THE TELANGANA COMPULSORY REGISTRATION OF MARRIAGES ACT, 2002.

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THE TELANGANA COMPULSORY REGISTRATION OF MARRIAGES ACT, 2002.[1]

ACT No.15 OF 2002.

CHAPTER - I
PRELIMINARY

Short title, extent and commencement.

1. (i) This Act may be called the [2]Telangana Compulsory Registration of Marriages Act, 2002;

(ii) It extends to the whole of the State of [2]Telangana;

(iii) It shall come into force on such date as the State Government may, by notification, in the [2]Telangana Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires:-

(a) "Marriages" include all the marriages performed by persons belonging to any caste or religion and also the marriages performed as per any custom, practices or any traditions including the marriages performed in the tribal areas and the word "Marriages" also includes "remarriages";

(b) "Local Authority" means the Gram Panchayat or the Municipality or the Municipal Corporation, as the case may be;

1. The Andhra Pradesh Compulsory Registration of Marriages Act, 2002 received the assent of the Governor on the 21st May, 2002. The said Act in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Notification issued in G.O.Ms.No.16, Department for Women, Children, Disabled & Senior Citizens (Schemes), dated 23.12.2014.

2. Substituted by G.O.Ms.No.16, Department for Women, Children, Disabled & Senior Citizens (Schemes), dated 23.12.2014.

(c) "Government" means the State Government of [3]Telangana;

(d) "Notification" means any notification published in the [3]Telangana Gazette and the word "Notified" shall be construed accordingly;

(e) "Prescribed" means prescribed by rules made by the Government under this Act;

(f) "Public Servant" means any employee of the Government, a local Gram Panchayat, Mandal [4]Praja Parishad, Zilla [4]Praja Parishad, Municipality or Municipal Corporation owned or controlled by the Government or any Government Agency;

(g) "Register" means a register of marriages maintained under this Act;

(h) "Memorandum" means a memorandum of marriage mentioned in section 8;

(i) "Registrar" means a Registrar of marriages appointed by the Government under this Act;

(j) "Marriage Officer" means an Officer appointed under this Act;

(k) "Registrar General" means the Registrar General of Marriages appointed by the Government under this Act;

(l) The expression "custom and tradition" signifies any custom or tradition which, having been continuously and

3. Substituted by G.O.Ms.No.16, Department for Women, Children, Disabled & Senior Citizens (Schemes), dated 23.12.2014.

4. Substituted by Act No.41 of 2006. (Now see the Telangana Panchayat Raj Act, 2018 (Act No.5 of 2018).

uniformly observed for a long time, and prevalent in the force of law in any local area, tribal community etc;

(m) "Magistrate" means a Judicial Magistrate of First Class.

Application of other laws not barred.

3. Save as otherwise provided the provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force, except to the extent the provisions of other laws are inconsistent with any provisions of this Act.

Registrar General of marriages.

4. (1) The State Government may, by notification in the gazette, appoint a person known as Registrar General of Marriages.

(2) The State Government may appoint such officers with such designations as it thinks fit for purpose of discharging under the superintendence and directions of the Registrar General of Marriages such functions of the Registrar General under this Act, as he may, think fit from time to time authorise and delegate them to discharge such functions as may be prescribed.

District Registrar of Marriages.

5. (1) The State Government may appoint a District Registrar of Marriages for each District and such number of Additional Deputy Registrars of Marriages as it thinks fit, who shall subject to the general control, supervision and directions of the District Registrar, discharge such functions of the District Registrar as the District Registrar may, from time to time, authorise them to discharge.

(2) The District Registrar of Marriages shall manage and supervise subject to the directions of the Registrar General of Marriages, the registration of marriages in the district and shall be responsible for carrying into execution in the district the provisions of this Act and the orders of the

Registrar General of Marriages issued from time to time for the purpose of this Act.

Marriage Officer.

6. (1) The local authority may appoint a Marriage Officer for each local area comprising the area within the jurisdiction of a Municipal Corporation, Municipality, Gram Panchayat or any other area or a combination of any two or more areas.

(2) Every Marriage Officer shall, enter in the Register of Marriages maintained for the purpose, all information given to him under section 7 or section 8 and register the marriage.

(3) Every Marriage Officer shall have an office in the local area for which he is appointed.

(4) Every Marriage Officer shall attend his office for the purpose of registering the marriages on such days at such hours as the Registrar General of Marriages or District Registrar of Marriages may direct and shall cause to be placed in some conspicuous place on or near the outer door of the office of

the Marriage Officer, a Board bearing in the local language, his name with the addition of "Marriage Officer" for the local area for which he is appointed, and the days and hours of his attendance.

CHAPTER - II
REGISTRATION OF MARRIAGES

Every marriage in State to be registered.

7. (1) After the commencement of the Act, every marriage performed in the State shall be registered under this Act in the manner provided in section 8 notwithstanding the fact that the said marriage had been entered in the Marriage Registers governed by the any other personal laws of the bride or bridegroom or customs and traditions.

(2) This Act does not apply to the marriages already registered with the Registrar of Marriages appointed by the Government.

Memorandum of marriage.

8. (1) The parties to a marriage either bride or bridegroom or their parents or guardian shall inform the Marriage Officer about the factum of the marriage to be registered in the Form as prescribed in the Schedule duly signed by the said person, within 30 days from the date of the marriage in duplicate.

(2) The Memorandum shall be signed by the bride and bridegroom and two witnesses on each side of bride and bridegroom before the Marriage Officer.

(3) The Marriage Officer shall maintain the Register of Marriages in the Form as provided in the Schedule and enter in the Register all the information supplied to him in the memorandum and obtain the signatures of the bride and bridegroom and two witnesses on each side.

(4) On receipt of the memorandum of the factum of marriage or the proposed marriage and on payment of the such charges, the Marriage Officer may go to the place specified within his jurisdiction and obtain the signatures of the bride and bridegroom and two witnesses on each side.

Memorandum of marriage presented after 30 days.

9. The memorandum of factum of marriage may be presented to the Marriage Officer after expiry of a period of 30 days as specified in sub-section (1) of section 8, and thereafter within a period of 60 days with the payment of fee of Rs. 100/- (one hundred only).

CHAPTER - III
PENALITIES

Penalty for neglecting to comply with the provisions of sections 8 and 9 or for making false statement in memorandum.

10. Any person who,-

(1) Wilfully omits or neglects to get the marriage registered as required in sections 8 and 9 shall be punished with fine which may extend to one thousand rupees; or

(2) Any person who makes any statement in the memorandum which is false in any material particulars and which he/she knows or has reason to believe to be false, shall be punished with imprisonment for a term which may extend to one year or fine which may extend to one thousand rupees or with both.

Penalty for failing to register the marriage.

11. Any Marriage Officer who fails to register a marriage pursuant to section 8 shall be punished with imprisonment for a term which may extend to three months or fine which may extend to five hundred rupees or with both.

CHAPTER - IV

Certificate to be given to the couple.

12. (1) The Marriage Officer shall, as soon as the registration of marriage has been completed, give free of costs, to the couple a Marriage Certificate in the form as provided in the Schedule under his hand and seal.

(2) Such Certificate issued by the Marriage Officer shall be the conclusive proof of the factum of the said marriage.

Marriage Officer to keep registers in the prescribed form.

13. (1) Every Marriage Officer shall keep in the prescribed form a Register of Marriages for the registration area or any part thereof in relation to which he exercises jurisdiction.

(2) The Registrar General shall cause to be printed and supplied sufficient number of registers for making entries of

marriages according to such form and instructions as he may, from time to time prescribe, a copy of such forms in the local language shall be pasted in some conspicuous place on or near the other door of office of every Marriage Officer.

Search of Marriages Register.

14. (1) Subject to any rules made in this behalf by the State including the rules relating to payment of fee, any person may,-

(a) cause a search to be made by the Marriage Officer for any entry in the Register of Marriages; and

(b) obtain an extract from such Registrar relating to marriages.

(2) All extracts given under this section shall be signed by the Marriage Officer or any other Officer authorised by the State Government to give such extracts and shall be admissible in evidence for the purpose of providing the marriage to which the entry relates.

Marriage Officers to send periodical returns to the District Registrar for compilation.

15. Every Marriage Officer shall send to the District Registrar of Marriages or to any Officer specified by him, at such intervals and in such form as may be prescribed, a return regarding the entries of marriages in the Register kept by such Marriage Officer.

Non registration not to invalidate marriage.

16. No marriage performed in this State to which this Act applies shall be deemed to be invalid solely by reason of the fact that it was not registered under this Act.

Offence under this Act triable summarily by a Magistrate.

17. An offence under this Act shall be tried summarily by the Judicial Magistrate of First Class, in accordance with the procedure as laid down in the Code of Criminal Procedure, 1973.

Central Act II of 1974.

Sanction for prosecution.

18. No prosecution for an offence punishable under this Act shall be instituted except by an officer authorised by Registrar General by general or special order in this behalf without his prior sanction.

Registrars/ Marriage Officers to be deemed to be public servants.

19. All Registrars of Marriages or Marriage officers and other officers appointed under this Act, shall while acting or purporting to act in pursuance of the provisions of this Act or any rule or order made thereunder, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Protection of action taken in good faith.

20. No suit, prosecution or other legal proceedings shall lie against the Government, the Registrar General, any Registrar or Marriage Officer or any person exercising any power of performing any duty under this Act, for anything in good faith done or intended to be done in pursuance of this Act or any rule or orders made thereunder.

Power to make rules.

21. (1) The State Government may, by notification in the official gazette, make rules to carry out the purpose of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-

(a) the duties and powers of the Registrars of Marriages or Marriage officers;

(b) the forms and the manner in which the registers or records required to be kept by or under this Act shall be maintained;

(c) the custody in which the registers and records are to be kept and the preservation of such registers and records; and

(d) the fee to be paid under the relevant provisions of the Act.

(3) Every rule made under the Act shall immediately after it is made, be laid before the Legislature of the State if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiration of the session in which it is so laid or the session immediately following, the Legislature agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity or anything previously done under that rule.

FORM - A

(See section 12)

MARRIAGE CERTIFICATE

I,……hereby certify that I have registered under the Compulsory Registration of Marriage Act, 2002, the marriage of bridegroom AB with bride CD on this……day of……200…. in pursuance of the memorandum dated the……..day of ……..received by me and the same has been entered as Serial No…….in Page……of the Register of Marriages maintained by me for the year.

Date:

District Registrar of
Marriages/Marriage Office
of the Local Area

Address:

MEMORANDUM OF MARRIAGE

(See section 8)

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

BRIDEGROOM'S PARTICULARS.

3. (a) Full Name of the bridegroom.

   (b) Father's Name/Mother's Name (c) His age at the time of marriage (d) Usual place of residence.

   (e) Address:

   (f) Status of the bridegroom at the time of marriage.

   (Whether unmarried/ widower/divorced).

Signature of the Bridegroom.

WITNESSES:

1. (a) Name.

   (b) S/o, W/o, D/o.

   (c) Age.

   (d) Usual place of residence.

   (e) Address:

Signature of the Witness.

2. (a) Name.

   (b) S/o, W/o, D/o.

   (c) Age.

   (d) Usual place of residence.

   (e) Address:

Signature of the Witness.

BRIDE'S PARTICULARS:

3. (a) Full Name of the bride.

(b) Father's Name/Mother's Name. (c) Her age at the time of marriage. (d) Usual place of residence.

(e) Address:

(f) Status of the Bride at the time of marriage. (Whether Unmarried/Widow/Divorced).

Signature of the Bride.

WITNESSES:

1. (a) Name.

(b) S/o, W/o, D/o

(c) Age.

(d) Usual place of residence.

(d) Address:

Signature of the Witness.

2. (a) Name.

(b) S/o, W/o, D/o.

(c) Age.

(d) Usual place of residence.

(e) Address:

Signature of the Witness.

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