

Guidelines and instructions for Nikah in the USA Jamā'at

Here is what needs to be done. Some of these instructions are not given in the Nikah forms, but **all these steps must be completed in the order given below:**

1. **Have the civil marriage done and obtain a marriage certificate.** If civil marriage cannot be performed before the Nikah, then written approval from Amir USA is required to perform the Nikah without the civil marriage. This approval note should be submitted with the completed Nikah Forms to the Headquarters.
2. **Four copies of the Nikah form are needed:** All signatures should be original on all four documents (photocopies of signatures are unacceptable). In addition, marriage certificates and divorce papers (if applicable) should be attached to each form. Therefore, four copies of all the supporting documents are required.
3. **Both the bride and the groom must complete the “Binding Arbitration Agreement” and have this form notarized** (first four pages of the “Binding Arbitration Agreement” document).
4. **The bride and her guardian/Wali** should complete the bride portion of the Nikah forms and have witnesses (two adults) sign the documents. The bride’s guardian (Wali) is NOT permitted to sign as a witness. However, the bride and the bridegroom can have the same two people as their witnesses if needed.
 - a. The bride’s father serves as the guardian (Wali). However, if for any reason the father cannot serve as the guardian, then according to Fiqah Ahmadiyya, one of the bride’s relatives in the following order will have to serve as the guardian: Bride’s grandfather, Bride’s real brother, Bride’s step-brother, Bride’s uncle (the brother of bride’s father).
 - b. If father of the girl had passed away, the brother shall be the guardian (Wali).
 - c. If due to any reason, the girl desires to have someone as her guardian (Wali) other than her true guardian (Wali), then before the announcement of Nikah further guidance should be obtained from Markaz (the Center in UK). For this purpose, the girl shall submit an application with her own signature. This application shall be duly signed by two witnesses, which shall then be attested by the Amir/President of the Jama'at.
 - d. The proposed guardian (Wali) shall also submit his consent in written format.
 - e. If the guardian (Wali) is unable to be present at the Nikah ceremony, he shall then appoint someone as his representative (Wakil). But Nikah form will be signed by the guardian (Wali) himself, and witnesses of guardian's (Wali) signatures shall be from the place of his (Wali) residence.

- f. Written consent and signatures of the representative (Wakil) on the Nikah form are also necessary.
5. **Haq Mahr (Dower):** Haq Mahr should be equivalent to the groom's 6 to 12 months income as advised by Hazrat Mirza Bashiruddin Mahmood Ahmad, Khalifatul Masih II (rahimahullahu ta'ala). However, a mutually agreeable amount more or less than the above-suggested amount is also acceptable.

Enter "N/A" in the following section of the Nikah form (Page 1) unless the bride has already received some part of the dower money (Haq Mahr):

Of the total proposed dower money _____ have been received in the form of cash/jewellery, details of which are as follows: _____
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6. **Jamā'at President of the bride's Jamā'at** should complete the bride part of the forms and sign/stamp. If the groom lives outside of the US, then Amīr Jamā'at USA should also sign the form.
7. **Groom** should complete the groom part of the Nikah forms and have witnesses (two adults) sign the documents.
8. **A divorced groom** (khula or otherwise) must complete form "**Divorce Form**" and submit it to the local President along with the completed Nikah Forms.
9. **Jamā'at President of the groom's Jamā'at** should complete the groom part of the forms and sign/stamp. If the bride lives outside of the US, then Amīr Jamā'at USA should also sign the form.
10. Hazrat Khalifatul Masih V (may Allah be his Helper) has made Pre-Marital Counseling (PMC) a pre-requisite of the Nikah. Therefore, pre-Marital Counseling requests should be submitted at least four weeks before the Nikah date through the Rishta Nata website at <https://www.rishtanata.us> under the "Marital Counseling" tab or by sending email to pmc@Rishtanata.us. In addition, the PMC Certificate must be attached to the completed Nikah documents.
11. **Provide these forms to the missionary/president authorized to perform the Nikah – this should be done at least one week before the Nikah date. If a missionary is not available to perform the Nikah, then written approval is needed from Amir USA for the Jama'at President or another person to perform the Nikah.** This approval note should be submitted with the completed Nikah Forms to the Headquarters.
12. **After the Nikah is announced**, two witnesses should provide the required information on the witness section on Page 4 and sign all forms (four of them!).

13. **Missionary or the person performing the Nikah or the Jama'at President** submits all four forms to the National Headquarters (Baitur Rahman Mosque, Attention: Nikah Office, 15000 Good Hope Road, Silver Spring, MD 20905).
14. Hameed Chaudhry, who is serving as National Assistant Rishta Nata Secretary, will be managing the Nikah Office. His contact number is (443) 889-9221. You may also email any Nikah-related inquiries to: nikah@ahmadiyya.us.
15. **The National Headquarters registers the Nikah** and sends two copies back to the person who submitted the forms. This person then provides one copy each to the bride and groom for their records. **Written acknowledgment should be obtained from both parties that they have received the fully executed forms.**

Nikah Form Instructions

General instructions:

- 1) Both parties (Bride & the Bridegroom), witnesses, and Jama'at President should read all instructions. Nikah form is a legal document; don't alter, white-out or write over on this form.
 - Minimum processing time for headquarters' verification is one week from the date of receipt of a completed form. Allow at least another week for mailing. If you plan to bring the form for verification by hand, please call 301-879-0110 and make an appointment before coming.
- 2) A completed Nikah form must be submitted with the following documents:
 - Marriage certificate issued by the government authority.
 - Binding Arbitration Agreement issued by U.S. Jama'at.
 - Pre-marital counseling certificate issued by U.S. or other Jama'at
- 3) Jama'at President is responsible for ensuring that the name, member code (in sections IV and/or IV) and all other relevant information is accurate before signing a Nikah form. Do not sign a Nikah form if the person does not belong to your Jamaat.
- 4) Either party (bride or bridegroom) can initiate the process of Nikah form completion. Four copies of Nikah forms are to be completed with original signatures.
- 5) The bride, bridegroom, or guardian should sign a Nikah form in the presence of witnesses and the date of the witness signatures must be same as the date of the signatures of the bride, bridegroom, and guardian.
 - Important: The bride's guardian (Wali) is NOT permitted to sign as a witness.
 - The bride and the bridegroom are permitted to have the same 2 people as their witnesses, if needed.
- 6) Jama'at President should put the official stamp in addition to his signature. If the stamp is not available, the President should print his name and the name of the Jama'at.
- 7) If both the bride and bridegroom are in US, and the Nikah is to be performed in the U.S., signatures of National Amir are not required.
- 8) In case of new converts, a waiting period of one year should be observed before a request for permission of Nikah can be made to Hadhrat Khalifatul Masih.
 - In the case of a male convert to Islam-Ahmadiyyat, a waiting period of one year should be observed before the Nikah can be performed.
 - In the case of a female convert to Islam-Ahmadiyyat, there is no waiting period.
 - In the case of the Nikah of a male Ahmadi Muslim to a non-Muslim female, permission must first be obtained from Hazrat Khalifatul Masih (May Allah be his Helper).
 - Nikah/marriage of a female Ahmadi Muslim to a non-Ahmadi Muslim/non-Muslim is not permitted.
- 9) The amount of dowry money (Haq Mehr) must be clearly stated in US dollars. Otherwise, please specify the currency (Pak rupees, Canadian dollars etc.).

10) Haq Mahr is dower money paid by the groom to the bride to ensure her security and rights in the marriage. It is an integral part of Islamic marriage and announced at the time of Nikah. The amount of the Haq Mahr should be agreed upon by both sides. The amount of dower money (Haq Mahr) must be clearly stated in US dollars. Otherwise, please specify the currency (Pakistani Rupees, Canadian dollars, etc.).

11) The dowry (Mahr) is a mandatory gift from the husband to the wife. This sum should be proportionate to the husband's means.

12) The dower amount is announced at the time of the Nikah ceremony. It can be given to the wife in full at once, or in incremental payments. Once given, it is solely the property of the wife, and she may use it as she pleases. The bridegroom has to pay the Haq Mahr to his wife as soon as possible, preferably immediately after the Rukhsati, and it is her right to receive it.

13) When writing dates on the Nikah form, please spell out the month. For example, instead of writing 4/8/2018, write April 8th 2018 to avoid confusion.

14) A Nikah must be announced by the Missionary/Murabbi. If this is not possible, a written permission is required from National Amir.

15) After the Nikah announcement, all 4 copies the Nikah forms must be submitted to the National headquarters for registration. Headquarters (Attn: National General Secretary Sahib Office, 15000 Good Hope Rd, Silver Spring, MD 20905-4120). Once registered, the Headquarters retains two copies for Jama'at records, and two copies are returned via USPS to the Jama'at President for distribution to the bride and the bridegroom.

FAQs pertaining to unique situations:

Who can be the bride's guardian (Wali)? Bride's father serves as the guardian. If for any reason the father cannot serve as the guardian, then one of the bride's relatives in the following order will have to serve as the guardian (according to Fiqah Ahmadiyya):

Bride's grandfather

Bride's real brother

Bride's step brother

Bride's uncle (the brother of bride's father)

If none of the above is available, a request is made to Hadhrat Khalifatul Masih to appoint a guardian.

What if the bride or bridegroom was previously divorced? In case of previous divorce, a copy of the divorce decree/certificate must be attached with the Nikah form. If the previous divorce included a decision by the Qadha Board, a verification by the Department of Umur' Amma regarding implementation of the decision is required before the Nikah can be announced.

I need my Nikah forms quickly. Do you do expedited mailing? We use USPS first class mailing which can take 5-7 business days for you to receive your completed Nikah forms within the 50-contiguous states of America. Please include a prepaid label for FedEx overnight delivery if you need to receive your completed Nikah form urgently.

Are there any special requirements if the bride or bridegroom reside overseas? Signature of National Amir is required if either the bride or the bridegroom reside outside the US or if the Nikah will be performed overseas. It is important that one party should complete their part of Nikah forms before sending it to the other party. This includes all original signatures, dates, local President's attestation and verification from National Amir.

Are there any special requirements if the Nikah is to be performed in India? Yes. US Nikah forms are not valid if the Nikah is to be performed in India. Jamaat Ahmadiyya India requires the following documents in such cases:

- a. Nikah forms must be obtained Qadian, India as they have a unique serial number.
- b. In addition to the above mentioned general instructions, a verification letter from National Amir U.S.A is to be attached to a completed Nikah form. The National headquarters will issue the said letter within two weeks of receiving a completed Nikah form. It is the responsibility of the concerned party in the US to ensure that the verification letter is kept along with the Nikah forms as the Nikah may not be announced without it.

In the Name of Allah The Most Gracious, Ever Merciful

NIKAH (MARRIAGE) FORM

I TO BE COMPLETED BY THE GUARDIAN OF THE BRIDE:

Marriage of Miss _____ D/o _____

date of birth _____ Address _____

is proposed with Mr. _____ S/o _____

date of birth _____ Address _____

with a dower money of _____ Agreement of the proposed bride has duly been obtained.

She is: (1) Never Married.

(2) Widowed, and the period of waiting has passed.

(3) Divorced, and the period of waiting has passed.

I am the legitimate guardian of the proposed bride and am related to her as _____

It is requested that the NIKAH ceremony be performed.

Of the total proposed dower money _____ have been received in the form of cash/jewellery, details of which are as follows: _____

Name of Guardian _____ S/o _____

Complete address _____

Signature _____ Date _____

In case there has been a TALAQ or divorce (separation by husband) or a KHULA (separation by wife) documents of separation must be attached with the NIKAH form.

II TO BE COMPLETED IF THE GUARDIAN CANNOT PERSONALLY ATTEND THE NIKAH CEREMONY:

Since I cannot attend the NIKAH ceremony in person I hereby appoint the following to execute the instrument of NIKAH on my behalf as my representative:

Name _____ S/o _____

Address _____

Signature of the Guardian _____ Date _____

WITNESS I Name _____ S/o _____

Address _____

Signature _____ Date _____

WITNESS II Name _____ S/o _____

Address _____

Signature _____ Date _____

I hereby agree to act as representative of Mr. _____

S/o _____ on the occasion of the NIKAH of

Miss _____ D/o _____

Signature of the representative _____ Date _____

III TO BE COMPLETED BY THE BRIDE:

A. In accordance with the terms agreed upon by my Guardian mentioned above, I hereby agree to my NIKAH with

Mr. _____ S/o _____

with a dower money of _____

B. Of the total proposed dower money _____ have been received in the form of cash/jewellery.

Signature of the Bride: _____ Date _____

WITNESSES: We hereby testify that the above form has been dully filled in, in our presence, by the legitimate guardian of the proposed bride and that she has expressed her agreement to this NIKAH in our presence and has also signed the form in our presence.

WITNESS I Name _____ S/o _____

Address _____

Signature _____ Date _____

WITNESS II Name _____ S/o _____

Address _____

Signature _____ Date _____

IV VERIFICATION BY AMIR/PRESIDENT OF THE JAMA'AT: Member Code _____

A. Miss _____ D/o _____

(1) is a born Ahmadi (2) has been Ahmadi for _____ years.

B. Mr. _____ S/o _____

is the bonafide guardian according to Islamic law.

C. The witnesses have testified in my presence that the proposed bride has signed this form of her own free will.

D. In case there has been a TALAQ or KHULA documents of separation are attached with the NIKAH form.

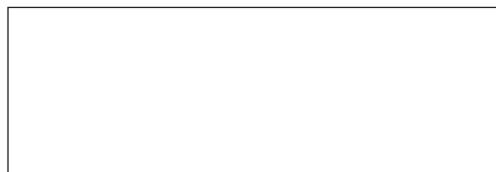
Signature of Local President _____ Date _____



Official Stamp

Signature of National Amir _____

Date _____



Official Stamp

V TO BE COMPLETED BY THE BRIDEGROOM:

I _____ S/o _____

date of birth _____ Address _____

_____ solemnly affirm that I agree to my NIKAH with

Miss _____ D/o _____

with a dower money of _____ of which: _____

(A) _____ have been paid to her in the form of cash/jewellery, details of which are as follows: _____

(B) Nothing has been paid yet and I will pay it.

This is my first NIKAH		The former wife is dead	
This is my second NIKAH		I have divorced (Pronounced TALAQ to) the former wife	
The first wife is present		The former wife has obtained KHULA	

Signature of the Bridegroom _____ Date _____

WITNESS I Name _____ S/o _____
Address _____
Signature _____ Date _____

WITNESS II Name _____ S/o _____
Address _____
Signature _____ Date _____

In case of second marriage the documents pertaining to the permission by the first wife / TALAQ / KHULA must be attached with the NIKAH form.

VI VERIFICATION BY AMIR/PRESIDENT OF THE JAMA'AT: Member Code _____

- A. Mr. _____ S/o _____
(1) is a born Ahmadi (2) has been Ahmadi for _____ years.
- B. This is his first marriage.
- C. This is his second marriage. The first wife: (1) has granted permission to the second marriage (2) is dead
(3) has been divorced (TALAQ) (4) has obtained KHULA.

In case of second marriage the documents pertaining to the permission by first wife/TALAQ/KHULA are attached with the NIKAH form.

Signature of Local President _____ Date _____

Official Stamp

Signature of National Amir _____ Date _____

Official Stamp

VII TO BE COMPLETED WHEN THE BRIDEGROOM CANNOT ATTEND THE MARRIAGE AGREEMENT IN PERSON:

Since I cannot attend NIKAH ceremony in person I hereby appoint the following to execute the instrument of marriage on my behalf as my representative:

Name _____ S/o _____
Address _____
Signature of the Bridegroom _____ Date _____

WITNESS I Name _____ S/o _____
Address _____
Signature _____ Date _____

WITNESS II Name _____ S/o _____
Address _____
Signature _____ Date _____

I hereby agree to act as representative of Mr. _____
S/o _____ on the occasion of his NIKAH.
Signature of the representative _____ Date _____

VIII CERTIFICATION BY CENTRAL/NATIONAL MARRIAGE DEPARTMENT:

- A. The witnesses have testified in my presence that the proposed bride has signed this form of her own free will.
- B. I have thoroughly examined the above form. It is complete and fully in accordance with the regulations.

Signature: Incharge Marriage Department _____

Date and Stamp _____

Signature: Nazir Islah-o-Irshad _____

Date and Stamp _____

IX TO BE COMPLETED AT THE TIME OF THE ANNOUNCEMENT OF NIKAH:

Place of Nikah Ceremony _____

Date of Nikah Ceremony _____

Person performing Nikah

Name _____ S/o _____

Address _____

Signature _____ Date _____

X WITNESSES OF NIKAH CEREMONY:

WITNESS I Name _____ S/o _____

Address _____

Signature _____ Date _____

WITNESS II Name _____ S/o _____

Address _____

Signature _____ Date _____

<p><i>Registration No.</i> _____</p> <p><i>Date:</i> _____</p>



BINDING ARBITRATION AGREEMENT

This agreement only relates to disputes concerning the payment of Haq Mahr (Dower). This agreement consists of two pages and a notarization page. Instructions for filling out this document may be found on page 4. It is important that the instructions be carefully read and followed in completing the form

<p>THIS AGREEMENT made on the _____ day of the month of _____</p> <p>in the year 20_____, in the City/Town/Village of _____, State of _____</p> <p>between Prospective Husband: _____</p> <p>residing at: _____</p> <p>and Prospective Wife: _____</p> <p>residing at: _____</p>

The Prospective Husband and Prospective Wife (hereinafter “parties”), who intend to be married in the near future, hereby agree as follows:

- I. Should a dispute concerning the payment of *Haq Mahr* (Dower) arise between the parties after *Nikah* and/or marriage, they agree to refer their marital dispute to the *Qadha’a* Board of the Ahmadiyya Muslim Community USA (currently located at 15000 Good Hope Road, Silver Springs, MD 20905, Tel: 301-879-0110), acting as an arbitration panel, for a binding decision.
- II. The final decision of the *Qadha’a* Board shall be fully enforceable in any court of competent jurisdiction.
- III. The parties agree that the *Qadha’a* Board has exclusive jurisdiction to decide all issues related to any and all disputes concerning *Haq Mahr* (Dower) that may arise between them, during or after their *Nikah* and/or marriage as well as any issues arising from this agreement.
- IV. Upon complaint of any party to this agreement, the parties agree to appear in person before the *Qadha’a* Board at the demand of the *Qadha’a* Board.
- V. Failure of either party to perform his or her obligations under this Agreement shall make that party liable for all costs awarded by either the *Qadha’a* Board or a court of competent jurisdiction,

	INITIALS	
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including reasonable attorney's fees, incurred by one side in order to obtain the other party's performance of the terms of this Agreement.

- VI. The decision of the *Qadha'a* Board shall be made in accordance with Ahmadiyya Jurisprudence. The parties waive their right to contest the jurisdiction or procedures of the *Qadha'a* Board or the validity of this Agreement in any other forum other than the *Qadha'a* Board. The parties agree to abide by the bylaws of the *Qadha'a* Board (which are available by calling the *Qadha'a* Board). The *Qadha'a* Board shall follow its bylaws, which shall govern this arbitration to the fullest extent permitted by law.
- VII. The parties agree to cooperate with the adjudication of the *Qadha'a* Board in every way and manner. In the event of the failure of either party to appear before the *Qadha'a* Board upon reasonable notice, the *Qadha'a* Board may issue its decision despite the defaulting party's failure to appear, and may impose costs and other penalties as legally permitted.
- VIII. This Agreement may be signed in one or more duplicates, each one of which shall be considered an original.
- IX. This Agreement constitutes a fully enforceable arbitration agreement. Should any provision of this Agreement be deemed unenforceable, all other surviving provisions shall still be deemed fully enforceable; each and every provision of this Agreement shall be severable from the other.
- X. Each of the parties acknowledges that he or she has been given the opportunity prior to signing this Agreement to consult with his or her own attorney or advisor. If a party, after careful review, chooses not to sign this Agreement, the *Qadha'a* Board shall have the responsibility to inform the other party of such failure.

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In witness of all of the above, the Prospective Husband and Prospective Wife have entered into this Agreement:

Please sign again only in the presence of a Notary

SIGNATURE OF PROSPECTIVE HUSBAND: _____

ACKNOWLEDGMENT FOR PROSPECTIVE HUSBAND

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ (date) by
_____ (name of person acknowledged).

Notary Public

Printed Name: _____ My Commission Expires: _____

SIGNATURE OF PROSPECTIVE WIFE: _____

ACKNOWLEDGMENT FOR PROSPECTIVE WIFE

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ (date) by
_____ (name of person acknowledged).

Notary Public

Printed Name: _____ My Commission Expires: _____

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INSTRUCTIONS

INTRODUCTION

This Agreement is intended to facilitate the timely and proper resolution of issues related to *Haq Mahr*. **This Agreement should be carefully reviewed, discussed, and then signed, as far ahead of the wedding day itself as is practically feasible.** Advice of proper legal counsel on both sides is certainly encouraged.

BINDING CIVIL COURT EFFECT

When properly executed, this Agreement is enforceable as a binding arbitration agreement in the courts of the United States of America. This needs to be explained to the parties. This Agreement should only be used when the parties expect to reside in the United States upon marriage. For those who will reside in the United States, the Qadha'a Board will appoint the proper arbitrators to hear and resolve matters throughout the country.

NOTARIZATION

Both parties are required to have this Agreement notarized. A notarization form is included in the document. Notaries can usually be found in banks, legal offices, etc.

ADDITIONAL FORMS

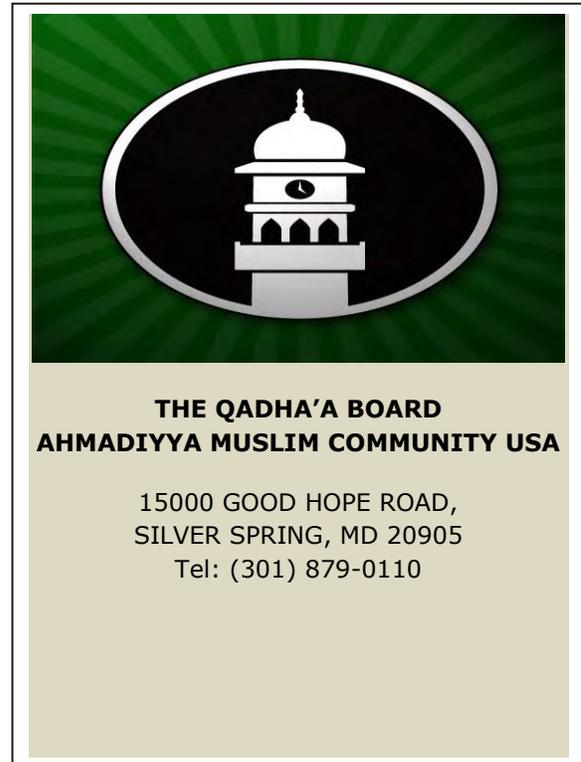
Some couples, for financial or other reasons, sign other prenuptial agreements. In such cases they may find it useful or practical to sign this document and incorporate this arbitration agreement by reference into any additional agreement. Additional copies of this document can be obtained from the offices of the Qadha'a Board.

SAFEKEEPING OF THIS FORM

Prospective Husband and Prospective Wife should keep his or her own copy of this Agreement in a safe place.

FURTHER INFORMATION

Further information regarding this Agreement, or further information concerning the procedures to be followed for resolution of any matters or disputes covered by this Agreement, may be obtained from the Qadha'a Board USA, which has disseminated this form Agreement.



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