

THE PUNJAB SIKH ANAND KARAJ MARRIAGE ACT 2018 (VI of 2018)

CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Solemnization of Anand Karaj
4. Saving of marriages
5. Registration of marriages
6. Dissolution of marriage
7. Power to make rules
8. Overriding effect
9. Repeal and savings

TEXT

¹THE PUNJAB SIKH ANAND KARAJ MARRIAGE ACT 2018

(VI of 2018)

[19 March, 2018]

**An
Act**

to provide for solemnization and registration of Sikh marriages.

It is necessary to make provisions to regulate Sikh marriages commonly known as Anand Karaj;

Be it enacted by Provincial Assembly of the Punjab as follows:

1. Short title, extent and commencement.— (1) This Act may be cited as the Punjab Sikh Anand Karaj Marriage Act 2018.

(2) It extends to whole of the Punjab.

(3) It shall come into force at once.

2. Definitions.— In this Act:

(a) “Act” means the Punjab Sikh Anand Karaj Marriage Act 2018;

(b) “Anand Karaj” means the lawful union of a Sikh male and a Sikh female solemnized under the Act and conducted in accordance with the practices of the Sikh religion, where the four laavaan, permitted in the Sri Guru Granth Sahib, are recited;

(c) “Anand Karaj Certificate” means the certificate of a marriage issued by the Anand Karaj Registrar;

(d) “Chairman” means the Chairman of a Union Council or Municipal Committee or any officer authorized by the Government to perform the functions of the Chairman under the Act;

(e) “Government” means Government of the Punjab;

(f) “Granthi” means a Sikh who recites the Guru Granth Sahib and solemnizes a marriage between Sikhs;

(g) “prescribed” means prescribed by rules;

(h) “Sikh” means a person who follows Sikh religion as a monotheistic Sikh religion and believes in the scriptures of Guru Granth Sahib and does not subscribe to any other religion; and

(i) “Sikh religion” means the belief in Akalpurakh (One Eternal Being), the ten Gurus from Guru Nanak to Guru Gobind Singh and the acceptance of Guru Granth Sahib as the Eternal-Living Guru.

3. Solemnization of Anand Karaj.— (1) A Sikh male and a Sikh female may contract a marriage in accordance with Sikh religion, if the parties to the marriage:

¹This Act was passed by the Provincial Assembly of the Punjab on 14.03.2018; assented to by the Governor of the Punjab on 19 March 2018; and, was published in the Punjab Gazette (Extraordinary), dated: 20 March 2018, pp.6609-6611.

- (a) are of sound mind and not below the age of eighteen years;
- (b) enter into marriage contract with their free and full consent; and
- (c) are not related to each other in any degree of consanguinity or affinity which, according to the customary law of Sikhs, renders the marriage between them unlawful.

(2) Nothing in the Act shall be deemed to validate any marriage between the persons who are related to each other in any degree of consanguinity or affinity which would, according to the customary law of Sikhs render a marriage between them illegal.

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

5. Registration of marriages.— (1) Every marriage between Sikhs shall be registered under the Act.

(2) For purposes of the registration of the marriages under the Act, the Government, in the prescribed manner, shall grant license to one or more persons professing Sikh religion to be called Anand Karaj Registrar authorizing them to grant Anand Karaj Certificate.

(3) The bridegroom and the bride or a Granthi shall fill the Anand Karaj Form and present it, within thirty days of the marriage, to the Anand Karaj Registrar for registration of the marriage and a copy thereof shall be sent to the Chairman.

(4) The parties to the marriage or the Granthi or any other person who solemnizes Anand Karaj shall accurately fill all the columns of the Anand Karaj Form.

(5) On receipt of the Anand Karaj Form, the Anand Karaj Registrar, having been satisfied that the marriage has been duly solemnized under the Act, shall register the marriage and issue the Anand Karaj Certificate.

(6) A marriage which is not solemnized by the Anand Karaj Registrar shall, for the purpose of registration under the Act, be reported, within thirty days of the solemnization of the marriage, to him by the Granthi or the person who solemnized the marriage.

(7) The Anand Karaj Form, the register to be maintained by the Anand Karaj Registrar, the records to be preserved by a Union Council, the manner in which the Anand Karaj shall be registered, supply of the copies of Anand Karaj Certificate and the fees to be charged therefor shall be such as may be prescribed.

(8) Whoever contravenes the provisions of this section shall be punished, in the prescribed manner, with fine which may extend to ten thousand rupees.

6. Dissolution of marriage.— (1) Any party that wishes to dissolve the marriage shall give to the Chairman, notice in writing of his or her intention to do so and shall supply a copy thereof to the other party.

(2) Within thirty days of the receipt of the notice under subsection (1), the Chairman shall constitute an Arbitration Council in the prescribed manner for the purpose of bringing about reconciliation between them and the Council shall take all steps necessary to that effect.

(3) If the reconciliation is not effected within ninety days from the date of the notice, the Chairman shall, after the lapse of the ninety days, declare the

marriage to have been dissolved and issue the Certificate of the Dissolution of Marriage in the prescribed manner.

7. Power to make rules.— The Government may, by notification in the official Gazette, make rules to carry out the purposes of the Act.

8. Overriding effect.— Notwithstanding anything contained in any other law for the time being in force, the provisions of this Act shall have effect.

9. Repeal and savings.— (1) The Anand Marriage Act, 1909 (*VII of 1909*), in its application to the Province of Punjab, is hereby repealed.

(2) Notwithstanding the repeal of the said Act, anything done, action taken, rules or orders made under the repealed Act, shall, so far they are not inconsistent with the provisions of the Act, be deemed to have been done, taken, made or issued under the Act and shall have effect accordingly.

(3) Any document referring to the repealed Act shall be construed as referring to the corresponding provisions of the Act.