Marriage registration in Gujarat

Prelims: *Current events of national and international importance | Government policies and interventions*

Why in News?

The Gujarat government's move to mandate consent of parents for registration of a marriage flies in the face of constitutional rights of individuals that are routinely safeguarded by several court rulings.

- **Registration Acts -** Marriage registration is usually done under the ***Gujarat Marriage Registration Act, 2006*** (or under the Special Marriage Act, 1954 for civil/inter-faith marriages).
- Proposed Amendments to Marriage Registration Rules (2026).
- **Article 21 -** It guarantees the protection of life and personal liberty; this right has been interpreted by the Supreme Court to include the freedom to choose a partner without external interference.
- High Courts also routinely protect couples seeking police protection from their families.
- **Key Proposed Changes - Mandatory declaration about parents** -
  - Couples must state whether they have their parents about the marriage.
  - Details such as parents' Aadhaar, address and contact numbers must be submitted.
- **Parental notification -** The Assistant Registrar will officially notify parents (electronically or physically) *within 10 working days* after application acceptance.
- **30-day waiting period -** Marriage registration will only be completed 30 days after application, allowing time for verification.
- **Online portal -** All details are to be uploaded on a government portal for transparency and record keeping.
- **Purpose of the Amendments -** The government says the changes aim to
  - Prevent fraudulent marriages and exploitation
  - Curb misuse of deceptive marriage certificates

    - Enhance transparency in registration
- **Related cases - Laxmibai Chandaragi B versus State of Karnataka** – In 2021, the Supreme Court reiterated that the consent of the family or the community or the clan is not necessary for adults to marry.
- **Shafi Jahan v KM Ashokan -** In 2018, the Supreme Court, in a case of interfaith marriage that was challenged by the woman's parents, had upheld an individual's right to marry a person of one's own choice as well as the right to choose a religion.
- **Lata Singh v State of Uttar Pradesh** - In 2006 ruling, the Supreme Court recognised the family as a site of violence and protected inter-caste marriages.
- Delhi High Court in 2009 and the Allahabad High Court in 2021 had even *struck down the mandatory 30-day notice* of a couple's intention to marry under the Special Marriage Act, citing an invasion of privacy, even from family.

Reference

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