The Jammu and Kashmir Majority Act, 1920

Act 26 of 1920

Keyword(s):
Age of Majority, Persons Domiciled in the State, Computation of Age of Majority
THE MAJORITY ACT, 1977 (1920 A. D.)

Act No. XXVI of 1977

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THE MAJORITY ACT, 1977 (1920 A.D.)

Act No. XXVI of 1977

[Sanctioned by His Highness the Maharaja Sahib Bahadur per Chief Minister's endorsement No. 8372, dated 11th September, 1920 read with State Council Resolution No. 1, dated 8th April, 1925. (Notification No. 14-L/81).]

An Act to amend the law respecting the age of majority.

Preamble.—Whereas in the case of persons domiciled in the State, it is expedient to prolong the period of non-age, and to attain more uniformity and certainty respecting the age of majority than now exists; It is hereby enacted as follows:

1. (1) This Act may be called the Majority Act, 1977.

(2) It extends to the whole of Jammu and Kashmir State. It shall come into force on the 1st day of Baisakh, 1978.

2. Savings.—Nothing herein contained shall affect—

(a) the capacity of any person to act in the following matters, namely,—marriage, dower, divorce, and adoption;

(b) the religion or religious rites and usages of any class of the state subjects in the State; or

(c) the capacity of any person who, before this Act comes into force, has attained majority under the law applicable to him.

3. Age of majority of persons domiciled in State.—Subject as aforesaid, every minor of whose person or property or both a guardian, other than a guardian for a suit within the meaning of order XXXII of the Code of Civil Procedure, has been or shall be appointed or declared by any Court of Justice before the minor has attained the age of eighteen years, and every minor of whose property the superintendence has been or shall be assumed by any Court of Wards before the minor has attained that age shall, notwithstanding anything contained in any other enactment, be deemed to have attained his majority when he shall have completed his age of twenty-one years and not before.
Subject as aforesaid, every other person domiciled in the State shall be deemed to have attained his majority when he shall have completed his age of eighteen years and not before.

4. Age of majority how computed.—In computing the age of any person, the day on which he was born is to be included as a whole day, and he shall be deemed to have attained majority, if he falls within the first paragraph of section 3, at the beginning of the twenty-first anniversary of that day, and if he falls within the second paragraph of section 3, at the beginning of the eighteenth anniversary of that day.

Illustration

(a) Z is born in the State on the first day of Baisakh 1950, and has a State domicile. A guardian of his person is appointed by a Court of Justice. Z attains majority at the first moment of the first day of Baisakh 1971.

(b) Omitted.

(c) Z is born on the first day of Baisakh 1950. He acquires a domicile in the State. No guardian is appointed of his person or property by any Court of Justice, nor is he under the jurisdiction of any Court of Wards. Z attains majority at the first moment of the first day of Baisakh 1968.