



The Child Marriage Restraint (Gujarat Amendment) Act, 1963

11 of 1964

Keyword(s):

Child Marriage, Restraint, Prevention

Amendment appended: 4 of 1973

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Separate paging is given to this Part in order that it may be
filed as a separate compilation

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to
by the President on the 1st April 1964 is hereby published for general infor-
mation.

AKBAR S. SARELA,
Secretary to Government,
Legal Department.

GUJARAT ACT NO. 11 OF 1964.

(First published, after having received the assent of the President in the
Gujarat Government Gazette on the 7th April 1964.)

An Act to amend the Child Marriage Restraint Act, 1929.

It is hereby enacted in the Fourteenth Year of the Republic of India as
follows :—

1. (1) This Act may be called the Child Marriage Restraint (Gujarat Amend-
ment) Act, 1963. Short title
and commen-
cement.

(2) It shall come into force on such date as the State Government may, by
notification in the *Official Gazette*, appoint.

XIX of 1929. 2. After section 6 of the Child Marriage Restraint Act, 1929 (hereinafter refe-
rred to as "the principal Act"), the following section shall be inserted,
namely :— Insertion of
section 7 in
Act XIX of
1929.

Offences to be cognisable.

"7. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under this Act shall be deemed to be a cognisable offence within the meaning of that Code."

Deletion of section 10 of Act XIX of 1929.

3. Section 10 of the principal Act shall be deleted.

Insertion of sections 13 and 14 in Act XIX of 1929.

4. After section 12 of the principal Act, the following sections shall be added, namely:—

Child Marriage Prevention Officers.

"13. (1) The State Government may, by notification in the *Official Gazette*, appoint for the whole State or for such part thereof as may be specified in that notification, an officer to be known as the Child Marriage Prevention Officer.

(2) It shall be the duty of the Child Marriage Prevention Officer—

(i) to prevent marriages being performed in contravention of the provisions of this Act by taking such action under this Act as he deems fit,

(ii) to collect evidence for the effective prosecutions of persons contravening provisions of this Act, and

(iii) to discharge such other functions as may be assigned to him by the State Government.

(3) The State Government may, by notification in the *Official Gazette*, invest the Child Marriage Prevention Officer with such powers of a Police officer as may be specified in the notification and the Child Marriage Prevention Officer shall exercise his powers subject to such limitations and conditions as may be specified in the notification.

(4) The State Government may associate with each Child Marriage Prevention Officer a non-official advisory body consisting of not more than five social welfare workers, of whom at least two shall be women workers, known in the area within the jurisdiction of the Officer for the purposes of advising and assisting him in the performance of his functions under this Act.

(5) The terms and conditions of appointment of persons on the advisory body shall be such as may be prescribed by rules.

Power to make rules.

14. (1) The State Government may, by notification in the *Official Gazette*, make rules, for the purposes of carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for all matters expressly required or allowed by this Act to be prescribed by rules.

(3) The power to make rules conferred by this section is subject to the condition of the rules being made after previous publication.

(4) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made, and shall be subject to rescission by the State Legislature or to such modifications as the State Legislature may make during the session in which they are so laid, or the session immediately following.

(5) Any rescission or modification so made by the State Legislature shall be published in the *Official Gazette* and shall thereupon take effect.”.



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PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the President on the 13th January 1973 is hereby published for general information.

S. S. SHAH,
Secretary to the Government of Gujarat,
Legal Department

GUJARAT ACT NO. 4 OF 1973.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 30th January 1973).

An Act further to amend the Child Marriage Restraint Act, 1929 in its application to the State of Gujarat for certain purposes.

It is hereby enacted in the Twenty-third Year of the Republic of India as follows :—

1. This Act may be called the Child Marriage Restraint (Gujarat Amend. Short title. ment) Act, 1972.

2. After section 13 of the Child Marriage Restraint Act, 1929, in its application to the State of Gujarat, the following sections shall be inserted namely :—

XIX
of
1929.

Insertion of
new sections
13A and 13B
in Act XIX
of 1929.

Officer
appointed
under the Act
to be public
servant.

"13A. The Child Marriage Prevention Officer appointed under section 13 ^{XIV} shall be deemed to be a public servant within the meaning of section 21 of ^{of} 1960. the Indian Penal Code.

Protection of
action taken
in good faith.

13B. No suit, prosecution or other legal proceeding shall lie against the Child Marriage Prevention Officer appointed under this Act in respect of anything in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder."