

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. RDM-Reg-POLICY-0001-2020-

37414

/R&DM. dated

22 DEC 2020

From

Smt. Susamarani Devi, OAS (SAG)

Additional Secretary to Government

To

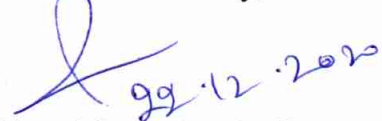
Inspector General of Registration, Odisha, Cuttack

Sub: Odisha Special Marriage (Amendment) Rules, 2020

Sir,

In enclosing herewith copy of Notification No.12153 dated 18.12.2020 of Law Department on the above noted subject, I am directed to request you to please circulate the Odisha Special Marriage (Amendment) Rules, 2020 among all Registering officers of the state for their guidance and take steps for making the public service "Registration along with issue of marriage certificate under Special Marriage Act" ,online immediately.

Yours faithfully,

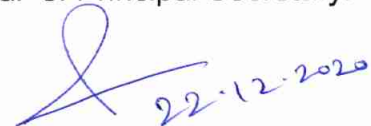


Additional Secretary to Government

Memo No. 37415 /R&DM., dated

22 DEC 2020

Copy along with its enclosure forwarded to PS to Principal Secretary to Government, Revenue and D.M. Department for kind perusal of Principal Secretary.



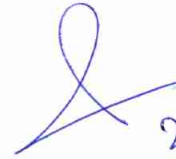
Additional Secretary to Government



Memo No. 37416 /R&DM., dated

122 DEC 2020

/ Copy along with its enclosure forwarded to Project Head, e-Registration, TerraCIS Technologies PVT.Ltd. OCAC Building, Bhubaneswar for information and necessary action.




22.12.2020

Additional Secretary to Government

Memo No. 37417 /R&DM., dated

122 DEC 2020

/ Copy along with its enclosure forwarded to e-Governance Cell for up loading the Notification in the web site of the Department.



22.12.2020

Additional Secretary to Government

74191
18/12/20

The Odisha Gazette

EXTRAORDINARY
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No. 1585, CUTTACK, FRIDAY, DECEMBER 18, 2020/ MARGASIRA 27, 1942

LAW DEPARTMENT

NOTIFICATION

The 18th December, 2020

S.R.O.No.274/2020 — In exercise of the powers conferred by section 50 of the Special Marriage Act, 1954 (43 of 1954), the State Government do hereby make the following rules further to amend the Odisha Special Marriage rules, 1955, namely:—

1. (1) These rules may be called the Odisha Special Marriage (Amendment) Rules, 2020.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In rule 2 of the Odisha Special Marriage Rules, 1955 (hereinafter referred to as the said rules), after clause (6), the following clauses shall be inserted, namely: —

“(7) ‘form’ means a form appended to these rules and includes e-form; and

(8) words and expressions used in these rules but not defined, shall have the same meaning as respectively assigned to them in the Act and the Information Technology Act., 2000 (21 of 2000) and the rules made thereunder.”.

3. In the said rules, in rule 3, in sub-rule (1), after the words “office is situated” occurring at the end, the words “and also in the designated Web portal” shall be added.

4. In the said rules, for rule 4, the following rule shall be substituted, namely: —

“4 (1) Notice of intended marriage under the Act shall be given to the Marriage Officer by both the parties either in person or by registered post or in electronic mode along with the fee prescribed thereof under rule 10.

(2) Where notice of intended marriage is given under sub-rule (1) in electronic mode, the fee prescribed there for shall be paid in electronic mode (e-Challan) and in any other case, the fee shall be paid by Treasury Challan under the head of account mentioned in rule 12 or in cash or in any other mode at the office of the concerned Marriage Officer”.

5. In the said rules, in rule 5, —

(a) in sub-rule (1) for the words “returned to them by the registered post”, the words “returned to them by the registered post, and where notice is filed in electronic mode, the same shall be returned to the parties’ user login id and also be sent as a message to their registered mobile number or e-mail ID provided by them,” shall be substituted.

(b) in sub-rule (2), after the words “in his office” and before the words “for thirty days”, the words “as well as in the designated Web portal” shall be inserted.

6. In the said rules, in rule 6, —

(a) in sub-rule (1), after the words “in Form- II” occurring at the end, the words “and also in the user login or e-mail ID provided by the parties concerned” shall be added;

(b) after sub-rule (4), the following sub-rule shall be inserted, namely:—

“(5) The Marriage Officer shall after registering the marriage, issue a certificate of Marriage, in the form set forth in the Fourth Schedule to the Act, free of cost to the Parties to the marriage in electronic form with proper authentication consistent with the provisions of the Information and Technology Act, 2000 (21 of 2000) and the rules made thereunder.”.

7. In the said rules, in rule 7, —

(a) in sub-rule (2), after the words “registered post” and before the words “along with fees”, the words “or in electronic mode” shall be inserted.

(b) for sub-rule (3), the following sub-rule, shall be substituted, namely:—

“(3) Notice of the application under sub-rule (1) shall be given by the Marriage Officer by exhibiting a true copy thereof under his seal and signature in a conspicuous place outside his office and also in the designated Web portal and the notice shall also state that the objections, if any, to the registration of the marriage may be made by any person in writing or in electronic mode to the Marriage Officer within thirty days from the date on which the notice is exhibited.”.

(c) after sub-rule (4), the following sub-rule shall be inserted, namely:—

“(5) The Marriage Officer shall after hearing the objection to the registration of marriage, if satisfied that all the conditions mentioned in section 15 are fulfilled, enter a certificate of the marriage in the Marriage Certificate Book and issue a “Certificate of Marriage celebrated in other form” as set forth in

the Fifth Schedule to the Act free of cost to the parties to the marriage in electronic form with proper authentication consistent with the provisions of the Information and Technology Act., 2000(21 of 2000) and the rules made thereunder.”.

8. In the said rules, after rule 9, the following rule shall be inserted, namely: —

“9A. The Marriage Notice Book, referred to in sub-rule (1) of rule 5 and the Marriage Certificate Book referred to in rule 9 shall also be maintained in electronic form.”.

9. In the said rules, for rule 10, the following rule shall be substituted, namely: —

“10. The following fees shall be payable to the Marriage Officer, namely: —

Sl. No.	Description	Rs.
(1)	(2)	(3)
(i)	For every notice of intended marriage or application for registration of a marriage (to be paid by the parties to the marriage).	100.00
(ii)	For recording of objection (to be paid by the objector)	100.00
(iii)	For every enquiry into an objection (to be paid by the objector).	500.00
(iv)	For every notice and for every summons to a witness to appear and give evidence or to produce a document (to be paid by the objector).	125.00
(v)	For solemnizing and registering a marriage (to be paid by the party to the marriage)	250.00
(vi)	For a certified copy of an entry — (a) in the marriage Notice Book or (b) in the Marriage Certificate Book (to be paid by the applicant)	100.00
(vii)	For a certified copy of an entry in the Marriage Notice Book other than a Notice or of any other proceedings not already provided for (to be paid by the applicant).	100.00
(viii)	For solemnizing a marriage at any place outside the office of the Marriage Officer in addition to the fee in entry (v) to be paid by the parties to the marriage.	500.00
<p>Note: This fee may be appropriated by the Marriage Officer. No travelling or other allowances shall, however, be claimed in addition.</p>		

(ix)	For making a search (to be paid by the applicant) (a) If the entry is of the current year.	50.00
	(b) If the entry is related to any previous year or years for each year of search.	50.00

10. In the said rules, for rule 11, the following rule shall be substituted namely: —

“11. A system generated electronic receipt of all fees received by the Marriage Officer shall be provided to the party who has paid the fee.”.

[No.12153 — Law-Misc-Rules-0004/2020/L.]

By order of the Governor
SASHIKANTA MISHRA
Principal Secretary to Government