

Pakistan Hindu Marriage Law

No. 11(21)/ Law/2019-

In exercise of the powers conferred by Section 25 and all other enabling provisions of the Hindu Marriage Act, 2017 (Act VII of 2017) read with the President's Order 18 of 1980 and the Law & Justice Division's Notification No. F17(2)80-Pub dated 31st December, 1980, the Chief Commissioner, ICT, is pleased to make the following rules:-

1. Short title, extent and commencement.
 - (i) These rules may be called the Islamabad Capital Territory Hindu Marriage Rules, 2023.
 - (ii) These rules shall be applicable to the area of Islamabad Capital Territory.
 - (iii) These rules shall come into force at once,
2. In these rules, there is anything repugnant in the subject or context
 - (i) "Act" means the Hindu Marriage Act, 2017
 - (ii) "Court" means a Family Court as defined in the West Pakistan
 - (iii) Family Courts Act, 1964 (W.P. Act XXV of 1964)
 - (iv) "Government" means the Chief Commissioner, ICT, as per the
 - (v) President's Order 18 of 1980 read with the Law and Justice Division's Notification No F. 17(2)/80. Pub. Dated 31st December, 1980
 - (vi) "Presiding Officer" means the presiding officer of the court.
 - (vii) "Pundit or Maharaj" means the person registered with the union council for the purpose of solemnizing marriages of Hindus.
 - (viii) "Section" means a section of the Act.
 - (ix) "Shaadi pert" means the marriage certificate as mentioned in clause 2(i) of the Act.
 - (x) "Shandi Registrar" means the marriage registrar notified under section 7 of the Act.
 - (xi) "Petition" means the document filed before the court to proceed under any section of the Act.
 - (xii) "Rules" means the Islamabad Capital Territory Hindu Marriage
 - (xiii) Rules, 2023. The words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.
3. "Registration of Pundit or Maharaj" to solemnize marriage as per the requirements of the Act:
 - (i) The Pundit or Maharaj shall solemnize the marriage of Hindus in accordance with their faith and belief,
 - (ii) For registration of any person as Pundit or Maharaj for a Union Council or such area as deemed appropriate by the Government, he shall be required to be:
 - a) A male Hindu adult.
 - b) Having adequate knowledge of Hinduism to solemnize the Hindu marriage as per the culture and the traditions of the parties to the marriages.
 - c) Supported by at least 10 members of the local Hindu community in writing as to his character & knowledge,
 - (iii) The applicant intending to be registered as Pundit or Maharaj, shall present an application on the prescribed Form (Annexure A) to the Shaadi Registrar stating therein:
 - a) Name
 - b) Parentage.

- c) Academic qualification or knowledge
- d) Religious qualification i.e. knowledge of Hinduism (e) Caste,
- e) Sect (if any)
- f) Copy of CNIC.
- g) Character certificate(s) from:
- h) . The Law Enforcing Agency or Agencies as may be notified by the Government.

4. The Duties of the Pundit or Maharaj:

- (i) He shall solemnize the marriages of the Hindus in accordance with their rites and rituals and at such places as the parties to the marriages may mutually agree.
- (ii) He shall not demand additional fees or charges from the parties or their parents or guardians or heirs or relatives than as may be notified by the Government.
- (iii) He during solemnizing the marriages, shall maintain decency, observe law & order requirements and honor the religious feelings of the parties as well as the people of the vicinity.
- (iv) He shall not do any act or permit anybody to do any act which is illegal, immoral, indecent or in breach of the law & order of the area under the law of the land.
- (v) He shall duly fill every column of all copies of the Shaadi parat while solemnizing a marriage and maintain the register of shaadi parats in such manner, form and for such period as may be notified by the Government.

5. Duties of the Marriage Registration Office-

- (vi) The marriage shall be registered in accordance with the provisions of section 6 of the Act,
- (vii) The marriage shall not be registered unless the conditions prescribed particularly in Section 4 of the Act are fulfilled.
- (viii) The registration of the marriage shall be made on production of the "Shaadiparats" duly filled in accordance with the requirement of the Act, along with the CNIC of the husband, wife and all the witnesses of the marriage and on the payment of the fee may be notified by the Government, within 15 days unless the delay is caused due to unavoidable circumstance.
- (ix) The relevant official of the Union Council or officer or the official as may be notified by the Government, shall maintain a register with the heading "Register of the Hindu Marriage's" containing all necessary details in relation to the solemnizing of the marriage. The register shall be a public document available for inspection by any person and copy of the requisite & concerned may be obtained by any person on submitting a written application to the Registrar and on payment of the fee as may be notified by the Government.

6. Shaadi Registrar:

- (x) (A person of such qualification as may be notified by the Government shall be appointed as Registrar for the purposes of the Act and the Rules.
- (xi) The person shall hold the office for such period as notified which may further be extended from time to time on payment of such fee and on such terms & conditions, by the Government. The Marriage Registrar notwithstanding the duties of the Marriage

Registration Office shall register the marriages and also maintain the record in accordance with the provisions of the Act and the Rules.

- (xii) He shall supervise the duties of the marriage solemnizers i.e. Pundits or Maharaj(s) as well as fulfillment of the requirements of the Act and the Rules.
- (xiii) Every register of marriages held by him shall be for one year and remain in his custody till further orders by the Government.
- (xiv) In case of demise of the Marriage Registrar or cancellation of his appointment as such, the whole record shall be submitted to the Registration Office which may be handed over to his successor.
- (xv) (vii) He shall act in accordance with the instructions issued from time to time by the Government.

7. Cases of termination of marriage and remarriage: - All cases of termination as well as re-marriage etc. shall unless the delay is caused due to some unavoidable circumstances, be reported to the Marriage Registrar within 15 days of the Order of the Court or the solemnization of the re-marriage respectively
8. Penalty for breach of rule(s): Any act or omission in violation of any of these rules or falsely or frequently or dishonestly done, shall notwithstanding any other law in force, be punishable with a penalty of such amount as may be notified by the Government,