

**Letter No.1-2(C) 74/VS (RA), dated 9<sup>th</sup> October, 1976 of the  
Assistant Registrar General.**

Sub: Registration of Births and Deaths – Delay in Registration – Clarification – regarding.

Kindly refer to your office letter No.VSI-45381/72, dated the 24<sup>th</sup> October, 1972 on the subject noted above. The matter was referred to the Union Ministry of Law and Clarification received from them is reproduced below for your information and guidance.

“R.10 (3) as well as S.13 (3) provides that any birth or death which has not been registered within one year of its occurrence, shall be registered only on an order by a Magistrate of specified class and payment of specified fee. It is significant that while sub-ss.(1) and (2) of S.13 speaks of information to birth or death being given, sub-s.(3) speaks of registration within the specified period. The word “registration” has not been defined in the Act.S.11 provides for the manner in which it is to be done. Once the said action is complete, it can be said that birth or death has been registered. Mere filling the relevant columns without signature of the informant and of the Registrar will not amount to registration under S.11, and therefore it cannot be said that birth or death has been registered for the purpose of sub-s .(3) of S.13. The provision contained in S.13 (2) makes distinction between the giving of information as and the registration and requires written permission of prescribed authority before the occurrence is registered. As stated above, if the registration process has not been completed within one year, the order of the District Magistrate will be required under sub-s. (3). Neither the Act nor the Rules provide for any provisional written permission from the District Registrar. (This was with reference to a suggestion of Registrar General’s Office that on the basis of such a provisional written permission, the local Registration may be allowed to enter

“Various details of the event in the register, (except signatures) S.13 (2) of the Act as well as R.10 (2) of the Rules envisages one type of written permission from the prescribed authority. If the registration process has not been completed, R.10 (3) will be attracted. Amendment of R.10 (2) will not be of any help in view of the provisions contained in sub- s.(3) of S.13 of the Act. Remedy lies either in quick disposal of the case by the prescribed authority under S.13 (2) or suitable amendment of the Act.”