

# ACT No. XXX OF 1923.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the  
30th July, 1923.)

## An Act further to amend the Special Marriage Act, 1872.

III of 1872. **W**HEREAS it is expedient further to amend the  
Special Marriage Act, 1872; It is hereby en-  
acted as follows:—

1. This Act may be called the Special Marriage Short title.  
(Amendment) Act, 1923.

III of 1872. 2. In the preamble to the Special Marriage Act, Amendment  
of preamble,  
Act III of  
1872.  
1872 (hereinafter referred to as the said Act), after  
the words “Jaina religion” the following words  
shall be inserted, namely:—

“and for persons who profess the Hindu,  
Buddhist, Sikh or Jaina religion”.

3. In section 2 of the said Act, after the words Amendment  
of section 2,  
Act III of  
1872.  
“Jaina religion” the following words shall be  
inserted, namely:—

“or between persons each of whom professes  
one or other of the following religions,  
that is to say, the Hindu, Buddhist, Sikh  
or Jaina religion”.

4. After section 21 of the said Act the following Addition of  
new sections  
to Act III  
of 1872.  
sections shall be inserted, namely:—

“22. The marriage under this Act of any mem-  
ber of an undivided family who professes the Hindu,  
Buddhist, Sikh or Jaina religion shall be deemed to  
effect his severance from such family. Effect of  
certain  
marriages  
on copar-  
cenary.”

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*Special Marriage (Amendment).* [ACT XXX OF 1923.]

Rights of succession in certain cases of marriage under Act.

23. A person professing the Hindu, Buddhist, Sikh or Jaina religion who marries under this Act shall have the same rights and be subject to the same disabilities in regard to any right of succession to any property as a person to whom the Caste Disabilities Removal Act, 1850, applies:

XXI of 1850.

Provided that nothing in this section shall confer on any person any right to any religious office or service, or to the management of any religious or charitable trust.

Succession to the property of parties married under Act.

24. Succession to the property of any person professing the Hindu, Buddhist, Sikh or Jaina religion who marries under this Act, and to the property of the issue of such marriage, shall be regulated by the provisions of the Indian Succession Act, 1865.

X of 1865.

Person marrying under Act not to have right of adoption.

25. No person professing the Hindu, Buddhist, Sikh or Jaina religion who marries under this Act shall have any right of adoption.

Adoption by father of person marrying under Act.

26. When a person professing the Hindu, Buddhist, Sikh or Jaina religion marries under this Act, his father shall, if he has no other son living, have the right to adopt another person as a son under the law to which he is subject."

Amendment of Second Schedule to Act III of 1872.

5. In the Second Schedule to the said Act, after the words "Jaina religion" in both places where they occur, the following shall be inserted, namely:—

" or (as the case may be) I profess the Hindu, or the Buddhist, or the Sikh, or the Jaina religion "