

Haryana Registration of Births and Deaths Rules, 2002

HARYANA

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Rule

HARYANA-REGISTRATION-OF-BIRTHS-AND-DEATHS-RULES-2002 of 2002

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Haryana Registration of Births and Deaths Rules, 2002Published vide Haryana Government Health Department Notification No. S.O.87/C.A.18/1969/Section 30/2002., dated 11th October, 2002No. S.O.87/C.A.18/1969/Section 30/2002. - In exercise of the powers conferred by section 30 of the Registration of Births and Deaths Act, 1969 (18 of 1969) and all other powers enabling him in this behalf the Governor of Haryana with the approval of the Central Government, hereby makes the following rules, namely :-

1. Short title.

(1)These rules may be called the Haryana Registration of Births and Deaths Rules, 2002.(2)They shall come into force with immediate effect.

2. Definitions.

- In these rules, unless the context otherwise requires,(a)"Act" means the Registration of Births and Deaths Act, 1969;(b)"Form" means a Form appended to these rules; and(c)"Section" means a Section of the Act.

3. Period of gestation [Section 2(1)(g)].

- The period of gestation for the purpose of clause (g) of sub-section (1) of section 2 shall be twenty-eight weeks.

4. Submission of report. [Section 4(4)].

- The report under sub-section (4) of section 4 shall be prepared in the format appended to these rules and shall be submitted along with the statistical report referred to in sub-section (2) of the section 19, to the State Government by the Chief Registrar for every year by the 31st July of the year following the year to which the report relates.

5. Form etc. for giving information of births and deaths. [Sections 8 and 9].

(1)The information required to be given to the Registrar under section 8 or section 9, as the case may be, shall be in Form Nos. 1, 2 and 3 for the registration of a birth, death and still birth respectively, hereinafter to be collectively called the reporting forms. Information if given orally, shall be entered by the Registrar in the appropriate reporting forms and the signature/thumb impression of the information obtained.(2)Part-I of the reporting forms containing legal information shall be called the "Legal Part" and Part-II containing statistical information shall be called the "Statistical Part"(3)The information referred to sub-rule (1) shall be given within twenty-one days from the date of birth, death and still birth :Provided 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 under this Act and no person shall as father of such child, be required to give information under this Act, concerning the birth of such child, unless at the joint request of the 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.(4)The village chowkidar in the rural division of the State of Haryana cause to be given information within their respective jurisdiction (revenue village) regarding births and deaths in a house referred to in clause (a) of sub-section (1) of section 8 of the said Act.(5)The Multipurpose Health Workers (male and female) of the Health Department and Anganwadi workers of the Social Welfare Department in the rural division of the State of Haryana cause to be given information within their respective jurisdiction regarding births and still births in a house referred to in clause (a) of sub-section (1) of section 8 of the said Act.

6. Birth or Death in a vehicle. [Section 8(1)].

(1)in respect of a birth or death in a moving vehicle, the person incharge of the vehicle shall give or cause to be given the information under sub-section (1) of section 8 at the first place of halt.Explanation - For the purpose of this rule, the term "vehicle" means conveyance of any kind used on land, air or water and includes an aircraft, a bus, a boat, a ship, a railway carriage, a motor car, a motor cycle, a cart, tonga and a rickshaw.(2)In the case of deaths (not falling under clauses (a) to (e) of sub- section (1) of section 8 in which an inquest is held, the officer who conducts the inquest shall give or cause to be given the information under sub-section (1) of section 8.

7. Form of certificate. [Section 10(3)].

- The certificate as to the cause of death required under sub-section (3) of section 10 shall be issued in Form No. 4 or Form No. 4A and the Registrar shall, after making necessary entries in the register

or deaths, forward all such certificates to the Chief Registrar through the District Registrar by the 10th of the month immediately following the month to which the certificates relate.

8. Extracts of registration entries to be given under. [Section (12)].

(1)The extracts of particulars from the register relating to births or deaths to be given to an informant under section 12, shall be in Form No. 5 or Form No. 6, as the case may be.(2)In the case of domiciliary events of births and deaths referred to in clause (a) of sub-section (1) of section 8 which are reported direct to the Registrar of Births and Deaths, the head of the house or household, as the case may be, or, in his absence, the nearest relative of the head present in the house may collect the extracts of birth or death from the Registrar within thirty days of its reporting.(3)In the case of domiciliary events of births and deaths referred to in clause (a) of sub-section (1) of section 8 which are reported by person specified by the State Government under sub-section (2) of the said section, the person so specified shall transmit the extracts received from the Registrar of Births and Deaths to the concerned head of the house or household, as the case may be, or, in his absence, the nearest relative of the head present in the house within thirty days of its issue by the Registrar.(4)In the case of institutional events of births and deaths referred to in clauses (b) to (e) of sub-section (1) of section 8, the nearest relative of the new born or deceased may collect the extract from the officer or person in-charge of the Institution concerned within thirty days of the occurrence of the event of the birth or death.(5)If the extract of birth or death is not collected by the concerned person as referred to in sub-rules (2) to (4) within the period stipulated therein, the Registrar or the officer or person in-charge of the concerned institution as referred to sub-rule (4), shall transmit the same to the concerned family by post within fifteen days of the expiry of the aforesaid period.

9. Authority or delayed registration and fee payable therefor. [Section 13].

(1)Any birth or death of which information is given to the Registrar after the expiry of the period specified in rule 5, but within thirty days of its occurrence, shall be registered on payment of a late fee of rupees two.(2)Any birth or death of which 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 in this behalf and on payment of a late fee of rupees five and on production of an affidavit made before a First Class Magistrate, Notary Public or Oath Commissioner.(3)Any birth or death which has not been registered within one year of its occurrence, shall be registered only on an order of a Magistrate of the First Class and on payment of a late fee of rupees ten, and on production of an affidavit made before a First Class Magistrate, Notary Public or Oath Commissioner :Provided that for this purpose the application shall be made to the District Registrar through the Registrar of the area. The District Registrar shall forward the application unless it is rejected by him as being frivolous, to the Magistrate concerned for enquiry and order.

10. Period for the purpose of. [Section 14].

(1)Where the birth of any child had been registered without a name, the parent or guardian of such child shall, within 12 months from the date of registration of the birth of the child, give information regarding the name of the child to the Registrar either orally or in writing :Provided that if the

information is given after the aforesaid period of 12 months but within a period of 15 years, which shall be reckoned (i) in case where the registration had been made prior to the date of commencement of the Haryana Registration of Births and Deaths Rules, 1972, from such date; or (ii) in case where the registration is made after the date of commencement of the Haryana Registration of Births and Deaths Rules, 1972, from the date of such registration, subject to the provision of sub-section (4) of section 23, the Registrar shall - (a) if the register is in his possession forthwith enter the name in the relevant column of the birth register on payment of late fee of rupees five; (b) if the register is not in his possession and if the information is given orally, make a report giving necessary particulars, and, if the information is given in writing, forward the same to the District Registrar for making the necessary entry on payment of a late fee of rupees five. (2) The parent or the guardian, as the case may be, shall also present to the Registrar the copy of the extract given to him under section 12 or a certified extract issued to him under section 17 and on such presentation the Registrar shall make the necessary endorsement relating to the name of the child or take action as laid down in sub-clause (b) of clause (II) of the proviso to sub-rule (1)

11. Correction or cancellation of entry in the register of births and deaths. [Section 15].

(1) If it is reported to the Registrar that a clerical or formal error has been made in the register or if such error is otherwise noticed by him and if the register is in his possession, the Registrar shall enquire into the matter and if he is satisfied that any such error has been made, he shall correct the error (by correcting or cancelling the entry) as provided in section 15 and shall send an extract of the entry showing the error and how it has been corrected to the State Government or the District Registrar. (2) In the case referred to in sub-rule (1) if the register is not in his possession, the Registrar shall make a report to the District Registrar and call for the relevant register and after enquiring into the matter, if he is satisfied that any such error has been made, make the necessary correction. (3) Any such correction as mentioned in sub-rule (2) shall be countersigned by the District Registrar when the register is received from the Registrar. (4) If any person asserts that any entry in the register of births and deaths is erroneous in substance, the Registrar may correct the entry in the manner prescribed under section 15 upon production by that person a declaration setting forth the nature of the error and true facts of the case made by him and supported by two creditable persons having knowledge of the facts of the case. (5) Notwithstanding anything contained in sub-rule (1) and sub-rule (4) the Registrar shall make report to any correction of the kind referred to therein giving necessary details to the Chief Registrar through the District Registrar. (6) If it is proved to the satisfaction of the Registrar that any entry in the register of births and deaths has been fraudulently or improperly made, he shall make a report giving necessary details to the officer authorised by the Chief Registrar by general or special order in this behalf under section 25 and on hearing from him take necessary action in the matter. (7) In every case in which any entry is corrected or cancelled under this rule, intimation thereof should be sent to the permanent address of the person who has given information under section 8 or section 9.

12. Form of register. [Section 16].

- The legal information contained in Part-I of Form Nos. 1, 2 and 3 shall constitute the birth register, death register and still birth register in Form Nos. 7, 8 and 9 respectively.

13. Fees and postal charges payable. [Section 17].

(1)The fees payable for a search to be made, an extract or a non-availability certificate to be issued under section 17, shall be as follows :-

	Rs.
(a) search for a single entry in the first year for which the search is made	2
(b) for every additional year for which the search is continued	2
(c) for granting extract relating to each birth or death	10
(d) for granting non-availability certificate of birth or death	10

Provided that in case of urgent requirement an additional fee of Rs. 5 shall be paid as an urgent fee for each application for the grant of an extract :Provided further that no fees shall be charged for the supply of copies of extract to the (i) State Government; and (ii) The District Soldiers, Sailors and Airmen's Board required in connection with the claims for pension on behalf of the deceased personnel of the armed forces of the Union of India. (2) Any such extract in regard to a birth or death shall be issued by the Registrar or the officer authorised by the State Government in this behalf in Form No. 5 or in Form No. 6, as the case may be, and shall be certified in the manner provided for in section 76 of the Indian Evidence Act, 1872 (1 of 1872). (3) If any particular event of birth or death is not found registered, the Registrar shall issue a non-availability certificate in Form No. 10. (4) Any such extracts or non-availability certificate may be furnished to the person asking for it or sent to him by post on payment of the postal charges therefor.

14. Interval and forms of periodical returns. [Section 19(1)].

(1) Every Registrar shall after completing the process of registration send all the Statistical Parts of the reporting forms relating to each month alongwith a Summary Monthly Report in Form No. 11 for births, Form No. 12 for deaths and Form No. 13 for still births to the District Registrar or the officer specified by him on or before the 5th of the following month. (2) The District Registrar shall forward all such statistical parts of the reporting forms received by him to the Chief Registrar not later than 10th of the month.

15. Statistical report under Section 19(2).

- The statistical report under sub-section (2) of section 19 shall contain the tables in formats A-I, A-II, B-1 to B-23, D-1 to D-21, S-1 to S-7 appended to these rules and shall be compiled for each year before the 31st July of the year immediately following and shall be published as soon as may be thereafter but in any case not later than five months from that date.

16. Conditions for compounding of offences. [Section 24].

(1) Any offence punishable under section 23 may, either before or after the institution of criminal proceedings under this Act, be compounded by an officer authorised by the Chief Registrar by a general or special order in this behalf, if the officer so authorised is satisfied that the offence was committed through inadvertence or oversight or for the first time. (2) Any such offence may be compounded on payment of such sum, not exceeding fifty rupees for offences under sub-sections (1), (2) and (3) and ten rupees for offences under sub-section (4) of section 23 as the said officer may think fit.

17. Register and other records. [Section 30(2)(k)].

(1) The Registrar shall maintain search document for her births and deaths registers in Form Nos. 14 and 15 respectively. The Registrar shall copy out the particulars from legal information contained in Part-I in the search document. These documents will help the Registrar in searching the events. The extract under the Registration of Birth & Death Act, 1969 shall be issued from the relevant register only. (2) The birth register, death register and still birth register shall be records of permanent importance and shall not be destroyed. (3) The court orders and orders of the specified authorities granting permission for delayed registration received under section 13 by the Registrar, shall form an integral part of the birth register, death register, still birth register and shall not be destroyed. (4) The certificate as to the cause of death furnished under sub-section (3) of section 10 shall be retained for the period of at least 5 years by the Chief Registrar or the officer specified by him in this behalf. (5) Every birth register, death register and still birth register shall be retained by the Registrar in his office for a period of twelve months after the end of the calendar year to which it relates and such register shall thereafter be transferred for custody to the District Registrar.

18.

(1) All fees payable under the Act, may be paid in cash or by money order or be deposited in the treasury under the head "0210" - Medical and Public Health-800-Other Receipts-other items for issuing Birth and Death certificates.

19. Repeal and savings.

- The Haryana Registration of Births and Deaths Rules, 1972, are hereby repealed : Provided that any order made or action taken under the Rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these Rules. [Forms not Printed - Editor]