

The Orissa Hindu Marriages Registration Rules, 1960

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Rule

THE-ORISSA-HINDU-MARRIAGES-REGISTRATION-RULES-1960 of 1960

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The Orissa Hindu Marriages Registration Rules, 1960Published vide Notification No.

4788-6-J-12/59-J, dated 27th July, 1960, Orissa Gazette Extraordinary No.

603/29-7-1960Notification No. 4788-VI-J-12/59-J, dated 27th July, 1960. - In exercise of the powers conferred by Sub-sections (1) and (4) of Section 8 of the Hindu Marriage Act, 1955 (25 of 1955), the State Government do hereby make the following rules, namely :

1.

(1)These rules may be called the Orissa Hindu Marriages Registration Rules, 1960.(2)They shall come into force at once.

2.

In these rules, unless the context otherwise require-(1)"the Act" means the Hindu Marriage Act, 1955 (25 of 1955);(2)"Form" means a form appended to these rules;(3)"marriage" means a Hindu Marriage solemnised in accordance with the provisions of the Act;(4)"register" means the Hindu Marriage Register referred to in Section 8 of the Act ;(5)"Registrar" means the Registrar appointed under Rule 3;(6)"section" means a section of the Act;(7)all other words and expressions used but not defined herein shall have the same meaning as has been assigned to them under the Act.

3.

The State Government may, by notification from time to time, appoint any officer to be a Registrar for the purposes of these rules having jurisdiction over such local area as may be specified in the notification.

4. [[Substituted vide O.G.E. No. 996 dated 15.7.2006.]

The parties to the marriage duly solemnised in accordance with the provisions of the Act shall within a period of 30 days from the date of solemnisation of the marriage compulsorily submit the application in Form B before the Registrar for registration of the marriage.

4A.

Any party to the marriage contravening the provisions of Rule 4, shall be punishable with fine which may extend to Rs. 25 (Rupees twenty five) only.

4B.

An application for registration of the marriage after the expiry of the period of thirty days from the date of solemnisation shall be submitted by the applicant after payment of fine which shall be registered by the Registrar.]

5.

Every Registrar shall maintain a register which shall be a bound book, the pages of which shall be machine numbered, in Form 'A'.

6.

(1)An application for registration of particulars relating to a marriage shall be made to the Registrar in Form 'B' Such application shall be signed by the parties to the marriage and by the officiating priest, if any, and where the bride shall not have completed the age of eighteen years, it shall, in addition, be signed by her guardian in marriage, if any, with whose consent the marriage was solemnised.(2)Such application shall be accompanied by a treasury challan showing the deposit of fees as provided in Rule 12.

6A. [[Inserted vide O.G.E. No. 996 dated 15.7.2006.]

Any person who makes any false statement in such application in any material particular or has reason to believe to be false, shall, on conviction, be punished with fine which may extend to twenty five rupees.]

7.

If an application received by the Registrar is not accompanied by a treasury challan as aforesaid or is defective in any respect the Registrar shall refuse to entertain it unless the parties to the marriage deposit the said fee in treasury and produce the challan or remedy the defect, as the case may be, within such time as may be specified by the Registrar.

8.

(1) When an application for registration of a Hindu marriage is presented before the Registrar, the Registrar shall, except when both the parties to the marriage and their guardians, if any, appear before him personally and are identified to his satisfaction, give notice of the application in Form 'C' to the parties concerned and to their guardians, if any, by registered post and make such summary enquiry as he thinks fit regarding solemnisation of the marriage. In holding such enquiry the Registrar may require the parties to the marriage to be identified to his satisfaction. (2) On being satisfied about the due solemnisation of the marriage and regarding the identity of the parties thereto the Registrar shall enter the particulars relating to the marriage as given in the application in the register. (3) If the notice referred to in Sub-rule (1) cannot be served due to any laches on the part of the parties to the marriage or if any objection is filed by any such party or by his or her guardian to whom the notice has been issued or if the Registrar is not satisfied about the identity of the parties or about due solemnisation of the marriage in accordance with the provisions of the Act, he shall, by an order in writing, refuse to enter the particulars relating to the marriage in the register. (4) [The order of the Registrar, shall be final.] [Substituted vide Orissa Gazette Extraordinary Part-III/1961.]

9.

The application for registration of Hindu marriage shall be preserved in the office of the Registrar as permanent record.

10.

The State Government may, themselves or through specified authorities exercise general supervision over the work of the Registrar and may call for reports or returns relating to the registration from him.

11.

Any person may on application obtain certified copies of the entries in the register from the Registrar on payment of the fee specified in Rule 12 and on production of the treasury challan showing the deposit of such fees.

12.

(1) Fees shall be charged by the Registrar for the purposes and at the rates as specified below :

(i) For registration of a marriage Rs. 2

(ii) For obtaining a certified copy of an entry made in the Register Rs. 5

(2) [All such fees shall be credited to the State revenue under the head "0070-Other Administrative Services-60-Other Services-108-Marriage Fees-0135-Registration Fees-01050-Fees for Registration

of Marriage and for obtaining certified copy of an entry made in the Marriage Register.] [Inserted vide O.G.E No 1545 dated 26.10.2006.]AppendixForm 'A'Form of Hindu Marriage Register[See Rule 4]

Serial No.	Date of application	Name and present address of the applicant parties	Date and place of marriage	Age of parties at the time of marriage	Name and present address of the guardians of the parties to the marriage	Name and address of the witness to the marriage	Remarks
1	2	3	4	5	6	7	8

Form 'B'Form of application for Registration of Marriage under the Hindu Marriage Act, 1955[See Rule 5]ToThe Registrar under the Hindu Marriage Act, 1955.....District.Sir, We (husband) and (wife) between whom a Hindu marriage was solemnised and the particulars of which are set forth below now apply for the entry of the particulars in the Hindu Marriage Register.Sd. (Husband)Sd. (Wife)(Particulars of the marriage)I. (1) Date of marriage.....(2)Place of marriage (full particulars, P. O., P. S., District).....II. (1) Name of bridegroom.....son of.....[(1-a) Marital Status (unmarried/divorce)] [Inserted vide O.G.E. No. 996 dated 15.7.2006.];(2)Present address.....(3)Age at the time of marriage.....(4)Name and present address of his guardian and relationship with such guardian.....III. (1) Name of bride.....daughter.....of.....[(1-a) Marital Status (unmarried/divorce)] [Inserted vide O.G.E. No. 996 dated 15.7.2006.];(2)Present address(3)Age at the time of marriage.....(4)Name and address of her guardian and relationship with such guardian with whose consent the marriage was solemnised....IV. (1) Signature (or thumb impression) of bridegroom.....(2)Signature (or thumb impression) of bride.....(3)Signature (or thumb impression) of bridegrooms' guardians ..(4)Signature (or thumb impression) of bride's guardians.....(5)Signature (or thumb impression) of officiating priest, if any, and his address.....(6)Signature (or thumb impression) of two witnesses to the marriage and their address.....

1.

2.

VerificationWe.....(the husband) and.....(the wife) do hereby solemnly affirm that the particulars of our Marriage given above are true to the best of our knowledge and belief.Signed and verified this.....day of20.....(1).....(Husband).(2).....(Wife).Form 'C'Form of notice[See Rule 7 (1)]To.....(Name).....(Address)Notice is hereby given of an application filed before me for registration of a Hindu marriage said to have been solemnised on.....(date) at (place) between of and.....of.....

2. If you have any statement to make regarding such marriage or the registration thereof you should do so in writing and send it so as to reach me on or before.....(date).

Sd.....Registrar under the Hindu Marriage Act, 1955 for date.