



सं./No. 1/7/2011 - VS (CRS)

भारत सरकार

GOVERNMENT OF INDIA

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

भारत के महारजिस्ट्रार का कार्यालय

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OFFICE OF THE REGISTRAR GENERAL, INDIA

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Dated: 21-12-2012

C I R C U L A R

Sub: Penalties under Section 23 of the Registration of Births and Deaths (RBD) Act 1969.

You are aware that procedure of imposing Penalties on Institutions, Registrar / Sub-Registrars, Medical practitioners and on the individuals are prescribed under Section 23(1) to 23(5) of the Registration of Births and Deaths Act, 1969. The provision of Section 23 is reproduced below: -

Section 23 — (1) any person who—

- (a) fails without reasonable cause to give any information which it is his duty to give under any of the provisions of sections 8 and 9; or
- (b) gives or causes to be given, for the purpose of being inserted in any register of births and deaths, any information which he knows or believes to be false regarding any of the particulars required to be known and registered; or
- (c) refuses to write his name, description and place of abode or to put his thumb mark in the register as required by section 11, shall be punishable with fine which may extend to fifty rupees.

(2) Any Registrar or Sub-Registrar who neglects or refuses, without reasonable cause, to register any birth or death occurring in his jurisdiction or to submit any returns as required by sub-section (1) of section 19 shall be punishable with fine which may extend to fifty rupees.

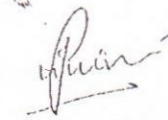
(3) Any medical practitioner who neglects or refuses to issue a certificate under sub-section (3) of section 10 and any person who neglects or refuses to deliver such certificate shall be punishable with fine which may extend to fifty rupees.

(4) Any person who, without reasonable cause, contravenes any provision of this Act for the contravention of which no penalty is provided for in this section shall be punishable with fine which may extend to ten rupees.

(5) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), an offence under this section shall be tried summarily by a Magistrate.

Although the above provisions exists in the Act but it has been observed that most of the States/UTs do not impose any penalties on defaulting Institutions, Medical Practitioners or any individuals. Even the Penalties are not imposed on any Registrar or sub Registrar who neglects or refuses to register the events occurring in her/his jurisdiction or delay or fail in submitting the monthly returns as required under Section 19(1) of the Act and corresponding rules 14 (1) & (2) framed thereunder. As per the Annual Reports submitted by the State Governments, the State of Rajasthan, Kerala, Punjab and Maharashtra are imposing such penalties effectively. The other states are not implementing the provision of this section and not imposed any penalties even on the defaulting Institutions.

In view of the above, you are requested to issue necessary directions to all District Authorities to take steps for effective implementation of the provision of Section 23 & 24 of the RBD Act and the corresponding rule 16 framed thereunder. It is also requested to lay emphasis on the details on imposing such penalties in the Annual Report on working of the RBD Act and to ensure the timely submission of reports by the Registrar. A copy of the direction issued in this regard to the concerned authorities may also be sent to this office.



(P. A. Mini)

Deputy Registrar General, (CRS)

To

All the Chief Registrar / Addl. / Deputy Chief Registrar of Births and Deaths