

Settling the Future Disputes: Reforms in *Nikkah Nama*

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Abstract

In Pakistan, the institution of marriage is faced with a multitude of problems that distort families, increase crime rate, and disrupt the social fabric. The present study explores the problematic issues related to the structure, filling, completion, and registration of Nikah Nama that is a significant part of Muslim Marriage proceedings. Several recommendations have been presented at the end to resolve the matters related to Nikah Nama.

Keywords: Nikkah Nama, Future Disputes, Reforms in Family System.

Introduction

The study of history and anthropology shows that the institution of family is the oldest human social institution; the basic unit of society. The strong formation of this unit gives stability to the society and it has always been a major part of the formation of nations. The fundamental unit of family life is the relationship between husband and wife i.e., conjugal life established by Marriage. Marriage signifies mutual respect, love, and responsibility laying foundation for a harmonious relationship. It is one of the most critical decisions of an individual's life.

Islam has named the mutual relationship between husband and wife i.e., Nikah as 'MithaqGhaliz' (firm contract). In Islamic teachings, detailed rulings on the rights and duties of the family and spouses have been mentioned (Documentation (Nikah Form and Talaq Nama, 2022).

However, marriages in Pakistani society are often faced with several problematic issues these days such as alarming divorce rates, abduction cases, non-payment of dower cases, child marriages etc. According to a source, the rate of divorce has increased by approximately 35% during the past 5 years across 36 districts of Punjab (Express Tribune, 2025). Moreover, Pakistan has around 19 million child brides, according to UNICEF (The Friday Times, 2023). Such problems cause the courts to be flooded with cases. In the present study, the matters relevant to Muslim Marriage Contract or Nikah Nama have been considered.

Marriage

Marriage is often defined as a formal union and a social/civil and legal contract between two individuals that legally, economically, mentally, and emotionally binds their lives. The contractual component indicates that the pair has legal duties to each other throughout their lives (or until they decide to get divorced) (Brides website, 2024)).

Concept of Marriage in Islam: Nikah

The Arabic term 'Nikah' denotes union of the sexes (Drishti Judiciary Website, 2023). 'Nikah' refers to a legally binding agreement between a man and a woman to marry under Islamic law

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(OOLFA website, 2024). In Islam, Nikah is a social contract that includes a wide range of duties and responsibilities.

The Holy Quran has in so many verses pointed out the different purposes of marriage. ‘And of his signs is this: He created for you mates from yourself that you might find rest in them, and he ordained between you love and mercy. Lo, therein indeed are portents for folks who reflect.’ (30. Al-Rum-21) (Muslim Community of Knowxville, 2025). And ‘He it is Who created you from a single soul, and of the same did He make his spouse, that he might find comfort in her.’ (7. Al-A’raf-189). Also, ‘They (your wives) are as a garment to you, and you are as a garment to them.’ (2. Al-Baqarah-187) (Kitab Al-Nikah (The Book of Marriage), 2025). Allah Almighty describes marriage as ‘MithaqGhaliz’, which means ‘a strong covenant’ (4. Al-Nisa-21) (Muslim Community of Knowxville, 2025). Many rights and duties including the relationship of spouses, economic responsibility, and the right of inheritance are related to this contract.

The Holy Prophet (PBUH) described marriage as:

‘Marriage is part of my Sunnah, and anyone who does not follow it has nothing to do with me.’ (Ibn Majah) (OOLFA Website, 2024).

Also, the Holy Prophet (PBUH) said, ‘It saves one from looking at what one should not, or it prevents one from being involved in adultery.’ (Ibn. Majah)

Hazrat Abdullah recounted that we were with the Holy Prophet (PBUH) when we were young and had no riches. So, Allah's Messenger (SAW) exclaimed, "O young people!" whomever among you can marry, should marry, since it helps him lower his gaze and defend his modesty (i.e., his private parts from engaging illegal sexual intercourse, etc.); and whomever is unable to marry, should fast, because fasting decreases his sexual potency.’ (Sahih Bukhari 5066, Book 67, Hadith 4) (Sunnah.com Website, 2025).

Essentials of Muslim Marriage

Islam sets various criteria or prerequisites that are necessary for a legal Muslim marriage.

- Parties must have the capacity to marry. Every adult Muslim of sound mind may enter into a valid contract of marriage (Drishti Judiciary Website, 2023).
- Proposal (Ijab) and Acceptance (Qabool).
- Free consent of both the parties.
- A consideration or Dower (Mehr) [*2].
- No legal impediment.
- Presence of Witnesses (OOLFA Website, 2024): It is necessary to have witnesses for the marriage; without witnesses the marriage is not recognized. (Documentation (Nikah Form and Talaq Nama, 2022).
- Role of Wali (Guardian) (OOLFA Website, 2024).
- Khutab-e-Nikah (iqranetwork.com, 2025).

The Prophet Muhammad (PBUH) said, ‘There is no (valid) marriage without a guardian and two reliable witnesses.’ (Al-Tirmidhi) (aboutislam.net, 2025).

Registration of Marriage

Muslim Family Law Ordinance 1961

The Muslim Family Law Ordinance 1961 (MFLO 1961) is the legal instrument governing Muslim marriages in Pakistan. The MFLO 1961 is a federal law that applies to each province, and modifications to it are province-specific. Following the 18th amendment to Pakistan's Constitution in 1973, a variety of matters, including marriage, were devolved to the provinces. The most recent amendment in Punjab occurred in 2015.

The MFLO 1961 contains laws and regulations governing the registration, validity, and composition of marriage. This law specifies the contracting parties' rights and imposes sanctions for any violations of the law.

Rules 8-10 of the MFLO 1961 establish the Nikah Nama, a legal document that details the terms and conditions of a Muslim marriage in Pakistan.

The legislation establishes no precise qualifications or requirements for the appointment of a Nikah Registrar. As a result, any person deemed competent to solemnize a marriage under Muslim law may apply to the local Union Council for a license as a Nikah Registrar.

Furthermore, NADRA's Traditional Mandate interprets its function in a variety of governance domains, including marriage rights, as one of maintaining and keeping necessary information such as electronic records of Nikah Nama, marriage and divorce registration etc. (Center for Human Rights, 2025).

Nikah Nama (A Registration of Muslim Marriage)

Nikah Nama is a type of legal document in Muslim marriages which contains the essential conditions/details of the marriage (Drishti Judiciary Website, 2023). Writings are made for the effective distribution of rights, duties, and practical payment. Although, Islam does not require a written document for solemnization or validity of Nikah, it is an important and fundamental proof of marriage and forms part of the procedure for evidentiary purposes (LUMS Website, 2025).

The Holy Quran itself clarifies that:

‘O believers! When you contract a loan for a fixed period of time, commit it to writing. Let the scribe maintain justice between the parties. The scribe should not refuse to write as Allah has taught them to write’ (Al-Baqarah-282) (Documentation (Nikah Form and Talaq Nama, 2025). The wisdom behind this is to prevent any conflict/harm among the parties later. Registration provides proof of marriage among the spouses and if a party turns away from it, then there is an argument against that party (Center for Human Rights, 2025).

Structure of Nikah Nama

Nikah Nama in Pakistan is an A3-sized piece of paper written in Urdu and is the original marriage certificate filled at the time of solemnization of marriage. It contains handwritten information about the bride and groom. As already stated, the written Nikah Nama in Pakistan was formulated/designed in accordance with Muslim Family Laws 1961.

Pakistani Nikah Nama is a four-copy/pert (one copy/pert is 2 page long) form. So, the Nikah Registrar files four (4) copies of the Nikah Nama. One copy goes to the bride, one to the groom, one copy stays with the Nikah Registrar, and the last copy is submitted to the relevant Union Council by the Nikah Registrar. The Union Council secretary registers the marriage in the manual register and files this Nikah Nama in the archive (Documentation (Nikah Form and Talaq Nama, 2025). Nikah Nama in Pakistan has a recently added column of ‘Declaration of Finality of Prophethood of Hazrat Muhammad (SAW)’. Structure of Nikah Nama has been discussed in the ‘Important Notes’ section. [*1]

Problems Relevant to Nikah Nama and Its Consequences

Due to incomplete filling of Nikah Nama, family problems are increasing thus weakening the institution of family. Child marriages, forced marriages, non-payment of dower, usurpation of dowry property, increasing rate of divorce, and several other problems are causing court cases to be flooded (Documentation (Nikah Form and Talaq Nama, 2025).

Problems Related to Filling of Nikah Nama

- In Column # 2 to 4 & 6, there are problems of age of bride and groom not being recorded or fake ages being entered.
- There is a preference for effectively filling out CNIC details of the groom in comparison to the bride. The higher ratio of non-recorded CNIC details of the bride suggests greater susceptibility of child marriages involving child brides.
- Taking columns 12 and 24, there is an issue of Nikah not being timely registered. In a study conducted on Nikah Namaz, a time delay of (up to 2) years has been found, since the marriage was solemnized.
- In a research study, a couple of cases indicated that Nikah Namaz had a registration date that preceded the date of marriage. It could not be ascertained whether these are mere typological errors or anomalies.
- Considering columns 13 & 14 related to the dower, there are some cases where the dower amount has not been entered. In some cases, column 14 was left blank.
- Column 17 contains special requirements that the two parties mutually agreed upon. The sole guiding principles for the specific conditions are those that apply to normal contract clauses and terms, such as Shariah and Pakistani law compliance.
- Column 20 of Nikah Nama records any provisions of maintenance or details related to the dower. Nikah Registrars are not aware of the distinction between dower and maintenance as two distinct rights of the wife. Such columns are often left blank or crossed out on the Nikah Nama.
- It is important to note that partial or missing information found in the Nikah Nama does not indicate to a specific right or column; rather, the missing material appears to be common practice or trend in filling out the Nikah Nama (Center for Human Rights, 2025) (All points obtained from) (Center for Human Rights, 2025).

Problems Related to Completion of Nikah Nama

- As mentioned earlier, several columns of Nikah Nama are often left blank. In some cases, fake witnesses or other fake entries are added into columns of Nikah Nama.
- In district courts, district headquarters, or courts, numerous fake nikah registrars are found who tell the parties that court marriage will be performed at that place. They take enormous amounts of money and lead the runaway children astray without fulfilling requirements of Marriage/Nikah and without checking their CNICs etc. i.e., without age verification and validation of any other data points required for marriage.
- They do this without the consent of Wali and without checking and considering the presence of witnesses. They include supposed/fake witnesses and other particulars to complete the Nikah Nama and fulfill Nikah requirements. Such types of Nikah are sometimes referred to as Ghost Nikah [*3] (Information obtained from a verbal source).

Problems on Part of Nikah Khawan and Nikah Registrar

- It has been found that many of the Marriage Registrars were neither aware of many basic details pertaining to family law, such as minimum age for marriage or the requirement of informed consent, nor that they could be punished for a violation (Oxford Policy Management Website, 2025).
- The particulars/columns of Nikah Nama are not read and explained to the parties involved. Nikah Registrars do not tell the parties about their rights and responsibilities.
- They fill Nikah Nama later according to their own will. When Nikah Nama is not filled properly on the spot, it creates lots of problems like distrust among the parties. The Nikah Nama on the first day and that later on may not be similar.

- Sometimes, Nikah Registrars deliberately miss some columns for blackmailing parties or connive with one party to blackmail the other (Information obtained from a verbal source).

Problem of Language in Nikah Nama

- Based on the Original Nikah Nama (Fig.1), the Marriage Registration Form (Fig.2) is filled on the basis of which Marriage Registration Certificate (Fig.3) is issued by the respective Union Council or E-Khidmat Markaz (E-Khidmat Markaz Website, 2025). Clearly, the particulars present in both; Marriage Registration Form (Fig.2) and those shown on Marriage Certificate (Fig.3) are lacking as compared to Nikah Nama (Fig.1). Also, obtaining Marriage Certificate is a long process.
- Marriage Registration Certificate (Fig.3) lacks the English translation of several Urdu particulars given in Original Nikah Nama (Fig.1). Thus, Certificate is not comprehensive.

Problems of Dowry

- Dowry or Jehez [*4], sometimes, becomes a root-cause of several problems between and within families after marriage. The practice is mostly cultural, having little precedent in religion (Shirkat Gah, 2025).

Recommendations

- To counter the above-mentioned problems, it has been recommended to digitize the Nikah Nama.
- All of the information relevant to Nikah should be entered into the digital Nikah Nama by the Nikah Registrar at the time of Nikah.
- The clause of '*Declaration of Finality of Prophethood of Hazrat Muhammad (SAW)*' must be added into the online version of Nikah Nama.
- The final format of Nikah Nama through the online system should be visible to the parties involved right after Nikah in both English and Urdu (local languages, if any). Instances of online marriage registration processes are found in several European countries such as, UK, Germany, Spain, Italy, and Netherlands etc. (Shirkat Gah, 2025).
- In Online Nikah Nama form, the columns such as age/date of birth, particulars of bride and groom, Mehr etc. fields should be designed as mandatory fields and linked with NADRA system at the backend for automated verification of details.
- Biometric systems of verification should be included in the Nikah procedure.
- The CNIC, B-form, Birth Certificate, or School Certificate, etc. for verification of age/date of birth and other particulars of bride and groom must be annexed with Nikah Nama. CNICs of witnesses and Wakils/Wali must be attached.
- List of all the dowry articles must be annexed with the Nikah Nama. To avoid the dowry or jehez related problems later, the dowry items should be settled/fixed with mutual agreement of the parties involved before marriage.
- The soft-copies of all the given documents should be uploaded with the online version of Nikah Nama and the hard-forms of these documents should be attached with the hardcopy of Nikah Nama ((if required with automated verification).
- The documents should be submitted by the parties involved to the Nikah Registrar at least 7 working days before the Nikah for scrutiny (if required with automated verification) and completion of procedure.
- All of the terms and conditions of the marriage should be settled with mutual agreement between the parties before solemnization of Nikah.

- Nikah Khawan and Nikah Registrar preferably the same person, should be a Graduate or Masters in Islamic Studies or have attained equivalent levels of Dars-e-Nizami/Deeni Asnad courses.
- They should be trained in Law, Nikah process, and Nikah Nama filling and be computer literate to perform the sacred duty. They should be able to verify the documents and all relevant details.
- If people from any other domains are posted as Nikah Registrars, (like law graduates) they should be given the above-mentioned training along with imparting appropriate Islamic Knowledge on the subject of Nikah and relevant points, first of all.
- Nikah Registrars should be hired through proper recruitment processes.
- The previous Nikah Registrars should be allowed to continue their work until the completion of the new recruitment process.
- Appropriate alternative means must be devised for people (Nikah Khawans, Registrars etc.) whose livelihood was previously connected with performing Nikah proceedings.
- Nikah Registrar should explain the whole process of Nikah and Nikah Nama columns to the parties involved before solemnization of marriage to make them aware of their rights and duties and minimize any future disputes. No column of the Nikah Nama should be left blank.
- Nikah Registrar should keep track if the marriage is taking place under some mysterious circumstances (LUMS Website, 2025).
- Awareness campaigns regarding the knowledge of marriage registration and women rights granted in accordance with MFLO 1961 should be run.

Important Notes

Continued: Structure of Nikah Nama

- Columns 1 to 12 of the Nikah Nama consist of general information related to the bride and groom such as their names and parentage, district, age, union council, representatives from both parties (Wakils & Witnesses), date of marriage, CNIC numbers, the marital status of the bride (whether she is single, widowed, or divorced) etc.
- Columns 13 to 16 consist of the Dower/Mehr details. The registration of Haq Mehr in the Nikah Nama is mandatory as it is a religious and legal right of the woman.
- Column 13: Specifies the amount of Mehr.
- Column 14: Specifies whether Mehr is prompt (Muajjal) or deferred (Ghair-Muajjal) (joshandmakinternational.com, 2025).
- Column 15: If part of the Mehr is paid at the time of marriage, its amount is noted.
- Column 16: If any property or other assets are paid in lieu of the Mehr, its complete details, including its current evaluation is recorded here to prevent any future deception.
- Column 17 is related to any special conditions.
- Column 18 allows woman to seek the right of divorce from husband. If the husband grants this right, any conditions set by him are recorded here. The woman can exercise this right under the specified conditions. She must notify the Chairman Arbitration Council of the use of this right.
- Column 19 stipulates conditions on the husband's right to divorce such as immediate payment of Mehr or custody of children.
- If any documents related to Haq Mehr or maintenance have been prepared at the time of marriage, these are recorded in Column 20.
- Under Family laws, obtaining permission from the first wife – Column 21 and Chairman Arbitration Council – Column 22 is necessary for a second marriage. For a second marriage, at the time of Nikah, filling out Column 21 is necessary, where the date of permission for second marriage is recorded.

- Whether the groom is widowed or divorced is noted in Column 21(A) while the number of children, if he has any, is recorded in Column 21(B).
- Column 23, 24, 25 are technical details such as the Nikah Officiant and registration fee.
- Column 26 is '*Declaration of Finality of Prophethood of Hazrat Muhammad (SAW)*'. (Structure of Nikah Nama taken from (Legal Advice: The Columns of Nikah Nama in Pakistan)) (Josh and Mak International Website, 2025).

Dower (Mehr)

Dower is the property which it is incumbent on a husband [to give to the wife], either by reason of it being named in the contract of marriage, or by virtue of the contract itself, as opposed to the usufruct of the wife's person. The wife may remit the dower or any part thereof in favor of the husband. But this remission must be made with free consent (Shirkat Gah, 2025) The Types of Mehr mentioned in Nikah Nama are: (Josh and Mak International Website, 2025)

Muajjal: The type of Mehr that needs to be paid immediately, either at the time of marriage or when demanded by the wife.

Ghair-Muajjal: The payment of Mehr or a part of it is set for a future date/time or whenever the wife asks for it (Oraan Website, 2025).

Ghost Nikah

Ghost Nikah means that Nikah is performed and registered by showing increased ages of bride and groom or by faking other column of Nikah Nama (Information obtained via verbal source).

Dowry or Jehez

Dowry or Jehez generally includes money, property, clothes, jewelry, and household effects given to the girl at the time of marriage by her parents (Shirkat Gah, 2025).

Figure 1: Original Nikah Nama form

Figure 2: Application form for Marriage Registration Certificate

Form - C
فارم کلاچ - C

FORM MARRIAGE REGISTRATION

پہن کے کوائف	دولہا کے کوائف
Name _____ CHNC NO _____ Father Name _____ Father CHNC NO _____ Age Till Marriage (Year _____ Month _____ Days _____) Address _____ Marital status _____	Name _____ CHNC NO _____ Father Name _____ Father CHNC NO _____ Age Till Marriage (Year _____ Month _____ Days _____) Address _____ Marital status _____
Particulars of Bride	Particulars of Groom
Name _____ CHNC NO _____ Father Name _____ Father CHNC NO _____ Age Till Marriage (Year _____ Month _____ Days _____) Address _____ Marital status _____	Name _____ CHNC NO _____ Father Name _____ Father CHNC NO _____ Age Till Marriage (Year _____ Month _____ Days _____) Address _____ Marital status _____
Date Of Marriage _____ Amount Of Dower With Detail _____ Name Of marriage Solemnized By _____ CHNC No Of marriage Solemnized By _____	
GRMS NO _____ FORM NO _____ DATE OF REGISTRATION _____	

فارم خود پُر کریں۔ طلبی کی صورت میں عمل درآمد کی درخواست دینا ضروری ہوگی

Figure 3: Marriage Registration Certificate

THE GOVT OF PUNJAB PAKISTAN
اندراج کلاچ / گادی سرنگیت

Marriage Registration Certificate

Tracking No: _____ CRMS No: M _____ OLIVE REG # MCW _____

FORME No: U1 _____

Particulars of Groom	Particulars of Bride
Name: _____ Nationality: Pakistan CHNC No: 34104-_____09 Religion: ISLAM Age: _____ Day(s) _____ Month(s) _____ Year(s) Marital Status: _____ Father's Name: _____ CHNC No: 34104-_____01 Address: _____ WAZIRABAD Tehsil: WAZIRABAD District: GUJRANWALA	Name: _____ Nationality: Pakistan CHNC No: 34104-_____09 Religion: ISLAM Age: _____ Day(s) _____ Month(s) _____ Year(s) Marital Status: _____ Father's Name: _____ CHNC No: 34104-_____01 Address: _____ WAZIRABAD Tehsil: WAZIRABAD District: GUJRANWALA
Marriage Date: _____ Marriage Solemnized/Registered By CHNC No: 34104-_____01 Entry Date: _____ Issue Date: _____	

J.C. Nadra Data Entry MUNICIPAL COMMITTEE

This Certificate can be verified at <https://crms.nadra.gov.pk/verify>

Conclusion

In a nutshell, a detailed review of the concept of marriage and marriage in Islam i.e., Nikah has been done including the Muslim Family Laws Ordinance, 1961 of Pakistan. A number of problems associated with the structure, completion, and registration of Nikah Nama have been identified. Role of Nikah Registrar has been studied. Reforms have been presented to settle the rights and duties before marriage and to mitigate the issues relevant to Nikah Nama.

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