

# **Registration of Hindu Marriage Act, 2012**

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## Registration of Hindu Marriage Act, 2012

(Act No. 40 of 2012)

[24 September, 2012]

### **An Act to provide for the provisions relating to the registration of Hindu marriage for the protection of documentary proof of Sastric marriage of the followers of Hindu religion.**

WHEREAS it is expedient and necessary to make provisions relating to the registration of Hindu marriage for the protection of documentary proof of Sastric marriage of the followers of Hindu religion;

NOW, THEREFORE, it is hereby enacted as follows: -

1. **Short title, application and commencement.**- (1) This Act may be called the Registration of Hindu Marriage Act, 2012

(2) It shall be applicable to all the followers of Hindu religion who resides in Bangladesh irrespective of their nationality.

<sup>\*</sup>(3) It shall come into force on such date as the Government may, by notification in the official Gazette, determine.

2. **Definitions.**- Unless there is anything repugnant in the subject or context, in this Act,

- (a) “Hindu” means any citizen of Bangladesh who follows Hindu religion;
- (b) “Hindu Marriage Registrar” means Hindu Marriage Registrar appointed under section 4;
- (c) “Hindu marriage” means approved marriage solemnized among the followers of Hindu religion and solemnized in accordance with their prevailing customs and usages according to Hindu Sastra;
- (d) “prescribed” means prescribed by rules;
- (e) “rules” means rules made under this Act;
- (f) “District Registrar” means Registrar appointed under the Registration Act, 1908 or any officer authorized by him.

3. **Registration of Hindu marriage.**- (1) Notwithstanding anything contained in any other law, custom and usage-rituals, for the purpose of protecting the documentary proof of Hindu marriage, Hindu marriage may be registered, in the manner prescribed by rules.

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<sup>\*</sup>This Act has come into force on 14 Magh, 1499 Bongabtho vide 27 January, 2013 by S.R.O. No. 30-Law/2013.

(2) Notwithstanding anything contained in sub-section (1), the validity of any Hindu marriage solemnized in accordance with the Hindu Sastra, shall not be affected due to non-registration of Hindu marriage under this Act.

**4. Appointment of Marriage Registrar.-** (1) For the purpose of registration of Hindu marriage under this Act, the Government may appoint one person as Hindu Marriage Registrar for each area as it may specify from time to time in case of city corporation and for each Upazilla in case of outside of city corporation.

(2) For the purpose of this Act, any person appointed under sub-section (1) shall be called as the Hindu Marriage Registrar.

(3) Qualifications for appointment as Hindu Marriage Registrar, jurisdiction, fees leviable by the Hindu Marriage Registrar and matters related thereto shall be prescribed by the rules.

**5. Prohibition on the registration of Hindu marriage.-** Notwithstanding anything contained in any other law, a Hindu male below 21 (twenty-one) years of age or a Hindu female below 18 (eighteen) years of age get married, it is not registrable under this Act.

**6. Procedure of registration of marriage.-** (1) After solemnization of the marriage in accordance with the Hindu religion, customs-usage and rituals, the Hindu Marriage Registrar shall, on the application by any party to the marriage, in the prescribed manner, for the purpose of protecting the documentary proof of such marriage, register the Hindu marriage in the prescribed manner.

(2) Marriage solemnized in accordance with the Hindu religion, customs-usage and rituals before coming into force of this Act may be registered following the provisions of this Act on the application by any party to the marriage made in the prescribed manner.

**7. Fees for registration of marriage, etc.-** The Government may, from time to time, by the rules, prescribe fees for registration of marriage, fees for inspection of registers and fees for delivery of copies thereof.

**8. Performing the duties of Marriage Registrar is not government service.-** The appointment as Hindu Marriage Registrar under section 4 or performing the duties of Hindu Marriage Registrar shall not be deemed to be government service.

**9. Bar on holding of salaried appointment.-** No Hindu Marriage Registrar shall hold any salaried appointment other than an appointment in the institution prescribed by rules, situated within the area for which he is appointed.

**10. Inspection of registers.-** Any person may, on payment of the prescribed fees, inspect registers of Hindu marriage or obtain a copy of any entry of the registration of marriage therein.

**11. Maintenance of registers, etc.-** (1) Every Hindu Marriage Register shall maintain a register of marriages in the prescribed form and manner.

(2) Every Hindu Marriage Registrar shall register marriage by commencing fresh serial number in the register mentioned in sub-section (1) at the beginning of each year.

(3) Every Hindu Marriage Registrar shall keep safely each register maintained by him until the same is filed, and if he leaves his own area, his appointment is cancelled or suspended, make over the register and other documents, for safe custody, to the concerned District Registrar.

**12. Copies of entry of the registration of marriage to be delivered.-** (1) In case of registration of Hindu marriage under this Act, the Hindu Marriage Registrar shall, on the application made by the parties to the marriage or by their nominated agent, deliver the copy of the entry of the registration of said marriage within prescribed time by rules.

(2) The prescribed fees shall be payable for obtaining the copy of the entry of the registration of marriage under sub-section (1).

**13. Supervision, control, etc.-** (1) Every Hindu Marriage Registrar shall perform his official duties and responsibilities under the supervision and control of the concerned District Registrar.

(2) The Inspector General of Registration shall have the general supervision over the Hindu Marriage Registrars.

(3) The District Registrars may at any time inspect any of the offices of Hindu Marriage Registrar within his local jurisdiction.

**Explanation.-** For the purpose of this section, “Inspector General” means the Inspector General of Registration appointed under the Registration Act, 1908 or any officer authorized by him.

**14. Suspension or cancellation of appointment.-** If the Government is satisfied that any Hindu Marriage Registrar is guilty of any misconduct in the discharge of his duties or unable to discharge his duties or physically unfit, the Government may, by order in writing, suspend his appointment for a period not exceeding two years or cancel his appointment:

Provided that no such order shall be made unless the Hindu Marriage Registrar has given a reasonable opportunity of being heard.

**15. Power to make rules.-** The Government may, by notification in the official Gazette, make rules, for carrying out the purposes of this Act.

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