

The Marriages Validation Act, 1892

UNION OF INDIA

India

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Act 2 of 1892

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The Marriages Validation Act, 1892[Act No. 2 of 1892][As on 1957][29th January, 1892]An Act to validate certain marriages solemnized under Part VI of the Indian Christian Marriages Act, 1872.WHEREAS provision is made in Part VI of the Indian Christian Marriage Act (15 of 1872) for the solemnization of marriages between persons of whom both are Indian Christians, but not of marriages between persons of whom one only is an Indian Christian;AND WHEREAS persons licensed under section 9 of the said Act have in diverse part of India, through ignorance of the law, permitted marriages to be solemnized in their presence under the said Part between persons of whom one is an Indian Christian and the other is not an Indian Christian;AND WHEREAS it is expedient that such marriages, having been solemnized in good faith, should be validated ;It is thereby enacted as follows:-

1. Commencement.—

*Omitted

2. Definitions.—

In this Act the expression Indian Christian has the same meaning as in the Indian Christian Marriage Act, 1872.

3. Validation of irregular marriages.—

All marriages which have already been solemnized under Part VI of the Indian Christian Marriage Act, 1872, between persons of whom one only was an Indian Christian, shall be as good and valid in law as if such marriages had been solemnized between persons of whom both were Indian Christians:Provided that nothing in this section shall apply to any marriage which has been judicially declared to be null and void, or to any case where either of the parties has, since the

solemnization of such marriage and prior to the commencement of this Act, contracted a valid marriage.

4. Validation of records of irregular marriages.—

Certificates of marriages which are declared by the last foregoing section to be good and valid in law, and register-books, and certified copies of true and duly authenticated extracts therefrom, deposited in compliance with the law for the time being in force, in so far as the register-books and extracts relate to such marriages are aforesaid, shall be received as evidence of such marriages as if such marriages had been solemnized between persons of whom both were Indian Christians.

5. Application of Act to marriages under Act V of 1865.—

References in this Act to the Indian Christian Marriage Act, 1872, shall, so far as may be requisite, be construed as applying also to the corresponding portions of the Indian Marriage Act, 1865.

6. Penalty for solemnizing irregular marriages.—

If any person licensed under section 9 of the said Act, to grant certificates of marriage between Indian Christians shall at any time after the commencement of this Act solemnize or affect to solemnize any marriage under Part VI of the said Act or grant any such certificate as therein mentioned, knowing that one of the parties to such marriage or affected marriage was at the date of such solemnization not a Christian, he shall be liable to have his license cancelled, and in addition thereto he shall be deemed to have been guilty of an offence prohibited by section 73 of the said Act, and shall be punishable accordingly.