

[THE] ANAND MARRIAGE ACT, 1909 **(7 OF 1909)**

[The text of the Act printed here is as on 29-2-2004]

STATEMENT OF OBJECTS AND REASONS

"The object of the Bill is to set at rest doubts which may be raised of the validity of the marriage rite of the Sikhs called "Anand".

This form of marriage has long been practised among the Sikhs but there are good reasons to believe that in the absence of validating enactment, doubts may be thrown upon it and Sikhs may have to face great difficulties in future and incur heavy expenses on suits

instituted in the Civil Courts. It is also apprehended that in the absence of such law some Judicial Officers may be uncertain as to the validity of this orthodox Sikh custom.

It is desirable therefore, that all doubts should be set at rest for the future by passing this enactment which merely validates and accepting the rite by following any new principles". — Gazette of India, 1908, Part -V, p. 357.

[THE] ANAND MARRIAGE ACT, 1909 **(7 OF 1909)^a**

[22nd October, 1909]

An Act to remove doubts as to the validity of the marriage ceremony common among the Sikhs called Anand.

WHEREAS it is expedient to remove any doubts as to the validity of the marriage ceremony common among the Sikhs called Anand; It is hereby enacted as follows :—

[a] For Report of Select Committee, see Gazette of India, 1908, Pt. V; p. 1034; and for proceedings in Council, see ibid, 1908 Pt. VI, p. 156, and ibid, 1909, Pt. VI, pp. 156, 161 and 165.

This Act has been extended to the new Provinces and merged States by the Merged States (Laws) Act, 1949 (59 of 1949), S. 3 (1-1-1950) and to the Union Territories of Manipur, Tripura and Vindhya Pradesh by the Union Territories (Laws) Act, 1950 (30 of 1950), S. 3 (16-4-1950). Vindhya Pradesh now forms part of M. P., see States Reorganisation Act, 1956 (37 of 1956), S. 9(1)(e) (1-11-1956). Manipur and Tripura are now States.

The Act has been extended to the Union Territory of Dadra and Nagar Haveli by the Dadra and Nagar Haveli (Laws) Regulation, 1963 (6 of 1963), S. 2 and First Sch. (w.e.f. 1-7-1965).

The Act brought into force in Meghalaya w.r.e.f. 21-1-1972. See State of Meghalaya Adaptation of Laws Order (No. 3) 1973, Para 3 and the Sch.

1. Short title and extent. — (1) This Act may be called **The Anand Marriage Act, 1909**; and

(2) It extends to "[the whole of India except the State of Jammu and Kashmir].

[a] Substituted for the words "except the territories, which immediately before 1st November, 1956, were comprised in Part B States" by the Miscellaneous Personal Laws (Extension) Act, 1959 (48 of 1959), S. 3 and Sch. I (w.e.f. 1-2-1960).

2. Validity of Anand marriages.— All marriages which may be or may have been duly solemnized according to the Sikh marriage ceremony called Anand shall be, and shall be deemed to have been, with effect from the date of the solemnization of each respectively, good and valid in law.

"Clause 2 has been recast by us so as to make it cover Anand marriages already solemnized as well as those which may be solemnized hereafter, in order to prevent any doubts being raised as to the validity of such marriages in the past. We have also omitted the reference to the re-marriages which seemed to us unnecessary, as the word "marriage" includes re-marriage also." — Select Committee Report.]

3. Exemption of certain marriages from Act. — Nothing in this Act shall apply to—

- (a) any marriage between persons not professing the Sikh religion, or
- (b) any marriage which has been judicially declared to be null and void.

4. Saving of marriages solemnized according to other ceremonies. — Nothing in this Act shall affect the validity of any marriage duly solemnized according to any other marriage ceremony customary among the Sikhs.

5. Non-validation of marriages within prohibited degrees.— Nothing in this Act shall be deemed to validate any marriage between persons who are related to each other in any degree of consanguinity or affinity which would, according to the customary law of the Sikhs, render a marriage between them illegal.
