



**STUDY ON
IMPLEMENTATION OF
COMPULSORY REGISTRATION OF MARRIAGES ACT, 2002
(ACT NO. 15 OF 2002)
IN ANDHRA PRADESH**

Acknowledgment

Mahita with the support of Plan India under Girls Advocacy Alliance program is working in Andhra Pradesh and Telangana to reduce incidences of child marriages and trafficking for sexual exploitation. One of the initiatives under this program is to increase the registration of all marriages solemnized between two consenting adults. AP Compulsory Registration of Marriage in the state of AP is one such initiative of the state government to increase the awareness for registration of marriages; despite this effort the rate of marriages registered is dismal.

This study was commissioned by Mahita to Centre for Social and Scientific Research (CSSR) so as to undertake an in depth examination of existing legal system in India with a focus on the implementation of the AP CMRA 2002 that is in place to ensure registration of all legal marriages in the state of Andhra Pradesh. We are extremely grateful to Dr. Ganesh and his team at CSSR for having delivered a critical analytical study on the existing legislation and suggesting appropriate recommendations to the states of AP to sort out the bottles necks in the implementation of the act.

We also take this opportunity to thank Plan India for their continuous guidance and support while framing the terms of reference of the study and the entire period of the study. Their valuable inputs have ensured that the study is much robust.

We also thank the state, district and mandal functionaries across various relevant departments in charge of implementing the AP CMRA 2002, who have taken time off their busy schedule to provide information and share their experiences in implementing the law. We believe that the study would be instrumental in addressing the issue of registration of marriages in the state. The study would prove to be a practical and versatile resource guide for all enforcement authorities and stakeholders who are committed for tackling the issue on the field.

MAHITA

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Abbreviations

AP	Andhra Pradesh
ANM	Auxiliary Nurse and Midwife
ARSH	Adolescent Reproductive and Sexual Health
ASHA	Accredited Social Health Activist
AWW	Anganwadi Worker
CDPO	Child Development Project Officer
CSSR	Centre for Social and Scientific Research
CMPO	Child Marriage Prohibition Officers
CRMA	Compulsory Registration of Marriages Act
CNCP	Children in Need of Care & Support
DCPU	District Child Protection Unit
DPO	District Project Officer
DRDA	District Rural Development Authority
DRO	District Revenue Officers
ICPS	Integrated Child Protection Committee
ICDS	Integrated Child Protection Service
IDI	In-depth Interview
IEC	Information Education and Communication
NGO	Non-Government Organization
PCMA	Prohibition of Child Marriages Act
PRI	Panchayat Raj Institution, a body of local governance in India
RDO	Revenue Divisional Officer
SERP	Society for Elimination of Rural Poverty
SHG	Self Help Group
SJPU	Special Juvenile Police Unit
VCPC	Village Child Protection Committee
VS	Village Secretary
WD & CW	Women Development & Child Welfare

CHAPTER I

EXECUTIVE SUMMARY

Since the year 2006, all marriages need to be registered in India under the Compulsory Registration of Marriages Act, 2006. It states that every Indian citizen needs to register his or her marriage within ten days of their marriage, irrespective of religion. Such compulsory registration would be of critical importance to prevent child marriages in the country. The Central Government has made it mandatory for all States to make registration of marriages compulsory saying that the states are in a better position to know the social structure and local conditions about their respective states. There are gaps in this law as it has been left to State Governments to take initiative. Secondly, non-registration of minor's marriage does not render them automatically void.

The Act says, Marriages to be compulsorily registered. Every marriage performed on and from the date of commencement of this Act shall be registered under this Act notwithstanding the fact that the said marriage had been entered in the marriage registers governed by any other personal laws of the parties to the marriage or custom or usage or tradition.

Further, there is The Karnataka Marriages (Registration and Miscellaneous Provisions) Act, 1976. The Himachal Pradesh Registration of Marriages Act, 1996 and the Andhra Pradesh Compulsory Registration of Marriages Act, 2002 came into force.

THE ANDHRA PRADESH COMPULSORY REGISTRATION OF MARRIAGES ACT, 2002 (ACT NO.15 OF 2002)

The Andhra Pradesh Compulsory Registration of Marriages Act, 2002 received the assent of the Governor on the 21st May, 2002 and continues as on today. The Aim of the Act is to combat Child Marriages, to reduce the deceit done to innocent women by men by marring multiple times and to uphold the right to property for women. The need and importance of the Act explores that; The Compulsory Registration of Marriages helps in dealing with many serious social and legal problems in a country. It helps in preventing Child Marriages and would ensure that the minimum age of marriage is complied with, it prevents non-consensual marriages and prevent illegal marriage, Polygamy and among other things. It curbs the deceit in marriages. It also ensures reduction in crime against women in cases of NRI marriages and enable married women to claim their right to live in the matrimonial home, claim maintenance and to claim property rights.

The present study is aimed to find out as the majority of Marriages are not being registered, what are different bottlenecks influencing the implementation of CRM Act, 2002 in Andhra Pradesh State and also to know the perceptions of different stakeholders i.e., duty bearers for implementing the Act. Ultimately the results of the study will help in drafting the advocacy plan for department of WD & CW, Andhra Pradesh. Mahita, one of the leading non-governmental organizations working on child rights is going to use the outputs of this study and design advocacy plan with the support of Plan India.

The core objectives of the study is to:

1. Undertake a critical review and recommend on the Andhra Pradesh Compulsory Registration of Marriages Act, 2002.
2. Identify the bottles necks in implementation CRMA in and Andhra Pradesh.
3. Propose concrete recommendations for effective rolling out CRMA in Andhra Pradesh.

The study is conducted by Centre for Social and Scientific Research between September to November 2019. The study used only qualitative information and collection of secondary data on the underlying the supporting factors and bottlenecks influencing the implementation of the Andhra Pradesh Compulsory Registration of Marriages Act, 2002.

The appropriateness and relevance of this approach was monitored through out the research process right from training of the researchers, subsequent collection of qualitative data at Village, Gram Panchayat, Mandal, District and State levels.

Based on the high prevalence of the Marriages in last 5 years Kurnool district was selected for the study in AP. State officials of Women Development & Child Welfare of Andhra Pradesh, District Nodal Officers/ Officials includes Dept., of Rural Development officials (DRDA-SERP-Velugu), PD-WD & CW, APD- ICPS in Kurnool district; APM-Velugu-DRDA of Kurnool Rural Mandal, Orvakallu and Pedapadu Mandals, Marriage Officers and connected key stakeholders were interviewed to see the level of their awareness of CRM Act, 2002, rolling out the Act, Bottlenecks and Suggestions on effective implementation of CRM Act at all levels.

FINDINGS

Consultations with various stakeholders at State, District, Mandal and Gram Panchayat level explores that, during all state level trainings conducted for District Panchayat Officers (DPO), DRDA-SERP staff and WD & CW staff; few sessions were allotted for discussion on PCMA and CRMA and Child Protection issues where they further disseminated the knowledge to Marriage Officers (Village Secretaries) and DRDA-Velugu staff, AWWs etc. at village level.

State level trainings were conducted to Marriage officers, DRDA-SERP-Velugu staff WD & CW staff, Revenue department official and Police officials on prevention of Child Marriages which includes implementation of PCM Act, CRM Act and other Child Protection issues.

Yearly, State level convergence meetings were conducted with Stamps & Registration department, DPOs, Marriage Officers, NGOs/ CSO, union members of Purohits, Religious leaders, District Collectors, DROs, Police officials and Education department officials and discussed about PCMA and CRMA as a point of agenda under Child Protection. No specific convergence happened on implementation of CRMA.

As per the CRMA 2002 the Marriage Officer is issuing the Marriage certificate, but the process of obtaining the certificate is routed through the Department of Rural development Agency at village level through Velugu programme. DRDA-SERP-VELUGU is supporting for registration of marriages in Andhra Pradesh because; the benefits of the “YSR Pelli Kanuka Scheme” are being provided by them.

Other than the Marriage Officers deputed by the government there are no human resource appointed for implementation of CRMA at any level. The department of DRDA (SERP-Velugu) and Dept of WD & CW i.e., ICDS and ICPS staff are providing voluntary support for marriage registrations and supporting activities like awareness generation through campaigns, trainings, meetings etc, community mobilization for implementation of CRMA.

The TOT is planned for Dec 2019 for Village Secretaries in entire state and further they would disseminate the trainings for Grama / Ward Sachivalayam Volunteers on Child Protection issues including implementation of PCMA and CRMA in entire state.

The awareness programs are conducted on all Child protection issues and Acts which includes PCMA and CRMA during the community level meetings conducted on social welfare schemes like YSR Pelli Kanuka, Ammavodi, Beti Bachao Beti Padhao, Kishori Vikasam, POSHAN Abhiyan program

The ICPS in collaboration with MAHITA, (Sri Parameswari Education Society) SPES, Nehru Yuva Kendra (NYK), Abhudaya Yuvajana Sangham, BIRDS NGO has conducted awareness campaigns on PCMA & CRMA and other acts related to child protection. As a part of Girls Advocacy Alliance, MAHITA has conducted many advocacy meetings at District level with government line departments on importance of implementation of PCMA & CRMA.

BOTTLENECKS

The District and Gram Panchayat level officials shared that, duplication of Marriage Registration is arising in few cases between two departments. i.e dept of Stamps & Registrations and Village Secretaries under department of Panchayat Raj as they both are doing marriage registrations; but there is no mechanism to crosscheck and identify the same. Hence, there is scope of misuse of marriage certificates.

The Marriage Officers and DRDA-Velugu personnel expressed that there no capacity building and awareness generation activities conducted on implementation of CRMA. At least they orient the community during the DRDA- Velugu conducted Grama Samakya meetings as a point of discussion along with the other aspects.

Most of the process on Marriage Registration is handled by DRDA-Velugu program at community level and issuing certificated through Marriage Officer i.e Village Secretary. But, there is no convergence between the line departments specifically on the Acts at District or Mandal level; when the district level quarterly review meetings conducted with District Collector or Joint Collector, PD-DRDA, RDO, DWO, DGP, DEO, SC, ST & BC welfare Officers etc the Child Protection issues are being discussed as a point. There is no agenda for discussion on implementation of CRMA.

There are no specific agenda or exclusive meetings or reviews, action plans on implementation of CRMA at any level including State, District, Mandal and Gram Panchayat/ Village.

There is no specific budget allotted for implementation of CRMA at any level. The DRDA-Velugu is working on the process of marriages registration with the purpose of providing the social welfare schemes like YSR Pelli Kanuka etc for SC, ST and OBC families. As a part of their regular activities the awareness is given on importance of registrations of marriages, its process and benefits etc.

The Marriage Officers has confusion in issuing the marriage certificate i.e should it be based on Bride birth place? Or Bridegroom birth place? or Marriage registration place? or Marriage performance place? etc. Hence, duplication of registrations and certificate issuance can happen and which may leads to misuse of marriage certificates.

Lack of awareness among the public; i.e as per CRMA marriage registration can be done at Gram Panchayat level also and get the certificate from Village Secretary; but lack of awareness on this, people are still approaching at Mandal level offices/ Tahasildar and District offices for marriage registration.

Because of State welfare schemes like YSR Pelli Kanuka etc SC, ST and OBC families are getting the registration of marriages for financial benefits. This is not happening mostly in General Category families.

KEY SUGGESTIONS

From the above discussions, the following key suggestions are made for effective implementation of the CRMA; submission of Marriage Registration certificate should be linked as a mandate for every pregnant women and Lactating mother in 'Mother and Child Protection Card (MCP)' to get the Health and Nutrition services during Antenatal care, Natal care and Postnatal care period. Then only all marriages will be registered.

The important Acts like PCMA and CRMA should be part of school curriculum; which helps to improve awareness among children and youth from early ages in its importance, benefits and effective implementation of Acts.

More awareness should be created at community level on importance of Marriage Registration, Place of registration, documents required, process and benefits of it; importantly community should be encouraged to get marriage registrations at Gram Panchayat level and get the certificate from Village Secretary; so that they can also save time and cost.

Marriage Registration Monitoring Committees to be formed and strengthen in both Rural and Urban areas to monitor the implementation of CRMA; involvement of ICDS, Corporators/ Municipal Commissioners/ MROs, Municipal council members should be made mandatory on implementation process of the CRMA in urban areas.

The Marriage Officers should submit periodical reports to District Panchayat Officer, PD-DRDA and Registrar General of Marriages at every month; which includes no. of marriages performed, no. of child marriages performed, no. of child marriages prohibited, no. of marriages registered, gaps, challenges, support required etc; which helps the higher authorities to know the situation and take de decisions. This coordination would help particularly to know the gap in marriage registrations, reasons and to identifying and address the implementation level challenges of CRMA at all levels.

Based on the data, regular review meetings should be conducted at District, Mandal and Gram Panchayat/ Village level on the incidents, awareness programs, identification and actions on implementation of CRMA.

The platforms of YSR Pelli Kanuka, Beti Bachao Beti Padhao, Kishori Vikasam, YSR Ammavodi, POSHAN Abhiyan program also may be used for awareness creation on effective implementation of CRMA.

CHAPTER II

INTRODUCTION AND REVIEW OF LITERATURE

INTRODUCTION

COMPULSORY REGISTRATION OF MARRIAGES ACTS STATES AND UNION TERRITORIES IN INDIA

It is worth noting that there are various laws governing the marriage and divorce in India, the Bill seeking Compulsory Registration of Marriages is not intended to challenge or interfere with any of these prevailing systems of personal laws but to simply ensure that marriages under all customs and religions can be registered.

The Law Commission of India has recommended compulsory registration of marriages to protect gullible women who become victims of fake marriages. In a report submitted to the Centre, the commission headed by former Supreme Court judge, Justice B.S. Chauhan, said the lack of provisions for compulsory registration of marriages had proven disastrous for women and deprived them of societal recognition and legal security.

“Fraudulent marriages are on the rise especially among non-resident Indians. Compulsory registration can serve as a means to ensure that conditions of a valid marriage have been performed,” the commission recommended.

MINOR AMENDMENT

It said a minor amendment to the Registration of Births and Deaths Act, 1969, including a provision for compulsory registration of marriage, would serve the purpose. The commission clarified that there was no need to amend any of the personal laws of religious communities.

The commission pointed to a 2006 ruling of the Supreme Court in Seema vs Ashwani Kumar that said marriages of persons who are citizens of India belonging to various religions should be registered compulsorily in their States.

Pursuant to the directions/ observations of the Supreme Court in many states¹ have passed law or framed rules for compulsory registration of marriages, i.e. Compulsory Registration of Marriages Acts.

¹ 2017, Law Commission of India, Govt of India, Compulsory Registration of Marriages, Ministry of Law and Justice, New Delhi, Report no. 270. Page no. 14&15.

The Act says, Marriages to be compulsorily registered. Every marriage performed on and from the date of commencement of this Act shall be registered under this Act notwithstanding the fact that the said marriage had been entered in the marriage registers governed by any other personal laws of the parties to the marriage or custom or usage or tradition.

Further, there are the Karnataka Marriages (Registration and Miscellaneous Provisions) Act, 1976, (3) The Himachal Pradesh Registration of Marriages Act, 1996, and (4) The Andhra Pradesh Compulsory Registration of Marriages Act, 2002 come into force.

ABOUT ANDHRA PRADESH COMPULSORY REGISTRATION OF MARRIAGE ACT, 2002

The Andhra Pradesh Women's Commission has requested both Andhra Pradesh and Telangana State governments to ensure enforcement of Compulsory Registration of Marriage Act, 2002 to provide security and protection for women.

The Commission had written to both the State Governments to appoint officers or designated existing officers at the Village, Mandal and Municipality level for mandatory registration of marriages, special cells be set up to protect the rights of women married to NRIs in view of increasing divorces forced on women while they were in India.

The Aim of the Act is to combat Child Marriages, to reduce the deceit done to innocent women by men by marrying multiple times and to uphold the right to property for women.

THE NEED AND IMPORTANCE OF THE ACT

- The Compulsory Registration of Marriages helps in dealing with many serious social and legal problems in a country.
- It helps in preventing Child Marriages and would ensure that the minimum age of marriage is complied with.
- Prevent non-consensual marriages.
- Prevent illegal marriage, Polygamy and among other things.
- It curbs the deceit in marriages.
- To ensure reduction in crime against women in cases of NRI marriages.
- Enable married women to claim their right to live in the matrimonial home, claim maintenance and to claim property rights.

REVIEW OF LITERATURE

COMPULSORY REGISTRATION OF MARRIAGES ACT, 2006

From the year 2006, all marriages need to be registered in India under the Compulsory Registration of Marriages Act, 2006. It states that every Indian citizen needs to register his or her marriage within ten days of their marriage, irrespective of religion. Such compulsory registration would be of critical importance to prevent child marriages in the country. The state governments in Madhya Pradesh, Uttar Pradesh, Haryana and Bihar, where child marriages are so rampant, have not taken any initiative to make registration of marriages compulsory. The Central Government has made it mandatory for all States to make registration of marriages compulsory saying that the states are in a better position to know the social structure and local conditions about their respective states. There are gaps in this law as it has been left to State Governments to take initiative. Secondly, non-registration of minor's marriage does not render them automatically void.

The Andhra Pradesh High Court decision (S.P. Pondey, Ms. Sultana Usmaniet al.,) upholding minor's marriage as legal has added to the problems of activism against child marriage. Registration of marriages has been made compulsory in some states of India. The Himachal Pradesh Marriage Registration Act, 1996 came into force in 2004 making all marriages within the state compulsory to be registered. Karnataka has Marriages (Registration and Miscellaneous Provisions) Act, 1976, making registration of all marriages compulsory, Rajasthan has a Rajasthan Compulsory Registration of Marriages Bill, 2002. The government of Rajasthan has made it mandatory to register marriages of couples with the authorities in order for their marriage to be recognized by the law. It was declared that no marriage will be officially recognized unless couples have a certificate obtained after registering with the authorities. Couples who register their marriage will also benefit as they will be more mature when they marry. Maharashtra has enacted the Maharashtra Regulation of Marriage Bureaus and Registration of Marriages Act, 1998, making Gram Sevaks the registrar. The legislative assembly of Tripura passed a Tripura Recording of Marriage Bill, 2003. Under the marriage laws in Goa, a civil registration is mandatory, and only registered marriages are considered valid².

The Andhra Pradesh Compulsory Registration of Marriages Act, 2002 received the assent of the Governor on the 21st May, 2002.

² S.P.Pondey, Ms.Sultana Usmani, Child Marriage in India- A Study of Situation, causes & Enforcement of Prohibition of Child Marriage Act, Pt. G.B. Pant Institute of Studies in Rural Development, Lucknow, Page No.79

SIGNIFICANCE OF PRESENT STUDY

The purpose of this study is to find out as the majority of Marriages are not being registered, what are different bottlenecks influencing the implementation of the Andhra Pradesh Compulsory Registrations of Marriage Act, 2002 in AP state and also to know the perceptions of different stakeholders i.e duty bearers for implementing the Act.

Ultimately the results of the study will help in drafting the advocacy plan for department of Panchayat Rah/ DRDA and Dept of WD&CW, Andhra Pradesh. Mahita, one of the leading non-governmental organizations working on child rights is going to use the outputs of this study and design advocacy plan along with Plan India.

OBJECTIVES OF THE STUDY

The core objectives of the study is to

1. Undertake a critical review and recommend on the Andhra Pradesh Compulsory Registration of Marriages Act, 2002.
2. Identify the bottles necks in implementation CRMA in and Andhra Pradesh.
3. Propose concrete recommendations for effective rolling out CRMA in Andhra Pradesh.

CHAPTER III

RESEARCH METHODOLOGY

The study used only qualitative information and collection of secondary data on the underlying the supporting factors and bottlenecks influencing the implementation of the Andhra Pradesh Compulsory Registration of Marriages Act, 2002.

The appropriateness and relevance of this approach was monitored through out the research process right from training of the researchers, subsequent collection of qualitative data at Village, Gram Panchayat, Mandal, District and State levels.

Based on the high prevalence of the Marriages in last 5 years Kurnool district was selected for the study in AP. State officials of Women Development & Child Welfare of Andhra Pradesh, District Nodal Officers/ Officials includes Dept of Rural Development officials (DRDA-SERP-Velugu), PD- WD&CW, APD- ICPS in Kurnool district; APM, Velugu-DRDA of Kurnool Rural Mandal, Orvakallu and Pedapadu Mandals, Marriage Officers and connected key stakeholders were interviewed to see the level of their awareness of CRM Act, 2002, rolling out the Act, Bottlenecks and Suggestions on effective implementation of CRM Act at all levels.

SAMPLE MATRIX OF THE STUDY

S. No.	State Level	Kurnool District	
	IDI	IDI	FGDs
1	Additional Director, WD & CW	PO (DRDA-Velugu) & PD - (WD&CW)	—
2	PO, DRDA	APD, ICPS (WD&CW)	—
3	Project Manager-Velugu, SERP, DRDA	Project Manager (DRDA-Velugu) & CDPO-IDCS	Velugu Staff (Kalyana Mitra, Sanga Mitra, AWWs, ASHA, SHG members
4	—	Assistant Project Manager (DRDA-Velugu- (2) & ICDS Supervisors (2)	PRI members, AWWs and ICDS Supervisors
5	—	Marriage Officers/ Village Secretary (2) & Kalyana Mitra (2)	Gram Sachivalayam Team
Total	3	12	3

CHAPTER IV

STATE LEVEL REVIEWS AND FINDINGS

The Andhra Pradesh Compulsory Registration of Marriage Act, 2002 (Act No.15 of 2002) has appointed of Registrar General of Marriages and marriage officers as follows.

- 1. Registrar General of Marriages**
- 2. District Registrar of Marriages**
- 3. Marriage Officers**

The Roles and Responsibilities of the Marriage officers as per the Act are given under:

DUTIES OF THE REGISTRAR GENERAL OF MARRIAGES

The Registrar General of Marriages

- (i) Shall exercise over-all superintendence and control over the functioning of the District Registrars of Marriages, Marriage Officers and other functionaries under the Act.
- (ii) Shall prescribe the registers to be maintained by the District Registrars and Marriage Officers.
- (iii) Shall inspect the Registration Offices throughout the State and issue such direction as is required for proper implementation of the provisions of the Act.
- (iv) Shall delegate any of his functions to the District Registrars for proper implementation of the provisions of Act.
- (v) Shall fix various charges under the Act from time to time and issue notification in the Andhra Pradesh Gazette.
- (vi) Shall maintain annual consolidated statement of the marriages registered, district-wise and furnish the same to the Government.

DUTIES OF THE DISTRICT REGISTRAR OF MARRIAGES

The District Registrar of Marriages

- (i) Shall inspect the marriage registration offices periodically and issue such instruction as are required for proper implementation of the provisions of the Act.
- (ii) Shall consolidate the quarterly returns and annual returns of all the Marriage Officers under his control and submit the same to the Registrar General of marriages with his observations.
- (iii) In the absence of any Marriage Officer, the District Registrar of Marriages shall register the marriage following the due formalities.

DUTIES OF THE MARRIAGE OFFICERS

The Marriage Officers

- (i) Shall maintain and update the prescribed registers referred to in the Rules.
- (ii) Shall submit monthly returns along with the duplicate copies of the Memorandums of Marriage received to the District Registrar of Marriages on or before 30th of every succeeding month regarding the marriage registered by him in the preceding month.
- (iii) The Marriage Officer shall institute prosecution with the prior sanction of the Registrar General under Section 18 of the Act.
- (iv) On application for grant of certified copies of the extracts of the Marriage Register or certificate or other records, the Marriage Officer or the District Registrar shall grant the same under his signature and official seal.

Implementation of the Act: The other key rules for Marriage Officers for

- (1) Where marriages are-
 - (a) Registered under the Hindu Marriage Act, 1955, Special Marriages Act, 1954, Indian Christian Marriage Act, 1872, Parsi Marriage and Divorce Act, 1936, officers designated to register the marriages;
 - (b) Performed by Christian Priests or Kazis or Parsi Priests and records are maintained regarding the marriages performed by them, the Christian Priests, Kazis and Parsi Priests; and
 - (c) Performed by the persons appointed or licensed under law to perform the marriages and records are maintained regarding the marriages performed by them those appointed or licensed persons.

In case of all modes of marriages the concerned officer, priest, Kazi or licensed persons shall send a copy of the marriage certificate issued to the parties to the marriages, on or before 30th of every succeeding month regarding the marriage registered by them in the preceding month to the concerned Marriage Officer of the locality appointed under sub-section (1) of Section 6 of the Act.

The above sub-rule shall not preclude the parties to such marriage from directly approaching the local Marriage Officer appointed under the Act and get the same registered.

2. Every Marriage Officer should display his name, designation as Marriage Officer in Telugu, English and the local language of the area conspicuously at his office.
3. The territorial jurisdiction of the Marriage Officers under Section 6 of the Act shall be co-terminus with the territorial jurisdiction of the Officer of the local body who registers the births and deaths of that area.
4. The Memorandum of the Marriage shall be in Form "B" and shall be signed by the bride and the bridegroom and by two witnesses for each party, duly affixing the passport size photograph of the bride and the bridegroom or a marriage photo on the Memorandum of Marriage and the duplicate Memorandum and the same shall be presented by the parties to the marriage to the Marriage Officer within thirty days from the date of marriage for registration of the factum of the marriage.
5. If any Memorandum received by the Marriage Officer is not accompanied by the duplicate Memorandum or is defective in any respect, he may require the parties to the marriage to furnish the duplicate thereof, or to rectify the defects or the same may be returned to them for rectification and resubmission within the time to be fixed by him.
6. The Marriage Officer shall have every item of rectification in Memorandum of marriage attested by both the parties.
7. As soon as the Memorandum of Marriage is received by the Marriage Officer, a serial number and the date of receipt of Memorandum shall be noted on the Memorandum.
8. The Marriage Officer shall supply the blank forms or Memorandum of marriage free of cost to the parties to the marriage.
9. The Marriage Officer shall specify on the title page of every blank register issued to him the number of pages contained in that register and also note down the date on which it was received and opened by him.

10. All the Marriage Registers maintained by the Marriage Officers and District Registrars shall be preserved permanently.
11. (i) The Marriage Officer shall register the marriage entering the particulars of marriage in his own hand in the Marriage Register. Both the parties and also two witnesses for each party shall sign in the Marriage Register.
(ii) This rule does not apply to the marriage where a copy of the marriage certificate was furnished to the Marriage Officer under Rule 3.
12. The Marriage Officer shall furnish the marriage certificate in Form "C" free of cost to bride and groom soon after registration of the factum of Marriage.
13. The Marriage Officers shall maintain a separate register for the copies of the marriage certificate received by them under Rule 3 of the above Rules.
14. Any person aggrieved by any order of the Marriage Officer may within thirty days from the date of such order appeal to the District Registrar.
15. Any person aggrieved by the order of the District Registrar, may prefer a revision before the Registrar General within thirty days from the date of such order.
16. The Marriage Officer may proceed to any place outside his office for registration of marriage provided there is an application in writing and signed by the parties and upon being provided with conveyance and a fee of Rs. 500 is paid, and register a marriage.

BENEFITS OF MARRIAGE REGISTRATION

- Multiple marriages can be prevented if Marriage certificate is obtained.
- Required for Legal adoption of Children.
- Protection for both Female and Male may be ensured more.
- Marriage certificate will be useful as a proof in case Divorce, Property issues, other legal issues, harassment, domestic violence, legalization of children, trafficking etc.
- Helpful for registration or legalization of NRI marriages.
- Marriage certificate will be issued for those who got re-marriage.

STATE LEVEL INITIATIVES / PLAN OF ACTIONS

During all state level trainings conducted for District Panchayat Officers (DPO), DRDA-SERP staff and WD & CW staff, few sessions were allotted for discussion on PCMA, CRMA and Child Protection issues; where they further disseminated the knowledge to Marriage Officers (Village Secretaries) and DRDA-Velugu staff, AWWs at village level.

State level trainings were conducted to Marriage officers, DRDA-SERP-Velugu staff WD & CW staff, Revenue department official and Police officials on prevention of Child Marriages which includes implementation of PCM Act, CRM Act and other Child Protection issues.

CONVERGENCE ACTIONS

Yearly, State level convergence meetings were conducted with Stamps & Registration department, DPOs, Marriage Officers, NGOs/ CSO, union members of Purohits, Religious leaders, District Collectors, DROs, Police officials and Education department officials and discussed about PCMA and CRMA as a point of agenda under Child Protection. No specific convergence happened on implementation of CRMA.

CHAPTER V

DISTRICT, MANDAL & GP LEVEL REVIEWS AND FINDINGS

The discussions on implementation of CRMA have been conducted with the District level officers of Panchayat Raj/ DRDA, WD&CW and Marriage Officers at Kurnool Districts of Andhra Pradesh.

PROCESS OF MARRIAGE REGISTRATIONS AT VILLAGE LEVEL

As per the CRMA 2002 the Marriage Officer is issuing the Marriage certificate, but the process of obtaining the certificate is routed through the Department of Rural development Agency at village level through Velugu programme. The applicant has to submit the required documents (Age, Address and Venue of marriage) to **Velugu**³ office at Mandal level through **Kalyana Mitra** volunteers prior to 5 days of marriage performance. The Velugu project official will verify the certificates prior to performance of the marriage and visit the Marriage venue on the day of marriage for verification and take the photographs of couple for witness. Further they will submit all these documents and evidences to Marriage Officer i.e Village Secretary and he will approve the issue the marriage certificate through digital signature and provide the certificate to the applicant. The Kalayana Mitra volunteer who is appointed by DRDA-SERP is the key and responsible for this process. There is two such Kalyana Mitra volunteers are appointed in each Mandal in AP.

DRDA-SERP-VELUGU is supporting for registration of marriages in Andhra Pradesh because; the benefits of the “YSR Pelli Kanuka Scheme⁴” are being provided by them.

Marriage registration certificate can be issued at Panchayat Secretary as per CRMA; but as revealed by Marriage Officers through Velugu scheme, due to lack of awareness among the public on this, they are still approaching Sub Registrar and Registrar of Registration and Stamps department to get the marriage registration; and few are not approaching anywhere as they don't require it.

³ Society for Elimination of Rural Poverty (SERP) is **implementing** “**Velugu**” - one of the flagship programmes of the Government of **Andhra Pradesh** to alleviate rural poverty.

⁴ The Government of Andhra Pradesh has proposed **YSR Pelli Kanuka Scheme** to provide financial assistance to the brides of different castes on the occasion of their marriage. Under this scheme, brides of Scheduled Caste (SC), Scheduled Tribes (ST), backward classes (BC), minorities and disabled will be assisted with a maximum amount of Rs.1,25,000 for their marriage.

HR AVAILABILITY

Other than the Marriage Officers deputed by the government there are no human resource appointed for implementation of CRMA at any level. The department of DRDA (SERP-Velugu) and Dept of WD&CW i.e. ICDS and ICPS staff are providing voluntary support for marriage registrations and supporting activities like awareness generation through campaigns, trainings, meetings etc, community mobilization for implementation of CRMA.

ACTION PLANS

There is no convergence is happening at district level on implementation of CRMA to discuss the updates/ progress, challenges and suggestions etc; but marriage officers are available and marriage certificates are available anytime for issue.

Whenever DRDA-Velugu program conducts district or Mandal level meetings for any special event; they will discuss about all Acts which includes CRMA.

The TOT is planned for Dec 2019 for Village Secretaries in entire state and further they would disseminate the trainings for Grama / Ward Sachivalayam Volunteers⁵ on Child Protection issues including implementation of PCMA and CRMA in entire state.

Government of AP has appointed a Women Police with designation of “Women & Child Welfare Assistant” for each Gram Panchayat for every 2000 population. She will closely works with ICDS and ICPS through WD&CW department; which also help in implementation of PCMA and CRMA.

CAPACITY BUILDING TRAINING'S/ AWARENESS PROGRAMS

- DRDA-Velugu program is conducting Grama Samakya (Village Organization meetings) at every month from 1st to 10th in Gram Panchayats; where SHG women, AWW, Sangamitra and Kalyanamitra volunteers are attending. Using these meetings as platform the awareness programs are conducted for communities.
- CDPO and ICDS supervisors revealed that the awareness activities on PCMA and CRMA have been conducted during CRC week celebrations during every November.
- The awareness programs are conducted on all Child protection issues and Acts which includes PCMA and CRMA during the community level meetings conducted on social welfare schemes like YSR Pelli Kanuka, Ammavodi, Beti Bachao Beti Padhao, Kishori Vikasam, POSHAN Abhiyan program.

⁵ Grama/ Ward Sachivalayam Volunteers are appointed for each 50 households in both Rural and Urban areas by Govt of AP in year 2019.

- The new IEC material is prepared for 'Kishori Vikasam'⁶, 'YSR Pelli Kanuka' etc and would be distributed to entire state. Both of these programs are helpful in prevention of child marriages and registration of marriages.

COLLABORATION WITH OTHER NGO/ CSO PARTNERS ON IMPLEMENTATION OF CRMA

The ICPS in collaboration with MAHITA, (Sri Parameswari Education Society) SPES, Nehru Yuva Kendra (NYK), Abhudaya Yuvajana Sangham, BIRDS NGO has conducted awareness campaigns on PCMA & CRMA and other acts related to child protection. As a part of Girls Advocacy Alliance, MAHITA has conducted many advocacy meetings at District level with government line departments on importance of implementation of PCMA & CRMA.

Superintend of Police of Kurnool district conducts monthly review meetings with Police official in the district on Women and Children issues which include prevention of Child Marriages and Acts.

DLSA also conduct quarterly reviews on Women and Children issues which includes updates on implementation of PCMA and CRMA; Police, CWC members, ICPS Panel Advocates are also participated.

⁶ The objective of **Kishori Vikasam** is to educate and create awareness among Adolescent girls in areas of gender awareness, menstrual health and hygiene, nutrition and other social issues.

CHAPTER VI

BOTTLENECKS

DUPLICATION OF MARRIAGE REGISTRATIONS BETWEEN MARRIAGE OFFICERS/ VILLAGE SECRETARIES AND REGISTRATION & STAMPS DEPARTMENT

The respondents of State, District, Mandal and Gram Panchayat level in in-depth interviews reveals that; duplication of Marriage Registration is arising in few cases between two departments. i.e dept of Stamps & Registrations and Village Secretaries under department of Panchayat Raj they both are doing marriage registrations; but there is no mechanism to crosscheck and identify the same. Hence, there is scope of misuse of marriage certificates.

NO CONVERGENCE BETWEEN THE LINE DEPARTMENTS AT DISTRICT AND MANDAL LEVEL LEADS POOR IMPLEMENTATION OF CRMA

Most of process on Marriage Registration is handled by DRDA-Velugu program at community level and issuing certificated through Marriage Officer i.e Village Secretary. But, there is no convergence between the line departments specifically on the Acts at District or Mandal level; when the district level quarterly review meetings conducted with District Collector or Joint Collector, PD-DRDA, RDO, DWO, DGP, DEO, SC, ST & BC welfare Officers etc., the Child Protection issues are being discussed as a point. There is no agenda for discussion on implementation of CRMA.

NO CAPACITY BUILDING ACTIVITIES

The Marriage Officers and DRDA-Velugu personnel expressed that there no capacity building and awareness generation activities conducted on implementation of CRMA. At least they orient the community during the DRDA- Velugu conducted Grama Samakya meetings as a point of discussion along with the other aspects.

CONFUSION IN REGISTRATION OF MARRIAGE

The Marriage Officers has confusion in issuing the marriage certificate i.e should it be based on Bride birth place? Or Bridegroom birth place? or Marriage registration place? or Marriage performance place? etc. Hence, duplication of registrations and certificate issuance can happen and which may leads to misuse of marriage certificates.

AGE DETERMINATION IS A CHALLENGE DUE TO FAKE CERTIFICATES OF AGE PROOFS

Fake age proofs are being submitted in many cases in Aadhar and other ID proofs. In some cases, education certificates are not provided saying that they have studied in Private schools/ Colleges and could not get the certificates. In such cases, age determination is difficult for registration of marriages for Marriage Officers.

LACK OF REVIEW MEETINGS AT ANY LEVEL ON IMPLEMENTATION OF CRMA AS SPECIFIC

There are no specific agenda or exclusive meetings or reviews, action plans on implementation of CRMA at any level including State, District, Mandal and Gram Panchayat/ Village. The DRDA as a Nodal agency and DPO (District Panchayat Office) used to conduct monthly review meetings in every district. In such meetings there is discussions happens on cases of number of marriages performed, no. of child marriages performed, no. of marriages reported, registered, beneficiaries identified for social welfare schemes, eligibility and disbursement etc as a point of discussion. There is no specific plan of actions on awareness creation, campaigns, convergence with other line departments and coordination with other stakeholders on CRMA.

NO SPECIFIC BUDGET ALLOTTED FOR IMPLEMENTATION OF CRMA

There is no specific budget allotted for implementation of CRMA at any level. The DRDA-Velugu is working on the process of marriages registration with the purpose of providing the social welfare schemes like YSR Pelli Kanuka etc to SC, ST and OBC families. As a part of their regular activities the awareness is given on importance of registrations of marriages, its process and benefits etc.

LACK OF AWARENESS AMONG THE PUBLIC ON MARRIAGE REGISTRATION

Lack of awareness among the public; as per CRMA marriage registration can be done at Gram Panchayat level also and get the certificate from Village Secretary; but lack of awareness on this, people are still approaching at Mandal level offices/ Tahasildar and District offices for marriage registration.

Because of State welfare schemes like YSR Pelli Kanuka etc SC, ST and OBC families are getting the registration of marriages for financial benefits. This is not happening mostly in General category families.

CHAPTER VII

SUGGESTIONS AND RECOMMENDATIONS

COMMUNITY LEVEL AWARENESS CREATION ON MARRIAGE REGISTRATIONS, PLACE, BENEFITS ETC

More awareness should be created at community level on importance of Marriage Registration, Place of registration, documents required, process and benefits of it; importantly community should be encouraged to get marriage registrations at Gram Panchayat level and get the certificate from Village Secretary; so that they can also save time and cost. The benefits of marriage registration are, multiple marriages can be prevented if Marriage certificate is obtained, Required for Legal adoption of Children, Protection for both Female and Male may be ensured more, Marriage certificate will be useful as a proof in case Divorce, Property issues, other legal issues, harassment, domestic violence, legalization of children, trafficking etc, Helpful for registration or legalization of NRI marriages and Marriage certificate will be issued for those who got re-marriage.

MARRIAGE REGISTRATION CERTIFICATE SHOULD BE LINKED AS MANDATE FOR MCP CARD

The department of WD&CW officials suggested that submission of Marriage Registration certificate should be linked as a mandate for every pregnant women and Lactating mother in 'Mother and Child Protection Card (MCP⁷)' to get the Health and Nutrition services during Antenatal care, Natal care and Postnatal care. Then only all marriages will be registered.

CRMA SHOULD BE PART OF EDUCATION CURRICULUM FOR CHILDREN AND YOUTH

The official also suggested that, the important Acts like PCMA and CRMA should be part of school curriculum; which helps to improve awareness among children and youth from early ages and effective implementation of Acts.

FORMATION AND STRENGTHEN OF MARRIAGE REGISTRATION MONITORING COMMITTEES IN RURAL AND URBAN AREAS

Marriage Registration Monitoring Committees to be formed and strengthen in both Rural and Urban areas to monitor the implementation of CRMA; involvement of ICDS, Corporators/ Municipal Commissioners/ MROs, Municipal council members should be made mandatory on implementation process of the CRMA in urban areas.

⁷ The **MCP card** is a tool for informing and educating the mother and family on different aspects of maternal and child care and linking maternal and childcare into a continuum of care through the Integrated Child Development Services (ICDS) scheme of Ministry of Women and Child Development and the National Rural Health Mission.

ENSURE REGULAR DATA SHARING ON MARRIAGE REGISTRATIONS AND GAPS

The Marriage Officers should submit periodical reports to District Panchayat Officer, PD-DRDA and Registrar General of Marriages at every month; which includes no. of marriages performed, no. of child marriages performed, no. of child marriages prohibited, no. of marriages registered, gaps, challenges, support required etc; which helps the higher authorities to know the situation and take de decisions. This coordination would help particularly to know the gap in marriage registrations, reasons and to identifying and address the implementation level challenges of CRMA at all levels.

Based on the data, regular review meetings should be conducted at District, Mandal and Gram Panchayat/ Village level on the incidents, awareness programs, identification and actions on implementation of CRMA.

CONDUCT REVIEW MEETINGS AND ACTION PLANS ON IMPLEMENTATION OF CRMA

Action plans, awareness meetings, orientations, reviews from State to village levels needs to be planned exclusively for implementation of CRM Act; at present the discussions were held during the other program priority meetings like District/ Mandal level review meetings with line departments for their issues, during YSR Pelli Kanuka meetings, DRDA-Velugu organized Village Samakya meetings and other meetings related to Child Protection in general.

AWARENESS PROGRAMS WITH LINE DEPARTMENTS/ FRONT LINE WORKERS/ NGOS/ CBOS AT GRASS ROOT LEVEL

Regular awareness programs should be conducted at gross root levels involving DRDA-Velugu staff, SHGs, CSO, NGOs involving Marriage Officers and Grama/ Ward Sachivalayam Volunteers on implementation of Compulsory Registration Marriages Registration Act.

AWARENESS GENERATION THROUGH MASS MEDIA ON CRMA

Wide publicity should be given on benefits of obtaining Marriage certificate in the local language and use creative and mass media through films, hoardings, posters, pamphlets, Loudspeakers, Cultural programmes etc. and advertisement in the TV, Radio and newspapers and on buses and trains etc.

COUNSELING FOR ADOLESCENT GIRLS AT FAMILY, INSTITUTIONS AND WORK PLACES ON MARRIAGE REGISTRATIONS/ IMPLEMENTATION OF CRMA

Adolescent girls should be given counseling at family, institution and work places effectively on importance and benefits on Registration of Marriages.

Awareness should be conducted at High Schools, Colleges, Swadhar homes and KGBVs on importance of marriage registration and implementation of CRMA.

ENSURE MARRIAGE REGISTRATION FOR ALL

As per the State and District official, because of State welfare schemes like YSR Pelli Kanuka etc SC, ST and OBC families are getting the registration of marriages for financial benefits. This is not happening mostly in General Category families. Hence, the Department has to ensure the registration of Marriages among General Category and or Above Poverty Line (APL) families as well by increasing the awareness on importance and benefits of Marriage Registration.

EFFECTIVE USAGE OF NATIONAL AND STATE LEVEL SCHEMES FOR ROLLOUT OF CRMA

The platforms of YSR Pelli Kanuka, Beti Bachao Beti Padhao, Kishori Vikasam, YSR Ammvodi, POSHAN Abhiyan program also may be used for awareness creation on effective implementation of CRMA.

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