

**Government of Uttarakhand**

**Home Section-05**

**No. /xx-5/2025/03(10)2024 (E-71413)**

**Dehradun dated January, 2025**

**Notification**

In exercise of the powers conferred by section 48, 389 and 391 of the Uniform Civil Code Uttarakhand, 2024, the Governor, is pleased to make the following rules, namely;

**The Uniform Civil Code Rules Uttarakhand, 2025**

**CHAPTER-1**

**PRELIMINARY**

**1. Short Title, Commencement and Extent-**

- (1) These Rules may be called The Uniform Civil Code Rules, Uttarakhand, 2025.
- (2) These Rules shall come into force on such date as the State Government may, by notification in the Official Gazette appoint.
- (3) These Rules shall extend to the whole of the State of Uttarakhand and apply also to the residents of Uttarakhand who reside outside the territories to which these rules extend. The provisions contained in these rules regarding Marriage, Divorce, Matrimonial Disputes & Incidental Matters and Live-in Relationship, shall also be applicable to the cases where one of the partners is a foreign national and the other is a resident of Uttarakhand. Inheritance/Succession in such cases shall be governed by Part - 2 of the Code read with the provisions made on the subject under these rules.

**2. Applicability of the Rules to Scheduled Tribes** – Pursuant to section 2 of The Uniform Civil Code, Uttarakhand, 2024, these rules shall not be applicable to the members of any Scheduled Tribes within the meaning of clause (25) of Article 366 read with Article 342 of the Constitution of India and the persons and group of persons whose customary rights are protected under Part XXI of the Constitution of India.

**3. Definitions-**

(1) In these rules, unless the context otherwise requires-

- (a) **“Acknowledgment certificate”** means a certificate issued to acknowledge that a marriage has been registered under any Act/Rules other than The Uniform Civil Code Rules, Uttarakhand, 2025, or to acknowledge a decree of divorce or nullity of marriage passed by any Court within the territory of Bharat;
- (b) **“Anand Karaj”** means the ceremony through which a marriage is solemnized/contracted according to customs and practices followed by the Sikh community;
- (c) **“Appellant”** means a person who has filed an appeal against an order passed by the Sub-Registrar/Registrar;
- (d) **“Ashirvad”** means the ceremony through which a marriage is solemnized/contracted according to customs and practices followed by the Parsi community;
- (e) **“Code”** means The Uniform Civil Code, Uttarakhand, 2024;
- (f) **“Database”** means the set (compilation) of all information/data that is created/received in the process of implementing the Code/Rules and that is electronically stored on the server(s);
- (g) **“Declarant”** means a person who wishes to declare her/his legal heir(s) by registering the same under these rules;

- (h) **“Electronic Register”** means the database;
- (i) **“Holy Union”** means the ceremony through which a marriage is solemnized/contracted according to customs and practices followed by the Christian community;
- (j) **“Inspector-General of Registration”** under provisions of Testamentary Succession of these rules means Inspector-General of Registration appointed in accordance with the provisions contained in section 3 of The Registration Act, 1908;
- (k) **“Mangal Pheras”** means the ceremony through which a marriage is solemnized/contracted according to customs and practices followed by the Jain community;
- (l) **“Memorandum”** means an application, along with the supporting document(s), submitted for the purpose of –
  - (i) registration of marriage; or
  - (ii) getting a divorce or nullity of marriage acknowledged; or
  - (iii) getting a declaration of registered marriage acknowledged;
- (m) **“Nikah”** means the ceremony through which a marriage is solemnized/contracted according to customs and practices followed by the Muslim community;
- (n) **“Nissuin”** means the ceremony through which a marriage is solemnized/contracted according to customs and practices followed by the Jewish community;
- (o) **“Officiant”** means any person who conducts the marriage ceremony in accordance with the customs & practices of the community concerned;

- (p) **“Pakton”** means the ceremony through which a marriage is solemnized/contracted according to customs and practices followed by the Buddhist community;
- (q) **“Register”** mentioned in the Code means Electronic Register;
- (r) **“Registrant”** means a person who wishes to get a marriage, divorce or nullity of marriage, live-in relationship or termination of live-in relationship registered, or to get a previous registration of marriage or a decree of divorce or nullity of marriage acknowledged, or a testator who wishes to register her/his testamentary statement/document or a person who wishes to register a Will/Codicil of a testator after testator’s death in accordance with these rules;
- (s) **“Registrar”** means any officer not below the rank of Sub Divisional Magistrate appointed by the State Government and shall include the Registrar appointed in accordance with the provisions contained in section 6 of The Registration Act, 1908 for purpose of testamentary succession.;
- (t) **“Registrar General”** means any officer not below the rank of secretary appointed by the State Government under the provisions of these rules and shall include Inspector General, Stamps and Registration appointed in accordance with the provisions contained in section 3 of The Registration Act, 1908 for purpose of testamentary succession.
- (u) **“Religious leader”** in relation to a community means a priest of the place of worship of that community or an office bearer of the religious body pertaining to that community.
- (v) **“Rules”** means the Uniform Civil Code Rules, Uttarakhand, 2025.

- (w) **“Saptapadi”** means the ceremony through which a marriage is solemnized/contracted according to customs and practices followed by the Hindu community;
- (x) **“Sub-Registrar”** means any officer appointed by the State Government under the provisions of these rules and shall include Sub-Registrar appointed in accordance with the provisions contained in section 6 of The Registration Act, 1908 for purpose of testamentary succession.
- (y) **“Testamentary Statement/Document”** means a will/codicil /statement for revocation of a previously registered will or codicil/statement for revival of a previously revoked will/codicil.
- (z) **“Will”** means the legal declaration of the intention of a testator with respect to her/his estate which she/he desires to be carried into effect after her/his death.
- (2) Words and expressions used herein and not defined, but defined in the code shall have the meanings respectively assigned to them in the code.

**“Explanation** - Any term or expression defined under The Indian Succession Act, 1925, but not defined under the Code or these rules, shall have the same meaning as defined under the said Act.

## **CHAPTER-2**

### **APPOINTMENTS AND DUTIES**

#### **4. Appointment of Registrar General, Registrar & Sub-Registrar**

- (1) **Appointment of Registrar General** – Save as otherwise, the State Government by notification under section 12 of the Code shall appoint any officer not below the rank of Secretary to be Registrar General.

**(2) Appointment of Registrars**

- (a) For Rural Areas under her/his jurisdiction, the Sub-Divisional Magistrate or any other officer designated by the State Government shall be the Registrar.
- (b) For Urban Areas under her/his jurisdiction, serviced by Nagar Panchayat and Nagar Palika, the Sub-Divisional Magistrate or any other officer designated by the State Government shall be the Registrar.
- (c) For Urban Areas serviced by Municipal Corporation, the Municipal Commissioner concerned or any other officer designated by the State Government shall be the Registrar; and
- (d) For Cantonment Areas, the Chief Executive Officer of the Cantonment Board or any other officer designated by the State Government shall be the Registrar.

**(3) Appointment of Sub-Registrars-**

- (a) In Rural Areas, the Village Panchayat Development Officer or whoever is holding the charge of the Village Panchayat Development Officer, for her/his area of jurisdiction, shall be the Sub-Registrar;
- (b) In Urban Areas serviced by Nagar Panchayat or Nagar Palika, the Executive Officer concerned or any other officer designated by the State Government shall be the Sub-Registrar;
- (c) In Urban Areas serviced by Municipal Corporation, the Tax Inspector in-charge of the Ward for the purpose of Tax collection or any other officer/personnel designated by the State Government shall be the Sub-Registrar for that Ward; and
- (d) In Cantonment Areas the Resident Medical Officer of the Cantonment Board or any other officer designated by the

CEO of Cantonment Board or any other officer designated by the State Government shall be the Sub-Registrar.

**5. Duties of Registrar General**

**(1) In case of registration of marriage and acknowledgement of registered marriage**

**(a) Steps to be taken on inaction by Registrar-**

(i) The memorandum for registration of marriage/ acknowledgment of registered marriage shall be automatically forwarded to the Registrar General for the purpose of summary inquiry in case the Registrar fails to act within three days of receipt of a memorandum in her/ his office under Accelerated Service (Tatkal Sewa), or within fifteen days otherwise.

(ii) Within fifteen days or in case a memorandum is submitted under Accelerated Service (Tatkal Sewa), within three days from the receipt of the forwarded memorandum, the Registrar General shall get a summary inquiry conducted by an official designated by her/him. The summary inquiry shall be conducted in the manner prescribed in clause (a) of rule 7(1).

**(b) Deciding Appeals filed by Registrants & Sub-Registrars against Orders passed by Registrars**

(i) The procedure for deciding appeals filed by Registrants shall be as follows -

(a) As far as possible, the Registrar General will decide the appeal preferred by the registrant(s) against an order passed by a Registrar rejecting the appellant's memorandum for registration of marriage/ acknowledgement of registered marriage within 60 days from the filing of such appeal. While deciding the appeal, the Registrar General shall,

*mutatis mutandis*, follow the procedure prescribed under clause (b) (i) to (vi) of rule 6(1);

(b) After following the procedure mentioned in the sub clause (i) (a) above, if the Registrar General comes to the conclusion that the order passed by the Registrar is just and valid, she/he shall reject the appeal by passing a reasoned order mentioning that her/his decision is final. A format of such an order is provided at Annexure – 15;

(c) After following the procedure mentioned in the sub clause (i) (a) above, if the Registrar General comes to the conclusion that the order passed by the Registrar is erroneous, she/he shall award the appeal by passing a reasoned order, a format of which is provided at Annexure - 15. In such a case the Registrar General shall also issue the certificate of registration of marriage/acknowledgment of registered marriage as per Annexure - 4 or 5 or 10 or 13 as the case may be.

(ii) The procedure for deciding appeals filed by the Sub-registrars shall be as follows-

(a) The Registrar General shall examine the grounds on which the appeal has been presented and, if required, she/he shall afford an opportunity of hearing to the Sub-Registrar;

(b) After carefully considering the reasons given by the Registrar while awarding the punishment and also the contents of the appeal as well as the facts presented during the hearing, the Registrar General shall pass a speaking order either rejecting or accepting the appeal;



(c) If the appeal is rejected under sub clause (ii) (a) above, a copy of the rejection order along with a copy of the order passed by the Registrar shall be sent to the competent authority. However, none of these records shall form a part of the Sub-Registrar's personal dossier.

**(2) In case of registration of decree of divorce/nullity of marriage:**

**(a) Steps to be taken on inaction by Registrar -**

(i) If the Registrar fails to act on a memorandum for registration of a decree of divorce or nullity of marriage within three days of receipt of a memorandum in her/his office under Accelerated Service (Tatkal Sewa), or within fifteen days otherwise, the memorandum shall be automatically forwarded to the Registrar General for the purpose of summary inquiry;

(ii) Within fifteen days or in case a memorandum is submitted under Accelerated Service (Tatkal Sewa), within three days from the receipt of the forwarded memorandum, the Registrar General shall get a summary inquiry conducted by an official designated by her/him. The summary inquiry shall be conducted in the manner prescribed in sub rule (2) (a) of rule 7.

**(b) Deciding appeals filed against an order passed by Registrar -**

(i) The procedure for deciding appeals filed by Registrants shall be as follows-

(a) As far as possible, the Registrar General will decide the appeal preferred by the registrant(s) against an order passed by a Registrar rejecting the appellant's memorandum for registering the decree of divorce/nullity of marriage within 60 days from the filing of such appeal. While deciding the appeal, the Registrar General shall,

*mutatis mutandis*, follow the procedure prescribed under clause (b) (i) to (vi) of rule 6(2);

(b) After following the procedure mentioned in the sub clause (i) (a) above, if the Registrar General comes to the conclusion that the order passed by the Registrar is just and valid, she/he shall reject the appeal by passing a reasoned order mentioning that her/his decision is final. A format of such an order is provided at Annexure – 15;

(c) After following the procedure mentioned in the sub clause (i) (a) above, if the Registrar General comes to the conclusion that the order passed by the Registrar is erroneous, she/he shall award the appeal by passing a reasoned order, a format of which is provided at Annexure - 15-. In such a case the Registrar General shall also issue the acknowledgement certificate for decree of divorce/nullity of marriage as per Annexure 4 or 5 or 10 or 13.

(ii) The procedure for deciding appeals filed by the Sub-Registrars shall be as follows-

(a) The Registrar General shall examine the grounds on which the appeal has been presented and, if required, she/he will afford an opportunity of hearing to the Sub-Registrar;

(b) After carefully considering the reasons given by the Registrar while awarding the punishment and also the contents of the appeal as well as the facts presented during the hearing, the Registrar General shall pass a speaking order either rejecting or accepting the appeal;

(c) If the appeal is rejected under sub clause (ii) (a) above, a copy of the rejection order along with a copy

of the order passed by the Registrar shall be sent to the competent authority. However, none of these records shall form a part of the Sub-Registrar's personal dossier.

**(3) In case of registration of declaration of Legal heir/Testamentary Succession.**

**(a) Steps to be taken on inaction by registrar-**

- (i) The application for declaration of legal heir(s) shall be automatically forwarded to the Registrar General for the purpose of summary inquiry in case the Registrar fails to act within fifteen days of receipt of the forwarded application;
- (ii) Within fifteen days of receipt of the forwarded application, the Registrar General shall conduct a summary inquiry in the manner prescribed in clause (a) (i) to (iv) of rule 7(3) and if found in order, the Registrar General shall issue the certificate of declaration of legal heir(s) or else reject the application and inform the declarant about the reason(s) for the rejection.

**(b) Deciding Appeals filed against an Order passed by Registrar-**

The Registrar General is required to decide an appeal, preferred by the declarant against an order passed by a Registrar rejecting the declarant's application for declaration of legal heir(s), within 60 days from filing of the appeal. While deciding the appeal -

- (i) The Registrar General shall carefully consider the ground(s) on the basis of which the application for declaration of legal heir(s) was rejected and check whether the ground(s) for rejection is/are included in the list enumerated in clause (c) (ii) of rule 7(3);
- (ii) The Registrar General shall examine the application for declaration of legal heir(s) submitted by the declarant, as well

as the grounds of appeal and the reasons put forth by the declarant challenging the rejection order;

- (iii) After applying her/his mind in the manner prescribed above, if the Registrar General is of the view that to meet the ends of justice it would be helpful to give an opportunity of hearing to the declarant concerned, she/he may hear the declarant via video conferencing or if the declarant concerned so prefers, by affording an opportunity of physical hearing;
- (iv) The Registrar General shall give at least three days' notice to the declarant regarding a scheduled hearing through video conference or through physical presence. The declarant shall have an option to reschedule the video conference/physical hearing for a maximum of two times. If the declarant fails to take advantage of hearing despite the opportunity afforded in the foregoing manner, the Registrar General shall proceed to decide the appeal on merit based on the available documents/information. A format of the order to be passed in this regard is provided in Annexure - 23;
- (v) After following the steps mentioned in the sub clauses (i) to (iv) above, if the Registrar General comes to the conclusion that the rejection order passed by the Registrar is just and valid, she/he shall reject the appeal by passing an order mentioning the reason(s) for such rejection. A format of such an order is provided in Annexure - 22; or
- (vi) After following the steps mentioned in the sub clauses (i) to (iv) above, if the Registrar General comes to the conclusion that the rejection order passed by the Registrar is erroneous, she/he shall award the appeal by passing a reasoned order, a format of which is provided in Annexure - 24. In such a case the Registrar General shall also issue the certificate of declaration of legal heir(s) as per Annexure - 21.

- (c) **Deposit of Testamentary Statement/Document-** The procedure to be followed by the Registrar for deposit of testamentary statement/document shall be governed by the provisions contained in The Registration Act, 1908 (Act No. 16 of 1908).
- (4) **In case of registration of live-in relationship.**
- (a) **Steps to be taken on inaction by registrar-**
- (i) A statement of live-in relationship shall be automatically forwarded to the Registrar General for the purpose of summary inquiry in case the Registrar fails to act within thirty days of the receipt of the statement;
- (ii) Within thirty days of the receipt of the forwarded statement of live-in relationship, the Registrar General shall get the summary inquiry conducted by an official designated by her/him. The summary inquiry shall be conducted in the manner the Registrar would have done so under clause (b) of rule 6(4).
- (b) **Deciding Appeals filed against an Order passed by the Registrar** – As far as possible, the Registrar General is required to decide an appeal preferred by the registrant(s) against an order passed by a Registrar rejecting the appellant's statement for registration of live-in relationship within 60 days of the filing of appeal. While deciding the appeal –
- (i) The Registrar General shall carefully consider the ground(s) on the basis of which the statement for registration of live-in relationship was rejected and check whether the ground(s) for rejection is/are included in the list enumerated in clause (b) of rule 6(4);
- (ii) The Registrar General shall examine the statement submitted to the Registrar as well as the ground(s) of appeal and the reasons put forth by the appellant(s) challenging the rejection order;

- (iii) After applying her/his mind in the manner prescribed above, if the Registrar General is of the view that to meet the ends of justice it would be helpful to give an opportunity of hearing to the party/parties concerned, she/he may hear the party/parties via video conferencing or if the party/parties concerned so prefer(s), by affording an opportunity of physical hearing;
- (iv) The Registrar General shall give at least three days' notice to the appellant(s) regarding a scheduled hearing through video conference or through physical presence in the format prescribed at Annexure - 34. The appellant(s) shall have an option to reschedule the video conference/physical hearing for a maximum of two times. If the appellant(s) fail(s) to take advantage of hearing despite the opportunity afforded in the foregoing manner, the Registrar General shall proceed to decide the appeal on merit based on the available documents/information;
- (v) After following the steps mentioned in the sub clause (i) to (iv) above, if the Registrar General comes to the conclusion that the rejection order passed by the Registrar is just and valid, she/he shall reject the appeal by passing a reasoned order. A format of such an order is provided at Annexure - 33;  
or
- (vi) After following the steps mentioned in the sub clause (i) to (iv) above, if the Registrar General comes to the conclusion that the rejection order passed by the Registrar is erroneous, she/he shall award the appeal by passing a reasoned order, a format of which is provided at Annexure - 35. In such a case the Registrar General shall also issue the certificate/provisional certificate of registration of live-in relationship as per Annexure-31/ Annexure – 32.

**(5) In case of termination of live in relationship –**

**(a) Steps to be taken on inaction by Registrar -**

- (i) A statement of termination of live-in relationship shall be automatically forwarded to the Registrar General for the purpose of summary inquiry in case the Registrar fails to act within fifteen days of the receipt of the statement;
- (ii) Within fifteen days of the receipt of the forwarded statement of termination of live-in relationship, the Registrar General shall issue the certificate of termination of live-in relationship to both the partners.

**6. Duties of Registrar**

**(1) In case of registration of marriage & acknowledgment of registered marriage -**

**(a) Steps to be taken on inaction by Sub-Registrar -**

- (i) The memorandum for registration of marriage/ acknowledgment of registered marriage shall be automatically forwarded to the Registrar for the purpose of summary inquiry in case the Sub-Registrar fails to act within three days of receipt of a memorandum under Accelerated Service (Tatkal Sewa), or within fifteen days otherwise;
- (ii) Within fifteen days or in case a memorandum is submitted under Accelerated Service (Tatkal Sewa), within three days from the receipt of the forwarded memorandum the Registrar shall conduct a summary inquiry in the manner prescribed in clause (a) of rule 7(1);
- (iii) Regarding the inaction, the Registrar shall call the explanation of the Sub-Registrar and after duly considering the submission made by the Sub-Registrar, take appropriate action.

(b) **Deciding Appeals filed against an order passed by Sub-Registrar-** The Registrar is required to decide an appeal, preferred by the appellant(s) against an order passed by a Sub-Registrar rejecting the appellant's memorandum for registration of marriage/acknowledgement of registered marriage, as far as possible within 60 days from filing of the appeal, while deciding the appeal-

(i) The Registrar shall carefully consider the ground(s) on the basis of which the memorandum for registration of marriage/acknowledgement of registered marriage, was rejected and check whether the ground(s) for rejection is/are included in the list enumerated in clause (g) (ii) or (iii) or clause (h) (ii) of rule 7(1) as the case may be;

(ii) The Registrar shall examine the memorandum/application submitted to the Sub- Registrar as well as the grounds of appeal and the reasons put forth by the appellant(s) challenging the rejection order;

(iii) After applying her/his mind in the manner prescribed above, if the Registrar is of the view that to meet the ends of justice it would be helpful to give an opportunity of hearing to the party/parties, she/he may hear the party/parties, via video conferencing or if the party/parties, so prefer, by affording an opportunity of physical hearing;

(iv) The Registrar shall give at least three days' notice to the appellant(s) in the format prescribed in Annexure - 14 regarding a scheduled hearing through video conference or through physical presence. The appellant(s) shall have an option to reschedule the video conference/physical hearing for a maximum of two times. If the appellant(s) fail(s) to take advantage of hearing despite the opportunity afforded in the foregoing manner, the Registrar shall proceed to decide the



appeal on merit based on the available documents/information. A format of the order to be passed in this regard is provided in Annexure - 15 / Annexure - 23;

(v) After following the steps mentioned in the sub clauses (i) to (iv) above, if the Registrar comes to the conclusion that the rejection order passed by the Sub-Registrar is just and valid, she/he shall reject the appeal by passing a reasoned order mentioning that the appellant(s) may prefer an appeal against the order passed by her/him to the Registrar General within thirty days of receiving the order. A format of such an order is provided in Annexure - 15;

(vi) After following the steps mentioned in the sub clauses (i) to (iv) above, if the Registrar comes to the conclusion that the rejection order passed by the Sub-Registrar is erroneous, she/he shall award the appeal by passing a reasoned order, a format of which is provided in Annexure - 15. In such a case the Registrar shall also issue the certificate of registration of marriage/acknowledgment of registered marriage as per Annexure - 4 or 5 or 10 or 13 as the case may be.

**(2) In case of registration of decree of divorce/nullity of marriage:**

**(a) Steps to be taken on inaction by Sub-registrar -**

(i) If the Sub-Registrar fails to act on a memorandum for registration of a decree of divorce or nullity of marriage within fifteen days of its receipt, the memorandum shall be automatically forwarded to the Registrar for the purpose of summary inquiry;

(ii) The Registrar shall ensure the inquiry is completed and an appropriate decision is taken within fifteen days of receiving the forwarded memorandum.

- (b) **Deciding appeals filed against an order passed by Sub-registrar:** The registrar is required to decide an appeal, preferred by the appellant(s) against an order passed by a Sub-registrar rejecting the appellant(s) memorandum for registration of decree of divorce/nullity of marriage, as far as possible within 60 days from filing of the appeal, while deciding the appeal-
- (i) The Registrar shall carefully consider the ground(s) on the basis of which the memorandum for registration of decree of divorce/nullity of marriage, was rejected;
  - (ii) The Registrar shall examine the memorandum/application submitted to the Sub- Registrar as well as the grounds of appeal and the reasons put forth by the appellant(s) challenging the rejection order;
  - (iii) After applying her/his mind in the manner prescribed above, if the Registrar is of the view that to meet the ends of justice it would be helpful to give an opportunity of hearing to the party/parties, she/he may hear the party/parties, via video conferencing or if the party/parties, so prefer, by affording an opportunity of physical hearing;
  - (iv) The Registrar shall give at least three days' notice to the appellant(s) in the format prescribed in Annexure 14 regarding a scheduled hearing through video conference or through physical presence. The appellant(s) shall have an option to reschedule the video conference/physical hearing for a maximum of two times. If the appellant(s) fails to take advantage of hearing despite the opportunity afforded in the foregoing manner, the Registrar shall proceed to decide the appeal on merit based on the available documents/information. A format of the order to be passed in this regard is provided in Annexure - 15/ Annexure - 23;

(v) After following the steps mentioned in the sub clauses (i) to (iv) above, if the Registrar comes to the conclusion that the rejection order passed by the Sub-Registrar is just and valid, she/he shall reject the appeal by passing a reasoned order mentioning that the appellant(s) may prefer an appeal against the order passed by her/him to the Registrar General within thirty days of receiving the order. A format of such an order is provided in Annexure - 15;

(vi) After following the steps mentioned in the sub clauses (i) to (iv) above, if the Registrar comes to the conclusion that the rejection order passed by the Sub-Registrar is erroneous, she/he shall award the appeal by passing a reasoned order, a format of which is provided in Annexure -15. In such a case the Registrar shall also issue the certificate of registration of decree of divorce/nullity of marriage as per Annexure – 4 or 5 or 10 or 13.

**(3) In case of registration of declaration of Legal Heirs/Testamentary Succession -**

**(a) Steps to be taken on inaction by Sub-Registrar-**

(i) The application for declaration of legal heir(s) shall be automatically forwarded to the Registrar for the purpose of summary inquiry in case the Sub-Registrar fails to act within fifteen days of receipt of the application for declaration of legal heir(s);

(ii) Within fifteen days of receipt of the forwarded application, the Registrar shall conduct the summary inquiry in the manner prescribed in clause (a) to (d) of rule 7(3) and if found in order, the Registrar shall issue the certificate of declaration of legal heir(s) or else reject the application and inform the declarant about the reason(s) for the rejection.

**(b)Deciding appeals filed against an order passed by Sub-**

**Registrar-** The registrar is required to decide an appeal, preferred by the declarant against an order passed by a sub-registrar rejecting the declarant's application for declaration of legal heir(s), within 60 days from filing of the appeal.

While deciding the appeal:-

- (i) The Registrar shall carefully consider the ground(s) on the basis of which the application for declaration of legal heir(s) was rejected and check whether the ground(s) for rejection is/are included in the list enumerated in clause (c) of rule 7(3);
- (ii) The Registrar shall examine the application submitted to the Sub-Registrar as well as the grounds of appeal and the reasons put forth by the declarant challenging the rejection order;
- (iii) After applying her/his mind in the manner prescribed above, if the Registrar is of the view that to meet the ends of justice it would be helpful to give an opportunity of hearing to the declarant concerned, she/he may hear the declarant via video conferencing or if the declarant concerned so prefers, by affording an opportunity of physical hearing;
- (iv) The Registrar shall give at least three days' notice to the declarant regarding a scheduled hearing through video conference or through physical presence. The declarant shall have an option to reschedule the video conference/physical hearing for a maximum of two times. If the declarant fails to take advantage of hearing despite the opportunity afforded in the foregoing manner, the Registrar shall proceed to decide the appeal on merit based on the available documents/information. A format of the order to be passed in this regard is provided in Annexure -23;
- (v) After following the steps mentioned in the sub clause (i) to (iv) above, if the Registrar comes to the conclusion that the

rejection order passed by the Sub- Registrar is just and valid, she/he shall reject the appeal by passing an order mentioning the reason(s) for such rejection. A format of such an order is provided in Annexure - 22; or

(vi) After following the steps mentioned in the sub clause (i) to (iv) above, if the Registrar comes to the conclusion that the rejection order passed by the Sub- Registrar is erroneous, she/he shall award the appeal by passing a reasoned order, a format of which is provided in Annexure - 24. In such a case the Registrar shall also issue the certificate of declaration of legal heir(s) as per Annexure - 21.

**(c) Deposit of Testamentary Statement/Document** - The procedure to be followed by the Registrar for deposit of testamentary statement/document shall be governed by the provisions contained in the Registration Act, 1908 (Act No. 16 of 1908).

**(4) In case of registration of Live-in relationship**

**(a) Sharing of Information with the Local Police Station**

- Pursuant to sub section (1) of section 385 of the Code, the Registrar on receipt of a statement of live in relationship, shall share the same with the officer in-charge of the local Police Station in accordance with the procedure prescribed under clause (k) of rule 6(4) .

**(b) Summary Inquiry** - Once a statement is received, the Registrar shall conduct a summary inquiry relating to the information provided by the registrants in compliance of sub rule (1) to (5) and (9) of rule 15 and clause (a) to (c) of rule 8(3). The Registrar shall check -

(i) The veracity of the names, phone number(s)/email id(s)/address(es) of the registrants/parent(s)/legal guardian(s)/religious leader/community head/official

of a religious or community body in the statement submitted by the registrants;

- (ii) The veracity of other information contained in the statement including the prior and existing relationship status with special emphasis on live-in relationship and marital status of the registrant(s) and also the authenticity of the documents provided/uploaded;
  - (iii) whether the live-in relationship is unfit for registration according to the provisions contained in section 380 of the Code;
  - (iv) Where a provisional certificate has been issued to the persons intending to enter into a live-in relationship and the registrant(s) subsequently submit(s) the information regarding the details of the accommodation to be used as shared household, the Registrar shall check the veracity of the details of landlord, copy of rent agreement & tenant verification number provided by the registrants and also get the address of the rented accommodation to be used as shared household verified before issuing the certificate of registration of live-in relationship.
- (c) **Asking for Additional Information** - If the Registrar/Registrar General needs additional information from the registrants, she/he shall ask for such additional information within ten days of the receipt of statement for registration of live-in relationship.
- (d) **Information to the Parent(s)/Legal Guardian(s)** - If one or both registrant(s) is/are below twenty-one years of age and the information provided regarding the parent(s)/legal guardian(s) is found to be correct, the Registrar shall

inform the parent(s)/legal guardian(s) of both registrant(s) about the receipt of the statement of registration of live-in relationship. This may be done through Email/SMS/WhatsApp message, and/or by post. A format of the communication to be sent in this regard is provided in Annexure - 29.

- (e) **Late Fee for Updating Information beyond the Time Period Stipulated under clause (c) of rule 8(3)-** A late fee as determined by the State Government through notification from time to time shall be chargeable if the mandatory updating of information is done beyond the time period prescribed under clause (c) of rule 8(3).
- (f) **Actions that might follow the Summary Inquiry -**
  - (i) While conducting a summary inquiry relating to sub section (1) of section 380 of the Code, if it is revealed that the registrant(s) has/have submitted a certificate of customs & usage that permits marriage between the registrants despite them being within the degrees of prohibited relationship, the Registrar shall verify from her/his own sources or from community heads or from religious leaders whether the customs & usage actually permit marriage between a woman and a man having identical relationship. If the Registrar comes to the conclusion that the customs & usage do not permit marriage between the registrants, she/he shall refuse to register the live-in relationship;
  - (ii) While conducting a summary inquiry relating to sub section (2) of section 380 of the Code, the Registrar shall compulsorily check the database to find out whether the registrant(s) is/are already married or is/are already in a live-in relationship with a third

person. If no record is available in the database, the Registrar shall make a discrete inquiry to verify the marital/live-in relationship status of the registrant(s) through her/his own sources without disclosing names of the registrant(s) to a third person. If the Registrar comes to the conclusion that one or both of the registrant(s) is/are already married or is/are already in a live-in relationship with a third person, she/he shall refuse to register the live-in relationship;

(iii) While conducting a summary inquiry relating to sub section (3) of section 380 of the Code, the Registrar shall compulsorily check the date of birth mentioned in the statement of live-in relationship along with the documents submitted as proof of date of birth. In case registrant(s) is/are minor(s), the Registrar shall refuse to register the live-in relationship;

(iv) While conducting a summary inquiry relating to sub section (4) of section 380 of the Code, if the Registrar suspects that the consent of one of the registrants has been obtained by force, coercion, undue influence, misrepresentation, or fraud, the Registrar shall establish personal contact with the suspected victim by visiting her/his place of residence and/or by speaking with her/him through telephonic means. If the suspicion of the Registrar is established to be true, the Registrar shall refuse to register the live-in relationship.

**(g) Notice for registration of live-in relationship -**

(i) When a Registrar comes to know that despite being in a live-in relationship, the partners to such live-in



relationship have not submitted their statement of live-in relationship in compliance of sub rule (3) of rule 15, the Registrar shall issue a notice to the live-in partners pursuant to the provisions contained in section 386 of the Code;

(ii) Efforts will be made by the Registrar to ascertain the mobile number(s) of the live-in partner(s) and, alternatively, their email address(es) and if information regarding any of these becomes available, the notice shall be issued through SMS, WhatsApp or Email as the case may be. If information regarding mobile number(s)/email address(es) is/are not available, the notice shall be sent by post or delivered by hand. The format of such a notice is provided in Annexure – 30;

(iii) If the registrants fail to submit the details of shared household under clause (c) of rule 8(3) or withdraw the statement of live-in relationship within the validity period of the provisional registration of live-in relationship, the Registrar shall issue a notice under section 386 of the Code.

(h) **Fine/Penalty and Punishment-** Registrar or any person as the case may be, may file a complaint before the competent magistrate for the commission of offence under section 387 of the Code.

**(i) Acceptance/Rejection of a Statement of Live-in Relationship -**

(i) After the completion of a summary inquiry and within 30 days from the receipt of the statement of live-in relationship, under sub-section (4) of section 381 of the Code the Registrar may either issue a registration

certificate or a provisional registration certificate, as the case may be, as per the format prescribed in Annexure - 31 or Annexure - 32, or pass an order rejecting the registration of live-in relationship, mentioning therein the reason(s) for such rejection. The rejection order shall also mention that an appeal may be filed against it with the Registrar General within thirty days of the receipt of the rejection order. A format of the rejection order is provided in Annexure – 33;

(ii) Under sub clause (i) above the registration of a statement of live-in relationship may be rejected by the Registrar on one or more of the following grounds -

- (a) The registrants fall within the degrees of prohibited relationship and marriage is not permitted between them under the customs and usage followed by either of the partners, or even if permitted, it is against public policy and morality;
- (b) One or both registrant(s) is/are already married;
- (c) One or both registrant(s) is/are already in a live-in relationship with a third person;
- (d) One or both registrant(s) is/are minor(s);
- (e) Consent of one of the registrants was obtained by force, coercion, undue influence, misrepresentation, or fraud as to any material fact or circumstance concerning the other registrant, including her/his identity;
- (f) An averment has been made in the statement of live-in relationship which is false and which the registrant(s) know(s) or has/have reason(s) to believe to be false;

- (g) The registrants have withheld any material fact in the statement of live-in relationship affecting the decision of the Registrar whether to register such live-in relationship or to reject the registration; and/or
- (h) Additional information/clarification has not been submitted within the time limit of ten days, prescribed under clause (b) of 8(3).

**(j) Action to be taken in case of Provisional Registration Certificate-**

- (i) A Provisional Certificate issued by the Registrar for registration of live-in relationship shall be valid for a period of thirty days from the date of issuance;
- (ii) In case the Registrants seek to extend the validity period because of their inability to find an accommodation within the thirty days' period, the Registrar may extend the validity of the Provisional Registration Certificate by a further period of fifteen days:  

Provided, that the request for the extension of the validity period is received prior to the expiry of the Provisional Registration Certificate;
- (iii) If the registrants submit a rent agreement jointly in the names of both registrants, the Registrar, after speaking with the landlord and duly verifying the authenticity of the rent agreement, tenant verification and on being satisfied about the genuineness of the agreement, shall issue the Registration Certificate of Live-in Relationship.

**(k) Procedure for sharing of Information with the officer-in-charge of the local police station -**

- (i) A statement of Live-in relationship shall be electronically made available by the Registrar to the officer-in-charge of the local Police Station through the District Superintendent of Police and access to this record by any person, including the officer-in-charge of the local Police Station, shall be subject to the supervision of the District Superintendent of Police;
- (ii) While sharing the information with the police under sub clause (i) above, the Registrar shall explicitly mention that the information regarding the statement of live-in relationship is only for the purpose of record.

**(5) In case of termination of live-in relationship**

**(a) Sharing of Information with the Local Police Station -**

The Registrar, on receipt of a statement of termination of live-in relationship, shall share the same with the officer in-charge of the local Police Station in accordance with the procedure prescribed under clause (f) of rule 6(5).

- (b) Sharing of Information with the Other Live-in Partner -** The Registrar, on receipt of a statement of termination of live-in relationship by one of the partners, shall inform the other live-in partner of such statement.

- (c) Summary Inquiry -** Once a statement of termination of live-in relationship is received, the Registrar shall -

- (i) conduct a summary inquiry to check the veracity of information provided by the live-in partner(s) in compliance of sub rule (1) and (3) of rule 16 and clause (b), (d), (e) of rule 6(5).

(ii) necessarily speak with the woman live-in partner to find out whether -

- (a) she is pregnant;
- (b) child/children was/were born of the live-in relationship and if so, the details of such child/children;
- (c) child/children was/were adopted with the concurrence of both live-in partners.

**(d) Information to the Parent(s)/Legal Guardian(s)** - If one partner or both partners is/are below twenty-one years of age and correct information regarding the parent(s)/legal guardian(s) is available, the Registrar shall inform the parent(s)/legal guardian(s) of the partner(s) about the receipt of the statement of termination of live-in relationship. This may be done through Email/SMS/WhatsApp message, and/or by post. A format of the communication to be sent in this regard is provided in Annexure - 36.

**(e) Action to be taken on receipt of a statement of termination of live-in relationship-**

- (i) On receipt of a statement of termination of a live-in relationship jointly by the partners in pursuance of the provision contained in section 384 of the Code, the Registrar, within fifteen days of the receipt of the statement, issue a certificate of the termination of live-in relationship to both the partners. The format of such a certificate is provided in Annexure -37;
- (ii) In case only one of the live-in partners submits a statement of termination of a live in relationship, the Registrar shall inform the other partner about the receipt of such a statement and, thereafter, within fifteen days of the receipt of the statement, issue a certificate of termination of live-in

relationship to both the partners in Annexure -37. While informing the other partner, the Registrar shall exercise all precaution to ensure that the information does actually reach the other partner. To this end, the Registrar shall send the communication through all available modes viz. WhatsApp, SMS, Email and by post and also by making a phone call to the other partner;

(iii) For cases covered under sub clause (i) & (ii) above, if one or both live-in partners is/are below the age of twenty-one years, the Registrar shall inform the parent(s)/legal guardian(s) of the live-in partner(s) as per clause (d) of rule 6(5);

(iv) For cases covered under sub clause (i) & (ii) above, the Registrar shall share the information with the officer in-charge of the local Police Station in accordance with the procedure prescribed under clause (f) of rule 6(5).

**(f) Procedure for sharing of information with the officer-in-charge of the local police station -**

(i) A statement of termination of live-in relationship shall be electronically made available by the Registrar to the officer-in-charge of the local Police Station through the District Superintendent of Police and access to this record by any person, including the officer-in-charge of the local Police Station, shall be subject to the supervision of the District Superintendent of Police;

(ii) While sharing the information with the police under sub clause (i) above, the Registrar shall explicitly mention that the information regarding the statement of termination of live-in relationship is only for the purpose of record.

## **7. DUTIES OF SUB-REGISTRAR**

### **(1) In case of Registration of marriage & acknowledgment of registered marriage -**

**(a) Summary inquiry to be conducted on receipt of a memorandum for registration of marriage/ acknowledgment of registered marriage and actions to be taken-** Once a memorandum is received, the sub-registrar shall conduct a summary inquiry and -

(i) check the veracity of information provided in compliance of sub rules (1) to (11) of rule 9 and clause (a) and (b) of rule 8(1);

(ii) check the veracity of the names, phone number(s), email id(s), address(es) of the registrants/parent(s) /guardian(s)/witness(es)/officiant/religious leader/ community head / official of a religious or community body contained in the memorandum submitted by the registrant(s);

(iii) check the veracity of other information contained in the memorandum including the prior and existing relationship status with special emphasis on live-in relationship of the registrant(s) and also the authenticity of the documents provided/uploaded;

(iv) check whether the conditions for marriage as stipulated in section 4 of the Code and the requirements of section 5 of the Code or the conditions of marriage enumerated under the proviso to section 7 of the Code along with the requirements of section 5 of the Code, as the case may be, are fulfilled; and

(v) take necessary action in accordance with the provisions contained in clause (c) to (h) of rule 7(1) and rule 20.

(b) **Asking for Additional Information** - If the Sub-Registrar needs additional information from the registrant(s), she/he shall ask for such additional information within five days of the receipt of a memorandum for registration of marriage or for acknowledgment of registered marriage. Against the memorandum submitted under Accelerated Service (Tatkal Sewa), the additional information/clarification shall be sought within twenty-four hours from the time the memorandum is received.

(c) **Information to the Parent(s)/Legal Guardian(s)** - If the information provided regarding the parent(s)/guardian(s) is found to be correct, the Sub- Registrar shall inform the parent(s)/guardian(s) of both the parties to the marriage about the receipt of the memorandum for registration of marriage or for acknowledgement of registered marriage through Email/SMS/WhatsApp message. The format in which this information is to be communicated is provided in Annexure – 7.

(d) **Late Fee for Submission of Memorandum beyond the Stipulated Time Period** - If a memorandum for registration of marriage/acknowledgement of registered marriage is received offline beyond the stipulated time period, the Sub-Registrar shall calculate the late fee in accordance with the provisions contained in sub rule (11) (c) of rule 9 and ask the registrants to pay the same. If a memorandum is submitted online beyond the stipulated time period, the late fee will be calculated automatically by the system and the registrants will be guided to deposit the same digitally through the Web-portal or Mobile App being used by the registrant(s)/Agency/Agencies.

(e) **Penalty/Fine and Punishment** - Based on sections 17, 18 and clause (i) of sub-section (1) of section 32 of the Code, the procedure to be adopted by the Sub-Registrar for levying



penalties/fines and for initiating action relating to the prescribed punishments are as follows -

- (i) In case of a marriage solemnized/contracted in the State between 26th of March, 2010 and the date of commencement of the Code, the registrants are required to submit the memorandum for registration of marriage/ acknowledgement of registered marriage within a period of six months from the date of commencement of the Code. On coming to know through her/his own sources or through a complaint that a memorandum has not been submitted within the stipulated period of six months as prescribed in clause (a) of rule 8(1), the Sub-Registrar shall issue a notice to the parties to the marriage asking them to submit, within thirty days of the issuance of the notice, a memorandum along with a statement explaining the reasons for the failure on their part in submitting the memorandum within the time prescribed above. A format of such a notice is provided at Annexure-8. On receipt of a memorandum and explanation, the Sub-Registrar shall carefully go through the explanation and try to ascertain whether there was wilful omission or negligence on the part of the registrant(s) in submitting the memorandum within the prescribed time. If the Sub-Registrar comes to the conclusion that there was indeed wilful omission or negligence on the part of the registrant(s), a penalty, as determined by the State Government through notification from time to time, shall be imposed on the registrant(s) which will be in addition to the fees

and the late fee prescribed under sub rule (11) of rule 9. A format of the order to be passed in this regard is provided in Annexure – 9;

- (ii) In case of a marriage solemnized/contracted after the commencement of the Code, the registrants are required to submit the memorandum for registration of marriage/ acknowledgement of registered marriage within a period of sixty days from the date of marriage. On coming to know through her/his own sources or through a complaint that a memorandum has not been submitted within the stipulated period of sixty days as prescribed under clause (a) of rule 8(1), the Sub-Registrar shall issue a notice, to the parties to the marriage asking them to submit, within thirty days of the issuance of the notice a memorandum along with a statement explaining the reasons for the failure on their part in submitting the memorandum within the time period prescribed above. A format of such a notice is provided in Annexure - 8. On receipt of a memorandum and explanation, the Sub-Registrar shall carefully go through the explanation and try to ascertain whether there was willful omission or negligence on the part of the registrants in submitting the memorandum within the prescribed time. If the Sub-Registrar comes to the conclusion that there was indeed willful omission or negligence on the part of the registrants, a penalty, as prescribed by the State Government through notification time to time, along with the prescribed fee as well as late fee prescribed under sub rule (11) of rule 9 shall be imposed on the

registrants. A format of the order to be passed in this regard is provided in Annexure – 9;

(iii) In case the registrants fail to submit the required memorandum within thirty days of the receipt of the notice issued under sub clause (i) or sub clause (ii) above, the Sub-Registrar may reject the application;

(iv) If in the course of conducting a summary inquiry, it is revealed that a person has committed an offence under section 32 of the Code, the Sub- Registrar shall inform the Police regarding the same.

**(f) Determination of willful omission or negligence under**

**Rule 7(1)-** If the parties to a marriage fail to timely submit the requisite memorandum because -

(i) one or both parties to the marriage was/were suffering from a mental or other illness of a kind in which it was not possible to verify her/his/their identity; or

(ii) both parties to the marriage were hospitalized from a date prior to the expiry of the stipulated period for submitting a memorandum which was continuing on the date of issuance of the notice by the Sub-Registrar and the hospitalization was due to such a serious medical condition that none of the parties to the marriage was in a position to submit a memorandum. it will be presumed that there was no willful omission or negligence on the part of the parties to the decree of divorce or nullity of marriage in submitting the memorandum; or

(iii) In determining the willful omission or negligence under section 17 (1) of the Code, the Sub-Registrar

may take into consideration any other reason supplied by the Registrants.

**(g) Acceptance/rejection of memorandum for registration of marriage**

- (i) After the completion of summary inquiry and within 15 days from the receipt of the memorandum for registration/acknowledgement of marriage, the Sub-Registrar may either issue a registration certificate in the format prescribed in Annexure - 4 for marriages involving polygamy or Annexure - 10 otherwise, or pass an order rejecting the memorandum and mentioning the reason(s) for such rejection. The rejection order shall also mention that an appeal may be filed against such order with the Registrar concerned within a period of thirty days from the date of such rejection. A format of the rejection order is provided in Annexure - 11. For a memorandum submitted under Accelerated Service (Tatkal Sewa) the process mentioned above shall be completed within a period of three days from the receipt of the memorandum;
- (ii) Under sub clause (i) above a memorandum for registration of marriage solemnized/contracted after the commencement of the Code may be rejected by the Sub-Registrar on one or more of the following grounds -
  - (a) Either party has a spouse living at the time of the marriage;
  - (b) At the time of the marriage, either party-
    - (i) Is incapable of giving valid consent in consequence of unsoundness of mind;

- (ii) Though capable of giving valid consent, has been suffering from a mental disorder of such a kind or to such an extent so as to be unfit for marriage;
  - (iii) Has been subject to recurrent attacks of insanity.
- (c) The man has not completed the age of twenty-one years and/or the woman has not completed the age of eighteen years;
  - (d) The parties are within the degrees of prohibited relationship, and no custom or usage governing the parties to the marriage permits marriage between them, and even if permitted, such a marriage is against public policy and morality;
  - (e) The marriage is prohibited under any law in force;
  - (f) No ceremony for marriage has been performed;
  - (g) Either party is in a live-in relationship and has not terminated the said relationship;
  - (h) A statement has been made in the memorandum which is false and which the registrant(s) know(s) or has reason(s) to believe to be false, or a forged or fabricated document has been submitted;
  - (i) Additional information/clarification has not been submitted within the time limit of five days or twenty-four hours, as the case may be, prescribed under clause (b) of rule 8(1).
- (iii) Under sub clause (i) above a memorandum for registration of marriage solemnized/contracted before the commencement of the code may be rejected by the Sub-registrar on one or more of the following grounds-

- (a) No ceremony of marriage has been performed or a ceremony of marriage was performed but the registrants have not been living together as spouses ever since;
- (b) Either party has, at the time of registration more than one spouse living and, under the custom or usage of any of the parties, polygamy was not permitted at the time of the marriage;
- (c) The man has not completed the age of twenty-one years and/or the woman has not completed the age of eighteen years;
- (d) The parties are within the degrees of prohibited relationship, and no custom or usage governing the parties to the marriage permits marriage between them, and even if permitted, such a marriage is against public policy and morality;
- (e) Either party is in a live-in relationship and has not terminated the said relationship;
- (f) A statement has been made in the memorandum which is false and which registrant(s) know(s) or has reason(s) to believe to be false, or a forged or fabricated document has been submitted;
- (g) Additional information/clarification has not been submitted within the time limit of five days or twenty-four hours, as the case may be, prescribed under clause (b) of rule 8(1).
- (h) **Acceptance/Rejection of memorandum for acknowledgment of registered marriage**
  - (i) After the completion of summary inquiry and within 15 days from the receipt of the memorandum, the Sub-Registrar may either issue an acknowledgement

certificate in the format prescribed at Annexure - 5 for marriages involving polygyny or Annexure - 13 otherwise, or pass an order rejecting the memorandum and mentioning the reason(s) for such rejection. The rejection order shall also mention that an appeal may be filed against such order with the Registrar concerned within a period of thirty days from the date of rejection. A format of the rejection order is provided at Annexure - 11. For a memorandum submitted under Accelerated Service (Tatkal Sewa), the above-mentioned process shall be completed within a period of three days of the receipt of the memorandum;

(ii) Under sub clause (i) above a memorandum for acknowledgement of registered marriage may be rejected by the Sub-Registrar on one or more of the following grounds -

- (a) The marriage is not registered under any statute of the Government of Bharat or of any State Government;
- (b) A statement has been made in the memorandum which is false and which registrant(s) know(s) or has reason(s) to believe to be false, or a forged or fabricated document has been submitted;
- (c) Additional information/clarification has not been submitted within the time limit of five days or twenty-four hours, as the case may be, prescribed under clause (b) of rule 8(1).

- (2) **In case of registration of divorce and nullity of marriage**
- (a) **Summary Inquiry to be conducted on receipt of a memorandum for registration of decree of divorce or nullity of marriage and actions to be taken-** Once a memorandum is received, the sub-registrar shall conduct a summary inquiry to check -
- (i) The veracity of information provided in compliance of sub rule (2), (3), (5), (6) and (7) of rule 10 and clause (a) to (c) of rule 6(2);
  - (ii) The authenticity of the decree and its finality through the Web-portals of e Courts, the High Court concerned and the Supreme Court of India with the help of case number, CNR number, diary number provided by the registrant(s) or otherwise. If the memorandum has not been submitted jointly by both parties to the decree of divorce or nullity of marriage but by only one of the parties, the Sub-Registrar shall, if the other party is alive, speak with the other party telephonically or otherwise to verify that the decree has indeed become final;
  - (iii) The authenticity of the document(s) submitted as the proof of divorce or nullity of marriage that was granted before the commencement of the Code under any customary law of the parties concerned;
  - (iv) That stipulations made under clause (i) of sub-section (2) of section 13 and section 29 of the Code are not violated; and
  - (v) Take necessary action in accordance with the provisions contained in clause (b) to (f) of rule 7(2) and rule 20.
- (b) **Asking for Additional Information** - If the Sub-Registrar needs additional information from the registrant(s), she/he shall



ask for such additional information within five days from the receipt of the memorandum for registration of decree of divorce or nullity of marriage.

- (c) **Late Fee for Submission of Memorandum beyond the Stipulated Time Period** - If a memorandum for registration of decree of divorce or nullity of marriage is received offline beyond the stipulated time period, the Sub-Registrar shall calculate the late fee in accordance with the provisions contained in sub rule (7) of rule 10 and ask the registrants to pay the same. If a memorandum is submitted online beyond the stipulated time period, the late fee will be calculated automatically by the system and the registrants will be guided to deposit the same digitally through the Web-portal or through the Mobile App being used by the registrant(s)/agency/agencies.
- (d) **Penalty/Fine and Punishment-** Based on sections 17, 18 and clause (ii) of sub- section (1) of section 32 of the Code, the procedure to be adopted by the Sub- Registrar for imposing penalties/fines and for initiating action relating to the prescribed penalty/fine and punishments is as follows -
- (i) After the date of commencement of the Code, if a decree of divorce or nullity of marriage is passed by any Court in the State or outside the State where at least one of the parties to the marriage involved in the decree is a resident of Uttarakhand, such party/parties is/are required to submit the memorandum for registration of decree of divorce or nullity marriage within a period of sixty days from the date the decree becomes final, i.e., within sixty days from the date of passing of the decree in case there is no right to appeal, or if there is a right to appeal, within sixty days from the date the right to appeal expires without an appeal having

been filed, or where an appeal has been filed, within sixty days from the date on which the appeal was dismissed and there is no further right to appeal. On coming to know through her/his own sources or through a complaint that a decree of divorce or nullity of marriage has become final and a memorandum has not been submitted within the stipulated period of sixty days prescribed under clause (a) of rule 8(2), the Sub-Registrar shall issue a notice to the party/parties to the decree asking her/him/them to submit, within thirty days from the date of receipt of the said notice, a memorandum along with a statement explaining the reasons for the failure in submitting the requisite memorandum. A format of such a notice is provided in Annexure - 8. On receipt of a memorandum and explanation, the Sub-Registrar shall carefully go through the statement explaining the reason(s) for the failure to submit the memorandum and try to ascertain whether there was wilful omission or negligence on the part of the party/parties. If the Sub- Registrar comes to the conclusion that there was indeed wilful omission or negligence on the part of the party/parties to the decree of divorce or nullity of marriage, penalty as determined by the State Government, through notification time to time shall be imposed on the party/parties, which will be payable in addition to the fee and the late fee prescribed under sub rule (7) of rule 10. A format of the order to be passed in this regard is provided in Annexure – 9;

- (ii) In case the party/parties fail to submit the required memorandum within thirty days from the receipt of the notice issued under sub clause (i) above, the Sub-Registrar

shall inform the Police regarding the failure to submit the required memorandum on being asked to do so;

(iii) If in the course of conducting a summary inquiry, it is revealed that after commencement of the Code, any person has dissolved a marriage in contravention of section 29 of the Code, the Sub-Registrar shall file a first information report regarding this act with the Police. A format of the first information report is provided in Annexure - 18.

**(e) Determination of wilful omission or negligence under Rule**

**7(2)** - If the parties to a decree of divorce or nullity of marriage fail to submit the memorandum within the stipulated time limit because-

- (i) Both parties to the decree of divorce or nullity of marriage was/were suffering from a mental or other illness of a kind in which it was not possible for the party/parties to verify her/his/their identity; or
- (ii) Both parties to the decree of divorce or nullity of marriage were hospitalized from a date prior to the expiry of the stipulated period for submitting a memorandum which was continuing on the date of issuance of the notice by the Sub-Registrar and the hospitalization was due to such a serious medical condition that none was in a position to submit a memorandum; it will be presumed that there was no willful omission or negligence on the part of the parties to the decree of divorce or nullity of marriage in submitting the memorandum; or
- (iii) In determining the wilful omission or negligence under section 17 (1) of the Code, the Sub-Registrar may take into consideration any other reason supplied by the Registrants.

**(f) Acceptance/Rejection of memorandum for registration of decree of divorce or nullity of marriage-**

(i) After the completion of summary inquiry and within 15 days from the receipt of the memorandum, the Sub-Registrar may either issue an acknowledgement certificate in the format prescribed in Annexure – 19 for marriages dissolved through the judicial process or in the format prescribed in Annexure - 20 for marriages dissolved through customary laws before the commencement of the Code, or pass an order rejecting the memorandum and mentioning the reason(s) for such rejection. The rejection order shall also mention that an appeal may be filed against the order with the Registrar concerned within a period of thirty days from the date of rejection. A format of the rejection order is provided at Annexure – 12;

(ii) Under sub clause (i) above a memorandum for registration of decree of divorce or nullity of marriage may be rejected by the Sub-Registrar on one or more of the following grounds -

(a) Registration is being sought on the basis of divorce/nullity of marriage granted after commencement of the Code, under customary law of the parties concerned;

(b) A decree of divorce or nullity of marriage has not been passed by any competent Court;

(c) The decree of divorce or nullity of marriage passed by a competent Court has not become final as an appeal against the decree is pending before an appellate Court;

(d) The decree of divorce or nullity of marriage passed by a competent Court has been reversed by an order of an appellate Court which has become final;

- (e) The time limit prescribed for filing an appeal against the decree of divorce or nullity of marriage passed by a competent Court, or against an order passed by an appellate Court has not yet expired;
- (f) A statement has been made in the memorandum which is false and which registrant(s) know(s) or has reason(s) to believe to be false, or a forged or fabricated document has been submitted;
- (g) Additional information/clarification has not been submitted within the time limit of five days, prescribed under clause (b) of rule 8(2).

**(3) In case of registration of declaration of legal heirs -**

- (a) **Summary inquiry to be conducted on receipt of an application for declaration of legal heir(s)-** Once an application is received, the Sub-registrar shall conduct a summary inquiry to check-
  - (i) the veracity of information provided in compliance of sub rules (3), (4), (7) of rule 12 and sub- rule (1) of rule 13;
  - (ii) the veracity of the Aadhaar number(s); Name(s); Phone number(s)/Email id(s)/Address(es) of the declarant/legal heir(s) contained in the application submitted by the declarant;
  - (iii) the veracity of the relationship(s) between the declarant and the legal heir(s) mentioned in the application; and
  - (iv) whether the declarant is of a sound mind at the time of filing the application for declaration of legal heir(s).
- (b) **Asking for Additional Information-** If the sub-registrar needs additional information from the declarant, she/he shall ask for such additional information within five days of the receipt of an application for declaration of legal heir(s).

(c) **Acceptance/Rejection of the application of declaration of legal heir(s) -**

(i) After the completion of summary inquiry and within 15 days from the receipt of the application, the Sub-Registrar may either issue a certificate of declaration of legal heir(s), the format of which is provided in Annexure - 21, or pass an order rejecting the application and mentioning the reason(s) for such rejection. The rejection order shall also mention that an appeal may be filed against such order with the Registrar concerned within a period of thirty days from the date of such rejection. A format of the rejection order is provided in Annexure – 22;

(ii) Under sub clause (i) above an application for declaration of legal heir(s) may be rejected by the Sub-Registrar on one or more of the following grounds –

- (a) The declarant has not completed the age of eighteen years;
- (b) The summary inquiry reveals that the declarant is not of sound mind;
- (c) An information provided in the application is false or a document submitted is forged or fabricated;
- (d) Additional information/clarification has not been submitted within the time limit of five days prescribed under sub rule (1) of rule 13.

(d) **Acceptance/Rejection of the Information updated by the Declarant after Registration of Declaration of Legal Heir(s) -** Once the declarant updates an information, the Sub-Registrar will conduct a summary inquiry to check the veracity of the information being updated. Within 15 days from the date of receipt of the

updated information, the Sub-Registrar may either issue an updated certificate of declaration of legal heir(s), the format of which is provided in Annexure - 21, or pass an order rejecting the updation and mentioning the reason(s) for such rejection. The rejection order shall also mention that an appeal may be filed against such order with the Registrar concerned within a period of thirty days from the date of such rejection.

**(4) In case of registration of testamentary succession-**

- (a) **Summary inquiry** - Once an application for registration of testamentary statement/document is received, the Sub-Registrar shall conduct a summary inquiry within fifteen days to check -
- (i) the veracity of information provided in compliance with the clause (c) to (n) of rule 14(2);
  - (ii) whether the testator is/was capable of making a Will/Codicil, or is capable of revoking/reviving her/his Will/Codicil, or capable of declaring her/his previously registered Will/Codicil as her/his last Will/Codicil, or capable of declaring her/his previously registered statement of revocation/revival of the Will/Codicil as her/his last statement of revocation/revival of the Will/Codicil, and in case any other registrant is registering the Will/Codicil after the testator's death, authenticity of the person presenting the testator's Will/Codicil for registration;
  - (iii) the veracity of the document(s) provided;
  - (iv) the veracity of the declaration made through the self-video by the registrant other than the testator and the witnesses.

**Explanation:** For the purpose of checking the veracity of the information provided in the application for registration of testamentary statement/document, the inquiry shall be done in one of the following ways:

- (a) Conducting a video call with the maker of the testamentary statement/document;
  - (b) Undertaking a physical inspection, either by personally visiting the relevant location or by summoning the maker of the testamentary document/statement;
  - (c) Engaging a government official, located in proximity to the maker of the testamentary document/statement, to assist in verifying the details provided in the application or declaration.
- (b) **Action to be taken after Summary Inquiry** - After the completion of summary inquiry under clause (a) of rule 7(4), the Sub-Registrar shall, irrespective of the fact that the testator/registrant other than the testator died before the completion of summary inquiry, either accept the application for registration of the testamentary statement/document and enter the relevant information presented through the online submission in Book 3 under section 51 of the Registration Act, 1908, (Act No. 16 of 1908) or reject the application for the registration of testamentary statement/document on the basis of incorrect/false information and/or forged/fabricated document in Annexure - 25.
- (c) **Rejection of an application for registering a testamentary Statement/Document** - If the application for online registration of a testamentary statement/document is rejected under clause (b) of rule 7(4), the Sub-Registrar shall, through Email /WhatsApp/SMS, inform the applicant about the rejection along with the reason(s) for doing in Annexure - 26.



- (d) **Issuance of Registered Testamentary Statement/ Document** - If the application for online registration of a testamentary statement/document is accepted under clause (b) of rule 7(4), a digitally signed testamentary statement/document shall be issued by the Sub-Registrar, through Email/WhatsApp/SMS, to the registrant other than the testator. In case the testator/registrant other than the testator died before the completion of summary inquiry, the date of registration shall be the date of submission of the testamentary statement/document. Additionally, the testator/registrant other than the testator may download the digitally signed testamentary statement/document from the official Web-portal/Mobile App of the Code.
- (e) **Preserving a Copy of the Registered Testamentary Statement/Document-** Once a testamentary statement /document gets registered, the same shall be preserved in the records irrespective of the fact that the testator has subsequently got another testamentary statement/document registered.
- (f) **Summary Inquiry on Application for getting a Certified Copy of a Registered Document** - If an executor, legatee or an authorized person submits the death certificate of the testator and applies for getting a certified copy of the last registered testamentary statement/document, the Sub-Registrar shall conduct a summary inquiry to check the veracity of the testator's death certificate presented and to also establish the fact that the applicant is indeed an executor/legatee/an authorized person in the testator's last registered testamentary statement/document.
- (g) **Action to be taken by the Sub-Registrar after conducting a Summary Inquiry under clause (f) of rule 7(4) above -**

After conducting the summary inquiry under clause (f) of rule 7(4), if the Sub-Registrar is satisfied that the claim made by the applicant is valid, she/he shall issue a certified copy of the registered testamentary statement/document applied for. Otherwise, the application shall be rejected stating the reason(s) for doing so. Issuance of the certified copy or rejection of the application under this Rule, shall be done within a period of fifteen days from the date of receipt of the application.

- (h) **Information to the Executor(s) /Legatee(s)/ Authorized Person(s)** - On receipt of the death certificate of a testator and after checking the veracity of the death certificate on the CRS Web-portal, the Sub-Registrar shall, through SMS, Email and WhatsApp, inform the executor(s) /legatee(s)/authorized person(s) mentioned in the testator's last registered testamentary statement/document that she/he is an executor/legatee /authorized person in the testator's last registered testamentary statement/document.

## **8. DUTIES OF REGISTRANTS**

### **(1) In case of Marriage solemnized/contracted**

- (a) **Timely Submission of Memorandum-** Based on the stipulations made in section 10 of the Code the following time schedule is prescribed for submitting a memorandum-

- (i) In case of a marriage solemnized/contracted in the State before 26th of March, 2010, the registrants are required to submit the memorandum for registration of marriage or for acknowledgement of registered marriage within a period of six months from date of commencement of the Code along with the fee prescribed under sub rule (11) (a) or sub rule (11) (b) of rule 9. If such a memorandum is submitted after six months from date of

commencement of the Code it must be accompanied with an additional fee prescribed under sub rule (11) (c) of rule 9;

(ii) In case of a marriage solemnized/contracted outside the State before the commencement of the Code, the registrants are required to submit the memorandum for registration of marriage or for acknowledgement of registered marriage within a period of six months from the date of commencement of the Code along with the fee prescribed under sub rule (11) (a) or sub rule (11) (b) of rule 9. If such a memorandum is submitted after the commencement of the Code, it must be accompanied with an additional fee prescribed under sub rule (11) (c) of rule 9;

(iii) In case of a marriage solemnized/contracted in the State between 26th of March, 2010 and the date of commencement of the Code, the registrants are required to submit the memorandum for registration of marriage or for acknowledgement of registered marriage within a period of six months from the date of commencement of the Code along with the fee prescribed under sub rule (11) (a) or sub rule (11) (b) of rule 9. If such a memorandum is submitted after six months from the date of commencement of the Code, it must be accompanied with an additional fee prescribed under sub rule (11) (c) of rule 9;

(iv) In case of a marriage solemnized/contracted after commencement of the Code, the registrants are required to submit the memorandum for registration of marriage or for acknowledgement of registered marriage within a period of sixty days from the date of marriage along with the fee prescribed under sub rule (11) (a) or sub rule (11) (b) of

rule 9. If such a memorandum is submitted after the expiry of sixty days from the date of marriage, it must be accompanied with an additional fee prescribed under sub rule (11) (c) of rule 9.

(b) **Time bound submission of additional information-** Sub-Registrar/Registrar/Registrar General asks for additional information or seeks any clarification, the registrant(s) shall submit/clarify the same within a period of five days from the date a communication in this regard is received from one of the officials mentioned above. For a memorandum submitted under the Accelerated Service (Tatkal Sewa) the additional information/ clarification shall be submitted within twenty-four hours from the time a communication is received in this regard.

(c) **Updating information**

- (i) If there is a change in address/phone number/email/ religion of the spouse(s), after a marriage is registered or after a previously registered marriage is acknowledged, it is the duty of the parties to that marriage to update the information regarding the same online on the official Web- portal or through the Mobile App of the Code within 30 days of the change;
- (ii) After a marriage is registered or a previously registered marriage is acknowledged, if there is birth/death of a child during the continuance of marriage, it is the duty of the parties to the marriage to update the information regarding the same in the manner prescribed under sub clause (i) above;
- (iii) If one of the spouses dies after the registration of marriage or after the acknowledgement of a registered marriage, it would be incumbent on the surviving

spouse to update the information regarding the same in the manner prescribed under sub clause (i) above;

- (iv) If the marriage is legally annulled or the registrants get legally divorced after the registration of marriage or after the acknowledgement of a registered marriage, information regarding the same is required to be updated by the registrants in the manner prescribed under sub clause (i) above.

**(2) In case of registration of decree of divorce/nullity of marriage**

- (a) **Timely submission of memorandum-**Based on the date of passing of decree, section 11 of the Code prescribes the following time-schedule for submitting a memorandum for registration of decree of divorce or nullity of marriage-

- (i) In case a final decree of divorce was pronounced by any court or nullity of marriage had become final in the state or out side the state before the commencement of the Code, the registrant(s) are required to submit the memorandum for registration of final decree of divorce or nullity of marriage, within a period of six months from date of commencement of the Code along with the fee prescribed under sub rule (7) (a) of rule 10. If such a memorandum is submitted after six months from the date of commencement of the Code, it must be accompanied with an additional fee prescribed under sub rule (7) (b) of rule 10;
- (ii) In case a decree of divorce or nullity of marriage is passed by any Court in the State or outside the State and it becomes final after the commencement of the Code, the registrant(s) are required to submit the memorandum for registration of final decree of divorce or nullity of marriage, within sixty days from the date the decree becomes final along with the fee prescribed

under sub rule (7) (a) of rule 10. If such a memorandum is submitted after the time limit prescribed under this sub-rule, it must be accompanied with an additional fee prescribed under sub rule (7) (b) of rule 10.

(b) **Time-bound Submission of Additional information-** If the Sub-Registrar/Registrar/Registrar General asks for additional information or seeks any clarification, the registrant(s) shall submit/clarify the same within a period of five days from the date a communication in this regard is received from one of the officials mentioned above.

(c) **Updating Information –**

(i) If there is a change in address/phone number/email/religion of the spouse(s), after a final decree of divorce or nullity of marriage is registered, it is the duty of the party/parties to that decree to update the information regarding the same online on the official Web-portal or through the Mobile App of the Code within 30 days of the change;

(ii) If there is birth/death of a child of the couple after the final decree of divorce or nullity of marriage has been registered, it is the duty of the party/parties to the decree of divorce or nullity of marriage to update the information regarding the same in the manner prescribed sub clause (i) above.

(3) **In case of Live-in relationship-**

(a) **Submission of Statement -** The registrants shall submit their statement of live-in relationship along with the fee prescribed under sub rule (9) of rule 15.

(b) **Time-bound Submission of Additional Information -** If the Registrar/Registrar General asks for additional information or seeks any clarification, the registrant(s) shall submit/clarify the same within ten days from the date a communication in this regard is received from one of the officials mentioned above.

(c) **Updating Information –**

- (i) If there is any change in address(es)/phone number(s)/email(s)/religion(s) of the registrant(s), after the live-in relationship has been registered, within ten days of such change the registrant(s) shall update the information online on the official Web-portal/Mobile App of the Code;
- (ii) If there is arrival of a child during the tenure of the live-in relationship, the live-in partners shall update the information relating to such child within thirty days from the date of issuance of the birth/adoption certificate of the child in the manner prescribed under sub clause (i) above;
- (iii) Where Provisional Registration Certificate has been issued, the registrants shall submit the information regarding the address of the accommodation to be used as their shared household along with the details of landlord, a copy of rent agreement and tenant verification number to get their live-in relationship registered. This shall be done in the manner prescribed under sub clause (i) above within thirty days from the issuance of the Provisional Registration Certificate or within forty-five days if an extension has been granted;
- (iv) If one of the live-in partners dies during the continuance of live-in relationship, it would be incumbent on the surviving live-in partner to update the information regarding the same in the manner prescribed under sub clause (i) above within thirty days from the date of issuance of death certificate of the deceased.

## CHAPTER 3

### REGISTRATION OF MARRIAGE, DIVORCE AND NULLITY OF MARRIAGE

#### 9. Registration of Marriage and Acknowledgment of registered marriage

(1) Circumstances leading to Registration of Marriage and Acknowledgement of Registered Marriage –

(a) A marriage may be registered under these Rules if it has not been previously registered under any statute of the Government of Bharat or of any State Government. For such a case, a registration certificate will be issued subject to the outcome of a summary inquiry;

(b) A marriage already registered under any statute of Government of Bharat or of any State Government shall not require fresh registration. For such a case, after due verification, an acknowledgement certificate will be issued based on the existing registration certificate of marriage.

(2) **Classification of Marriages for the purpose of Registration/Acknowledgement** - Based on the date of marriage, section 6 and section 7 of the Code, classify marriages in the following manner -

(a) Marriage solemnized/contracted before 26th of March, 2010, the date on which The Uttarakhand Compulsory Registration of Marriage Act, 2010 was notified in the Uttarakhand Gazette.

(b) Marriage solemnized/contracted between 26th of March, 2010 and the date of commencement of the Code.

(c) Marriage solemnized/contracted after the commencement of the Code.

(3) **Information to be included in the Memorandum for Registration of Marriage/Acknowledgement of Registered**



**Marriage** - A memorandum is required to be submitted for getting a marriage registered or for getting a previously registered marriage, under any statute, acknowledged. Irrespective of the marriage belonging to any of the classes enumerated under sub rule (2) of rule 9 above, the registrant(s) shall be required to furnish the following information -

- (a) Registrant(s) - Wife & husband jointly; wife or husband alone in case the registrant is a widow(er) or divorcee or a person whose marriage has been annulled;
- (b) Date of Marriage - The date on which the marriage ceremony was performed or the marriage was solemnized/contracted;
- (c) Jurisdictional Sub-Registrar - Sub-Registrar having jurisdiction over the place of marriage/present address(es) of the spouse(s)/permanent address(es) of the spouse(s);
- (d) Details of Parties to the Marriage - Aadhaar number(s); Names; Dates of birth; Nationalities; Religions; Categories (General/SC/OBC/Other); Phone number(s); Email id(s) (optional); Present & permanent address(es) and Proof(s) of residency;
- (e) Prior Relationship Status -
  - (i) Whether a party to the marriage has a history of marital or live-in relationship prior to the marriage and, if so, whether the party concerned is/was a Divorcee; a Widow(er); had Marriage annulled; had Live-in Relationship Terminated; is already married or whether her/his Live-in Partner Expired. If already married, whether statutory provisions permit polygamous relationship to the party concerned; and
  - (ii) Prior to the marriage, whether the parties to the marriage were related to each other and if so, the exact relationship

between the parties and whether the relationship is within the degrees of prohibited relationship defined under clause (d) of sub-section (1) of section (3) of the Code;

- (f) Details of Children, if any - Name; Gender; Date of birth/adoption of the children belonging to one or both registrant(s) prior to the marriage or of the couple between the date of marriage and the date of submission of the memorandum for registration of marriage/acknowledgement of registered marriage;
- (g) Details of guardians of parties to the marriage - Guardian type (Parent(s)/Legal guardian(s)); Name; Address; Phone Number and Email id (optional);
- (h) Place of Marriage - Address where marriage ceremony was performed;
- (i) Ceremony of Marriage: Saptapadi/Nikah/Anand Karaj/Holy Union/Ashirvad/Arya Samaji/Nissuin/Mangal Pheras/Pakton/Others;
- (j) Details of the Officiant who performed the Marriage Ceremony - Name; Address; Phone Number and Email id (optional);
- (k) Wherever applicable, details of Religious Leader/Community Head or Official of a Religious/Community Body who certifies that the Customs & Usage governing the party/parties concerned permit Marriage within the Degrees of Prohibited Relationship - Name; Address; Phone Number and Email id (optional);
- (l) Details of Witnesses - For marriages solemnized/contracted before the commencement of the Code, Aadhaar numbers, names, addresses and phone numbers of two witnesses who will testify that the registrants have/had been living together as husband and wife or for marriages solemnized/contracted after

the commencement of the Code, the Aadhaar numbers, names, addresses and phone numbers of two witnesses of the marriage ceremony; and

(m) Supporting Documents - For supporting the information to be furnished under clauses (a) to (l) above, copies of the following documents need to be provided/uploaded -

- (i) Proof of age: Birth certificate or PAN card or Passport or Transfer/School leaving/Matriculation Certificate or Policy Bond issued by the Public Life Insurance Corporation/Companies having the DOB of the holder of Insurance Policy or Copy of an extract of the service record of the applicant (only in respect of Government Servants) or Pay Pension Order (in respect of retired Government Servants), duly attested/certified by the officer/in-charge of the Administration of the concern Ministry/Department of the applicant or Election Photo Identity Card or Driving License.
- (ii) Proof of residency- Any one of the following-
  - (a) Domicile certificate(s) or permanent resident certificate(s);
  - (b) Certificate(s) from employer or other documentary proof of employment in case the registrant(s) claim(s) to be the employee(s) of Central/ State Government or their undertakings/entities;
  - (c) For residents claiming to be living in Uttarakhand for one year or more, at least one year old electricity/water bill or relevant extracts of Passport or rent agreement along with at least one year old tenant verification certificate; or

- (d) For residents claiming to be beneficiaries of a State/Central Government sponsored scheme implemented in the State, the beneficiary card or the beneficiary number or any other valid document supporting the claim, issued by Central/State Government;
- (iii) Proof of Children - Birth/Adoption certificates of children/ class 10<sup>th</sup> certificate/marksheet.
- (iv) Proof of previous History of Relationship - In case a party to the marriage has a history of marital or live-in relationship prior to the marriage -
  - (a) Decree of Divorce; Decree of Nullity of Marriage; Death Certificate of Spouse; Certificate of Terminated Live-in Relationship; Death Certificate of Live-in Partner as the case may be;
  - (b) If a marriage was dissolved before the date of commencement of the Code, under customary laws, the proof of such dissolution of marriage; or
  - (c) If a party to the marriage is/was already married, specific statutory provisions permitting polygamous relationship to the party concerned.
- (v) Proof of permissibility of Marriage between the Registrants if they are within the Degrees of Prohibited Relationship - A certificate issued by a religious leader/community head concerned or official of a religious/community body concerned that the customs & usage governing the party/parties to the marriage permit the marriage within the degrees of prohibited relationship as in Annexure - 1; and
- (vi) Proof of marriage ceremony -
  - (a) Photographs of each party to the marriage;

- (b) Photograph of parties to the marriage together in their marriage ceremony;
- (c) Invitation card of the marriage (if available);
- (d) In case the marriage ceremony was performed before the commencement of the Code, certificate of marriage ceremony issued by the officiant of the religion concerned who performed the said marriage ceremony or a self-declaration certificate of the spouses mentioning that the marriage was solemnized/contracted in accordance with their religious beliefs, practices, customary rites and ceremonies and they have been living together as husband and wife since then as in Annexure - 2; or
- (e) In case the marriage ceremony was performed after the commencement of the Code, a certificate of marriage ceremony issued by the officiant of the religion concerned who performed the said marriage ceremony of the spouses mentioning that the marriage was solemnized/contracted in accordance with religious beliefs, practices, customary rites and ceremonies of the parties to the marriage as in Annexure - 3.

**(4) Additional information to be included in the memorandum if one of the registrants is a foreign national-**

- (a) Address of foreign national in the country of her/his origin;
- (b) Documents to be provided/uploaded- extracts of passport to certify that the foreign national was present in Bharat at the time of marriage.

**(5) Additional information to be included in the memorandum for acknowledgment of registered marriage-**

- (a) The statute under which the Marriage was Registered;

- (b) Documents to be Provided/Uploaded - Certificate of Registration of Marriage.
- (6) **Additional Information in case the Memorandum is being Submitted Singly –**
- (a) Death certificate of the spouse and death certificate number if the registrant is a widow(er);
  - (b) Decree of divorce or nullity of marriage if the registrant is a divorcee or her/his marriage was annulled by a Court, or if the divorce was granted under any customary law before the commencement of the Code, the proof thereof.
- (7) **Additional Information in case of Polygamous Marriage –**
- (a) If polygamy was permitted and the marriages were solemnized/ contracted before the commencement of the Code, and all the marriages were unregistered/registered, the registrants shall submit the details of all the spouses and all the marriages including the details of ceremonies performed for registration of all marriages/acknowledgement of all registered marriages. For such cases the format of the registration/acknowledgement certificate is provided in Annexure - 4/Annexure - 5;
  - (b) If polygamy was permitted and the marriages were solemnized/ contracted before the commencement of the Code, and one or more marriages were unregistered with one or more being registered, the registrants shall submit the details of all the spouses and all the marriages including the details of marriage ceremonies performed for registration of all marriages. For such cases the format of the registration certificate is provided in Annexure - 4.
- (8) **Process for submitting a Memorandum for Registration of Marriage/ Acknowledgement of Registered Marriage -** The parties to a marriage intending to get their marriage registered or

to get the previously registered marriage acknowledged, may do so either by following the online process or through the offline process.

**(9) Procedure for Online submission of a Memorandum for Registration of Marriage/Acknowledgement of Registered Marriage**

- Registrants may submit the memorandum for registration of marriage/acknowledgement of registered marriage either by themselves or with the help of any agency/agencies as determined by the State Government through notification from time to time for which the agency/agencies may charge a service fee, as determined by the State Government. In both cases the following procedure shall be followed -

- (a) Visit and follow the step-by-step procedure prescribed in the official Web-portal of the Code i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or download the Mobile App and follow the step-by-step procedure prescribed therein;
- (b) The first step for online registration of marriage/acknowledgement of registered marriage shall be one-time signing-up for which one of the parties to the marriage shall be required to enter her/his Aadhaar number and verify through OTP on Aadhaar linked mobile number. For all future processes, the Aadhaar number will be the user identification number for the registrant;
- (c) For submitting a memorandum, one of the parties to the marriage shall be required to login through the Aadhaar number which will be verified each time following the process mentioned in the clause (b) above;
- (d) The Web-portal/Mobile App shall be so designed that after logging in, the registrants are guided in a step-by-step manner to either enter the requisite information or select one of the options from a menu of choices or upload a

copy of a document. Before logging in, the registrants are advised to keep the information required under sub-rules (2) to (7) of rule 9 above readily available so that the submission of memorandum takes place smoothly;

- (e) If one of the parties to the marriage is a foreign national, the memorandum cannot be submitted through the online registration process until the foreign national gets an Aadhaar Card issued.

**(10) Procedure for Offline submission of a Memorandum for Registration of Marriage/Acknowledgement of Registered Marriage-**

For offline registration of marriage/acknowledgement of registered marriage, the registrants shall be required to physically/personally submit the memorandum in Form - 1 along with the supporting documents to the Sub-Registrar who has jurisdiction over the place of marriage or over the present address(es) of the spouse(s) or over the permanent address(es) of the spouse(s). The registrant(s) may find out the jurisdictional Sub-Registrar by visiting the official Web-portal of the Code i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or through the Mobile App.

**(11) Fees for Registration of Marriage/Acknowledgement of Registered Marriage –**

- (a) A fee, as determined by State Government through notification from time to time, shall be chargeable if the memorandum for registration of marriage is submitted within the time-limit prescribed under clause (a) of rule 8(1). The fee may be paid either in cash for offline registration or through digital modes for online registration or any other mode decided by the State Government. Offline registrants shall fill in a challan in Annexure - 6 and deposit the fee in any commercial bank and obtain a receipt of challan. Digital payments may be made



through net banking, or through credit or debit card, or through UPI;

- (b) A fee, as determined by State Government through notification from time to time, shall be chargeable if the memorandum for acknowledgement of registered marriage is submitted within the time-limit prescribed under clause (a) of rule 8(1). The fee may be paid either in cash for offline registration or through digital modes for online registration. or any other mode decided by the State Government. Offline registrants shall fill in a challan in Annexure - 6 and deposit the fee in any commercial bank and obtain a receipt of challan. Digital payments may be made through net banking, or through credit or debit card, or through UPI options;
- (c) In case a memorandum is submitted beyond the time limit prescribed under clause (a) of rule 8(1), a late fee in addition to the fees prescribed above and as determined by the State Government through notification from time to time shall be chargeable;
- (d) Accelerated Service (Tatkal Sewa) - If the registrants wish to get their marriage registered or to get the previously registered marriage acknowledged in an accelerated manner, a fee, as determined by the State Government through notification from time to time, shall be chargeable and registration/ acknowledgement certificate will be issued within three days of the receipt of the memorandum subject to the outcome of a summary inquiry.

## **10. Registration of decree of divorce or nullity of marriage**

- (1) **General Provisions** - One or both parties to a decree of divorce or nullity of marriage may get the decree registered in accordance with the provisions contained under this Rule. If a summary inquiry conducted in this regard concludes that the information

presented and the statements made by the registrant(s) are in order, a certificate of acknowledgement of the decree shall be issued.

(2) **Classification of Decree of Divorce or Nullity of Marriage for the purpose of Registration** - Based on the date of final decree of divorce or nullity of marriage and the location of the court which passed a decree of divorce or nullity of marriage, sections 8 and 9 of the Code classify the decrees in the following manner -

- (a) Decree of divorce or nullity of marriage passed before the commencement of the Code by any Court in the State or outside the State;
- (b) Decree of divorce or nullity of marriage passed after the commencement of the Code by any Court in the State or outside the State.

(3) **Information to be included in the Memorandum for Registration of Decree of Divorce or Nullity of Marriage** - Irrespective of the decree belonging to any of the classes enumerated in sub rule(2) of rule 10, the registrant(s) shall be required to furnish the following information –

- (a) Marriage Registration/Acknowledgement number - The registration number pertaining to the registration of marriage/acknowledgement of registered marriage;  
provided that the registration number pertaining to registration of marriage/acknowledgement of registered marriage is not required if the decree of divorce is pronounced or marriage is nullified before the commencement of the Code;
- (b) Party/Parties applying for Registration of the Decree of Divorce or Nullity of Marriage - Wife & husband jointly, wife or husband alone;
- (c) Nature of the Decree - Decree of divorce or decree of nullity of marriage;

- (d) Information relating to the Final Decree - The Court awarding the decree located in or outside the State of Uttarakhand, name and address of the Court, CNR number, if available or the case number and year;
- (e) Details of Original case - Original case number, and CNR number, if available, of the petition filed in the Family Court or in any other Court exercising the jurisdiction of the Family Court;
- (f) Date of Decree - The date on which the decree of divorce or nullity of marriage was passed;
- (g) Reference number of the Appeal or Petition filed in the High Court - Case number, CNR number & diary number, if an appeal or petition was filed in the High Court;
- (h) Reference number of the Appeal or Petition filed in the Supreme Court - Case number & diary number, if an appeal or petition was filed in the Supreme Court;
- (i) Date on which the Decree became Final - The date on which the decree became final, i.e., the date on which the permissible period for filing an appeal expired or the date of the final order against which there is no right to appeal;
- (j) Self-Declaration - A self-declaration in Annexure - 17, affirming that the decree has become final because either it is not appealable or the time-period allowed for filing an appeal against the decree has expired;
- (k) Jurisdictional Sub-Registrar- Sub-Registrar having jurisdiction over the place of marriage/present address(es) of the spouse(s)/permanent address(es) of the spouse(s) or the Sub-Registrar who had issued the marriage registration certificate;
- (l) Details of Children, if any - Name; Gender; Date of birth of the children belonging to one or both registrant(s) prior to

the marriage or of the couple between the date of marriage and the date of divorce; and

(m) Supporting Documents - For supporting the information to be furnished under Clauses (a) to (l) above, copies of the following documents need to be provided/uploaded –

(i) Proof of Decree of Divorce or Nullity of Marriage - Duly attested copy of the order and decree of divorce/nullity of marriage;

(ii) Proof of Finality of Decree of Divorce or Nullity of Marriage - If an appeal has been filed against the decree/order, the final order passed by the appellate Court or by the final Court of appeal, as the case may be;

(iii) Proof of Dissolution of Marriage under Customary Laws - If a marriage was dissolved before the date of commencement of the Code, under customary laws, the proof of such dissolution of marriage; and

(iv) Proof of Children - Birth/Adoption certificates of children.

**(4) Process for submitting a memorandum for registration of decree of divorce or nullity of marriage-** The party/parties to a decree intending to register their decree of divorce or nullity of marriage may do so either by following the online process or through the offline process.

**(5) Procedure for Online Submission of a Memorandum for Registration of Decree of Divorce or Nullity of Marriage -** Registrant(s) may submit the memorandum for registration of decree of divorce or nullity of marriage either by themselves or with the help of any agency/agencies as determined by the State Government through notification from time to time for which the agency/agencies may charge a service fee, as determined by the

State Government. In both cases the following procedure shall be followed -

- (a) Visit and follow the step-by-step procedure prescribed in the official Web-portal of the Code i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or download the Mobile App and follow the step-by-step procedure prescribed therein;
  - (b) The first step for online registration of decree of divorce or nullity of marriage shall be one-time signing-up for which one of the parties to the decree shall be required to enter her/his Aadhaar number. An OTP will be received on the mobile number linked with the Aadhaar number, which will then need to be entered so as to complete the process of verification. For all future processes, the Aadhaar number will be the identification number for the declarant;
  - (c) For submitting a memorandum, one of the parties to the decree shall be required to login through the Aadhaar number which will be verified each time following the process mentioned in the clause (b) above;
  - (d) The Web-portal/Mobile App shall be so designed that after logging in, the registrants are guided to either enter requisite information or select one of the options from a menu of choices in a step-by-step manner. Before logging-in, the registrants are advised to keep the information required under rub rule (2) and (3) of rule 10 above readily available so that the submission of memorandum takes place smoothly.
- (6) **Procedure for Offline Submission of a Memorandum for Registration of Decree of Divorce or Nullity of Marriage** - For offline registration of a decree of divorce or nullity of marriage, the registrant(s) shall be required to physically submit the memorandum in the format prescribed in Form - 2 along with the supporting documents to the Sub-Registrar who has jurisdiction

over the Place of Marriage or Present Address(es) of the Spouse(s) or Permanent Address(es) of the Spouse(s) or where the marriage was registered under the Code. The registrant(s) may find out the jurisdictional Sub-Registrar by visiting the official Web-portal of the Code i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or through the Mobile App.

**(7) Fees for registration of decree of divorce or nullity of marriage-**

- (a) A fee, as determined by the State Government through notification from time to time, shall be chargeable if the memorandum for registration of decree of divorce or nullity of marriage is submitted within the time-limit prescribed under clause (a) of rule 8(2). The fee may be paid either in cash for offline registration or through digital modes for online registration or any other mode decided by the State Government, if required. Offline registrants shall fill in a challan in Annexure - 6 and deposit the fee in any commercial bank and obtain a receipt of the challan. Digital payments may be made through net banking, or through credit or debit card, or through UPI options;
- (b) In case a memorandum is submitted beyond the time limit prescribed under clause (a) of rule 8(2), a late fee, in addition to the fees prescribed and as determined by the State Government through notification from time to time, shall be chargeable.

**11. Rights of Registrants**

**(1) Complaint against the Inaction of Sub-Registrar/Registrar-**

- (a) On receipt of a communication in Annexure - 16 that the memorandum for registration of marriage/acknowledgement of registered marriage has been forwarded to the Registrar for the purpose of summary inquiry due to inaction on the part of the Sub-Registrar, the registrants shall be entitled to formally submit a complaint against the Sub-Registrar to the Registrar concerned;

- (b) On receipt of a communication in Annexure - 16, that the memorandum for registration of marriage/ acknowledgement of registered marriage has been forwarded to the Registrar General for the purpose of summary inquiry due to inaction on the part of the Registrar, the registrants shall be entitled to formally submit a complaint against the Registrar concerned to the Registrar General;
- (c) Under clause (a) or clause (b) above, the procedure to be followed by the registrant(s) shall be as follows –
  - (i) The complainant registrant shall visit the official Web-portal/Mobile App of the Code and provide her/his application number of the memorandum for registration of marriage/acknowledgment of registered marriage;
  - (ii) The system portal shall verify whether such inaction has been recorded and that the memorandum has been forwarded to the Registrar or the Registrar General, as the case may be, for the purpose of summary inquiry; and
  - (iii) Once the alleged inaction is verified, the complainant registrant(s) will be allowed to enter her/his complaint against the Sub-Registrar or the Registrar, as the case may be, in the text box and submit the same.

**(2) Filing of Appeals –**

- (a) **Appeal against an order passed by a Sub-Registrar** - The registrant(s) may prefer an appeal against an order passed by the Sub-Registrar rejecting a memorandum for registration of marriage/acknowledgment of a registered marriage before the Registrar concerned, within thirty days from the receipt of such rejection order. This may be done by visiting the official Web-portal/Mobile App of the Code. The step-by-step procedure to file an appeal is as follows –

- (i) on the Web-portal/Mobile App, the registrant(s) shall provide the application number of the memorandum submitted for registration of marriage/acknowledgement of a registered marriage which has been rejected by the Sub-Registrar along with a copy of the rejection order;
- (ii) the registrant(s) shall then have the option of uploading additional document (s) in support of her/his case; and
- (iii) after uploading the document(s), if any, the registrant(s) may enter the grounds for appeal in the text box and submit the same.

(b) **Appeal against an order passed by a Registrar** - The registrant(s) may prefer an appeal against an order passed by the Registrar rejecting a memorandum for registration of marriage/acknowledgment of a registered marriage before the Registrar General, within thirty days from the receipt of such rejection order. This may be done by visiting the official Web-portal/Mobile App of the Code. The step-by-step procedure to file an appeal is as follows –

- (i) On the Web-portal/Mobile App, the registrant(s) shall provide the application number of the memorandum submitted for registration of marriage/ acknowledgement of a registered marriage which has been rejected by the Sub-Registrar along with a copy of the rejection order;
- (ii) The registrant(s) shall also provide the appeal number of the appeal that was rejected by the Registrar along with a duly authenticated copy of the rejection order passed by the Registrar;
- (iii) The registrant(s) shall then have the option of uploading additional document(s) in support of the appeal; and



- (iv) After uploading the document(s), if any, the registrant(s) may enter the grounds for appeal in the text box and submit the same.

## **CHAPTER-4**

### **INTESTATE / TESTAMENTARY SUCCESSION**

#### **12. Intestate succession**

- (1) **Distribution of Estate of an Intestate** - The estate of an intestate shall devolve in accordance with the provisions contained in sections 49 to 60 of the Code.
- (2) **Declaration of Legal Heir(s)** - A person who is not a minor and not of an unsound mind, may make a declaration regarding her/his legal heir(s) on paying a fee prescribed as determined by the State Government through notification time to time. An application for registering such a declaration may be presented to the Sub-Registrar concerned. Such an application shall contain the details of the legal heir(s) in accordance with the classification mentioned in sub rule (1) of rule 12 above or state that the person has no legal heir. The certificate issued by the Sub-Registrar regarding the declaration of legal heir(s) is merely a proof that a declaration was made by the declarant regarding her/his legal heir(s).
- (3) **Information to be included in Declaration of Legal Heir(s)** - The declarant shall be required to furnish the following information for declaring her/his legal heir(s) –
- (a) Type of Declarant –
- (i) Resident of Uttarakhand; or
  - (ii) Indian citizen who is not a resident of Uttarakhand but has an estate within the territory of Uttarakhand; or

- (iii) Foreign National having an estate within the territory of Uttarakhand.
- (b) Details of the Declarant - Aadhaar number; Name; Date of birth; Nationality; Religion; Category (General/SC/OBC/Other); Phone number; Email id; Present & permanent address; Proof(s) of Residency (wherever applicable);
- (c) Jurisdictional Sub-Registrar - Sub-Registrar having jurisdiction over the place of present or permanent address of the Declarant or where her/his estate is located;
- (d) Details of the Legal Heir - Aadhaar number; Name; Date of Birth; Gender; Nationality; Religion; Phone number; Email id; Present and permanent address and Relationship of legal heir(s) with the declarant;
- (e) Details of Witnesses - Aadhaar numbers; Names; Addresses and Phone numbers of two witnesses who will testify that the declaration is being made by the declarant voluntarily;
- (f) Supporting Documents - For supporting the information to be furnished under clause (a) to (e) above, copies of the following documents need to be provided/uploaded –
  - (i) Proof of age: Birth certificate or PAN card or Passport or Transfer/School leaving/Matriculation Certificate or Policy Bond issued by the Public Life Insurance Corporation/Companies having the DOB of the holder of Insurance Policy or Copy of an extract of the service record of the applicant (only in respect of Government Servants) or Pay Pension Order (in respect of retired Government Servants), duly attested/certified by the officer/in-charge of the Administration of the concern Ministry/Department of the applicant or Election Photo Identity Card or Driving License;
  - (ii) Proof of Residency – Any one of the following-

- (a) Domicile certificate or permanent resident certificate;
  - (b) Certificate from employer or other documentary proof of employment in case the declarant claims to be an employee of Central/State Government or their undertakings/entities;
  - (c) For resident claiming to be living in Uttarakhand for one year or more, at least one year old electricity/water bill or relevant extracts of Passport or rent agreement along with at least one year old tenant verification certificate; or
  - (d) For resident claiming to be beneficiary of a State/Central Government sponsored scheme applicable in the State, the beneficiary card or the beneficiary number or any other valid document supporting the claim, issued by Central/State Government.
- (iii) Proof of Relationship –
- (a) In case of Spouse - Copy of Marriage Certificate or any other documentary proof of relationship;
  - (b) In case of a Child - Copy of Birth Certificate/Adoption Certificate or any other documentary proof of relationship;
  - (c) In case of a Grandchild - Copy of Death Certificate of the deceased child who was the parent of the grandchild and copy of Birth Certificate/Adoption Certificate of the grandchild or any other documentary proof of the relationship;
  - (d) In case of a Great Grandchild - Copy of Death Certificate of the deceased grandchild and the child who were the parent and grandparent respectively of the great grandchild and copy of Birth

Certificate/Adoption Certificate of the great grandchild or any other documentary proof of the relationship;

- (e) In case of Parents - Copy of Passport of declarant or any other documentary proof of relationship;
- (f) In case of a widow of a deceased son - Copy of Death Certificate of the deceased son and copy of certificate of marriage between the deceased son and his widow or any other documentary proof of relationship;
- (g) In case of a widow of a deceased grandson - Copy of Death Certificate of the deceased grandson and of the deceased son and copy of certificate of marriage between the deceased grandson and his widow or any other documentary proof of relationship; and/or
- (h) In case of Grandparent, Sibling, Sibling of Parents, Nephew & Niece, Brother's Widow - Any documentary proof of relationship.
- (i) Photograph(s)–
  - (i) of the Declarant; and
  - (ii) of the legal heir(s)

**(4) Additional information to be included in the Declaration if the Declarant is a Foreign National –**

- (a) Address of the foreign national in the country of her/his origin;
- (b) Documents to be provided/uploaded - Extracts of Passport and proof of ownership of the estate situated in Uttarakhand.

**(5) Process for Submitting Application for Declaration of Legal Heir(s)** - The declarant intending to declare her/his legal heir(s) may do so by following the online process.

**(6) Procedure for Online Submission of the Declaration of Legal Heir(s)** - A declarant may submit online the declaration of legal heir(s) herself/himself or with the help of any agency/agencies as

determined by the State Government through notification from time to time for which the agency/agencies may charge a service fee, as determined by the State Government. In both cases the following procedure shall be followed –

- (a) Visit and follow the step-by-step procedure prescribed in the official Web- portal of the Code i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or download the Mobile App and follow the step-by-step procedure prescribed therein;
- (b) The first step for online declaration of legal heir(s) shall be one-time signing-up for which the declarant shall be required to enter her/his Aadhaar number. An OTP will be received on the mobile number linked with the Aadhaar number, which will then need to be entered so as to complete the process of verification. For all future processes, the Aadhaar number will be the user identification number for the declarant;
- (c) For submitting a declaration of legal heir(s), the declarant shall be required to login through the Aadhaar number which will be verified each time following the process mentioned in the clause (b) above;
- (d) The Web-portal/Mobile App shall be so designed that after logging in, the declarant is guided in a step-by-step manner to either enter the requisite information or select one of the options from a menu of choices or upload a copy of a document. Before logging-in, the declarant is advised to keep the information required under sub rule (3) and (4) of rule 12 above readily available so that the submission of declaration of legal heir(s) takes place smoothly;
- (e) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under sub rule (3) and (4) of rule 12 above, each Witness shall be required to record a self-video on

the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self video;

- (f) Procedure for recording Declarant's Declaration - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under sub rule (3) and (4) of rule 12 above, the declarant shall be required to record a self-video on the Web-portal/Mobile App of the Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self video. The format of declaration is as follows –

“I, hereby, declare\_(name(s) of legal heir(s)) as my legal heir(s). I maintain good health, and possess a sound mind. This declaration is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

- (7) **Fees for Declaration of Legal Heir(s)** - A fee as determined by the State Government through notification from time to time shall be chargeable for declaration of legal heir(s). This fee may be paid digitally through net banking, or through credit or debit card, or through UPI options.

### **13. Duties of Declarant**

- (1) **Time-bound Submission of Additional Information** - If the Sub-Registrar/Registrar/Registrar General asks for additional information or seeks any clarification, the declarant shall submit additional information or clarification within a period of five days from the date a communication in this regard is received from one of the officials mentioned above.
- (2) **Updating Information** –

- (a) If there is a change in any information provided by the declarant including any change in address/phone number/email/religion of the declarant or legal heir(s), after the declaration of legal heir(s) is registered, it is the duty of the declarant to update the information regarding the same on the official Web-portal or through the Mobile App of the Code within 30 days of the change;
- (b) After the declaration of legal heir(s) is registered, if there is arrival/death of any legal heir(s), it is the duty of the declarant to update the information regarding the same in the manner prescribed under sub-rule (1) of rule 13.

#### **14. TESTAMENTARY SUCCESSION**

##### **(1) Statutory Provisions regarding Will/Codicil**

- (a) **Creation, Alteration, Revocation, Execution and Revival of Will/Codicil** - A person capable of making a Will under Chapter - 2 of Part 2 of the Code may create, alter, revoke, revive her/his Will/Codicil and an executor under the Will may execute testator's Will as per the provisions contained in Part 2 of the Code.
- (b) **Statutory Provisions for Registration of Will/Codicil and Registration of Statement for Revocation/Revival of Will/Codicil** – Notwithstanding anything contained in any rules for the time being in force, registration of Will/Codicil and registration of statement for revocation/revival of Will/Codicil shall be done in accordance with the provisions contained in The Registration Act, 1908 (Act No. 16 of 1908) and in Chapter-4 of these Rules.
- (c) **Inspector-General of Registration/Registrar/Sub-Registrar for Chapter-4** - The Inspector-General of Registration, Registrars and Sub-Registrars appointed under Section 3 or Section 6 of The Registration Act, 1908 (Act No.

16 of 1908), as the case may be, shall discharge the duties relating to registration of Will/Codicil and registration of statement for revocation/revival of Will/Codicil.

**(2) Registration of a Testamentary Statement/Document**

**(a) Registrants of Testamentary Statement/Document -** A testator or a person authorized to register a Will/Codicil, may register it by online registration process. A statement for revocation of previously registered Will/Codicil, or a statement for revival of previously revoked Will/Codicil, or declaration of previously registered Will/Codicil as her/his last Will/Codicil, or declaration of previously registered statement for revocation/revival of Will/Codicil as her/his last statement for revocation/revival of Will/Codicil shall be registered only by the testator by online registration process.

**(b) Procedure for Submission of Testamentary Statement/Document for Registration -** A testator capable of making a testamentary statement/document and wishing to register it, or any authorized person entitled to register a testamentary statement/document may submit it online for registration either by herself/himself or with the help of any agency/agencies as determined by the State Government through a notification from time to time for which the agency/agencies may charge a service fee as determined by the State Government through notification from time to time. In such cases the following procedure shall be followed –

**(i)** Visit and follow the step-by-step procedure prescribed in the official Web- portal of the Code, i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or download the Mobile App and follow the step-by-step procedure prescribed therein;



- (ii) The first step for online registration of a Will shall be one-time signing-up for which the person entitled to register a Will shall be required to enter her/his Aadhaar number. An OTP will be received on the mobile number linked with the Aadhaar number, which will then need to be entered so as to complete the process of verification. For all future processes, the Aadhaar number will be the user identification number for the person entitled to register a Will or Codicil;
- (iii) For submitting a testamentary statement/document, the person entitled to register shall be required to login through the Aadhaar number which will be verified each time following the process mentioned in the clause (ii) above;
- (iv) The Web-portal/Mobile App shall be so designed that after logging in, the person entitled to register a testamentary statement/document is guided in a step-by-step manner to either enter the requisite information or select one of the options from a menu of choices or upload a copy of a document. Before logging-in, the person entitled to register a testamentary statement/document is advised to keep the information required under clause (f) to (m) of Rule 14(2) readily available so that the submission for registration of the testamentary statement/document takes place smoothly.

(c) **Fees for Registration of Testamentary Statement/ Document** - A fee, as determined by the State Government through notification time to time, shall be paid for registering a testamentary statement/document digitally through credit or debit card, or through UPI options.

- (d) Methods for Registration of Testamentary Statement/ Document** - A person entitled to register a testamentary statement/document may apply for registration in one of the following ways –
- (i) By filling out the detailed form available on the Web-portal/Mobile App of the Code;
  - (ii) By uploading a signed copy of the handwritten or typed testamentary statement/document;
  - (iii) By recording and uploading a self-video of not more than three minutes' duration and stating the contents of the testamentary statement/document on the Web-portal/Mobile App of the Code.
- (e) Information required for Registration of Will under clause (d) (i) of Rule 14(2) above –**

- (i) Details of the testator - Aadhaar number; Name; Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number linked with Aadhaar; Alternate mobile number; Email id (optional); Present & permanent address; Proof(s) of residency and PAN;
- (ii) Name of the parents/legal guardian of the testator;
- (iii) Occupation of the testator - Government service; Private sector service; Agricultural operation; Business; Self-employed or any other occupation;
- (iv) Details of executor(s), if any - Aadhaar Number(s); Name(s); Names of Parents/legal guardian(s); Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number linked with Aadhaar of the executor(s); Email id (optional); Present & permanent address and Relationship of the executor(s) with the testator;

- (v) Type of Legatee(s) - Individual; Trust; NGO; Non-Profit making company; Institution(s)/Body or other;
- (vi) Details of legatee(s) according to their type - The testator can include more than one legatee of different types or of the same type. For legatees, the details required are as follows –
  - (a) Individual - Aadhaar Number (optional); Name; Names of Parents/legal guardian(s); Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number; Email id (optional); Present & permanent address; Relationship with the testator. The testator can include more than one individual;
  - (b) Trust - Name of the Trust; Registration number of the Trust; Name of the chairperson of the Trust; Registered address of the Trust and the Contact number of the Trust. The testator can include more than one Trust;
  - (c) NGO - Unique Id of NGO as per DARPAN; Name of the NGO; Name of the President of NGO; Registered address of the NGO and Contact number of the NGO. The testator can include more than one NGO;
  - (d) Non-Profit making company - CIN/Registration number of the company; Name of the company; Names of the Directors of the company; Registered address of the company and the Contact number of the Company. The testator can include more than one Non-Profit making company;
  - (e) Institution/body - Name of the institution/body; Registration number of institution/body (if

available); Name of the head of the institution/body; Present address and the Contact number of the institution/body. The testator can include more than one institution/body;

(f) Other - If a legatee does not fall under sub clauses (a.), (b.), (c.), (d.) or (e.) above, the testator can provide available details of such legatee including current address with contact details.

(vii) Type of property - Immovable property; Movable property or other property;

(viii) Details of Immovable property, if any - Category of Immovable property (Residential property, Commercial property, Agricultural property or Other property); and their details as follows –

(a) Residential property/properties - Type of residential property/properties (Independent house(s), apartment(s), or other); ownership status (joint or individual ownership); and address(es) of the property/properties. For independent house(s), total land area(s) as per revenue record and covered area(s) as per registry/registries, and for apartment(s), type of apartment(s) (Studio, 1BHK, 2BHK, 3BHK, 4BHK, 5BHK or penthouse), super area(s) and carpet area(s) as per registry/registries, and any other related details;

(b) Commercial property/properties - Type of commercial property/properties (Personal, Proprietorship firm) and ownership status (joint or individual ownership) –

(i) In case of personal commercial property/properties - Category of personal

commercial property/properties (Shop(s), office(s), building(s), industrial property/properties or other); and in case of joint ownership of personal commercial property/properties, shares in such property/properties; total land area(s) as per revenue record; covered area(s) as per registry/registries; address(es) of the property/properties and any other related details;

(ii) In case of Proprietorship firm(s) - Category of commercial property/properties belonging to proprietorship firm(s) (shop(s), office(s), building(s), industrial property/properties or other); and in case of joint ownership of personal commercial property/properties, shares in such property/properties ; total land area(s) as per revenue record; covered area(s) as per registry/registries; address(es) of the property/properties and any other related details.

(c) Agricultural property/properties - Type of agricultural property/properties (agricultural farm(s) or animal husbandry farm(s)) and ownership status (joint or individual ownership) –

(i) Agricultural farm(s) - Total land area(s) as per revenue record; covered area(s), if any; khasra number(s); address(es) of the agricultural farm(s); and any other related details; and in case of joint ownership of agricultural farm(s), shares in such farm(s);

(ii) Animal husbandry farm(s) - Category of farm(s) (dairy farm(s), poultry farm(s), piggery farm(s),

fish farm(s), bee farm(s) and other); live-stock details; total land area(s) as per revenue record; covered area(s), if any; khasra number(s); address(es) of the animal husbandry farm(s) and any other related details.

(d) Other property/properties- Type of other property/properties ; ownership status (joint or individual ownership); shares in such property /properties in case of joint ownership; total land area(s) as per revenue record; covered area(s), if any; address(es) of the property/properties or any other related details.

(ix) Details of Movable property/properties - Category of Shares (Shares in a Partnership Firm(s), Private Limited Company/Companies, Limited Liability Company /Companies or Limited Company/Companies); Bank Account(s); Vehicle(s); Jewelry; Valuable Item(s); Electronic Appliance(s)/Device(s); Demat Account(s); Royalty/Royalties from creative work(s) or invention(s); Cryptocurrency holding(s); Bond(s); Pet(s) or other and their details as follows –

(a) Shares in Partnership Firm(s) - Registration number of the partnership firm(s); Name of partnership firm(s); Shares owned by the testator; Registered address(es) of the partnership firm(s); Official contact number(s) of the partnership firm(s) and any other related details;

(b) Shares in Private Limited Company/Companies, Limited Liability Company/Companies and Limited Company/Companies - DIN of the testator; Type of Company/Companies(Private

Limited Company /Companies, Limited Liability Company/Companies and Limited Company/Companies); Registration number of Company/Companies; Name of Company/Companies; Shares owned by the testator; Registered address of the Company/Companies; Corporate contact number of the Company/Companies and any other related details;

- (c) Bank account(s) - Type of Bank account(s) (Savings account(s), current account(s), NRI (Non-Resident Indian) Account(s), fixed deposit account(s), GPF account(s), PPF account(s), Sukanya Samridhi Yojana account(s), NSC account(s), KVP account(s), RD account(s) or other); ownership status (Joint or individual account) and whether the account(s) is/are with a Bank(s)/Post office(s)/other institution(s) –
- (i) In case the account(s) is/are with Bank(s) - Account Number(s); IFSC Code(s); Name of the Bank(s); Name of Branch(es) and any other related details;
- (ii) In case the account(s) is/are with Post Office(s) - Account Number(s); Branch code(s); IFSC Code; Name of the Post Office(s); Name of Branch(es) and any other related details; and
- (iii) In case the account(s) is/are with any other institution(s) - Account Number(s); Branch Code(s); Name of the Institution(s); Name of Branch(es) and any other related details;

- (d) Vehicle(s) - Category (Two-wheeler, Three-Wheeler, Four-Wheeler or others); details of vehicle(s) (i.e. motorcycle, scooter etc., if two-wheeler is selected); Brand Name(s); Model of Vehicle(s); Vehicle Registration number(s) and any other related details;
- (e) Jewellery - Type(s) of jewellery (Necklace, earrings, bracelet, ring, brooch, pendant, anklet, tiara, cufflinks or others); material of article(s) of jewellery (Gold, Silver, Platinum, Diamond, Gemstone or other); carat of article(s) of Jewellery; approximate weight of the jewellery item(s) and any other related details;
- (f) Valuable item(s) - Type(s) of Valuable item(s) (Watch(es), Antique(s), Artwork(s) and Collectible(s), Precious Stone(s)/Gem(s), Solid Metal(s) or Other); Brand Name(s) and material type in case of Watch(es); Name(s) and type of Valuable item(s) in case of Antique(s) or Artwork(s) and Collectible(s); Type of Stone(s) or Solid Metal(s); Carat and Weight in case of Precious Stone(s) and Solid Metal(s); and any other related details;
- (g) Electronic Appliance( s)/ device( s) - Type of electronic appliance(s)/device(s) (Consumer electronics, Home appliances or other); details of electronic appliance(s) /device(s); Brand(s); Model(s) and any other details;
  - (i) Consumer electronics - Mobile Phone(s); Computer(s); Laptop(s); Tablet Devices(s); Camera(s)/Photography Equipment(s); Audio Equipment(s); Gaming Console(s); Wearable Device(s) or other;
  - (ii) Home Appliances - Air conditioner(s); Television(s); Washing Machine(s);



Refrigerator(s); Dish-washer(s); Microwave(s);  
Oven(s); Food processor(s); Audio Equipment(s)  
or other; and/ or

(iii) Other - Name(s) of electronic appliance(s)  
/device(s); Brand(s); Model(s) and any other  
related details.

(h) Demat Account(s) - Demat Account Number(s); Name  
of Brokerage firm(s)/Depository/ Depositories; Type of  
Security/Securities held (Share(s), Mutual Fund(s),  
Bond(s), Government Security/Securities, Exchange  
Traded Fund(s) ETF(s) or other); Name of the Company/  
Companies of which Security/Securities is/are held;  
Quantity/Quantities/unit(s) of Security/ Securities held;  
and any other related details;

(i) Bond( s ) - Type of Bond( s ) ; Name of company(ies);  
Certificate/account number(s); Quantity(ies) and any  
other related details;

(j) Royalty/Royalties from creative work(s) or invention(s)  
- Category (Music composition(s), Literary Work(s),  
visual art(s), film/television production(s),software(s)/  
technology/technologies, patent(s), invention(s), social  
media handle(s), sound recording(s) or other); Name of  
creative work(s) or invention(s); Year of  
creation/patent; Royalty Source (publishing house(s),  
streaming service(s), technology Company/Companies,  
production house(s), social media platform(s) or other);  
Ownership/authorship status (Joint or individual  
ownership/authorship); and any other related details;

(k) Cryptocurrency holding(s) - Name of cryptocurrency/  
cryptocurrencies; Account Number(s)/Wallet  
Address(es); Name of exchange(s)/ platform(s);

Quantity /Quantities/ Unit(s); and any other related details;

- (l) Pet(s) - Type of Pet and any other related details; and/or
- (m) Others - Details of other movable property/ properties ;
- (x) Others - Details of any other type of property/properties ;
- (xi) Selection of legatee(s) - For each type of property/properties mentioned under clause (vii), (viii), (ix) & (x) above, the testator may select one or more legatee(s) chosen by the testator under clauses (v) & (vi) above;
- (xii) Distribution of property/properties among legatee(s) - If the testator is desirous of bequeathing particular property/properties mentioned under clauses (vii), (viii), (ix) & (x) above to more than one legatee, the testator shall provide the percentage distribution of such property/properties among the selected legatees;
- (xiii) Liability details, if any - The testator shall mention the details of outstanding liabilities or debts associated with her/him or any of her/his property/properties mentioned under clauses (vii), (viii), (ix) & (x) above. She/he shall also mention the type of outstanding liabilities or debts (Loan from Bank/Institution other than Bank/Private person) and specify the details of such outstanding liabilities or debts and any other related details;
- (xiv) Other details related to the execution of Will/Codicil - In the text box the testator may write the instruction(s), if any, regarding the execution of her/his Will/Codicil;
- (xv) Details of two Witnesses - Aadhaar numbers; Names; Dates of birth; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of making her/his

Will, she/he herself/himself has voluntarily created the Will and is submitting it online for registration;

(xvi) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (xv) above, the Witness shall be required to record a self-video on the Web-portal/Mobile App of the Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video;

(xvii) Procedure for recording Testator's Declaration - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clauses (i) to (xvi) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of the Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I, hereby, revoke all former Wills, Codicils and Testamentary dispositions made by me. I declare this to be my last Will/Testament. I maintain good health, and possess a sound mind. This Will is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

(xviii) The testator has to upload the following supporting documents related to the details mentioned by her/him under clauses (i) to (xvii) above –

(a) Proof of Age - Birth certificate or PAN card or Passport or Transfer/School leaving/Matriculation Certificate or Policy Bond issued by the Public Life Insurance Corporation/ Companies having the DOB of the holder of Insurance Policy or Copy of an extract of the service

record of the applicant (only in respect of Government Servants) or Pay Pension Order (in respect of retired Government Servants), duly attested/certified by the officer/in-charge of the Administration of the concern Ministry/Department of the applicant or Election Photo Identity Card or Driving License.

- (b) Proof(s) of residency – Any one of the following –
- (i) Domicile certificate or permanent resident certificate;
  - (ii) Certificate from employer or other documentary proof of employment in case the testator claims to be an employee of Central/State Government or their undertakings/entities;
  - (iii) For a testator claiming to be living in Uttarakhand for one year or more, at least one year old electricity/water bill or relevant extracts of Passport or rent agreement along with at least one year old tenant verification certificate; or
  - (iv) For a testator claiming to be a beneficiary of a State/Central Government sponsored scheme implemented in the State, the beneficiary card or the beneficiary number or any other valid document supporting the claim, issued by Central/State Government.
- (c) Proof of Ownership of immovable property related to the testator - Copy of Registry/Copy of Revenue Record mentioning the details of the testator;
- (d) Proof of Ownership of Agricultural property related to the testator - Copy of Khasra/Khatauni or Registry mentioning the details of the testator;

- (e) Proof of Ownership of immovable property in case the testator is a Proprietor of a Proprietorship Firm - Copy of Registry/Copy of Revenue Record mentioning the details of Proprietorship;
- (f) Proof of Ownership in case the testator is a shareholder in any Private Limited Company, Limited Liability Company or Limited Company -Copy of Share Certificate mentioning the details of the testator;
- (g) Proof of Ownership in case the testator is a shareholder in any Partnership Firm - Copy of Partnership Deed mentioning the details of the testator;
- (h) Proof of Bank Account/Post Office Account/Account in any other Institution - Copy of past six months' account statement;
- (i) Proof of Demat account - Copy of past six months' demat account statement;
- (j) Proof of Royalties from creative work or inventions - Copy of document related to the royalties from creative work or inventions, and a copy of ownership document;
- (k) Proof of Cryptocurrency holding - Copy of past six months' cryptocurrency account statement;
- (l) Proof of Bonds - Copy of certificates of Bonds;
- (m) Proof of Jewellery/ Valuable items - Photograph of jewellery/valuable items;
- (n) Proof of vehicle - Copy of Registration certificate of the vehicle;
- (o) Proof of Pet - Copy of document of ownership of the Pet and photograph;
- (p) Proof of liability & debts - Copy of loan account statement;

- (q) Proof of NGO/Non-profit making company or Institution/Body – Copy of Registration Certificate;
- (r) Proof of Trust - Copy of Trust Deed;
- (s) Proof of Executor - Photograph of executor;
- (t) Proof of Witnesses - Photographs of witnesses;
- (u) Proof of Testator - Photograph of testator, Copy of PAN Card.

**(f) Information required for Registration of Will under clause (d) (ii) of Rule 14(2) above –**

- (i) If the registrant is testator herself/himself - Aadhaar number; Name; Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number linked with Aadhaar; Alternative mobile number; Email id (optional); Present & permanent address; Proof(s) of residency and PAN; Name of the parents/legal guardian(s) of the testator; Occupation of the testator (Government service, Private sector service, Agricultural operation, Business, Self-employed or any other occupation) and a copy of the handwritten or typed Will signed by the testator and witnessed by two witnesses;
- (ii) If the registrant is an executor in the Will - Aadhaar Number; Name; Names of Parents/legal guardian(s); Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number linked with Aadhaar; Email id (optional); Present & permanent address; Name of the testator; Gender of the testator; Category of the testator (General/SC/OBC/Others); Relationship with the testator; Date of death of the testator; Death certificate of the testator and a copy of the handwritten or typed Will signed by the testator and witnessed by the two witnesses;

- (iii) If the registrant is an individual legatee in the Will - Aadhaar Number; Name; Names of Parents/legal guardian(s); Date of birth; Nationality; Religion; Category (General /SC /OBC /Others); Gender; Mobile number linked with Aadhaar; Email id (optional); Present & permanent address; Name of the testator; Gender of the testator; Category of the testator (General/SC/OBC/Others); Relationship with the testator; Date of death of the testator; Death certificate of the testator and a copy of the handwritten or typed Will signed by the testator and witnessed by two witnesses;
- (iv) If the registrant is an NGO /Trust/Non-profit making company or any other Institution/Body and also a legatee in the Will - Aadhaar number of the Chairperson/ President/ Director/ Institutional Head; Name of the NGO /Trust/Non-profit making company or any other Institution/Body; Name of Chairperson/ President/ Director/ Institutional Head; Registration number of the NGO/Trust/Non-profit making company or any Institution/Body; Mobile number linked with Aadhaar of the Chairperson/President/Director/Institutional Head; Official Mobile number of the NGO/Trust/Non-profit making company or any Institution/Body; Email id of the NGO/Trust/Non-profit making company or any Institution/Body ( optional); Official address of the NGO/Trust/Non-profit making company or any Institution/Body; Name of the testator; Gender of the testator; Category of the testator (General/SC/OBC/Others); Date of death of the testator; Death certificate of the testator and a copy of the handwritten or typed Will signed by the testator and witnessed by the two witnesses;

- (v) If the registrant is any other authorized person mentioned in the Will - Aadhaar; Name; Names of Parents/legal guardian(s); Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number linked with Aadhaar number; Email id (optional); Present & permanent address; Name of the testator; Gender of the testator; Category of the testator (General/SC/OBC/Others); Relationship with the testator; Date of death of the testator; Death certificate of the testator and a copy of the handwritten or typed Will signed by the testator and witnessed by two witnesses;
- (vi) Other details related to the execution of the Will - In the text box the testator may write the instruction(s), if any, regarding the execution of her/his Will;
- (vii) Details of two Witnesses under clause (i) above - Aadhaar numbers; Names; Dates of births; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of making her/his Will, she/he herself/himself has voluntarily created the Will and is submitting it online for registration;
- (viii) Details of two Witnesses under clauses (ii) to (v) above - Aadhaar numbers; Names; Dates of births; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator was capable of making her/his Will, she/he herself/himself had voluntarily created and signed the Will in their presence and they are witnesses to the creation of the Will;
- (ix) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter,



submitting the requisite details mentioned under clauses (vii) & (viii) above, the witness shall be required to record a self-video on the Web-portal/Mobile App of the Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video;

- (x) Procedure for recording Testator's Declaration under clause (i) above - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (i) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of The Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self- video. The format of declaration is as follows –

“I, hereby, revoke all former Wills, Codicils and Testamentary dispositions made by me. I declare this to be my last Will/Testament. I maintain good health, and possess a sound mind. This Will is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

- (xi) Procedure for recording Registrant's Declaration under clauses (ii) to (v) above - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clauses (ii) to (v) above, the registrant shall be required to record a self-video on the Web- portal/Mobile App of the Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“ I \_\_\_\_\_ (Name of the registrant; in case of an NGO, Trust, Non-profit making company or any Institution/Body, the name of the head of that organization) hereby solemnly affirm that I am submitting the Will of \_\_\_\_\_ (Name of the testator) who has named me as a/an \_\_\_\_\_(legatee /executor /authorized person) in the Will. I further affirm that this Will is being submitted after the testator's death and to support the claim, the death certificate of the testator has been submitted in this registration process. I declare that the testification of the Will was done by the same witnesses who are witnesses to this registration process. I also declare that the information, provided by me, is true to the best of my knowledge and if any discrepancy is found therein, I shall be liable for the same.”

(xii) Jurisdictional Sub-Registrar under clauses (ii) to (v) above – Sub- Registrar having jurisdiction over the place where the Will was created within the territory of Uttarakhand;

(xiii) The testator or the registrant has to upload the following supporting documents related to the details mentioned by her/him under clauses (i) to (xii) above:-

(a) Proof of Age - Birth certificate or PAN card or Passport or Transfer/School leaving/Matriculation Certificate or Policy Bond issued by the public Life insurance corporations/Companies having the DOB of the holder of the insurance policy or Copy of an extract of the service record of the applicant (only in respect of Government servants) or Pay Pension Order (in

respect of retired Government Servants), duly attested/certified by the officer/in-charge of the Administration of the concerned Ministry/Department of the applicant or Election Photo Identity Card or Driving License;

(b) Proof(s) of residency in case the testator is registering her/his Will – Any one of the following -

(i) Domicile certificate or permanent resident certificate;

(ii) Certificate from employer or other documentary proof of employment in case the testator claims to be an employee of Central/State Government or their undertakings/entities;

(iii) For a testator claiming to be living in Uttarakhand for one year or more, at least one year old electricity/water bill or relevant extracts of Passport or rent agreement along with at least one year old tenant verification certificate; or

(iv) For a testator claiming to be a beneficiary of a State/Central Government sponsored scheme implemented in the State, the beneficiary card or the beneficiary number or any other valid document supporting the claim, issued by Central/State Government.

(c) Proof, if the Registrant is an Executor in the Will - Photograph of the executor;

(d) Proof, if the Registrant is an individual Legatee in the Will - Photograph of the legatee;

(e) Proof, if the Registrant is an NGO/Non-profit making company or Institution/Body and a legatee in the Will - Copy of Registration Certificate;

- (f) Proof, if the Registrant is a Trust and a legatee in the Will - Copy of Trust Deed;
- (g) Proof, if the Registrant is an authorized person mentioned in the Will - Photograph of the authorized person;
- (h) Proof of Witnesses - Photograph of witnesses;
- (i) Proof of Testator if the testator is registering her/his Will herself/himself- Photograph of testator, Copy of PAN Card;
- (j) Proof of Testator's death if executor, legatee or any authorized person is registering testator's Will - Death Certificate of the testator;
- (k) Proof of Will created by the Testator - Copy of the handwritten or typed Will signed by the testator and witnessed by two witnesses.

**(g) Information required for Registration of Will under clause (d) (iii) of Rule 14(2) above**

- (i) Details of the Testator - Aadhaar number; Name; Date of birth; Nationality; Religion; Category (General /SC /OBC /Others); Gender; Mobile number linked with Aadhaar; Alternative mobile number; Email id (optional); Present & permanent address; Proof(s) of residency and PAN; name of the parents/legal guardian(s) of the testator and occupation of the testator (Government service; Private sector service; Agricultural operation; Business; Self-employed or any other occupation);
- (ii) Recording of Will - The testator shall record the video relating to her/his Will online on the Web-portal/Mobile App of the Code, stating her/his full name and the date on which she/he is recording the video. While describing her/his estate and the legatee(s) to whom she/he wishes to bequeath such

property, the quality and sound of the video relating to her/his Will must be clear and the statement must be precise and unequivocal;

(iii) Details of two Witnesses - Aadhaar numbers, Names, Dates of births, Relationship with the testator, Phone numbers, Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of making her/his Will, she/he herself/himself has voluntarily created the Will and is submitting it online for registration;

(iv) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (iii) above, the Witness shall be required to record a self-video on the Web-portal/Mobile App of the Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video;

(v) Procedure for recording Testator's Declaration - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (i) and recording of Will under clause (ii) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of the Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I, hereby, revoke all former Wills, Codicils and Testamentary dispositions made by me. I declare this to be my last Will/Testament. I maintain good health, and possess a sound mind. This Will is made by me of my

own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

(vi) The testator has to upload the following supporting documents related to the details mentioned by her/him under clause (i) to (v) above:-

- (a) Proof of Age - Birth certificate or PAN card or Passport or Transfer/School leaving/Matriculation Certificate or Policy Bond issued by the public Life insurance corporations/Companies having the DOB of the holder of the insurance policy or Copy of an extract of the service record of the applicant (only in respect of Government servants) or Pay Pension Order (in respect of retired Government Servants), duly attested/certified by the officer/in-charge of the Administration of the concerned Ministry/Department of the applicant or Election Photo Identity Card or Driving License;
- (b) Proof(s) of residency – Any one of the following –
  - (i) Domicile certificate or permanent resident certificate;
  - (ii) Certificate from employer or other documentary proof of employment in case the testator claims to be an employee of Central/State Government or their undertakings/entities;
  - (iii) For a testator claiming to be living in Uttarakhand for one year or more, at least one year old electricity/water bill or relevant extracts of Passport or rent agreement along with at least one year old tenant verification certificate; or

(iv) For a testator claiming to be a beneficiary of a State/Central Government sponsored scheme implemented in the State, the beneficiary card or the beneficiary number or any other valid document supporting the claim, issued by Central/State Government.

(c) Proof of Executor - Photograph of executor;

(d) Proof of Witnesses - Photograph of witnesses; and

(e) Proof of Testator - Photograph of testator, Copy of PAN Card.

**(h) Information required for Registration of Codicil under clause (d) (i) of Rule 14(2) above –**

(i) For registration of Codicil where testator has registered her/his Will under clause (d) (i) of Rule 14(2) above the testator has to provide the registration number of the Will after logging in to the official Web-portal/Mobile App of the Code. After doing so, the testator shall be provided an option to edit her/his previously registered Will. After paying the prescribed fee mentioned under clause (c) of Rule 14(2), the testator may submit her/his Codicil online for registration;

(ii) Procedure for recording Testator's Declaration - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (i) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of the Code, reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I, hereby, revoke all former Codicils made by me. I declare this to be my last Codicil of the previously registered Will. I maintain good health, and possess a sound mind. This Codicil is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

(iii) Details of two Witnesses - Aadhaar numbers; Names; Dates of births; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of making a Codicil to her/his previously registered Will and that she/he herself/himself has created the Codicil which is being submitted for online registration;

(iv) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details under clause (iii), the Witness shall be required to record a self-video on the Web-portal/Mobile App of The Uniform Civil Code, Uttarakhand, 2024 reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video.

**(i) Information required for Registration of Codicil under clause (d)(ii) of Rule 14(2) above –**

(i) For registration of Codicil where testator has registered her/his Will under clause (d)(ii) of Rule 14(2), the testator has to provide the registration number of the Will after logging in to the official Web-portal/Mobile App of the Code. After doing so, the testator shall be provided an option to upload the copy of her/his



handwritten or typed Codicil. After paying the prescribed fee mentioned under clause (c) of Rule 14(2), the testator may upload her/his Codicil online for registration;

- (ii) If the registrant is an executor in the Will/Codicil - Registration number of Will made by testator; Aadhaar Number; Name; Names of Parents/legal guardian(s); Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number linked with Aadhaar; Email id (optional); Present & permanent address; Name of the testator; ; Gender of the testator ; Category of the testator (General/SC/OBC/ Others); Relationship with the testator; Date of death of the testator; Death certificate of the testator and a copy of the handwritten or typed Codicil signed by the testator and witnessed by the two witnesses;
- (iii) If the registrant is an individual legatee in the Will/Codicil - Registration number of the Will made by testator; Aadhaar Number; Name; Names of Parents/legal guardian(s); Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number linked with Aadhaar; Email id (optional); Present & permanent address; Name of the testator; Gender of the testator ; Category of the testator (General/SC/OBC/ Others); Relationship with the testator; Date of death of the testator; Death certificate of the testator and a copy of the handwritten or typed Codicil signed by the testator and witnessed by two witnesses;
- (iv) If the registrant is an NGO/Trust/Non-profit making company or any other Institution/Body and also a

legatee in the Will/Codicil - Registration number of the Will made by testator; Aadhaar number of the Chairperson/ President/Director/Institutional Head; Name of the NGO/Trust/Non-profit making company or any other Institution/Body; Name of Chairperson/President/ Director/Institutional Head; Registration number of the NGO/Trust/Non-profit making company or any Institution/Body; Mobile number linked with Aadhaar of the Chairperson/President/Director/ Institutional Head; Official Mobile number of the NGO/Trust/Non-profit making company or any Institution/Body; Email id of the NGO/Trust/Non-profit making company or any Institution/ Body ( optional); Official address of the NGO/Trust/Non-profit making company or any Institution/Body; Name of the testator; Gender of the testator; Category of the testator (General/SC/OBC/Others); Date of death of the testator; Death certificate of the testator and a copy of the handwritten or typed Codicil signed by the testator and witnessed by the two witnesses;

- (v) If the registrant is any other authorized person mentioned in the Will/Codicil - Registration number of the Will made by testator; Aadhaar; Name; Names of Parents/legal guardian(s); Date of birth; Nationality; Religion; Category (General/SC/OBC/Others); Gender; Mobile number linked with Aadhaar number; Email id (optional); Present & permanent address; Name of the testator; Gender of the testator; Category of the testator (General/SC/OBC/Others); Relationship with the testator; Date of death of the testator; Death

certificate of the testator and a copy of the handwritten or typed Codicil signed by the testator and witnessed by two witnesses;

- (vi) If the registrant is the testator, other details related to the execution of the Codicil - In the text box the testator may write the instruction(s), if any, regarding the execution of her/his Codicil;
- (vii) Details of two Witnesses for clause (i) above - Aadhaar numbers; Names; Dates of births; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of making her/his Codicil, she/he herself/himself has voluntarily created the Codicil and is submitting it online for registration;
- (viii) Details of two Witnesses for clauses (ii) to (v) above - Aadhaar numbers; Names; Dates of births; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator was capable of making her/his Codicil, she/he herself/himself had voluntarily created and signed the Codicil in their presence and they are witnesses to the creation of the Codicil;
- (ix) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clauses (vii) & (viii) above, the witness shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video;

- (x) Procedure for recording Testator's Declaration under clause (i) above - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (i) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I, hereby, declare that this is my last Codicil to my Will bearing Registration number \_\_\_\_\_. I maintain good health, and possess a sound mind. This Codicil is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

- (xi) Procedure for recording Registrant's Declaration under clauses (ii) to (v) above - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clauses (ii) to (v) above, the registrant shall be required to record a self-video on the Web- portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I\_\_\_\_\_ (Name of the registrant; in case of an NGO, Trust, Non-profit making company or any Institution/Body, the name of the head of that organization) hereby solemnly affirm that I am submitting the Codicil of \_\_\_\_\_(Name of the

testator) who has named me as a/an (legatee /executor /authorized person) in the Codicil/Will bearing Registration number. I further affirm that this Codicil is being submitted after the testator's death and to support the claim, the death certificate of the testator has been submitted in this registration process. I declare that the testification of the Codicil was done by the same witnesses who are witnesses to this registration process. I also declare that the information, provided by me, is true to the best of my knowledge and if any discrepancy is found therein, I shall be liable for the same.”

- (xii) Jurisdictional Sub-Registrar under clauses (ii) to (v) above - Sub-Registrar having jurisdiction over the place where the Will was registered within the territory of Uttarakhand;
- (xiii) The testator or the registrant has to upload the following supporting documents related to the details mentioned by her/him under clauses (i) to (xii) above –
  - (a) Proof, if the Registrant is an Executor in the Will/Codicil - Photograph of the executor;
  - (b) Proof, if the Registrant is an individual Legatee in the Will/Codicil - Photograph of the legatee;
  - (c) Proof, if the Registrant is an NGO/Non-profit making company or Institution/Body and a legatee in the Will/Codicil - Copy of Registration Certificate;
  - (d) Proof, if the Registrant is a Trust and a legatee in the Will/Codicil - Copy of Trust Deed;

- (e) Proof, if the Registrant is an authorized person mentioned in the Will/Codicil - Photograph of the authorized person;
- (f) Proof of Witnesses - Photograph of witnesses;
- (g) Proof of Testator's death if executor, legatee or any authorized person is registering testator's Codicil - Death Certificate of the testator; and
- (h) Proof of Codicil created by the Testator - Copy of the handwritten or typed Codicil signed by the testator and witnessed by two witnesses.

**(j) Information required for Registration of Codicil under clause (d) (iii) of Rule 14(2) above –**

- (i) For registration of Codicil to her/his Will registered under clause (d) (iii) of Rule 14(2), the testator has to provide the registration number of the Will after logging in to the official Web-portal of the Code. After doing so, the testator shall be provided an option to upload her/his self-video relating to her/his Codicil. After paying the prescribed fee mentioned under clause (c) of Rule 14(2), the testator may upload her/his self-video relating to Codicil online for registration;
- (ii) Procedure for recording Testator's Declaration - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (i) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I, hereby, revoke all former Codicils made by me. I declare this to be my last Codicil of the previously registered Will. I maintain good health, and possess a sound mind. This Codicil is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

- (iii) Details of two Witnesses - Aadhaar numbers, Names, Dates of births, Relationship with the testator, Phone numbers, Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of making a Codicil to her/his previously registered Will and that she/he herself/himself has voluntarily created the Codicil which is being submitted for online registration;
- (iv) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (iii) above, the Witness shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video.

**(k) Revocation of Will/Codicil –**

- (i) A testator, if capable of revoking her/his previously registered Will/Codicil, can revoke it any time. For revocation of a previously registered Will/Codicil, the testator has to provide the registration number of the Will/Codicil after logging in to the official Web-portal/Mobile App of the Code. After doing so, the testator shall be provided an option to revoke her/his previously registered Will/Codicil. After paying the prescribed fee mentioned under clause (c) of Rule 14(2),

she/he can revoke her/his previously registered Will/Codicil;

- (ii) Procedure for recording Testator's Declaration - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (i) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I, hereby, revoke this Will/Codicil made by me. I maintain good health, and possess a sound mind. This revocation is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

- (iii) Details of two Witnesses - Aadhaar numbers; Names; Dates of births; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of revoking her/his previously registered Will/Codicil and that she/he herself/himself has voluntarily revoked the Will/Codicil which is being submitted for online registration of revocation;
- (iv) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (iii) above, the Witness shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system



generated code that will appear on the device's screen at the time of recording the self-video.

**(l) Revival of Revoked Will/Codicil –**

- (i) A testator, if capable of revival of her/his revoked Will/Codicil, can revive it any time. For revival of a revoked Will/Codicil, the testator has to provide the registration number of the revocation of such Will/Codicil after logging in to the official Web-portal/Mobile App of the Code. After doing so she/he shall be provided an option to revive her/his revoked Will/Codicil. After paying the prescribed fee mentioned under clause (c) of Rule 14(2), she/he can revive her/his revoked Will/Codicil;
- (ii) Procedure for recording Testator's Declaration - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (i) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I, hereby, revive this Will/Codicil that was earlier revoked by me. I maintain good health, and possess a sound mind. This revival is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

- (iii) Details of two Witnesses - Aadhaar numbers; Names; Dates of births; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of

revival of her/his revoked Will/ Codicil and that she/he herself/himself has voluntarily revived the Will/Codicil which is being submitted for online registration of revival;

(iv) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (iii) above, the Witness shall be required to record a self-video on the Web-portal/Mobile App of Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video.

**(m) Declaration of previously Registered Testamentary Statement/Document as the Last Registered Testamentary Statement/Document –**

(i) A testator capable of making a Will can, at any time after registering a testamentary statement/document, declare it to be the last testamentary statement/document. For doing so, the testator shall be required to provide the registration number of the registered testamentary statement/document after logging in to the official Web-portal/Mobile App of the Code. Thereafter, she/he shall be provided an option to declare her/his previously registered Will/Codicil or previously registered statement for revocation/revival of Will/Codicil as her/his last registered Will/Codicil or last registered statement for revocation/revival of Will/Codicil. On paying the prescribed fee mentioned under clause (c) of Rule 14(2), she/he can get her/his declaration registered;

- (ii) Procedure for recording Testator's Declaration - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (i) above, the testator shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video. The format of declaration is as follows –

“I, hereby, declare that this Will/ Codicil or statement for Revocation/Revival of Will/Codicil is my last Will/Codicil or statement for Revocation/Revival of Will/Codicil. I maintain good health, and possess a sound mind. This declaration is made by me of my own independent decision and free volition. I have not been influenced or coerced in any manner whatsoever.”

- (iii) Details of two Witnesses - Aadhaar numbers; Names; Dates of births; Relationship with the testator; Phone numbers; Email ids (optional) and addresses of two witnesses who shall testify that the testator is capable of declaring her/his previously registered Will/Codicil as testator's last Will/Codicil or previously registered statement for revocation/revival of Will/Codicil as testator's last registered statement for revocation/revival of Will/Codicil and that she/he herself/himself has voluntarily declared her/his previously registered Will/Codicil as her/his last Will/Codicil or declared her/his previously registered statement for revocation/revival of Will/Codicil as her/his last

statement for revocation/revival of Will/Codicil which is being submitted for online registration;

- (iv) Procedure for recording Witness's testimony - After getting the Aadhaar authentication done and, thereafter, submitting the requisite details mentioned under clause (iii) above, the Witness shall be required to record a self-video on the Web-portal/Mobile App of the Code reading out a declaration followed by a system generated code that will appear on the device's screen at the time of recording the self-video.

**(3) Rights of Testator/Legatee/Executor/Authorized Person**

**(a) Rights of a Testator –**

- (i) A testator, capable of making a testamentary statement/document and entitled to register it, has the right to submit her/his testamentary statement/document for registration;
- (ii) A testator can create, alter, revoke, revive her/his testamentary statement/document or declare her/his previously registered testamentary statement/ document as her/ his last registered testamentary statement/document;
- (iii) After providing the registration number of the last registered Will, a testator can create and register her/his Codicil or revoke her/his last registered Will/Codicil; or revive her/his last registered revoked Will/Codicil; or declare her/his previously registered testamentary statement/document as her/his last testamentary statement/document.

- (b) Rights of Executor/Legatee/Authorized Person -** On submitting an authentic copy of the death certificate of a

testator, an executor, a legatee or a person authorized in the Will/Codicil shall have the right to –

- (i) submit a Will/Codicil of the testator for registration;
- (ii) get a copy of the testator's last registered testamentary statement/document.

**(c) When a Testamentary Statement/Document shall be considered as Deemed Registered** - If a testator/registrant other than the testator, submits a testamentary statement/document in accordance with the provisions prescribed under clause (c) of Rule 14(2) and dies subsequently before a decision could be taken on her/his submission, her/his testamentary statement/document, if found acceptable in the summary inquiry, shall be deemed to have been registered on the date of submission.

**(d) Appeal against an Order passed by a Sub-Registrar** - The declarant/registrant may prefer an appeal, against an order passed by the Sub-Registrar rejecting an application for declaration of legal heir(s) or registration of testamentary statement(s)/document, before the Registrar concerned, within thirty days from the date of receipt of the rejection order. This may be done by visiting the official Web-portal/Mobile App of the Code. The step-by-step procedure to file an appeal is as follows –

- (i) On the Web-portal, the declarant/registrant shall provide the application number relating to the declaration of legal heir(s) or registration of Testamentary Statement(s)/ Document which has been rejected by the Sub-Registrar along with a copy of the rejection order;
- (ii) The declarant/registrant shall then have the option of uploading additional document(s) in support of her/his case; and

- (iii) After uploading the document(s), if any, the declarant/registrant may enter the grounds for appeal in the text box and submit the same.
- (e) **Appeal against an Order passed by a Registrar** - Against an order passed by the Registrar rejecting an appeal/application for declaration of legal heir(s) or registration of testamentary document/statement(s), the declarant/registrant may, within thirty days from the receipt of such rejection order, present an appeal to the Registrar General. This may be done by visiting the official Web- portal/Mobile App of the Code. The step-by-step procedure to file an appeal is as followed -
- (i) On the Web-Portal, the declarant/registrant shall provide the application number relating to the declaration of legal heir(s) or registration of Testamentary document/statement(s) and upload the rejection order passed by the Sub-Registrar as well as the order passed by the Registrar rejecting the appeal/application for declaration of legal heir(s) or registration of testamentary document/statement(s);
- (ii) The declarant/registrant shall then have the option of uploading additional document(s) in support of her/his case; and
- (iii) After uploading the document(s), if any, the declarant/registrant may enter the grounds for appeal and submit the same.

## **CHAPTER-5**

### **LIVE-IN-RELATIONSHIP**

#### **15. Registration of live-in-relationship**

**(1) Classification of Live-in Relationship for the purpose of Registration-**Based on the status of the registrants, sub-section (1) of section 381 of the Code, classifies the registration of live-in relationship in the following manner –

- (a) Partners already in a live-in relationship on the date of commencement of the Code.
- (b) Persons intending to enter into a live-in relationship on or after the date of commencement of the Code.

**(2) Registration of Live-in Relationship** - Based on the classification of live-in relationship under sub rule (1), the registration of live-in relationship may be done in the following manner –

- (a) Registrants already in a live-in relationship - For registrants who are already in a live-in relationship as per clause (a) of sub rule (1) and already have a shared household, subject to the outcome of a summary inquiry, registration certificate may be issued;
- (b) Registrants intending to enter into a live-in relationship - For registrants intending to get into a live-in relationship as per clause (b) of sub rule (1), the following procedure is prescribed for registration-
  - (i) To the registrants who already have an accommodation that they wish to use as a shared household and are intending to enter into a live-in relationship, whether such accommodation is jointly owned, owned by man, owned by woman, owned by parent(s), owned by other relative(s), subject to the

outcome of a summary inquiry, registration certificate may be issued;

(ii) To the registrants who do not have an accommodation that can be used as a shared household and are intending to enter into a live-in relationship –

(a) In the first step, a provisional registration certificate may be issued as per Annexure - 32, subject to the outcome of a summary inquiry. This provisional registration certificate shall be valid up to thirty days, which may be extended by another fifteen days, to facilitate such registrants to find an accommodation to be used as their shared household;

(b) In the second step, the registrants shall present the proof of the accommodation to be used as their shared household within thirty days or within forty-five days, as the case may be, from the issuance of the provisional registration certificate, and subject to the outcome of a summary inquiry, the registration certificate may be issued.

**(3) Information to be included in the Statement of Live-in Relationship** - Irrespective of the registrants belonging to any of the classes enumerated in sub rule (1) above, they will be required to furnish the following information –

(a) Classification - Registrants already in a live-in relationship or intending to enter into a live-in relationship;



(b) Persons required to Register their Live-in Relationship

- The following persons in a live-in relationship/intending to enter into a live-in relationship are required to register their live-in relationship by submitting a statement of live-in relationship –

**(i)** Persons staying within the territory of Uttarakhand, whether she/he/they is/are the resident(s) of Uttarakhand or not;

**(ii)** Persons staying outside the territory of Uttarakhand but within the territory of Bharat, when one or both partner(s) is/are the resident(s) of Uttarakhand.

(c) Jurisdictional Registrar –

**(i)** For Partners already in a Live-in Relationship within the Territory of Uttarakhand - The Registrar having jurisdiction over the place of shared household;

**(ii)** For Partners already in a Live-in Relationship outside the Territory of Uttarakhand but within the Territory of Bharat where one or both Registrant(s) is/are Resident of Uttarakhand - The Registrar having jurisdiction over the place of permanent address of either the man or the woman within the territory of Uttarakhand;

**(iii)** For persons intending to enter into a Live-in Relationship within the territory of Uttarakhand - The Registrar having jurisdiction over the place of accommodation that they wish to use as a shared household;

- (iv) For persons intending to enter into a Live-in Relationship staying outside the Territory of Uttarakhand but within the Territory of Bharat where one or both the Registrant(s) is/are Resident of Uttarakhand - The Registrar having jurisdiction over the place of permanent address of the man or the woman within the territory of Uttarakhand.
- (d) Details of the Shared Household/Accommodation to be used as a Shared Household –
- (i) For registrants already in a live-in relationship, the address of the shared household whether within the territory of Uttarakhand or outside the territory of Uttarakhand but within the territory of Bharat;
  - (ii) For registrants intending to enter into a live-in relationship and already having an accommodation to be used as a shared household, the address of the same and whether such shared household is jointly owned, owned by man, owned by woman, owned by parent(s), owned by other relative(s);
  - (iii) For registrants intending to enter into a live-in relationship who have been issued a provisional registration certificate and now have a rented accommodation to be used as a shared household, the address of the same and the tenant verification number.
- (e) Details of the Registrants - Aadhaar numbers; Names; Dates of Birth; Nationalities; Category (General/SC/OBC /Others); Mobile numbers linked with Aadhaar

and alternate mobile numbers; Email ids; Present & permanent addresses; and Proof(s) of residency (wherever applicable);

(f) Type of Guardianship – Parent(s) or Legal Guardian(s);

(g) Previous Relationship Status -

(i) Whether a registrant has a history of marital or live-in relationship and, if so, whether the registrant concerned is/was a Divorcee; a Widow(er); had Marriage annulled; had Live-in Relationship Terminated and/or whether live-in partner of the registrant has expired;

(ii) Whether the registrants are related to each other and, if so, the exact relationship between the registrants and whether the relationship is within the degrees of prohibited relationship defined under clause (d) of sub-section (1) of section 3 of the Code.

(h) Selection of Police Station/Patwari Chowki having Jurisdiction over the place of Shared Household /Accommodation to be used as a Shared Household Permanent address(es) of the Registrant(s) within the territory of Uttarakhand –

(i) For Registrants already in a Live-in Relationship within the Territory of Uttarakhand - the Police Station or Patwari Chowki having jurisdiction over the place of the shared household;

(ii) For Registrants already in a Live-in Relationship outside the Territory of Uttarakhand where one or both the Registrant(s) is/are

Resident(s) of Uttarakhand - the Police Station/Patwari Chowki having jurisdiction over the place of the permanent address of the man and/or the woman within the territory of Uttarakhand;

**(iii)** For Registrants intending to enter into a Live-in Relationship within the Territory of Uttarakhand - the Police Station/Patwari Chowki having jurisdiction over the place of accommodation to be used as their shared household;

**(iv)** For Registrants intending to enter into a Live-in Relationship outside the Territory of Uttarakhand where one or both the Registrant(s) is/are Resident(s) of Uttarakhand - the Police Station/Patwari Chowki having jurisdiction over the place of the permanent address of the man and/or the woman within the territory of Uttarakhand.

**(i) Details of Children, if any –**

**(i)** For a child belonging to one or both Registrant(s) from a date prior to the current Live-in Relationship - Name; Gender and Date of birth/adoption;

**(ii)** For a child belonging to both Registrants jointly of current Live-in Relationship - Name; Gender and Date of birth/adoption.

**(j) Supporting Documents** - For supporting the information to be furnished under clauses (a) to (i) above, copies of the following documents need to be provided/uploaded –

**(i)** Proof of Age of the Registrants - Birth certificate or PAN card or Passport or Transfer/School leaving/Matriculation Certificate or Policy Bond issued by the public Life insurance corporations/Companies having the DOB of the holder of the insurance policy or Copy of an extract of the service record of the applicant (only in respect of Government servants) or Pay Pension Order (in respect of retired Government Servants), duly attested/certified by the officer/in-charge of the Administration of the concerned Ministry /Department of the applicant or Election Photo Identity Card or Driving License;

**(ii)** Proof(s) of Residency – Any one of the following –

**(a)** Domicile certificate(s) or permanent resident certificate(s);

**(b)** Certificate(s) from employer or other documentary proof of employment in case the registrant(s) claim(s) to be employee(s) of Central/State Government or their undertakings/entities;

**(c)** For residents claiming to be living in Uttarakhand for one year or more, at least one year old electricity/water bill or relevant extracts of Passport or rent agreement along with at least one year old tenant verification certificate; or

**(d)** For residents claiming to be beneficiaries of a State/Central Government

sponsored scheme implemented in the State, the beneficiary card or the beneficiary number or any other valid document supporting the claim, issued by Central/State Government;

**(iii)** Proof of Nationality other than Indian (wherever applicable), if one of the registrants is governed by the Code/Rules and the other is a Foreign National - Full address in the country of origin and extracts of Passport;

**(iv)** Proof of Child - Birth/adoption certificate of the child;

**(v)** Proof of previous History of Relationship - In case a registrant intending to enter into a live-in relationship has a history of marital or live-in relationship prior to the onset of the current live-in relationship –

**(a)** Final Decree of Divorce; Final Decree of Nullity of Marriage; Death Certificate of Spouse; Certificate of Terminated Live-in Relationship, as the case may be;

**(b)** If marriage was dissolved before commencement of the Code under customary laws, the proof of such dissolution of marriage.

**(vi)** Proof of permissibility of Marriage between the Registrants if they are within the Degrees of Prohibited Relationship - A certificate issued by an official of a religious leader/community head or official of a religious/community body concerned that the customs & usage governing the registrants permit marriage between them. A format of the requisite certificate is prescribed in Annexure – 27;

**(vii) Proof of Shared Household –**

**(a)** In case the Shared Household or the Accommodation to be used as a Shared Household is Rented - Full name of the owner; Mobile number of the owner; a copy of rent agreement; tenant verification number and a copy of the last Water/ Electricity Bill, issued by the Utility Company or the Resident Welfare Association;

**(b)** In case the Shared Household or the Accommodation to be used as a Shared Household is Owned by the Registrant(s) or by Relative(s) of the Registrant(s) - Owner's name and relationship with the registrant(s); Mobile number of the owner if not owned by both or either of the registrant(s) and a copy of the last Water/Electricity Bill, issued by the Utility Company or the Resident Welfare Association.

**(4) Additional Information relating to the Registrants if any one of them is below the Age of 21 years** - Name of the Parents or Legal Guardian(s); Mobile numbers of the Parents or Legal Guardian(s) linked with Aadhaar; Parent's or Legal Guardian's(s') address(es) as per Aadhaar and Email id of the Parents or Legal Guardian(s).

**(5) Additional Information if the Partners are already in a Live-in Relationship-** Date of entering into the live-in relationship.

**(6) Process for Submitting a Statement for Registering a Live-in Relationship** - The registrants who are in a live-in relationship or are intending to enter into a live-in relationship may register either by following the online registration process or through the offline registration process.

**(7) Procedure for Online Submission of a Statement for Registration of Live-in Relationship** - Registrants may submit the statement for registration of live-in relationship either themselves or with the help of any agency/agencies as determined by the State Government through notification from time to time for which the agency/agencies may charge a service fee, as determined by the State Government. In both cases the following procedure shall be followed –

- (a) Visit and follow the step-by-step procedure prescribed in the official Web- portal of Code, i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or download the Mobile App and follow the step-by-step procedure as prescribed;
- (b) The first step for online registration of live-in relationship shall be one-time signing-up for which one of the registrants shall be required to enter her/his Aadhaar number. An OTP will be received on the mobile number linked with the Aadhaar number, which will then need to be entered so as to complete the process of verification. For all future processes, the Aadhaar number will be the user identification number for the registrant;
- (c) For submitting a statement, one of the registrants shall be required to login through the Aadhaar number which will be verified each time following the process mentioned in clause (b) above;
- (d) The Web-portal/Mobile App shall be so designed that after logging in, the registrants are guided in a step-by-step



manner to either enter the requisite information or select one of the options from a menu of choices or upload a copy of a document. Before logging in, the registrants are advised to keep the information required under sub rules (3), (4) and (5) of rule 15 readily available with them so that the submission of memorandum takes place smoothly;

- (e) If one of the registrants is a foreign national, the statement cannot be submitted through the online registration process until the foreign national gets an Aadhaar Card issued.

**(8) Procedure for Offline Submission of a Statement for Registration of Live-in Relationship –**

- (a) For offline registration, the registrants, may present the statement of live-in relationship in the format prescribed in Form - 3 along with the supporting documents to the Registrar concerned. The registrant(s) may find out the jurisdictional Registrar by visiting the official Web-portal of the Code, i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or through the Mobile App;
- (b) For submission of statement through the aforesaid process, the registrants may submit the statement of live-in relationship to the Registrar concerned physically.

**(9) Fees for Registration of Live-in Relationship** - The fees may be paid for registering live-in relationship either in cash for offline registration or through digital modes for online registration or any other mode as determined by State Government. Offline registrants shall fill in a challan as per Annexure - 28 and deposit the fee in any commercial bank and obtain a receipt of challan. Digital payments may be made through net banking, through credit or debit card, or through UPI options. The fees for different categories are as follows:-

- (a) For who were in a live-in relationship prior to the commencement of the Code shall be liable to pay a fee, as

determined by the State Government through notification issued from time to time, at the time of submitting the statement of live-in relationship on the date of commencement of the Code;

- (b) Registrants intending to enter into a live-in relationship on or after the commencement of the Code shall be liable to a fee, as determined by the State Government through notification issued from time to time, at the time of submitting of intent prior to entering into the live-in relationship.

## **16. Termination of Live-in Relationship**

- (1) Process for Termination of a Live-in Relationship** - Both or either of the live-in partners seeking to terminate a live-in relationship, may do so online or offline.

- (2) Information to be included in the Statement of Termination of a Live-in Relationship**

- (a) The name and address of the Person(s) submitting the Statement of Termination of Live-in Relationship - Woman, Man or Both partners jointly;
- (b) Registration Number of Statement of Live-in Relationship;
- (c) Date of Termination of Live-in Relationship;
- (d) Details of Child - Name; age; sex of child born of the live-in relationship or adopted by the live-in partners, unless these details have been submitted earlier; and
- (e) Supporting Documents - For supporting the information furnished under clause (d) above - Birth/adoption certificate of the child.

- (3) Procedure for Online Submission of Statement of Termination of Live-in Relationship** - Live-in partner(s) may submit the statement for termination of live-in relationship either by herself/himself/themselves or with the help of any agency/agencies as determined by the State Government through notification from

time to time. For which the agency/agencies may charge a service fee, as determined by the State Government. In both cases the following procedure shall be followed:-

- (a) Visit and follow the step-by-step procedure prescribed in the official Web- portal of the Code, i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or download the Mobile App and follow the step-by-step procedure prescribed therein;
- (b) For submitting a statement, one of the partners in a live-in relationship shall be required to login through her/his Aadhaar number which will be verified each time;
- (c) The Web-portal/Mobile App shall be so designed that after logging in, the live in partner(s) is/are guided in a step-by-step manner to either enter the requisite information or select one of the options from a menu of choices or upload a copy of a document. Before logging-in, the live-in partner(s) is/are advised to keep the information required under sub rule (2) of rule 16 readily available so that the submission of statement of termination of live-in relationship takes place smoothly.

**(4) Procedure for Offline Submission of Statement of Termination of Live-in Relationship –**

- (a) For offline submission of statement of termination of live-in relationship, the live-in partner(s) who wish(es) to terminate the live-in relationship shall present the statement of termination of live-in relationship in the format prescribed at Form - 4, along with the supporting documents, to the Registrar concerned. The live-in partner(s) may find out the jurisdictional Registrar by visiting the official Web-portal of the Code, i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or through the Mobile App;

(b) The statement of termination of live-in relationship through the aforesaid process shall be submitted to the Registrar concerned physically.

**(5) Fees for Termination of Live-in Relationship** - A fee as determined by the State Government through notification from time to time, shall be payable for terminating the live-in relationship either in cash for offline process of termination or through digital modes for online process of termination. For offline process of termination, the live-in partner(s) shall fill in a challan as per Annexure - 28 and deposit the fee in any commercial bank and obtain a receipt of challan. For online process of termination digital payments may be made through net banking, through credit or debit card, or through UPI options.

#### **17. Duties of the live-in partners.**

**(1) Submission of Statement of Termination of Live-in Relationship** - Live-in partner(s) shall submit their statement of termination of live-in relationship along with the fee prescribed under sub rule (5) of rule 16.

#### **(2) Information regarding Child in Womb –**

- (a) If at the time of submitting the statement of termination of live-in relationship, it is known that the woman live-in partner is pregnant, it will be obligatory to inform the Registrar about the same;
- (b) If a child/children is/are born to the live-in partners after the termination of their live-in relationship, the same shall be updated within thirty days from the date of issuance of the birth certificate(s) of the child/children by the woman live-in partner.

#### **18. Rights of Live-In-Partners.**

**(1) Complaint against the Inaction of the Registrar –**

- (a) On receipt of a communication that the statement of termination of live-in relationship has been forwarded to the Registrar General for the purpose of summary inquiry due to inaction on the part of the Registrar, the live-in partner(s) shall be entitled to formally submit a complaint online against the Registrar concerned to the Registrar General;
- (b) Under clause (a) above, the procedure to be followed by the live-in partner(s) shall be as follows –
  - (i) The complainant live-in partner shall visit the official Web- portal/Mobile App of the Code and provide her/his application number of the statement for termination of live-in relationship;
  - (ii) The portal shall verify whether such inaction has been recorded and that the statement has been forwarded to the Registrar General for the purpose of summary inquiry; and
  - (iii) Once the alleged inaction is verified, the partner(s) shall be allowed to enter her/his complaint against the Registrar in the text box and submit the same.

**(2) Filing of Appeal against order passed by Sub-registrar:** Against an order passed by the Sub-Registrar rejecting the registration of a statement of live-in relationship, the registrant(s) may prefer an appeal before the Registrar, within thirty days from the receipt of such rejection order. This may be done by visiting the official Web-portal/Mobile App of the Code. The step-by-step procedure to file an appeal is as follows –

- (a) On the Web-portal/Mobile App, the registrant(s) shall provide the application number of the statement submitted for registration of live-in relationship that has been rejected by the Sub-registrar along with a copy of the rejection order;

- (b) the registrant(s) shall then have the option of uploading additional document(s) in support of her/his case; and
- (c) after uploading the document(s), if any, the registrant(s) may enter the ground(s) for appeal in the text box and submit the same.

**(3) Filing of Appeal against order passed by Registrar** - Against an order passed by the Registrar rejecting the registration of a statement of live-in relationship, the registrant(s) may prefer an appeal before the Registrar General, within thirty days from the receipt of such rejection order. This may be done by visiting the official Web-portal/Mobile App of the Code. The step-by-step procedure to file an appeal is as follows-

- (a) On the Web-portal/Mobile App, the registrant(s) shall provide the application number of the statement submitted for registration of live-in relationship that has been rejected by the Registrar along with a copy of the rejection order;
- (b) the registrant(s) shall then have the option of uploading additional document(s) in support of her/his case; and
- (c) after uploading the document(s), if any, the registrant(s) may enter the ground(s) for appeal in the text box and submit the same.

## **19. INCIDENTAL MATTERS**

(1) A woman live-in partner may file an application for claiming maintenance to the competent Court having jurisdiction over the place where the live-in partners last cohabited. In case the place of last cohabitation is outside the territory of Uttarakhand, the application shall be presented to the competent Court having jurisdiction over the jurisdictional area of the Registrar selected by the live-in partners at the time of registration of live-in relationship.

(2) For claiming care, custody and maintenance of minor child/children, the applicant partner(s)/person(s) shall file an application

to the competent Court having jurisdiction over the jurisdictional area of the Registrar selected by the live-in partners at the time of registration of live-in relationship.

(3) In all proceedings relating to maintenance of woman live-in partner, and care, custody & maintenance of minor child/children of a live-in relationship the provisions contained in Chapter 5 of Part 1 of the Code shall *mutatis mutandis* apply.

## **CHAPTER-6**

### **MISCELLANEOUS PROVISIONS**

#### **20. (1) Access to Information –**

- (a) Open access - All information collected through the memoranda received under these Rules shall be stored in a database, i.e., the electronic register. From this database information which is not relating to personal information of the registrant(s), such as data relating to number of registrations of marriage done in a specific time-period and in a specific area, shall be openly accessible by clicking the information icon and submitting a query on the official Web-portal of the Code, i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or on the Mobile App.
- (b) Restricted access - Personal information such as religion, category (General/SC/OBC/Others), number of children of a person and her/his history of relationship, i.e., whether the person is already married or is in a live-in relationship or is a divorcee or widow(er) or had her/his marriage annulled or live-in relationship terminated or live-in partner deceased, may be accessed only if the person seeking the information and the person whose personal information is being sought jointly submit a query seeking information about one or both of them. In either case, the query form shall be submitted on the official Web-portal of the Code, i.e.,

www.ucc.uk.gov.in or on the Mobile App. While providing information under this Sub rule, care shall be taken not to disclose any personal information about a third party.

**(2) Discouraging False Complaints –**

- (a) If it is found that a person has filed a false complaint about another person, the complainant shall be cautioned and warned to be careful in future. If the same person files another complaint which is found to be false, she/he shall be liable to pay a penalty/fine as determined by the State Government through notification from time to time. On further false complaints by the same person, she/he shall be liable to pay a heavier fine as determined by the State Government through notification from time to time;
- (b) At the time of filing a complaint, the provision regarding the clause (a) shall be brought to the notice of the prospective complainant, then she/he will be required to acknowledge that she/he stands informed of the provision.

**(3) Recovery of Penalty/Fine, if not paid on time –** A penalty/fine imposed under the Code/Rules shall be paid online in accordance with the procedure prescribed under the Rules and in no case beyond 45 days from the date the penalty/fine is imposed. If the penalty/fine is not paid within the stipulated time, the same may be recovered as arrears of land revenue.

**(4) Procedure for Filing Complaints**

- (a) Complaints against actions or inactions of Sub-Registrars and Registrars shall be made to the Registrar concerned and the Registrar General respectively on the Web Portal of the Code, i.e., www.ucc.uk.gov.in or through the mobile app;
- (b) The complaints lodged under clause (a) shall be inquired into and the findings of such inquiries shall be communicated to the complainant, as far as possible, within 45 days of the receipt of the complaint.



**(5) Facilitation and Encouragement of Registration/  
Acknowledgement of Marriages**

After six months from the date of commencement of the Code, it shall be mandatory for a person who is married or a divorcee or a widow(er) to get her/ his marriage registered/ acknowledged for availing benefits under the schemes, services and subsidies as notified by the State Government from time to time. As and when required, for facilitation and encouragement of registration/acknowledgement of marriages, the State Government may notify any changes in the above-mentioned list of Government schemes, services and subsidies.

**(6) Obtaining Certified Extracts –**

- (a) For obtaining certified extracts of information accessible under clause (a) of sub rule (1) of rule 20, the applicant shall be required to submit an online application to the jurisdictional Sub-Registrar through the official Web- portal of the Code, i.e. [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or through the Mobile App and shall also be required to pay a fee as determined by the State Government through a notification from time to time;
- (b) For obtaining certified extracts of information accessible under clause (b) of sub rule (1) of rule 20, the applicants shall be required to jointly submit an application to the Registrar General through the official Web-portal of the Code, i.e., [www.ucc.uk.gov.in](http://www.ucc.uk.gov.in) or through the Mobile App and shall also be required to pay a fee as determined by the State Government through a notification from time to time.

**(7) Procedure to obtain Certified Copy in case of Succession**

- (a) By submitting the death certificate of a declarant under Chapter-4, her/his legal heir(s) can apply for a certified copy of certificate of declaration of legal heir(s) of an intestate;

- (b) By submitting the death certificate of a testator under Chapter-4, the executor, the legatee or the authorized person mentioned in the last registered testamentary statement/document of the testator can apply to get a certified copy of the same;
- (c) Under sub rule (6) (a) and (b) the below mentioned online procedure shall be followed –
  - (i) By entering the Aadhaar number and uploading the death certificate of the declarant or the testator, the applicant may search whether in the name of the declarant or in the name of the testator, as the case may be, a certificate of declaration of legal heir(s) or a testamentary statement/document is registered or not;
  - (ii) If the search mentioned in sub clause (i) above leads to a positive result, the applicant shall have an option to apply for a certified copy of the declaration of legal heir(s) or a testamentary statement/document, as the case may be, by paying a fee as determined by the State Government through notification issued from time to time;
  - (iii) If the death certificate is found to be genuine, a certified copy of the desired document shall be provided by the Sub-Registrar concerned to the applicant through Email and SMS/ WhatsApp.
- (8) Facilitation for finding Rental Accommodation to be used as a Shared Household –**
  - (a) As long as a Certificate/Provisional Certificate of live-in relationship is available, no landlord can refuse tenancy of residential accommodation to persons already in a live-in relationship or intending to enter into a live-in relationship solely because they are not married;
  - (b) As tenant, the rent agreement may be executed jointly by the persons already in a live-in relationship/intending to enter into a

live-in relationship. The Certificate/Provisional Certificate of live-in relationship shall form a part of the rent agreement;

- (c) It shall be obligatory on the part of the landlord to ask for a copy of the Certificate/Provisional Certificate of live-in relationship before entering into a rent agreement with the persons already in a live-in relationship/intending to enter into a live-in relationship. Such Certificate will form a part of the rent agreement in the manner prescribed in clause (b) above. For violation of this provision, the Registrar may impose a penalty, as determined by the State Government through notification from time to time, on the landlord concerned.

## **21. Power to Remove Difficulties.**

The State Government may, for the purpose of removing any difficulty in the implementation of any provision of this Rules, make any general or special order as it may consider necessary or expedient in the interest of fair dealing or in the public interest.

**(Shailesh Bagauli)**  
Secretary.