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No. 42489/ R&DM

Date 16.11.2018

PTI-RDM - Reg - CASESC - 0001-2018

To

Inspector General of Registration, Odisha, Cuttack
All ADM-cum-District Registrars

Sub : Non-Registration of Societies under the Societies Registration Act,1860 for registration of marriages and issuing marriage certificates.

Sir,

With reference to the above subject, I am directed to say that it has come to the notice of Government that some societies/organizations registered under the Societies Registration Act,1860 are registering marriages and issuing marriage certificates. The power to register a Hindu marriage as per Hindu Marriage Act, 1955 vests with the authorized marriage officer who is duly authorized by the State Government as prescribed under section 8 of the Hindu Marriage Act, 1955. Under section 3 of Special Marriage Act,1954, the Government in Law Department have notified Sub-Registrars/District Sub-Registrars as authorized marriage officer. Similarly, under rule 3 of the Odisha Hindu Marriage Registration Rules, 1960, the Deputy Commissioner of all Municipal Corporations, Executive Officers of all Municipalities/NACs and ABDOs have been notified as Registrars of marriage in their respective areas. No registered society is authorized to function as Registrar of marriages for the above purpose under the Act and Rules.

Registration of any Society with the objective to register marriages and issue marriage certificates are opposed to public policy. Besides, section 20 of the Societies Registration Act,1860 specifically provides that this Act shall apply registration of societies for scientific, literary and charitable purposes.

In view of above facts, you are instructed not to register any such society/organization under the Societies Registration Act,1860 for the purpose of registering marriages and issuing certificates thereof. If any such Society/organization has been registered for the said purpose, the order of registration may be cancelled following due procedure as envisaged under section 12-D(1)(b) of the Societies Registration Act,1860 which empowers the Registrar to cancel the registration of Societies whose objectives are opposed to public policy and a list of such organizations may be sent to this Department.

Yours faithfully,


Principal Secretary to Government

Memo No. 42490 /R&DM Dated 16.11.2018

Copy forwarded to Additional Chief Secretary, Home Department for information and necessary action.

Memo No. 42491 /R&DM Dated 16.11.2018

Copy forwarded to Principal Secretary to Government, Law Department for information and necessary action.

Principal Secretary to Government

Principal Secretary to Government