

BIHAR SPECIAL MARRIAGE RULES 1955



Bihar Special Marriage Rules, 1955 No. dated 25th May, exercise of the powers conferred by section 5 of the Marriage Act, 1954 (XCIII 1954), the Governor of Bihar is pleased to make the following rules ;

1. These (IIIc; bc called (be Bihar Special Marriage Rules, 1935, 2. Eri these rules. UOICSS thecg ig anything repugouot tbc subject or filed peli- required ab!e to Ortsaid day, o you: documents the Judge. context. (c) (0 (8) itbe the Spec;a7 MErriage Act, 1934 (XLIII of 'FOfID' tueans lorm apptodéd to Lbe.se rules; •Macriage CGI ',iicot•: BOOK' means Marrtage l'ticatt prescribed uaoer section J j ot• Act'. I Morriage Notice Book' means the Marriage Notice Book pte- sctlbcd under section of the Ata, 'Mar (laec Off'ccr' lbe Marrjase Off;co: appointed under sub-scctiou 1 i) or secti0d J ot lbe Act; •aeeigt:ar Genera/' Incans toe Registrar appoizned ueder Act Vi of and secuion Act, 3. (I) Every Ölbctr Shail cause Lis designalioa and (he regular-working tours of ofrjce [o wri(ten ic and in lbe langu- age or language the distriCl and displayed in conspicuous par; 01 'eLe building in which bis office is situated. A copy of such be pu• biished •by affXicg it to a conspicuous part ot lbe office of lbe Oist'ict Magist- rate and District Judge of bis district. (2) A]] registfLüoos at the shEiJ be beaveen tbt Lours Of 10.30 and p.m.. when Lhe OEcc l's beld in the day and hours of 0.30 a.m., and 11.30 lbe office is bc)d ic lbe morning, 4. (Ij Notice of ictcnzld undec the ACI bbai! given writing in the f0fUi speciEtd in (he Second Schedule Act, 10 _in tuditg tEenter ia to the either persou or by registered post. (2) Where the notice is delivcred in person, the prescribed thetcfot in Rule IO be paid direcuy ia to Mart:age Off_.cer; where the .N)tice is sem by reswtered post, the fee Shall bc by money oreer at tbc rcæitteris expcsc and the recopz 'ssued to remnter by the. POSL C'!fice ihrouab 'ebe reunltaoce is made 8ball be atlac.bcd to the (3) As soon notice has bccu tceived Sy the Martiaee Offctr. a distinctive seriii curuber be entered on it such number aud the dste receipt of the nonce Shan bc uttested by Lhe 02 the Martiage Oft- cer, is jp eunf0JU11 y will) the requircrner.ls of Li-ec Act, be catered in the Marriage Notice bouk Form which *hall bc J bouad volu- zac, ILITd tbc pages of •abich shall bc conatcutiveiy, wtLb 4 Index Attac.b±d, If tbe notice id aot ecalocnaity requitemeati 32 Bihar Special Marriage Rvleä 1 Ruics 5-6 of the Act it shall be got rectified by the parties if they are present, or return- ed to Chern by post rectification and rewaosmjssinu w;tbio L datc to be fixed. Every of rectificeuon attested by 00th Lhe 5. A true copy of the under IIIC and sjoature of the Merri. age Officer shall he exhibited in 3 coospicuoos place has offce for thifly day5 before registrauon of lbe azaftiaae, 6. (I) Where am objection 10 the solerooi%lioj) an inteoded marriage together with rhe prescribed therefct in R has rece•vtd und tecorced by tbc Marriage Officer, be shall. unless by order in wrinag he rejects the objN.cioo summarily on Lhe t Lat is cot based on contravenncn. any of the coeditions specited in section enqjure the objection 00 a day be fixed by him. The day sc fired sbalf be later thmn thirty days the (Inte Of tbt receipt uf obieclion. He Shan also gend 9 wpr the nbæctioes to tbc patties ro 'the l"tended T Ex Marriage Officer the t;rne of recording (be objeetioo, ascertain from Lhv Objector whether he has aay Uocucnents ou which hc ot whether bc desires any witness ur "'irnesses hc etern;oed oc blâ bebal{ If lbe objector states Ghut he has, Ghe MarEiage Olficer sbal' require the objcc• toc tc D,roduce tbc documents or (he •witnesses on the day fired for the enquiry, to: objector 'bat scumuoses Shall be issued LO lte wjtce- sse.s to appear aud give evidence or pn.hduce any docutaeot, Murrieee Other 8ball issuc such suutmOose3 on paymeat Of the process prescribed thercior in Rule and the rea'onabie apenscs of and subsistecce of the witnesses, The enqw,ry celbtng to (he abjectiou including the production documents aud Che of shall be Pletcd aud the decigioo ot- Marriage Officer arrived at within lbe period of thirty days io sech 8. ! Within lbe "L' Ecribed period. the docu- tneers are 001 produced und the do appear ocfore the Macriage Offccr, the Marriage C)âcet shall lake a decision without waitiog for production of such documcot or the apptarance of sub witnesses, (3) The Mcriage Officer Shuji also give of the date gnd time fixed for the eoqulry to lb: parties to lbe ioveaded marriage. (d) The notice or sumcont:s 10 grey party or wicncss under lbis rule shhil if', Fonn 11 or

Form ill, as tbd may and stall be seat by registered post. 00 the day fixed for (he enquiry oc ou any adjcuroed date. the Matfiagc OITscer sball record in bis hand thc evidence given in the course of enquiry. (61 Marriage Omecr is lb31 the ob_leclion is baseless, he register otherwise registratioa he refused and the réaàons for sucY, refusal sbali be cratered in the RcgisfC(of Refusal. which 5baII be ttdiGtained by him in Form I V, The order shall be coax:nuoicated to parties cooce:aed ino)ucliog the aojector. 7. (1) The place.

otbcr Marriage Officers' wlere a ge to b: registered, shall be determ;ntfj by the patnes thevoselves, who shall specit•y such D'aee in writizg at time wbeo notice of lhc iotecv-fed matrage is given to the MartiEge Officer, Such tna:riage may be registered gny teeotdbte boor. sl of at iis I Rules eat, or return• date to he lbe Mar:-i• odice for run-ty :ndcd marti88C received and r in writing bc OCI not hascd coquire roto jail' 001 be later . shall which he relies d oc his behalf. quire the Y for M arriage be process fee truve.ihog acd

Clion iTcludjng GhâJl be coo.)' period of etiod. the docu• rc ide Mattinge i'tiiciog for the ses. aed lirae Exed tbi3 rule shul) by registered outned date, the ggorse 's be rcf0Rd aod which shall auoicaled to where a rtarr]a• wuo shall of inteo•ded be teginteted at 8-10] Eibar Special Marriage hajes \$3 (2) If such is not at a distencz or uore Marreage O±cer's the Iravejljog lor such two r epees; and if mote t nc be annas per ail', in Addition to tie 01 iU. 8. (1) Ac uppiicaüou under sectioc 16 for registraticu LLC marriage ecjcbfLtec tn O'æf bc in V. (2) Such 42p]ic-aUon shall be prescoted to 'he Office: by any On receipt of' an appllieslion umie"ul.u-ule (U (he Marriage sbali a ootice Lbrccl VI bis .stgnilljre, io a conspicuous place his (4} Any

ohjeclioa received (be said period together fee prescribed therefor in Ruic JO bt rcccrdea lhc 'n Itspect 'hetero mude es nearly possible it'l maaocr in Rule 9. The Murciage Book bc a bound 'bc page* Of which sbajl bc coosecuL'VeJy guachcc. Every ccrjtjc.äLe eclLctcd (bercio eucL year will be eoosautive]y (be atLd roe year-k.- in which the ce:ti5cgte ent:ved, (iii) T be following 'hall b' levied by lhc Marriage Officer FOI' cotice Of in leoded marriage appliction thc :eg• (IO Oc paid by par ties 10 aurnagt), For recording an obJcction 00 bc paid by clajcct01>. For every enquiry cb}eelioz, (to be paid by lbc objector} . Fu: eFety

notice and foc every a witness to appear and give evidence or produce L dacuroet)l (to be paid by the objector, annas S. For registering a (10 bc paid by lbe par• Lies tc rnatnage; For a certified copy of entry— (a} ir Marcige Not icc E00k othet [h3L smiry relaticg to objec.ti0"l, ar ßb) it lLe Certificate gook (to paid Sy the applicat* (Wi} certified ccpy af a l]y eot:y lbe M•rrigge Nntict Book [hen g, notice or or protecdeng

GOT ulrcady provi- ded Tor lto Se paid by the applicant), Rs, 2-8, (Yiii) For a marriaee eelebIBted in Lcrms section fir) For solemr.iziog a place outside Che of the Marciage OtEcec Rs. IS, Bihar Special Marrvago Rp]es [Rules For mak-ing a i*arcb (tc paid by the applicatt)— (a) entry is zurrtlJt year. annas

8. if erjtry re'äl<d to pcevious or Rs. such The. rees prescribed above shall paid either in person or hy

Lnoney order the Marriage A by Marriage be LIJ fees received Sy him uudtl Lhe Act and rults. The rcceir;t 1301jod or ooe hundred laves each with foils and which Shail machine-cumbered coosectlive!y.

Aij received by Morr•age. Oihcec except the rnerlliorjed in (ix) abovt, Which may be retairjed hy him, shall he rcmitled ioto local I ccasury. Copies of eoli•ic.s in the Marriage Eaok which Maaiagc are required to under 48 lhc kcEi5!tgr s.höil h: certified iO Vil sbal] be sent at jot" vals Lbrzr monlhs or nearly lhc 151 of January, April, July year. Should no urade in Eauk during the a bc stm the said Registrar-Guers), 12, Au index or All regt3i.ert.d bc pre.pazcd c,flicc or Mntriasz Ofli;er and tee followtng No. 1 2 Fathet's name address 3 Mare ii'.ge Certificate nook Volume No, ? age No, 51, 4 5 6 13, r he fees rti'lized by :.bz Suh-

Rcöstrac or sec- VE0ts as ex officic-. Marriage shall ca.d!led undec the bead • under Act" and Lhe travelling allovvva[Qc be retained by lhæm

14. Forns and bG0ks be supplied free of cost to Mmrizge Regis- tars by {he 15. Tbc books and form ' he preserved os , Cili} Marriage Certificatc lien', , Marriage Notice. Notice or recislration-é Years, Declaration Refusal Forms 1-11 Nunes of parties Bihar Special Marriage Rules FORM t {sec Rule 4 (3) Marriage Notice Book Male 35 Female ars. Rs. } for r remitted hy d for all fees han be bnuod ich shall be triage O\$eer ioeo by biro. ich Mat] sball be nibs 00, ot as Uber jo cacb •ceeding thrce ac•Geucra). :ted ur,des (bc ge Ofljcer god book 6 .veromeot set- undef Cia) Marriage Regis- 2, 3, 4- S. 6. 7. 8, 9. nn me rtied divorced Whether widower, or I fidow Age Occupation Ptuent Address Permanent address Length ot- residence Date of notice NatDfC of objection Remarks of Merriage Ofcer with date. FORM (See Rule 6 (4)) Not (place) Before the Marriage Officer., , In the matter of the Special Marriage Act, 1954, aud intended marriage between in the matter Of Ibe—— and To F application Io register the uarriage (give names and addresses) Objector notice of 80 intended marriage W bercas—— an application the registration of the marriage between A - and C. D. was received by the Marriage Officer on w hereteas E. F- bas preferred certaiio objections (set out over leaf to solemnizatioo (he 'nacriage and •whereas the Mar ringe Ot*cet will bold 80 enquiry iato tbc matter of the said objections on... • ...day Of . 36 Bihar Sptciai Marriage nuics bis otic.c, you are berehy required to he present at m. on the said dey teget%er with all documents cn which you rely Titot!! oc witoesses Vborn you may desire to be 0b your Take notice lhat in dcTSe]t of your appearaoce OQ the afnresaid doy. enquiry hc aade eod decided in your Should you apprehend thal your Will unless ned by the Marriage Offictn yon tpply to the Marr iogt for issue or sceh sum mc.r.s early together With the prescribed process fee and Ibe o." travelling and subsistence or Ibe Civeo poder hand aud Station Set the objeelions 02 reverse or this Summons to Witness Refore the Marriage Offctr the matter the Speciat Miittizge. Act 1954 Süd Signgture, Marrioge Officer. seal. (place), 11 .5 the matter or inteodcd matriagqnpplcation to register lhc rourciage betweeno E nrl (g-ive aud Addresses). ('Jhjctoy} Whereas yoor atteudooce requited to give evidence behalf of . (he Hbove rrakLter, yon ere hereby required to gppeer pet-gon- "RIly hclorc roe or to cause 10 be produced before me lhc cloci.;merlt' specified hereunder on Lhe . sum of Rs is herewith sent. dcy of. ...bc.ing your Itavelbi'& O[her C.' penscs for ooe If you contp)y with this sur:qmons wilhout lawful causc you he subject consequences Of nou•atieodgocc down T 2 of Order XVI of code of Civil 1908, Take notice in default on Lhe aforesaid day, the inquiry will be made and dct21cd in your abserce. Given band and seal. Station Date : S]gnsiure Merriage Officer, rely end any behalf. esaid day. Ibe summo- Officer ror the 'ibed process witness. atorc, the P.}arcioge ppear person- spec.ited enses for ane you *'ill l". of order 'esaid day, the octoce Bihac Special Marriage Rules FORM [see I Reason Date ot 37 l)øte Of filing appcat, if any, und the result of such Serial PIAtc . ?erlics. 2 refusal 3 or order Siaastute o' Mercieec 2, 3. 4. 5, 6.

FORM V Application for a marriage under section of the Special Marriage Act, 1954 (Act No. 1 of 1954)

Name of party (Husband) (Wife) c Age of date of marriage Wife's permanent dwelling-place, if any Present dwelling-place. Relationship, if any, of parties before marriage. A certificate of marriage was A B and D on and we have been living together and wife's since the date above. We hereby declare that— (ii) (iii) neither of us had more than one spouse living on the date of the application and neither of us is of unsound mind. Lhe age of twenty or more years on the date of this application we are within the degrees of prohibited relationship, marriage was solemnized by the Special Marriage. That, I am a SA (XLIII nr 19 and according to the law, or usage of the law. government of each of the marriage between is permitted. though within the degrees of prohibited relationship according to the Act above. & c, Note—where whichever is not applicable, the Special Marriage (v) we have been residing within the jurisdiction of.. Form VI of the Marriage Officer period of 30 days immediately preceding the date of application. we also declare that as far as we are to the best of our knowledge and belief. Station . (Husband) (Wife) Oath of the FORM VI [See Rule 813.] Notice of application for Registration of Marriage hereby given that application has been made by A B (here enter the names for the registration of their Civil Marriage (XLIII Any person having any objection to the marriage may. within 15 days of the publication of this application in writing to the undersigned specifying the grounds such objection, Date of Marriage Officer

