

The Tripura Act No. 22 of 2004

THE TRIPURA RECORDING OF
MARRIAGE ACT, 2003

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Agartala. Wednesday . August 11 . 2004 A . 0

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No F. 9(30)-Law/Leg/2001

GOVERNMENT OF TRIPURA

LAW DEPARTMENT

Dated. Agtula. t11e 10th August, 2004.

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor on the 6th day of August. 2004 and is hereby published for general information.

A. B. Paul.

Secretary,
Government of Tripura

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Tripura Act No 22 of 2004

THE TRIPURA RECORDING OF MARRIAGE Act - 2003

An

Act

to provide for the regulation of compulsory recording of marriage and for matters connected therewith and incidental thereto.

Be it enacted by the Tripura Legislative Assembly in the Fifty-Fourth year of the Republic of India as follows :-

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Extent and

C om1nenc etnent.

Definitions.

- 1.
- 2.

(1)

(2)

(3)

CHAPTER- I

Preliminary

This Act may be called the Recording of Marriage Act,

2003.

It extends to the whole of Tripura.

It shall come into force on such date as the State Govt., may by notification in the Official Gazette. appoint.

In this Act. unless the context otherwise requires :-

(a)

"to contract a marriage" , with its grammatical variation and

cognate expressions, means to solemnize or enter into a marriage in any recognized form or manner :

(b)

"marriage" includes a re-marriage :

(c)

"Marriage Recorder" means the Chief Marriage Recorder,

District Marriage Recorder and Sub-Divisional Marriage Recorder appointed or designated under sub-section (1) of section - 4 and sub-section (1) of section - 5 ;

(d)

"Marriage Reporter" means a Marriage reporter appointed or designated under sub-section (1) of section - 6 :

(e)

"memorandum" means a memorandum of marriage referred

to in section - 7 ;

(f)

"prescribe" means prescribed by rules made under this Act

(g)

"State Government" means the State Government of Tripura.

CHAPTER - II

RECORDING ESTABLISHMENT

3.

All marriages solemnized on or after the commencement of this Act in the State in any form recognized under the personal law or custom applicable to the parties (husband and wife) or either of them shall be compulsory recorded in accordance with the provisions of this Act.

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Cl>iet Mart/age
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District Marriage
R e>order.

appo1nt a Chief Marnage Recorder for the State or des1gnate an officer of the State Government to hold that office

(2) The State Government may also appo1nt or des1gnate other officers

for the purpose of discharging. Lmderthe superintendence. direction

and control of the Ch1ef Marriage RecordeL such functions as he may from time to lime authonze them to discharge

(3) The Chief Marriage Recorder shall be the Chief Executive Authority

in the State for carrying into execution the provisions of this Act and the rules or orders made thereunder. He shall be responsible to co-ordinate. unify and supervise the works of recording of the

marriages and submit in the month of January every year where the annual report of the preceding year on the working of this Act

5

(1) The State Government may appoint a person or des1gnate an officer

to be the District Marriage Recorder for each revenue Distnct and such numbef of Sllb-Divisional Marriage Recorders for one or more Sub-Divisions who shall. subject to general control and directions of the District Marriage Recorder. d1scharge such functions under this Act as the District Marriage Recorder may, from time to time, authorise them to discharge or designate such officer of the State Government as it think fit to hold any such office.

(2) The District marnage Recorder shall superintend subject to the

direction of the Chief Marriage Recorder. the recording of marriages in the district and shall be responsible for carrying into execution in the district the provisions of th1s Act and the orders of the Chief

,

Marriage Recorder issued from time to time for the purpose of this Act.

(3) Every Sub-Divis1onal Marriage Recorder shall without fee or reward.

enter into the register maintained for the purpose all information given to him under section - 7 or section - 8 and shall also take steps to collect information about every marriage which takes place m his local jurisdiction and record the particulars in the Marriage Register.

(4) The office of the Marriage Recorder shall remain open on such dates

and at such hours as the Chief Marriage Recorder may direct. The name and designation of the Marriage Recorder along with his local jurisdiction should be displayed on the Board on or near the outer

door of his office. The writing on the Board should be in local language.

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(1)

The State Government may appoult or deslgnate an Offlcer to be a Marnage Reporter .

(1)

for each Munlc1pahty to be known as MunlC1pal Marriage Reporter .

(11)

for each Panchayat to be known as Panchayat Marriage Reporter

(u1)

for each Tehsll area 111 which lay no Mu111c1pal,ly or Panchayal. to be known as Tehs11 Marnage Reporter

(2)

Every Marriage Reporter shall be attached to and work Linder the supervision. direction and control of the Sub-D1vislonal Marriage Recorder in charge of the respective Sub-Divislon

(3)

Every Marnage Reporter shall without fee or reward recelve and collect all111formatlon about marriages which take place in the area of his work and send the same to the Sub-Divislonal Marriage Recorder to whom he is attached or it there 1S no Sub-Divislonal Marriage Recorder. to the D1strict Marriage

Recorder in whose jurisdiction his area is situated The information shall be incorporated and transmitted in SIJCh form as may be prescribed

(4)

The office of the Marriage Reporter in his area shall remaln

open on such dates and at such hours as the Chref Marnage Recorder may direct and every Marnage Reporter shall display on a Board on or near the outer door of the offlce of

the Marriage Reporter in the local language hrs mam designation and area of function as Marnage Reporter

(1)

(2)

CHAPTER-III

PROCEDURE OF RECORDING

All marriages solemnized under this Act shall be recorded in the manner provided hereinafter.

(a)

The male partner to a marriage (if adult) shall and the female partner may within a period of sixty days from the date of his/her marriage-

(i)

either intimate orally about the marriage to the Sub-

Divisional Marriage Recorder or the Marriage Reporter having jurisdiction over the area in which the marriage was contracted or to such person or authority as may

be prescribed . or

(ii)

prepare and sign a memorandum in Form A, obtain

signature/thumb impression of both the spouses (if adult) and signature/thumb impression two witnesses of the

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Locality with full address thereon and shall deliver it to person or by registered post to the Sub-Divisional Marriage Recorder or Marriage Reporter having jurisdiction over the area in which the marriage was contracted

Provided that where the spouses or any of them were minor his or her parent or guardian with whose consent the marriage was solemnized shall be liable to comply with the provision of this sub-section and Form A shall be signed by the parent or the guardian of the male or female partner

(b)

In the case of oral intimation of marriage the Marriage Reporter or the Sub-Divisional Marriage Recorder to whom the information is given shall duly fill in Form A and obtain thereon signature or thumb impression of either of the spouses to the marriage and two witnesses.

(c)

In case the oral intimation about the marriage or the memorandum of marriage is given directly to the Sub-Divisional Marriage Recorder, he shall make a copy of the memorandum of that marriage and send the same to the appropriate

Marriage Reporter within his jurisdiction for verification and report

(d)

In the cases covered by Sub-Section (2) (a) above.
the Sub-Divisional
Marriage Recorder shall acknowledge
the marriage memorandum in Form 8 .



In the cases covered by Sub-Section (2) (a) above.
the Sub-Divisional
Marriage Recorder shall acknowledge
the marriage memorandum in Form 8 .



(3)

The marriage Reporter shall on receipt of the memorandum give to the person who delivers it or sends it by registered post an acknowledgement in Form 8 .



The marriage Reporter shall on receipt of the memorandum give to the person who delivers it or sends it by registered post an acknowledgement in Form 8 .

(4)

The marriage Reporter shall after necessary verification send the memorandum along with the report to the Sub-Divisional Marriage Recorder of the area concerned within a period of one month from the date of receipt

(5)

No Sub-Divisional Marriage Recorder or Marriage Reporter shall decline to receive any memorandum or decline to fill up the marriage

memorandum as prescribed in sub-section (2) (b) of this section on the ground that the marriage was contracted outside his local area.

(6)

Where the Sub-Divisional Marriage Recorder or Marriage Reporter receives a memorandum of marriage contracted outside his local area, he shall note the particulars in a separate register maintained for the purpose in such manner as may be prescribed and forthwith send the memorandum

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to the appropriate Sub Divisional Marriage Recorder of the local area in which the marriage was contracted

7.

Every Sub Divisional Marriage Recorder shall maintain a register of marriages occurring in his area. On receipt of a memorandum of marriage solemnized within his jurisdiction he shall after making enquiries and ascertaining correctness of the information enter the particulars of the memorandum of marriage in that register.

8.

Registrar of Marriages appointed under the Indian Christian Marriage Act, 1872, the Parsi Marriage and Divorce Act, 1936, Special Marriage Act, 1954, The Hindu Marriage Act, 1955 shall send periodically the extracts of registers of marriages maintained by them under the respective ACTs to the Sub Divisional Marriages recorder of the area concerned who shall make necessary entries in the register maintained by him.

*7A. Voluntary Registration of Marriage

Persons married before the Act came into force and whose marriage has not been registered under any other Act may also record their marriages under this Act and time limit of sixty days shall

not apply to such persons.

8. (1) Oral intimation or memorandum regarding any marriage as required under Sub-Section (2) of section 7 may also be submitted to the Sub Divisional Marriage Recorder or Marriage Reporter any time after the expiry of the period of sixty days on payment of **Such amount as may be prescribed.

(2) Provision of Sub section (2) to (7) of section 7 shall mutatis mutandis apply to a memorandum submitted under sub section ((1)

*** (3) Whoever makes or verifies any statement in the memorandum of Marriage in FORM-A, which is False in any material particular, and which he or she knows or has reason to believe to be false, shall be punished with imprisonment of either description for a term which may extend to two months, or with fine which may extend to five thousand rupees, or with both.

9. (1) If it is proved to the satisfaction of the Sub-Divisional Marriage Recorder that any entry of the marriage in any register kept by him under this Act is erroneous in the form or in Substances or has been fraudulently or improperly made he may subject to such rules as may be made by the State Government with respect to the conditions on which and the circumstances in which such entries may be corrected or cancelled, correct the error or cancel the entry by suitable entry in the margin without any alteration of the original entry and shall sign the marginal entry and add thereto the date of correction or cancellation.
- (2) No such correction or cancellation as referred to in sub-section (1) shall be made unless the parties to the marriage or their parents or guardians or their legal representative, as the case may be, has been given a reasonable opportunity of showing cause against the action proposed to be taken.

*Inserted by 1st Amendment Act (w.e.f 9th October, 2013)

**Substituted by 1st Amendment Act (w.e.f 9th October, 2013)

***Inserted by 1st Amendment Act (w.e.f 9th October, 2013)

Memorandum

of marriage
submitted after

sixty days

Correction or
cancellation of

entry in the

register of

marriage

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Inserted by Amendment Act, 2013 vide Gazette Notification dated 9th October, 2013

Inserted by Amendment Act, 2013 vide Gazette Notification dated 9th October, 2013

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Marriages not
validated.

10 No marriage required to be recorded under this Act shall be deemed to be
invalid by reason of the fact that it was not recorded under this Act or that

the
memorandum was not delivered or sent to the Sub-Divisional
Marriage Recorder or Marriage Reporter or that such memorandum was

in-effective irregular and incorrect

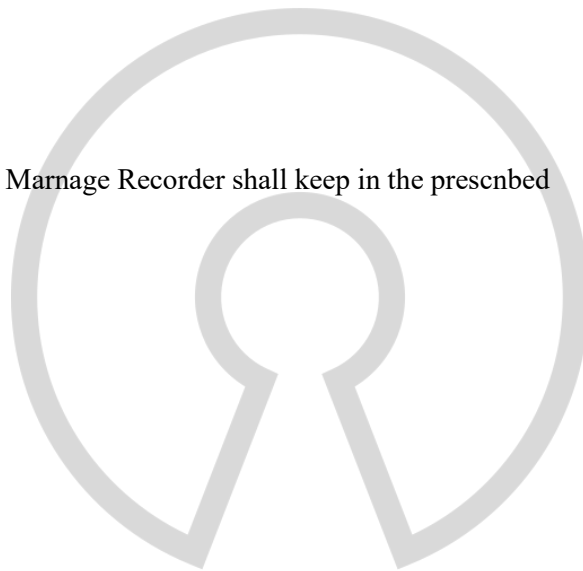
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Maintenance of Records and Statistics

Marriage Recorders 11

to keep register in
the prescribed form.

(1) Every Sub-Divisional Marriage Recorder shall keep in the prescribed



form a register of marriages for the local area in relation to which he exercises jurisdiction.

(2) The Chief Marriage Recorder shall cause to be printed and supplied sufficient number of register books for making entries of marriages according to such forms and instruction as may from time to time be prescribed. and a copy of such forms in the local language shall be posted in some conspicuous place on or near the outer door of the office of every Sub-Divisional Marriage Recorder.

Inspection
of
recording offices.

12 The office of the Sub-Divisional Marriage Recorder shall be inspected and the register kept therein shall be examined by the Chief Marriage Recorder or the District Marriage Recorder at such intervals as may be prescribed.

Marriage Recorders 13
to send periodical
returns
to
Chief
Marriage Recorder
for compilation.

(1) Every Sub-Divisional Marriage Recorder shall send to the District Marriage Recorder, Chief Marriage Recorder or to any officer specified by him, at such intervals and in such form as may be prescribed, a return regarding the entries of marriages in the register kept by such Recorder.

(2) The Chief Marriage Recorder shall cause the information in the return furnished by the Sub-Divisional Marriage Recorder to be compiled and
•
shall publish for the information of the public a statistical report on marriages recorded during the year at such intervals and in such form as may be prescribed.

(3) Every marriage recorded under this Act shall be presumed to be valid marriage unless and until the contrary is proved

(4) The Register of Marriages maintained under this Act shall at all reasonable time be open to inspection and a certificate in Form 'C' shall be given to the party concerned or any person authorized by them on payment of such fee as may be prescribed.

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Power of
M : l l l l l gr!
Recorder
to
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uJariages.

M l l rriage
Recorders
& Marriage Reporters to
be detnned to be pullic
\$CfVanrs_

Delegation ol Powers.

Protection of action

take l l in good tail/l.

Powet
of
State
Government to make
rule.

CHAPTER-V

Miscellaneous

14

A Marnage Recorder may either orally or l n wnt l ng requ l re any
person to f l J rnish any l nformation w l th l n his knowledge l n connectton
w l th marnages l n the locality within which such person res l des and
that person shall be bound to comply with such requ l s l tion

15

(1)

Any person aggneved by or dissatl Sfled w l th an order
decision

or

action of
the

Sub-D l vts l onal

Marnage

Recorder may within a period of slxty days from the date
of such order. deC l S l On or actJon file an appeal to the

District marriage Recorder on payment of such fee as
may 't;>e prescribed

(2)

Afly person aggrieved by or dlssa l l sfred w l th an order
decision
or action

of
the
Sub-Divisional Marriage
Recorder may
file an appeal to the Chief Marriage
Recorder within a period of sixty days from the date of
such decision, order or action on payment of such fee
as may be prescribed

16.
The Chief Marriage Recorders, the District Marriage Recorders
the Sub-Divisional Marriage Recorders and Marriage Reporters
shall, while acting or purporting to act in pursuance of the
provisions of this Act or any rule or order made thereunder
be deemed to be public servants within the meaning of section
21 of the Indian Penal Code.

17
The State Government may, by notification in the Official Gazette
direct that any power exercisable by it under this Act (except
the power to make rules under section 19) or the rules made
thereunder shall, subject to such conditions, if any as may be
specified in the direction, be exercisable also by such officer or
authority subordinate to the State Government as may be
specified in the direction

18.
No
suit,
prosecution or
other legal proceedings shall lie
against the
State
Government, Chief Marriage Recorder,
District Marriage Recorder,
and Marriage Recorder or any
person exercising any power or performing any duty under this
Act for anything which is in good faith done or intended to be
done in pursuance of this Act or any rule or order made
thereunder

19
(1)
The State Government may by notification in the official
Gazette, make rules to carry out the purposes of this Act

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Power
to
remove
officers.

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In partiCular and w1thout preJud1ce to the generality of the
lorego1ng provision such rules may provtde for -

. a 1

the preparation and submission of report under
sub-section (3) of section 4 .

ib)

the person or authority who shall be empowered
to rece1ve the memorandum under sub-section

(2) of sectiOn 7

tCi

condit1ons and Circumstances for correction of
errors and cancellation of entries in the marnage

register under section 9 .

(d)

the form of reg1ster of marriages to be kept
under sub-section (2) of section 11 :

(e)

the forms and instructions for the purposes of
sub-section (2) of section 11 ;

(f\

the intervals within which
the Chief Marriage
Recorder shall
inspect the office of Marriage
Recorder and examine registers kept therein
under section 12 :

(g)
the intervals at which and the form in which the



the intervals at which and the form in which the

returns and statistical reports under section 13
shall be furnished and for the publication thereof

20

If any difficulty arises in giving effect to the provisions of this
Act in their application to any area, the State Government

may

by

order

make

such

provisions

or

give

such

directions not inconsistent with the provisions of this Act as

appears

to

the State

Government

to

be necessary

or

expedient for removing the difficulty.

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Secretary,

Government of Tripura

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KFORM-A

[See Section 7(2)]

MEMORANDUM OF MARRIAGE

1.

Date of Marriage

2.

Place of Marriage (with sufficient particulars

to locate the same)

3.

{a} Fullname of the bridegroom

(b) His age

(c) Address

{i} Present Address

(ii) Permanent Address

(d) Name of his father

(e) Name of his mother

Affix joint
passport size

photographs
of spouses

{f} Status of the bridegroom at the time of
marriage
(Unmarried/ Widower/ Divorcee/ Married)

(g) Occupation of bridegroom

(h) His religion at the time of marriage

4.

(a) Full name of the bride

(b) Her age

(c) Address

(i) Present Address

{i} Permanent Address

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{d} Name of her father

{e} Name of her mother

{f} Status of the bride at the time of marriage
(Unmarried/ Widow/ Divorcee/ Married)

(g) Occupation of bride

(h) Her religion at the time of marriage

Form of Marriage

By
performing
Social
religious

(give tick mark to the appropriate form)
rites
recognized
by
Hindu,



Christian,
Muslim etc.
religion/

5.

by
registration
under
special

Marriage Act.

Signature/ Thumb impression of the female
Signature/ thumb impression of

partner or her parents or guardian in case
the male partner of the marriage

she has not completed eighteen (18) years
or
his parents or guardian
in

of a

case

he

has

not

completed

twenty-one (21) years of Age

6.

Witnesses for the Groom:

Witnesses for the Bride:

1. (a) Signature

{a} Signature

(b) Name

(b) Name

{c} S/O, D/O, W/O

{c} S/O, D/O, W/O

(d) Full Address

{d} Full Address

{e} Relationship, if any

(e) Relationship, if any

{b} Name

{b} Name

(c) S/O, D/O, W/O

(e) S/O, D/O, W/O

{d) Full Address

{d) Full Address

(e) Relationship, if any

(e) Relationship, if any

—

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Declaratlon

I, Shri

and I, Smt

do

hereby jointiy declare that the

marfiage was periormed with our consent; and that

0 our knowledge, our marriage was

not barred by any law in force al lthe time 0f our marriage. We also declare that al

information furnished hereinabove are correct.

Signature or left inumb impression of:

Groom

Bride

Note : Before signing the Memorandum the signatory should satisty himself / herself that

ine entries in the Memorandum are correctin allrespects.

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FORM --B

(See Sechon Fi2}d) and 7(3))

ACKNOWLEDGEMENT

Received from

Resident of

A Memorandum of the Marriage coniracted between the bridegraom

the son of Shri

..

andbride

the daughter of

CF1

Name, designation and full address
of the person or authority receiving
the Memorandum.

Date

Place

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FORN-G

[Sae Section 13(4))

Gerificate of Marriage

joint

passpor size

ot spouses

This is

to cerlify that folowing pariculars about the marriage between the parties

mentioned below have been recorded in ihe marniage register maintalned in this office as

on

[This cerificate Is a prima facie proof of marriage)

1.

(a}

Fullname ofthe husband

[b)

Hisaddress

(ch

Name olhis father' quardian

(di

Name ofhis mother' guardian

2.

(a}

Fuliname ofthe wis

{b)

Her address

{c)

Name ofher lather/ quardian

{di

Name of her mother' guardian1

3,

Dale of Märrlage

4,

Place ofMarriage

5.

Form of marriage

(Reiigl on custom eto,)

Signature & designation
Of the Marriage Recorder

Signature or left thumb Impression

Bride

m

NB: Form-C substituted by 1st Amendment (w.e.f 9th October, 2013)

NB: Form-C substituted by 1st Amendment (w.e.f 9th October, 2013)

* Substituted by Amendment Act, 2013 vide Gazette Notification dated 9th October, 2013

* Substituted by Amendment Act, 2013 vide Gazette Notification dated 9th October, 2013

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