

Degree of Prohibited relationship as per the Hindu Marriage Act, 1955

Section 3 (f):

- i. "Sapinda relationship" with reference to any person extends as far as the third generation (inclusive) in the line of ascent through the mother, and the fifth (inclusive) in the line of ascent through the father, the line being traced upwards in each case from the person concerned, who is to be counted as the first generation;
- ii. two persons are said to "sapindas" of each other if one is a lineal ascendant of the other within the limits of sapinda relationship, or if they have a common lineal ascendant who is within the limits of sapinda relationship with reference to each of them;

Section 3 (g):

"degrees of prohibited relationship" – two persons are said to be within the "degrees of prohibited relationship" –

- i. if one is a lineal ascendant of the other; or
- ii. if one was the wife or husband of a lineal ascendant or descendant of the other; or
- iii. if one was the wife of the brother or the father's or mother's brother or of the grandfather's or grandmother's brother of the other; or
- iv. if the two are brother and sister, uncle and niece, aunt and nephew, or children of brother and sister or of two brothers or of two sisters;

Explanation – For the purposes of clauses 3(f) and 3(g), relationship includes –

- i. relationship by half or uterine blood as well as by full blood;
- ii. illegitimate blood relationship as well as legitimate;
- iii. relationship by adoption as well as by blood;

and all terms of relationship in those clauses shall be construed accordingly.

Degrees of Prohibited relationship as per the Special Marriage Act, 1954

Section 2 (b):

"Degrees of prohibited relationship" – a man and any of the persons mentioned in Part I of the First Schedule and a woman and any of the persons mentioned in Part II of the said Schedule are within the degrees of prohibited relationship.

Explanation (I) – Relationship includes, --

- a. relationship by half or uterine blood as well as by full blood;
- b. illegitimate blood relationship as well as legitimate;
- c. relationship by adoption as well as by blood;

and all terms of relationship in this Act shall be construed accordingly.

Explanation (II) – "Full blood" and "half blood" – two persons are said to be related to each other by full blood when they are descended from a common ancestor by the same wife and by half blood when they are descended from a common ancestor but by different wives.

Explanation (III) – "Uterine blood" – two persons are said to be related to each other by uterine blood when they are descended from a common ancestress but by different husbands.

Explanation (IV) – In Explanations II and III, "ancestor" includes the father and "ancestress" the mother;

THE FIRST SCHEDULE [DEGREE OF PROHIBITED RELATIONSHIP]

PART – I

Mother.
Father's widow (step mother).
Mother's mother.
Mother's father's widow (step grand-mother).
Mother's mother's mother.
Mother's mother's father's widow (step great grand-mother).
Mother's father's mother.
Mother's father's father's widow (step great grand-mother).
Father's mother.
Father's father's widow (step grand-mother).
Father's mother's mother.
Father's mother's father's widow (step great grand-mother).
Father's father's mother.
Father's father's father's widow (step great grand-mother).
Daughter.
Son's widow.
Daughter's daughter.
Daughter's son's widow.
Son's daughter.
Son's son's widow.
Daughter's daughter's daughter.
Daughter's daughter's son's widow.
Daughter's son's daughter.
Daughter's son's son's widow.
Son's daughter's daughter.
Son's daughter's son's widow.
Son's son's daughter.
Son's son's son's widow.
Sister.
Sister's daughter.
Brother's daughter.
Mother's sister.
Father's sister.
Father's brother's daughter.
Father's sister's daughter.
Mother's sister's daughter.
Mother's brother's daughter.

Explanation – For the purposes of this Part, the expression "widow" includes a divorced wife.

PART – II

Father.
Mother's husband (step-father).
Father's father.
Father's mother's husband (step grand-father).
Father's father's father.
Father's father's mother's husband (step great grand-father).
Father's mother's father.
Father's mother's mother's husband (step great grand-father).
Mother's father.
Mother's mother's husband (step grand-father).
Mother's father's father.
Mother's father's mother's husband (step great grand-father).
Mother's mother's father.
Mother's mother's mother's husband (step great grand-father).
Son.
Daughter's husband.
Son's son.
Son's daughter's husband.
Daughter's son.
Daughter's daughter's husband.
Son's son's son.
Son's son's daughter's husband.
Son's daughter's son.
Son's daughter's daughter's husband.
Daughter's son's son.
Daughter's son's daughter's husband.
Daughter's daughter's son.
Daughter's daughter's daughter's husband.
Brother.
Brother's son.
Sister's son.
Mother's brother.
Father's brother.
Father's brother's son.
Father's sister's son.
Mother's sister's son.
Mother's brother's son.

Explanation – For the purposes of this Part, the expression "husband" includes a divorced husband.