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NOTIFICATION

No.ESD(BD)29/87/20, the 12th July 1988. In exercise of the powers conferred by section 30 of the Registration of Births and Deaths Act, 1969 (18 of 1969), the Governor of Mizoram, with the approval of the Central Government hereby makes the following rules to amend the Mizoram Registration of Births and Deaths Rules, 1978, namely:—

1. (1) These rules may be called the Mizoram Registration of Births and Deaths (Amendment) Rules, 1988,
(2) These rules shall come into force on the date of their publication in the official Mizoram Gazette.
2. In the Mizoram Registration of Births and Deaths Rules, 1978 (hereinafter referred to as the principal rules), for rule 5, the following rule shall be substituted, namely:—

**“5. TIME AND FORM 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 as the case may be, section 9 shall, if given in writing, be in Form Nos. 2, 3 and 4 for the registration of a live birth, still birth and death respectively, and if given orally, mention the several particulars in the relevant Form.

(2) The information referred to in sub rule (1) shall be given within twenty days from the date of occurrence.”

3. For rule 7 of the principal rules, the following rule shall be substituted, namely:—

“7. TIME AND FORM FOR NOTIFYING INFORMATION UNDER SECTION 10 (1)

(1) Every person required to notify a live birth, still birth or death under section 10 shall give information thereof to the Registrar in Form Nos. 5, 6 or 7, as the case may be.

(2) On receipt of the information referred to in sub-rule (1) The Registrar shall verify the relevant register of births, still births or deaths to ascertain if the event has been registered or not. In case the particular event is not found registered, he shall immediately issue a notice in Form No. 21 to the head of the household or the officer in charge of the institution, as the case may be, under section 21 of the Registration of Births and Deaths Act, 1969, for taking necessary action in the matter.

(3) The information referred to in sub-rule (1) shall be given within twenty days from the date of occurrence.”

4. For rule 9 of the principal rules, the following rule shall be substituted, namely :—

“9. 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. 9 or Form No. 10, 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 persons specified by State Government under sub-section (2) of the said section, the person so specified shall transmit the extract 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 clause (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-rule (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."

5. For rule 11 of the principal rules, the following rule shall be substituted, namely :—

"11. 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 had been made prior to the date of commencement of the Registration of Births and Deaths (Amendment) Rules, 1988, 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, 1988 from the date of such registration, subject to the provisions of sub-section (4) of section 23, the registrar shall —

(a) If the register is in his possession, forthwith enter the name in the register on payment of a late fee of rupees two.

(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 officer specified by the State Government in this behalf for making the necessary entry on payment of late fee of rupees two.

(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 the child or take action as laid down in clause (b) of the proviso to sub-rule (1)."

6. For rules 14 and 15 of the principal rules, the following rules shall be substituted, namely :—

"14. FEES AND POSTAL CHARGES PAYABLE UNDER 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 :—

(a) search for a single entry in the first year for which the search is made Rs
1

(b) for every additional year for which the search is continued 1

- (c) for granting extract relating to each birth or death 1
- (d) for granting non-availability certificate of birth or death 1

(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. 9 or, as the case may be, in Form No.10 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 or the register of births and deaths of a particular year is lost or destroyed, the Registrar shall issue a non-availability certificate in Form No. 17 or Form No. 18 or Form No. 19 or Form No. 20, as the 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 therefore.

15. INTERVAL AND FORMS OF PERIODICAL RETURNS UNDER SECTION 19(1)

(1) Every Registrar, including the Registrar for a Municipality or Municipal Corporation or Cantonment or Industrial Township or Project Township with a population less than 30,000, shall send to the Chief Registrar or the Officer specified by him in this behalf, on or before the 5th of each month, a true copy of the entries in the register of births and deaths relating to the month immediately preceding.

(2) The Officer so specified shall forward all such copies of the entries in the register of births and deaths received by him to the Chief Registrar not later than the 10th of that month.

(3) The Registrar for a Municipality or Municipal Corporation or Cantonment or Industrial Township or Project Township with a population 30,000 or more shall send to the Chief Registrar or the Officer specified by him in this behalf in Form No. 15, a monthly return of births and deaths by the end of the month following the month to which the information relates."

7. For rule 18 of the principal rules, the following rule shall be substituted, namely :—

"18. REGISTERS AND OTHER RECORDS UNDER SECTION 30(2) (-)

(1) The register of births and deaths shall be a record of permanent importance and shall not be destroyed.

(2) All information received in Form Nos. 2, 3 and 4 by the Registrar under section 8 and 9 and the court orders and orders of the specified authorities granting permission for delayed registration received under section 13 by the Registrar, shall form and integral part of the register of births and deaths and shall not be destroyed;

Provided that in a case where the information so received has been entered in the said register by the Registrar and such entry is signed or marked by thumb impression by the informant in such register, the documents relating to the information so received shall be preserved for a minimum period of 5 years.

(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) All information received in Form Nos. 5, 6 and 7 under sub-section (1) of section 10 shall be retained by the Registrar for a period of twelve months.

(5) Every register of births and deaths and the forms relating to the entries therein 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 registers and forms shall thereafter be transferred for safe custody to such Officer as may be specified by the State Government in their behalf."

8. After Form 16 of the principal rules, the following forms shall be added, namely :—

FORM NO. 17

(See Rule 14)

GOVERNMENT OF
DEPARTMENT OF

Non-availability Certificate

issued under section 17 of
the Registration of Births
& Deaths Act, 1969.

This is to certify that a search has been made on the request of Sh./Smt/
Kum. son/wife/daughter of
for the birth/death certificate of
son/wife/daughter of in the registration records
relating to of
of (Local area) (Tehsil)
of (District) of (State)
and found that the original register of births/deaths for the year
is not available.

Signature of the issuing authority.
SEAL :
DATE :

FORM NO. 18
(See Rule 14)

GOVERNMENT OF
DEPARTMENT OF
Non-availability Certificate —

issued under section 17 of
the Registration of Births
and Deaths Act, 1969.

This is to certify that a search has been made on the request of Sh./Smt./
Kum. son/wife/daughter of
in the registration records for the year(s) relating
to of
of (Local area) (Tehsil)
of (District) (State) and
found that the event relating to the births/deaths of
son/daughter/wife of was not registered.

Signature of the issuing authority
SEAL :
DATE :

FORM NO. 19
(See Rule 14)

GOVERNMENT OF
DEPARTMENT OF
Non availability Certificate —

issued under section 17 of
the Registration of Births
and Deaths Act, 1969.

This is to certify that a search has been made on the request of Sh/Smt/
Kum son/wife/daughter of
in the registration records relating to of
..... (Local area)
..... of of
(Tehsil) (District) (State)
and found that the register of births for the year is not available
However, the following information has been taken from the original records of
reporting forms, received and filed under the Registration of Births & Deaths Act,
1969 at the above mentioned place.

- (i) Name
- (ii) Father's Name
- (iii) Mother's Name
- (iv) Sex
- (v) Residential Address
- (vi) Date of Birth
- (vii) Place of Birth

Signature of the issuing authority
SEAL :
DATE :

FORM NO.20
(See Rule 14)

GOVERNMENT OF

DEPARTMENT OF

Non- availability Certificate — issued under section 17 of the Registration of Births and Deaths Act, 1969.

This is to certify that a search has been made on the request of Sh./Smt. Kum. son/wife/daughter of in the registration records relating to of (Local area) of (Tehsil) (District) of (State) and found that the register of deaths for the year is not available. However, the following information has been taken from the original record of reporting forms received and filed under the Registration of Births & Deaths Act, 1969 at the above mentionen placed.

- (i) Name
- (ii) Father's/Mother's/Husband's Name
- (iii) Sex
- (iv) Residential Address
- (v) Date of Death
- (vi) Place of Death

Signature of the issuing authority.

SEAL :

DATE :

FORM NO. 21
(See Rule 7)

NOTICE

(Under Section 11 of the Registration of Births and Deaths Act, 1969)

Registration Unit/Village/Town/Municipality/Cantonment Taluk/Tehsil/Block/Thana District

To

.....
.....
.....

Dear Sir/Madam,

The following birth/still birth/death event(s) has been reported to have ocured recently in your household.institution. It is your legal responsibility to get this event registered within prescribed period of days under rules.

As you have not registered the birth/death/still birth under reference, you are requested to contact the undersigned and get the event registered within days from the date of issue of this notice.

The Registration Centre is open on days between hours in summer and between hours in winter.

Birth/Still Birth

Deaths

- | | |
|--------------------------------------|-------------------------------------|
| 1. Name and local address of parents | 1. Name and address of deceased |
| 2. Place of Birth | 2. Place of death with full address |
| 3. Date of Birth | 3. Date of Death |

You may be aware that failure without any reasonable cause, to give the required information is an offence under Registration of Births and Deaths Act, 1969.

Yours faithfully,

Registrar of Birth & Death
Registration Centre

No.....

Date.....

By order of the Governor

P. Rohmingthanga,
Chief Secretary to the Government of Mizoram..