

The U.P. Hindu Marriage Registration Rules, 1973

UTTAR PRADESH

India

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Rule THE-U-P-HINDU-MARRIAGE-REGISTRATION-RULES-1973 of 1973

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The U.P. Hindu Marriage Registration Rules, 1973Published vide Notification No. 3806/7-K-2-664-55, dated 15th September, 1973In exercise of the powers conferred by Section 8 of the Hindu Marriage Act, 1955 (Act No. 25 of 1955), the Governor is pleased to make the following rules :

1. Short title, extent and commencement.

(1)These rules may be called the Uttar Pradesh Hindu Marriage Registration Rules, 1973.(2)They shall extend to the whole of Uttar Pradesh.(3)They shall come into force on such date as the State Government may by notification in the Gazette appoint in this behalf.

2. Definitions.

- In these rules, unless the context otherwise requires-(a)"The Act" means the Hindu Marriage Act, 1955 (Act No. 25 of 1955);(b)["Registrar General" means the Inspector-General of Registration appointed under Section 3 of the Registration Act, 1908 (Act No. 16 of 1908)] [Substituted Notification No. 1346/7-AN-664-55, dated April 10, 1980.];(c)"Marriage" means a Hindu marriage to which the Act applies;(d)"Registrar" means the Registrar of Hindu Marriages having jurisdiction under Rule 3;(e)"Registrar of the District" means the Registrar of the District appointed under Section 6 of the Registration Act, 1908 (Act No. 16 of 1908) and includes the officer performing the duties of a Registrar under Sections 10 and 11 of that Act;(f)"Sub-Registrar" means a Sub-Registrar appointed by the State Government under the Registration Act, 1908 (Act, No. 16 of 1908), and includes a person so appointed under Section 12 of that Act.

3. Jurisdiction of Registrar and Sub-Registrar.

- For the purpose of these rules, every Sub-Registrar within the limits of his jurisdiction and every Registrar of the District within the district shall exercise the powers and perform the duties of Registrar of Hindu Marriages.

4. Registration of Marriages.

(1)The parties to any marriage may, on payment of the fee specified in Rule 10, have the particulars relating to marriage entered in the Hindu Marriage Register kept for the purpose in the office of the Registrar.(2)An application for registration of a marriage shall be made in duplicate to the Registrar within whose jurisdiction the marriage is solemnized or within whose jurisdiction the husband permanently resides and shall be in Form 'A' of the Schedule to these rules :Provided that, if the application is made to the Registrar within whose territorial jurisdiction the marriage is solemnized, and the husband does not permanently reside within such jurisdiction, it shall be made in triplicate and the third copy of the application shall be forwarded by the Registrar receiving the application to the Registrar within whose jurisdiction the husband permanently resides :Provided further that an application for registration of marriage shall ordinarily be presented to a Sub-Registrar having jurisdiction, but the Registrar of the District may in his discretion also entertain any such application.(3)[The application mentioned in sub-rule (2) shall be accompanied by a certificate by a Member of Parliament, Member of State Legislature, Gazetted Officer, Pradhan of a Gaon Sabha, Sarpanch of a Nayaya Panchayat, Pramukh of a Kshettra Samiti or the President of any other local body and where any party to the marriage resides outside India by the Indian Consul or Vice-Consul, as to the identity of the parties to the marriage and the correctness of other particulars appearing in the application, and shall be presented personally to the Registrar concerned ; Provided that where the applicant resides outside India it may be sent through Indian Consul or Vice-Consul by registered post. Where the person presenting the application so desires he shall be given a receipt for the application in the following form:] [Substituted by Notification No. 1346/VII-AN-664-55, date April 10, 1980.]"Received an application for registration of marriage between.....and.....presented.....by.....Dated.....(Signature).....Regi of Hindu Marriage....."(4)Where the application is sent by registered post the fee shall be remitted by money order at the remitter's expense and the receipt issued to the remitter by the post office through which the remittance is made shall be attached to the application.

5. Hindu Marriage Register.

(1)A Hindu Marriage Resgister shall be kept in the form of a file book consisting of serially numbered butts.(2)The Registrar shall certify under his signature, on the title page of every blank register issued to him, the number of pages actually contained in such register and shall also note the date on which the register was received by him.(3)At the close of every calendar year, the Registrar shall certify the number of applications registered during the year and wherever a register is completed the Registrar shall also certify the number of applications registered in that particular register.(4)The registers used by the Registrar shall be serially numbered.

6. Piling of application.

- Each application duly made to the Registrar under Rule 4 shall be filed by him in the Hindu Marriage Register by pasting it on the first blank butt available in the register.

7. Endorsement on application.

(1) Each application and its duplicate and also its triplicate wherever required shall be endorsed by the Registrar with the following endorsement duly signed by him, on the reverse thereof, namely : "The application was received by me on.....19 and it is filed at serial no.....of 19.....on page.....of volume of the Hindu Marriage Register, maintained under the Hindu Marriage Registration (Uttar Pradesh) Rules, 1973. (Signature) Date. Registrar of Hindu Marriages (2) The Registrar shall as soon as may be inform the applicants in writing that their marriage has been duly registered.

8. Duplicates.

- On or before the seventh day of each month, the Sub-Registrar shall send by registered post to the Registrar of the district all duplicate copies of the applications received by him during the preceding month along with a covering letter indicating therein the serial numbers of the duplicate copies of the application sent therewith and, if no application was received in the previous month then, a letter indicating that no application was received.

9. Filing of the applications by Registrar.

- On receipt of the duplicate copies of the application sent under Rule 8, the Registrar of the district shall file or cause to be filed such duplicate copies by pasting them in registers maintained for that purpose by the Registrar.

10. [Fees. [Substituted by Notification No. 1346/VII-AM-664-55, dale April 10, 1980.]

(1) The fee for entertaining an application for registration of a marriage shall be-(i) Rs. 2.00, if the application for registration of a marriage is made within two months of the date of its solemnization; (ii) Rs. 4.00, if the application for registration of a marriage is made after two months of the date of its solemnization and shall be paid to the Registrar either in cash or by money order. (2) Certified extract from the Hindu Marriage Register shall, on an application to the Registrar or Registrar General, be given by him on payment of a fee of Rs. 2.00. (3) For making a search, the fee shall be-(i) if the entry relates to the current year Re. 1.00. (ii) if the entry relates to the immediately previous year Rs. 1.50 (iii) if the entry relates to the year before that, Rs. 2.00 and so on, with an addition of 50 P. for each year.]

11. Form for receipt.

- A receipt from the receipt book in Form No. 8 of Appendix I of the Registration Manual, Part U shall be issued for acknowledging receipt of the fees paid under these rules.

12. Cas.

- book.-The Registrar shall maintain or cause to be maintained a cash-book in Form "B" of the Schedule. All fees received under the rules shall be brought to account in the cash-book every day and the Registrar shall sign the same in token of his verifying the of the day's total collection of fees.

13. Power of Registrar.

(1)If an application for registration of Marriage or for a certified extract from the Marriage Register is incomplete or defective in any respect or is not accompanied by the fee specified in Rule 10, the Registrar shall require the applicant to remove the defect or pay the said fee, as the case may be, within such time as may be specified by him failing which the application shall be rejected.(2)If the Registrar receiving such application has no jurisdiction to receive the same, he shall return it to the applicant for being presented to the proper authority.(3)Where an objection to any application for registration is received by a Sub-Registrar, he shall refer the same to the Registrar of the district, who shall decide the same as also objections received by him after hearing the parties affected thereby and his decision subject to any decree or order of a competent court be final, in so far as the question of action on the application for registration is concerned.(4)The particulars of all applications which are returned or of which registration is refused as aforesaid shall be noted in a register in Form "C" of the Schedule appended to these rules.

14. [Superintendence. [Substituted by Notification No. 1346/7-AM-664-55, date April 10, 1955.]

- The Registrar shall perform his duties and exercise his powers under the general superintendence of the Registrar General.]

15. Forms.

- Blank forms of application for registration shall be supplied by the Registrar free of charge to the parties to a marriage. The parties may, however, at their option use legibly typed forms.

16. Preservation of Registers and records.

(1)The Hindu Marriage Registers and the indices referred to in Rule 17 shall, after six years of their completion, be consigned to, and preserved permanently in the Central Record Room at the headquarters of the registration district.(2)All other records and papers such as receipt book, Cash books, application for extracts from the Register, etc., shall be destroyed by the Registrar after the

expiry of a period of six years.

17. Indexing of entries in the register of marriage.

- All the entries in the Hindu Marriage Register shall be indexed and the indices shall be in two forms, namely, one in the name of the bridegroom and the other in the name of the bride, and such indices shall be available for inspection to any person on payment of inspection fee of fifty paise per year of record.

Schedule

[Form A] [Substituted by Notification No. 1346/7-AM-664-55, date April 10, 1980.][See Rule 4(2) of the Uttar Pradesh Hindu Marriage Registration Rules, 1973]Application for Registration of Hindu MarriageTo, The Registrar of Hindu Marriages,.....DistrictUttar PradeshSir, A Hindu marriage in accordance with the provisions of the Hindu Marriage Act, 1955, has been solemnized between us, the undersigned parties, on.....and we request that the following particulars of our marriage be registered in the Hindu Marriage Register:Particulars of Marriage

1. Date of marriage

2. Place of marriage (with sufficient particulars to locate the place)

3. Particulars of the bridegroom

(a)Full name and occupation(b)Domicile(c)Age (which shall not be less than 21 : see Section 5)(d)Usual place of residence(e)Permanent address(f)Address at the time of application(g)Status at the time of marriage.

Whether Unmarried

Widower

Divorced

Signature of the BridegroomDated.....

4. Particulars of the bride:

(a)Pull name(b)Domicile(c)Age (which shall not be less than 18, see Section 5)(d)Usual place of residence(e)Permanent address(f)Address at the time of application(g)Status at the time of marriage.

Whether Unmarried

Widower

Divorced

Signature of the Bride Dated.....

5. Full particulars of the bridegroom's father:

(a) Full name (b) Age (c) Occupation (d) Usual place of residence (e) Address at the time of application (f) Whether alive or dead Signature of the father of the bridegroom Dated..... (N.B.-Signature of the bridegroom's father is not obligatory)

6. Particulars of the bride's father or other guardian:

(a) Full name (b) Age (c) Occupation (d) Usual place of residence (e) Address at the time of application (f) Relationship of guardian with bride [(see Section 6)] [After the 1978 amendment of the Hindu Marriage Act these parts of the Rules cannot be applied.] Signature of the father or guardian of the bride Dated..... (N.B.-Signature of the bride's father or guardian is not obligatory where the bride's age is not less than 18 on the date of application but signature of her father or guardian is necessary where on the date of application she is below 18 and the marriage was performed in accordance with the law as in force on the date of marriage).

7. Particulars of the officiating priest:

(a) Full name (b) Age (c) Usual place of residence (d) Address (N.B.-It shall not be obligatory to enter particulars of the officiating priest, if the marriage took place more than a year before the date of the application. His signature is not obligatory). Signature of the Officiating Priest Dated..... Declaration.-I solemnly declare that the particulars given in this application, is so far as they relate to myself and to the solemnization of marriage are true to the best of my knowledge and the rest are based on information received and believed to be true.

8. Signature of Bridegroom. Signature of Bride

Dated..... Dated.....

9. 1. Witness:

(a) Full name (b) Address.

2. Witness :

(a) Full name (b) Address

Signature..... Signature.....

Dated..... Dated.....

Certificate by.....(designation)..... (a Member of Parliament/Member of the State Legislature/Gazetted Officer/ Pradhan/Sarpanch/Pramukh/President of a local

body/Consul/Vice-Consul), as to the identity of the bridegroom and the bride and other particulars of this application is appended herewith. Note.-Certificate may be by more than one such person where one cannot certify to the identity of both the parties or all other particulars.) Form 'B' (See Rule 12 of the Uttar Pradesh Hindu Marriage Registration Rules, 1973) Cash Book

Receipt No. and date	Details of amount realisation	Amount	Signature of Registrar of Marriages and date	Amount credited into treasury	Challan No. and date	Signature of Registrar of Marriages and date	Remark
1	2	3	4	5	6	7	8
Rs. P			Rs. P				

Form 'C' (See Rule 13 of the Uttar Pradesh Hindu Marriage Registration Rules, 1973) Register of applications returned or rejected

Serial No.	Date of presentation and the name of the person presenting the application	Parties to the marriage and the Date of marriage	Whether refused or refusal or returned	Reasons for return
1	2	3	4	5