

GOVERNMENT OF ASSAM
OFFICE OF THE DEPUTY COMMISSIONER:..... BONGAIGAON
(ADMINISTRATION BRANCH)

ORDER

Dated: 02/02/2023

No.BMJ/50/2018/83 : Whereas, it has been reported that in Bongaigaon District, Child marriages are being solemnized by the private Kazi, Imam, other religious leaders, Govt. authorized Kazis or their agents on a daily basis; and

Whereas, it has been reported that the Notary are notarizing affidavits/agreement/compromise note etc. on the basis of the advocate identification by changing the date of birth and on the basis of basis which the child marriages are being solemnized; and

Whereas, it has been reported in the Joint Director, Health Services report about alarming number of teenage mothers below the age of 18 years in the Bongaigaon district.

Whereas, there is every reason to believe that post such marriages, the child (both male and female) may be facing situations similar to violation of child rights including child trafficking, child abuse (sexual and otherwise), child labour, slavery, servitude and attracting, charges under provisions mentioned in **Protection of Children from sexual Offences Act,2012 (POCSO) and the Child Labour (Prohibition and Regulation)Act,1986 (amended in 2016) and the Right to Education Act,2009.**

In view of the above, it is hereby directed that-

1. No Minor/Child Marriage shall be solemnized within the territorial jurisdiction of Bongaigaon district.
2. Except Muslim Marriage Registrar (MMR) & Government authorized Kazi, no other person shall be authorized to solemnize Muslim Marriage in the society.
3. Before solemnization of marriages, date of birth for both the parties should be verified through anyone of the following viz. birth certificate, AADHAAR card, voter ID, HSLC certificate, PAN card and no other certificate including affidavit shall be taken as a certificate of age.
4. MMR & Kazi shall also ensure that the registration of marriage at office of the Sub-Registrar, Bongaigaon is completed.
5. No Advocate/Notary/Kazi should indulge in practice of making unlawful affidavits for supporting child marriage and agreements between underage people for marriage for present or future. Necessary action under Section 10 and 11 of Prohibition of Child Marriage Act, 2006 will be taken for cancellation of license on case-wise basis and disciplinary proceedings as mentioned in law shall be initiated.

This order shall come into force with immediate effect.


Deputy Commissioner,
Bongaigaon
Dated: 02/02/2023

Memo No. BMJ/50/2018/83 (A)

Copy for favor of kind information to:

1. The Commissioner & Secretary to the Govt. of Assam, Home & Political Department, Dispur, Guwahati-6.
2. The Commissioner, Lower Assam Division, Panbazar, Guwahati-1.
3. The Director of Social Welfare Dept., Assam, MG Road, Uzanbazar, Guwahati-1.
4. The Secretary, State Child Protection Unit, Assam, Beltola, Guwahati-28.

Copy for information and necessary action to:

5. The Chief Executive Officer, Zilla Parishad, Bongaigaon
6. The Superintendent of Police, Bongaigaon.
7. All Addl. Deputy Commissioner, Bongaigaon.
8. Sub-Divisional Officer, North Salmara, Abhayapuri.
9. All Circle Officers of Revenue Circle, Bongaigaon District.
10. All Executive Magistrates, Bongaigaon District.
11. The DIO, NIC, Bongaigaon. He is requested to upload the order in District Website.
12. All Heads of Department, Bongaigaon
13. DIPOR, Bongaigaon for wide publicity.
14. District Child Protection Officer, Bongaigaon.
15. District Social Welfare Officer, Bongaigaon
16. All BDOs/GP Secretaries, Bongaigaon District
17. President/Secretary, Bongaigaon & North Salmara Bar Association.
18. MMR & Kazi, Manikpur, Jogighopa & Abhayapuri.


Deputy Commissioner,
Bongaigaon