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NOTIFICATION

No. H. 12018/233/2013-LJD, the 4th December, 2014. The following Act is hereby re-published for general information.

The Mizo Marriage, Divorce and Inheritance of Property Act, 2014

(Act No. 9 of 2014)

{Received the assent of the Governor of Mizoram on the 28th November, 2014}.

Zahmingthanga Ralte,
Deputy Secretary to the Govt. of Mizoram.

Act. No. 9 of 2014

THE MIZO MARRIAGE, DIVORCE AND INHERITANCE OF PROPERTY ACT, 2014

An Act to provide for the law relating to Marriage, Divorce and Inheritance of Property among the Mizo and connected matter therewith.

It is enacted by the Mizoram Legislative Assembly in the Sixty-Fifth year of the Republic of India as follows, namely :-

CHAPTER - I PRELIMINARY

1. **Short title, extent and commencement :**

- (1) This Act may be called the Mizo Marriage, Divorce and Inheritance of Property Act, 2014.
- (2) It extends to the whole of Mizoram except the three Autonomous Districts in Mizoram constituted under the Sixth Schedule to the Constitution of India.
- (3) It shall come into force from the date the Government may by Notification in the Official Gazette appoint.

2. **Application of the Act** : This Act applies to any person who belongs to any Mizo tribe. It also applies to marriages where male members of the parties belongs to any Mizo tribe.
3. **Definitions** : In this Act, unless the context otherwise requires :-
- (a) **'Acquired property'** means any property other than inherited property acquired by any person or by the family by any means;
 - (b) **'Ancestral property'** means a coparcenary property. The property belonging to three male parental ancestors in the unbroken line of ascent viz. the father, grandfather and great grandfather, it is not inclusive of maternal ancestor who are also an ancestor of a person. Therefore, property inherited from maternal grandfather is not an ancestral property;
 - (c) **'Couple'** means and applies to husband and wife who are married under this Act and any other law for the time being in force;
 - (d) **'Court'** means any Civil Court having original jurisdiction over the area;
 - (e) **'Decree'** means and applies the formal expression of an adjudication which, so far as regards the court expressing it, conclusively determines the rights of the parties with regards to all or any of the matters in controversy in the suit and may be final in so far as the Act is concerned;
 - (f) **'Desertion'** means abandonment against the will of the person charging it;
 - (g) **'Divorce'** means for the purpose of this Act the various means of dissolution of marriage or separation amongst the Mizo by means of the Mizo custom namely: *'Mak'*, *'Sumchhuah'*, *'Kawngka Sula Mak'*, *'Uire'*, *'Atna avanga in'hen'*, *'Nupui Fanau chhuahsan'*, *'Sumlaitan'*;
 - (h) **'Falak'** means a child whose father is not identified;
 - (i) **'Head of family'** means a person who manage, rule and control all the movable and immovable properties of the family;
 - (j) **'Licenced Officer'** means any person authorised/permitted by any religious denomination to solemnize marriage under this Act;
 - (k) **'Lawichal'** means a male person appointed by the bride's family to safely escort the bride and her party as she leaves for the house of the bridegroom and to present her to the bridegroom;
 - (l) **'Lawi'** means the bride entering the home of the bridegroom after leaving her home;
 - (m) **'Mizo'** means and applies to individuals who are Mizo by birth; by adoption of minor child and persons who have been accepted as Mizo by the Society and Community at large;
 - (n) **'Major'** means for the purpose of marriage, a person who, if a male, has completed twenty-one years of age, and if a female, has completed eighteen years of age;
 - (o) **'Man'** means marriage price paid by the bridegroom and received by the head of the bride's family. However, marriage price not paid by mutual agreement of the parties does not invalidate the marriage if solemnized under this Act;
 - (p) **'Man pui'** means the main marriage price and *'hutphah'* is a security money paid alongwith the main marriage price but returned to the bridegroom's family through *palai*;
 - (q) **'Man `ang'** means the marriage price the head of family gives in certain amounts mainly to near relatives as their shares of the marriage price;
 - (r) **"Marriage"** means a union of a man and a woman who are both major as husband and wife upon the happening of the following sequence of events :
 - (i) a male suitor conveys a proposal for marriage of a woman through *palai* to the head of the family of the woman he wants to marry;
 - (ii) if the woman's family accepts the proposal after obtaining the consent of the woman, quantum of *man* is fixed by the head of bride's family and the date and venue for payment of marriage price and of solemnization of marriage are fixed;
 - (iii) the man pays the marriage price through *palai*;
 - (iv) on the day marriage is solemnized and at the appointed time, the bride under escort by *lawichal* leaves her home and family to live with the bridegroom;

- (v) the Licenced Officer chosen by the parties to administer solemnization of marriage is informed of the intended marriage and is duly solemnized;
- (vi) when the marriage has been done in accordance with the customary rites and procedures as mentioned above or as per marriage solemnised by the Licenced Officer, the marriages becomes complete and binding;
- (s) '**Palai**' means a person or persons, not less than two in number, appointed by the brigeegroom's family as negotiators to negotiate and settle the marriage;
- (t) '**Property**' means any property movable or immovable;
- (u) '**Personal property**' means any property registered in the personal name of a person and any other property purchased or gifted or inherited and so owned and possessed by a person;
- (v) '**Re-marriage**' means a marriage of a person who becomes single after his/her previous marriage;
- (w) '**Sawn**' means illegitimate child and 'sawn man' means money that is ^ 40/- paid to the woman with whom a man has a child without getting married;
- (x) '**Woman's personal property**' means any property purchased or gifted or inherited and owned by a woman as her personal property inclusive of any property ownership of which is registered in her name and brought by her to the house of her husband at the time of marriage.

CHAPTER - II MARRIAGE

4. **Marriage price** : The marriage price consists of *man pui* which is not less than ^ 420/-.
5. **Settlement of marriage price** : The marriage price paid through *palai* shall be recorded in writing as per Schedule I in two copies and are signed by the head of the bride's family and by the *palai*. One copy is for the bride's family and the other copy for the bridegroom. The main marriage price when received is distributed as *man `ang* by the head of the family to different persons mostly near relatives, in the manner shown in Schedule II.
6. **Notice of intended marriage** : Notice of intended marriage is to be given to the Licenced Officer by the parties desire to solemnize the marriage. Upon receipt of such information, the Licenced Officer shall fix the date and place for solemnization in consultation with the concerned parties. He will cause notice of the intended marriage to be affixed in some conspicuous place or make announcement as per the rule, mode or practice of the religious denomination of which he is a Licenced Officer.
7. **Solemnization of marriage** :
 - (1) The marriage may be solemnized by the Licenced Officer who will include any ordained Minister/Reverend/Pastor/Authorised Elder (Upa)/Commissioned Officer/Priest (Tirkkoh)/Ordained Priest of Religion according to the rules, rites, ceremonies and custom of the Religion of which he is holding such office.
 - (2) The marriage must be solemnized in the presence of at least two witnesses besides the Licenced Officer who administers solemnization and that the best man and the bridesmaid will be competent witnesses.
8. **Voidable Marriage** : A man and a woman living together on *inru* or *tlandun* or *fan* or *luhkhung* is not a valid marriage unless regularised under this Act.
Explanation:
 - (i) '**inru**' means a man taking a woman to live with him as his wife;
 - (ii) '**tlandun**' means elopement of a man and a woman;
 - (iii) '**fan**' means a man leaving his house and living with a woman in the woman's house as husband and wife;

(iv) '*luhkhung*' means a woman leaving her house and living with a man in the man's house as husband and wife;

9. **Degrees of prohibited relationship** : A man cannot enter into a marriage with any of the persons the rules or practice of the religious denomination of which he is a member prohibits and a woman cannot enter into a marriage with any of the persons the rules or practice of the religious denomination of which she is a member prohibits.
10. **Void marriages**: The living together as husband and wife of (a) two persons of the same sex (b) a person with another person having a spouse living and (c) either or both are under age are *void ab- initio*.
11. **Marriage Certificate** :
- (1) A certificate of marriage is to be issued by the Licenced Officer who administers solemnization and the certificate so issued will be the conclusive proof of marriage.
 - (2) In the certificate so issued, the words '*See section 7 of the Mizo Marriage, Divorce and Inheritance of Property Act, 2014*' or '*In accordance with the Mizo Marriage, Divorce and Inheritance of Property Act, 2014*' must be inserted as a mark of judicial authentication.
 - (3) In case of others, a certificate issued after settlement of Marriage Price vide Schedule I and duly registered under the Mizoram Compulsory Registration of Marriages Act, 2007 shall be a conclusive proof of Marriage.
12. **Registration of marriage** : Every marriage solemnized under this Act shall be registered under the Mizoram Compulsory Registration of Marriage Act, 2007 or any other law for the time being in force.

CHAPTER - III DISSOLUTION OF MARRIAGE

13. **Grounds for dissolution of marriage** :
- (1) Any marriage before or after the commencement of this Act, may, on petition presented to the court either by the husband or the wife, be dissolved and a divorce decree be granted on the following grounds :
 - (i) the respondent has committed adultery; or
 - (ii) due to irreconcilable incompatibility; or
 - (iii) the respondent has treated the petitioner with such cruelty as to cause a reasonable apprehension in the mind of the petitioner that it would be harmful or injurious for the petitioner to live with the respondent; or
 - (iv) the respondent has been incurably of unsound mind for a continuous period of not less than three years immediately preceding the presentation of the petition; or
 - (v) the respondent has, for a period of not less than three years immediately preceding the representation of the petition, been suffering from a virulent and incurable form of leprosy or any disease in a communicable form which endangers the life of the spouse;
 - (vi) the respondent has not been heard of as being alive for a period of seven years or more by those persons who would have naturally have heard of the respondent if the respondent had been alive; or
 - (vii) the wife refuse to go on '*Lawi*';
 - (viii) the respondent has wilfully refused to consummate the marriage and the marriage has thereof not been consummated; or
 - (ix) the respondent has deserted the petitioner for at least two years immediately preceding the presentation of the petition; or
 - (x) by mutual consent;

(2) A wife or husband may also present a petition for the dissolution of their marriage on the ground that the spouse has, since the solemnization of the marriage been found guilty of rape, sodomy or bestiality.

14. Judicial separation :

- (1) Either party to a marriage, whether solemnized before or after the commencement of this Act, may present a petition praying for a decree for judicial separation on any of the grounds specified in sub-section(1) of section 13.
- (2) Where a decree for judicial separation has been passed, the court may, on the application by petition of either party and on being satisfied of the truth of the statements made in such petition, rescind the decree if it considers it just and reasonable to do so.
- (3) A proceeding for judicial separation shall not exceed a period of six months and after the expiry of six months, the Court shall pronounce dissolution of marriage within a period of sixty days.

15. Power of the court to pronounce decree for dissolving marriage.

In case the court is satisfied on the evidence that the case of the petitioner has been proved, and does not find that the petitioner has been in any manner accessory to, or conniving at the going through of the said form of marriage, or has condoned the adultery complained of, the court shall pronounce a decree, and grant a Certificate of Divorce as in Schedule III declaring such marriage to be dissolved.

**CHAPTER - IV
WELFARE MATTERS**

16. Permanent Alimony and maintenance :

- (1) The Court exercising jurisdiction under this Act, may at the time of passing any decree or at any time subsequent thereto, on application made to it for the purpose by either the wife, the husband, the minor male child or the unmarried daughter unable to maintain themselves as the case may be, order that the respondent shall pay to the applicant for her or his maintenance and support such gross sum or such monthly or periodical sum for a term not exceeding the life of the applicant as, having regard to the respondent's own income and other property, if any, the income and other property of the applicant, the conduct of the parties and other circumstances of the case, as it may seem to the court to be just and any such payment may be secured, if necessary, by a charge on the immovable property of the respondent.
- (2) If the court is satisfied that there is a change in the circumstances of either party at any time after it has made an order under sub section (1), or the party in whose favour an order has been made has re-married, or becomes unchaste, it may, at the instance of either party, vary, modify or rescind any such order in such manner as the court may deem just.

17. Duty of the court to consider the welfare of the children :

In any proceeding under this Act, the court may, from time to time, pass such interim orders and make such provisions in the decree as it may deem fit and proper with respect to the custody, maintenance, education and welfare of minor children, consistent with their wishes wherever possible, and upon application by the petition may also from time to time revoke, suspend or vary any such orders and provisions previously made, and may, if it thinks fit, direct proceeding to be taken for placing such children under the protection of the Court.

Guardianship of the child shall also be decided by the Court as per the existing law in force keeping in mind the best interest of the child.

Provided that a child below the age of three years shall be in the custody of the mother unless the mother is found unfit by the Court for reasons to be recorded in writing as the custodian of the child.

18. **Liberty of parties to marry again :**

Where a decree for dissolution or nullity of marriage has been passed and either the time for appeal has expired without an appeal having been presented to any court including the Supreme Court or, an appeal has been presented but has been dismissed and the decree or dismissal has become final, it shall be lawful for either party to the marriage to marry again, or when a person become single after the death of his/her spouse.

CHAPTER - V JURISDICTION

19. **Court to which petition should be made :**

Every petition under this Act shall be presented to the court within the local limits of whose original jurisdiction -

- (i) the marriage was solemnized; or
- (ii) the respondent, at the time of the presentation of the petition resides; or
- (iii) the parties to the marriage last resided together;

20. **Reconciliatory matters :**

Before proceeding to grant any relief under this Act, it shall be the duty of the court in the first instance, in every case where it is possible so to do consistently with the nature and circumstances of the case, to make every endeavour to bring about reconciliation between the parties.

21. **Adjournment of proceedings :**

For the purpose of aiding the court in bringing about such reconciliation, the court may, if the parties so desire or the court thinks fit it just and proper so to do, adjourn the proceedings for a reasonable period not exceeding two months and refer the matter to any person named by the parties in this behalf or to any person nominated by the court if the parties fail to name any person, with directions to report to the court whether reconciliation can be and has been effected and the court shall in disposing of the proceeding have due regard to this report.

22. **Supply of copy of decree :**

In every case where a marriage is dissolved by a decree of divorce, the court passing the decrees shall give a copy thereof free of costs to each of the parties.

CHAPTER - VI DIVISION OF PROPERTY ON DIVORCE

23. **Ownership right of head of family over properties:**

All movable and immovable properties inherited and acquired, which is not registered in the name of any member of the family living under the same roof are deemed to be the property of the head of the family.

24. **Right of head of family to dispose property :** The head of the family may dispose any of his/her properties except service/pensionary benefits by way of sale, barter, gift, charity or endowment. However, a woman's personal property shall not be disposed without her consent.

25. **Right of a woman leaving her husband on *sumchhuah* :** If a woman leaves her husband on *sumchhuah*, she will have no right over the acquired property except her personal property.

Provided that if she was compelled to leave her husband on *sumchhuah* by her husband's domestic violence or cruelty, or her husband is wantonly sexually unfaithful or insanity of her husband, or depriving her of conjugal right except on health ground, she can not be deprived of her right over the acquired property.

Explanation : '*sumchhuah*' means a married woman leaving her husband by returning marriage price.

26. **Right of a woman leaving her husband on *māk*:**

(1) If the husband divorces his wife on *māk* except on ground of adultery or deprivation of her husband of his conjugal right, she will have share over the acquired property of any kind. The personal property of the woman shall not be disturbed.

(2) If a man divorces his wife on ground of adultery or deprivation of his conjugal right except on health ground, she will have a share over the acquired property not exceeding 25 % alongwith her personal property.

Explanation : '*ma*'/'*māk*' means a wife divorced by her husband.

27. **Share of acquired property :**

(1) A woman leaving her husband on *māk*' or *kawngka sula māk* shall have a share of the acquired property and shall be given a share not exceeding fifty percent of the acquired property.

(2) Married couple who have separated on mutual consent will share acquired property as mutually agreed or deemed just and proper.

(3) A couple who have separated under clause (iv) or (v) of sub-section (1) of section 13 of the Act shall share the acquired property equally.

(4) A person who has deserted the family under clause (ix) of sub-section (1) of section 13 of the Act shall have no share over the acquired property.

Explanation : *Kawngka sula mak* means when a man find a girl, he prefers to his wife and divorces his wife on the same day or after some period of time marriage the girl, the divorce is known as *kawngka sula mak*. The literal meaning of *Kawngka sula mak* is to marry another wife in which the old wife goes out of the door and the new wife comes in.

28. **Gift of property to a son/daughter leaving family on *indang*.** If a son or daughter leaves his/her family on *indang* as per the desire of the head of the family, the head of the family may give any of his/her property other than such son's or daughter's personal property.

Explanation : '*indang*' means a son or daughter leaving his/her father's house for independent and separate establishment or family which is accepted by the head of family.

CHAPTER - VII WILL

29. (1) A person of sound mind who has attained majority under the law in force, while he/she is fully possessed of his/her clear conscience capable of exercising his/her free will may execute a will in writing in the presence of at least two witnesses as to how all or some or part of his/her property which he/she can alienate during his/her life time be disposed after his/her death.

(2) If the testator executes more than one will for the same property, the latter or last one will prevail over the other or others.

(3) The making of a will caused by coercion, threat, intimidation or undue influence or fraud is void.

(4) The witnesses to the will must have attained majority under the law in force and they must be of sound mind.

(5) The testator and the witnesses must put their signatures to the will in the presence of all of them. If the testator cannot write, then the testator must put his thumb impression.

- (6) If in case the testator or any witness cannot write, he/she must put his/her thumb impression.
- (7) The legatee will be the executor of the will. If the legatee is a minor, his/her father/mother whoever is alive will be the executor. If his/her parents had both died, his/her legal guardian will be the executor.
- (8) The Probate of a Will must be made within 5 years from death of the Testator.

30. **Jurisdiction of the court :**

- (1) The civil court having original jurisdiction over the area where the legatee resides shall have the power.
- (2) to grant probate of the original will produced before him by the executor regardless of the place where the property situates.
- (3) to grant heirship certificate in respect of any property as per Schedule IV
- (4) to adjudicate upon any dispute arising out of and within the scope of this Act.

CHAPTER - VIII
INHERITANCE OF FATHER'S (HEAD OF THE FAMILY) PROPERTY

- In the absence of a 'Will', the following provision shall apply :
31. (1) On the death of the head of the family, the wife will automatically become the head of the family if she remains a chaste widow and looks after the welfare of her minor children. If the children have become majors, she needs to obtain no objection from the children to recognize her as the head of the family.
- (2) The property left by the deceased father will be inherited by the sons who are not '*Indang*' and the surviving wife of the Head of the Family equally. However, the youngest son will get one extra share provided he looks after members of the family who are not '*Indang*'.
- Provided further that unmarried daughter who has been looking after her parents and siblings being the main bread earner will also get a share of the property equivalent to the right of the mother/sons.
- (3) If any of the son '*A*' of the Head of the Family dies before the Head of the Family, then on the death of the Head of the Family, the Head of the Family's properties will be divided between the surviving sons of the Head of the Family who are not '*Indang*' and the surviving wife and the share that would have gone to *A* would go to *A*'s sons.
- Provided that the youngest son will get one extra share. Provided further that '*A*' was not '*Indang*' or that the children of '*A*' were not '*Indang*' at the time of the death of the Head of the Family.
- (4) If the Head of the Family has no son, then the property will be divided equally between the surviving wife of the Head of the Family and the unmarried daughters who are living with the surviving wife.
- (5) In the event of all the sons being '*Indang*' at the time of the death of the Head of the Family, and there being unmarried daughters, then the property will be shared between the wife, unmarried daughters and the surviving sons.
- Provided that the youngest son shall get one extra share. The sons and daughters of the Head of the Family from a previous marriage who are living with the Head of the Family shall have the same right and interest as the sons and daughters of the later marriage.
- (6) In the event of there being no sons or unmarried daughters then the property will go to the wife of the Head of the Family.
- (7) In the event of there being no sons, unmarried daughters or wife, then the property will go to the married daughters in equal share.
- (8) In the event of there being no sons or daughters and the wife from the surviving marriage having expired prior to the death of the Head of the Family, then the share of the properties to

- be inherited by the children from his previous marriage will be governed as per sub-section (1) to (6). However his wife from his previous marriages will not be entitled to any shares of the property and her alleged share will go to the youngest son to the previous marriage.
- (9) In the event of there being no sons, unmarried daughters, wife, married daughters, then the youngest illegitimate son will inherit the property. In the event of there being no illegitimate son, then the youngest illegitimate daughter will inherit. In the event of there being no illegitimate daughters, the brothers and sisters of the Head of the Family will inherit the property and the youngest brother will get one extra share.
- (10) The personal property left by unmarried son who died while he was in his father's house and having no issue will be inherited by his surviving father. If the father had died, his surviving mother will inherit. If both the father and the mother had died, the surviving youngest brother will inherit. If there is no surviving brother, the youngest surviving sister will inherit. If he had a surviving *sawn* son or daughter, the son will inherit. If he had a surviving daughter but no son, the surviving daughter will inherit, provided that *sawn man* was paid.
- (11) The personal property left by unmarried daughter who died while she was in her father's house and having no issue will be inherited by her surviving father. If the father had died, her surviving mother will inherit. If both the father and the mother had died, the surviving youngest brother will inherit. If there is no surviving brother, the youngest surviving sister will inherit. If she had left surviving *sawn* son or daughter, the son will inherit. If she had a surviving daughter but no son, the surviving daughter will inherit. Provided that *sawn man* is not paid.
- (12) If there is '*Falak*' in the family, he/she will have a right to have a share of the mother's property.
32. **Inheritance of a woman's personal property :**
(1) If a woman predeceased her husband, her personal property will devolve to her surviving husband.
(2) If she has no surviving husband, then her property will be divided as if the property of the Head of the Family is divided as in Section 31. However, the youngest son will have one extra share.
33. **Inheritance for support till death :** The one who supports the owner of specified property till his/her death as desired by the owner of that property is entitled to first preference to inheritance of that property irrespective of the order of preference given in Section 31 and 32.
34. **Right of son on *indang* and of married daughter :** The son who has left his father's house on *indang* and the married daughter will have no share of the property left by their father or mother except as provided in sections 31 and 32.
Explanation : For the purpose of inheritance, the son even if married or unmarried daughter living in another village, town or city or in a foreign country for employment, service or profession is not *indang*.
35. **Right of a divorced daughter :** A divorced daughter who has returned to her father's or mother's house will be treated as unmarried daughter for the purpose of inheritance.
36. **Obligation of legal heir :** A person who inherits property cannot disown himself or herself of the liabilities left by the person whose property he/she inherits.
37. **Date of operation of inheritance :** The right to inherit will operate only after the death of the person who owns property.
38. **Right of a predeceased wife to possess house property :** Even though the legal heirs might have taken their shares of the property left by the deceased father, the surviving wife cannot be deprived of her right to live in and to enjoy the house property of her deceased husband and its appurtenant including the benefits thereof provided however that she remains a chaste widow.

39. **Application of other Laws not barred** : Save as otherwise provided, the provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

40. **Repeal and Savings :**

- (i) The Mizo District (Inheritance of Property) Act, 1956 is hereby repealed provided that all acts done thereunder shall be deemed to have been done under this Act.
- (ii) Nothing contained in this Act shall affect the validity of any marriage between the Mizo, which is otherwise valid, before the commencement of this Act.
- (iii) Nothing contained in this Act shall affect any proceeding under any law for the time being in force for declaring any marriage to be null and void or for annulling or dissolving any marriage or for judicial separation pending at the commencement of this Act, and any such proceeding may be continued and determined as if this Act had not been passed.

41. **Power to remove difficulties** : The State Government may by notification publish in the Official Gazette remove difficulties in implementation of the provisions of this Act.

Provided that no such notification shall be issued after the expiry of two years from the commencement of this Act.

Schedule I
(Sec. 5 of the Act)
SETTLEMENT OF MARRIAGE PRICE

Name of bridegroom :

Mr _____ s/o _____ Age _____
 Religion _____ Tribe/Community _____
 Village _____ PO & PS _____
 District _____ State _____

Name of bride :

Miss _____ d/o _____ Age _____
 Religion _____ Tribe/Community _____
 Village _____ PO & PS _____
 District _____ State _____

Main marriage price given : ^ _____

(Rupees _____)

~hutpah ^ 20/- (Rupees twenty). ~hutpah is returned through palai.

Date & Time of settlement : _____

Place : _____

City/Town/Street : _____

This document is duly executed on this _____th day of _____ 20__ at _____ am/ pm in the house of _____, and in witness whereof we put our signatures below :

(Mr/Mrs _____)
 Marriage price receiver

Names of Palai / Witness :

1. (Mr/Mrs _____)

2. (Mr/Mrs _____)

Schedule II
(Sec. 5 of the Act)

MAN ~ANG
(SUBSIDIARY MARRIAGE PRICE)

- 1. Sum hmahruai : normally ^ 60/-
- 2. Sumfang : normally ^ 50/-
- 3. Pusum : normally ^ 40/-
- 4. Palal : normally ^ 30/-
- 5. Niar : normally ^ 20/-
- 6. Naupuakpuan : normally ^ 20/-
- 7. Nu man : normally ^ 20/-

Explanations :

- 1. **Sum hmahruai** : A share taken by the father/receiver of marriage price or given to his/her brother or son who has separate establishment.
- 2. **Sumfang** : A share given by the father/receiver of marriage price to his/her brother or to his/her son who has separate establishment.
- 3. **Pusum** : A share given to the maternal grandfather of the bride i.e. mother's father. If he is not alive, bride's mother's brother will get.
- 4. **Palal** : A share given to a person the bride has chosen to be her new found father of the locality where she get married and who in turn looks after her as his daughter.
- 5. **Niar** : A share given to the sister of the bride's father. In the absence of such aunt, a relative woman who can take such a place or relationship may get the share.
- 6. **Naupuakpuan** : A share given to the elder sister of the bride as a reward for her taking care of and for being a sister of the bride when she was a baby. In the absence of such a sister, another woman who can take such a place or relationship may get the share.
- 7. The father of the bride or receiver of the marriage price may not necessarily share *sum hmahruai* and *sumfang* to any body.
- 8. **Nu man** is paid to the mother, who gave birth to the bride. It arises only when the father and mother of the bride are not married or divorced.

Secretary,
Law & Judicial Deptt.,
Govt. of Mizoram.

SCHEDULE III
(Sec. 14 of the Act)

NAME OF COURT

DIVORCE CERTIFICATE NO. _____ OF _____

This is to certify that Smt. _____ d/o _____ (Name of father) or (name of mother) of _____ (Name of village) and Shri _____ (Name of ex-husband) s/o _____ of _____ who were married on _____ were divorce from each other by way of _____ under _____ with effect from _____ due to _____. Hence their marriage stands dissolved.

Name and Signature of
Issuing Authority with Seal

SCHEDULE IV
(Sec. 30 of the Act)
HEIRSHIP CERTIFICATE

IN THE COURT OF _____

_____ DISTRICT

HEIRSHIP CERTIFICATE APPLN. NO. _____ OF _____ UNDER
SECTION _____ OF THE MIZO MARRIAGE, DIVORCE AND INHERITANCE
OF PROPERTY ACT, 2014

To,

R/O _____

Whereas on the death of your _____ on _____ you applied for a Heirship Certificate
under the Mizo Marriage, Divorce and Inheritance of Property Act, 2014 in respect of the following properties
namely :-

Sl. No.	Description of the Property
1.	
2.	
3.	

This certificate is accordingly granted to you _____ s/o,d/o, w/o _____
r/o _____ and declare you as the legal heir of the deceased _____ in respect of
the above mentioned properties.

Memo No. _____ : Dated _____ the, _____

JUDGE
