

AS INTRODUCED IN THE RAJYA SABHA  
ON THE 18TH DECEMBER, 2009

**Bill No. XLIV of 2009**

**THE COMPULSORY REGISTRATION OF MARRIAGES BILL, 2009**

A

BILL

*to provide for compulsory registration of all marriages irrespective of caste, religion and creed in the country and for matters connected therewith and incidental thereto.*

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

**1.** (1) This Act may be called the Compulsory Registration of Marriages Act, 2009.

Short title,  
extent and  
commence-  
ment.

(2) It extends to the whole of India.

(3) It shall come into force at once.

5 **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 other cases, the Central Government.

(b) “prescribed” means prescribed by rules made under this Act.

Registration of marriage.	<b>3.</b> (1) Every marriage performed in the country shall be compulsorily registered within one month of the date of marriage.	
	(2) The age of marriage shall be twenty four years for male and eighteen years for female.	
Authorities for registration of marriages.	<b>4.</b> The marriages shall be registered— (a) in the office of village Panchayat in the rural areas; (b) with the Sub-Registrar or Tehsildar, or such Municipal Authority, who may be authorized by the appropriate Government in this behalf, in the urban areas: Provided that where there is no Panchayat, the marriage shall be registered with the nearest Sub-Registrar or Tehsildar who may be authorized in this behalf.	5 10
Maintenance of marriage register.	<b>5.</b> (1) The particulars of the marriage to be entered in the marriage register to be maintained by the Panchayat, Sub-Registrar or Tehsildar or Municipal Authority, as the case may be, and the form and manner in which such particulars shall be entered, shall be such as may be prescribed. (2) The appropriate Government shall also prescribe the documents relating to marriage to be furnished for record at the time of registration.	15
Issuance of marriage certificate.	<b>6.</b> The registering authority shall issue a certificate of marriage recording the age of the male or female and this certificate shall be valid proof of marriage for all practical purposes.	
Marriage solemnised without registration to be null and void.	<b>7.</b> The marriage solemnised without the registration shall be null and void.	20
Penalties.	<b>8.</b> Any person violating the previous of this Act the rules there under shall be debarred from such government schemes, as may be prescribed by the appropriate Government in this behalf.	
Savings.	<b>9.</b> The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force regulating any of the matters dealt with in this Act.	25
Power to make rules.	<b>10.</b> The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.	

#### STATEMENT OF OBJECTS AND REASONS

There are number of people who are married and are not registered with any Government agency. There have been reports that large sections of men desert women after marriage. Thus, a lot of women are being unnecessarily harassed. There are people who take money from the foreigners, sell their daughters, get them married, who are later on deserted. Number of such cases have come to the notice of the Central and State Governments. Large number of foreigners come and marry only to desert their wives later.

There are number of States where child marriages are still taking place and there is no check on these child marriages by the Central Government or the State Governments. These marriages are mostly unsuccessful. Many women organizations in the country have opposed such practice and have demanded that the Government should check child marriages.

As there is no such compulsion for registration of marriage, it is necessary that the State Governments and the Central Government should make a provision to register all the marriages that have taken place in the country. So, all marriages, in whatever form they are performed should be registered in all the States/UTs in the country. To save women from harassment, it is necessary to have a law for registration of marriages.

The Supreme Court has also urged the Central Government and State Governments to enact a law registration of marriages.

Hence this Bill.

DR. T. SUBBARAMIREDDY

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the matter will relate to detail only, the delegation of legislative power is of a normal character.

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*(Dr. T. Subbarami Reddy, M.P.)*