

The Rules Relating to the Registration of Births and Deaths in Chennai City

TAMILNADU

India

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Rule

THE-RULES-RELATING-TO-THE-REGISTRATION-OF-BIRTHS-AND-DEATHS-OF 1929

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The Rules Relating to the Registration of Births and Deaths in Chennai City Published vide Notification G.O. No. 167, Local Self-Government, dated 19th December, 1929 In exercise of the powers conferred by sub-section (2) of section 327, clause (a) of sub-section (2) of Section 347 of the [Chennai] [Substituted for the word 'Madras' by Tamil Nadu Act 28 of 1996.] City Municipal Act, 1919 (Tamil Nadu Act IV of 1919), the Governor acting with Ministers is hereby pleased to make the following rules for the registration of vital statistics in the City of [Chennai] [Substituted for the word 'Madras' by Tamil Nadu Act 28 of 1996.]:-

1.

(1) The Commissioner shall divide the city into such and so many districts of registration as he shall think fit, and shall appoint a person to be Registrar of Births and Deaths within each such district. (2) Every Registrar shall be provided with an office within the district of which he is the Registrar, and his name, designation and the name of the district for which he is appointed, with the hours of business at such office, written in English and in the vernacular languages of the district, shall be shown in some conspicuous place on or near the outer door of his office. (3) The Commissioner shall cause to be published at the beginning of every year in the [Fort St. George Gazette] [Now Tamil Nadu Government Gazette.], and in such other manner as he may think fit, a list containing the name and place of abode of every Registrar of Births and Deaths within the city. Changes in the list shall be notified in the Gazette as and when necessary. (4) The Commissioner shall cause to be printed and supplied to every such Registrar a sufficient number of register books in annexed Forms A, 13, C and D. The entries of births and deaths of Europeans, European British

subjects as defined in section 4 of the [Code of Criminal Procedure, 1898] [Now refer Code of Criminal Procedure, 1973 (Central Act 2 of 1974).], and Americans shall be made in Forms C and D, respectively, and of others in Forms A and B respectively.(5)All entries in the registers of births and deaths shall be made consecutively from the beginning to the end of the registers. The serial number of the event shall be entered commencing from 1st January and the series shall be continued up to 31st December. No entries shall be interpolated between two serial numbers.(6)Every Registrar shall inform himself carefully of every birth and death which occurs in the district for which he is appointed, and shall register with as little delay as possible the particulars required to be registered according to the forms prescribed as aforesaid touching every such birth and death which has not already been registered.

2.

The father or mother of every child borne in the city, or in the absence or default of the father or mother, the midwife assisting at the birth, or every adult male member of the family resident in the house in which the child was born shall, within one week after the day of such birth, give or cause to be given, either orally or in writing information according to the best of his or her knowledge and belief of the several particulars required to be entered in Form A or C, as the case may be, in respect of any such birth to the Registrar of the district:Provided that -(a)if any one of the above said persons gives the required information, no other person shall be bound to give it, and(b)a person not required to give information in the first instance, but only in default of some other person shall not be bound to give such information if he or she had reasonable cause to suppose that the same had been or would be duly given by such other person:Provided further that in the case of an illegitimate child, it shall, in the first instance, be the duty of the mother of such child to give information, and that no person shall, as the father of such child, be required to give information concerning the birth of such child; and the Registrar shall not enter in the register maintained by him the name of any person as the father of such child except at the joint request of mother and of the person acknowledging himself to be the father of such child and unless such person shall sign the register together with the mother.

3.

If any child is born in any hospital, the medical officer in charge thereof shall forthwith send to the Registrar a notice in writing of the occurrence containing the several particulars required to be entered in Form A or C, as the case maybe.

4.

In case any new born child is found exposed, it shall be the duty of any person finding such child and of any person in whose charge such child may be placed, to give, to the best of his or her knowledge and belief, to the Registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses.

5.

Where the birth of a child has been registered without a name, it shall be the duty-(a)of its father or mother, subject to the proviso to rule 2, to report the name of the child to the Registrar within six months of the date of the registration of its birth, and(b)of the Registrar, whether or not a report has been made under clause (a), to ascertain the name of the child whenever possible and with as little delay as possible and to enter such name in the appropriate column of the birth register, note the date of the entry, and attest the entry with his signature.

6.

(1)The nearest adult male relative present at the death, or in attendance during the last illness, of any person dying in the city of [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], or in case of the default of such relative, every adult male person present at the death or in case of his default the occupier of the house, if such occupier is an adult male person, or, in his default, every adult male person living in the house in which such death has happened shall, within 36 hours after the death give, or cause to be given either orally or in writing, information to the Registrar of the district according to the best of his knowledge and belief of the several particulars required to be entered in Form B or D, as the case may be:Provided that -(a)if any one of the abovesaid persons gives the required information, no other person shall be bound to give it, and(b)if the death occurs in any hospital, none of the aforesaid persons shall be bound to give information, but it shall be the duty of the medical officer in charge of the hospital to send within 12 hours after the death, to the Health Officer and to the Registrar, a written notice containing the particulars required to be entered in Form B or D, as the case may be :Provided further that a person not required to give information in the first instance, but only in default of some other person, shall not be bound to give information if he had reasonable cause to suppose that such information had been or would be duly given by such other person.(2)In the case of deaths in which an inquest is held, it shall be the duty of the officer who conducts the inquest to send, within 12 hours of the inquest, a written notice to the Health Officer and the Registrar, containing particulars required to be entered in Form B or D, as the case may be, according to the best of his knowledge and belief.

7.

Every medical attendant who attended on any person during his or her last illness shall, if such person has died in the city, within three days of his becoming aware of such death, give information of the fact to the Municipal Health Officer and to the Registrar of Births and Deaths in the District.

8.

Every person who performs or has performed the funeral ceremonies of a person who died in the city shall, whenever required, furnish to the Registrar such information as he possesses of the particulars required for registration.

9.

Notwithstanding anything contained in rules 2 and 6, in case of child being born or a person dying in any choultry, chattram, hotel, boarding house, lodging house, tavern, arrack or toddy shop or place of public resort, it shall be the duty of the owner, keeper or person in charge thereof, to give the information required under rules 2 and 6 in the manner specified therein within forty-eight hours of the birth or death, as the case may be.

10.

(a) Every person who gives information in regard to a birth or death as provided in rule 2, rule 4, rule 8, or rule 9, as the case may be, shall sign his or her name in the register maintained by the Registrar and shall also enter his or her address or if he or she cannot sign, put his or her mark in the register to his or her name and address which shall be entered by the Registrar. (b) The Registrar shall, as soon as the registration of the birth or death, as the case may be, has been completed, give, an application, free of all charge to the person who gives the information an extract under his hand from the register relating to such birth or death. (c) Any person may, at all reasonable times, on payment of such fees as maybe fixed by the council for each visit, search any register of births or deaths. (d) The Registrar shall, on the application of any person, and on the payment of such fees as may be fixed by the council, give an extract under his hand of the particulars of any birth or death from any birth or death register, as the case may be. (e) In case of a child being born or of person dying in any hospital, the registration of the birth or death shall be deemed to be completed by the entry in the register of the particulars specified in the report prescribed in rules 3 and 6.

11.

Every person bringing a corpse to be buried, burnt or otherwise disposed of, in any place registered, licensed or provided by the Corporation for the disposal of the dead, shall, at such place, if so notified by the Commissioner or Health Officer, sign or affix his or her mark to a declaration in such form as may be determined by the council, as to the cause of the death, the name of the deceased, the name of the medical attendant, if any, who attended on the deceased and such other particulars as may be required in connection with the death.

12.

The Health Officer shall forward-(a) statements in Form E of the births and deaths registered during each week ending Saturday, and in Forms F, G, H, I and J of the births and deaths registered during each calendar month to the Director of Public Health; and (b) counter-foils of Forms C and D filed in during the months to the Registrar-General of Births and Deaths. The weekly statement referred to in clause (a) shall be submitted before the end of the following week and the monthly statements referred to in clauses (a) and (b) before the 15th of the following month.

13. [[Substituted by G.O. Ms. No. 1513, Health and Family Planning, dated 19th June, 1973.]

(1) Any clerical error or any omission of any particular in any entry relating to a birth or death already in the register of births or of deaths or any error in any entry relating to the cause of death in the register of deaths or any multiple registration of a birth or of a death shall be corrected or rectified by the checking officer (Commissioner or Health Officer of the Corporation) if the error or omission is discovered by him and by the Registrar with the previous approval of the Checking Officer if the error or omission is discovered by the Registrar: Provided that no entry shall be corrected under this rule, more than a year after it is made except with the previous sanction of the Commissioner. (2) Any other error in the said registers shall be corrected under the orders of a Magistrate (not below the rank of Chief Presidency Magistrate, [Chennai]). An order shall not be made unless the Magistrate is satisfied, on obtaining a report from the Commissioner and after making such enquiry as he may consider necessary, that the original entry is inaccurate. (3) (a) All, corrections under sub-rules (1) and (2) shall be made by drawing a line through the original entry (but not so as to render it illegible) and writing the new entry above it. (b) Every correction or rectification made under sub-rule (1) shall be initialed and dated by the Registrar if the error or omission is discovered by him and by both the Registrar and the checking officer if the error or omission is discovered by the Checking Officer. (c) Corrections ordered by a Magistrate under sub-rule (2) shall be initialed and dated by both the Registrar and the Checking Officer. (d) If any correction or rectification made under this rule relates to the registers maintained for subjects of all nationalities other than Indian, an errata slip to Form C or D, as the case may be, shall be filled in by the Registrar and forwarded to the Registrar-General of Births and Deaths.]

13A. [[Inserted by G.O. Ms. No. 1180, Health, dated the 31st March 1953.]

(1) Where any case of omission to register a birth or death is discovered by, or brought to the notice of, the Registrar or the Health Officer or any other officer authorised by the Health Officer, he shall, after ascertaining on such enquiry as he may deem fit, the date and other particulars relating to the birth or death, as the case may be register the same or cause the same to be registered : Provided that no registration shall be made under this sub-rule after the expiry of one year from the birth or death. (2) A birth or death not registered within one year after its occurrence shall be registered only under the orders of a Magistrate (not below the rank of a Magistrate of the First Class): Provided that no order under this sub-rule shall be made unless the Magistrate is satisfied on obtaining a report from the Commissioner or after making such enquiry as he may consider necessary that the birth or death took place on the date alleged and that it has not been registered. (3) Every entry made in the register under this rule shall be initialled and dated by both the Health Officer or the Officer authorised by the Health Officer and the Registrar.]

14.

Whoever commits a breach of rules 2, 3, 4, 5 (a), 6, 7, 8, 9, 10 (a) or 11 shall be punishable with fine which may extend to [Rs. 100] [Substituted for Rs. 50 by G.O. Ms. No. 1180, Health, dated the

31st March 1953.].