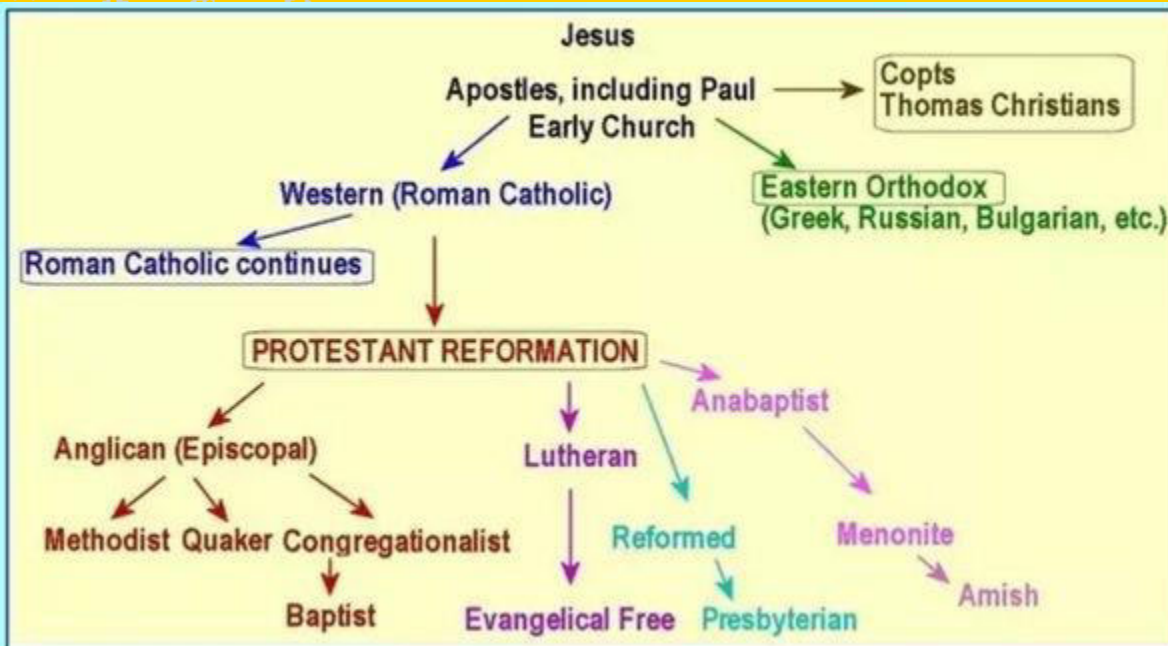


THE INDIAN CHRISTIAN MARRIAGE ACT 1872



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Types of Christianity

✿ The following is a brief overview of the significant denominations under the umbrella of Christianity.

✿ In general, there are three primary divisions recognized.

✿ These are the

- Catholic Church,
- the Orthodox Church, and
- Protestantism.

For Further Reading :

- <https://symbolsage.com/different-types-of-christianity/>

Marriage

- ✿ Marriages may be solemnized in 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;
- ✿ (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 Indian Christians.

Marriage Registrars

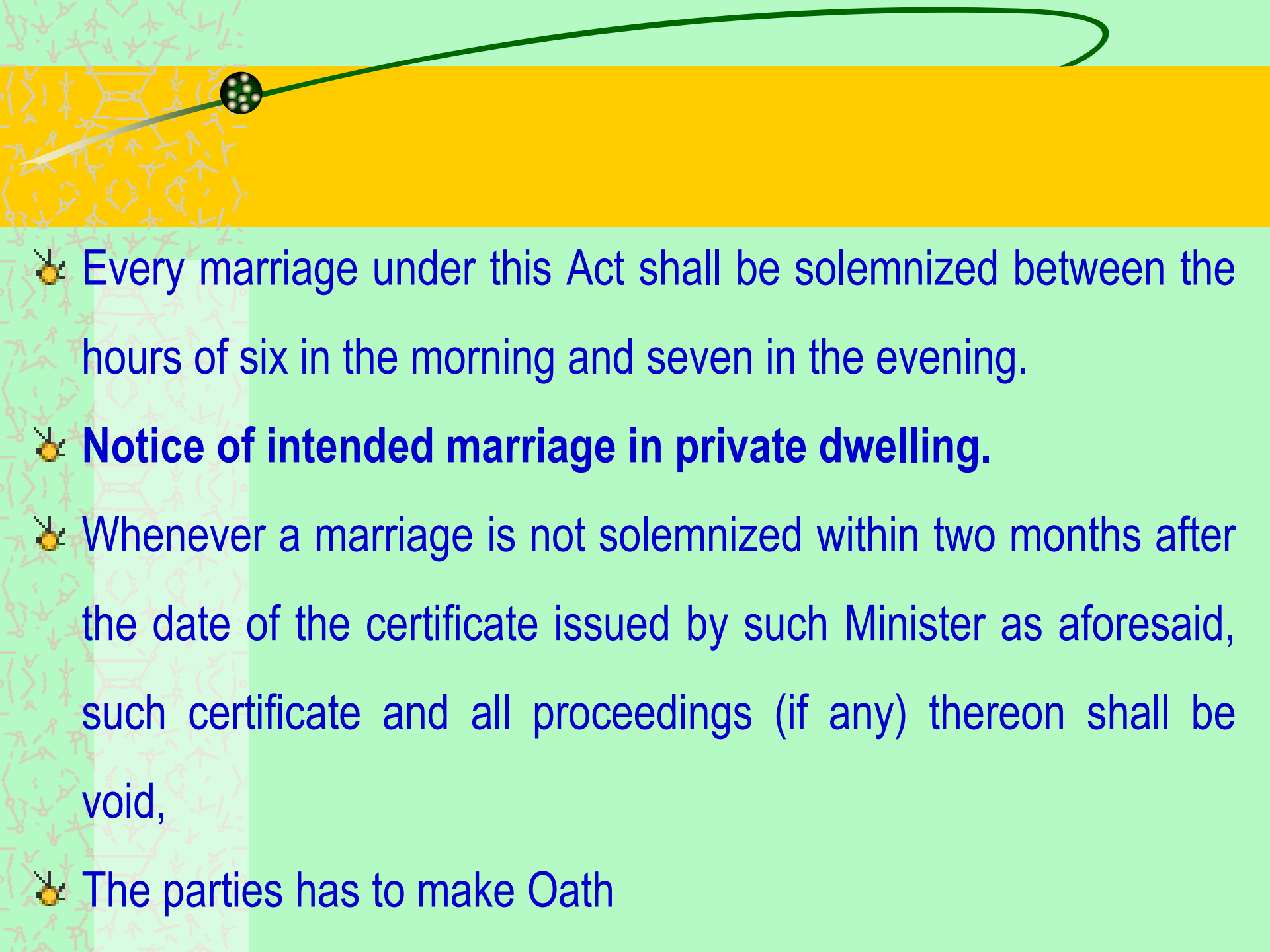
The State Government may appoint one or more Christians, either by name or as holding any office for the time being, to be the Marriage Registrar or Marriage Registrars for any district subject to its administration.

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.



✿ Every marriage under this Act shall be solemnized between the hours of six in the morning and seven in the evening.

✿ **Notice of intended marriage in private dwelling.**

✿ 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,

✿ The parties has to make Oath

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 any lawful wedded wife or husband" or words to the like effect:

Divorce

☀ Both husband and wife can seek a divorce on the grounds of,

☀ Adultery

☀ Cruelty

☀ Desertion for more than seven years

☀ Insanity for more than two years

☀ Incurable leprosy for more than two years

☀ Conversion to another religion

☀ Willful refusal to consummate the marriage

☀ Not being heard of for 7 years

☀ Venereal disease in communicable form for two years

☀ Failure to obey the order for restitution of conjugal rights.

Adoption

Christians in India can adopt children by resorting to section 41 of the Juvenile Justice (Care and Protection of Children) Act 2006 read with the Guidelines and Rules issued by various State Governments.

Adoption

✿ The **personal laws of these communities also do not recognize adoption** and here too an adoption can take place from an orphanage by obtaining permission from the court under Guardians and wards act. **A Christian has no adoption law.**

✿ Since adoption is legal affiliation of a child, it forms the subject matter of personal law. Christians have no adoption laws and have to approach court under the Guardians and Wards Act, 1890. National Commission on Women has stressed on the need for a uniform adoption law. Christians can take a child under the said Act only under foster care. Once a child under foster care becomes major, he is free to break away all his connections. Besides, such a child does not have legal right of inheritance.

Guardianship

Christians in India are governed generally by the provisions of the Guardians and Wards Act (Central Act No 8 of 1890) in matters relating to guardianship of minors in respect of their person and property.