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## EXTRAORDINARY

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### NOTIFICATION

No. C.31018/2/2019-DC&MA(L), Aizawl, the 13<sup>th</sup> August, 2026: In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act passed by the Lai Autonomous District Council which received approval of the Governor of Mizoram on 04.08.2026 is hereby published for general information:

**"The Lai Autonomous District Council (Marriage & Divorce)  
(First Amendment) Act, 2026"**

**Lalhmunhsanga Hnamte**  
Secretary to the Govt. of Mizoram,  
District Council & Minority Affairs Department.

AN  
ACT

to amend the Lai Autonomous District Council (Marriage and Divorce) Act, 2019.

In exercise of the powers conferred by paragraph 3 (1) (i) of the Sixth Schedule to the Constitution of India, be it enacted by the Lai Autonomous District Council in the Seventy- Seventh Year of the Republic of India as follows:

#### **1. Short title and commencement:**

- 1) This Act may be called the Lai Autonomous District Council (Marriage and Divorce) (First Amendment) Act, 2026.
- 2) It shall have the same extent as the Principal Act.
- 3) It shall come into force on the date of its publication in the Official Gazette.

#### **2. Amendment of Section 3:**

- (1) In sub-section (4) of Section 3 of the Principal Act, for the word 'her', the word, 'his' shall be substituted.

(2) After sub-section (5) of Section 3 of the Principal Act, the following shall be inserted, namely—

(5A) “Court” means a Court constituted by the Lai Autonomous District Council under the Sixth Schedule to the Constitution of India having jurisdiction over matrimonial matters.

**3. Amendment of Section 11:**

In sub-section (1) of Section 11 of the Principal Act, for the word “may”, the word “shall” shall be substituted.

**4. Amendment of Section 13:**

In sub-section (5) of Section 13 of the Principal Act, for the phrase “within one year from commencement of this Act”, the phrase “within such period as may be notified by the Council” shall be substituted.

**5. Amendment of Section 21:**

Sub-section (7) of Section 21 of the Principal Act shall stand omitted.

**6. Amendment of Section 28:**

For Section 28 of the Principal Act, the following shall be substituted, namely—

- 1) The father is the natural guardian of the child; he shall ordinarily be the legal guardian of the child or children unless he is found unfit by the Court, for reasons to be recorded in writing, to be the guardian of the child, or unless the Court decides that it is in the best interest of the child that he shall not be the guardian and custodian of such child.
- 2) Notwithstanding anything contained in the foregoing sub-section, if a child is below the age of three years, the mother shall ordinarily be the legal guardian of the child or children unless she is found unfit by the Court, for reasons to be recorded in writing, to be the guardian of the child, or unless the Court decides that it is in the best interest of the child that she shall not be the guardian and custodian of such child.
- 3) In all proceedings relating to a child, the welfare and best interest of the child shall be the paramount consideration.
- 4) The Court may appoint a guardian or custodian of the child, who shall be responsible for the child's residence, upbringing, education, health, safety, and day-to-day care.
- 5) The Court may appoint a guardian or manager of the property of the child, who shall be responsible for the protection, administration, and lawful use of any movable or immovable property, income, inheritance, or financial interest belonging to the child.
- 6) The Court may appoint the same person or different persons as guardian of the child and guardian of the property of the child, if it considers such an arrangement necessary for the welfare of the child.
- 7) In determining guardianship or custody, the Court shall have regard to—
  - (a) the age, sex, and welfare of the child;
  - (b) the wishes of the child, where capable of forming an intelligent preference;
  - (c) the character, capacity, and financial condition of the parties;

- (d) the child's educational, emotional, and health needs; and
- (e) any customary practices of the community, insofar as they are consistent with the welfare of the child.

8) The Court may grant, as it considers just and proper—

- (a) sole custody;
- (b) joint custody;
- (c) visitation or access rights;
- (d) shared parental responsibility; or
- (e) supervised management of property,

9) The Court may at any time vary, modify, or revoke any order under this section if circumstances so require for the welfare of the child.

10) Nothing in this section shall prevent the Court from passing interim orders regarding custody, residence, protection, maintenance, or property of the child during the pendency of proceeding.

11) Notwithstanding anything contained in any other law for the time being in force, no other Court, other than the Court constituted under the Sixth Schedule to the Constitution of India, shall have the power to decide guardianship and custody of the child.

#### **7. Amendment of Section 29:**

- (1) In sub-section (3) of Section 29 of the Principal Act, for the word 'an' which appears between the words maintenance and alimony, the word 'and' shall be substituted.
- (2) After sub-section (3) of Section 29 of the Principal Act, the following shall be inserted, namely—  
“(4) Nothing in this section shall prevent the Court from passing interim or final orders regarding maintenance, alimony, custody, residence, protection, or property of a spouse or child during the pendency of proceedings or at the conclusion thereof.”

#### **8. Amendment of Section 30:**

In sub-section (1) (ii) of Section 30 of the Principal Act, the word “or” shall be added after the sentence ‘the parties to the marriage last resided together.’