

# Assam Assembly Clears Bill To Repeal Muslim Marriage Law

## Why In News

- In a major move towards implementing a **uniform civil code**, the Assam Assembly passed a bill to repeal a law that governed the registration of marriages and divorces among Muslims in the state.
- The **Assam Repealing Bill, 2024**, abolishes The Assam Moslem Marriages and Divorces Registration Act, 1935, and the Assam Repealing Ordinance 2024.



- Assam Assembly also repealed an existing 89-year-old Act for the registration of Muslim marriages and divorces in the state, confirming an Ordinance promulgated five months ago.
- **Chief Minister Himanta Biswa Sarma stated** that the aim is not only to abolish child marriages but also to move away from the "qazi" system, where clerics register Muslim marriages. Instead, the government wants to bring registration under its own system.

## Features Of The New Law

- “The new legislation **does not interfere** in any way in which Muslim marriages and divorces take place. **They will be conducted as per existing** Muslim laws. But it only makes it compulsory to register such marriages and divorces with the government,” chief minister Himanta Biswa Sarma told the assembly.
- The new legislation replaces the earlier law, the **Assam Muslim Marriages and Divorce Registration Act, 1935**, which had the provision of registering marriages and divorces through Kazis (Muslim scholars authorized by state government) but it was not mandatory.



- The old law also allowed registration of marriages and divorces of minors if their guardians applied. The old Bill was repealed earlier through the **Assam Repealing Bill 2024**.
- “We could have amended the 1935 law, but we wanted to do away with the provision of registering Muslim marriages and divorces through Kazis,” Sarma said.

**ASSAM MUSLIM MARRIAGE  
AND DIVORCE REGISTRATION  
ACT 1935**

- As per the new law, **registration of the marriage** should take place within 30 days of the marriage. Couples who are planning to get married as per Muslim personal laws can also get themselves registered through the new law. Similarly, divorces should also get registered within one month.
- As per the new law, if **anyone is found to produce fake or forged certificates** (to register a marriage or divorce) they can be imprisoned for up to two years or imposed a **fine of up to Rs.10,000 or both**.



- They would also be tried for forgery under relevant provisions of **the Bharatiya Nyaya Sanhita 2023**. And if anyone is found registering a marriage in violation of provisions of the new law, they can be imprisoned for up to **one year and imposed a fine of up to Rs.50,000**.
- “The move of bringing in the new legislation was to remove the role of Kazis in **Muslim marriages and divorces**. But the role of Kazis is governed by the Kazis Act 1880. It’s an old colonial law. How can a state government stop this provision?” Islam said in assembly. Islam also said that the **simpler process of registering under the older Act** had been replaced by a more complex one, drawn from the provisions of the Special Marriage Act.