

BOMBAY REGISTRATION OF MARRIAGES RULES, 1954

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BOMBAY REGISTRATION OF MARRIAGES RULES, 1954

In exercise of the powers conferred by section 13 of the Bombay Registration of Marriages Act, 1953 (Bom. V of 1954), the Government of Bombay is pleased to make the following Rules, namely:-

1. Short title. :-

These Rules may be called the BOMBAY REGISTRATION OF MARRIAGES RULES, 1954 .

2. Form of register and manner of keeping it :-

(1) The register to be maintained under sub-section (4) of section 5 shall be in form of a paste book consisting of blank butts serially numbered.

(2) The Registrar shall certify under his signature on the title page of every blank register issued to him, the number of pages actually contained in such register and shall note the date on which the register was received by him.

(3) The registers used by the Registrar shall be numbered serially beginning with the figure "I".

3. Filing of memoranda :-

Each memorandum received by the Registrar under sub-section (1) of section 5 or ¹ Section 5A shall be filed by him in the register by pasting it on the first blank butt available in his current register.

1. Ins. by G.N. of 23.12.1955.

3A. Fees for memorandum under section 5-A :-

¹ Every memorandum submitted under Section 5A shall be accompanied by a fee of-

(a) three rupees, if the memorandum is submitted within three months after the expiry of thirty days from the date of marriage;

(b) five rupees, if submitted any time thereafter.]

1. Ins. by G.N. of 23.12.1955.

3B. Filing of certified copy :-

¹

(1) The certified copy of every decree for divorce or nullity or dissolution of marriage received by the Registrar under rule (22) of the Hindu Marriage and Divorce Rules, 1955 made under the Hindu Marriage Act, 1955 (25 of 1955), shall be filed by him in the register by pasting it on the first blank butt available in his current register.

(2) On or before the fifth day of each month, the Registrar shall send by Registered Post to the Registrar-General an extract from the certified copy in the following form namely:-

"An extract from the certified copy of decree for divorce or nullity or dissolution of marriage"

Name of the husband	Place of residence	Name of wife	Place of residence	Place of marriage	Date of decree	Reference to decree
1	2	3	4	5	6	7

Dated the _____ Day of _____ 19

Registrar of Marriages.

1. Ins. by G.N. of 4.3.1976.

4. Duplicates. :-

On or before the fifth day of each month, the Registrar shall send

by Registered Post to the Registrar-General all duplicate copies of the memoranda received by him during the preceding month, after signing at the end of the last of such copies a certificate in the following form namely

5. Form of endorsement on the memorandum. :-

Each memorandum and its duplicate shall be endorsed by the Registrar with the following endorsement on the reverse thereof, namely [Here insert the amount received in accordance with the provisions of section (3) of the Act or rule 3-A of these Rules, as the case may be.]

6. Form of receipt. :-

The Registrar shall pass a receipt for each amount received by him in the following form namely

7. Filing und indexing by Registrar-General :-

(1) On receipt of the duplicate copies of memoranda sent under sub-section (4) of Section 5 or ¹ Section 5A or the extract from the certified copy of the decree for divorce or nullity or dissolution of marriage under rule 3B] the Registrar- General shall file them (by passing) in the registers similar to those maintained by the Registrars. All entries in the Registrar-General's registers shall be indexed in two different forms, as under:-

(2) the names in both the indices shall be arranged alphabetically.

1. Subs. by G.N. of 4.3.1976.

8. Power of Registrar to require parties to rectify the defect i n memorandum or to send to the Registrar having jurisdiction. :-

¹[(1) If any memorandum received by a Registrar under Section 5 or Section 5A is not accompanied by a duplicate thereof, or the appropriate fee or if the memorandum is defective in any respect, the Registrar shall require the parties to the marriage to furnish the duplicate or to pay the proper fee, or to remedy the defect, as the case may be, within such time as may be specified by him.]

(2) If the Registrar receiving such memorandum has no jurisdiction to receive the same he shall send the memorandum to the Registrar having such jurisdiction and to inform the persons who had sent or delivered the memorandum accordingly.

2 [(3) If the Registrar receiving such memorandum has no jurisdiction but inadvertently files the same in the register maintained by him, he shall send a certified copy thereof together with the copy of endorsement of filing and inform the persons who had sent or delivered the memorandum accordingly. He shall then make a suitable endorsement on the memorandum indicating the action taken by him and for cancellation of registration from his register.

(4) The Registrar on receiving a certified copy of the memorandum under sub-rule (3), shall file it in the register maintained by him without levying any additional fee and report the action taken by him to the Registrar-General.]

1. Subs. by G.N. of 23.12.1955.

2. Ins. by G.N. of 11.11.1957.

9. Superintendence. :-

The Registrars shall perform their duties and exercise their powers under the general superintendence of the Registrar-General.

10. Crediting fees :-

All the fees received by the Registrars shall be credited to Government.

11. Supply of forms of memorandum :-

(1) Blank forms of memorandum shall be supplied free of charge to the parties to a marriage by the Registrar.

1 [(2) The Registrar may also supply free of charge to any priest or to a talati, patil, school teacher or to any municipality or Municipal Corporation a reasonable number of blank forms provided that each priest, talati, patil, school teacher or any municipality or Municipal Corporation undertakes to render an account of the forms, when requesting for a further supply of such forms.]

1. Subs. by G.N. of 28.3.1956.

12. Preservation of registers and records :-

(1) The registers maintained in the office of the Registrar and the Registrar-General as well as the indices maintained in the office of the Registrar-General shall be preserved permanently.

(2) the records and papers mentioned below shall be destroyed after the expiry of the period specified against them:-

Nature of records	Period years
1. Receipt book (foll)	10
2. Postal acknowledgement receipts in respect of duplicates of memoranda sent to the Registrar-General.	5
3. Applications for extracts from the register	5
4. Cash book	10
5. Account of blank books and forms	51