

The Muslim Marriages and Divorces (Registration) Act, 1974

(ACT NO. LII OF 1974)

An Act to consolidate and amend the law relating to Registration of Muslim marriages and divorces.

WHEREAS it is expedient to consolidate and amend the law relating to registration of Muslim marriages and divorces;

It is hereby enacted as follows:-

Short title and application

1. (1) This Act may be called the Muslim Marriages and Divorces (Registration) Act, 1974.
- (2) It applies to all Muslim citizens of Bangladesh wherever they may be.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,-
 - (a) "Inspector-General of Registration" and "Registrar" respectively mean the officers so designated and appointed under the Registration Act, 1908 (XVI of 1908);
 - (b) "prescribed" means prescribed by rules made under this Act.

Registration of marriages

3. Notwithstanding anything contained in any law, custom or usage, every marriage solemnized under Muslim law shall be registered in accordance with the provisions of this Act.

Nikah Registrars

4. For the purpose of registration of marriages under this Act, the Government shall grant licences to such number of persons, to be called

Nikah Registrars, as it may deem necessary for such areas as it may specify:

Provided that not more than one Nikah Registrar shall be licensed for any one area ¹[:

Provided further that the Government may, whenever it deems fit so to do, extend, curtail or otherwise alter the limits of any area for which a Nikah Registrar has been licensed.]

Solemnization of a marriage to be reported and registered

²[5. (1) Where a marriage is solemnized by the Nikah Registrar himself, he shall register the marriage at once.

(2) Where a marriage is solemnized by a person other than the Nikah Registrar, the bridegroom of the marriage shall report it to the concerned Nikah Registrar within thirty days from the date of such solemnization.

(3) Where solemnization of a marriage is reported to a Nikah Registrar under sub-section (2), he shall register the marriage at once.

(4) A person who contravenes any provision of this section commits an offence and he shall be liable to be punished with simple imprisonment for a term which may extend to two years or with fine which may extend to three thousand taka, or with both.]

Jurisdiction under this Act

³[5A. Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act No. V of 1898), an offence under this Act shall be triable by a Magistrate of the first class.]

Registration of divorces

6. (1) A Nikah Registrar may register a divorce effected under Muslim Law within his jurisdiction on application being made to him for such registration.

(2) An application for registration of a divorce shall be made orally by the person or persons who has or have effected the divorce:

Provided that if the woman be a parda-nashin, such application may be made by her duly authorised vakil.