



## The Kazis (Maharashtra Amendment) Act, 1978

Act 21 of 1978

Keyword(s):

Central Act Amendment, The Kazis Act, 1880, Kazi

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**THE KAZIS (MAHARASHTRA AMENDMENT) ACT, 1978.**

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MAHARASHTRA ACT No. XXI OF 1978.<sup>1</sup>

[THE KAZIS (MAHARASHTRA AMENDMENT) ACT, 1978.]

[9th October 1978.]

(Assented to by the president)

An Act to amend the Kazis Act, 1880, in its application to the State of Maharashtra.

XII of 1880. WHEREAS it is expedient to amend the Kazis Act, 1880, in its application to the State of Maharashtra, for the purposes hereinafter appearing ; It is hereby enacted in the Twenty-ninth Year of the Republic of India as follows :—

- XII of 1880. 1. This Act may be called the Kazis (Maharashtra Amendment) Act, 1978. Short title.
2. In the Kazis Act, 1880, in its application to the State of Maharashtra (hereinafter referred to as "the principal Act"), in the long title, after the words "Office of Kazi" the words "and to cast certain duties on persons discharging the functions of a Kazi" shall be added. Amendment of long title of Act XII of 1880.
3. In the preamble to the principal Act, after the words "office of Kazi" the words "and to cast certain duties on persons discharging the functions of a Kazi" shall be inserted. Amendment of preamble to Act XII of 1880.
4. In section 1 of the principal Act, at the end, the following paragraph shall be added, namely :— Amendment of section 1 of Act XII of 1880.
- Mah. XXI of 1978. "On the date of commencement of the Kazis (Maharashtra Amendment) Act, 1978, this Act shall extend also to all the remaining parts of the State of Maharashtra to which it did not extend immediately before the said date."
5. After section 4 of the principal Act, the following section shall be added, namely :— Addition of section 5 to Act XII of 1880.
- "5. (1) It shall be the duty of every person, who officiates as a Kazi or Naib Kazi (whether he is appointed by the State Government under this Act or not) at the celebration of any marriage, to maintain a proper record of the marriage or marriages attended by him in that capacity, and, if so required by or on behalf of either of the parties to the marriage, to give inspection and duly certified true copies of the documents in his possession relating to the marriage, like the *Nikah Nama*, on payment of reasonable fees therefor, not exceeding such maximum rates of fees as may be specified in this behalf by the State Government, by notification in the *Official Gazette*, in respect of inspection and certified copies of any document or class of documents. Duty of every person officiating as Kazi at a marriage to give inspection and true copies of documents in his possession relating to the marriage and disqualification for failure to perform this duty.
- (2) If on a complaint received from or on behalf of either of the parties to a marriage, the State Government is satisfied, after giving him an opportunity of being heard, that the person who officiated as a Kazi or Naib Kazi at the marriage is guilty of misconduct in the discharge of the duty cast on him under sub-section (1), the State Government may, by order published in the *Official Gazette*, declare that he shall be disqualified for officiating as a Kazi or Naib Kazi at any marriage, for such period, not exceeding three years, as may be specified in the order."

<sup>1</sup> For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1978, Part V, p. 11