

FREQUENTLY ASKED QUESTIONS

Registration of Marriage

Q 1	What are the advantages of registration of marriage?
	(i) Certificate of marriage is a document, which provides valuable evidence of marriage; (ii) Certificate of marriage is a document providing social security, self-confidence particularly among married women; (iii) Certificate of marriage is useful in getting the visa for the wife/husband. iv) It will be helpful in claiming the Bank deposits or Life Insurance benefits when the depositor or the Insurer dies without a nomination or otherwise.
Q 2	What are the laws under which marriages are registered in Sub Registry or District Registrar Offices?
	Marriages are registered under the following Acts: 1. Hindu Marriage Act, 1955, 2. Special Marriage Act, 1954, 3. Parsi Marriage and Divorce Act, 1936
Q 3	Where the marriages are to be registered?
	1. Marriages under Hindu Marriage Act can be registered in the office of the Registrar of Marriage within the jurisdiction of which the marriage has taken place or in the office of Marriage Officer in whose jurisdiction the bride or bride-groom resides; 2. Marriage under Special Marriage Act can be registered in the office of the Marriage Officer in whose jurisdiction bride or bridegroom resides; 3. Marriage under Parsi Marriage Act may be registered in the Office of the District Registrar in whose jurisdiction the marriage takes place.
Q 4	Where the Office of the Marriage is situated and who is the Marriage Officer?
	Sub Registrar who register documents relating to immovable property are also the Marriage Officer. The offices are usually located in Taluk Head Quarters/District Head Quarters/In few places in the Hobli Head Quarters. In Bangalore city Office of the Marriages/Registrar of Marriages is located in different places. District Registrars are Registrars of Marriages under Parsi Marriage Act and their Offices are situated in all District Headquarters. Click here for details.
Q 5	To whom Hindu Marriage Act 1955 applies?
	It applies to Hindu, Buddhist, Brahma, Parthana and Arya samaj. It does not apply to Muslim, Christian, Parsi or Jew Communities. But it applies to those who follow Hindu religious customs. Click here for details
Q 6	To whom Special Marriage Act 1954 applies?
	It applies to all irrespective of religion, caste, language.
Q 7	To whom Parsi Marriage applies?
	It applies to Parsies and Zoroastrians.
Q 8	What should be the age of bridegroom and bride at the time of marriage?

	Bridegroom must have completed 21 years age and bride 18 years.
Q 9	Are there any restrictions for registration of marriages?
	<p>Following are the restrictions under Hindu Marriage Act, 1955 and Special Marriage Act, 1954:</p> <p>1.1(a) Bridegroom or bride who desire to marry should not have married wife / husband;</p> <p>(b) Bridegroom or bride who cannot voluntarily give consent for marriages owing to mental illness are not eligible for marriage;</p> <p>(c) Marriage of those who are capable of giving consent for marriage but (d) incapable of getting child owing to unsound mind cannot be solemnised nor be registered;</p> <p>(d) Those suffering from insanity are ineligible for solemnisation of marriage;</p> <p>(e) Those who are within degree of prohibited relationship are ineligible for marriage provided they can marry if it is permitted according to the usage of custom or usage governing such persons;</p> <p>1.2. Bridegroom and bride who are descendants up to 5 generation from mother's side or father's side cannot marry (They are called Sapindas).</p> <p>II. Restrictions under Parsi Marriage Act 1936 are as follows:</p> <p>Bride and Bridegroom should not be related within the degree of prohibited relationship mentioned in schedule I of the Act.</p>
Q 10	How to register marriage?
	<p>A. Registration under Hindu Marriage</p> <p>a) Application for marriage filled in prescribed form with name and address of bridegroom and bride, signature of bride and bridegroom, signature of 3 attesting witness present at the time of marriage along with their name and address, joint photo of bride and bridegroom with signature over such photo should be presented to the Registrar of Marriage.</p> <p>b) Marriage officer will verify the contents of the application and records. He will issue certificate of marriage if he is satisfied that the records produced are in accordance with law.</p> <p>Click here to download marriage forms</p> <p>B. Solemnization under Special Marriage Act, 1954</p> <p>1. Bridegroom and bride should give notice of intended marriage 30 days in advance of solemnisation along with prescribed fees. They must have lived continuously for not less than 30 days within the jurisdiction of marriage officer before giving the notice.</p> <p>2. If no objections are received within 30 days from the date of notice of intended marriage, bridegroom and bride should appear before the Marriage Officer within</p>

	<p>next 60 days after lapse of 30 days from such notice along with three witnesses for solemnisation of the Marriage. Marriage Officer after following procedure prescribed under act and rules will solemnise the marriage. If marriage is not solemnised within 90 days from the date of notice fresh notice has to be issued.</p> <p>3. Marriage Officer will administer oath in the prescribed form and solemnise marriage and issue certificate of marriage.</p> <p>4. Bridegroom and bride and three witnesses shall sign the declaration and the certificates of marriage.</p> <p>C. Registration under Parsi Marriage and Divorce Act, 1936:</p> <p>Parsi priest solemnises marriage. He will obtain signature of bridegroom and bride and two witnesses present at the time of marriage in prescribed form and issue certificate of marriage. This certificate will be sent to Registrar of Marriage (District Registrar) along with prescribed fee. Registrar of marriage will record in the prescribed register.</p>
Q 11	What is the time limit for registration of marriage?
	Marriage under Hindu or Parsi Marriage Act can be registered any time after marriage. There is no time limit.
Q 12	Is it possible to solemnize marriage under Special Marriage Act in place other than that of office of Marriage Officer?
	If the place is within the jurisdiction of marriage officer to whom notice of intended marriage is given, it may be solemnised in such other place.
Q 13	Can the marriage already held according to the religious custom be registered under Special Marriage Act? If so how to get it registered?
	<p>Application duly filled in should be given in prescribed form in duplicate under Section 16 of the Special Marriage Act 1954 along with prescribed fee to the marriage officer. If there are no objections marriage officer will register the marriage after 30 days if the husband and wife appear along with 3 witnesses subject to following conditions:</p> <ol style="list-style-type: none"> 1. They should have married and must be living together since then; 2. At the time of marriage any of them should not have more than one living wife or husband; 3. Any of them should not be idiot or lunatic at the time of registration of marriage; 4. Husband and wife should have completed age of 21. They should not be within the degree of prohibited relationship described in schedule I of the Act; 6. Husband and wife should have lived for a period not less than 30 days within the jurisdiction of marriage officer;
Q 14	What are the objections to refuse registration of marriage? Is there provision to appeal if registration is refused? If so to who appeal lies?
	If the conditions noted in question 9 and 13 are not fulfilled marriage officer may refuse the registration of the marriage. Appeal may be submitted to District judge within 30 days of such refusal.
Q 15	What is the fee to be paid for registration of marriage?

<p>1. No fee is prescribed for registration of marriage under Hindu Marriage Act. Fee for application is Rs.5 and fee for certified copy is Rs.10.</p> <p>2. Under Special Marriage Act, fee for solemnization of marriage is Rs.10, Rs.15 extra for solemnization in place other than office. Fee for notice of intended marriage is Rs 3. Fee for certified copy of certificate of marriage is Rs.2</p> <p>3. Under Parsi Marriage Act, fee for certified copy of certificate of marriage is Rs.2.</p>
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