

GOVERNMENT OF JAMMU AND KASHMIR
Department of Law, Justice and Parliamentary Affairs
(Legislation Section) Civil Secretariat
Jammu/ Srinagar

Notification
Srinagar, the **30th November, 2023**

S.O **597**.— In exercise of the powers conferred by section 6 of the Anand Marriage Act, 1909 (Central Act 7 of 1909) read with Government of India, Ministry of Home Affairs Notification S.O. 1467(E) dated 19th April, 2016, the Lieutenant Governor of the Union Territory of Jammu and Kashmir is hereby pleased to make the following Rules for the purposes of Registration of Anand Marriages in the Union Territory of Jammu and Kashmir, namely,—

1. Short title and commencement.— (1) These rules may be called the Jammu and Kashmir Anand Marriage Registration Rules, 2023.

(2) These rules shall come into force from the date of its publication in the Official Gazette.

2. Definitions.— (1) In these rules, unless the context otherwise requires,—

- (a) “**Act**” means the Anand Marriage Act, 1909 (Central Act 7 of 1909);
- (b) “**Anand Marriage**” means a Sikh Marriage commonly known as “Anand Karaj” solemnized by “Anand” under the provisions of the Act;
- (c) “**Chief Registrar of Marriages**” means the Secretary to Government, Department of Law, Justice and Parliamentary Affairs;
- (d) “**District Registrar**” means the Deputy Commissioner of the concerned district;
- (e) “**Foreign National**” means any person who is not Indian Citizen and shall include Persons of India Origin (PIO) and Overseas Citizens of India (OCI);
- (f) “**Form**” means the form appended to these Rules;
- (g) “**Government**” means the Government of Union Territory of Jammu and Kashmir;

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(h) **“Non-resident Indian (NRI)”** means a person of Indian origin, who is either permanently or temporarily settled outside India for any of the following purposes:-

- (i) for or on taking up employment outside India; or
- (ii) for carrying on a business or vocation outside India; or
- (iii) for any other purpose as would indicate his/ her intention in such circumstances to stay outside the territorial limits of India for an uncertain or determined period for fulfilling or completing such purpose.

(i) **Parties** to the marriage mean both Bride and Groom.

(j) **“Register”** means a register of Anand Marriages maintained by the Registrar of Marriages;

(k) **“Registrar of Marriages”** means a Tehsildar within the respective territorial jurisdiction; and

(l) **“Relations”** means the family members of the Bridegroom and the Bride apart from their parents, namely:-

- (i) paternal and maternal grandfather/ grandmother;
- (ii) uncle and Aunt;
- (iii) brother;
- (iv) sister; and
- (v) cousin.

(2) The words and expressions used in these rules, but not defined, shall have the meanings as assigned to them in the Act.

3. Authorization of Registrar.—For the purpose of registration of Anand Marriage solemnized within the Union Territory of Jammu and Kashmir, the Tehsildars concerned shall be the Registrar of Anand Marriages within their respective territorial jurisdiction.

4. Jurisdiction.— The Anand Marriage shall be registered with the Registrar within whose jurisdiction such marriage is solemnized.

5. Presentation of memorandum for Registration of Marriage.— (1) The parties to an Anand Marriage or any of their parents or relations, as the case may be, shall present the memorandum in Form-I before the Registrar of

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Marriages concerned, for registration of marriage within a period of three months from the date of such marriage.

(2) If one of the parties to the marriage is non-resident Indian, in that case, they shall attach all necessary information as specified in the Form II, along with the memorandum of marriage in Form-1.

(3) The memorandum shall be accompanied with a fee of rupees one thousand and five hundred in the form of court fee stamps.

(4) The Registrar of Marriages, after satisfying himself as per provisions of Rule 7 shall register the marriage within a period of one month from the date of receipt of the memorandum for the purpose.

6. Memorandum submitted after the stipulated period.— (1) In case the parties to an Anand Marriage or any of their parents or relations, as the case may be, submit memorandum for registration of marriage to the Registrar of Marriage concerned:-

- (i) after the expiry of a period of three months but not after a period of six months from the date of solemnization of the marriage, such marriage shall be registered subject to the payment of a late fee of rupees two thousand in addition to the fee, as specified in sub-rule (3) of rule 5 ; and
- (ii) after the expiry of a period of six months but within a period of one year from the date of solemnization of the marriage, such marriage shall be registered only after obtaining the written permission of the District Registrar concerned subject to payment of a late fee of rupees three thousand in addition to the fee as specified in sub-rule (3) of rule 5 and
- (iii) after a expiry of period of one year or above, from the date of solemnization of the marriage, such marriage shall be registered only after obtaining the written permission of the Chief Registrar of Marriages subject to the payment of a late fee of rupees five thousand in addition to the fee as specified in sub-rule (3) of Rule 5.

(2) The parties referred above in sub-rule (1), shall submit their memorandum along-with an affidavit (duly attested by the Notary or any other

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officer authorized by the Government) describing the reasons for its late submission.

7. Verification and Registration of Anand Marriage.— (1) Where on verification and scrutiny of the Memorandum and documents received under sub-rule (1) or sub-rule (2) of Rule 5, the Registrar is satisfied that the marriage has been duly solemnized, he shall enter the particulars of the marriage in the register and issue a certificate of Anand Marriage in Form III.

(2) Where the Registrar has reason to believe that:-

- (a) the marriage between the party is not an Anand Marriage; or
- (b) the identity of the parties or the witnesses testifying the solemnization of the marriage is not established; or
- (c) the documents tendered before him do not prove the marital status of the parties; or

he shall, call upon the parties to produce such further information or documents as he may deemed necessary, for establishing the identity of the parties and witnesses or correctness of the information or documents presented to him/her within a period of 30 days from the receipt of Memorandum.

8. Refusal of Registration of Anand Marriage.— The Registrar shall, for the reasons to be recorded in writing, refuse the registration of Marriage, if the parties to the marriage fail to comply with the directions issued by him under sub-rule (2) of Rule 7.

9. Issuing of Certificate of Marriage.—The Registrar shall provide two copies of certificate of Anand Marriage to the parties, free of costs within 15 days from the date of registration of marriage.

10. Correction or cancellation of entry in the Marriage Register.— If the Registrar, either *suo-moto* or on receipt of an application from any person, finds that any entry in the Register of Marriages is erroneous in form or substance or has been fraudulently or improperly made, he may correct or cancel, as the case may be, such entry in the register maintained for the purpose, after passing a speaking order in this behalf and make an entry to the effect in the remarks column of such Register :

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Provided that the parties concerned shall be given a reasonable opportunity of being heard, before passing of such an order by the Registrar of Marriages, for such correction or cancellation, as the case may be, of entry in the register pertaining to such marriage.

11. Appeal.— (1) Any person aggrieved of an order passed by the Registrar, may file an appeal within a period of thirty days from the date of passing of such order to the District Registrar on payment of fee of rupees one thousand in form of court fee stamps:

Provided that the delay, if any, in filing such appeal may be condoned for the reasons to be recorded in writing by the District Registrar, if the District Registrar is satisfied that the applicant had sufficient cause and reasons for not preferring the appeal with the specified period.

(2) The District Registrar shall, after giving opportunity of hearing to the parties concerned, dispose of the appeal preferably within the period of fifteen days.

(3) Any person aggrieved of an order passed by the District Registrar of Marriages, may file a second appeal to the Chief Registrar of Marriages within a period of sixty days from the date of receipt of copy of such order on payment of a fee of rupees five hundred in the form of court fee stamps.

12. Submission of report of the marriages registered.— (1) The District Registrar of Marriages shall prepare a report of the marriages solemnized in Union Territory of Jammu and Kashmir, in Form-IV and submit the same to the Chief Registrar of Marriages on quarterly basis.

(2) The Chief Registrar of Marriages, shall issue directions to the District Registrar and the Registrar of Marriages regarding maintenance of records/ registers, from time to time, as he deems fit.

(3) The Chief Registrar of Marriages may direct the District Registrar to periodically inspect the records of the Registrar of Marriages, Union Territory of Jammu and Kashmir.

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(4) The Registrar of Marriages shall also forward particulars of the corrections made under Rule 10 with the date of correction and a copy thereof to the District Registrar.

13. Maintenance of Register of Marriages.— Every Registrar of Marriages shall maintain an Anand Marriage Register in Form-IV in English language.

By Order of the Lieutenant Governor.

S/d-

(Achal Sethi)

Secretary to the Government

No: LAW-Leg/2/2021-10[14916]

Dated 30 - 11 -2023

Copy to the:

1. Ld. Advocate General, J&K.
2. All Financial Commissioners /(Additional Chief Secretaries)
3. Director General of Police, J&K.
4. All Principal Secretaries to Government.
5. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
6. Joint Secretary (JKL), Ministry of Home Affairs, Government of India.
7. Principal Resident Commissioner, 5 Prithvi Raj Road, New Delhi.
8. All Commissioner/ Secretaries to Government.
9. Chief Electoral Officer, J&K.
10. Divisional Commissioner, Kashmir/Jammu.
11. Principal Secretary to the Lord Chief Justice, High Court of Jammu and Kashmir and Ladakh.
12. Registrar General, High Court of Jammu and Kashmir and Ladakh.
13. Custodian General, J&K
14. Inspector General of Registration, J&K.
15. All Principal and District Session Judges of UT of J&K.
16. All Deputy Commissioners of UT J&K.
17. Director Information and Public Relations, J&K.
18. Director Archives, Archaeology and Museums, J&K.
19. Secretary, Jammu and Kashmir Legislative Assembly, Jammu/ Srinagar.
20. General Manager, Government Press, Jammu/ Srinagar for publication in the Jammu and Kashmir Official Gazette. He is also requested to provide 50 copies of the same to Law Department.
21. Director Litigation, Jammu/ Srinagar.
22. All Tehsildars UT of J&K.
23. Private Secretary to the Chief Secretary, J&K.
24. Private Secretary to the Secretary to Government, Department of Law, Justice and Parliamentary Affairs.
25. I/C Website of Department of Law, Justice and Parliamentary Affairs.

(Reyaz Ali Bhat)

Assistant Legal Remembrancer
Department of Law Justice and P.A

Reyaz Ali Bhat
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FORM-I
[See Rule 5]

REGISTER OF ANAND MARRIAGES

1. Date of Marriage:-

| | | |
|-----------------------|----------------------------------|----------|
| 2. Place of Marriage: | Particular of Village/ Town/City | District |
|-----------------------|----------------------------------|----------|

Signature of the Husband

Photo of the Husband
to be affixed.

Photo of the wife to
be affixed.

Signature of the Wife

3. Details of Parties to the Marriage (As on the date of marriage)

| Details | Husband | Wife |
|--|---------|------|
| (a) Name in full (in capital letters) | | |
| (b) Nationality | | |
| (c) Age and date of birth (sufficient proof shall be produced) | | |
| (d) Parmanent address: | | |
| (e) Present address: | | |
| * (f) Previous marital status Unmarried Widower Widow Divorced | | |
| (g) Name and Address of father | | |
| (h) Name and Address of mother | | |

* Put () mark on whichever is applicable.

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4. Witness of solemnization of marriage

1. (a) Name:

(b) Address:

Signature with date

2. (a) Name:

(b) Address:

Signature with date

SPACE FOR OFFICE USE

5. Date of Receipt of memorandum.....

6. Details of Documents/ records/ proof of marriage required under rule 6 :

Date:

Registrar

Registration No. /(year)

Date.....

Registrar

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FORM II
[See Rule 5 (2)]

In case of any marriage, where one of the parties is Non - Resident Indian or Foreign National.

It shall be mandatory for such parties to disclose and mention in writing the following details:

| |
|--|
| 1. His/her Passport Number: |
| 2. Name and place of the Passport Issuing country: |
| 3. Validity of Passport: |
| 4. Permanent Residential address in the Country of current overseas adobe |
| 5. Official/Work address in the country of Current overseas adobe |
| 6. Valid, present Social Security number or any such similar other identification proof officially issued by the country of foreign adobe. |

This information shall be entered in the certificate of marriage as also in the marriage register.

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FORM NO. III

[See rules 7 (1)]

GOVERNMENT OF JAMMU AND KASHMIR**CERTIFICATE OF ANAND MARRIAGE**

[Issued under rule 7 of the Jammu and Kashmir Anand Marriage Rules, 2023]

Certificate No.....

Dated.....

This is to certify that the following information has been taken from the Register of Anand Marriages maintained in Form No. I in the office of the Registrar of..... (local area)

1. Date of Marriage.....
2. Place of Marriage.....(as in Form No. I)
3. Details of parties to the marriage

| Details | Husband | Wife |
|--|---------|------|
| a) Name in full (in capital letters) | | |
| b) Nationality | | |
| c) Age and date of birth | | |
| d) Occupation | | |
| e) Permanent address | | |
| f) Photographs (Office seal covering photographs) | | |

Registration No. With year

Date of Registration.....

Registrar of Anand Marriages

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FORM -IV
[See Rule 12]
MARRIAGE REGISTER

| Sr. No. | Name of the Bridegroom/Bride | Parentage of both bridegroom/bride | Residential address of both bridegroom/bride | Date of solemnization of marriage | Place where marriage solemnized | Remarks |
|---------|------------------------------|------------------------------------|--|-----------------------------------|---------------------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

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[Handwritten signature]