**Application format for Registration of Marriage under Special Marriage Act 1954 for registration of marriage by persons of different religions.**

**Format of Application for Registration of marriage under section 4 of Special Marriage Act 1954 in PDF Format.**

As per Section 4 of the Special Marriage Act 1954, marriage can be solemnized if at the time of the marriage, following conditions are satisfied:

(a) Neither party has a spouse living:

(b) neither party-

(i) is incapable of giving a valid consent to it in consequence of unsoundness of mind, or

(ii) though capable of giving a valid consent, has been suffering from mental disorder of such a kind or to such an extent as to be unfit for marriage and the procreation of children; or

(iii) has been subject to recurrent attacks of insanity or epilepsy;

(c) the male has completed the age of twenty-one years and the female the age of eighteen years;

(d) the parties are not within the degrees of prohibited relationship:

Provided that where a custom governing at least one of the parties permits of a marriage between them, such marriage may be solemnized, notwithstanding that they are within the degrees of prohibited relationship: and

(e) where the marriage is solemnized in the State of Jammu and Kashmir, both parties are citizens of India domiciled in the territories to which this Act extends.

Format for registration of marriage may be different in other states. Please make necessary modification as per the requirement of your state. Sample format of Application for Registration of Marriage in Delhi under Special Marriage Act 194 is given below:

**APPLICATION FOR REGISTRATION OF SPECIAL MARRIAGE UNDER SPECIAL MARRIAGE ACT 1954**

|  |  |  |
| --- | --- | --- |
| 1. | Name and Parentage of the Parties | Husband Name \_\_\_\_\_\_\_\_\_Father's Name \_\_\_\_\_\_\_\_\_\_Wife Name \_\_\_\_\_\_\_\_\_\_\_\_\_Father's Name \_\_\_\_\_\_\_\_\_\_ |
| 2. | Age / Date of Birth | Husband \_\_\_\_\_Wife \_\_\_\_\_ |
| 3. | Permanent Dwelling Place, if any | Husband\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Wife \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 4. | Present Dwelling Place | Husband\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Wife \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 5. | Relation of the Parties before Marriage | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 6. | A ceremony of marriage was performed between\_\_\_\_\_\_\_\_\_\_\_\_\_and Smt \_\_\_\_\_\_\_\_\_\_\_\_on \_\_\_\_\_\_\_ at (place)\_\_\_\_\_\_\_\_\_\_\_We declare that we have been living together as husband and wife ever since the date noted above. We hereby declare that Neither of us and more than one spouse living on the and mentioned in application.Neither of us is an idiot or lunatic. Both of us have completed the age of Twenty Oneyears of age on the date of this application.We are not within the degrees of prohibited relationship. Our marriage was celebrated before the commencement of the Special Marriage Act 1954 (Central Act 43 of 1954) and according to the law custom us age having the force of low governing each of us relationship according to the act for said. |
| 7. | Marital Status at the time of Marriage | Husband \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Wife \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

 Score out whichever is not applicable.

We have been residing within the jurisdiction of the Marriage Officer, Delhi for a period of not less than thirty days immediately proceeding the date of this application. We declare that all the particulars are true to the best of our knowledge and belief.

Signature of Husband & Wife: - Husband \_\_\_\_\_\_\_\_\_\_Wife \_\_\_\_\_\_\_\_\_

Place \_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_

Phone No. (H) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (W) \_\_\_\_\_\_\_\_\_\_\_\_\_

**Illustrative list of enclosures required with the application from signed by husband and wife**
(a) Application from duly signed by both husband and wife.

(b) Documentary evidence of date of birth of both the parties (Copy of Matriculation/Passport/Birth Certificate). Minimum age of both parties is 21 years at the
time of registration under the Special/Hindu Marriage Act.

(c) Ration Card of husband & wife whose area SDM has been approached for the certificate.

(d) In case of Special Marriage Act, documentary evidence regarding stay in Delhi of the parties for more than 30 days (ration card or report from the concerned SHO).

(e) Affidavit by both the parties stating place and date of marriage, date of birth, marital status at the time of marriage and nationality.

(f) Two passport size photographs of both the parties and one marriage photograph.

(g) Marriage invitation card, if available.

(h) If marriage was solemnized in a religious place, a certificate from the priest is required who solemnized the marriage.

(i) Rs. 100/- in case of Hindu Marriage Act and Rs. 150/- in case of Special Marriage Act to be deposited with the cashier of District and the receipt should be attached with the
application form.

(j) Affirmation that the parties are not related to each other within the prohibited degree of relationship as per Hindu Marriage Act or Special Marriage Act as the case may be.

(k) Attested copy of divorce decree/order in case of a divorcee and death certificate of
spouse in case of widow/widower.

(l) Separate affidavits on Rs. 10/- Non Judicial Stamp paper from both husband and wife (format of affidavit given hereunder)

(m) In case of parties belonging to other than Hindu, Buddhist, Jain and Sikh religions,
a conversion certificate from the priest who solemnized the marriage (in case of Hindu
Marriage Act).

All complete attested (by Gazetted Officer) documents should be submitted to the Registrar of Marriages on any working day along with original documents. Both the parties along with witness as Gazetted Officer or PAN Card holder (Not related to any of applicant) with proof of residence, who attended the marriage (proof to be enclosed).

**Format of Affidavit (attested by Public Notary)**

**A F F I D A V I T**

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Son of /daughter of Shri\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_do hereby solemnly affirm and declare as under:-

1. That my marriage was solemnized with Shri/ Ms \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_son of/daughter of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\*(date of marriage) at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (place of marriage).

2. That my date of birth is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and I am the citizen of India.

3. That I was unmarried/divorcee/widower/widow at the time of marriage.

4. That I am not related to Shri/Ms \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_within the prohibited degree of relationship as per Hindu Marriage Act.

5. That I am Hindu by Birth.

**Deponent**

**VERIFICATION**Verification at Delhi/New Delhi on this\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date) day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Month)200 that the contents of the above affidavit are true and correct to he best of my knowledge and belief.

**Deponent**

**Before applying for the Registration of Marriage in Special Marriage Act, make sure that the applicants fulfil all the given eligibility criteria:**

1. Both the intending parties must be a citizen of India.

2. Neither of the parties must be having a living spouse at the time of marriage. In the case where either or both of the parties were involved in an earlier marriage, it is essential that the earlier marriage must be legally dissolved before applying under this Act.

3. Both the parties must be in a capacity to give free and full consent to the marriage.

4. The intending parties must comply with the age limit given under this Act. The female should at least be of eighteen years at the time of applying for marriage and the male must have completed the age of twenty-one.

5. The Act prohibits solemnization of marriage if the intending parties fall within the degree of prohibited relationships, as per the customs governing any one of the parties. The degrees of prohibited relationship differs from custom to custom. The First Schedule of the Act does provide for an extensive list of relationships that may be considered to be prohibited. However, the rule is that where a custom governing at least one of the parties allows marriage as intended, it may be solemnized.

**Note:**

All Photocopies (Documents)/Xerox Along with Photographs on front should be Attested by a Gazetted Officer.

Please bring your original documents while submitting the application from as well as at the time of registration.