

12. The President of the Union may make rules for the purpose of carrying into effect the purposes of this Act, and in particular may make rules for the levy of the costs or charges for anything done under this Act and for all matters which are directed or permitted to be prescribed.

Rule-making power.

THE CHILD MARRIAGE RESTRAINT ACT.

[INDIA ACT XIX, 1929.] (1st April, 1930.)

1. * * * *

2. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

- (a) "child" means a person who, if a male, is under eighteen years of age, and if a female, is under fourteen years of age ;
- (b) "child marriage" means a marriage to which either of the contracting parties is a child ;
- (c) "contracting party" to a marriage means either of the parties whose marriage is thereby solemnized ; and
- (d) "minor" means a person of either sex who is under eighteen years of age.

3. Whoever, being a male above eighteen years of age and below twenty-one contracts a child marriage shall be punishable with fine which may extend to one thousand rupees.

Punishment for male adult below twenty-one years of age marrying a child.

4. Whoever, being a male above twenty-one years of age, contracts a child marriage shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both.

Punishment for male adult above twenty-one years of age marrying a child.

5. Whoever performs, conducts or directs any child marriage shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both, unless he proves that he had reason to believe that the marriage was not a child marriage.

Punishment for solemnizing a child marriage.

6. (1) Where a minor contracts a child marriage, any person having charge of the minor, whether as parent or guardian or in any other capacity, lawful or unlawful, who does any act to promote the marriage or permits it to be solemnized, or negligently fails to prevent it from being solemnized, shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both :

Punishment for parent of guardian concerned in a child marriage.

Provided that no woman shall be punishable with imprisonment.

(2) For the purposes of this section, it shall be presumed, unless and until the contrary is proved, that where a minor has contracted a child marriage, the person having charge of such minor has negligently failed to prevent the marriage from being solemnized.

Imprisonment not to be awarded for offences under section 3. 7. Notwithstanding anything contained in the Burma General Clauses Act, or section 64 of the Penal Code, a Court sentencing an offender under section 3 shall not be competent to direct that, in default of payment of the fine imposed, he shall undergo any term of imprisonment.

Jurisdiction under this Act. 8. Notwithstanding anything contained in section 190 of the Code of Criminal Procedure, no Court other than that of a District Magistrate shall take cognizance of, or try, any offence under this Act.

Mode of taking cognizance of offences. 9. No Court shall take cognizance of any offence under this Act save upon complaint made within one year of the solemnization of the marriage in respect of which the offence is alleged to have been committed.

Preliminary inquiries into offences under this Act. 10. The Court taking cognizance of an offence under this Act shall, unless it dismisses the complaint under section 203 of the Code of Criminal Procedure, either itself make an inquiry under section 202 of that Code, or direct a Magistrate of the first class subordinate to it to make such inquiry.

Power to take security from complainant. 11. (1) At any time after examining the complainant and before issuing process for compelling the attendance of the accused, the Court shall, except for reasons to be recorded in writing, require the complainant to execute a bond, with or without sureties, for a sum not exceeding one hundred rupees, as security for the payment of any compensation which the complainant may be directed to pay under section 250 of the Code of Criminal Procedure; and if such security is not furnished within such reasonable time as the Court may fix, the complaint shall be dismissed.

(2) A bond taken under this section shall be deemed to be a bond taken under the Code of Criminal Procedure, and Chapter XLII of that Code shall apply accordingly.

THE SLAVERY ACT.

[INDIA ACT V, 1843.] (7th April, 1843.)

Prohibition of sale of person or right to his labour on ground of slavery. 1. No public officer shall, in execution of any decree or order of Court, or for the enforcement of any demand of rent or revenue, sell or cause to be sold any person, or the right to the compulsory labour or services of any person, on the ground that such person is in a state of slavery.