

# Registration of Births and Deaths (RBD) Act, 1969 & Model Registration of Births and Deaths Rules, 1999



**Birth Certificate**  
**जन्म प्रमाण पत्र**

**Little one's first identity**  
**नन्ही सी जान की पहली पहचान**

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- History of Civil Registration System (CRS)
- Present Scenario of Civil Registration in India
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# CIVIL REGISTRATION SYSTEM

Civil Registration Covers  
Vital Events such as  
BIRTH, DEATH, STILL BIRTH  
MARRIAGE, SEPARATION,  
DIVORCE,  
ADOPTION

*In India*

BIRTH, DEATH,  
STILL BIRTH

## ESSENTIAL FEATURES

- Universal**
- Continuous**
- Permanent**
- Compulsory**

# HISTORICAL PERSPECTIVE

- Prior to the promulgation of the Central legislation in 1969, the registration work was carried out under a number of Acts, executive orders and bylaws prevailing in various States.
- At the time of independence of India, there were a plethora of rules and regulations on this subject.
- Different Acts were enforced in different part of the Country, even in a single State, there were many Acts in force in different areas.
- Before 1969 Act, the Registration of Births, Deaths and Marriages Act of 1886 was applicable to whole of British administered India. This Act provided **voluntary registration** of births, deaths and marriages.

# HISTORICAL PERSPECTIVE

- The enactment of the Registration of Births and Deaths (RBD) Act 1969, was an important landmark in the history of Registration systems
- The Registration of Births and Deaths Bill was received the assent of the President on 31<sup>st</sup> May, 1969
- Registrar General with Union Law ministry framed Modern Rules (1970)
- ORGI review statistical functions of CRS and revamped, a new set of modern rules, 1999

# PRESENT SCENARIO OF CRS IN INDIA

- Registration of births and deaths is mandatory in India with the enactment of Registration of Births and Death Act (RBD Act), 1969 which came into force on 1st April 1970 in most of the States. This Act repealed various laws governing registration of births and deaths existed at that time (for uniformity, comparability)
- It is done as per place of occurrence of event.
- For reporting of events, prescribed forms are used, Form 1 for live birth, Form 2 for death and Form 3 for still birth.
- Births and deaths are to be reported within 21 days of occurrence of the event.

# Objectives and Use of Civil Registration

The CRS has three-fold objectives:

- i. Legal
- ii. Administrative, and
- iii. Statistical

<b>Legal and Protective Uses for Individuals</b>	<ul style="list-style-type: none"><li>• Birth registration records provide legal proof of place of birth and date of birth</li><li>• Death registration record required for settlement of inheritance, insurance claims etc.</li><li>• Have evidentiary value under Indian Evidence Act, 1872</li></ul>
<b>Administrative Uses</b>	<ul style="list-style-type: none"><li>• A legal register of locality wise births and deaths</li><li>• Main source of information on mortality, causes of death, to facilitate health planning, etc.</li></ul>
<b>Statistical Uses</b>	<ul style="list-style-type: none"><li>• Source of demographic data for socio-economic planning, development of health systems and population control</li><li>• Data on fertility and mortality is essential in understanding the trends in population growth and is used for population projections</li></ul>

# Uses of Registration Records

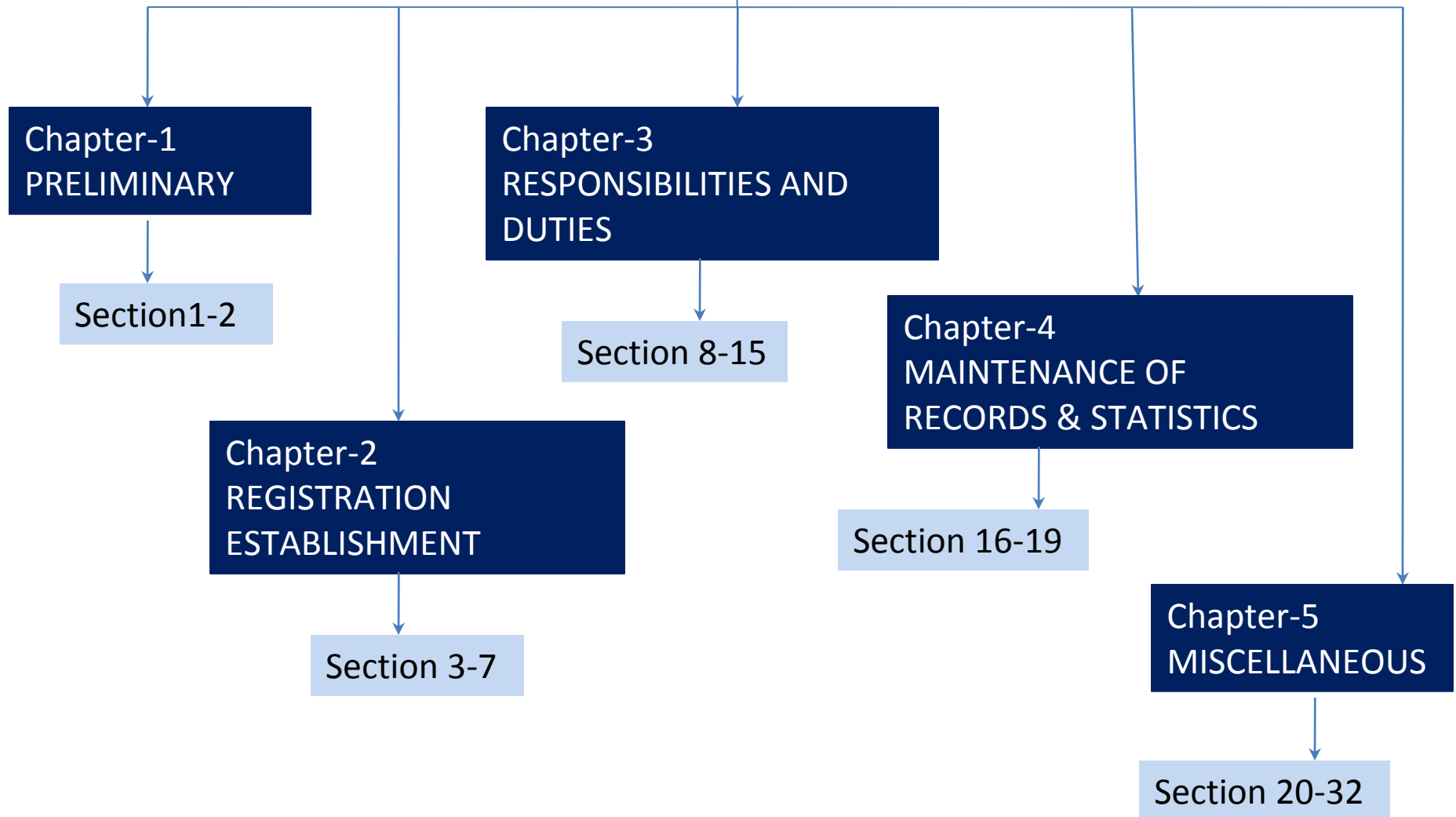
## **Birth certificate:**

- Identity of a child
- Legal proof of age
- To establish parentage
- For admission to schools
- For proof of age at marriage.
- To establish age for purpose of enrollment in Electoral Rolls.
- To establish age for insurance purposes.
- For proof of age for employment
- All purposes where the age has to be established, for instance minimum and maximum age limits at certain examinations, entry into service, issue of driving license, passport etc.
- For proof of age for passport, in ration card, etc.

## **Death certificate:**

- For the purpose of inheritance of property
- For claims relating to insurance, post office, banks, etc.

# Registration of Births and Deaths ( RBD) Act, 1969



# Salient features of the RBD Act, 1969

- Uniform law across the country on the registration of births and deaths.
- Reporting and registration of all births and deaths compulsory.
- Registrar General, India to 'co-ordinate and unify' the implementation of the Act.
- Provision of birth registration - without the name of the child.
- Name can be entered later but not after 15 years from the date of registration.

# Salient features of the RBD Act, 1969

- Penalties for non-reporting/non-registration of the events.
- Issue of extract – Birth / Death certificate.
- Correction or cancellation of entries
- Issue of free certificate of birth/death in case the registration is done within 21 days.
- Provision for delayed registration.

# SELECTED PROVISIONS OF THE RBD ACT, 1969

- In all 32 Sections are their in the Act.

## (SECTIONS 1-2)

- Relates with name of the Act and definition of live birth, death, Still birth etc.

## (SECTIONS 3-7)

- Sections which deals with establishment of a statutory authority at National, State and local level for registration by appointment of functionaries at these levels

### Section 3 :-

- The Central Government appoints Registrar General, India
- Issues general directions regarding registration of births and deaths and coordinates & unify the activities of Chief Registrars.
- Submits an Annual Report to Central Government on Working of the RBD Act.

# Selected provisions of the RBD Act, 1969

## Section 4 :-

- The State Government appoints Chief Registrar, who is the chief executive authority in the State for execution the provision of RBD Act.
- Submits an Annual Report & Statistical Report to the State Government and RGI.

## Section 5: -

- Divide the territory with in the State to registration division.

## Section 6:-

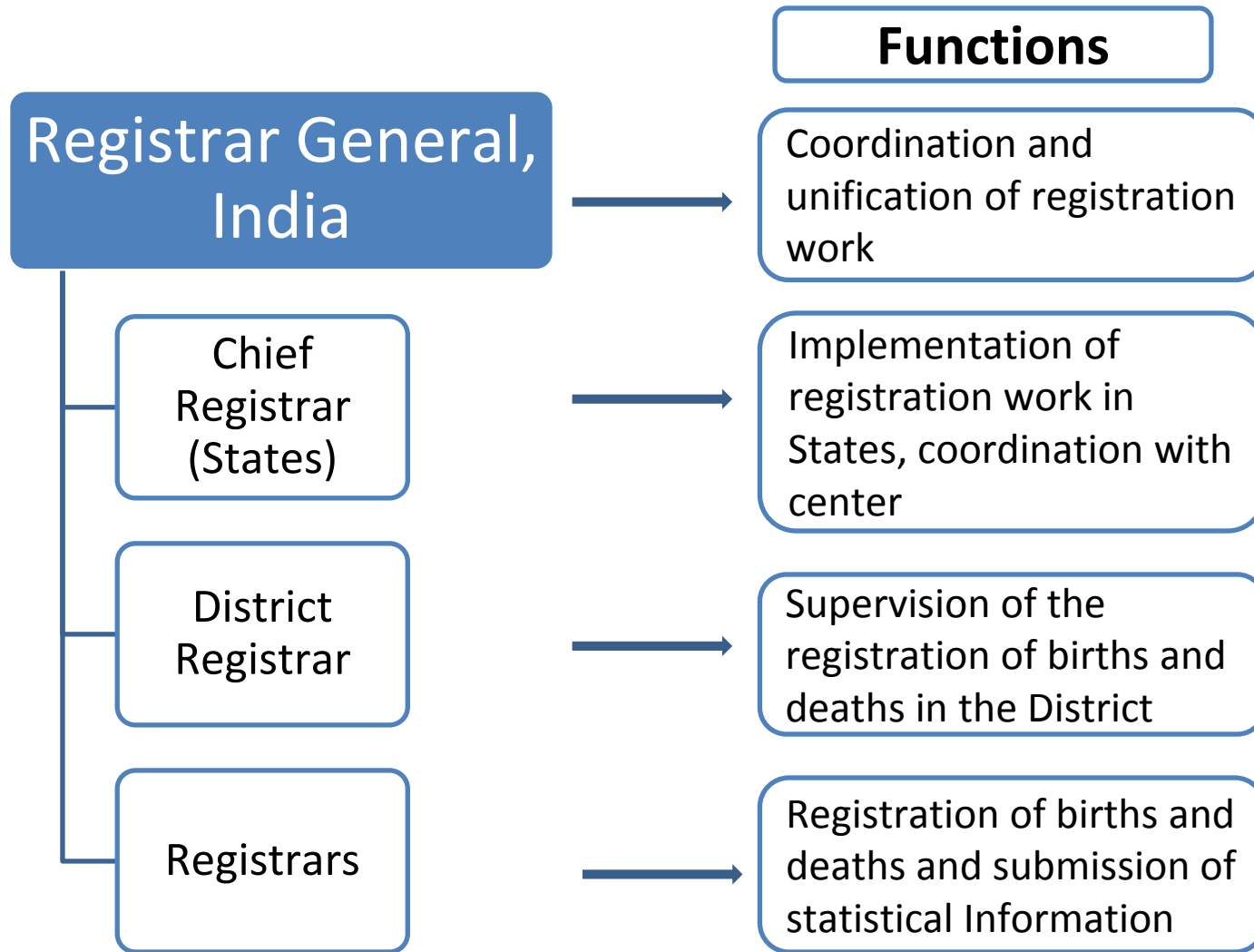
- The State Government appoints District Registrar and Additional District Registrar for each district
- They are responsible for carrying in to the execution of the provisions of Act in the district

# Selected provisions of the RBD Act, 1969

## Section 7: -

- ❑ 7 (1) The State Government appoints a Registrar for each local areas
- ❑ 7 (2) Registration will be done at the place of their occurrence
- ❑ 7(3) Registrar shall have an office in the local area for which he is appointed.
- ❑ 7 (4) Registrar shall attend his office and placed a board near the outer door of the office bearing his name, the days and hours of his attendance.
- ❑ 7 (5) The Registrar with the approval of Chief Registrar may appoint Sub registrar for a specified area and assign them any or all of his power and duties.

# Registration Hierarchy



# Selected provisions of the RBD Act, 1969

(Sections 8-9)

Section 8: -

- Fixes the responsibility on different categories of persons (Informants) required to report occurrence of births and deaths.

Section 9: -

- Reporting of events in the plantation areas are on the Superintendent of plantations.

Section 10: -

- Section deals with the appointment of notifiers and provides provision for medical certification of cause of death
- Duty of certain person specified for notify births/deaths to the Registrar – Midwife, Health Attendant and the keeper or owner of the place as cremation ground, jail, hotel etc.

# Notifiers

The person who notifies to the Registrar of the event at which he/she attended



Dai who attended or was present, or the event occurred in his/her area of jurisdiction



Auxiliary Nurse Midwife (ANM) / Lady Health Visitor (LHV) who attended or was present, or the event occurred in his/her area of jurisdiction



Accredited Social Health Activist (ASHA), Health worker who attended or was present, or the event occurred in his/her area of jurisdiction



Anganwadi Worker (AWW) who attended or was present, or the event occurred in his/her area of jurisdiction



Person-in-charge (of the place where dead bodies are kept) (Caretaker of burial and burning grounds) who attended or was present, or the event occurred in his/her area of jurisdiction

# Selected provisions of the RBD Act, 1969-contd..

## Section 11: -

- The informant has to sign the Register and put his name, description and place of abode

## Section 12: -

- It provides Registrar to issue, free of charge, an extract of the prescribed particulars relating to such birth or death to the person who gives information under section 8 or section 9 as soon as registration completed

## Section 13: -

- Section deals with Delayed Registration
- If the information of birth/death could not be given within the normal reporting period of 21 days, there is a provision for delayed registration of events –

# Delayed Registration Provisions on

Section	Time limit for delayed registration	Formalities for registration	Late fee
13 (1)	After expiry of normal reporting period ( 21 days) but within 30 days of occurrence	On payment of late fee	Rs. 2/- (Two)
13 (2)	After 30 days but within one year of occurrence	On written permission of the prescribed officer (usually District Registrar) Production of an affidavit made before a notary public or prescribed authority and Payment of late fee	Rs 5/- (Five)
13(3)	After one year of occurrence	On order of First Class Magistrate ( executive/ Judicial as prescribed) and payment of a late fee	Rs 10/ (Ten)

# Selected provisions of the RBD Act, 1969-contd..

## (SECTION 14)

- This Section allows registration of name of child at a later date

### Section 14: -

- If the birth of any child has been registered without name, the name may be entered up to one year without any late fee.
- The corresponding rules framed under the Act allows entry of name up to 15 years from the date of registration with payment of late fee.

# Selected provisions of the RBD Act, 1969-contd..

(SECTION 15)

- Section allows correction and cancellation of entry in the register of births and deaths

Section 15: -

If it is proved to the satisfaction of the Registrar that any entry of birth and death in any register kept under this act is found to be incorrect and or improperly made. The registrar may correct or cancel the error by suitable entry in the margin of the remark column.

Section 16:-

- Registrars to keep in prescribed form (prescribed in Rule 12) a Register of births and deaths and Chief Registrar should supplied sufficient number of registers and forms

# Selected provisions of the RBD Act, 1969-contd..

## (SECTIONS 17)

Section deals with the search and issuance of certified extracts

### Section 17: -

- The rules framed under this Section made provision for search of Records and Issuance of Certificate of birth or death as well as Non-availability Certificate (NAC)
- This section prohibits Registrar to disclose the cause of death

## (SECTION 18)

Inspection of Registration offices

### Section 18: -

- Section deals with the provision of inspection of registration offices and examine the registers kept therein

# Selected provisions of the RBD Act, 1969-contd..

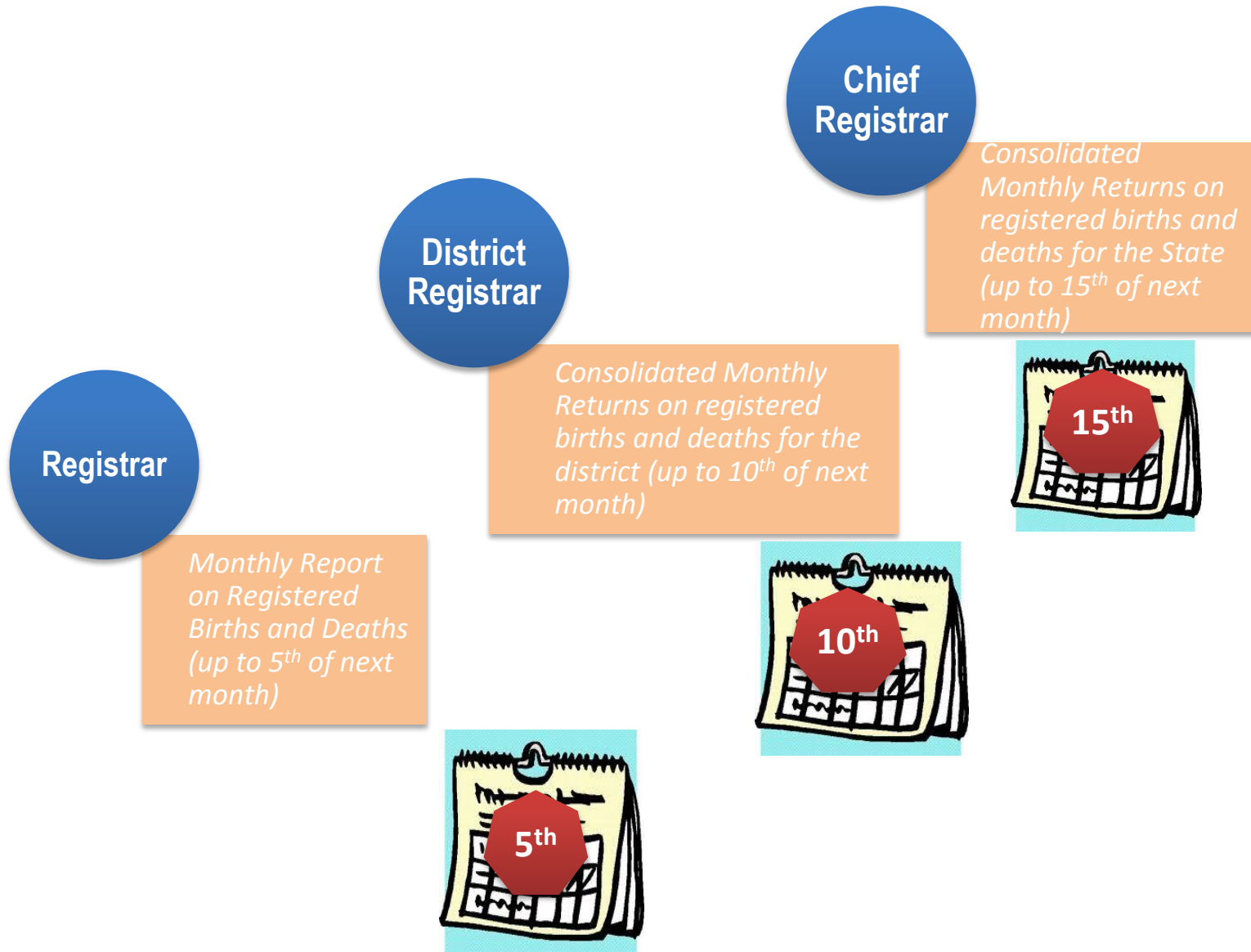
## (SECTION 19)

- Section prescribed the regular flow of monthly returns from the Registrar and statistical report to be submitted by the Chief Registrar

### Section 19: -

- 19 (1) Registrar has to submit monthly report within the prescribed time limit to Chief Registrar or any other officer specified by him
- 19(2) Chief Registrar should submit the Annual Statistical Report on registered births and deaths

# Flow Chart of Monthly Reporting System



# Selected provisions of the RBD Act, 1969-contd..

## (SECTION 20)

- Section deals with special provision of registration of births and deaths of citizens outside India.

### Section 20: -

- Special provision has been made for Registration of **births** of Indian Citizen born outside India if the parents of child return to India with a view to permanent settlement.
- They can register the event within sixty days from the date of return in India
- However, the death event which occurred abroad can not registered in India.

## (SECTION 21)

- Section empowers a Registrar to obtain information regarding birth or death from a local resident

# Selected provisions of the RBD Act, 1969-contd..

## (SECTION 22)

- Section confers powers on the Central Government to give directions to the State Government

### Section 22:-

- The Central Government if necessary, may give direction to any State Government for carrying in to execution of the provision of this Act or Rule or order.

## (SECTIONS 23-25)

Section prescribes penalties for the various offences.

### Sections 23-25: -

- The penalties for non reporting, false reporting or for negligence or refusal to register the event have been prescribed. Penalties can also imposed on Medical Institutions for non reporting or late reporting.

# Selected provisions of the RBD Act, 1969-contd..

## Sections 26-28: -

- Sections declares Registrars as public servants and provide protection.
- The Registrars and Sub registrars are deemed to be public servants within the meaning of Section 21 of Indian Penal code.

## Section 29: -

- Act not to be in derogation of Act 6 of 1886.

## SECTION 30:-

- Empower the State Governments to make rules with the approval of the Central Government.
- The registrar has to retained the register of births and deaths for a period of 12 months or more and there after be transferred for safe custody to district registrar or any other officer specified under rules.

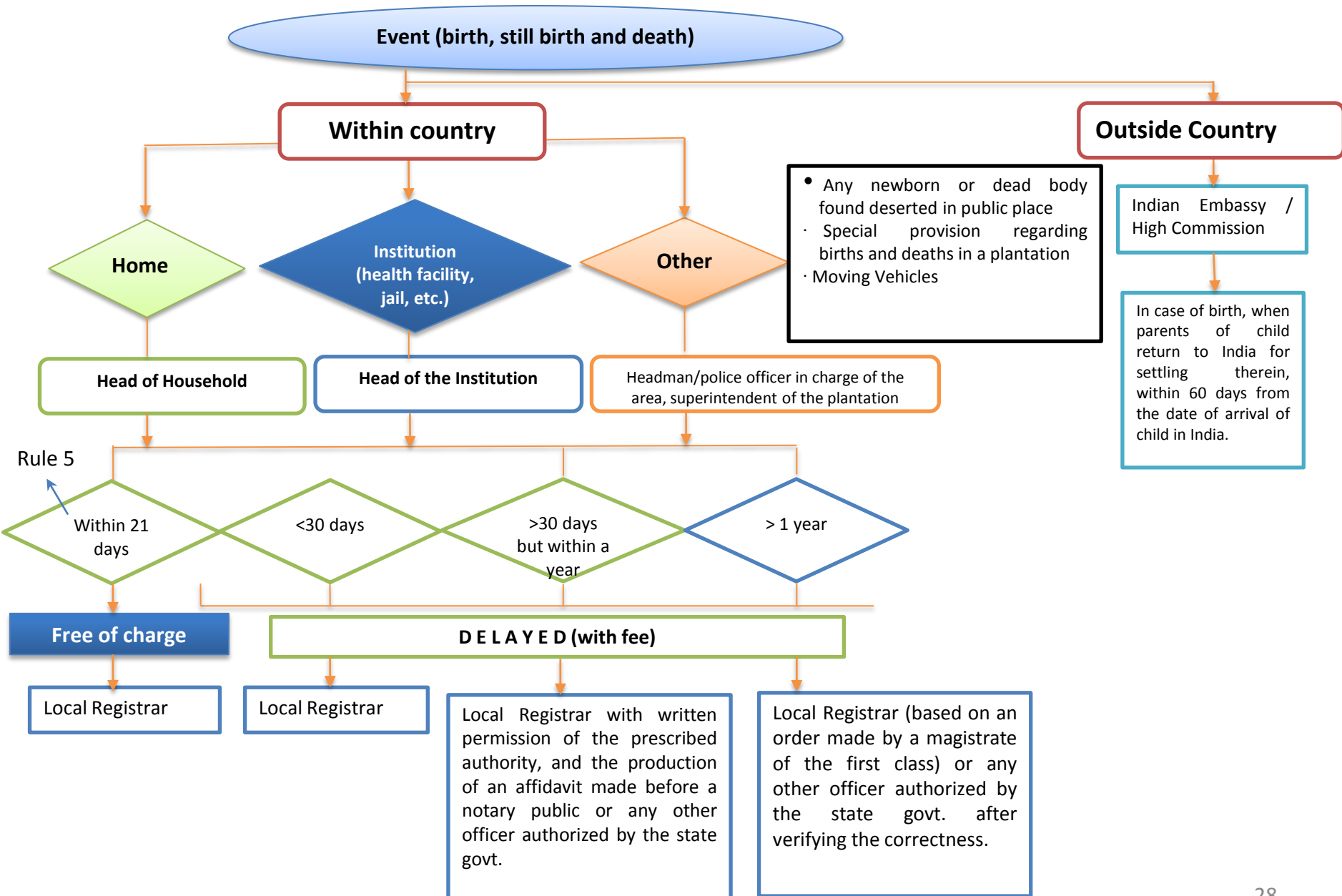
## SECTION 31:-

- Repeals the earlier laws on registration.

## SECTION 32:-

- Power to remove difficulties with the approval of Central Govt.

# Procedures of Birth and Death Registration: An Overview



# Registration functionalities

Chief Registrar belongs to different departments in States and Union Territories (UT)

Health Department

Planning, Economics  
& Statistics  
Department-

Panchayat & Local  
Administration

# Registration functionalities

## District level authorities in States and Union Territories (UT)

District Collectors/ District  
Magistrate

• 10  
States  
/UTs

Chief Medical Officers/District  
Medical and Health officers

• 14  
States  
/UTs

District Statistical/ Planning  
Officers

• 7  
States  
/UTs

Deputy Director / Assistant  
Director (Panchayat)

• 2  
States  
/UTs

# Registration functionalities

## Local area (Rural) level authorities in States and Union Territories (UT)

Panchayat Department

Health Department

Revenue Department

Education Department

Police Department

In **urban areas**, the Health Officer of Municipal Corporation / Municipalities etc. or in absence of such a post the Executive Officer of the town administration functions as the Registrar of Births and Deaths. (IDCC)

# Rules under Registration of Births and Deaths Act, 1969

- The ORGI framed the Model Rules on the various provisions of the RBD Act, 1969. The original Rules were prepared in 1970 and circulated to all States for framing their State Rule.
- As per the provision of Section 30 (1) of the RBD Act:  
*“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. “*
- After obtaining the approval from the Central Government, the Rules were notified in the respective State Gazette. All States have notified their State Rules.

# Framing of Rules under Revamped System

- To make the registration System easy and more effective, a revamped system of registration has been framed by ORGI during 1999 and direct the State Governments to implement this system.
- The Revamped system was adopted by the most of the States/UTs from 01.01.2000.
- Under the revamped system, registration forms were redesigned and segregated into two parts: Legal and Statistical .

# REVAMPED SYSTEM 1999

- Main features of the system are listed below:-
  - Number of forms reduced to 13 from 21. separate forms used for notifiers were dropped, they have given the existing reporting form.
  - The size of register of births, deaths and still births has been reduced to ease the paper work of the Registrar.
  - Health related information have been included in birth and death reporting forms.
  - Under this system, 53 Statutory tables (23 births, 21 deaths, 7 still birth and two reporting tables) are also generated .

# Forms used in CRS

- 13 Forms

- Form 1 - Birth report
- Form 1A - Birth Report for Adopted Child
- Form 2 - Death report
- Form 3 - Still Birth report
- Form 4 - Medical certificate of cause of death (institutional events)
- Form 4A - Medical certificate of cause of death (domicile events)
- Form 5 - Birth Certificate
- Form 6 - Death Certificate
- Form 7 - Birth Register, Form 8 - Death Register and Form 9 - Still Birth Register
- Form 10 - Non-availability certificate
- Form 11 - Summary monthly report of births
- Form 12 - Summary monthly report of deaths
- Form 13 - Summary monthly report of still births

# Clarifications under the RBD Act

- In the process of implementing the provisions of the Act, certain references with regard to legal provision have been referred by the State Governments from time to time to ORGI for clarification.
- The ORGI issues clarifications after interpreting the provisions of the Act & Rules. In respect of those Queries, which are found ambiguous, matter refer to Union Law Ministry for advice.
- Set of clarifications have been published in the Handbook on Civil Registration and Training Manual for CRS functionaries.
- Various Circulars and clarifications issued by ORGI can be seen at <https://crsorgi.gov.in/circulars.html>

# Initiatives taken to extend the scope of RBD Act, 1969

**Specific guidelines have been issued for**

**Making / Changing entries in the birth record for the children taken on adoption. ( issued on 12-03-2012)**

- In order to facilitate the adoptive parents to have a proper birth certificate with their name as the parents, detailed [guidelines](#) have been framed and a new Birth Reporting Form -1A, namely “*Birth Report for adopted child*” has been introduced. These guidelines covered both adoptions i.e. adoptions through institutions and outside institutions

# Determination of date and place of death of Missing person

Determination of date and place of death of missing person in case date & place is not mentioned in the court order (circulars Issued on 29-12-2011 and 26-09-2012)

*The presumption of death and its date and place of occurrence is a matter of burden of proof. The same may be determined by the competent court / authority based on the oral and documentary evidence produced before the court by the plaintiff.*

*As per the clarification of the Law Ministry : If Court does not mention the date of death in its order, the date on which plaintiff approached to the Court would be taken as the date of death. In case of place of death, if it is not mentioned in the court order, the place of death' may be that place where plaintiff approached the court.*

# Guidelines on Registration of Death During Disaster

Necessary guidelines / directions have been issued by this office in August, 2013 and September, 2014 respectively for Uttarakhand & J & K. The missing persons have been divided into three following categories:

- (i) Permanent residents of the flood affected villages and permanent residents of the nearby villages of Uttarakhand or J&K who were present in the flood affected villages during the catastrophe.
- (ii) Residents of other districts of Uttarakhand or J&K who were present in the flood affected villages during the catastrophe.
- (iii) Tourists from other States who were present in the flood affected villages during the catastrophe.
  - Full detailed procedure have been prescribed in the guidelines.

# Guidelines on correction in name and DOB in Birth Certificate

Necessary [guidelines](#) / directions have been issued by ORGI in June 2015.

- (i) As per the clarification given by the Union law Ministry in the past change in name is not allowed in the registration record. However, in respect of change in name, the Ministry of Law has allowed to put 'alias' between both names.
- (ii) But in some cases it is found that error in name in birth record occurs due to negligence recording by hospital authorities or by the informant in the birth reporting forms. In these cases it is decided that as far as possible, the concerned registrar should use the term 'alias' in respect of change in name and prefer to write both names in the birth certificate after making necessary entries in the remarks column of birth register.
- (iii) In case 'alias' is not acceptable by the applicant, then necessary changes in the name may be done upon the satisfaction of registrar on the authenticity of the documents furnished by the applicant. If any changes done, registrar should mention the date of correction and both the names in the remarks column of birth register.
- (iv) Regarding the correction in DOB, it is clarified that, as entries made in the birth and death register are admissible as evidence under section 35 of the Indian Evidence Act, 1872, therefore correction in DOB is not to be allowed unless it is proved to the satisfaction of the Registrar that a fraudulent entry regarding DOB was made at the time of reporting/ registering the event.

## Guidelines regarding registration of birth of a child in case of single parent/unwed mother

In this regard [guidelines](#) / directions have been issued by ORGI in July 2015.

- (i) Taking into the consideration of judgment of Hon'ble Supreme Court in a case, where it was directed that “ If a single parent/ unwed mother apply for the issuance of a Birth Certificate of a child born from her womb, the Authorities concerned may only require her to furnish an affidavit to this effect, and must thereupon issue the Birth Certificate, unless there is a Court directions to the contrary”, it is decided that in such cases the name of single parent will be written in the birth record and name of the other parent will be left blank.

## Guidelines regarding registration of birth of a orphaned/abandoned children

In this regard guidelines / directions have been issued by ORGI in July 2015.

Thank You