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LAW DEPARTMENT

NOTIFICATION

The 25th April, 2016

S.R.O. No. 154/2016—In pursuance of section 6 of the Anand Marriage Act, 1909 (7 of 1909), the State Government do hereby make the following rules for registration of Anand Marriages in the State, namely.

1. Short title and commencement—(1) These rules may be called the Odisha Anand Marriages Registration Rules, 2016.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions—In these rules, unless the context otherwise requires.—

- (a) "Act" means the Anand Marriage Act, 1909 (7 of 1909) as amended by the Anand Marriage (Amendment) Act, 2012 (7 of 1909);
- (b) "District Registrar" means an Officer as the State Government, may by notification in the Gazette, authorise to carry out the provisions of these rules;
- (c) "Form" means the Form appended to these rules;
- (d) "Anand Marriage" means Anand Marriage commonly known as Anand Karaj solemnized in accordance with the Provisions of the Act;
- (e) "Register" means Anand Marriages Register maintained by the Registrar of Marriages referred to in rule 5;
- (f) "Registrar" means the Registrar of Marriages to be authorised under rule 3.

3. Authorisation for registration of marriage — For the purpose of registration of Anand Marriages commonly known as Anand Karaj solemnized within the State, the State Government may, by notification in the Gazette authorise as many Officers for such area or areas to be the Registrar of Marriages.

4. Jurisdiction.—The Registrar for the purpose of these rules shall have jurisdiction to register the Anand Marriage solemnized within the local areas as specified in the notification.

5. Maintenance of Register of Marriages—The Registrar shall maintain Register of Anand Marriages in Form-1 which shall be preserved in the Office of Registrar as permanent record.

6. Procedure for registration — (1) The parties to the Anand Marriage duly solemnized in accordance with the Provisions of the Act shall submit a Memorandum duly filled in by them in Form-II in duplicate to the Registrar along with documents to prove the solemnization of the marriage to the satisfaction of the Registrar and registration fee of rupees fifty in form of treasury challan within a period of thirty days from the date of solemnization of their marriage:

Provided that for registration of marriages solemnized before the commencement of these rules, such memorandum may be submitted within a period of one year from the date of commencement of these rules.

(2) The memorandum shall be signed by both the parties to the marriage and at least two other persons who have witnessed the marriage.

(3) The parties to the marriage who have not registered their marriage within the period specified under sub-rule (1) may get their marriage registered by submitting the memorandum to the Registrar in Form-II and a Declaration in Form-III along with documents to prove the solemnization of the marriage to the satisfaction of the Registrar and registration fee of rupees one hundred:

Provided that such Declaration shall be attested by a Gazetted Officer or Member of Parliament or a Member of Legislative Assembly or Member of a Local Self Government Institutions or Notary Public.

7. Verification and registration of marriages.- (1) Where on verification and scrutiny of the memorandum and documents received under sub-rule (1) or sub-rule (3) of rule 6, the Registrar is satisfied that the marriage has been solemnized, he may enter the particulars of the marriage in the register and issue a Certificate of Anand Marriage in Form-I

(2) Where the Registrar has reasons to believe that —

- (a) the marriage between the parties has not been performed in accordance with Anand Marriage Ceremony; or
- (b) the identity of the parties or the witnesses testifying the solemnization of the marriage is not established; or
- (c) the documents tendered before him do not prove the marital status of the parties, he shall call upon the parties to produce such further information or documents as he may deem necessary, for establishing the identity of the parties and the witnesses or correctness of the information or documents presented to him within a period of thirty days from date of receipt of memorandum.

8. Refusal of registration of Anand Marriage.— The Registrar may, for the reasons to be recorded in writing refuse the registration of marriage, if the parties to the marriage fails to comply with the directions issued by him under sub-rule (2) of rule 7.

9. Correction of the entries in the register;— (1) The Registrar may, on an application made by any party to the marriage, if satisfied that there is typographical or clerical mistakes in the entries made in the register or on the Certificate of Registration in relation to the name, age or date of marriage, make suitable corrections with previous sanction of the District Registrar and affix his signature to each such correction;

10. Appeal— (1) Any person aggrieved by the decision of the Registrar may file an appeal to the District Registrar within a period of three months from the date of communication of such decision:

Provided that the delay, if any, in filing such appeal may be condoned for the reasons to be recorded in writing by the District Registrar if the Appellant satisfies the District Registrar that he had sufficient cause for not preferring the appeal within the specified period.

(2) The District Registrar shall, after giving opportunity of hearing to the parties concerned, dispose of the appeal within a period of fifteen days.

11. Filing of Memorandum — (1) The Registrar shall forward duplicate copies of the memorandum received in a month to the District Registrar before the 10th day of every subsequent month.

The originals of the memorandum received by the Registrar and duplicate copies forwarded to the District Registrar shall be retained in the Office of the Registrar as well as in the Office of the District Registrar as permanent record.

(2) The Registrar shall also forward particulars of the corrections made under rule 9 with the date of correction and a copy thereof to the District Registrar.

12. (1) Fees — The Fees shall be charged by the Registrar and the District Registrar as the case may be for the purposes and at the rates as specified below:

For the purpose of obtaining a certified copy of an entry made in the Register or for obtaining copy of memorandum from District Registrar Office Rs.50/-.

(2) All such fees shall be credited to the State revenues under the head “_____ Other Administrative Services_____ Other Services_____ Marriage Fees_____ Registration Fees_____ Fees for Registration of Anand Marriage and for obtaining certified copy of entry made in the Marriage Register”.

FORM-I
[See Rule 5]

REGISTER OF ANAND MARRIAGES

1. Date of Marriage:

2. Place of Marriage: (specify hall, auditorium etc.)	Local area	Village	Taluk	District
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Signature of the Husband

Photo of the Husband to be Affixed.	Photo of the Wife to be Affixed.
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Signature of the wife

Details of Parties to the Marriage (As on the date of marriage)

<i>Details</i>	<i>Husband</i>	<i>Wife</i>
(a) Name in full (in capital letters)		
(b) Nationality		
(c) Age and date of birth (sufficient proof shall be produced)		
(d) Permanent address		
(e) Present address		
* (f) Previous marital status Married Unmarried Widower		

Widow Divorced		
(g) Whether any spouse is living (if yes, number of spouse living)		
(h) Name of father or guardian and the relationship (i) Age (ii) Address		
(i) Name of mother (i) Age (ii) Address		

*Put () mark on whichever is applicable.

3. Witness of solemnization of marriage

1. (a) Name:

(b)Address :

2. (a) Name:

(b)Address :

SPACE FOR OFFICE USE

4. Date of Receipt of memorandum.....

5. Details of Documents/records/proof of marriage required under rule 6:

Date:

Registrar :

Registration No. :

/ (Year)

Date.....

Registrar

FORM-II

[See Rule 6 (1)]

MEMORANDUM FOR REGISTRATION OF ANAND MARRIAGE

1. Date of Marriage:

2. Place of Marriage: (specify hall, Auditorium, etc.)	Local area	Village	Taluk.	District
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3. Details of Parties to the Marriage (As on the date of marriage)

Details	Husband	Wife
(a) Name in full (in capital letters)		
(b) Nationality		
(c) Age and date of birth (sufficient proof shall be produced)		
(d) Permanent address		
(e) Present address		
* (f) Previous marital status Married Unmarried Widower Widow Divorced		
(g) Whether any spouse is living (if yes, number of spouse living) Signature with date		
(h) Name of father (i) Age (ii) Address Signature with date (if he is a consenting party)		

(i) Name of mother (i) Age (ii) Address Signature with date (if she is a consenting party)		
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*Put () mark on whichever is applicable.

4. Witness of solemnization of marriage

1. (a) Name:

(b) Address

(c) Signature with date

2. (a) Name:

(b) Address

(c) Signature with date

5. Details of Documents/records/proof of marriage required under rule 6:

Declaration of the Parties

We.....do hereby declare that the details shown above are true to the best of our knowledge and belief.

Signature of the Parties:

Place: Date:	1. Husband : 2. Wife :
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(For Office Use)

Received by Post/in Person on.....

Registrar

Registered in the Registrar of Marriages (Common) on.....

.....as Regn. No.....

Registrar

FORM No III

[See Rule 6(3)]

DECLARATION

We,.....(Name of the husband and wife) do hereby declare that our marriage was solemnized on.....(Date of Marriage) at.....(place of marriage. The memorandum for registration of marriage could not be submitted within the period specified under rule 6 due to.....(specify reason). We hereby submit memorandum (Form-II) along with documents to prove the solemnization of the marriage for the purpose of registration of our marriage.

Place:

Date

Signature of husband

Signature of wife

DECLARATION TO BE ATTESTED BY GAZETTED OFFICER/MEMBER OF PARLIAMENT/MEMBER OF LEGISLATIVE ASSEMBLY/MEMBER OF LOCAL SELF GOVERNMENT INSTITUTIONS

I.....hereby certify that the marriage betweenandwas solemnized on.....and the fact is personally known to me.

Signature with place, date and seal

FORM NO. IV
(See Rule 7)

GOVERNMENT OF.....

Department of.....

CERTIFICATE OF MARRIAGE

[Issued under rule 7 of the (Name of the State) Anand Marriages Registration Rules, 2012]

Certificate No.....

Dated.....

This is to certify that the following information has been taken from the Register of Anand Marriages maintained in Form No. I in the Office of the Registrar of.....(local area).

1. Date of Marriage.....
2. Place of Marriage (as in Form No. I)
- 3.. Details of parties to the marriage

Details	Husband	Wife
(a) Name in full (in capital letters)		
(b) Nationality		
(c) Age and date of birth		
(d) Occupation		
(e) Permanent address		
(f) Name of parents or guardian and the relationship (i) Father		

(ii) Mother (iii) Guardian		
Photographs: (Office seal covering photographs)		

Registration No. with year

Date of Registration

Registrar (Name of Local Area)

Issued under my hand and seal on this theday of.....

[No.3685—MJ-09/2016/L.]

By order of the Governor

BIBHU PRASAD ROUSTRAY
Principal Secretary to Government.

