Christians, either by name or as holding any office for the time being, to be the Marriage Registrar or Marriage Registrars for any district subject to its administration.

**Senior Marriage Registrar.**—Where there are more Marriage Registrars than one in any district, the State Government shall appoint one of them to be the Senior Marriage Registrar.

**Magistrate when to be Marriage Registrar.**—When there is only one Marriage Registrar in a district, and such Registrar is absent from such district, or ill, or when his office is temporarily vacant, the Magistrate of district shall act as, and be, Marriage Registrar thereof during such absence, illness, or temporary vacancy.

#### STATE AMENDMENT

**Karnataka:**—In section 7, for the words "Magistrate of the District", the words "District Magistrate" shall be substituted. [Mysore Act 13 of 1965, sec. 66 and Sch, read with Act 31 of 1973, sec. 5.]

**8. Marriage Registrars in Indian States.**—[Rep. by A.O. 1950].

✓**9. Licensing of persons to grant certificates of marriage between Indian Christians.**—The <sup>3</sup>[State Government] <sup>4</sup>[\*\*\*] may grant a license to any Christian either by name or as holding any office for the time being, authorizing him to grant certificates of marriage between <sup>1</sup>[Indian] Christians.

Any such license may be revoked by the authority by which it was granted and every such grant or revocation shall be notified in the Official Gazette.

1. Subs. by the A.O. 1950, for "Native".
2. Subs. by the Act 2 of 1891, sec. 1.
3. Subs. by the A.O. 1950, for "Provincial".
4. The words "and the Central Government so far as regards any Indian State" as amended by the A.O. 1937 for the original words, were rep. by the A.O. 1950.
5. Subs. by the A.O. 1937, for "Local Official Gazette".
6. The words "or in the Gazette of India; as the case may be" rep. by the A.O. 1937.
7. The words "and State, respectively", rep. by the A.O. 1950.

## COMMENTS

In this part of the Act certain conditions have been laid down for a marriage to be valid under the Act. The parties to the marriage must be Christian as defined under section 3 of the Act or at least one of them must be a Christian and the marriage must have been solemnised in accordance with the provisions of section 5 of the Act by a person duly authorised to do so. The State Governments of the area have been authorised to grant and revoke the licences, granted in favour of certain persons, for the solemnization of marriages under the Act. As per the provisions contained in the Act, the marriage must be performed in a particular form duly entered in the Marriage Register, maintained for this purpose. The factum of marriage can be proved by producing the entries from this register. Other evidence can also be produced for this purpose. Versions of the eye witnesses to the marriage, subsequent conduct of the couple living as husband and wife, can also be a good piece of evidence to prove the factum of a Christian marriage, (1964)2 Andhra WR 136. Admission of either spouse is a relevant factor to prove the factum of marriage.

A Christian Marriage can also take place at the house of the bride's mother and in that case the signing of Marriage Register is not essential under the Act; AIR 1960 Ori 164.

In Christian marriage even if one of its parties is a Hindu cannot be dissolved by a decree of divorce under section 13 of the Hindu Marriage Act; (1993)MLJ 31.

A marriage performed under the Christian Marriage Act and validly registered under the provisions of Special Marriage Act can be dissolved on the basis of mutual consent under section 28 of the Special Marriage Act if the conditions laid down in that section are fulfilled; (1995) MLJ 492.

## PART II

## TIME AND PLACE AT WHICH MARRIAGES MAY BE SOLEMNIZED

**10. Time for solemnizing marriage.**—Every marriage under this Act shall be solemnized between the hours of six in the morning and seven in the evening:

*Exceptions.*—Provided that nothing in this section shall apply to—

- (1) a Clergyman of the Church of England solemnizing a marriage under a special license permitting him to do so at any hour other than between six in the morning and seven in the evening, under the hand and seal of the Anglican Bishop of the Diocese or his Commissary, or
- (2) a Clergyman of the Church of Rome solemnizing a marriage between the hours of seven in the evening and six in the morning, when he has received a general or special license in that behalf from the Roman Catholic Bishop of the Diocese or Vicariate in which such marriage is so solemnized, or from such person as the same Bishop has authorised to grant such license, '[or
- (3) a Clergyman of the Church of the Scotland solemnizing a marriage according to the rule, rites, ceremonies and customs of the Church of Scotland.]

3. Ins. by Act 2 of 1891, sec.2.

**11. Place for solemnizing marriage.**—No Clergyman of the Church of England shall solemnize a marriage in any place other than a Church '[where worship is generally held according to the norms of the Church of England,]

unless there is no '[such] church within five miles distance by the shortest road from such place, or

unless he has received a special license authorizing him to do so under the hand and seal of the Anglican Bishop of the Diocese or his Commissary.

**Fee for special license.**—For such special license, the Registrar of the Diocese may charge such additional fee as said Bishop from time to time authorizes.

## COMMENTS

As a general rule every marriage under this Act shall be solemnised between the hours of six in the morning and seven in the evening and the place of marriage is a Church. Exceptions are, however, made in case where a special licence permitting a clergyman of the Church is granted. The Act of a person who solemnises a marriage beyond these hours and outside the Church in the absence of the witnesses without any special licence, has been made punishable under section 69 of the Act. The punishment provided is upto three years imprisonment.

## PART III

## MARRIAGES SOLEMNIZED BY MINISTERS OF RELIGION LICENSED UNDER THIS ACT

**12. Notice of intended marriage.**—Whenever a marriage is intended to be solemnized by a Minister of Religion licensed to solemnize marriages under this Act—

one of the persons intending marriage shall give notice in writing, according to the form contained in the First Schedule hereto annexed, or to the like effect, to the Minister of Religion whom he or she desires to solemnize the marriage, and shall state therein—

- (a) the name and surname, and the profession or condition, of each of the persons intending marriage;
- (b) the dwelling-place of each of them;
- (c) the time during which each has dwelt there; and
- (d) the church or private dwelling in which the marriage is to be solemnized:

Provided that, if either of such persons has dwelt in the place mentioned in the notice during more than one month, it may be stated therein that he or she has dwelt there one month and upwards.

**13. Publication of such notice.**—If the persons intending marriage desire it to be solemnized in a particular church, and if the Minister of Religion to whom such notice has been delivered be entitled to officiate therein, he shall cause the notice to be affixed in some conspicuous part of such church.

1. Ins. by Act 2 of 1891, sec.3.



**Return or transfer of notice.**—But if he is not entitled to officiate as a Minister in such church, he shall, at his option, either return the notice to the person who delivered it to him, or deliver it to some other Minister entitled to officiate therein, who shall thereupon cause the notice to be affixed as aforesaid.

**14. Notice of intended marriage in private dwelling.**—If it be intended that the marriage shall be solemnized in a private dwelling, the Minister of Religion, on receiving the notice prescribed in section 12, shall forward it to the Marriage Registrar of the district, who shall affix the same to some conspicuous place in his own office.

**15. Sending copy of notice to Marriage Registrar when one party is a minor.**—When one of the persons intending marriage is a minor, every Minister receiving such notice shall, unless within twenty-four hours after its receipt he returns the same under the provisions of section 13, send by the post or otherwise a copy of such notice to the Marriage Registrar of the district, or, if there be more than one Registrar of such district, to the Senior Marriage Registrar.

**16. Procedure in receipt of notice.**—The Marriage Registrar or Senior Marriage Registrar, as the case may be, on receiving any such notice, shall affix it to some conspicuous place in his own office, and the latter shall further cause a copy of the said notice to be sent to each of the other Marriage Registrars in the same district who shall likewise publish the same in the manner above directed.

**17. Issue of certificate of notice given and declaration made.**—Any Minister of Religion consenting or intending to solemnize any such marriage as aforesaid, shall, on being required so to do by or on behalf of the person by whom the notice was given, and upon one of the persons intending marriage making the declaration hereinafter required, issue under his hand a certificate of such notice having been given and of such declaration having been made:

**Proviso.**—Provided—

- (1) that no such certificates shall be issued until the expiration of four days after the date of the receipt of the notice by such Minister;
- (2) that no lawful impediment be shown to his satisfaction why such certificate should not issue; and
- (3) that the issue of such certificate has not been forbidden, in manner hereinafter mentioned, by any person authorized in that behalf.

**18. Declaration before issue of certificate.**—The certificate mentioned in section 17 shall not be issued until one of the persons intending marriage has appeared personally before the Minister and made a solemn declaration—

- (a) that he or she believes that there is not any impediment of kindred or affinity, or other lawful hindrance, to the said marriage,  
and, when either or both of the parties is or are a minor or minors—
- (b) that the consent or consents required by law has or have been obtained thereto, or that there is no person resident in India having authority to give such consent, as the case may be.

**19. Consent of father, or guardian or mother.**—The father, if living, of any minor, or, if the father be dead, the guardian of the person of such minor, and, in case there be no such guardian, then the mother of such minor, may give consent to the minor's marriage, and such consent is hereby required for the same marriage, unless no person authorised to give such consent be resident in India.

**20. Power to prohibit by notice issue of certificate.**—Every person whose consent to a marriage is required under section 19, is hereby authorized to prohibit the issue of the certificate by any Minister, at any time before the issue of the same, by notice in writing to such Minister, subscribed by the person so authorized with his or her name and place of abode and position with respect to either of the persons intending marriage, by reason of which he or she is so authorized as aforesaid.

**21. Procedure on receipt of notice.**—If any such notice be received by such Minister, he shall not issue his certificate and shall not solemnize the said marriage until he has examined into the matter of the said prohibition, and is satisfied that the person prohibiting the marriage has no lawful authority for such prohibition,

or until the said notice is withdrawn by the person who gave it.

**22. Issue of certificate in case of minority.**—When either of the persons intending marriage is a minor, and the Minister is not satisfied that the consent of the person whose consent to such marriage is required by section 19 has been obtained, such Minister shall not issue such certificate until the expiration of fourteen days after the receipt by him of the notice of marriage.

✓ **23. Issue of certificate to [Indian] Christians.**—When any [Indian] Christian about to be married takes a notice of marriage to a Minister of Religion, or applies for a certificate from such Minister under section 17, such Minister shall, before issuing the certificate, ascertain whether such [Indian] Christian is cognizant of the purport and effect of the said notice or certificate, as the case may be, and, if not, shall translate or cause to be, translated the notice or certificate to such [Indian] Christian into some language which he understands.

**24. Form of certificate.**—The certificate to be issued by such Minister shall be in the form contained in the Second Schedule hereto annexed, or to the like effect.

**25. Solemnization of marriage.**—After the issue of the certificate by the Minister, marriage may be solemnized between the persons therein described according to such form or ceremony as the Minister thinks fit to adopt:

Provided that the marriage be solemnized in the presence of at least two witnesses besides the Minister.

**26. Certificate void if marriage not solemnized within two months.**—Whenever a marriage is not solemnized within two months after the date of the certificate issued by such Minister as aforesaid, such certificate and all proceedings (if any) thereon shall be void,

and no person shall proceed to solemnize the said marriage until new notice has been given, and a certificate thereof issued in manner aforesaid.

## COMMENTS

This part of the Act deals with the notice of intended marriage and its publication before the actual marriage ceremony. It lays down that one of the persons intending marriage shall give a notice in writing as per the form contained in First Schedule to the Act, to the Minister of Religion whom he or she desires to solemnise the marriage.

If the marriage is intended to be in a particular Church and the Minister of Religion, who has received the notice, has no jurisdiction to officiate as a Minister in that Church, he shall either return the notice back or send it to the concerned Minister of Religion who shall affix the same at some conspicuous part of such Church. If the marriage is intended to be in a private dwelling, the Minister of Religion shall forward the notice to the Marriage Registrar of the district, who shall affix the same at some conspicuous place in his own office.

Before the solemnization of marriage, a certificate by the Minister of Religion is essential. Such certificate shall not be issued before the expiry of four days from the date of the receipt of the notice. It should also be shown that there is no impediment in the issuance of the certificate and the issue of the same has not been forbidden. If the marriage is not solemnised within two months from the date of the issue of the certificate becomes void and fresh notice is to be served.

If a party to a marriage is a minor, the consent of father if living, or if the father is dead, the consent of the guardian of the person of such minor or if there is no guardian, then that of the mother, is essential before marriage. A marriage of minor without such consent is not valid; AIR 1952 Punj 277.

## PART IV

REGISTRATION OF MARRIAGES SOLEMNIZED BY  
MINISTER OF RELIGION

**27. Marriages when to be registered.**—All marriages hereafter solemnized in <sup>1</sup>[India] between persons one or both of whom professes or profess the Christian religion, except marriages solemnized under Part V or Part VI of this Act, shall be registered<sup>2</sup> in manner hereinafter prescribed.

**28. Registration of marriages solemnized by Clergymen of Church of England.**—Every Clergyman of the Church of England shall keep a register of marriages and shall register therein, according to the tabular form set forth in the Third Schedule hereto annexed, every marriage which he solemnizes under this Act.

**29. Quarterly returns to Archdeaconry.**—Every Clergyman of the Church of England shall send four times in every year returns in duplicate, authenticated by his signature, of the entries in the register of marriages solemnized at any place where he has any spiritual charge, to the Registrar of the Archdeaconry to which he is subject, or within the limits of which such place is situate.

1. Subs. by Act 3 of 1951, sec. 3 and Sch., for "a Part A State or a Part B State,".

2. As to the establishment of general registry offices of births, deaths and marriages, see the Births, Deaths and Marriages Registration Act, 1886 (6 of 1886), Chapter II.

**Contents of returns.**—Such quarterly returns shall contain all the entries of marriages contained in the said register from the first day of January to the thirty-first day of March, from the first day of April to the thirtieth day of June, from the first day of July to the thirtieth day of September and from the first day of October to the thirty-first day of December, of each year, respectively, and shall be sent by such Clergyman within two weeks from the expiration of each of the quarters above specified.

The said Registrar upon receiving the said returns shall send one copy thereof to the <sup>1</sup>[Registrar General of Births, Deaths and Marriages].

**30. Registration and returns of marriages solemnized by Clergymen of Church of Rome.**—Every marriage solemnized by a Clergyman of the Church of Rome shall be registered by the person and according to the form directed in that behalf by the Roman Catholic Bishop of the Diocese or Vicariate in which such marriage is solemnized,

and such person shall forward quarterly to the <sup>1</sup>[Registrar General of Births, Deaths and Marriages] returns of the entries of all marriages registered by him during the three months next preceding.

**31. Registration and returns of marriages solemnized by Clergymen of Church of Scotland.**—Every Clergyman of the Church of Scotland shall keep a register of marriages,

and shall register therein, according to the tabular form set forth in the Third Schedule hereto annexed, every marriage which he solemnizes under this Act,

and shall forward quarterly to the <sup>1</sup>[Registrar General of Births, Deaths and Marriages], through the Senior Chaplain of the Church of Scotland, returns, similar to those prescribed in section 29, of all such marriages.

**32. Certain marriages to be registered in duplicate.**—Every marriage solemnized by any person who has received episcopal ordination, but who is not a Clergyman of the Church of England, or of the Church of Rome, or by any Minister of Religion licensed under this Act to solemnize marriages, shall immediately after the solemnization thereof, be registered, in duplicate by the person solemnizing the same; (that is to say) in a marriage register-book to be kept by him for that purpose, according to the form contained in the Fourth Schedule hereto annexed, and also in a certificate attached to the marriage-register-book as a counterfoil.

**33. Entries of such marriages to be signed and attested.**—The entry of such marriage in both the certificate and marriage-register-book shall be signed by the person solemnizing the marriage, and also by the persons married, and shall be attested by two credible witnesses, other than the person solemnizing the marriage, present at its solemnization.

Every such entry shall be made in order from the beginning to the end of the book, and the number of the certificate shall correspond with that of the entry in the marriage-register-book.

1. Subs. by Act 6 of 1886, sec. 30, for "Secretary to the Local Government".

**34. Certificate to be forwarded to Marriage Registrar, copied and sent to Registrar General.**—The person solemnizing the marriage shall forthwith separate the certificate from the marriage-register-book and send it, within one month from the time of the solemnization, to the Marriage Registrar of the district in which the marriage was solemnized, or, if there be more Marriage Registrars than one, to the Senior Marriage Registrar.

who shall cause such certificate to be copied into a book to be kept by him for that purpose,

and shall send all the certificates which he has received during the month, with such number and signature or initials added thereto as are hereinafter required to the <sup>1</sup>[Registrar General of Births, Deaths and Marriages].

**35. Copies of certificates to be entered and numbered.**—Such copies shall be entered in order from the beginning to the end of the said book, and shall bear both the number of the certificate as copied, and also a number to be entered by the Marriage Registrar, indicating the number of the entry of the said copy in the said book, according to the order in which he receives each certificate.

**36. Registrar to add number of entry to certificate, and send to Registrar General.**—The Marriage Registrar shall also add such last-mentioned number of the entry of the copy in the book to the certificate, with his signature or initials, and shall, at the end of every month, send the same to the <sup>1</sup>[Registrar General of Births, Deaths and Marriages].

**37. Registration of marriages between Indian Christians by persons referred to in clauses (1), (2) and (3) of section 5.**—When any marriage between <sup>2</sup>[Indian] Christians is solemnized <sup>3</sup>[by any such person, Clergyman or Minister of Religion as is referred to in clause (1), clause (2) or clause (3) of section 5,] the person solemnizing the same shall, instead of proceeding in the manner provided by sections 28 to 36, both inclusive, register the marriage in a separate register-book, and shall keep it safely until it is filled, or, if he leaves the district in which he solemnized the marriage before the said book is filled, shall make over the same to the person succeeding to his duties in the said district.

**Custody and disposal of register-book.**—Whoever has the control of the book at the time when it is filled, shall send it to the Marriage Registrar of the district, or, if there be more Marriage Registrars than one, to the Senior Marriage Registrar, who shall send it to the <sup>1</sup>[Registrar General of Births, Deaths and Marriages], to be kept by him with the records of his office.

#### COMMENTS

This part of the Act deals with the registration of the marriages solemnised under this Act. The registration of marriages between Indian Christians is to be in conformity with the rules laid down by this section, so far as they are applicable. The entries of such marriages are to be signed by both the parties and the persons solemnising the marriages and shall be attested by two credible witnesses.

1. Subs. by Act 6 of 1886, sec. 30, for "Secretary to the Local Government".

2. Subs. by the A.O. 1950, for "Native".

3. Subs. by Act 18 of 1928, sec. 2 and Sch. I, for "Under Part I or Part III of this Act".

#### PART V

### MARRIAGES SOLEMNIZED BY, OR IN THE PRESENCE OF, A MARRIAGE REGISTRAR

**38. Notice of intended marriage before Marriage Registrar.**—When a marriage is intended to be solemnized by, or in the presence of, a Marriage Registrar, one of the parties to such marriage shall give notice in writing, in the form contained in the First Schedule hereto annexed, or to the like effect, to any Marriage Registrar of the district within which the parties have dwelt,

or, if the parties dwell in different districts, shall give the like notice to a Marriage Registrar of each district,

and shall state therein the name and surname, and the profession or condition, of each of the parties intending marriage, the dwelling-place of each of them, the time during which each has dwelt therein, and the place at which the marriage is to be solemnized:

Provided that, if either party has dwelt in the place stated in the notice for more than one month, it may be stated therein that he or she has dwelt there one month and upwards.

**39. Publication of notice.**—Every Marriage Registrar shall, on receiving any such notice, cause a copy thereof to be affixed in some conspicuous place in his office.

When one of the parties intending marriage is a minor, every Marriage Registrar shall, within twenty-four hours after the receipt by him of the notice of such marriage, send, by post or otherwise, a copy of such notice to each of the other Marriage Registrars (if any) in the same district, who shall likewise affix the copy in some conspicuous place in his own office.

**40. Notice to be filed and copy entered in Marriage Notice Book.**—The Marriage Registrar shall file all such notices and keep them with the records of his office,

and shall also forthwith enter a true copy of all such notices in a book to be furnished to him for that purpose by the <sup>1</sup>[State] Government, and to be called the "Marriage Notice Book",

and the Marriage Notice Book shall be open at all reasonable times, without fee, to all persons desirous of inspecting the same.

**41. Certificate of notice given and oath made.**—If the party by whom the notice was given requests the Marriage Registrar to issue the certificate next hereinafter mentioned, and if one of the parties intending marriage has made oath as hereinafter required, the Marriage Registrar shall issue under his hand a certificate of such notice having been given and or such oath having been made:

**Proviso.**—Provided—

that no lawful impediment be shown to his satisfaction why such certificate should not issue;

1. Subs. by the A.O. 1950, for "Provincial".

forbidding the issue of the certificate is authorized by law so to do, the said Marriage Registrar shall apply by petition, where his district is within any of the towns of Calcutta, Madras and Bombay, to a Judge of the High Court, or if such district be not within any of the said towns, then to the District Judge.

**Procedure on petition.**—The said petition shall state all the circumstances of the case, and pray for the order and direction of the court concerning the same,

and the said Judge of the High Court or District Judge, as the case may be, shall examine into the allegations of the petition and the circumstances of the case,

and if, upon such examination, it appears that the person forbidding the issue of such certificate is not authorized by law so to do, such Judge of the High Court or District Judge, as the case may be, shall declare that the person forbidding the issue of such certificate is not authorized as aforesaid,

and thereupon such certificate shall be issued, and the like proceedings may be had in relation to such marriage as if the issue had not been forbidden.

<sup>1</sup>[\*\*\*]

**49. Liability for frivolous protest against issue of certificate.**—Every person entering a protest with the Marriage Registrar, under this Part, against the issue of any certificate, on grounds which such Marriage Registrar, under section 44, or a Judge of the High Court or the District Judge, under section 45 or 46, declares to be frivolous and such as ought not to obstruct the issue of the certificate, shall be liable for the costs of all proceedings in relation thereto and for damages, to be recovered by suit by the person against whose marriage such protest was entered.

**50. Form of certificate.**—The certificate to be issued by the Marriage Registrar under the provisions of section 41 shall be in the form contained in the Second Schedule to this Act annexed or to the like effect,

and the <sup>2</sup>[State] Government shall furnish to every Marriage Registrar a sufficient number of forms of certificate.

**51. Solemnization of marriage after issue of certificate.**—After the issue of the certificate of the Marriage Registrar,

or, where notice is required to be given under this Act to the Marriage Registrars for different districts, after the issue of the certificates of the Marriage Registrars for such districts,

marriage may, if there be no lawful impediment to the marriage of the parties described in such certificate, or certificates, be solemnized between them, according to such form and ceremony as they think fit to adopt.

1. The last three paragraphs omitted by the A.O. 1950.

2. Subs. by the A.O. 1950, for "Provincial".

But every such marriage shall be solemnized in the presence of some Marriage Registrar (to whom shall be delivered such certificate or certificates as aforesaid), and of two or more credible witnesses besides the Marriage Registrar.

And in some part of the ceremony each of the parties shall declare as follows, or to the like effect:

"I do solemnly declare that I know not of any lawful impediment why I, A.B., may not be joined in matrimony to C.D."

And each of the parties shall say to the other as follows or to the like effect:

"I call upon these persons here present to witness that I, A.B., do take thee, C.D., to be my lawful wedded wife (or husband)"

**52. When marriage not had within two months after notice, new notice required.**—Whenever a marriage is not solemnized within two months after the copy of the notice has been entered by the Marriage Registrar, as required by section 40, the notice and the certificate, if any, issued thereupon, and all other proceedings thereupon, shall be void;

and no person shall proceed to solemnize the marriage, nor shall any Marriage Registrar enter the same, until new notice has been given, and entry made, and certificate thereof given, at the time and in the manner aforesaid.

**53. Marriage Registrar may ask for particulars to be registered.**—A Marriage Registrar before whom any marriage is solemnized under this Part may ask of the persons to be married the several particulars required to be registered touching such marriage.

**54. Registration of marriages solemnized under Part V.**—After the solemnization of any marriage under this Part, the Marriage Registrar present at such solemnization shall forthwith register the marriage in duplicate; that is to say, in a marriage-register-book, according to the form of the Fourth Schedule hereto annexed, and also in a certificate attached to the marriage-register-book as a counterfoil.

The entry of such marriage in both the certificate and the marriage-register-book shall be signed by the person by or before whom the marriage has been solemnized, if there be any such person, and by the Marriage Registrar present at such marriage, whether or not it is solemnized by him, and also by the parties married and attested by two credible witnesses other than the Marriage Registrar and person solemnizing the marriage.

Every such entry shall be made in order from the beginning to the end of the book, and the number of the certificate shall correspond with that of the entry in the marriage-register-book.

**55. Certificate to be sent monthly to Registrar General.**—The Marriage Registrar shall forthwith separate the certificate from the marriage-register-book and send it, at the end of every month, to the <sup>1</sup>[Registrar General of Births, Deaths and Marriages].

**Custody of register-book.**—The Marriage Registrar shall keep safely the said register-

1. Subs. by Act 6 of 1886, sec. 30, for "Secretary to the Local Government".

book until it is filled, and shall then send it to the <sup>1</sup>[Registrar General of Births, Deaths and Marriages,] to be kept by him with the records of his office.

**56. Officers to whom Registrar in Indian States shall send certificates.**— [Rep. by the A.O. 1950].

**57. Registrars to ascertain that notice and certificate are understood by Indian Christians.**—When any <sup>2</sup>[Indian] Christian about to be married gives a notice of marriage, or applies for a certificate from a Marriage Registrar, such Marriage Registrar shall ascertain whether the said <sup>2</sup>[Indian] Christian understands the English language, and, if he does not, the Marriage Registrar shall translate, or cause to be translated such notice or certificate, or both of them, as the case may be, to such <sup>2</sup>[Indian] Christian into a language which he understands;

or the Marriage Registrar shall otherwise ascertain whether the <sup>2</sup>[Indian] Christian is cognizant of the purport and effect of the said notice and certificate.

**58. <sup>2</sup>[Indian] Christians to be made to understand declarations.**—When any <sup>2</sup>[Indian] Christian is married under the provisions of this Part, the person solemnizing the marriage shall ascertain whether such <sup>2</sup>[Indian] Christian understands the English language, and, if he does not, the person solemnizing the marriage shall, at the time of the solemnization, translate, or cause to be translated, to such <sup>2</sup>[Indian] Christian, into a language which he understands, the declarations made at such marriage in accordance with the provisions of this Act.

**59. Registration of marriages between <sup>2</sup>[Indian] Christians.**—The registration of marriages between <sup>2</sup>[Indian] Christians under this Part shall be made in conformity with the rules laid down in section 37 (so far as they are applicable), and not otherwise.

#### COMMENTS

This Part of the Act deals with marriages solemnised by, or in the presence of, a Marriage Registrar. When a marriage is intended to be solemnised by, or in the presence of a Marriage Registrar one of the parties to such marriage shall give notice in writing in the form mentioned in First Schedule to the Act to any Marriage Registrar of the district or districts of their residence. The issuance of certificate is essential by the Marriage Registrar before the solemnisation of marriage. When a marriage has not been solemnised within two months after notice, new notice is required.

After the solemnisation of marriage, it is to be registered and the entry of such marriage shall be made in the certificate book and marriage-register-book. The entry shall be signed by both the parties and the Marriage Registrar present and attested by two credible witnesses.

#### PART VI

### MARRIAGE OF <sup>2</sup>[INDIAN] CHRISTIANS

**60. On what conditions marriages of <sup>2</sup>[Indian] Christians may be certified.**—Every marriage between <sup>2</sup>[Indian] Christians applying for a certificate, shall, without the

1. Subs. by Act 6 of 1886, sec. 30, for "Secretary to the Local Government".
2. Subs. by the A.O. 1950, for "Native".
3. As to validation of past Marriages solemnized under Part VI between persons of whom one only was an Indian Christian and Penalty for solemnizing such Marriages under Part VI in future, see the Marriages Validation Act, 1892 (2 of 1892).

preliminary notice required under Part III, be certified under this Part, if the following conditions be fulfilled, and not otherwise:—

- (1) the age of the man intending to be married <sup>1</sup>[shall not be under <sup>2</sup>[twenty-one years]], and the age of the woman intending to be married <sup>3</sup>[shall not be under <sup>4</sup>[eighteen years]];
- (2) neither of the persons intending to be married shall have a wife or husband still living;
- (3) in the presence of a person licensed under section 9, and of at least two credible witnesses other than such person, each of the parties shall say to the other—

*Oath* → "I call upon these persons here present to witness that, I, A.B., in the presence of Almighty God, and in the name of our Lord Jesus Christ, do take thee, C.D., to be my lawful wedded wife or husband" or words to the like effect:

<sup>5</sup>[\*\*\*]

**61. Grant of certificate.**—When, in respect to any marriage solemnized under this Part, the conditions prescribed in section 60 have been fulfilled, the person licensed as aforesaid, in whose presence the said declaration has made, shall, on the application of either of the parties to such marriage, and, on the payment of a fee of four annas, grant a certificate of the marriage.

The certificate shall be signed by such licensed person, and shall be received in any suit touching the validity of such marriage as conclusive proof of its having been performed.

**62. Keeping of register-book and deposit of extracts therefrom with Registrar-General.**—(1) Every person licensed under section 9 shall keep in English, or in the vernacular language in ordinary use in the district or State in which the marriage was solemnized, and in such form as the <sup>7</sup>[State] Government by which he was licensed may from time to time prescribe, a register-book of all marriages solemnized under this Part in his presence, and shall deposit in the office of the <sup>8</sup>[Registrar General of Births, Deaths and Marriages] for the territories under the administration of the said <sup>7</sup>[State] Government, in such form and at such intervals as that Government may prescribe, true and duly authenticated extracts from his register-book of all entries made therein since the last of those intervals.]

<sup>9</sup>[\*\*\*]

1. Subs. by Act 48 of 1952, sec. 3 and Sch. II, for "shall exceed sixteen years".
2. Subs. by Act 2 of 1978, sec. 6 and Sch., for "eighteen years" (w.e.f. 1-10-1978).
3. Subs. by Act 48 of 1952, sec. 3 and Sch. II, for "shall exceed thirteen years".
4. Subs. by Act 2 of 1978, sec. 6 and Sch., for "fifteen years".
5. Proviso omitted by Act 2 of 1978, sec. 6 and Sch.
6. Subs. by Act 2 of 1891, sec. 4.
7. Subs. by the A.O. 1950, for "Provincial".
8. Subs. by Act 6 of 1886, sec. 30, for "Secretary to the Local Government".
9. Sub-section (2), as amended by the A.O. 1937, omitted by the A.O. 1950.

**63. Searches in register-book and copies of entries.**—Every person licensed under this Act to grant certificates of marriages, and keeping a marriage-register-book under section 62 shall, at all reasonable times, allow search to be made in such book, and shall, on payment of the proper fee, give a copy, certified under his hand, of any entry therein.

**64. Books in which marriages of Indian Christians under Part I or Part III are registered.**—The provisions of sections 62 and 63, as to the form of register-book depositing extracts therefrom, allowing searches thereof, and giving copies of the entries therein, shall, *mutatis mutandis*, apply to the books kept under section 37.

**65. Part VI not to apply to Roman Catholics.**—This Part of this Act, except so much of sections 62 and 63 as are referred to in section 64, shall not apply to marriages between Roman Catholics.

**Saving of certain marriages.**—But nothing herein contained shall invalidate any marriage celebrated between Roman Catholics under the provisions of Part V of Act No. 25 of 1864<sup>1</sup>, previous to the twenty-third day of February, 1865.

#### COMMENTS

This Part of the Act deals with marriages of Indian Christians. For the marriages among Indian Christians, there is no need of preliminary notice but it must be proved that the age of the bridegroom is not below twenty-one years and that of the bride is not under eighteen years. Neither of the parties should have a wife or husband living. The parties to the marriage have to take oath in the name of Almighty God and in the name of Lord Jesus Christ before the Marriage Officer and at least two witnesses.

The Marriage Officer before whom the declaration has been made, shall grant a certificate of marriage and entries shall be made in the register-book maintained for this purpose.

#### PART VII

#### PENALTIES

**<sup>2</sup>[66. False oath, declaration, notice or certificate for procuring marriage.**—Whoever, for the purpose of procuring a marriage or licence of marriage, intentionally,—

- (a) where an oath or declaration is required by this Act, or by any rule or custom of a Church according to the rites and ceremonies of which a marriage is intended to be solemnized, such Church being the Church of England or of Scotland or of Rome, makes a false oath or declaration, or
- (b) where a notice or certificate is required by this Act, signs a false notice or certificate,

1. Act 25 of 1864 had been repealed by Act 5 of 1865, which was rep. by this Act.

2. Subs. by Act 2 of 1891, sec. 5.

shall be deemed to have committed the offence punishable under section 193 of the Indian Penal Code, 1860 (45 of 1860) with imprisonment of either description for a term which may extend to three years and, at the discretion of the court, with fine.]

**67. Forbidding by false personation, issue of certificate by Marriage Registrar.**—Whoever, forbids the issue, by a Marriage Registrar, of a certificate, by falsely representing himself to be a person whose consent to the marriage is required by law, knowing or believing such representation to be false, or not having reason to believe it to be true, shall be deemed guilty of the offence described in section 205 of the Indian Penal Code, 1860 (45 of 1860).

**<sup>1</sup>[68. Solemnizing marriage without due authority.**—Whoever, not being authorized by section 5 of this Act to solemnize marriages, solemnizes or professes to solemnize, in the absence of a Marriage Registrar of the district in which the ceremony takes place, a marriage between persons one or both of whom is or are a Christian or Christians, shall be punished with imprisonment which may extend to ten years, or (in lieu of a sentence, of imprisonment for seven years or upwards) with transportation for a term of not less than seven years, and not exceeding ten years,

<sup>2</sup>[\*\*\*]

and shall also be liable to fine.]

**69. Solemnizing marriage out of proper time, or without witnesses.**—Whoever knowingly and wilfully solemnizes a marriage between persons, one or both of whom is or are a Christian or Christians, at any time other than between the hours of six in the morning and seven in the evening, or in the absence of at least two credible witnesses other than the person solemnizing the marriage, shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.

**Saving of marriages solemnized under special licence.**—This section does not apply to marriages solemnized under special licences granted by the Anglican Bishop of the Diocese or by his Commissary, nor to marriages performed between the hours of seven in the evening and six in the morning by a Clergyman of the Church of Rome, when he has received the general or special licence in that behalf mentioned in section 10.

<sup>3</sup>[Nor does this section apply to marriages solemnized by Clergyman of the Church of Scotland according to the rules, rites, ceremonies and customs of the Church of Scotland.]

**70. Solemnizing without notice or within fourteen days after notice, marriage with minor.**—Any Minister of Religion licensed to solemnize marriages under this Act, who, without a notice in writing, or, when one of the parties to the marriage is a minor and the required consent of the parents or guardians to such marriage has not been obtained, within

1. Subs. by Act 2 of 1891, sec. 6.

2. The second paragraph as amended by Act 12 of 1891, rep. by the A.O. 1950.

3. Ins. by Act 2 of 1891, sec. 7.

fourteen days after the receipt by him of notice of such marriage, knowingly and wilfully solemnizes a marriage under Part III, shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.

**71. Issuing certificate, or marrying, without publication of notice.**—A Marriage Registrar under this Act, who commits any of the following offences:—

(1) knowingly and wilfully issues any certificate for marriage, or solemnizes any marriage, without publishing the notice of such marriage as directed by this Act; **marrying after expiry of notice.**—<sup>1</sup>[(2) after the expiration of two months after the copy of the notice has been entered as required by section 40 in respect of any marriage, solemnizes such marriage;]

**solemnizing marriage with minor within fourteen days, without authority of court or without sending copy of notice.**—(3) solemnizes, without an order of a competent court authorizing him to do so, any marriage, when one of the parties is a minor, before the expiration of fourteen days after the receipt of the notice of such marriage, or without sending, by the post or otherwise, a copy of such notice to the Senior Marriage Registrar of the district if there be more Marriage Registrars of the district than one, and if he himself be not the Senior Marriage Registrar;

**issuing certificate against authorized prohibition.**—(4) issues any certificate the issue of which has been prohibited, as in this Act provided, by any person authorized to prohibit the issue thereof,

shall be punished with imprisonment for a term which may extend to five years, and shall also be liable to fine.

**72. Issuing certificate after expiry of notice, or, in case of minor, within fourteen days after notice, or against authorized prohibition.**—Any Marriage Registrar knowingly and wilfully issuing any certificate for marriage after the expiration of <sup>2</sup>[two months] after the notice has been entered by him as aforesaid,

or knowingly and wilfully issuing, without the order of a competent court authorizing him so to do, any certificate for marriage, where one of the parties intending marriage is a minor, before the expiration of fourteen days after the entry of such notice, or any certificate the issue of which has been forbidden as aforesaid by any person authorized in this behalf,

shall be deemed to have committed an offence under section 166 of the Indian Penal Code, 1860 (45 of 1860).

**73. Persons authorized to; solemnize marriage (other than clergy of Churches of England, Scotland or Rome).**—Whoever being authorized under this Act to solemnize a marriage,

and not being a Clergyman of the Church of England solemnizing a marriage after due

1. Subs. by Act 2 of 1891, sec. 8(1).

2. Subs. by Act 2 of 1891, sec. 8(2), for "three months".

publication of banns, or under a licence from the Anglican Bishop of the Diocese or a Surrogate duly authorized in that behalf,

or, not being a Clergyman of the Church of Scotland, solemnizing a marriage according to the rules, rites, ceremonies and customs of that Church,

or, not being a Clergyman of the Church of Rome, solemnizing a marriage according to the rites, rules, ceremonies and customs of that Church,

**issuing certificate, or marrying, without publishing notice, or after expiry of certificate.**—knowingly and wilfully issues any certificate for marriage under this Act, or solemnizes any marriage between such persons as aforesaid, without publishing, or causing to be affixed, the notice of such marriage as directed in Part III of this Act, or after the expiration of two months after the certificate has been issued by him;

**issuing certificate for, or solemnizing, marriage with minor, within fourteen days after notice.**—or knowingly and wilfully issues any certificate for marriage, or solemnizes a marriage between such persons when one of the persons intending marriage is a minor, before the expiration of fourteen days after the receipt of notice of such marriage, or without sending, by the post or otherwise, a copy of such notice to the Marriage Registrar, or, if there be more Marriage Registrars than one, to the Senior Marriage Registrar of the district;

**issuing certificate authorizedly forbidden.**—or knowingly and wilfully issues any certificate the issue of which has been forbidden, under this Act, by any person authorized to forbid the issue;

**solemnizing marriage authorizedly forbidden.**—or knowingly and wilfully solemnizes any marriage forbidden by any person authorized to forbid the same;

shall be punished with imprisonment for a term which may extend to four years, and shall also be liable to fine.

**74. Unlicensed person granting certificate pretending to be licensed.**—Whoever, not being licensed to grant a certificate of marriage under Part VI of this Act, grants such certificate intending thereby to make it appear that he is so licensed, shall be punished with imprisonment for a term which may extend to five years, and shall also be liable to fine.

<sup>1</sup>[Whoever, being licensed to grant certificate of marriage under Part VI of this Act, without just cause refused or wilfully neglects or omits, to perform any of the duties imposed upon him by that Part shall be punished with fine which may extend to one hundred rupees.]

**75. Destroying or falsifying register-book.**—Whoever, by himself or another, wilfully destroys or injures any register-book or the counterfoil certificates thereof, or any part thereof, or any authenticated extract therefrom,

1. Ins. by Act 2 of 1891, sec. 9.

or falsely makes or counterfeits any part of such register-book or counterfoil certificates,

or wilfully inserts any false entry in any such register-book or counterfoil certificate or authenticated extract,

shall be punished with imprisonment for a term which may extend to seven years, and shall also be liable to fine.

**76. Limitation of prosecutions under Act.**—The prosecution for every offence punishable under this Act shall be commenced within two years after the offence is committed.

#### COMMENTS

This part of the Act deals with penalties which can be imposed on the persons making false declarations or signing false notice or certificate. These acts have been made punishable under section 193 of the Indian Penal Code. The punishment provided is upto three years. The making of a false declaration, must be intentional.

Solemnizing marriage without due authority has also been made punishable under the Act and the punishment provided extends to ten years. Similarly if a person solemnizes a marriage under this Act at any time other than between the hours of six in the morning and seven in the evening or in the absence of two credible witnesses, he is guilty of an offence punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine. There is no express prohibition preventing a person professing Christianity from marrying a non-Christian by non-Christian ceremony.

#### PART VIII

#### MISCELLANEOUS

**77. What matters need not be proved in respect of marriage in accordance with Act.**—Whenever any marriage has been solemnized in accordance with the provisions of sections 4 and 5, it shall not be void merely on account of any irregularity in respect of any of the following matters, namely:—

- (1) any statement made in regard to the dwelling of the persons married, or to the consent of any person whose consent to such marriage is required by law,
- (2) the notice of the marriage;
- (3) the certificate or translation thereof;
- (4) the time and place at which the marriage has been solemnized;
- (5) the registration of the marriage.

**78. Corrections or errors.**—Every person charged with the duty of registering any marriage, who discovers any error in the form or substance of any such entry, may, within one month next after the discovery of such error, in the presence of the persons married, or in case of their death or absence, in the presence of two other credible witnesses, correct the error by entry in the margin, without any alteration of the original entry, and shall sign the marginal entry, and add thereto the date of such correction, and such person make the like marginal entry in the certificate thereof.

And every entry made under this section shall be attested by the witnesses in whose presence it was made.

And, in case such certificate has been already sent to the <sup>1</sup>[Registrar-General of Births, Deaths and Marriages], such person shall make and send in like manner a separate certificate of the original erroneous entry, and of the marginal correction therein made.

**79. Searches and copies of entries.**—Every person solemnizing a marriage under this Act, and hereby required to register the same,

and every Marriage Registrar or <sup>1</sup>[Registrar General of Births, Deaths and Marriages] having the custody for the time being of any register of marriages, or any certificate, or duplicate, or copies of the certificate, under this Act,

shall, on payment of the proper fees, at all reasonable times, allow searches to be made in such register, or for such certificate, or duplicate or copies, and give a copy under his hand of any entry in the same.

**80. Certified copy of entry in marriage-register, etc., to be evidence.**—Every certified copy, purporting to be signed by the person entrusted under this Act with the custody of any marriage-register or certificate, or duplicate, required to be kept or delivered under this Act, of any entry of a marriage in such register or of any such certificate or duplicate, shall be received evidence of the marriage purporting to be so entered, or of the facts purporting to be so certified therein, without further proof of such register or certificate, or duplicate, or of any entry therein, respectively, or of such copy.

<sup>2</sup>[**81. Certificates of certain marriages to be sent to Central Government.**—The Registrar-General of Births, Deaths and Marriages <sup>3</sup>[\* \* \*] shall, at the end of every quarter in each year, select, from the certificates of marriages forwarded to <sup>4</sup>[him], during such quarter, the certificates of the marriages of which <sup>5</sup>[the Government by whom he was appointed] may desire that evidence shall be transmitted to England, and shall send the same certificates, signed by <sup>6</sup>[him] to the <sup>6</sup>[Central Government].]

✓ **82. State Government to prescribe fees.**—Fees shall be chargeable under this Act for—

- receiving and publishing notices of marriages;
- issuing <sup>7</sup>[certificates for marriages] by Marriage Registrars, and registering marriages by the same;

1. Subs. by Act 6 of 1886, sec. 30, for "Secretary to the Local Government".
2. Subs. by Act 13 of 1911, sec. 2, for original section 81.
3. The words "and the officers appointed under section 56" omitted by Act 48 of 1952, sec. 3 and Sch. II.
4. Subs. by Act 48 of 1952, sec. 3 and Sch. II, for "them, respectively".
5. Subs. by the A.O. 1937, for "the Governor General in Council".
6. Subs. by the A.O. 1948, for "Secretary of State for India".
7. Subs. by Act 1 of 1903, sec. 3 and Sch. II, Pt. II, for "certificates of marriage".



entering protest against, or prohibitions of, the issue of <sup>1</sup>[certificates for marriage] by the said Registrars;

searching register-books or certificates, or duplicates, of copies thereof;

giving copies of entries in the same under sections 63 and 79,

the State Government shall fix the amount of such fees respectively, and may from time to time vary or remit them either generally or in special cases, as to it may seem fit.

**83. Power to make rules.**—<sup>2</sup>[(1)] The <sup>3</sup>[State] Government <sup>4</sup>[may, by notification in the Official Gazette, make rules] in regard to the disposal of the fees mentioned in section 82, the supply of register books, and the preparation and submission of returns of marriage solemnized under this Act.

<sup>5</sup>[(2) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before the State Legislature.]

**84. Power to prescribe fees and rules for Indian States.**—[Rep. by the A.O. 1950.]

**85. Power to declare who shall be District Judge.**—The <sup>6</sup>[State] Government may, by notification in the Official Gazette, declare who shall, in any place to which this Act applies, be deemed to be the District Judge.

**86. Powers and functions exercisable as regards Indian States.**—[Rep. by the A.O. 1950.]

**87. Saving of Consular marriages.**—Nothing in this Act applies to any marriage performed by any Minister, Consul, or Consular Agent between subjects of the State which he represents and according to the laws of such State.

**88. Non-validation of marriages within prohibited degrees.**—Nothing in this Act shall be deemed to validate any marriage which the personal law applicable to either of the parties forbids him or her to enter into.

**COMMENTS**

This Part of the Act deals with miscellaneous matters concerning the marriages under this Act. The marriage solemnised under this Act does not become void on account of minor irregularities. The errors can be corrected.

Section 88 of the Act does not validate a marriage which would be invalid elsewhere as being against the personal law; AIR 1937 Mad 565.

1. Subs. by Act 1 of 1903, sec. 3 and Sch. II, Pt.II, for "marriage certificates".
2. Section 83 re-numbered as sub-section (1) thereof by Act 20 of 1983, sec. 2 and Sch. (w.e.f. 15-3-1984).
3. Subs. by the A.O. 1950, for "Provincial".
4. Subs. by Act 20 of 1983, sec. 2 and Sch., for "may make rules" (w.e.f. 15-3-1984).
5. Ins. by Act 20 of 1983, sec. 2 and Sch. (w.e.f. 15-3-1984).
6. Subs. by the A.O. 1950, for "Provincial".

**SCHEDULE I**

(See sections 12 and 38)

**NOTICE OF MARRIAGE**

To a Minister [or Registrar] or

I hereby give you notice that a marriage is intended to be had, within three calendar months from the date hereof, between me and the other party herein named and described (that is to say):—

Names	Condition	Rank or profession	Age	Dwelling place	Length of residence	Church, chapel or place of worship in which the marriage is to be solemnized	District in which the other party resides, when the parties dwell in different districts
James Smith	Widower	Carpenter	Of full age	16, Clive Street	23 days	Free Church of Scotland Church, Calcutta	
Martha Green	Spinster	-----	Minor	20, Hastings Street	More than a month		

Witness my hand, this.....day of.....seventy two.

(Signed) JAMES SMITH

[The *Italics* in this Schedule are to be filled up, as the case may be, and the blank division thereof is only to be filled up when one of the parties lives in another district.]

**SCHEDULE II**

(See sections 24 and 50)

**CERTIFICATE OF RECEIPT OF NOTICE**

I,..... do hereby certify that, on the ..... day of....., notice was duly entered in my Marriage Notice Book of the marriage intended between the parties therein named and described, delivered under the hand of....., one of the parties (that is to say):—

Names	Condition	Rank or profession	Age	Dwelling place	Length of residence	Church, chapel or place of worship in which the marriage is to be solemnized	District in which the other party resides, when the parties dwell in different districts
James Smith	Widower	Carpenter	Of full age	16, Clive Street	23 days	Free Church of Scotland Church, Calcutta	
Martha Green	Spinster	-----	Minor	20, Hastings Street	More than a month		

and that the declaration, [or oath] required by section 17 or 41 of the Indian Christian Marriage Act, 1872, has been duly made by the said (*James Smith*).

Date of notice entered      The issue of this certificate has not been prohibited by any person authorized to forbid the  
Date of Certificate given      issue thereof.

Witness my hand, this.....day of.....*seventy-two*

(Signed)

This certificate will be void, unless the marriage is solemnized on or before the.....day of.....

[The italics in the Schedule are to be filled up, as the case may be, and the blank division thereof only to be filled up when one of the parties lives in another district.]

**SCHEDULE III**

<sup>2</sup>(See sections 28 and 31)

**FORM OF REGISTER OF MARRIAGES**

*Quarterly Returns of Marriages for*

The Archdeaconry of

{ Calcutta,  
Madras,  
Bombay, }

I....., Registrar of the Archdeaconry of

{ Calcutta,  
Madras,  
Bombay, } do hereby

certify that the annexed are correct copies of the originals and Official Quarterly Returns of Marriage within the Archdeaconry of

{ Calcutta,  
Madras,  
Bombay, } as made

and transmitted to me for the quarter

commencing the.....day of.....ending the.....day of.....in the year of Our Lord.....

*Signature of Registrar*

Registrar of the Archdeaconry of

{ Calcutta,  
Madras,  
Bombay, }

MARRIAGES solemnized at

{ Allahabad,  
Barrackpore,  
Bareilly,  
Calcutta, etc. etc. }

1. Ins. by Act 1 of 1903, sec. 3 and Sch. II, Pt. II.

2. Subs. by Act 12 of 1891, sec. 2 and Sch. II, for "(See section 28)".

WHEN MARRIED			NAME OF PARTIES		Age	Condition
Year	Month	Day	Christian	Surname		
Rank or profession	Residence at the time of marriage	Father's name and surname	By banns of license	Signature of the parties	Signature of two or more witnesses present	Signature of the person solemnizing the marriage

**SCHEDULE IV**

(See sections 32 and 54)

**MARRIAGE REGISTER BOOK**

Number	When married			Name of parties		Age	Condition	Rank or profession	Residence at the time of marriage	Father's name and surname
				Christian name	Surname					
	Day	Month	Year							
				James	White	26 years	Widower	Carpenter	Agra	William White
				Martha	Duncan	17 years	Spinster	—	Agra	John Duncan

Married in the.....

This marriage was solemnized between us

{ James White  
Marth Duncan, }

in the presence of

{ John Smith,  
John Green, }

**CERTIFICATE OF MARRIAGE** ✓

Number	When married			Name of parties		Age	Condition	Rank or profession	Residence at the time of marriage	Father's name and surname
				Christian	Surname					
	Day	Month	Year							
				James	White	26 years	Widower	Carpenter	Agra	William White
				Martha	Duncan	17 years	Spinster	—	Agra	John Duncan

Married in the.....  
This marriage was  
solemnized between us

{ James White,  
Marth Duncan, }

in the presence of

{ John Smith,  
John Green, }

SCHEDULE V

[Enactments Repealed.]

[Rep. by the Repealing Act, 1938 (1 of 1938), sec. 2 and Sch. Pt. I]

Continued from inside front cover page

- Indian Penal Code, 1860 with Classifications and Model Forms of Charge <i>Pocket Size Edition</i>	55.00	- Protection of Human Rights Act, 1993 alongwith National Human Rights Commission (Procedure) Rules, 1994	18.00
- Industrial Disputes Act, 1947 as amended in 1996 alongwith Industrial Disputes (Central) Rules, 1957 and allied Rules	30.00	- Provincial Insolvency Act, 1920	22.00
- Industrial Employment (Standing Orders) Act, 1946 alongwith Rules, 1946	50.00	- Public Gambling Act, 1867	10.00
- Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992 alongwith Rules, 1993	22.00	- Public Liability Insurance Act, 1991 alongwith Rules, Forms & Notification	18.00
- Insecticides Act, 1968 along with Rules, 1971	16.00	- Public Premises (Eviction of Unauthorised Occupants) Act, 1971 alongwith Rules	16.00
- Insurance Act, 1938	35.00	- Railway Protection Force Act, 1957 alongwith Railway Protection Force Rules, 1987	60.00
- Interest Act, 1978	65.00	- Railways Act, 1989 alongwith Railway Claims Tribunal Act, 1987 and Railway Property (Unlawful Possession) Act, 1966	40.00
- Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Act, 1993	10.00	- Recovery of Debts Due to Banks and Financial Institutions Act, 1993 as amended by The Recovery of Debts Due to Banks and Financial Institutions (Amendment) Act, 1995 along with allied Rules	25.00
- Juvenile Justice Act, 1986	7.00	- Registration Act, 1908	16.00
- Land Acquisition Act, 1894	18.00	- Representation of the People Act, 1950 and Representation of the People Act, 1951 alongwith The Parliament (Prevention of Disqualification) Act, 1959 and Maximum Limit of Election Expenses in Parliamentary and Assembly Constituencies	55.00
- Legal Services Authorities Act, 1987 along with Rules, 1995 and Regulations, 1996 together with Application, Affidavits and Vakalatnama	20.00	- Reserve Bank of India Act, 1934 as amended by RBI (Amendment) Act, 1997	35.00
- Life Insurance Corporation Act, 1956	24.00	- Sale of Goods Act, 1930	10.00
- Limitation Act, 1963	20.00	- Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act with Rules	25.00
- Maternity Benefit Act, 1961 as amended by the Maternity Benefit (Amendment) Act, 1995 alongwith Rules, 1963	16.00	- Sick Industrial Companies (Special Provisions) Act, 1985 alongwith BIFR and other allied Rules	45.00
- Minimum Rates of Wages in Delhi (w.e.f. 1-2-1996)	22.00	- Societies Registration Act, 1860	10.00
- Minimum Wages Act, 1948 with State Amendments alongwith Central Rules, 1950	28.00	- Special Marriage Act, 1954	18.00
- Monopolies and Restrictive Trade Practices Act, 1969	30.00	- Specific Relief Act, 1963	12.00
- Motor Transport Workers Act, 1961	15.00	- Stamp Act, 1899	24.00
- Motor Vehicles Act, 1988	75.00	- Stamp Duty, Registration, Fees & Court Fees in Delhi alongwith Delhi Registration Rules, 1976	30.00
- Motor Vehicle Rules, 1989 as amended by Amendment Rules, 1995 with allied Schemes, Regulation and Rules	70.00	- State Financial Corporations Act, 1951	20.00
- Muslim Women (Protection of Rights on Divorce) Act, 1986 alongwith Rules, 1986	10.00	- Succession Act, 1925	50.00
- Narcotic Drugs & Psychotropic Substances Act, 1985 alongwith Rules together with Forms and Order	45.00	- Suits Valuation Act, 1887	8.00
- National Commission Acts (Containing 4 Acts and Allied Information)	22.00	- Supreme Court Rules, 1966 alongwith allied Rules	50.00
- National Environment Appellate Authority Act, 1997	10.00	- Telecom Regulatory Authority of India Act, 1997	15.00
- National Environment Tribunal Act, 1995	12.00	- Telegraph Act, 1885	12.00
- National Security Act, 1980	8.00	- Terrorist and Disruptive Activities (Prevention) Act, 1987 as amended by TADA (Amendment) Act, 1993 alongwith Rules, 1987 and Terrorist Affected Areas (Special Courts) Act, 1984	18.00
- Negotiable Instruments Act, 1881	16.00	- Trade Unions Act, 1926 alongwith Central Trade Union Regulations, 1938	16.00
- Notaries Act, 1952 alongwith Rules, 1956	20.00	- Transfer of Property Act, 1882	22.00
- Oaths Act, 1969	10.00	- Transplantation of Human Organs Act, 1994 along with Rules, 1995	20.00
- Official Secrets Act, 1923	10.00	- Trusts Act, 1882	20.00
- Partnership Act, 1932	15.00	- Unlawful Activities (Prevention) Act, 1967 alongwith Rules, 1968	15.00
- Passports Act, 1967 as amended by Passports (Amendment) Act, 1993 alongwith Rules, 1980	30.00	- Urban Land (Ceiling and Regulation) Act, 1976	30.00
- Payment of Bonus Act, 1965 as amended by Amendment Act, 1995 alongwith Rules, 1975	22.00	- Wakf Act, 1995	30.00
- Payment of Gratuity Act, 1972 as amended by Payment of Gratuity (Amendment) Act, 1994 alongwith Rules, 1972	25.00	- Water (Prevention and Control of Pollution) Act, 1974 alongwith Rules, 1975, Cess Act, 1977 and Cess Rules, 1978	48.00
- Payment of Wages Act, 1936 alongwith (Procedure) Rules, 1937	22.00	- Wealth-tax Act, 1957	50.00
- Petroleum Act, 1934 alongwith Rules, 1976	50.00	- Wild Life (Protection) Act, 1972 along with allied Rules	40.00
- Police Acts (6 Acts in 1)	22.00	- Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 and The Working Journalists (Fixation of Rates of Wages) Act, 1958 along with Rules, 1957 and Rules, 1979	25.00
- Post Office Act, 1898	18.00	- Workmen's Compensation Act, 1923 as amended by The Workmen's Compensation (Amendment) Act, 1995	
- Powers of Attorney Act, 1882	10.00		
- Pre-Natal Diagnostic Techniques (Regu- lation and Prevention of Misuse) Act, 1994 along with Rules, 1996	20.00		
- Press & Registration of Books Act, 1867 along with Rules and Order	25.00		
- Press Council Act, 1978 alongwith allied Rules and Regulations	15.00		
- Prevention of Corruption Act, 1988	15.00		
- Probation of Offenders Act, 1958	10.00		
- Protection of Civil Rights Act, 1952			