

**HARYANA GOVERNMENT
HOME DEPARTMENT
ORDER**

No. 10/61/2013-2HG-IV

Dated the 1st December, 2016

The Government of Haryana hereby authorize the Common Service Centres or e-Disha Centres established in the Haryana State for carrying out the process Registration of Marriages in Haryana State under the Haryana Compulsory Registration of Marriages Act, 2008 and the Haryana Compulsory Registration of Marriages Rules, 2008, and these instructions will come in force w.e.f. 31.1.2017. (copy enclosed herewith). These instructions and forms would be also made available on Home Department web site www.homeharyana.gov.in.



(Nitin Kumar Yadav)

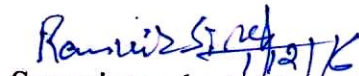
Secretary to Government, Haryana, Home
Department-cum-Chief Registrar Marriages.

No. 10/61/2013-2HG-IV

Dated the 1st December, 2016

A copy of the order is forwarded to the following for information and taking necessary action:-

1. All the Deputy Commission-cum-Additional Chief Registrars in Haryana.
2. All the District Registrars of Marriages in Haryana.
3. All the Registrars of Marriages in Haryana.
4. M.D. Hartron, SCO No. 111-113, Sector-17B, Chandigarh.
5. Principal Secretary to govt. Haryana, Electronics & Information Technology Department.


Superintendent, Home-IV

For Secretary to Government, Haryana, Home
Department-cum-Chief Registrar Marriages

Government Order for Haryana compulsory Marriage registration Act, 2008.

A) References:

Act/Rules

Act: The Haryana Compulsory Registration of Marriages Act, 2008 (Haryana Act No 6 of 2008)

Rule: The Haryana Compulsory Registration of Marriages Rules, 2008

Notifications

Notification No. S.O.71/H.A.6/2008/S.3/2008 issued on 18th August, 2008

Notification No. S.O.72/H.A.6/2008/S.4/2008 issued on 18th August, 2008

Notification No. S.O.73/H.A.6/2008/S.5/2008 issued on 18th August, 2008

Notification No. S.O.31/H.A.6/2008/S.19/2010 issued on 3rd Feb, 2010

Government Order

Order issued vide Endst. No. 10/61/2013-2HG-IV dated December, 2017

1. Introduction

- 1.1 A Marriage certificate is the proof of one's marriage solemnized and registered under the provisions of the Hindu Marriage Act, 1955 and Rules framed under section 8 of the Act by the State Government. Under this Act the registration of marriage was not compulsory. Haryana Government passed the Haryana Compulsory Registration of Marriage Act, 2008, which came into force on 16.07.2008. All marriages irrespective of religion or caste solemnized after the date this Act came into force have to be duly registered, though marriages that have not been registered would not be considered invalid.
- 1.2 The Haryana Govt. has also notified rules regulating the compulsory registration of marriages, namely, the Haryana Compulsory Registration of Marriage Rules 2008 vide notification issued on 18th August, 2008.
- 1.3 As per the Act and Rules framed there under, the Chief Registrar of Marriages in the state is conferred with the duties and powers of registering marriages. Such powers and duties are delegated and exercised by Additional Chief Registrars, District Registrars and Registrars, who are competent to register marriages and issue a marriage certificate, pertaining to their jurisdiction.
- 1.4 A Registrar could register a marriage which is (a) solemnized in his jurisdiction or (b) if either the bride or the bridegroom was resident in the area under his jurisdiction at the time of marriage or (c) both bride and bridegroom are presently residing in their jurisdiction.

2. Effective date

The principles described herein, the competent authorities and the formats of the certificates shall be effective from the date this Order is issued. However, recognizing that the implementation of the supporting Computerized Information System across the state will be taken up in a phased manner, and that citizens should not be inconvenienced during the transition period, it has been decided that the existing practice may continue to be followed alongside until 31.01.2017. Marriage Certificates issued after this date shall be issued strictly in accordance with this Order.

B) Citizen Interface	
1. Eligibility	<p>Every marriage solemnized after the commencement of the said Act, 2008 irrespective of caste, religion or creed of bride and bridegroom shall be registered in the manner as provided in Section 7 of the Haryana Compulsory Registration of Marriage Act, 2008 and the rules framed there under, provided the bridegroom has completed the age of twenty-one years and the bride, the age of eighteen years.</p>
2. Entitlement	<p>The parties to a marriage are entitled to get their marriage registered with registrar of the area concerned in which the marriage was solemnized or the ordinary place of residence of the bride/her parents or the bride groom/ his parent within a period of 90 days from the date of marriage.</p> <p>A marriage has to be registered by the Registrar of Marriages within 90 days of marriage after the Haryana Compulsory Registration of Marriage Act, 2008, has come into force. For the period beyond this limit and other variations, the following conditions would apply:-</p> <ul style="list-style-type: none"> (i) If registration is applied after 90 days upto 365 days of solemnization, the marriage shall be registered only with the permission of District Registrar after obtaining an undertaking from the applicant justifying the cause of delay. (ii) For marriages applied for registration after 365 days of solemnization, permission from the concerned Additional Chief Registrar shall be required. (iii) Persons, whose marriages were solemnized prior to 16th July 2008, may also get their marriage registered if they are residents of the State at the time of registration of the marriage, subject to the terms and conditions as mentioned in the order. Registrar of marriages does not require permission of any higher authority to register such marriage. (iv) Such parties to a marriage, who have married outside the State but are residents of the State, may also get their marriage registered in the State subject to the terms and conditions mentioned in the order. (v) If the marriage is already registered outside the State, it shall not be registered again in the State.
3. Application	<p>The Applicant may approach Common Service Centres, e-Disha Centres, or other service outlets authorized/notified by the government for registration of marriage. The application as in Annexure 3 would be generated from the Computerized System based on data provided by the applicant and all necessary proof documents prescribed along with joint photograph shall be submitted at the time of preparation of the said application and shall be scanned into the system. Original proof documents are required to be carried at the time of personal</p>

	appearance for verification by the registrar as specified in para-9 of Annexure-1.
4. Fee, service charges and time.	The applicant needs to deposit prescribed fee and service charges for registration of marriage as per the Annexure – 2.
5. Grievances	<p>5.1 Where the processes and guidelines described herein do not adequately address a particular situation or have produced an unsatisfactory result, a stakeholder (the applicant/ the verification authority/ the e-Disha or CSCs Operators) should first approach the concerned district Administration.</p> <p>5.2 Any corrections to data will be carried out only after conducting an enquiry by a competent authority. Changes to the database shall be carried in strict conformity with the guidelines laid down by the competent authority.</p>
6. Penalty	A marriage certificate obtained by means of any fraud, misrepresentation or concealment of facts or by some other means shall be declared as invalid/non-est. and the benefit availed by the candidate, if any, shall be withdrawn. A criminal case may also be registered against the applicant for misrepresenting the facts and disciplinary/criminal proceedings may also be instituted against the official/authorised person(s) for incorrect/wrong verification by collusion or otherwise.
C) Government Interface	
1. Competent Authority for Issuance of Marriage Certificate	<p>1.1 The Registrar of Marriage-cum-Tehsildar or Naib Tehsildar shall be the competent authority to issue the marriage certificate to the applicants who were resident or presently residing or their marriage was solemnized in the area under his jurisdiction <u>outside the Municipal limits</u>.</p> <p>1.2 The Executive Officer or any other officer of the Municipal Corporation duly authorized for this purpose shall be the competent authority to register and issue the marriage certificate to the applicants who were resident or presently residing or their marriage was solemnized in the area under his jurisdiction <u>within the Municipal limits</u>.</p>
2. Timelines for delivery of service	As per right to Service Act, Notification dated 15.2.2016.
3. Validity	A marriage certificate once issued shall be valid for the life time of the bride and bridegroom unless they are legally separated (judicial separation) under the relevant law.
4. Relying Party	<p>4.1 To ensure complete authenticity of the data, RPs (Relying Parties) should verify the printed certificate online using the verification link printed on the certificate.</p> <p>4.2 For convenient smart-phones/ tablets based verification, a Q.R. code (Quick Response, a two dimensional bar code) printed on the Certificate giving the verification link. In such cases, this is an alternative method available for the RPs. Please note that a suitable QR</p>

	<p>Code Reader, a general purpose software application, would be required on the smart phones/ tablets to perform this function.</p> <p>4.3 If a digitally signed softcopy of the certificate is presented, RPs should verify the validity of the digital signature and the signing authority before accepting it.</p> <p>4.4 The RPs, at their own discretion and liability, may also accept the printed certificate as-is (with or without a signature of the issuer).</p> <p>4.5 A RP who discovers any fraud or misuse related to the issuance/ use of a Certificate, must report it to the concerned District Administration or to the nearest law enforcement authority along with relevant evidence.</p>
5. General terms and conditions	<p>5.1 The Certificate is usable without any restriction wherever it is accepted (i.e., subject to the relying party's criteria) – and hence no usage/ applicability restrictions will be mentioned on the Certificate.</p> <p>5.2 A Certificate obtained by means of any fraud, misrepresentation or concealment of facts or by some other means shall be declared as invalid/ non-est. and the benefit availed by the candidate shall be withdrawn and a criminal case may be registered against the applicant mis-representing the facts as well as against the officials/ authorized persons for incorrect/ wrong verification by collusion or otherwise. In such event, the certificate shall be marked as invalid in the Database.</p> <p>5.3 The issue of a certificate does not entitle a person holding such certificate to various benefits that may be admissible under various Government Schemes from time to time. Hence, it is important that the authority concerned examines the subject's entitlement to any specific benefit in accordance with the instructions on the subject at any given point in time.</p> <p>5.4 All Haryana Government departments and organizations are required to accept the certificate.</p>
6. Other guidelines	Refer Annexure – 1 for guideline and procedure for registration and issuance of marriage certificate.
7. Repeals/Consolidates	<p>This order consolidates various orders, circulars and notifications mentioned in Part A for streamlining the process for delivery of citizen services in electronic mode.</p> <p>Anything done or any action taken under previous instructions, shall be deemed to have been done or taken under the corresponding provisions of this order.</p>
8. Approving Authority	<p>This Government order is issued with the approval of Additional Chief Secretary, to Government, Haryana, Home Department vide notification/order no _____ dated _____</p> <p>_____</p>

Annexure 1

Procedure for registration and issuance of marriage certificate

1. The application for registration of marriage shall be made in prescribed format specified as Form-I in the Annexure to this order and shall be accompanied by the prescribed fee and late fee as notified under the schedule in Annexure-1. Registration and late fees, are payable under the Treasury account head "Other Receipts -0070 -60-108 -51 -51".
2. All registrations shall require a personal appearance of the applicants and witnesses at the office of the Registrar competent to register the marriage along with the application and necessary documentary evidence/proofs as mentioned in this order.
3. Each office of the Registrar would endeavour to provide a prior appointment on a designated date and time for the personal appearance of the applicant along with the witnesses either telephonically, through a text message (SMS), email or other alternative means giving no less than one day advance notice to the applicant.
4. The applicant would have the choice of adopting a paper based process wherein the prescribed application and other proofs may be submitted to the Registrar in paper form. Alternatively, the application could be submitted electronically through the Common Service Centres, e-Disha Centres or other service outlets authorized/notified by the government where such . The payment of all fees should also be made at the time of submission of application at the treasury or such authorized service outlets.
5. It would however be mandatory to submit the application through the Common Service Centres, e-Disha Centres or other service outlets authorized/notified by the government after the prescribed date in this order.
6. Registrar shall receive and scrutinize application in Form-I for registration of marriages and ensure that all the documents required (as detailed in Form-I) with the application have been received. On being satisfied with the genuineness of the documents submitted, the Registrar shall register the marriage by making entry in the prescribed register as per Form-II.
7. In case of marriage of any Indian citizen solemnized in India with a person of foreign domicile the Registrar shall verify such domiciliary status from the embassy of the country of which he/she claims to be citizen.
8. The parties to a marriage shall prepare and sign memorandum on prescribed form and deliver the same in duplicate to the Registrar of the area concerned in which the marriage was solemnized or the ordinary place of residence of the bride/her parents or the bridegroom/his parents within a period of 90 days from the date of marriage.
9. At the time of personal appearance the following documents are required as proof of marriage:
 - (a) At least two wedding photos, wedding card or certificate from religious institution or priest who solemnized the wedding or **Nikah Naama** or certificate from **Anand Karaj** in **Gurudwara's**.
 - (b) Three joint photos of husband and wife (3 inch x 2 inch photographs i.e. two for marriage certificate and one for office record).

- (c) Proof of residence both bride and bridegroom as specified in the instructions in Form-1
 - (d) Proof of age of both spouses such as Birth certificate or school certificate or medical certificate indicating age or an affidavit/self-declaration regarding age only in cases when birth and school certificates are not available.
10. Where on scrutiny of the documents, the Registrar concerned is satisfied that there is no objection to registering the marriage, he shall register the same within the period as may be prescribed by making an entry in the register, as at Form-II.
 11. Whereas the Registrar before whom the memorandum/application form is presented, on scrutiny of the documents submitted with the application or, on the other facts noticed or brought to his notice, has reason to believe that –
 - a) The marriage between the parties is not performed in accordance with the Personal law of the parties: or
 - b) The identity of the parties of the witnesses or the persons testifying the identity of the parties and the solemnization of the marriage is not established beyond reasonable doubt; or
 - c) The documents tendered before him do not prove the marital status of the parties.
 12. The Registrar, after hearing the parties, refuse to register the marriage if it is not fit for registration and after recording the reasons in writing. In such event, the Registrar shall send the duplicate copy thereof to the District Registrar and may:
 - a) Call upon the parties to produce such further information of documents as deemed necessary, for establishing the identity of the parties and the witnesses or correctness of the information or documents presented to him: or
 - b) If deemed necessary, also refer the papers to the local police station within whose jurisdiction the parties reside, for verification.
 13. Registrar shall register only those marriages for which the applicants fulfil all the conditions as stated above and the application for registration is presented within the stipulated period of ninety days from the date of marriage. In other cases. If it is presented after 90 days, he shall obtain the permission of District Registrar or the Additional Chief Registrar depending upon the period of delay as the case may be.
 14. The Registrar shall issue two copies of the marriage registration certificate in Form IV, free of cost to the couple under his hand and seal, within fifteen days of receiving the application. If applied electronically, a computer generated certificate could be collected from the Common Service Centres, e-Disha Centres or other service outlets authorized/notified by the government.
 15. The Registrar shall send an annual report in Form III to the District Registrar, for each calendar year, by the 15th of January of the subsequent year.

Annexure- 2

Fee, service charges and timelines

Application	Documents required	Eligibility	Timeline for presentation of application	Fee in INR	CSC Fee
Form 1	1. Proof of age and residence of Bride and Bridegroom.	Both bridegroom and bride had completed age of 21 and 18 years respectively at the time of marriage.	1. Within 90 days of marriage.	100/-	20/-
	2. Photographs of marriage.		2. After 90 days and within one year.	150/-	
	3. Three joint photographs of bridegroom and Bride.		3. After one year or marriages solemnized before commencement of the Act 2008 and not registered earlier.	200/-	
	4. If presented after 90 days an undertaking from parties stating reasons for delay.				
Note:	1. All registration fee/ Late fee can either be deposited in the state government treasury under head other receipts - 0070 -60-108 -51 -51 or through a bank draft or postal order payable to the concerned authority. (Service charges as prescribed under the Scheme from time to time)				

Annexure -3

Application cum verification form



**Application-cum-Verification Form
(for Marriage Registration)
हरियाणा सरकार / Government of Haryana**

Joint Photograph

We hereby apply to the Government of Haryana, for registration of marriage as per the particulars below:

	Bridegroom वर	Bride वधु
Name of applicant		
UID No. (*)		
Father's Name		
UID No. (optional)		
Mother's Name		
UID No. (optional)		
Nationality (Indian/Foreign National/NRI) Yes/No		
If yes give the passport No. (*)		
Religion (*)		
Full Address (*)		
Mobile No. /E-mail ID (optional)		
Date of Birth (*)		
Age at the time of Marriage (*)		
Civil condition at the time of marriage (Marital Status) [*]		
Date of Marriage (*)		
Place of Marriage (*)		
Name of Witness (*)		
Address of Witness (*)		

We hereby declare that one of us has Indian Nationality and that all the above details are complete and true to the best of our knowledge and that we bear the liability of any false information provided by us.

Signature of Witnesses (i) _____
(ii) _____

Date: _____
Signature of Applicants: (i) _____
(ii) _____

For Office use

Remarks:

Place of Registration: _____

Full Name of Marriage Registrar _____

Designation _____

Date: _____

Signature _____

Note:- If any additional fields is/are required, the Annexure-3 form can be modified accordingly.

Annexure – 5

Definitions

- a) **“Act & Rules”** refer to The Haryana Compulsory Registration of Marriages Act, 2008 & rules framed there under;
- b) **“CSC”** refers to Common Service Centre(s) established under Haryana e-Seva Scheme, delivering services to the citizens.
- c) **“Service charges”** refers to the charges payable by the service seeker in respect of service
- d) **“VLE”** means Village level Entrepreneur and refers to a private person who is responsible for operating and managing the CSC.
- e) **“Registrar”** means Registrar of marriage appointed by a State government under the Act and rules.
- f) **“Chief Registrar/Additional Chief Registrar and District Registrar”** means the Chief Registrar/Additional Chief Registrar and District Registrar of marriages appointed by the State Government under the Act.
- g) **“Marriage”** means to solemnize or enter into a marriage in any form or manner and includes re-marriage.
- h) **“Prescribed”** means prescribed by rules under the Act.
- i) **“Priest”** means any person who solemnizes a marriage.
- j) **“Relying Parties”** refers to the Authorities considering Marriage certificate for any official purpose or extending any benefit under any Govt. Scheme
- k) **“Scheme”** refers to notification by Haryana Govt. for providing citizen services known as the Haryana e-Seva Scheme Common Services Centres, 2014.