

सं०/No. 1/27/ 2002-VS (CRS)-Chandigarh

भारत सरकार

GOVERNMENT OF INDIA

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

भारत के महारजिस्ट्रार का कार्यालय

OFFICE OF THE REGISTRAR GENERAL, INDIA

V.S. Division, West Block -I, R.K. Puram, New Delhi - 110066

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dated the July 30, 2003

Circular No.3/2003

Sub: Correction of errors in Birth and Death Registers

The Section 15 of the Registration of Births and Deaths Act, 1969 provides for correction of entries of a Birth or Death in the respective registers if these are found erroneous in form or substance, or been fraudulently or improperly made. The state rules made under this Act for this purpose provide detailed procedures for making correction of such errors.

The Rules provides that in case of clerical or formal errors such as spellings of names etc., noticed by the Registrars or otherwise brought to their notice, the Registrar would enquire into the matter and after being satisfied of the errors, make the necessary corrections. Thus it may be construed that such types of errors could be corrected upon production of adequate documentary proof in support of the claim.

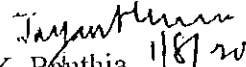
In case of errors in substance, the rules provides that the Registrar may correct such entries upon production by the concerned person a declaration setting forth the nature of the errors and true facts of the case made by two credible persons having knowledge of the facts of the case. Thus such types of errors may be corrected upon taking an affidavit from the concerned person setting forth the nature of errors along with documentary proof in support and declaration of two credible persons having knowledge of the facts of the case. However, there is a need to have a check on the Registrars in exercising their discretionary powers in this regard in order to minimize the harassment of the public and also to control the misadventures of Registrars in carrying out such correction. Therefore, it is suggested that in case of errors in substance also, the Registrar will make a report setting forth the nature of the errors along with the documents mentioned above to the officer authorized by the Chief Registrar by general or special orders in this behalf and on hearing from him take appropriate action as it has been provided under the respective state rules corresponding to rule 11(6) of the Model Registration of Births and Deaths Rules, 1999 circulated by this office in case of fraudulent or improper entries.

If any entry in the birth/death register have been made improperly or fraudulently, the rules provides that the Registrar will make a report giving necessary details to the officer authorized by the Chief Registrar by general or special orders in this behalf under Section 25 and on hearing from him take necessary action in the matter. In case of entries made

fraudulently or improperly in violation of any provision of the Act or the state rules, such entries can be cancelled and penal action under Section 23 of the Act may be taken against persons found guilty.

It has been observed that many a time these provisions are not being followed by the concerned officials either due to ignorance of the procedures or due to many other reasons. Non-compliance of these provisions put the public in undue and unnecessary harassment. Therefore, it must be ensured that the provisions of the Act and the rules made there under are properly implemented in the states.

It is requested that the legal provisions and procedures laid down under the rules for correction of errors may be brought to the notice of all Registrars for their proper compliance. In case of Municipal Corporations, Municipalities, Panchayats etc. from where employees have been appointed as Registrars, Administrative Heads of the concerned local bodies may also be informed of these provisions, so that they can ensure proper implementation.


J.K. Benthia 11/8/2003
Registrar General, India

To:

All Chief Registrars of Births and Deaths

Copy to: 1 All DCOs & JRGs

2. Addl./Dy. Chief Registrars of Births and Deaths, Jammu & Kashmir, Maharashtra, Mizoram and West Bengal