

**[AS INTRODUCED IN THE SENATE]**

**A**

**BILL**

*to prohibit ostentatious displays and wasteful expenses in marriages and ceremonies relate thereto*

WHEREAS it is expedient to discourage the trend of organizing expensive marriage functions and excessive displays in marriages in the Islamabad Capital Territory and for the matters connected therewith and ancillary thereto;

It is hereby enacted as follows:-

**1. Short title, extent and commencement.**— (1) This Act may be called the Marriage Functions (Prohibition of Ostentatious Displays and Wasteful Expenses) Act, 2018.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

**2. Definitions.**— In this Act, unless there is anything repugnant in the subject or context,—

(a) **“bridal gift”** means any property given as a gift on the eve of the marriage ceremony either directly by the parents of bridegroom or parents of the bride or any other member of the family or any other person, friend to either party or their parents in connection with marriage but it does not include Mehr;

(b) **“Government”** means the Federal Government;

(c) **“house”** means a private residence;

(d) **“marriage ceremony”** means any gathering under nikkah, baarat and walima solemnized under any sect or religion and includes a ceremony, preceding and succeeding the formal wedding, whether religious or social rituals such as *mayun*, *mehndi (rasm-e-hina)*, *barat*, *nikah*, *rukhsati* or *walima*;

(e) **“one dish”** means one *salan*, one rice dish, one salad, hot and cold drinks, *roti*, *nan* and one sweet dish;

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- (f) **“parents”** includes the guardian of a party to a marriage and any person who provides for dowry or bridal gifts, and in the case of a party to a marriage who has no parents or whose marriage is solemnized in circumstances in which or at a place at which no parent is present, such party;
- (g) **“prescribed”** means prescribed by rules made under this Act;
- (h) **“public place”** means a wedding hall, club, hotel, restaurant, community centre, community park, marquee or any open space, a private residence other than house, farm house or any other private property hired for a marriage; and
- (i) **“reasonable celebration”** means a celebration which does not cause the public nuisance defined in section 268 of the Pakistan Penal Code, 1860 (XLV of 1860).

**3. Prohibition of Ostentatious Celebrations.**— A person celebrating his marriage or organizing the marriage of any other person shall not,—

- (a) decorate or cause to be decorated any street, road or public park or any place other than the building, where marriage ceremony is being held, with lights or illumination;
- (b) explode or allow anyone to explode crackers or other explosive device including firing by firearms;
- (c) display or allow anyone to display fireworks;
- (d) display or allow any person to display dowry to the public eye; and
- (e) cause or allow any person to cause nuisance or disturbance to the neighborhood beyond reasonable celebration.

(2) Nothing contained in sub-section (1) shall prohibit the use of such lights as are ordinarily necessary to light the house or any other place being the site of marriage.

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**4. Restriction on edibles.**— A person celebrating his marriage or the marriage of any other person or organizing the marriage of any other person at a public place shall not serve or allow anyone to serve meals or other edibles except one dish to the persons participating in the marriage:

Provided that nothing contained in this section shall apply to the eating of meals within the house by the members of family celebrating the marriage or the house guests.

**5. Disposal of food and other edibles.**— The food and other edibles procured, prepared, arranged or set for serving to the extent of contravention of this Act shall be forfeited and disposed of in such manner as may be prescribed.

**6. Restrictions on bridal gifts and presents.**— (1) The aggregate value of the bridal gift amount or articles given to the bride by her parents or any other family member shall not exceed the amount of five hundred thousand rupees.

(2) Nothing in sub-section (1) shall apply to a bride gift given by husband to his wife and such bridal gift shall be the absolute property of the wife under the provision of this Act and cannot be snatched away.

**7. Restrictions on usage of loud speaker during marriage ceremony.**— In case of usage of loud speaker in rukhsati, barat, mehndi, valima or nikkah, the sound should be restricted to indoor premises, as possible of the house or public place.

**8. Obligation of hotels, restaurants, etc.**— A person owning, managing or running a public place, being the site of marriage, or a caterer shall not serve or allow anyone to serve meals or other edibles to the persons participating in the marriage except as provided in section 4 of this Act.

**9. Closing of marriage functions.**— A person owning, managing or running a public place, being the site of a marriage, shall ensure conclusion of all ceremonies relating to the marriage on or before 10:00 pm.

**10. Committees.**— (1) The Government may, by notification in the Official Gazette, constitute one or more committees for the enforcement of the provisions of this Act.

(2) The committee constituted under subsection (1) shall perform such functions in such manner as may be prescribed.

**11. Contravention of the provisions of this Act.**— Whosoever contravenes the provisions of this Act shall be guilty of an offence punishable with simple imprisonment for a term which may extend to one month or with fine which shall not be less than one hundred thousand rupees or with both.

**12. Snatching away bridal gift given by husband.**— Whosoever snatch away the bridal gift given by husband to his wife shall be guilty of an offence punishable with simple imprisonment for a term which may extend to three months or with fine which shall not be less than two hundred thousand rupees or with both.

**13. Demanding dowry articles or amount.**— Whosoever from bridegroom family, or any other on their behalf ask or force bride's family for dowry amount or articles shall be punished with imprisonment for a term which may extend to three months or with fine which shall not be less than three hundred thousand rupees or with both.

**14. Action to be taken against father or male guardian.**— If both the parents of a party to the marriage contravene, or fail to comply with, any provision of this Act or Rules made under this Act, action shall be taken against father or male guardians of the party to the marriage.

**15. Cognizance of Offences.** — (1) Subject to this section, an offence under this Act shall be bailable and cognizable on a complaint by an officer notified by the Government.

(2) A Magistrate of the first class shall summarily try an offence under this Act in accordance with the provisions of Chapter XXII of the Code of Criminal Procedure, 1898 (V of 1898) on the report of the officer notified by the Government.

(3) The Police shall associate the officer notified by the Government while entering a public place where marriage is being held for taking cognizance of an offence under this Act on a complaint of the notified officer.

**16. Removal of difficulties.**— If any difficulty arises in giving effect to any provision of this Act, the Government may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty and such power may be exercised upto two years after the commencement of this Act.

**17. Rules.**— The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

**18. Repeal.**— The Marriage Functions (Prohibition of Ostentatious Displays and Wasteful Expenses) Ordinance 2000 (II of 2000) is hereby repealed.

**STATEMENT OF OBJECTS AND REASONS**

Marriage ceremony is a sacred event in all societies in general and in Muslim society in particular. Marriage or Nikah is a Sunnah of the Holy Prophet (Peace be upon Him) and great sanctity is attached to this ritual of Islam. Unfortunately in Pakistan, this sacred ritual of Islam has become too much costly and too much difficult that the poor segment of society cannot organize marriage ceremony due to some bad practices prevailing in the country. These bad practices include ostentatious displays, wasteful expenses, huge dowry amount and bridal gifts. Due to these bad practices, huge amount of money is spent by the people unnecessarily. On the other hand the poor and middle class population cannot get their daughters and sons married due to these expenses.

**2.** In this Bill, provisions have been made for eradication of these bad practices. Penal provisions have been provided for those who are indulged in such bad practices and who are making ostentatious displays and wasteful expenses on marriage. This Bill will make the ceremonies of marriages simple and will bring it into the capacity of the middle and poor class of the society.

**3.** The Bill has been designed to achieve the aforesaid objectives.

**SENATOR MUHAMMAD AZAM KHAN SWATI**  
Member-in-Charge