

Bill Summary

The Registration of Births and Deaths (Amendment) Bill, 2023

- The Registration of Births and Deaths (Amendment) Bill, 2023, was introduced in Lok Sabha on July 26, 2023. It amends the Registration of Births and Deaths Act, 1969. The Act provides for the regulation of registration of births and deaths.
- **Database of births and deaths:** The Act provides for the appointment of a Registrar-General, India who may issue general directions for registration of births and deaths. The Bill adds that the Registrar General will maintain a national database of registered births and deaths. Chief Registrars (appointed by states) and Registrars (appointed by states for each local area jurisdiction) will be obligated to share data of registered births and deaths to the national database. The Chief Registrar shall maintain a similar database at the state level. The Bill also renames the Registrar-General of India as Registrar General of India.
- **Aadhaar details of parents and informants required:** The Act requires certain persons to report births and deaths to the Registrar. For example, the medical officer in charge of a hospital where a baby is born must report the birth. The Bill adds that, in cases of births, the specified persons shall also provide the Aadhaar number of the parents and the informant, if available. This provision also applies to: (i) jailor in case of births in a jail, and (ii) manager of a hotel or lodge in case of births in such a place. Further, it expands the list of specified persons to include: (i) adoptive parents for non-institutional adoption, (ii) biological parent for births through surrogacy, and (iii) the parent in case of birth of a child to a single parent or unwed mother.
- **Connecting database:** The Bill states that the national database may be made available to other authorities preparing or maintaining other databases. Such databases include: (i) population register, (ii) electoral rolls, (iii) ration card, and (iv) any other national databases as notified. The use of the national database must be approved by the central government. Similarly, the state database may be made available to authorities dealing with other state databases, subject to state government's approval.
- **Use of birth certificate:** The Bill requires the use of birth and death certificates to prove the date and place of birth for persons born on or after this Bill comes into effect. The information will be used for purposes including: (i) admission to an educational institution, (ii) preparation of voter list, (iii) appointment to a government post, and (iv) any other purpose determined by the central government.
- **Electronic certificates:** The Act provides that any person may: (i) cause a search to be made by the Registrar for any entry in a register of births and deaths, and (ii) obtain an extract from the register related to any birth or death. This is subject to the rules made by the state government. The Bill amends this to provide for obtaining births and deaths certificates (electronically or otherwise) instead of extracts.
- **Mandatory death certificate:** The Act provides that state governments may require the Registrar to obtain a certificate regarding the cause of death from prescribed persons. The Bill amends this to provide that for deaths occurring in medical institutions, such institutions must provide a certificate regarding the cause of death to the Registrar. A copy of the certificate will be provided to the nearest relative. If the death occurs at any other place, the medical practitioner who attended to the person shall issue the certificate. The certificate will be issued to the specified persons who must provide this information to the Registrar.
- **Providing registration details:** Under the Act, after registering a birth or death, the Registrar must provide extracts of the prescribed information to the person who registered it, for free. The Bill amends this to provide that the Registrar must provide the certificate to such person within seven days.
- **Appeal process:** Any person aggrieved by any action or order of the Registrar or District Registrar may appeal to the District Registrar or Chief Registrar, respectively. Such an appeal must be made within 30 days from receipt of such action or order. The District Registrar or Chief Registrar must give their decision within 90 days from the date of appeal.

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