



सत्यमेव जयते

**GOVERNMENT OF MEGHALAYA**

**LAW (A) DEPARTMENT**

**THE MEGHALAYA  
HINDU MARRIAGE RULES,  
2006.**

The 21st November, 2006.

**No.ERTS(R)13/2005/169.**—Whereas the Supreme Court of India in its Order, dated February 14,2006 in Transfer Petition (C) No.291 of 2005 has issued directions to States of the Indian Union to frame rules providing *inter-alia* for compulsory registration of marriages, and

Whereas, the views/comments/suggestions/objections received from the general public in response to the Draft Rules published earlier have been duly considered by the State Government, wherever appropriate;

Now, therefore, the Government of Meghalaya, in exercise of the powers conferred by Section 8 of the Hindu Marriage Act, 1955, hereby makes the following rules :-

1. **Short title and Commencement.**—(1) These rules may be called the Meghalaya Hindu Marriage Rules, 2006.  
(2) They shall come into force from the date of notification in the Official Gazette.
2. **Definitions.**—In these rules, unless the context otherwise required -
  - (a) “Act” means the Hindu Marriage Act, 1955 (Central Act 25 of 1955)
  - (b) District Registrars and Sub-Registrars appointed under Act XVI of 1908 and all Block Development Officers in the State shall be the “Marriage Officers” for the purposes of this Act :
  - (c) “Form” means a form appended under the Schedule to these rules.
  - (d) “Section” means the section of the Act.
3. **Registration of marriages to be compulsory:**—With the notification of these rules, all marriages solemnized under the Hindu Marriage Act, 1955( Central Act No.25 of 1955), shall be compulsorily registered :  
Provided that registration of marriages under these Rules should be completed within a period of 3 (three) months after solemnization of any marriage under the Act.
4. Every Registrar or Marriage Officer shall cause his name, designation and the working hours of his office to be written in English and in the language or languages of the district, place or area in which he functions as such, and displayed in a conspicuous part of the building in which his office is situated.
5.
  - (a) When a marriage is intended to be solemnized under the Act by a Marriage Officer, the parties to the intended marriage shall give notice thereof in writing in Form I specified in the Schedule appended to these Rules to such Marriage Officer under whose jurisdiction the marriage is proposed to be solemnised either in person or by registered post.
  - (b) Where the notice is delivered in person, the fee prescribed in Rule 14 shall be paid in cash to the Marriage Officer.
  - (c) Where the notice is sent by registered post, the fee shall be remitted by money order at the remitter’s expenses and the receipt issued to the remitter by the post office through which the remittance is made shall be attached to the notice.
  - (d) As soon as the notice is received, the Marriage Officer shall enter a distinctive serial number thereof, and he shall attest by his signature such number and date of receipt of the notice.
  - (e) If the notice is in conformity with the requirements of the Act, it shall be entered in the Marriage Notice Book and copied correctly in verbatim in a Marriage Notice Register which shall be certified to be correctly copied by the Marriage Officer. The Notice Book and the Notice Register shall be a bound volume, the pages of which are machine numbered consecutively with a nominal index attached.
  - (f) If the notice is not in conformity with the requirements of the Act, it shall be returned to the parties for rectification and transmission within a date to be fixed for the purpose.
  - (g) Every term of rectification shall be attested by both the parties to the intended marriage.

6. The Marriage Officer shall cause the notice of the intended marriage to be published by affixing a true copy of the notice under his seal and signature at a conspicuous part of his office.
7. Where an objection to the solemnization of an intended marriage together with fee prescribed thereof in Rule 13, has been received within 30 days from the date of publication of the notice of the marriage and recorded by the Marriage Officer, he shall, unless he rejects the objection summarily by an order in writing on the ground that the objection is not based on contravention of any of the conditions specified in Section 5, enquire into the objection on a date to be fixed by him. The date so fixed shall not be later than fifteen days from the date of the objection.
8. The Marriage Officer shall at the time of recording the objection ascertain from the objector whether he has any document on which he intends to rely or whether he desires any witness or witnesses to be examined on his behalf if the objector states in the affirmative, the Marriage Officer shall require the objector to produce the documents or the witnesses on the day fixed for the enquiry. If the objector desires that summons shall be issued to the witnesses to appear and give evidence or to produce any documents, the Marriage Officer shall issue such summons to the witnesses cited, on payment of the process fee prescribed under Rule 13 and the reasonable expenses of travelling and subsistence allowance of the witnesses. The enquiry relating to the objection including the production of documents and the examination of witnesses including the decision of the Marriage Officer shall be completed within the period of 15 days. If within the prescribed period the documents are not produced and the witnesses do not appear before the Marriage Officer, the objection shall be disposed of by the Marriage Officer without waiting for the production of such documents or the appearance of such witnesses.
9. The Marriage Officer shall give notice of the date and time fixed for enquiry to the parties to the intended marriage.
10. The notice or summons to any party or witness under Rule 8, shall be in Form II or Form III as the case may be, and shall be sent by registered post.
11. On the date fixed for enquiry, or on any adjourned date, the Marriage Officer shall record in his own hand the evidence given in the course of the enquiry, his decision on the objection and the reasons therefore.
12. The Marriage Officer may, on application by both the parties to the marriage, solemnize the same at any place outside his office provided the additional fee prescribed therefore in Rule 13 is paid and the hour is not unreasonable.
13. The Marriage Certificate Book shall be a bound volume, the pages of which are machine numbered consecutively with a nominal index attached. Every marriage therein during each calendar year shall be consecutively numbered.
14. The following fees shall be levied by the Marriage Officer :
  - (i) For every notice of intended marriage or for application for registration of marriage (to be paid by the parties to the marriage) - Rs. 2/-
  - (ii) For recording an objection (to be paid by the person making the objection) - Rs. 3/-.
  - (iii) For every notice and for every summons (to be paid by the parties to the marriages) - Re. 11/-
  - (iv) For solemnizing or registering a marriage outside the office of Marriage Officer (to be paid by the parties to the marriage) - Rs. 25/-
  - (v) For a certified copy of an entry (to be paid by the applicant).
    - (a) in Marriage Notice Book other than an entry relating to an objection -Re. 11/-
    - (b) in the Marriage Certificate Book - Re. 1/-
  - (vi) For certified copy of an entry in the Marriage Book other than a notice or of any other proceeding not already provided for (to be paid by the applicant) Rs. 6/-

(vii) For making a search (to be paid by the applicant)

(a) if the entry is of the current year - Re. 1/-

(b) if the entry related to any previous year or years additional fee of 0.50 P. per year.

(viii) For issue of commission (to be paid by the applicant) Rs. 10/-.

(ix) For every other application which may be necessary under the Act (to be paid by the applicant) - Re. 1/-

The fees prescribed above shall be paid either in person or remitted by money order to the Marriage Officer.

15. A receipt duly signed by the Marriage Officer shall be issued for all fees received by him under the Act and these Rules. The receipt books shall be bound volumes of one hundred leaves each with foils and counter foils which shall be machine numbered consecutively (Form IV).
16. Copies of entries in the Marriage Certificate Book shall be certified in Form V appended to these rules, and shall be sent at intervals of three months to the Inspector General of Registration Meghalaya. In case no entries have been made during the preceding three months a certificate to this effect shall be sent to the Inspector General Registration Meghalaya.
17. The Marriage Officer shall maintain a cash book in Form VI. All fees received under the Act and the Rules shall be brought to account in the cash book every day and the Marriage Officer shall sign the same in token of his verifying the correctness of the day's total collection of fees.
18. The Marriage Officer shall keep in this custody the fees received by him each day, and shall credit the same on the day following into the nearest Treasury or Bank, as the case maybe.
19. **Effect of non-registration of marriage.**—Registration of a marriage under these Rules shall be the only proof of such marriage.

**Registration of Marriage Rules Meghalaya.**

**Form I**

**{ See Rule 4(1) }**

**Notice of Intended Marriage**

To

Marriage Officer for the .....District.

We hereby give you notice that a marriage under the Hindu Marriage Act, 1955 is intended to be solemnized between us within three calendar month from the date hereof.

Name	Marital Status	Occupation	Age	Dwelling Place	Permanent dwelling place. Present dwelling place not permanent	Length of residence
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A.B.      Unmarried

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Widower

Divorced

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C.D.      Unmarried

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Widow

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Divorced

Witness our hands this .....Day  
of ..... 19 .....

(SD)      A.B.

(SD)      C.D

**Form II**

{ See Rule 9 and 10 }

*Notice*

Before the Marriage Officer .....Place) in the master of the Hindu Marriage Act, 1955 (25 of 1955).

intended marriage between

In the matter of.....

application to register the marriage between

Registration of Marriage Rules Meghalaya.

A.B. |

And |

C.D. | (give names and address of)

E.F. |

(Name of objector)

To .....

Whereas ..... Notice of an intended marriage .....an application for the registration of marriage between A.B. and C.D. was received by the Marriage Officer on ..... , and;

Whereas you have preferred certain objections (set out overleaf) to the ..... solemnization of the marriage, and;

Whereas the Marriage Officer will hold an enquiry into the matter of the said objections on ..... day of ..... at his office;

You are hereby required to be present at .....A.M./P.M. on the said day together with all documents on which you intend to rely along with any witness or witnesses whom you may desire to be examined on your behalf.

Take notice that in default of your appearance on the aforesaid day the inquiry will be made and decided in your absence.

Should you apprehend that your witness will not attend the enquiry unless summoned by the Marriage Officer , you should apply to the Marriage Officer for the issue of such summons sufficiently in advance together with the prescribed process fee and reasonable expenses of traveling and subsistence allowance of the witness(es).

Station

Date

Seal

Given under my hand and seal.

Signature.....

Marriage Officer.

Note: Strike out whichever is not applicable.

**Form III**

{ See Rule 9 and 10 }

*Summons to Witness*

Before the Marriage Officer .....Place) in the  
master of the Hindu Marriage Act, 1955 (25 of 1955).

intended marriage between

In the matter of .....

application to register the marriage between

A.B.

And

C.D.

(give names and address of)

E.F.

Objector

Registration of Marriage Rules Meghalaya.

To .....

Whereas your attendance is required to give evidence on behalf of ..... in  
the above matter, you are hereby required to appear personally before me or to cause to be  
produce before me the document specified hereunder on the ..... Day  
of ..... 19..... at ..... A.M/P.M. A sum of Rs .....  
being your traveling and other expenses have been deposited.

If you fail to comply with this summons without lawful excuse you will be subject to the consequences of  
non attendance laid down in rule 12 of Order XVI of the Code of Civil procedure 1908.

Take notice that, in default of your appearance on the aforesaid day, the inquiry will be made and the  
matter decided in your absence.

Given under my hand and seal.

Station .....

Signature .....

Date ..... Seal ..... Marriage Officer.

**Form IV**

{See Rule 14}

Book No .....

Receipt No.....

Date .....

By whom paid.....

In the matter of marriage between .....

And ..... Fees received as follows

	Rs.	P.
--	-----	----

Total		
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Signature.....

Marriage Officer.



**Form V**

{See Rule 15}

Form of Certificate.

Certified that the above entries from the Marriage Certificate Book in this office bearing  
Serial                      Nos..... to.....  
regarding marriage.....solemnized/registered.....are true  
copies of all the entries in the Marriage Certificate Book maintained under Rule 15 of the rules  
and maintained by me for the last three months ending .....Day of  
..... 19 .....

Signature .....

Marriage Officer.

Certified that no entries have been made in the Marriage /Certificate Book in this office  
during the three month calendar ..... day of  
..... 19 .....

Station .....

Signature .....

Date

Marriage Officer.

**Form VI***{See Rule 16}*

Form of Cash Book.

	Rs.	P.			Rs.	P.	
Receipt No. and date of realization	Details of amount realized	Amount	Signature of Marriage Officer and date	Amount credited into treasury	Challan No. and date	Signature of Treasury Officer and date	Remarks

Total .....

**J. LYNGDOH,**  
Secretary to the Government of Meghalaya,  
Excise, Registration, Taxation & Stamps Department.