

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

VITAL STATISTICS – REVAMPED SYSTEM OF REGISTRATION OF BIRTHS AND DEATHS – THE ANDHRA PRADESH REGISTRATION OF BIRTHS AND DEATHS RULES, 1999 – TO BE IMPLEMENTED FROM 1-1-2000.

[G.O.M.S No. 655, Health, Medical & Family Welfare (N.1) Department, dated 29th December, 1999.]

In exercise of the powers conferred by Section 30 of the Registration of Births and Deaths Act 1969 (No. 18 of 1969) the Governor of Andhra Pradesh with the approval of the Central Government hereby, makes the following Rules namely:

ANDHRA PRADESH REGISTRATION OF BIRTHS AND DEATHS RULES, 1999

1. **Short title:-** (1) These rules may be called Andhra Pradesh Registration of Births and Deaths rules 1999.

(2) They shall come in to force with effect from 01.01.2000 through notification in the A.P., Gazette.

(3) These rules will replace the A.P Registration of Births and Deaths Rules 1977 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 :-** The period of gestation for the purpose of clause (g) of sub-section (1) of section 2 shall be twenty – eight weeks.

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4. (a) **Submission of report under section 4(4) :-** The report under sub-section (4) of section 4 shall be prepared in the prescribed 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 for every year by the 31st July of the year following the year to which the report relates.

(B) Registrars office arrangements during his absence:-

- (1) The office of the Registrar may be in his place of residence or business or such other place as may be designated by him.

- (2) If, for any reason, the Registrar is absent during the hours referred to in sub-section (4) of section 7, he shall authorize another person to receive information in Form 1, Form 2, and Form 3.
- (3) In case the Sub-Registrar in a Municipality or Municipal Corporation of Cantonment or Industrial Project Area is unable to attend to his duties for more than 2 days on account of illness or other urgent causes he shall report the fact to the Registrar who shall at once make temporary arrangements for the performance of the duties of the Sub-Registrar. Any person thus temporarily appointed shall have all powers and perform all the duties of Sub-Registrar appointed under section 7.
- (4) In case the Registrar in any other area is unable to attend to his duties for more than two days on account of illness or other urgent cause, he shall report the fact to the nearest MRO in case of the VAO and to DPR in case of Executive Officer of the panchayat and that officer shall at once make temporary arrangements for the performance of the duties of the Registrar. Any person thus temporarily appointed shall have all power and perform all the duties of the Registrar appointed under section 7.

5. Form, etc for giving information of births and deaths under section 8 & 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,& 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 informant obtained.
- (2) The part of the reporting forms containing legal information shall be called the "Legal Part" and the part containing statistical information shall be called the "Statistical Part"
- (3) The information referred to in sub-rule (1) shall be given within twenty one days from the date of birth, death and still birth in rural and urban areas.

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 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 4 A in respect of institutional, and non-Institutional deaths respectively and Registrar shall, after making necessary entries in the register of deaths forward all such certificates to the Chief Registrar of the officer specified by him in this behalf by the 10th of the month immediately following the month to which the certificate relate.

8. Extract 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 house hold as the case may be, or, in his absence, the nearest relative of the head present in the house may collect the extract 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, 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 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 in 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 or person in charge of the concerned institution as referred to in 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 for delayed registration and fee payable therefore under 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 (3), but within thirty days of its occurrence, shall be registered on payment of a late fee or rupee 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 officer prescribed in this behalf and on payment of a late fee of rupees five.

In rural areas the Mandal Revenue Officer, in other areas the concerned Registrar will permit Registration of births and deaths after 30 days and below one year.

- (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 (RDO & above rank) or a Presidency Magistrate and on payment of 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 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 register 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 registration of births and deaths (amendment) rules, 1984 from such date, or
- ii) In case where the registration is made after the date of commencement of the registration of births and deaths (amendment) rules 1984 from the date of such registration subject to the provision of sub-section (4) of section 23. The Registrar shall :
- iii) 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 late fee of rupees five.
- iv) if the register is not in his possession and if the information is given in orally. Make a report giving necessary particulars, and if the information is given in writing. Forward the same to the officer specified by the state government in this behalf for making the necessary entry on payment of a late fee of rupees five.
- v) 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 clause (b) of the proviso to sub-rule(1).

11. Correction or cancellation of entry in the register of births and deaths –

- (1) if it is reported to the register 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 satisfied that any such error ha 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 to the chief Registrar.

- (2) In the case referred to in sub rule (1) if the register is not in his possession, the Registrar in rural areas shall make a report to the M.R.O 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 and shall send an extract of the entry showing the error and how it has been corrected to the Chief Registrar through the concerned M.R.O.
- (1) Any such correction as mentioned in sub-rule (2) shall be countersigned by M.R.O in the rural areas when the register is received from the V.A.O and by the concerned Registrar in other areas.
- (2) 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 two credible persons having knowledge of the facts of the case.
- (3) 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 necessary details to the Chief Registrar.
- (4) 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 authorized 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.
- (5) In every case in which an 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 under section 16 :-

The Legal part of the Form 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) 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: Re.

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| (a) Search for a single entry in the first year
For which the search is made. | 2.00 |
| (b) For every additional year for which the search is continued | 2.00 |

(c) For granting extract relating to each births and death 5.00

(d) for granting non-availability certificate of births and death 2.00

(2) Any such extract in regard to a birth or death shall be issued by the M.R.O in case of villages where V.A.O is the birth and death Registrar and by the concerned Registrar in other areas in Form No. 5 or 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 births 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 therefore.

(5) the fees payable for the purpose shall be credited as follows :-

(a) in a Municipality or Municipal Corporation or cantonment or Project Town Ship or Industrial Township.	To the Municipality or Municipal Corporation or Cantonment or Project Township or Industrial Township funds respectively.
(b) In a Gram Panchayat Constituted under the A.P. gram panchayat act, 1964 where the Executive Authority gives and certifies extract under section 17 of the act.	To the Gram Panchayat Funds.
(c) In other areas.	To state Govt., Funds (ie) to the head of Account "065-other administrative Services –C.other services – M.H.55 – Other receipt S.H (02) Registrar General of Births, Deaths and Marriages.

(6) All fees payable under the act may be paid in cash, or by money order or postal order.

13. Interval and forms of periodical returns under section 19 (1)

(1) Every Registrar shall after completing the process of registration, send all the statistical parts of the reporting form relating to each month along with a summary monthly report in Form No. 11 for births, Form No. 12 for deaths and From No. 13 for still births to the Chief Registrar or the Officer specified by him on or before the 5th of the following month.

(2) The Officer so specified shall forward all such statistical parts of the reporting forms received by him to the Chief Register not later than the 10th of the month.

15. Statistical Report under Section 19(2) -----

The Statistical report under sub-section (2) of section 19 shall contain the tabled 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 ---

(1) Any offence punishable under section 23 may, either or after the institution of criminal proceedings under this Act, be compounded by an officer authorized by the Chief Register by a general or special order in this behalf, if then officer authorized 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-section (1), (2), (3) and rupees ten for offences under sub-section (4) of section 23 as the said officer may think fit.

17. Registrar and other records under section 30 (2) (k)-

(1) The birth register, death register and still birth register shall be permanent records and shall not be destroyed.

(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 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 Chief Registrar or the officer specified by him in this behalf.

(4) Every birth register, death register and still birth register shall be retained by the Registrar in his office for a period of twelve month after the end of the calendar year to which it relates and such register shall thereafter be transferred for safe custody to the officer specified below.

Local Area	Designation of officers responsible for safe custody of all birth and death register and relevant documents.
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a. Any Municipality/ Municipal Corporation/
Constonment/ Industrial project township/Panchayat.

The Concerned Registrar of
births and Deaths

b. Any other area

The M.R.O. having jurisdiction
over the area.

(In case of all birth and death register already transferred to Registration Department in Andhra area the concerned sub registrar of Assurance will continue to be officer responsible for the safe custody of such old Registers)

18. Inspection of registers and other records under section 18 :-

The inspecting officers shall use Form No. 14 for inspection of registration centers.

FORMAT OF THE REPORT ON THE WORKING OF THE ACT
(SEE RULE)

1. Brief description of the State, its boundaries and revenue districts.
2. Changes in Administrative Areas
3. Explanation about the Difference in Areas.
4. Changes in Registration Area – Extension.
5. Administration set up of the registration machinery at various levels.
6. General response of the public towards this Act.
7. Notification of births and deaths.
8. Progress in the medical certification of cause of death.
9. Maintenance of Records.
10. Search of births and deaths register for issue of certificates.
11. Delayed registrations.
12. Prosecutions and compounding of offences.
13. Difficulties encountered in implementation of the Act,
 - i) Administrative.
 - ii) Others.
14. Orders and instructions issued under the Act,
15. General remarks

