

In exercise of the powers conferred under sub section –(1) of section 19 of The Uttarakhand Compulsory Registration of Marriage Act, 2010 (Uttarakhand Act No. 19 year 2010), the Governor is pleased to make the following Rules for regulation of compulsory registration of marriages.

**1. Short Title, Extent and Commencement**

- i. These rules may be called The Uttarakhand Compulsory Registration of Marriage Act, 2011
- ii. These rules extend to the whole State of Uttarakhand.
- iii. These rules shall come into force on such date as the State Government may, by notification, appoint.

**2. Definitions**- In these rules, unless the context otherwise requires:

- i. "Act" means The Uttarakhand Compulsory Registration of Marriage Act, 2011 (Uttarakhand Act no. 19, year 2010)
- ii. "Registrar General" means the Inspector General of Registration appointed under Section –(3) of the Registration Act, 1908 (Act No. 16 of 1908)
- iii. "Marriage" means such marriage which is covered by Clause (e) of Section –(2) of The Uttarakhand Compulsory Registration of Marriage Act, 2011
- iv. "District Registrar" means the Registrar of the District appointed under Section -6 of this Act and includes the officer performing the duties of a Registrar under Section – (10) and 11 of this Act.
- v. "Local Registrar" means Registrar appointed by the State Government under Registration Act, 1908 (Act No. 16, 1908) and also include a person so appointed under Section- (12) of above Act.
- vi. Words and expressions used and not defined in these Rules shall have the respective meanings assigned to them in the Act.

**3. Jurisdiction of District Registrar and Local Registrar – For the purpose of these Rules each Sub-Registrar under his jurisdiction shall exercise the powers and discharge the duties of Local Registrar and within the district each District Registrar shall exercise the powers and discharge the duties of Registrar.**

**4. Registration of Marriages**

- i. Any parties to a marriage, on payment of fees specified in Rule- 10, may get the details of this marriage entered in the marriage register kept for this purpose of the Sub-Registrar office.
- ii. The application for registration of marriage shall be given in two copies to the Sub-Registrar under whose jurisdictions the marriage was solemnized or under whose jurisdiction the husband permanently resides. One copy of the application shall be maintained in the office of the Sub-Registrar and one in the office of the District Registrar. Application (Memorandum of Marriage) shall be in schedule draft 'a' enclosed with Rules.

Provided that the application for registration of marriage shall generally be submitted to the Sub Registrar of the jurisdictional area, but District Registrar may also accept an application at his discretion.

- iii. Along with the applications referred in sub-rule (ii) there shall be a certificate regarding the verification of identification of parties and other details mentioned in the application which shall be given by any Member of Parliament, Member of State Legislative Assembly, Gazetted Officer, Pradhan of Gram Sabha, Sarpanch of Nyay Panchayat, Member /Chairman of Zila Panchayat, Member/ Head of regional committee, Member / Chairman of Municipal Board, Municipal Corporation, town board, cantonment board , namely, corporator/ member/councilor/ chairman of local body and in case any party to the marriage is a resident of a place outside India, the N.O.C letter of confirmation regarding the verification of that party's identification and other details given by the Consul or Deputy Consul situated in India of the country of which the party is a citizen, shall be enclosed the application.

**5. Register/ Registration file of Compulsory Marriages –**

- i. The application received for registration of marriage shall be entered serially by the registering officer in scheduled register draft 'b' enclosed with these Rules.
- ii. The entry regarding rejection of application received for registration of marriage shall be made by registering officer serially in scheduled register draft 'c' enclosed with these Rules.
- iii. Registering officer, in the main page of a plain register issued to him, shall certify the number of pages actually entered and also write the date of receipt / commencement of register.
- iv. At the end of each calendar year, the registering officer shall certify the number of registered application during that year and when a register is filled the registering officer shall also certify the number of registered application during that year and when a register is filled the registering officer shall also certify the number of the rejected application in that particular register.
- v. Serial numbers shall be put on the registers used by the registering officer.

**6. Submission / Endorsement of Application –**

- i. Each application along with its second true copy shall be submitted before the registering officer and its execution shall be accepted by the bride. The identification of bridegroom and bride shall be made by two witnesses who will submit required proof regarding their own identification. The registering officer shall duly sign and endorse the application and its second true copy on the reverse side with following endorsement, namely:

Shri ..... son of Shri  
..... resident of

..... Identification No.  
 ..... submitted the memorandum .....  
 the date of his marriage to day dated ..... at office of Sub-  
 Registrar ..... the contract of which was also accepted by  
 Mrs ..... Wife / daughter of Shri  
 ..... resident of ..... identification  
 No. .... who was identified by Shri ..... son of  
 Shri ..... resident of ..... identification No.  
 ..... and Shri ..... son of Shri ..... resident of  
 ..... identification No. ....

Signature

Registrar

Compulsory Registration of Marriage

Signature and thumb impression  
 impression

Signature and thumb

Bridegroom

Bride

Signature and thumb impression  
 impression

Signature and thumb

First Witness

Second Witness

After completion of proceeding as above, the registering officer shall complete the related entries in scheduled register draft 'b' enclosed with these Rules and take signatures and thumb impressions of bridegroom and bride and both the witnesses. After that the registering officer shall release the certificate prescribed in draft'd' of the schedule of Rules.

- ii. In case the declaration of marriage submitted before registering officer does not fulfill the prescribed formalities, he shall, after entering it in draft 'c' of scheduled of Compulsory Registration of Marriage Rules, issue the form of rejection of application prescribed in draft 'e' of schedule of Rules.
- iii. In case of declaration of marriage is submitted before a registering officer and according to the details/evidences given the declaration the bridegroom or the bride is minor, the registering officer shall issue the forms of rejection of application prescribed in draft 'e' of schedule of Rules and shall inform the local police on form prescribed in draft 'f' schedule of Rules.
- iv. According to provisions of Section – (20) of the said Act the registering officer shall file the compulsory registration under any other Act, namely (a) Indian Christian Marriage Act, 1872m (b) Kazis Act, 1880 (c) Parsi Marriage and Divorce Act, 1954 (d) The Foreign Act, 1969 and Marriage Memorandum registered under any other prevailing Act also in addition to above, in separately maintained date wise register.

- v. Under the provisions of Section-(13) the said Act the registering officer , on his own initiative or information that a certain marriage has not been registered, shall issue notice to the parties on the form prescribed in draft 'g' of schedule of the Rules.
7. On seventh day of every month or prior to that date the registering officer shall send to the District Registrar by registered post or by hand, duplicated copies of all the applications received during the previous month along with a covering letter which shall contain serial number of duplicate copies of application sent, and if no application was received during the previous month, shall send a letter indicating that no application was received.
  8. ....
- 9. Binding of Application forms and of Marriage Registration Certificates-**  
The Registrar shall get the binding done of applications receiving them serially under Rule-4 and of marriage registration certificate issued. One binding shall contain 400 pages and it shall be permanently maintained in the office.

**10. Application Fees-**

- i. Fees for accepting applications for registration of marriage-
  - a. Rupees one hundred, in case the application is made within ninety days from the date of solemnization of marriage. It shall be paid in cash to the registering officer.
  - b. Rupees two hundred, in case the application is made after ninety days from the date of solemnization of marriage and it shall be paid in cash to the registering officer
- ii. For receiving a copy of marriage registration certificate, the fees shall be Rupees fifty to be paid in cash to the registering officer. Application for certified copy shall be made in Form No. 28 of annesure-1 of Registration Manual Part-2. A court fee of Rupee One shall be affixed to it and Rupees Ten stamp fee shall be payable. For ordinary copy, fees payable shall be Rupees Twenty Five, the copy shall be provided within a week. Fees for urgent copy shall be Rupees Fifty and it shall be provided with three days. For very urgent copy the fees shall be Rupees One Hundred and it shall be provided next day. Applications for certified copy shall be entered in a register provided in Form No 9 annexure-1 of Registration Manual Part-2.
- iii. Fees for inspection-
  - a. Rupees Twenty Five, in case the entry is for current year.
  - b. Rupees Fifty, in case the entry is for the previous year. Similarly, Rupees Ten extra for every previous year.

Application for inspection is to be made in the Form No 30 of annexure-1 of Registration Manual Part-2 and Rupees 10 is to be paid as application fee in addition to inspection fee. Application for inspection shall be entered into the register provided in Form No 11 of annexure -1 of Registration Manual Part-2.

11. **Format of receipt** – Form acknowledging the fees paid under these Rules, a receipt shall be issued from receipt book as provided in Form No 8 annexure-1 of Registration Manual Part-2.

12. **Fees Receipt Register-** The registering officer shall maintain or arrange to maintain a fees receipt register as provided in Form No 13 annexure-1 of Registration Manual Part-2. All the fees received as per rules shall be entered daily in fees receipt register and the registering officer shall sign it to verify the total receipt of fees during the day. The amount received daily shall be deposited in treasury on next working day.

### **13. Powers and Duties of Registering Officer**

- i. In case the application received by the registering officer under Rule-4 is incomplete or faulty or in case the fees specified in Rule-10 is not paid for any certified citation from Hindu Marriage Register, the registering officer shall require the parties to the marriage to rectify the fault or to pay the above fees, as the case may be, within a period specified by him. If it is not done so the application shall be rejected.
- ii. In case the registering officer receiving such application has no jurisdiction to receive it, he shall return it to the applicant for submitting it before the proper authority.
- iii. In case the registering officer objects to any application received for registration he shall send it to District Registrar who will decide on the matter and his decision shall be final, subject to any decree or order of any competent court, in connection with the action on application.
- iv. The details of all such applications which are returned or whose registration is rejected as above shall be entered in relevant register.
- v. The registering officer shall not be responsible for any bonafide refusal to register a memorandum of marriage by him. The District Registrar shall not take cognizance of any such cases.
- vi. According to the provisions of Section-(15(2)) of Uttarakhand Compulsory Registration Marriage Act, 2010 the approval of Registrar General shall be taken before making any complaint to the court regarding the registering officer by the District Registrar. The Registrar General shall give approval or take action only after hearing the concerned Registering officer and after due consideration.
- vii. The registering officer shall have no concern to the truthfulness or authenticity of the facts described in request letter/ declaration letter regarding the registration of memorandum of marriage received by him. However the competent court when necessary shall judge the points.

14. **Superintendence-** The registering officer/ sub- Registrar/Local Registrar shall discharge his duties and exercise his powers under the general

superintendence of Inspector General Registration, who shall be the Ex-officio Registrar General for the whole State.

15. The registering officer shall keep the draft of application for registration in his office. The parties may use the typed forms on their options.

**16. Form Maintenance of Registers and Records-**

- i. All the registers provided in the Rules and indexes specified in Rule-17 shall be sent to the Central Record Room at headquarter of registration district after six years of being filled up and shall be permanently kept there.
- ii. All the other records such as all enclosures received with the declaration of marriage; applications received for inspection of registers; applications and registers submitted for getting citations from registers and general correspondence and all letters etc shall be destroyed after completion of one year, receipt books in three years, fees receipt register and chalans in six years after taking permissions from District Registrar by the Registering officer.

17. **Making index of entries in marriage register-** The index of all entries in marriage register shall be made in schedule register draft 'h' enclosed with these rules, entries in this shall be made by the name of bridegroom and the name of bride and the fees for such entries shall be as under:

- i. Rupees Twenty Five in case the entry is for current year.
- ii. Rupees Fifty in case the entry is for the last year and similarly Rupees Ten extra for every previous year.

It shall be available for inspection by any one.

**18. Others-**

- i. Registration of all marriages under Uttar Pradesh Hindu Marriage (Registration) Rules, 1973 prevailing in Uttarakhand shall be accomplished under The Uttarakhand Compulsory Registration of Marriage Rules, 2011 from such date which may be fixed as the date of coming into force The Uttarakhand Compulsory Registration of Marriage Rules, 2011.
- ii. In cases where there is no mention of any procedural facts, the procedure of registration of marriage covered by the Uttarakhand Compulsory Registration of Marriage Act, 2010 (Uttarakhand Act No 19, year 2010) shall be accomplished according to the rules prescribed in Registration Act/ Rules regarding the facts of reference.

By order

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