

AS INTRODUCED IN THE RAJYA SABHA
ON 8TH DECEMBER, 2023

Bill No. XCVIII of 2022

THE MARRIAGE BUREAU (REGULATION) BILL, 2022

A

BILL

to provide for regulation of marriage bureaus for prevention of malpractices and misuse of marriage registration facility and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-third year of the Republic of India as follows:—

1. (1) This Act may be called the Marriage Bureau (Regulation) Act, 2022.

Short title and
Commencement.

(2) It shall come into force on such date as the Central Government may, by
5 notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “appropriate Government” means in the case of a State, the Government of that State and in other cases, the Central Government;

(b) “identity proofs” means any of the following,—

- (i) valid passport;
- (ii) voter Identity Document;
- (iii) Aadhaar Card;

(iv) any photo identity card issued by the State Government or the Central Government or Public Sector Undertakings or banks; 5

(c) "marriage" includes a re-marriage duly instituted as per the existing laws;

(d) "marriage bureau" means a bureau or institution consisting of a person or group of persons, which carries on the activity of helping the unmarried persons including divorcees, widows and widowers, desirous of getting married, registered with the bureau, in finding a suitable match for them by arranging to bring them together; 10

(e) 'parties' means the husband and wife whose marriage has been solemnized;

(f) 'prescribed' means prescribed by rules made under this Act;

(g) 'Registrar' means a Registrar of Marriage Bureaus and Marriages appointed under this Act; 15

(h) 'Registrar-General' means the Registrar-General of Births, Deaths and Marriages appointed by the appropriate Government under the Births, Deaths and Marriages Registration Act, 1886. 6 of 1886.

Appointment of Registrar of Marriage Bureaus and Marriages.

3. (1) The appropriate Government may, by notification in the *official Gazette*, appoint as many persons, as it may consider necessary to be the Registrar of Marriage Bureaus and Marriages for such area or areas as may be specified in such notification; 20

(2) The Registrar shall exercise such powers and duties as may be prescribed and shall work under the general superintendence and control of the Registrar-General.

Marriage bureaus and marriages to be registered.

4. From the date of coming into force of this Act, every marriage bureau and every marriage in the country shall be registered with the Registrar of Marriage Bureaus and Marriages. 25

Registration of marriage bureaus and marriages.

5. (1) Any person or group of persons desirous of conducting or running a marriage bureau shall apply for registration of such marriage bureau to the Registrar, in such manner with such fees and documents as may be prescribed.

(2) The Registrar shall, upon reviewing an application received under sub-section (1), after scrutiny thereof, register such marriage bureau and grant a certificate of registration to such bureau, in the prescribed form. 30

(3) The registration certificate so granted shall be displayed prominently by such bureau in its registered office premises.

(4) Every such marriage bureau shall renew its registration after every two years from the date of grant of such certificate on payment of the prescribed renewal fee. 35

(5) No marriage bureau shall carry on or conduct its activities as the marriage bureau, except at its registered office as specified in the registration certificate granted under sub-section (2).

(6) Every marriage bureau shall conduct its activities strictly as per the terms and conditions of the registration granted under sub-section (2). 40

(7) Contravention of any of the provisions of the Act by a marriage bureau shall make the registration of such bureau liable for cancellation:

Provided that registration of a marriage bureau shall not be cancelled without giving a reasonable opportunity of being heard, to the concerned bureau. 45

(8) Any marriage bureau aggrieved by the order of the Registrar refusing to register or renew the registration of the bureau or regarding cancellation of the registration may, appeal against such order to the Registrar-General in such manner as may be prescribed.

5 **6.** (1) It shall be mandatory for every marriage bureau to obtain a copy of a valid identity proof from every desirous to be registered with the bureau and to maintain a record of the parties in such form and manner as may be prescribed. Duties of marriage bureau.

(2) Privacy of information shared by the parties with the marriage bureau shall be maintained by the marriage bureau and shall only be furnished to law enforcing, investigating or Government agencies upon a written request received therefrom.

10 (3) No marriage bureau shall convert or attempt to convert, either directly or otherwise, any other person from one religion to another by use or practice of misrepresentation or any fraudulent means, or by promise of marriage, nor shall any person abet to or conspire for such conversion.

15 **7.** For the purpose of facilitating the proof of marriages, the Registrar shall provide that the parties to any such marriages shall have the particulars of their marriages entered in such manner and subject to such condition as may be prescribed. Registration of particulars of marriage.

8. Consultancy fee payable to the marriage bureau by the parties shall be a reasonable amount which shall be fixed by the Registrar-General in the manner as may be prescribed. Consultancy fee.

20 **9.** Whoever contravenes or attempts to contravene or abets the contravention of the provisions of this Act, shall be punished with a fine which may extend to ten thousand rupees for the first violation and up to twenty five thousand rupees for second and subsequent violations. Penalty.

10. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, for the time being in force, relating to marriage bureaus. Overriding effect of the Act.

25 **11.** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force. Act not to be in derogation of any other law.

12. (1) The Central Government or the State Government may by notification in the Official Gazette make rules for carrying out the purpose of this Act. Power to make rules.

30 (2) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that rule should not be made, the rule shall thereafter have effect only in
35 such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Marriage bureaus are popular match making services in India where parties interested in marriage register their names with them and the bureau suggests to them suitable matches from their database. Most marriage bureaus are community based where one can easily find a partner as per their liking, mother tongue, country, religion, occupation and more. The matches are suggested by the bureaus directly to the candidates or the parents of the candidates when they visit the bureau or through correspondence, emails and phone calls. Some marriage bureaus arrange meetings between suitable matches as well. Running a marriage bureau may also be a good source of income as the expenses are low while the income is high. Many marriage bureaus in cities like Mumbai, Delhi, Pune and Bangalore charge between one thousand to five thousand rupees for each registration.

In some Indian States, registration of marriage bureaus is being done as per established laws. But in most States, services by bureaus are being misused for making false promises or false profile of marriage. Besides some of the marriage bureaus do not keep the personal information of the parties secured and confidential. Further, marriage bureaus do not have stringent 'Know Your Customer'(KYC) procedures in place and hence, readily accept documents or facts provided by fake profiles which result in commission of fraud. Therefore, it is imperative to provide for regulation of marriage bureaus in India in order to prevent malpractices and misuse of marriage registration facility as well as to maintain a record of parties with sufficient proof alongwith other details.

Thus, there is an urgent need to provide registration and regulation of marriage bureaus.

Hence, this Bill.

DR. ANIL SUKHDEORAO BONDE.

FINANCIAL MEMORANDUM

Clause 3 of the Bill *inter-alia* provides for appointment of Registrar of Marriage Bureaus and Marriages. Therefore, if enacted, this Bill would involve expenditure from the Consolidated Fund of India. However, it is difficult to estimate the actual financial expenditure likely to be incurred at this stage.

MEMORANDUM OF DELEGATED LEGISLATION

Clause 12 of the Bill empowers the Central Government and the State Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of details only, the delegation of legislative power is of normal character.

RAJYA SABHA

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misuse of marriage registration facility and for matters connected therewith
or incidental thereto.

(Dr. Anil Sukhdeorao Bonde, M.P.)