

THE KAZIS ACT, 1880

(12 of 1880)

[9th July, 1880]

An Act for the appointment of persons to the Office of Kazi.

WHEREAS by the Preamble to Act No. XI of 1864.¹ (An Act to repeal the law relating to the offices of Hindu and Muhammadan Law officers and to the offices of Kazi-ul-Kuzaat and of Kazi, and to abolish the former offices) it was (among other things) declared that it was inexpedient that the appointment of the Kazi-ul-Kuzaat, or of City, Town or Pargana Kazis should be made by the Government, and by the same Act the enactments relating to the appointment by the Government of the said officers were repealed; and whereas by the usage of the Muhammadan community in some parts of ²[India] the presence of Kazis appointed by the Government is required at the celebration of marriages and the performance of certain other rites and ceremonies, and it is therefore expedient that the Government should again be empowered to appoint persons to the office of Kazi. It is hereby enacted as follows:—

1. Short title.—This Act may be called the Kazis Act, 1880;

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Local Extent.—It extends, in the first instance, only to the territories administered by the Governor of Fort Saint George in Council. ⁴[But the Government of any other State] may, from time to time, by notification in the Official Gazette, extend it to the whole or any part of the territories under its administration⁵.

2. Power to appoint Kazis for any local area.—Wherever it appears to the State Government that any considerable number of the Muhammadans resident in any local area desire that one or more Kazis should be appointed for such local area, the State Government may, if it thinks fit, after consulting the principal Muhammadan residents of such local area, select one or more fit persons and appoint him or them to be Kazis for such local area.

If any question arises whether any person has been rightly appointed Kazi under this section, the decision thereof by the State Government shall be conclusive.

The State Government may, if it thinks fit, suspend or remove any Kazi appointed under this section who is guilty of any misconduct in the execution of

1. Rep. by Act 8 of 1868.

2. Subs. by the A. O. 1950, for "the Provinces".

3. The words "and it shall come into force at once" rep. by Act 10 of 1914, sec. 3 and Sch. II.

4. Subs. by Act 3 of 1951, sec. 3 and Sch., for "But the Government of any other Part A State or the Government of a Part C State" (w.e.f. 1-4-1951).

5. The Act has been extended to certain places in the Bombay Presidency, West Bengal, The U.P., The Punjab, The C.P., Assam, Union Territory of Pondicherry by Act 26 of 1968 and Union Territory of Laccadive, Minicoy and Amindivi Islands (now Lakshadweep) by Reg. 2 of 1970 (w.e.f. 15-10-1970).

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SE 2159
सरकार, पटना

बिहार सरकार,
मंत्रिमंडल सचिवालय।

-: संकल्प :-

संकल्प नं० सी०एस०।/आर-।-105/90 1724 पटना-।5, दिनांक-28 अगस्त, 1991 ई०।

विषय:- निबंधन विभाग का सृजन +

प्रशासन को अधिक स्ट्रीमलाइन करने तथा राजस्व की उत्तरोत्तर वृद्धि के लिए लोक हित में निबंधन कार्यों के संपादन हेतु एक स्वतंत्र विभाग गठित की जाती है। उसका नाम निबंधन विभाग होगा। इसे तात्कालिक प्रभाव से सृजित किया जाता है।

2- कार्यपालिका नियमावली के प्रथम अनुसूची में आंशिक संशोधन होने के फलस्वरूप निबंधन विभाग द्वारा निम्नांकित कार्यनिष्पादित किया जायगा :-

- 1- सोसाइटीज रजिस्ट्रेशन ऐक्ट, 1860 एवं इंडियन पार्टनरशिप ऐक्ट, 1932 का प्रशासन।
- 2- विलेखों और लेखों {दस्तावेजों} का निबंधन।
- 3- जन्म, मृत्यु और विवाह निबंधन अधिनियम {बर्थ, डैथ एंड मैरिज रजिस्ट्रेशन ऐक्ट}, 1886 {सं० 6, 1886}, बंगाल मुतलमान विवाह और तलाक निबंधन अधिनियम { बंगाल मुहम्मडन मैरिज एंड डायिवोर्स रजिस्ट्रेशन ऐक्ट } 1876 { बंगाल अधिनियम, 1, 1876 } काजी अधिनियम {काजीज ऐक्ट}, 1880 {सं० 12, 1880} पारसी विवाह और तलाक अधिनियम {पारसी मैरिज एंड डायिवोर्स ऐक्ट}, 1936 {सं० 3, 1936}, भारतीय क्रिश्चियन विवाह अधिनियम {इंडियन क्रिश्चियन मैरिज ऐक्ट, 1872} सं० 15, 1872} एवं विशेष विवाह अधिनियम का प्रचालन।
- 4- स्टाम्प एवं स्टाम्प ड्यूटी से संबंधित कार्य।
- 5- निबंधन विभाग में नियोजित सभी पदाधिकारियों का नियंत्रण।
- 6- निबंधन विभाग के दखल में स्थित सभी भवनों का प्रशासनिक प्रभार।

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बिहार राज्यपाल के आदेश से,

28.8.91

{ निमलित्तु चटर्जी },
सरकार के संयुक्त सचिव।

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