

The Registration of Births and Deaths Act, 1969

(ACT NO. 18 OF 1969)

(*As on the* 26*th Sep*, 2025)

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LIST OF AMENDING ACTS

1. The Delegated Legislation Provisions (Amendment) Act, 1985 (4 of 1985).
2. The Registration of Birth and Deaths (Amendment) Act, 2023 (20 of 2023).

LIST OF ABBREVIATIONS USED

Cl., cls.	. . . . .	*for*	Clause, clauses.
Ins.	. . . . .	,,	Inserted.
Notifn.	. . . . .	,,	Notification.
S., ss.	. . . . .	,,	Section, sections.
Sch.	. . . . .	,,	Schedule.
Subs.	. . . . .	,,	Substituted.
w.e.f.	. . . . .	,,	with effect from.

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THE REGISTRATION OF BIRTHS AND DEATHS ACT, 1969

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THE REGISTRATION OF BIRTHS AND DEATHS ACT, 1969

ACT NO. 18 OF 1969

[31*st May*, 1969.]

An Act to provide for the regulation of registration of births and deaths and for matters connected therewith.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(*1*) This Act may be called the Registration of Births and Deaths Act, 1969.

(*2*) It extends to the whole of India.

(*3*) It shall come into force in a State on such date[1] as the Central Government may, by notification in the Official Gazette, appoint:

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1. 1st October, 1970, *vide* notification No. G.S.R. 1718, dated 22nd, November, Gazette of India, Extraordinary, Part II, sec. 3(*i*) in the following areas of the State of Jammu and Kashmir:—
the area comprised within the jurisdiction of the Police Station of Ramnagar in Udhampur district.
the area comprised within the jurisdiction of the Police Station of Kupwara in Baramulla district.
the area comprised within the limits of the Municipalities of Jammu and Srinagar.
the area comprised within the limits of Town Area Committees of Anantnag, Kathua and Leh.
1st May, 1974 *vide* notification No. G.S.R. 379, dated 22-3-1974 in the Union territory of Mizoram.
1st January, 1971 *vide* notification No G.S.R. 1927, dated 21-11-1970, *see* Gazette of India, Extraordinary, Part II, sec. 3(*i*) in the Union territory of Goa, Daman and Diu.
1st January, 1971 *vide* notification No. G.S.R. 2027, dated 24-11-1970, *see* Gazette of India, Part II, sec. 3(*i*) in the Union territory of Manipur.
1st April, 1974, *vide* notification No. G.S.R. 106, dated 16-1-1971, *see* Gazette of India, Part II, sec. 3(*i*) in the Union territory of Andaman and Nicobar Islands.
1st October, 1971, in the whole of the State of Nagaland *vide* notification No. G.S.R. 1324, dated 30-8-1971, *see* Gazette of India, Part II, sec. 3(*i*), dated 11-9-1971.
1st July, 1972, in the Union territory of Arunachal Pradesh *vide* notification No. G.S.R. 552, dated 11-4-1972, *see* Gazette of India, Part II, sec. 3(*i*).
1st April, 1972, in the whole of State of Tripura *vide* notification No. G.S.R. 202(E), dated 17-3-1972, *see* Gazette of India, Extraordinary, Part II, sec. 3(*i*).
1st December, 1972 *vide* Notification No. G.S.R. 463(E), dated 21-11-1972, *see* Gazette of India, Extraordinary, Part II, sec. 3(*i*) also in the area comprised within the limits of cantonments of Barrackpore, Labong and Jalapahar in the State of West Bengal
1st July, 1970, *vide* notification No. G.S.R. 973, dated 26th June, 1972, extended to the Union territory of Delhi.
1st April, 1970, *vide* notification No. G.S.R. 514, dated 21st March, 1970, Gazette of India, sec. 3(*i*), in the areas of the State of Assam except:—
(*i*) the district of United Khasi & Jaintia Hills excluding the areas comprised within the limits of:
(*a*) Municipality of Shillong
(*b*) Contonment of Shillong
(*ii*) the entire district of Garo Hills
(*iii*) the entire district of United Mikir and North Cachar Hills
(*iv*) the entire district of Mizo Hills.
In the State of West Bengal except:
(*i*) The area comprised within the limits of Corporation of Calcutta;
(*ii*) the area comprised within the limits of Howrah Municipality;
(*iii*) Fort Villiam; and
(*iv*) the area comprised, within the limits of cantonments of Barrackpore, Labong and Jalapahar.
1st April, 1970, *vide* notification No. G.S.R. 461, dated 7th March, 1970, *see* Gazette of India, sec. 3(*i*), in the States and the Union territories:

STATES

1. Andhra Pradesh
2. Bihar
3. Gujrat
4. Haryana
5. Kerala
6. Madhya Pradesh
7. Maharashtra
8. Mysore
9. Orissa
10. Punjab
11. Rajasthan
12. Tamil Nadu
13. Uttar Pradesh.

UNION TERRITORIES.

1. Chandigarh
2. Dadra and Nagar Haveli
3. Himachal Pradesh
4. Laccadive, Minicoy and Amindivi Islands.

Provided that different dates may be appointed for different parts of a State.

2. Definitions and interpretation.—(*1*) In this Act, unless the context otherwise requires,—

[1][(*a*) "Aadhaar number" shall have the same meaning as assigned to it in clause (*a*) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (18 of 2016);

(*aa*) "adoption" shall have the same meaning as assigned to it in clause (*2*) of section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016);]

[2][(*ab*)] "birth" means live-birth or still-birth;

[1][(*b*) "database" means the organised collection of data, generally stored and accessed in electronic form from a computer network;]

[3][(*ba*)] "death" means the permanent disappearance of all evidence of life at any time after live-birth has taken place;

(*c*) "foetal death" means absence of all evidence of life prior to the complete expulsion or extraction from its mother of a product of conception irrespective of the duration of pregnancy;

(*d*) "live-birth" means the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life, and each product of such birth is considered live-born;

(*e*) "prescribed" means prescribed by rules made under this Act;

(*f*) "State Government", in relation to a Union territory, means the Administrator thereof;

(*g*) "still-birth" means foetal death where a product of conception has attained at least the prescribed period of gestation.

(*2*) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II

REGISTRATION-ESTABLISHMENT

3. [4][Registrar General of India.]—(*1*) The Central Government may, by notification in the Official Gazette, appoint a person to be known as the [4][Registrar General of India]

(*2*) The Central Government may also appoint such other officers with such designations as it thinks fit for the purpose of discharging, under the superintendence and direction of the [5][Registrar General of India], such functions of the [5][Registrar General of India] under this Act as he may, from time to time, authorise them to discharge.

(*3*) The [5][Registrar General of India] may issue general directions regarding registration of births and deaths in the territories to which this Act extends, and shall take steps to co-ordinate and unify the activities of Chief Registrars in the matter of registration of births and deaths [6][and the database of registered births and deaths and submit] to the Central Government an annual report on the working of this Act in the said territories.

[7][(*4*) The Registrar General of India shall maintain the database of registered births and deaths at the National level and it shall be obligatory upon the Chief Registrars and the Registrars to share the data of registered births and deaths to such database.

(*5*) Subject to the proviso to sub-section (*1*) of section 17 and with the prior approval of the Central Government, the database of registered births and deaths maintained under sub-section (*4*) may, on

1. Ins. by Act 20 of 2023, s. 3 (w.e.f. 1-10-2023).
2. Clause (*a*) re-numbered as clause (*ab*) by s. 3, *ibid.*(w.e.f. 1-10-2023).
3. Clause (*b*) re-numbered as clause (*ba*) by s. 3, *ibid.*(w.e.f. 1-10-2023).
4. Subs. by s. 4, *ibid.*, for "Registrar-General, India" (w.e.f. 1-10-2023).
5. Subs. by s. 2, *ibid.*, for "Registrar-General" (w.e.f. 1-10-2023).
6. Subs. by s. 4, *ibid*., for "and submit" (w.e.f. 1-10-2023).
7. Ins. by s. 4 , *ibid.* (w.e.f. 1-10-2023).

request, be made available to the authorities dealing with the preparation or maintenance of database relating to—

(*a*) population register;

(*b*) electoral rolls;

(*c*) Aadhaar number;

(*d*) ration card;

(*e*) passport;

(*f*) driving licence;

(*g*) property registration; and

(*h*) such other databases at the National level as may be notified,

and the authority shall inform the action taken, within such period as may be notified from time to time, to the Central Government:

Provided that the preparation or maintenance of database relating to electoral rolls in clause (*b*) shall be without prejudice to the provisions of the Representation of the People Act, 1950 (43 of 1950).]

4. Chief Registrar.—(*1*) The State Government may, by notification in the Official Gazette, appoint a Chief Registrar for the State.

(*2*) The State Government may also appoint such other officers with such designations as it thinks fit for the purpose of discharging, under the superintendence and direction of the Chief Registrar, such of his functions as he may, from time to time, authorise them to discharge.

(*3*) The Chief Registrar shall be the chief executive authority in the State for carrying into execution the provisions of this Act and the rules and orders made thereunder subject to the directions, if any, given by the State Government.

(*4*) The Chief Registrar shall take steps, by the issue of suitable instructions or otherwise, to co-ordinate, unify and supervise the work of registration in the State for securing an efficient system of registration and shall prepare and submit to the State Government, in such manner and at such intervals as may be prescribed, a report on the working of this Act in the State along with the statistical report referred to in sub-section (*2*) of section 19.

[1][(*5*) The Chief Registrar shall take steps to register births or deaths and maintain a unified database of registered births and deaths at the State level by using the portal as approved by the Registrar General of India and it shall be obligatory upon the Registrars to share the data of registered births and deaths to such database.

(*6*) Subject to the proviso to sub-section (*1*) of section 17 and with the prior approval of the State Government, the database of registered births and deaths maintained under sub-section (*5*) at the State level may, on request, be made available to the authority dealing with other databases at the State level and the authority shall inform action taken, within such period as may be notified from time to time, to the State Government:

Provided that the preparation or maintenance of database relating to electoral rolls shall be without prejudice to the provisions of the Representation of the People Act, 1950 (43 of 1950).]

5. Registration divisions.—The State Government may, by notification in the Official Gazette, divide the territory within the State into such registration divisions as it may think fit and prescribe different rules for different registration divisions.

6. District Registrar.—(*1*) The State Government may appoint a District Registrar for each revenue district and such number of Additional District Registrars as it thinks fit who shall, subject to the general control and direction of the District Registrar, discharge such functions of the District Registrar as the District Registrar may, from time to time, authorise them to discharge.

1. Ins. by Act 20 of 2023, s. 5 (w.e.f. 1-10-2023).

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(*2*) The District Registrar shall superintend, subject to the direction of the Chief Registrar, the registration of births and deaths in the district and shall be responsible for carrying into execution in the district the provisions of this Act and the orders of the Chief Registrar issued from time to time for the purposes of this Act.

7. Registrars.—(*1*) The State Government may appoint a Registrar for each local area comprising the area within the jurisdiction of a municipality, panchayat or other local authority or any other area or a combination of any two or more of them:

Provided that the State Government may appoint in the case of a municipality, panchayat or other local authority, any officer or other employee thereof as a Registrar.

(*2*) Every Registrar shall, without fee or reward, enter in the register maintained [1][,electronically or otherwise,] for the purpose all information given to him under section 8 or section 9 [1][in respect of births and deaths which has taken place in his jurisdiction] and shall also take steps to inform himself carefully of every birth and of every death which takes place in his jurisdiction and to ascertain and register the particulars required to be registered.

(*3*) Every Registrar shall have an office in the local area for which he is appointed.

(*4*) Every Registrar shall attend his office for the purpose of registering births and deaths on such days and at such hours as the Chief Registrar may direct and shall cause to be placed in some conspicuous place on or near the outer door of the office of the Registrar a board bearing, in the local language, his name with the addition of Registrar of Births and Deaths for the local area for which he is appointed, and the days and hours of his attendance.

(*5*) The Registrar may, with the prior approval of the Chief Registrar, [2][appoint Sub-Registrars and, in the event of any disaster or epidemic, appoint Special Sub-Registrars] assign to them any or all of his powers and duties in relation to specified areas within his jurisdiction.

[1][*Explanation*.—For the purposes of this sub-section, the expressions,—

(*i*) "disaster" shall have the same meaning as assigned to it in clause (*d*) of section 2 of the Disaster Management Act, 2005 (53 of 2005);

(*ii*) "epidemic" means the epidemic referred to in the Epidemic Diseases Act, 1897 (3 of 1897).]

CHAPTER III

REGISTRATION OF BIRTHS AND DEATHS

8. Persons required to register births and deaths.—(*1*) It shall be the duty of the persons specified below to give or cause to be given, either [3][orally or in writing with signature], according to the best of their knowledge and belief, within such time as may be prescribed, information to the Registrar of the several particulars [4][including the Aadhaar number of parents and the informant, if available, in case of birth,] required to be entered in the forms prescribed by the State Government under sub-section (*1*) of section 16,—

(*a*) in respect of births and deaths in a house, whether residential or non-residential, not being any place referred to in clauses (*b*) to (*e*), the head of the house or, in case more than one household live in the house, the head of the household, the head being the person, who is so recognised by the house or the household, and if he is not present in the house at any time during the period within which the birth or death has to be reported, the nearest relative of the head present in the house, and in the absence of any such person, the oldest adult [5]*** person present therein during the said period;

[4][(*aa*) in respect of non-institutional adoption, the adoptive parents;

(*ab*) in respect of birth of a child to a single parent or unwed mother from her womb, the parent;

(*ac*) in respect of birth of a child through surrogacy, the biological parent;]

1. Ins. by Act 20 of 2023, s. 6 (w.e.f. 1-10-2023).
2. Subs. by s. 6, *ibid*., for "appoint sub-Registrars and" (w.e.f. 1-10-2023).
3. Subs. by s. 7, *ibid.,* for "orally or in writing" (w.e.f. 1-10-2023).
4. Ins. by s. 7, *ibid.* (w.e.f. 1-10-2023).
5. The word "male" omitted by s. 7, *ibid.* (w.e.f. 1-10-2023).

(*b*) in respect of births and deaths in a hospital, health centre, maternity or nursing home or other like institution, the medical officer in charge or any person authorised by him in this behalf;

(*c*) in respect of births and deaths in a jail, the jailor in charge;

(*d*) in respect of births and deaths in a choultry, chattram, hostel, dharmasala, boarding-house, lodging-house, tavern, barrack, toddy shop or place of public resort, the person in charge thereof;

[1][(*da*) in respect of a child who is taken on adoption from the Specialised Adoption Agency, the person in-charge of the Specialised Adoption Agency.

Explanation.—For the purposes of this clause, the expression "Specialised Adoption Agency" shall have the same meaning as assigned to it in clause (*57*) of section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016);

(*db*) in respect of an orphan or abandoned child or surrendered child in any child care institution, the person in-charge or caretaker of the child care institution.

Explanation.—For the purposes of this clause, the expressions "abandoned child" or "child care institution" or "orphan" or "surrendered child" shall have the same meanings as respectively assigned to them in clauses (*1*), (*21*), (*42*) and (*60*) of section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016);

(*dc*) in respect of birth of a child through surrogacy in a surrogacy clinic, the person in-charge of the surrogacy clinic.

Explanation.—For the purposes of this clause, the expressions "surrogacy" and "surrogacy clinic" shall have the same meanings as respectively assigned to them in clauses (*zd*) and (*ze*) of sub-section (*1*) of section 2 of the Surrogacy (Regulation) Act, 2021 (47 of 2021);]

(*e*) in respect of any new-born child or dead body found deserted in a public place, the headman or other corresponding officer of the village in the case of a village and the officer in charge of the local police station elsewhere:

Provided that any person who finds such child or dead body, or in whose charge such child or dead body may be placed, shall notify such fact to the headman or officer aforesaid;

(*f*) in any other place, such person as may be prescribed.

(*2*) Notwithstanding anything contained in sub-section (*1*), the State Government, having regard to the conditions obtaining in a registration division, may by order require that for such period as may be specified in the order, any person specified by the State Government by designation in this behalf, shall give or cause to be given information regarding births and deaths in a house referred to in clause (*a*) of sub-section (*1*) instead of the persons specified in that clause.

9. Special provision regarding births and deaths in a plantation.—In the case of births and deaths in a plantation, the superintendent of the plantation shall give or cause to be given to the Registrar the information referred to in section 8:

Provided that the persons referred to in clauses (*a*) to (*f*) of sub-section (*1*) of section 8 shall furnish the necessary particulars to the superintendent of the plantation.

Explanation.—In this section, the expression "plantation" means any land not less than four hectares in extent which is being prepared for the production of, or actually produces, tea, coffee, pepper, rubber, cardamom, cinchona or such other products as the State Government may, by notification in the Official Gazette, specify and the expression "superintendent of the plantation" means the person having the charge or supervision of the labourers and work in the plantation, whether called a manager, superintendent or by any other name.

10. Duty of certain persons to notify births and deaths and to certify cause of death.—(*1*) It shall be the duty of—

(*i*) the midwife or any other medical or health attendant at a birth or death,

1. Ins. by Act 20 of 2023, s. 7 (w.e.f. 1-10-2023).

(*ii*) the keeper or the owner of a place set apart for the disposal of dead bodies or any person required by a local authority to be present at such place, or

(*iii*) any other person whom the State Government may specify in this behalf by his designation,

to notify every birth or death or both at which he or she attended or was present, or which occurred in such areas as may be prescribed, to the Registrar within such time and in such manner as may be prescribed.

[1][(*2*) Where death occurs in any medical institution providing specialised treatment or general treatment, every such institution, irrespective of ownership, shall, free of charge, provide a certificate of the cause of death, including the history of illness, if any, signed by the medical practitioner who attended that person during his recent illness to the Registrar in such form as may be prescribed and provide a copy of such certificate to the nearest relative.

(*3*) In the event of death of any person occurring in any place other than medical institution, and such person was, during his recent illness, attended to by a medical practitioner, such medical practitioner shall, after the death of that person, free of charge, forthwith issue, a certificate of the cause of death, including the history of illness, if any, to the person required under this Act to give information concerning the death in such form as may be prescribed, and the person, on receipt of the certificate, shall deliver the same to the Registrar at the time of giving information of the death as required under this Act.]

11. Informant to sign the register.—Every person who has orally given to the Registrar any information required under this Act shall write in the register maintained in this behalf, his name, description and [2][place of abode and put his signature thereto, and, if he cannot write], shall put his thumb mark in the register against his name, description and place of abode, the particulars being in such a case entered by the Registrar.

[3]**[12. Certificate of registration of births or deaths**.—The Registrar shall, as soon as the registration of a birth or death has been completed, but not later than seven days, give, free of charge, electronically or otherwise under his signature, to the person who gives information under section 8 or section 9, a certificate extracted from the register relating to such birth or death in such form and manner as may be prescribed.]

13. Delayed registration of births and deaths.—(*1*) Any birth or death of which information is given to the Registrar after the expiry of the period specified therefor, but within thirty days of its occurrence, shall be registered on payment of such late fee as may be prescribed.

[4][(*2*) Any birth or death of which delayed information is given to the Registrar after thirty days but within one year of its occurrence, shall be registered only with the written permission of the District Registrar or such other authority, on payment of such fee and on production of self-attested document in such form and manner as may be prescribed.

(*3*) Any birth or death of which delayed information is given to the Registrar after one year of its occurrence, shall be registered only on an order made by a District Magistrate or Sub-Divisional Magistrate or by an Executive Magistrate authorised by the District Magistrate, having jurisdiction over the area where the birth or death has taken place, after verifying the correctness of the birth or death and on payment of such fee as may be prescribed.

Explanation.—For the purposes of this sub-section, the expression "Executive Magistrate" means the Executive Magistrate appointed under sub-section (*1*) of section 20 of the Code of Criminal Procedure, 1973 (2 of 1974).]

(*4*) The provisions of this section shall be without prejudice to any action that may be taken against a person for failure on his part to register any birth or death within the time specified therefor and any such birth or death may be registered during the pendency of any such action.

14. Registration of name of child.—Where the birth of any child has been registered without a name, the parent or guardian of such child shall within the prescribed period give information regarding

1. Subs. by Act 20 of 2023, s. 8, for sub-sections (*2*) and (*3*) (w.e.f. 1-10-2023).
2. Subs. by s. 9, *ibid.*, for "place of abode, and, if he cannot write" (w.e.f. 1-10-2023).
3. Subs. by s. 10, *ibid*., for section 12 (w.e.f. 1-10-2023).
4. Subs. by s. 11, *ibid*., for sub-sections (*2*) and (*3*) (w.e.f. 1-10-2023).

the name of the child to the Registrar either orally or in writing and thereupon the Registrar shall enter such name in the register and initial and date the entry.

15. Correction or cancellation of entry in the register of births and deaths.—If it is proved to the satisfaction of the Registrar that any entry of a birth or death in any register kept by him under this Act is erroneous in form or substance, or has been fraudulently or improperly made, he may, subject to such rules as may be made by the State Government with respect to the conditions on which and the circumstances in which such entries may be corrected or cancelled, correct the error or cancel the entry by suitable entry in the margin, without any alteration of the original entry, and shall sign the marginal entry and add thereto the date of the correction or cancellation.

CHAPTER IV

MAINTENANCE OF RECORDS AND STATISTICS

16. Registrars to keep registers in the prescribed form.—(*1*) Every Registrar shall keep in the prescribed form a register of births and deaths [1][,electronically or otherwise,] for the registration area or any part thereof in relation to which he exercises jurisdiction.

(*2*) The Chief Registrar shall cause to be printed and supplied a sufficient number of register books for making entries of births and deaths according to such forms and instructions as may, from time to time, be prescribed; and a copy of such forms in the local language shall be posted in some conspicuous place on or near the outer door of the office of every Registrar.

17. Search of births and deaths register.—(*1*) Subject to any rules made in this behalf by the State Government, including rules relating to the payment of fees and postal charges, any person may—

(*a*) cause a search to be made by the Registrar for any entry in a register of births and deaths; and

[2][(*b*) obtain, electronically or otherwise, a certificate of birth or death from such register and issued in such form and manner as may be prescribed:

Provided that no certificate relating to any death, issued to any person, shall disclose the particulars regarding the cause of death as entered in the register.]

(*2*) All [3][certificates] given under this section shall be certified by the Registrar or any other officer authorised by the State Government to give such [3][certificates] as provided in section 76 of the Indian Evidence Act, 1872 (1 of 1872), and shall be admissible in evidence for the purpose of proving the birth or death to which the entry relates.

[4][(*3*) Notwithstanding anything contained in any other law for the time being in force, the certificate referred to in sub-section (*2*) or section 12, shall be used to prove the date and place of birth of a person who is born on or after the date of commencement of the Registration of Births and Deaths (Amendment) Act, 2023, for the purposes of—

(*a*) admission to an educational institution;

(*b*) issuance of a driving licence;

(*c*) preparation of a voter list;

(*d*) registration of a marriage;

(*e*) appointment to a post in the Central Government or State Government or a local body or public sector undertaking or in any statutory or autonomous body under the Central Government or State Government;

(*f*) issuance of a passport;

(*g*) issuance of an Aadhaar number; and

(*h*) any other purpose as may be determined by the Central Government.]

1. Ins. by Act 20 of 2023, s. 12 (w.e.f. 1-10-2023).
2. Subs. by s. 13, *ibid*., for clause (*b*) (w.e.f. 1-10-2023).
3. Subs. by s. 13, *ibid*., for "extracts" (w.e.f. 1-10-2023).
4. Ins. by s. 13, *ibid.* (w.e.f. 1-10-2023).

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18. Inspection of registration offices.—The registration offices shall be inspected and the registers kept therein shall be examined in such manner and by such authority as may be specified [1][in general or special order by the Chief Registrar].

19. Registrars to send periodical returns to the Chief Registrar for compilation.—(*1*) Every Registrar shall send to the Chief Registrar or to any officer specified by him, at such intervals and in such form as may be prescribed, a return regarding the entries of births and deaths in the register kept by such Registrar.

(*2*) The Chief Registrar shall cause the information in the returns furnished by the Registrars to be compiled and shall publish for the information of the public a statistical report on the registered births and deaths during the year at such intervals and in such form as may be prescribed.

CHAPTER V

MISCELLANEOUS

20. Special provision as to registration of births and deaths of citizens outside India.—(*1*) The [2][Registrar General of India] shall, subject to such rules as may be made by the Central Government in this behalf, cause to be registered information as to births and deaths of citizens of India outside India received by him under the rules relating to the registration of such citizens at Indian Consulates made under the Citizenship Act, 1955 (57 of 1955), and every such registration shall also be deemed to have been duly made under this Act.

(*2*) In the case of any child born outside India in respect of whom information has not been received as provided in sub-section (*1*), if the parents of the child return to India with a view to settling therein, they may, at any time within sixty days from the date of the arrival of the child in India, get the birth of the child registered under this Act in the same manner as if the child was born in India and the provisions of section 13 shall apply to the birth of such child after the expiry of the period of sixty days aforesaid.

21. Power of Registrar to obtain information regarding birth or death.—The Registrar may either orally or in writing require any person to furnish any information within his knowledge in connection with a birth or death in the locality within which such person resides and that person shall be bound to comply with such requisition.

22. Powers to give directions.—The Central Government may give such directions to any State Government as may appear to be necessary for carrying into execution in the State any of the provisions of this Act or of any rule or order made thereunder.

23. Penalties.—(*1*) [3][Any person, except the person specified in sub-section (*1A*),] who—

(*a*) fails without reasonable cause to give any information which it is his duty to give under any of the provisions of sections 8 and 9; or

(*b*) gives or causes to be given, for the purpose of being inserted in any register of births and deaths, any information which he knows or believes to be false regarding any of the particulars required to be known and registered; or

(*c*) refuses to write his name, description and place of abode or to put his thumb mark [4][or signature, as the case may be,] in the register as required by section 11,

shall be punishable with fine which may extend to [5][two hundred and fifty rupees].

[4][(*1A*) Whoever, being a person specified in clauses (*b*), (*c*), (*d*), (*da*), (*db*), (*dc*) and (*e*) of sub-section (*1*) of section 8,—

(*a*) fails without reasonable cause to give any information which it is his duty to give; or

(*b*) gives or causes to be given, for the purpose of being inserted in any register of births and deaths, any information which he knows or believes to be false regarding any of the particulars required to be known and registered; or

(*c*) refuses to write his name, description and place of abode or to put his thumb mark or signature in the register as required under section 11,

shall be punishable with fine which may extend to one thousand rupees in respect of each birth or death.]

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1. Subs. by Act 20 of 2023, s. 14, for "by the District Registrar" (w.e.f. 1-10-2023).
2. Subs. by s. 2, *ibid*., for "Registrar-General" (w.e.f. 1-10-2023).
3. Subs. by s. 15, *ibid*., for "Any person" (w.e.f. 1-10-2023).
4. Ins. by s. 15, *ibid.* (w.e.f. 1-10-2023).
5. Subs. by s. 15, *ibid.*, for "fifty rupees" (w.e.f. 1-10-2023).

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(*2*) Any Registrar or Sub-Registrar who neglects or refuses, without reasonable cause, to register any birth or death occurring in his jurisdiction [1][or to give a certificate to the informant under section 12] or to submit any returns as required by sub-section (*1*) of section 19 shall be punishable with fine which may extend to [2][two hundred and fifty rupees].

[3][(*3*) Any person who neglects or refuses to provide or issue a certificate as required under sub-section (*2*) or sub-section (*3*) of section 10 or any person neglects or refuses to deliver such certificate to the Registrar, shall be punishable with fine which may extend to fifty rupees.]

(*4*) [4][Any person except the person specified in sub-section (*1A*)] who, without reasonable cause, contravenes any provision of this Act for the contravention of which no penalty is provided for in this section shall be punishable with fine which may extend to [5][two hundred and fifty rupees].

[1][(*4A*) Any person specified in sub-section (*1A*), who, without reasonable cause, contravenes any provision of this Act for the contravention of which no penalty is provided for in this section, shall be punishable with fine which may extend to one thousand rupees in respect of each birth or death.]

(*5*) Notwithstanding anything contained in the [6][Code of Criminal Procedure, 1973 (2 of 1974)], an offence under this section shall be tried summarily by a magistrate.

24. Power to compound offences.—(*1*) Subject to such conditions as may be prescribed, any officer authorised by the Chief Registrar by a general or special order in this behalf may, either before or after the institution of criminal [7][proceedings under this Act,—

(*a*) accept from the person, except the person specified in sub-section (*1A*) of section 23, who has committed or is reasonably suspected of having committed an offence under this Act, by way of composition of such offence a sum of money not exceeding two hundred and fifty rupees;

(*b*) accept from the person specified in sub-section (*1A*) of section 23, who has committed or is reasonably suspected of having committed an offence under this Act, by way of composition of such offence a sum of money not exceeding one thousand rupees in respect of each birth or death.]

(*2*) On the payment of such sum of money, such person shall be discharged and no further proceedings shall be taken against him in respect of such offence.

25. Sanction for prosecution.—No prosecution for an offence punishable under this Act shall be instituted except by an officer authorised by the Chief Registrar by general or special order in this behalf.

[8][**25A. Appeal.**—(*1*) Any person aggrieved by any action or order of,—

(*i*) the Registrar, may prefer an appeal to the District Registrar; or

(*ii*) the District Registrar, may prefer an appeal to the Chief Registrar,

within a period of thirty days from the date of such action or receipt of such order, as the case may be, in such form and manner as may be prescribed.

(*2*) The District Registrar or the Chief Registrar, as the case may be, shall decide the appeal referred to in sub-section (*1*) within a period of ninety days from the date of preferring of such appeal.]

26. Registrars and Sub-Registrars to be deemed public servants.—All Registrars and Sub-Registrars shall, while acting or purporting to act in pursuance of the provisions of this Act or any rule or order made thereunder, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

27. Delegation of powers.—The State Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act (except the power to make rules under section 30) or the rules made thereunder shall, subject to such conditions, if any, as may be specified in the direction, be exercisable, also by such officer or authority subordinate to the State Government as may be specified in the direction.

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1. Ins. by Act 20 of 2023, s. 15 (w.e.f. 1-10-2023).
2. Subs. by s. 15, *ibid.*, for "fifty rupees" (w.e.f. 1-10-2023).
3. Subs. by s. 15, *ibid.*, for sub-section (*3*) (w.e.f. 1-10-2023).
4. Subs. by s. 15, *ibid.*, for "Any Person" (w.e.f. 1-10-2023).
5. Subs. by s. 15, *ibid.*, for "ten rupees" (w.e.f. 1-10-2023).
6. Subs. by s. 15, *ibid.*, for "Code of Criminal Procedure, 1898 (5 of 1898)" (w.e.f. 1-10-2023).
7. Subs. by s. 16, *ibid.*, for certain words (w.e.f. 1-10-2023).
8. Ins. by s. 17, *ibid*. (w.e.f. 1-10-2023).

28. Protection of action taken in good faith.—(*1*) No suit, prosecution or other legal proceeding shall lie against the Government, the [1][Registrar General of India], any Registrar, or any person exercising any power or performing any duty under this Act for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

(*2*) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

29. Act not to be in derogation of Act 6 of 1886.—Nothing in this Act shall be construed to be in derogation of the provisions of the Births, Deaths and Marriages Registration Act, 1886.

30. Power to make rules.—(*1*) The State Government may, with the approval of the Central Government, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing provision, such rules may provide for—

(*a*) the forms of registers of births and deaths required to be kept under this Act;

(*b*) the period within which and the form and the manner in which information should be given to the Registrar under section 8;

(*c*) the period within which and the manner in which births and deaths shall be notified under sub-section (*1*) of section 10;

[2][(*d*) the form of certificate of the cause of death under sub-sections (*2*) and (*3*) of section 10;

(*e*) the form and manner in which the certificate of birth or death may be given under section 12;

(*f*) the authority which may grant permission for registration of a birth or death and the form and manner of production of self-attested document under sub-section (*2*) of section 13;]

(*g*) the fees payable for registration made under section 13;

[3][(*ga*) the form and manner in which the certificate of birth or death may be obtained under clause (*b*) of sub-section (*1*) of section 17;

(*gb*) the form and manner of preferring an appeal under sub-section (*1*) of section 25A;]

(*h*) the submission of reports by the Chief Registrar under sub-section (*4*) of section 4;

(*i*) the search of birth and death registers and the fees payable for such search and for the grant of [4][certificates] from the registers;

(*j*) the forms in which and the intervals at which the returns and the statistical report under section 19 shall be furnished and published;

(*k*) the custody, production and transfer of the registers and other records kept by Registrars;

(*l*) the correction of errors and the cancellation of entries in the register of births and deaths;

(*m*) any other matter which has to be, or may be, prescribed.

[5][(*3*) Every rule made under this Act shall be laid, as soon as may be after it is made, before the State Legislature.]

31. Repeal and saving.—(*1*) Subject to the provisions of section 29, as from the coming into force of this Act in any State or part thereof, so much of any law in force therein as relates to the matters covered by this Act shall stand repealed in such State or part, as the case may be.

(*2*) Notwithstanding such repeal, anything done or any action taken (including any instruction or direction issued, any regulation or rule or order made) under any such law shall, in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the

1. Subs. by Act 20 of 2023, s. 2, for "Registrar-General" (w.e.f. 1-10-2023).
2. Subs. by s. 18, *ibid.*, for clauses (*d*), (*e*) and (*f*) (w.e.f. 1-10-2023).
3. Ins. by s. 18, *ibid*. (w.e.f. 1-10-2023).
4. Subs. by s. 18, *ibid.*, for "extracts" (w.e.f. 1-10-2023).
5. Ins. by Act 4 of 1986, s. 2 and Sch. (w.e.f. 15-5-1986).

provisions aforesaid, as if they were in force when such thing was done or such action was taken, and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

32. Power to remove difficulty.—If any difficulty arises in giving effect in a State to the provisions of this Act in their application to any area, the State Government may, with the approval of the Central Government, by order make such provisions or give such directions not inconsistent with the provisions of this Act as appears to the State Government to be necessary or expedient for removing the difficulty:

Provided that no order shall be made under this section in relation to any area in a State after the expiration of two years from the date on which this Act comes into force in that area.

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STATEMENT OF OBJECTS AND REASONS

At present only a few States like Assam, Madras, Kerala and West Bengal have separate legislation in regard to registration of births and deaths, while others have only enabling provisions in this behalf in the Municipal Act, Panchayat Act, Chowkidar Manual or Land Revenue Manual so that the matter is governed by executive orders or bye-laws setting out legal registration procedure. Such a situation, by its very nature, leads to diversity in practices and inefficiency of performance. Various national committees and experts, who gave attention to the problem, have strongly recommended the need for a Central legislation to regulate registration of births and deaths in the country.

2. The Central Government needs adequate and accurate countrywide registration data for purposes of national planning, organising public health and medical activities and developing family planning programmes. Population is one of the most dynamic factors in the present economy of the country but it is here that information on trend furnished by the registration data is very defective and unreliable. The national interest requires an acceptable level of performance by the States and technical uniformity of the methods and standards used in the collection and compilation of data throughout the country. The Government, therefore, consider that in order to develop a sound and unified system of registration in the country, Central legislation is necessary on the subject.

3. The Bill seeks to give legal status to the existing officials in the registration machinery, who are drawn from different departments to look after the registration work in addition to their other normal duties and to bind them in a registration hierarchy with the Registrar-General, India, at the Centre and Chief Registrar at the State, running through District Registrars to the village and town Registrars at the periphery. The provisions of the Bill are built closely around the current registation practices, where experience of their working in several States has shown them to be practicable and efficient. They unify the existing legal and administrative provisions. They are broad enough to permit State variations in operational details as demanded by the particular characteristics of their respective administrations but are specific enough to ensure development of the system so as to secure a minimum of uniformity and comparability in coverage and efficiency. The Bill lays down specific principles, general lines of action and channels of authority but execution is left with the States, and accordingly details of implementation are relegated to rules to be made by the State Governments with the approval of the Central Government so as to secure a minimum uniformity. The Bill also empowers the Central Government to issue directions to State Governments for implementing the provisions of the Bill when enacted.

NEW DELHI; JAISUKHLAL HATH

The 29*th August*, 1964.

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