

PUBLIC HEALTH DEPARTMENT,  
Mantralaya, Mumbai, 400 032, Dated : 20th April, 2000.  
NOTIFICATION

REGISTRATION OF BIRTHS AND DEATHS ACT, 1969.

No.BDR 1099/896/C.R.173/F.W.3-In exercise of the powers conferred by section 30 of the Registration of Births and Deaths Act, 1969, (18 of 1969), and in supersession of the Maharashtra Registration of Births and Deaths Rules, 1976 the Government of Maharashtra with the approval of the Central Government, hereby makes the following rules, namely :-

1. Short title and extent.-

- (1) These rules may be called the Maharashtra Registration of Births and Deaths Rules, 2000.
- (2) These rules shall extend to the whole of the State of Maharashtra ..
- (3) They shall come into force with effect from 1/5/2000 by a notification in the Official Gazette.
- (4) These rules will replace the Maharashtra Registration of Births and Deaths Rules, 1976 and all its subsequent amendments notified from time to time.

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 under 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 under 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 section 19, to the State Government by the Chief Registrar every year by the 31st July of the year following the year to which the report relates.

5. Forms, etc. for giving information of births and deaths under section 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 live birth, death and still birth respectively, (hereinafter to be collectively called the reporting

6. Birth or Death in a vehicle.-

(1) In respect of a birth or death in a moving vehicle, the person in-charge 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 a conveyance of any kind used on land, air or water and includes an aircraft, a boat, a ship, a railway carriage, a motor-car, a motor-cycle, a cart, a 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 under 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 4A, as the case may be and the Registrar shall, after making necessary entries in the register of births and deaths, forward all such certificates to the Deputy Chief Registrar of Births and Deaths, Maharashtra State, Pune, 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 directly 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 persons specified by the State Government under sub-section (2) of the said section 8, 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, to 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 or 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 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

(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 Block Development Officer for rural area, and Executive Health Officer/ Health Officer/ Chief Officer/ Executive Officer for concerned urban area and on payment of a late fee of rupees five.

(3) Any birth or death which has not been registered within one year of its occurrence, shall be registered only on an order of Executive Magistrate of respective area, and on payment of a late fee of rupees ten.

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 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 has been made prior to the date of commencement of the Maharashtra Registration of Births and Deaths Rule, 1976 (Amendment 1985) from such date, or

II. in case where the registration is made after the date of commencement of the Maharashtra Registration of Births and Deaths Rules, (Amendment 1985) from the date of such registration, subject to the provisions of sub-section (4) of section 23, and the Registrar shall,-

(a) If the register is in his possession, forthwith enter the name in the relevant column of the concerned Form in the birth register on payment of a late fee of rupees five; and

(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 Block Development Officer for rural area, and Executive Health Officer/ Health Officer/ Chief Officer/ Executive Officer the State Government in this behalf 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

(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 canceling the entry) as provided in section 15 and shall send an extract of the entry showing the error and how it has been corrected will be communicated to the Deputy Chief Registrar of Births and Deaths, Maharashtra State, Pune.

(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 Block Development Officer for rural area, Executive Health Officer/ Health Officer/ Chief Officer/ Executive Officer for concerned urban area, 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 Block Development Officer for rural area, 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 of a declaration setting forth the nature of the error and true facts of the case made by two credible 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 of any correction of the kind referred to therein giving necessary details to the Deputy Chief Registrar of Births and Deaths, Maharashtra State, Pune.

(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 Block Development Officer for rural area, 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 an entry is corrected or cancelled under this rule, an intimation thereof shall be sent to the permanent address of the person who has given information under section 8 or section 9.

## 12. Form of register under Section 16.-

The legal part of the Forms No. 1, 2 and 3 shall constitute the birth register, death register and still birth register (Form Nos. 7, 8 and 9) respectively.

## 13. Fees and postal charges payable under section 17.-

(1) The fees payable for a search to be made, or 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	2.00

(2) Any such extract in regard to a birth or death shall be issued by the Registrar or Block Development Officer for rural area, and Executive Health Officer/ Health Officer/ Chief Officer/ Executive Officer for urban area 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 in the register or the register is not available, the Registrar shall issue a non-availability certificate in Form No. 10 (a) or 10 (b), as case may be.

(4) Any such extract 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 under section 19 (1).-

(1) Every Registrar (For urban area Executive Health Officer/Health Officer/chief Officer/ Executive officer and for rural area Gram Sevak) shall, after completing the process of registration, send all the Statistical Parts of the reporting forms relating to each month along with a Summary Monthly Report in Form No.11 for births, Forms No.12 for deaths and Form No.13 for still births to the Deputy Chief Registrar of Births & Deaths, Pune in case of urban area and to the Block Development officer in case of rural area on or before the 5th of the following month.

(2) The officer so specified (Block Development Officer for rural area) shall forward all such statistical parts of the reporting forms received by him to the Deputy Chief Registrar of Births and Deaths, Maharashtra State, Pune not later than the 10th of that month.

15. Statistical report under section 19 (2). -

The Statistical Report under sub-section (2) of section 19 shall contain the tables in the prescribed formats 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 offences under section 23.-

(1) Any offence punishable under section 23 may either before or after the institution of criminal proceedings under this Act, be compounded by Block Development Officer for rural area, and Executive Health Officer/ Health Officer/ Chief Officer/ Executive Officer for concerned urban area by the Chief Registrar by a general or special order in this behalf, if the officer so 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 rupees fifty for offences under sub-sections (1), (2) and (3) and rupees ten for offences

(2) 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 and still birth register and shall not be destroyed.

(3) The certificate as to the cause of death furnished under sub-section (3) of the section 10 shall be retained for a period of at least 5 years by the Deputy Chief Registrar of Births and Deaths, Maharashtra State, Pune.

(4) Every birth register, shall be retained by the Registrar in the rural areas in his office for a period of six years and every death and still birth register for one year after the end of the calendar year to which it relates and such registers and forms shall thereafter be transferred for safe custody to Block Development Officer for rural area. In urban area the respective Registrar shall keep birth, death and still birth register in safe custody at their own level.

#### 18. Mode of Payment.-

All fees payable under the Act should be paid in cash or by money order or postal order.

By order and in the name of the Governor of Maharashtra,

[ SEEMA DHAMDHERE ]

Deputy Secretary to Government

#### REGISTRATION HIERARCHY

In exercise of the powers conferred by sub-sections (i) and (ii) of section 4, sub-section (i) and (ii) of section 6 and sub-section (i) of section 7 of the Registration of Births and Deaths Act, 1969. (18 of 1969) and of all other powers enabling it in that behalf; the Government of Maharashtra has appointed the officers specified in columns

1. The Director of Health Services, Maharashtra State. Chief Registrar of Births and Deaths Whole of the State of Maharashtra
2. The Deputy Director of Health Services (State Bureau of Health Intelligence and Vital Statistics) Maharashtra State. Deputy Chief Registrar of Births and Deaths Whole of the State of Maharashtra.
3. The District Health Officers of all Zilla Parishads District Registrar of Births and Deaths Concerned Revenue District.
4. The Dy. Chief Executive Officer (Panchayat) of Zilla Parishads Additional District Registrar of Births and Deaths Concerned Revenue District.
5. The Block Development Officer Additional District Registrar of Births and Deaths Concerned Revenue Block.
6. The Executive Health Officer/Health Officer/ Chief Officer. Registrar of Births and Deaths Concerned Municipal Corporation/Council Area.
7. The Cantonment, Executive Officer. Registrar of Births and Deaths Area of the Cantonment Board.
8. The Gram Sevak or if there is no Gram Sevak, Assistant Gram Sevak. Registrar of Births and Deaths Area of the concerned Village Panchayat.
9. The Administrator of the specified area. Registrar of Births and Deaths Concerned specified area.