

BIBLIOGRAPHY

PRIMARY SOURCES

Act/ Statutes:

1. The Arunachal Pradesh Civil Courts Act, 2021 (Act no 108 of 2021).
2. The Arunachal Pradesh Recording of Marriage Act, 2008 (Act no 1 of 2009).
3. The Assam Frontier (Administration of Justice) Regulation, 1945, (Act no 1 of 2005).
4. The Central Laws (Extension to Arunachal Pradesh) Act, 1993 (Act 44 of 1993).
5. The Central Laws (Extension to Arunachal Pradesh) Act, 2007 (Act 1 of 2008).
6. The Constitution of India.
7. The Criminal Laws (Arunachal Pradesh Amendment) Act, 2018, (Act 3 of 2019).
8. The Government of India Act of 1935
9. The Hindu Marriage Act, 1955 (Act no. 25 of 1955).
10. The Indian Penal Code, 1860 (Act no 45 of 1860).
11. The Muslim Women (Protection of Rights on Marriage) Act, 2019, (20 of 2019).
12. The North-Eastern Areas (Reorganisation) Act, 1971.
13. The Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008 (Act no. 9 of 2018).
14. The State of Arunachal Pradesh Act, 1986 (Act no.69 of 1986).
15. The State of Arunachal Pradesh Act, 1986.

SECONDARY SOURCES

Books

1. A.C Talukdar, Political transition in the grassroots in Tribal India, (Omsons Publications, Guwahati, 1987).

2. Chander Pal, Centre-State relations and cooperative federalism (Deep and Deep, New Delhi, 1983).
3. Deepak Pandey, History of Arunachal Pradesh (Bani Mandir Publishing House, Pasighat, Arunachal Pradesh, 2012).
4. Dr Manlong Ranlongham, Traditional systems of the Wanchos of Arunachal Pradesh (Vivekananda Kendra Institute of Culture, Guwahati, 2008).
5. Dr P.C. Dutta and Dr D.K. Duarah, Aspects of Customary Laws of Arunachal Pradesh (Directorate of Research, Department of Culture Affairs, Government of Arunachal Pradesh, Itanagar).
6. Dr Parul Dutta, the Wancho, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).
7. Dr S.R. Myneni, Sociology, (Allahabad Law Agency, reprint 2015).
8. Edgar Bodenheimer, Jurisprudence; the philosophy and method of the law, (Harvard University Press, 2019).
9. M.P Jain, Indian Constitutional Law, (Lexis Nexis, 2013).
10. Nomita Aggarwal, Jurisprudence Legal Theory, (Central Law Publications, 2016).
11. P.N. Luthra, Constitutional and administrative growth of Arunachal Pradesh, (Government of Arunachal Pradesh, Department of Cultural Affairs, Directorate of Research, Itanagar, 2017).
12. S. Dutta Choudhury, Gazetteer of India Arunachal Pradesh East Kameng, West Kameng and Tawang Districts, (Gazetteers Department, Government of Arunachal Pradesh, 1996).
13. Sir Thomas E. Holland, K.C, The Elements of Jurisprudence, (Universal Law Publishing Co. Pvt. Ltd, 13th Edition, 2001).
14. V.N. Shukla, Constitution of India, (Eastern Book Company Lucknow).

Article

1. “Arunachal Pradesh Marriage Registration” available at <https://www.indiafilings.com/learn/arunachal-pradesh-marriage-registration/#:~:text=The%20Arunachal>, (last visited on February 15, 2023).

2. “The Arunachal Pradesh of Northeast India” available at <https://ignca.gov.in/divisionss/janapada-sampada/northeastern-regional-centre/introduction-arunachal-pradesh>, (last visited on May 16, 2023).
3. “The Arunachal Pradesh Recording of Marriage Act, 2008” available at https://prsindia.org/files/bills_acts/acts_states/arunachal-pradesh, (last visited on May 12, 2023).
4. “The History of tribal administration” available at <https://egyankosh.ac.in/bitstream>, (last visited on April 5, 2023).
5. “Wancho History-Central Institute of Indian Languages” available at <http://lisindia.ciil.org/Wancho/Wancho>, (last visited on April 26, 2023).
6. “What does Article 371 deal with?” available at <https://www.sriramsias.com/article/art-371-200521153652>, (last visited on February 17, 2023).
7. Abhishek Kumar Pandey, “concept of marriage in Muslim Law” available at <https://www.legalserviceindia.com/article/1162-Concept-of-Marriage-in-Muslim-Law>, (last visited on March 29, 2023).
8. AL. Sherbiny, “The case of first wife in polygamy” available at <http://mail.arabpsynet.com/Archives/OP/apnJ8LotfiElsherbinie>, (last visited on February 23, 2023).
9. Anamika Mishra, “Analysing the Ambit and Meaning of Article 13: How did the Judiciary Interpret it”, available at <https://www.lawctopus.com/academike/article-13-analysis>, (last visited on April 10, 2023).
10. Anirudh Vats, “customs as a source of law” available at <https://blog.ipleaders.in/customs-as-a-source-of-law>, (last visited on March 19, 2023).
11. Aruna Gyati, Political Participation of a Traditional Tribal Society in Modern Political Institutions: A Case study of the Apatanis, (Department of Political Science, Rajiv Gandhi University, 2006).
12. BI India Bureau, “What is Article 371 of the Indian Constitution” available at <https://www.businessinsider.in/what-is-article-371-of-the-indian-constitution>, (last visited on April 11, 2023).
13. Bijay Raji, Political Transition in Arunachal Pradesh: A Case Study of the Tagin Tribe, (Department of Political Science, Rajiv Gandhi University, 2012).

14. D.H. Chaudhari (Advocate), “Research Guide: Customary Law in India” available at <https://www.loc.gov.law.help.india>, (last visited on March 29, 2023).
15. Dipankar Roy, “Arunachal Women’s Dilemma: Marry ‘outsider’, Lose Property Rights” available at <https://www.outlookindia.com/magazine/story/india-news-arunachal-womens-dilemma-marry-outsider-lose-property-rights>, (last visited on January 29, 2023).
16. Divya Vishal, “Marriage under Muslim Law” available at <https://indianlegalsolution.com/marriage-under-muslim-law>, (last visited on March 29, 2023).
17. Iftihar Gilani, “Article 370: History of Broken Promises” available at <http://www.sacw.net>, (last visited on April 12, 2023).
18. Juanjuan Yang and Tee Boon Chaun, “Evaluation and Analysis of Traditional Customary Law Based on the Perspective of Big Data” available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9213163/>, (last visited on February 18, 2023).
19. Kapil Sikka, “Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021- burning issues”, available at <https://www.studyiq.com/articles/arunachal-pradesh-marriage-inheritance-property-bill-2021-burning-issues-free>, (last visited on January 28, 2023).
20. Khushi Rastogi, “Laws related to Muslim marriage” available at <https://blog.ipleaders.in/marriage-under-muslim-law>, (last visited on March 30, 2023).
21. Manta Wangsu, “Arunachal’s tribal women are far from being better off than men” available at <https://thewire.in/women/arunachals-tribal-women-are-far-from-being-better-off-than-men>, (last visited on February 10, 2023).
22. Milorai Modi, *Kebang as a Traditional Democratic Institution of the Adis of Arunachal Pradesh: A case study of Padam*, (Department of Political Science, Rajiv Gandhi University, 2000).
23. Monesh Mehndiratta, “Shayara Bano v. Union of India” available at <https://blog.ipleaders.in/shayara-bano-v-union-of-india>, (last visited on March 30, 2023).
24. Nivetha K, “Muslim marriage law in India: formalities, polygamy, divorce, remarriage” available at <https://vakilsearch.com/blog/muslim-marriage-law-in-india>, (last visited on March 29, 2023).

25. Pragya Sinha, “Meaning of Law under Article 13 of Indian Constitution” available at <https://www.lawcolumn.in/meaning-of-law-under-article-13-of-indian-constitution>, (last visited on April 10, 2023).
26. Pragya Sinha, “Meaning of Law under Article 13 of Indian Constitution” available at <https://www.lawcolumn.in/meaning-of-law-under-article-13-of-indian-constitution>, (last visited on April 10, 2023).
27. Preetha Manivelan, “Everything about the tribes and traditions of Arunachal Pradesh” available at <https://pickyourtrail.com/blog/tribes-and-traditions-of-arunachal-pradesh>, (last visited on January 27, 2023).
28. Priyanjali Priyadarshini, “Divorce under the Hindu Marriage Act, 1955” available at <https://www.lawcolumn.in/divorce-under-hindu-marriage-act-1955>, (last visited on March 30, 2023).
29. Renu Suresh, “Arunachal Pradesh Marriage Registration” available at <https://www.indiafilings.com/learn/arunachal-pradesh-marriage-registration>, (last visited on February 15, 2023).
30. S.M. Patnaik, “Nyibu Agom: The sacred lore of Adi of Arunachal Pradesh” available at <https://www.jstor.org/stable>, (last visited on March 15, 2023).
31. Saba Banu, “Essentials of a valid custom” available at <https://www.lawcolumn.in/essentials-of-valid-custom>, (last visited on March 26, 2023).
32. Sanjana Shikhar, “essential elements of valid custom” available at <https://www.legalbites.in/essential-elements-of-valid-custom>, (last visited on March 23, 2023).
33. Subodh Asthana, “custom as a source of law” available at <https://blog.ipleaders.in/customs-source-law>, (last visited at March 23, 2023).
34. Tara Purnima Douglas, “Wancho-Upholding the Tribal Traditions of Arunachal Pradesh” available at <https://articulate.org.in/wancho/>, (last visited on April 26, 2023).

Journals

1. Aruna Gyati, “Panchayat Raj Institutions in Arunachal Pradesh: A Historical Perspective” 72 *The Indian Journal of Political Science* 12 (2011).

2. Bernard Barber, “Talcott Parcons on the social system: an essay in clarification and elaboration” 12 Journal Article pp.101-105 (1994).
3. David De La Croix and Fabio Mariani, “Polyny to serial monogamy: A unified theory of Marriage Institutions” 82 Oxford journals pp.565-607 (April 2015).
4. Remi Clignet and Joyce A Sween, “For a revisionist theory of human polygyny” vol.6 Journal Article pp.24 (1981).
- 5.

Report

1. “Arunachal Pradesh population Census 2011|Arunachal Pradesh Religion, Caste Data – Census 2011” available at <https://www.censusindia.co.in/states/arunachal-pradesh>, (last visited on February 22, 2023).
2. “Arunachal Pradesh Population” available at <https://www.populationu.com/in/arunachal-pradesh-population>, (last visited on February 23, 2023).
3. “District Longding” available at <https://longding.nic.in/map-of-district/>, (last visited on May 16, 2023).
4. “Longding Town Population Census 2011-23” available at <https://www.census2011.co.in/data/town/801442-longding-arunachal-pradesh.html>, (last visited on February 21, 2023).
5. “The Arunachal Pradesh of Northeast India” available at <https://ignca.gov.in/divisionss/janapada-sampada/northeastern-regional-centre/introduction-arunachal-pradesh>, (last visited on May 16, 2023).
6. Government of India, 5th Report on National Family Health Survey 2019-21, (Ministry of Health & Family Welfare).
7. Government of India, Report of the Schedule Areas and Scheduled Tribes Commission (Ministry of Culture, 1960-1961).

Newspaper

1. “Arunachal NGO seeks ‘one man, one wife’ policy to end polygamy” The Hindu, October 11, 2019.
2. Dirang, “APSCW raises voices against polygamy” The Arunachal Times, September 26, 2019.

3. Dr. Topi Basar, “Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021: an analysis” The Arunachal Times, July 25, 2021.
4. Gaby Miyum Damin, “A no women’s land” The Arunachal Times, January 30, 2023.
5. Junroi Mamai, “Challenges to women’s rights: Patriarchy, polygamy, lack of women’s representation” The Arunachal Times, March 8, 2022.
6. Tamo Mibang and M.C Behera, Marriage and culture reflections from tribal societies of Arunachal Pradesh (Mittal Publications, New Delhi, 2006).
7. Weins Bhir, “Polygamy: Women, Children and Men” The Arunachal Times, December 4, 2022.

Magazines/periodicals

1. “Customary law of the Thai” available at <https://vietnamlawmagazine.vn/customary-law-of-the-thai-5893.html>, (last visited on February 18, 2023).
2. Lency Pangin, “tribal women and the uniform civil code” available at <https://www.magzter.com/stories/Lifestyle/Eclectic-Northeast/Tribal-Women-and-the-Uniform-Civil-Code>, (last visited on February 12, 2023).

Webliography

1. “List of Districts in Arunachal Pradesh 2023” available at <https://www.findeasy.in/list-of-districts-in-arunachal-pradesh>, (last visited on February 23, 2023).
2. “South Africa: legal resources: Customary law and indigenous people” available at https://libguides.bodleian.ox.ac.uk/law-s_africa/indigenous, (last visited on February 18, 2023).
3. Geeta, “Interstate relations as analysis of special provisions for certain states in the Constitution of India” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 12, 2023).
4. Gopa Das, “Customary law and status of women a case study of adi galo women of Arunachal Pradesh” available at Shodhganga@inflibnet: Customary law and status of women a case study of adi galo women of Arunachal Pradesh, (last visited on February 16, 2023).

5. Gopa Das, “Customary law and status of women a case study of adi galo women of Arunachal Pradesh” available at Shodhganga@inflibnet: Customary law and status of women a case study of adi galo women of Arunachal Pradesh, (last visited on February 16, 2023).
6. Gopa Das, “Customary laws and status of women a case study of adi galo women of Arunachal Pradesh” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on February 17, 2023).
7. Hina Nabam Nakha, “Administration of justice in Arunachal Pradesh” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 21, 2023).
8. Manlong Ralongham, “Indigenous knowledge system of Wancho and its role for the sustainability of environment” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on February 27, 2023).
9. Moni Pill, “The village authority and administration of justice in Arunachal Pradesh” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 21, 2023).
10. Nabam Nakha Hina, “Customary laws of the Tagings of Arunachal Pradesh” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on March 9, 2023).
11. Nabam Nakha Hina, “Customary laws of Nyishis Institutions Processes change and continuity” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on March 2, 2023).
12. Nabam Nakha Hina, “customary laws of the Tagings of Arunachal Pradesh” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on March 15, 2023).
13. Norbu Man, “District administration in Arunachal Pradesh” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 5, 2023).
14. Pranjana Das, “Wancho through history” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 26, 2023).
15. Sonam Diki Dolma, “Violation of Rights of Women under Customary Laws of marriage Divorce and Inheritance in Sikkim a plea for reforms” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on February 17, 2023).

APPENDIX- 1

INTERVIEW SCHEDULE

(Unstructured questionnaires for interview.)

1. What is the basic concept of marriage and the kinds of marriage allowed by the customary laws of the Wancho tribe of Arunachal Pradesh and How is the marriage being conducted as per the customary laws?
2. Do the customary laws of Wancho allow for polygamous marriage?
3. Are both polygyny and polyandry accepted in society?
4. what are the challenges tribal women suffered due to prevailing practice of polygyny and force marriage?
5. What are your opinions on bigamy and polygamous marriage? How does it impact society in general?
6. Are people aware that polygamy is a punishable offence under the Indian Penal Code?
7. Are you aware of the Arunachal Pradesh Recording of Marriage Act, 2008? If so, what are the positive effects of this Act?
8. Does any Rural Areas Marriage Reporter (as per Section 6 of the Arunachal Pradesh Recording of Marriage Act, 2008) have been appointed in the rural area?
9. What is the role of the tribal or village council in providing adequate redress to women against polygamy or issues related to marriage and dissolution of marriage?
10. What are the initiatives taken by the village council and NGO to eradicate polygamous marriage and forced marriage from the society?

ANNEXURE 2
GOOGLE QUESTIONNAIRE FORM
(Structured Question)

Personal Details:

Q1. Name (optional)*

Your answer

Q2. Email*

Your answer

Age*

Your answer

Q3. Gender

- Female
- Male
- Any Other

Q4. Occupation

Your answer

Q5. Marital Status:

- Married
- Unmarried
- Widow
- Any Other

Q6. Address (optional)

Your answer

Q7. Have you come across anyone who has married more than once?

- Yes
- No
- Any Other

Q8. What types of marriages have you observed in your area? (Select multiple choices)

- Forced Marriage
- Child Marriage
- Polygamous Marriage
- Levirate Marriage
- Any Other

Q9. Which of the following that you think the main reason that led to polygamy marriage?

- Poverty
- To avoid social problem
- Family Support
- Financial Stability
- Any Other

Q10. Are you aware that marrying twice is (bigamy) punishable offence under the section 494 of the Indian Penal Code?

- Yes
- No

Q11. What are the challenges tribal women suffered due to prevailing practice of polygyny and levirate marriage? (Select multiple choices)

- Lead to domestic violence and psychological disturbance among wife.
- Lead to sexual abuse against women.
- Leads to lower education among children.
- Lead to social problem.
- Any Other

Q12. Are you aware of the Arunachal Pradesh Recording of Marriage Act, 2008?

- Yes
- No
- Any Other.

Q13. Does any Rural or Urban Areas Marriage Reporter (as per Section 6 of the Arunachal Pradesh Recording of Marriage Act, 2008) have been appointed in your area?

- Yes
- No
- Any Other

Q14. Do you support passing legislation that would abolish polygamy in Arunachal Pradesh and restore women's rights to society?

- Yes
- No

APPENDIX 3

THE ARUNACHAL PRADESH CIVIL COURT ACT, 2021



The Arunachal Pradesh Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 108, Vol. XXVIII, Naharlagun, Monday, April 12, 2021 Chaitra 22, 1943 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT
CIVIL SECRETARIAT
ITANAGAR

The 12th April, 2021

No. LAW/LEGN-6/2021.—The following Act which was passed by the Arunachal Pradesh Legislative Assembly in the Sixth Session of the Seventh Legislative Assembly and received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 5th April, 2021)

THE ARUNACHAL PRADESH CIVIL COURTS ACT, 2021

AN

ACT

to consolidate the law relating to Civil Courts and for establishment of various Civil Courts for speedy disposal of Civil cases in the State of Arunachal Pradesh and matters connected therewith and incidental thereto ;

BE it enacted by the Legislative Assembly of the State of Arunachal Pradesh in the Seventy-second Year of the Republic of India as follows,-

CHAPTER — I

PRELIMINARY

1. Short title, extent and commencement :

- (1) This Act may be called the Arunachal Pradesh Civil Courts Act, 2021
- (2) It extends to the whole of the State of Arunachal Pradesh.
- (3) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions : In this Act unless the context otherwise requires.

- (a) "Assistant Commissioner" means and includes Assistant Commissioner, Extra Assistant Commissioner, Sub-Divisional Officer and Circle Officer ;
- (b) "Civil court" means a court of a District Judge, a Court of and Additional District Judge, a Court of Civil Judge (Senior Division), a Court of Civil Judge (Junior Division) or a Customary Court including Village Authorities by whatever name called under the Assam Frontier (Administration of Justice) Regulation, 1945 ;
- (c) "Code" means the Code of Civil Procedure, 1908 (Act No. 5 of 1908) ;
- (d) "Customary Court" means Court of traditional council or authority of a village(s) indigenous to the State by whatever name called, and includes a court of village authority under section 5 of the Assam Frontier (Administration of Justice) Regulation, 1945.
- (e) "Deputy Commissioner" means Deputy Commissioner of a district and includes an Additional Deputy Commissioner as defined under Regulation 2 of the Assam Frontier (Administration of Justice) Regulation 1945 ;
- (f) "District" means a revenue district or such local area as the Government may, from time to time, notify to be a district for the purposes of this Act ;

- (g) "Governor" means the Governor of Arunachal Pradesh ;
- (h) "Government" means the Government of Arunachal Pradesh ;
- (i) "High Court" means the Gauhati High Court ;
- (j) "Notification" means a notification published in the Official Gazette ;
- (k) "Official Gazette" means The Arunachal Pradesh Gazette ;
- (l) "Prescribed" means prescribed by rules made under this Act ;
- (m) "Section" means a section of this Act ;
- (n) "Service" means the Arunachal Pradesh Judicial Service ;
- (o) "State" means State of Arunachal Pradesh.

CHAPTER - II

ESTABLISHMENT AND CONSTITUTION OF CIVIL COURTS

3. Classes of Civil Court :

In addition to the Courts established under any other law for the time being in force, there shall be established the following classes of Civil Courts in the State, -

- (a) Court of a District Judge ;
- (b) Court of an Additional District Judge ;
- (c) Court of a Civil Judge (Senior Division) ;
- (d) Court of a Civil Judge (Junior Division) ;
- (e) Customary Court.

4. Establishment of Courts of District Judge :

(1) There may be established by the Government, by notification, a court of the District Judge, in consultation with the High Court, for a district or more than one district.

(2) Each court of a District Judge shall be presided over by a Senior Judge to be called as District Judge.

5. Establishment of Courts of Additional District Judge :

(1) There may be established by the Government, in consultation with the High Court, such numbers of the Court of Additional District Judge for a district or more than one district as may be necessary.

(2) Each Court of an Additional District Judge shall be presided over by a Judge to be called as Additional District Judge.

6. Establishment of Courts of Civil Judge (Senior Division) :

(1) There may be established by the Government, in consultation with the High Court, such numbers of the Court of Civil Judge (Senior Division) for a district or more than one district as may be necessary.

(2) Each Court of a Civil Judge (Senior Division) shall be presided over by a Judge to be called as Civil Judge (Senior Division).

7. Establishment of Courts of Civil Judge (Junior Division) :

(1) There may be established by the Government, by notification in each District a Court of Civil Judge (Junior Division) or such number of Court of the Civil Judge (Junior Division) as may be necessary with such jurisdictions in consultation with the High Court.

(2) Each Court of a Civil Judge (Junior Division) shall be presided over by a Judge to be called as Civil Judge (Junior Division).

8. Location of Civil Courts :

(1) The place or places at which every Civil Court under this Act shall be fixed may, from time to time, be altered by the Government, in consultation with the High Court.

(2) The place or places so fixed for a Civil Court under sub-section (1) may be within or outside the local limits of the jurisdiction of that Court.

9. **Seal of a Civil Court** : Every Civil Court under this Act, except the Customary Courts, shall use a seal which shall bear thereon the State emblem with the name of the Court in English language and shall be, in such form and of such dimensions as the Government may, in consultation with the High Court, by order determine.

(4) The local limits of jurisdiction of the vacation judge shall be the same as those of the Court of District Judge concerned and his jurisdiction shall extend to all suits, appeals and other proceedings pending in or cognizable by any Civil Court in the district concerned.

(5) The vacation judge shall hold his/her court at the place at which Court of District Judge is normally held and he/she shall have administrative control over all the staff of all civil courts in the district.

(6) Notwithstanding, the appointment of a vacation judge, every Civil Court in the district shall during the period it is adjourned for any vacation be deemed to be closed for the purpose of section 4 of the Limitation Act, 1963 (Act 36 of 1963).

(7) Appeal from the decree or order of a vacation judge shall, when such appeal is allowed by law, lie to the High Court.

(8) On the reopening of any Civil Court after any vacation, all suits, appeals and other proceedings pending before the vacation judge shall stand transferred to the Civil Court concerned, in which it would have been instituted or pending but for the appointment of the Vacation Judge. Any decree, order or proceedings passed by the vacation judge shall be deemed to be a decree, order or proceedings passed by the Court concerned.

22. Subordination of Civil Courts :

(1) Subject to the other provisions of this Act and the rules made thereunder, and any other law for the time being in force, all Civil Courts except the Customary Courts in a district, including the staff thereof, shall, subject to the control of the High Court, be subordinate to the Court of District Judge.

(2) The Civil Courts **other than a customary court** shall maintain such forms, books of accounts, records, registers and the like, as may be specified by the High Court in consultation with the Government.

(3) The Government may, for discharging their functions and responsibilities require through the High Court, the Civil Courts to furnish to the Government such particulars and information relating to the working of the courts and other matters as they may call from time to time.

23. Power to invest Civil Judges (Senior Division) with jurisdiction under certain Acts :

(1) The State Government, in consultation with the High Court may, by general or special order, invest any Civil Judge (Senior Division), within such local limits and subject to such pecuniary jurisdiction as may be specified in such order, with all or any of the powers of a District Judge or a Court of District Judge, as the case may be under the Indian Divorce Act, 1869 (4 of 1869) the Indian Succession Act, 1925 (39 of 1925), the Special Marriages Act, 1954 or the Guardian and wards Act, 1890 (8 of 1890) or such other Acts as may be deemed necessary.

(2) Every order made by a Civil Judge (Senior Division) by virtue of the powers conferred upon him under sub-section (1) shall be subject to appeal to the Court of District Judge.

(3) Every order of a Court of District Judge, passed on appeal under sub-section (2) from the order of a Civil Judge (Senior Division) shall be subject to an appeal to the High Court under the rules contained in the Code applicable to appeals from appellate decrees.

24. **Fees for process** : The High Court shall from time to time, in consultation with the Government, prescribe and regulate by rules, the fees to be taken for any process issued by any Civil Court other than Customary Court. Such rule may provide for payment of process fee in a lump sum in advance along with the plaint.

25. **Mode of conferring powers** : Except as otherwise provided, any power that may be conferred by the High Court on any person under this Act, may be conferred on such person either by name or by virtue of office.

26. Power to make rules :

(1) **The Government may, in consultation with the High Court**, by notification make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-

- (a) the manner in which the proceedings of each Civil Court shall be kept and recorded ;
- (b) regulating the grant of certified copies of papers in Civil Courts ;
- (c) regulating the duties and functions of the ministerial **staff** and officers of the Civil Courts.
- (d) regulating the issue of licenses by the District Judge of the district to persons to act as petition writers in Civil Courts in that district and the conduct of business by them and the scale of fees to be charged by them.

- (e) providing penalty of such amount not exceeding **one thousand rupees** for breach of the rules made under clause (d) and the authority who could investigate the breach of rules and impose the penalty ;
- (f) Forms, books, registers, records and account to be maintained by the Civil Courts ;
- (g) Any other matter which in the opinion of the State Government has to be or may be prescribed for the effective enforcement of the Act and the administration of the Courts.
- (h) Any other matter including functioning of Customary Courts for effective enforcement of the Act.

27. Amendment of the Assam Frontier (Administration of Justice) Regulation, 1945 (No. 1 of 1945) :

(1) In the Assam Frontier (Administration of Justice) Regulation, 1945 (No. 1 of 1945), hereinafter referred to as the Principal Regulation, from the date of commencement of this Act:-

- (i) In section 15, the words "the Deputy Commissioner, the Assistant Commissioner and" shall be deleted.
- (ii) Sections 16, 17 shall be deleted.
- (iii) In section 24, for the words, "Assistant Commissioner", the words "District Sessions Court" shall be substituted.
- (iv) Sections, 25, 26, 27 and 28 shall be deleted.
- (v) In section 36, the words "the deputy Commissioner, the Assistant Commissioner and" shall be deleted.
- (vi) Sections 37, 38 and 39 shall be deleted.
- (vii) In section 40, for the existing entries, the following shall be substituted :-

"The village authorities shall try all suits without limit of value, in which both the parties are indigenous to the State of Arunachal Pradesh".
- (viii) In section 41, for the words and figures, "Rupees 500" the words and figures, "Rupees 5000" shall be substituted.
- (ix) In section 42, for the words and figures, "Rupees 5000" the words and figures "Rupees 50,000" shall be substituted.
- (x) Sub-section (2) of section 44 shall be deleted.
- (xi) Sub-section (2) of section 45 shall be deleted.
- (xii) Sections 46,47,48,49,50, 51, 52, 53 and 55 shall be deleted.
- (xiii) Sub-sections (2) and (3) of section 56 shall be deleted.
- (xiv) In sections 57, 58 and 59 for the words "Deputy Commissioner" and "Assistant Commissioner" the words, "Village authorities" shall be substituted.
- (xv) In the Principal Regulation, for the word "Administrator" wherever appears the words "State Government" shall be substituted.
- (xvi) In the Principal Regulation, for the words "Union Territory" wherever appear the word "State" shall be substituted.

28. Validation :

(1) The previous operation of the Assam Frontier (Administration of Justice) Regulation, 1945 as amended from time to time, and anything done or any action taken thereof in so far as it is not inconsistent with the provisions of this Act be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to be in force unless and until the same is altered or amended.

(2) Notwithstanding anything contained in any other law for the time being in force, any proceeding, suit pending in any Civil Court before commencement of this Act or any decree, orders passed by any such court shall be valid.

29. Power to remove difficulties : If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, not inconsistent with the provisions of the Act remove such difficulty.