

MANIPUR GAZETTE



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GOVERNMENT OF MANIPUR
SECRETARIAT : LAW & LEGISLATIVE AFFAIRS
DEPARTMENT

NOTIFICATION

Imphal, the 30th October, 2013

No. 2/7/2008-Leg/L : The following Act of the Legislature, Manipur which received assent of the President of India on 18-10-2013 is hereby published in the Official Gazette :

THE MANIPUR COMPULSORY REGISTRATION OF MARRIAGES ACT, 2008 (Manipur Act No. 11 of 2013)

An
Act

to provide for compulsory registration of marriage solemnised in the State of Manipur irrespective of caste, religion and creed and for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Manipur in the Fifty ninth Year of the Republic of India as follows:

CHAPTER 1

1. **SHORT TITLE, EXTENT AND COMMENCEMENT -**
 - (1) This Act may be called the Manipur Compulsory Registration of Marriages Act, 2008.
 - (2) It extends to the whole of the State of Manipur.
 - (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
2. **DEFINITIONS -** In this Act, unless the context otherwise requires -
 - (a) "marriage" includes all the marriages contracted or solemnized by persons belonging to any caste, religion or creed and the marriages solemnized or contracted as per any custom, practices or traditions and also includes re-marriages;
 - (b) "memorandum" means a memorandum of marriage mentioned in section 5;
 - (c) "parties" means the husband and wife whose marriage has been solemnized;
 - (d) "prescribed" means prescribed by rules made under this Act;

- (e) "register" means a register of marriages maintained under this Act;
- (f) "Registrar" means a Registrar of marriages appointed under section 4;
- (g) "Registrar General " means the Registrar General of Marriages, appointed by the State Government in that behalf under the Births, Deaths and Marriages Act, 1886 or any other law for the time being in force;
- (h) "State Government" means the State Government of Manipur;
- (i) "to contract a marriage" means to solemnize or enter into a marriage in any form or manner in accordance with any custom, practices or traditions in force.

CHAPTER II REGISTRATION OF MARRIAGE

3. **EVERY MARRIAGE IN THE STATE TO BE REGISTERED -**
After the date on which the provisions of this Act have been brought into force under sub-section (3) of section 1, every marriage contracted in the State shall be compulsorily registered in the manner provided in section 5.
4. **APPOINTMENT OF REGISTRAR OF MARRIAGES, ETC. -**
 - (1) For the purpose of this Act, the State Government may, by notification, appoint, as many Registrars of Marriages as it thinks necessary for such area or areas as may be specified in the notification.
 - (2) The Registrar shall maintain in the prescribed manner a register of marriage and such other registers as may be prescribed.
5. **MEMORANDUM OF MARRIAGE -**
 - (1) The parties to a marriage to which section 3 applies, shall prepare and sign a memorandum in the form as may be prescribed and deliver or send by registered post the said memorandum in duplicate to the Registrar of the area in which the marriage was contracted within a period of three months from the date of marriage.
 - (2) The memorandum shall be accompanied by the prescribed fee in the form of court fee stamps and shall be attested by a prescribed person or signed by two witnesses.
 - (3) On receipt of the memorandum, the Registrar shall file the same, enter the particulars thereof in the register, send the duplicate copy thereof to the Registrar General and issue a marriage certificate in such form and manner as may be prescribed.
6. **MEMORANDUM OF MARRIAGE SUBMITTED AFTER THREE MONTHS-**
 - (1) The Registrar may suo-motu or otherwise issue notice to the parties to a marriage which has not been registered under this Act, to appear before him and get the memorandum of marriage signed and delivered with the prescribed fee in such manner and within such time as may be specified in the notice.
 - (2) On receipt of a memorandum under sub-section (1) the Registrar shall file the same, enter the particulars thereof in the register, send the duplicate copy thereof to the Registrar General and issue the marriage certificate as provided in section 5.
7. **MARRIAGE CERTIFICATE TO BE GIVEN TO THE COUPLE -**
 - (1) The Registrar shall, as soon as the registration of marriage has been completed, give free of cost, to the couple a Certificate of Registration of the marriage in the form as may be prescribed under his hand and seal.

- (2) Such certificate issued by the Registrar shall be conclusive proof of registration of the said marriage.

8. MAINTENANCE OF REGISTERS AND RECORDS -

- (1) Every Registrar shall keep in the prescribed form a register of Marriage Registrations made in the area under his jurisdiction.
- (2) The Registrar General of Marriages shall from time to time cause to be printed and supplied to the Registrars sufficient number of registers in the prescribed form.

9. REGISTER TO BE OPEN FOR PUBLIC INSPECTION -

The Register maintained under this Act shall at all reasonable time, be open for inspection, and certified extracts therefrom shall, on application, be given by the Registrar on payment by the applicant of a fee as may be prescribed for each such extract.

10. REGISTRAR TO SEND PERIODICAL RETURNS TO THE REGISTRAR GENERAL FOR COMPILATION -

Every Registrar shall send to the Registrar General of Marriages or to any Officer authorized by him at such interval and in such form as may be prescribed, a return regarding entries of marriage registrations in the register kept by such Registrar.

11. NON-REGISTRATION NOT TO INVALIDATE THE MARRIAGE -

No marriage contracted in the State shall be deemed to be invalid solely by reason of the fact that it was not registered under this Act or that the memorandum was not delivered or sent to the Registrar or that such memorandum was defective, irregular or incorrect.

**CHAPTER III
OFFENCES AND PENALTIES**

12. PENALTY FOR OMISSION TO DELIVER OR SEND MEMORANDUM UNDER SECTION 5 OR FOR MAKING FALSE STATEMENT IN MEMORANDUM -

- (1) Any person who, -
- (a) after the appointed day, willfully omits or neglects to deliver or send the memorandum as required by section 5;
 - (b) makes any statement in a memorandum delivered or sent to the Registrar under section 5 or under section 6 is false in any material particular and which he knows or has reason to believe to be false;
- shall be punishable with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both.

- (2) The Registrar or any officer authorised by the State Government in this behalf may prosecute any person for an offence punishable under sub-section (1).

3. PENALTY FOR FAILURE TO FILE A MEMORANDUM -

Any Registrar who willfully fails to file a memorandum delivered or sent to him or to make entries in the register as required by section 5 or section 6 shall be punishable with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both.

4. PENALTY FOR CONCEALING, DESTROYING OR ALTERING REGISTER-

Any person concealing, destroying or dishonestly or fraudulently altering the memorandum or the register or any part thereof shall be punishable with imprisonment for a term which may extend to two years and with fine which may extend to two thousand rupees.

**CHAPTER IV
MISCELLANEOUS**

REGISTRAR TO BE PUBLIC SERVANT -

Every Registrar shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (No. XLV of 1860).

PROTECTION OF ACTION TAKEN IN GOOD FAITH -

No suit, prosecution or other legal proceedings shall lie against the State Government, the Registrar General of Marriages, any Registrar or any person exercising any power or performing any duty under this Act, for anything which is done or intended to be done in good faith in pursuance of this Act or any rules or orders made there under.

POWER TO MAKE RULES -

- (1) The State Government may, by notification in official Gazette, make rules for carrying out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any the following matters, namely :-
 - (a) the duties and powers of the Registrar General of Marriages and the Registrars;
 - (b) the forms and the manner in which memorandum under sections 5 and 6 shall be filed, and registers or records required to be kept by or under this Act;
 - (c) the custody in which the registers and records are to be kept, and the preservation of such registers and records;
 - (d) the fees to be paid under the relevant provisions of this Act.

- (3) Every rule made under this Act shall be laid, as soon as may be after it is made before the Legislative Assembly of Manipur, while it is in session, for a total period of thirty days which may comprise in one session or in two more successive sessions, and if, before the expiry of the session immediately following the session of successive sessions aforesaid, the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall thereafter have effect only in 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.

18. APPLICATION OF OTHER LAWS NOT BARRED-

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.

TH. KAMINI KUMAR SINGH,
Joint Secretary (Law),
Government of Manipur.