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E. & P. H. (1949) Department.

MS. SERIES.

G.O. NO.	2732. Edu.
Dated	29-8-49.

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 G.O.M.

[Despatch Abstract.]

Births, Deaths and Marriages
 Registration Act, 1886 and Indian
 Christian Marriage Act, 1872 —
 Indian States — lapse of
 paramountcy — papers recorded

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ltr 76	10556 E/10-4		27. 2/6/50				

From: Sri Divan Bahadur N. Krishnamurti,
Registrar-General of Births, Deaths & Marriages,
Madras.



The Secretary to the Government,
Education and Public Health Department,
Fort St. George.

No. C/152, dated 10-10-1947.

Sir,

Sub: Births, Deaths and Marriages Registration
Act, 1886 and Indian Christian Marriage
Act, 1872 - Indian States - Lapse of
paramountcy.

THE Registrar-General of Births, Deaths and
Marriages, Madras, was also the Registrar-General for the
Indian States of Hyderabad, Mysore and Travancore, and
the other Madras States, and he was also authorised to
proceed to those Indian States for examination of the
ecclesiastical returns of baptisms, marriages and burials
[G.O. No. 113, Law (Regn.) dated 13-7-27]. Paramountcy
having lapsed in the above Indian States on the 15th August
1947, and the States having since become independent, the
question arises as to what is the resultant legal position
of the Registrar-General with regard to the above States.

2. I may state that the different
functionaries in the above States viz. licensed ministers
and Marriage Registrars under the Indian Christian -
Marriage Act, 1872 and Registrars of Births and Deaths under
the Births, Deaths and Marriages Registration Act, 1886 -
appointed by the Resident and the Government of India
respectively, continue to send to the Registrar-General the
returns of births, deaths and marriages for record in his
office. But in the Hyderabad State where the only
Registrar of Births and Deaths under the Births, Deaths and
Marriages Registration Act, 1886 attached to the Hyderabad
Residency ceased to function on the lapse of paramountcy,
a request has been made to the Registrar-General by Rev.
Harold Bird, The Methodist Church, Medak, Nizams Dominions,
for providing alternative arrangements for the registra-
tion of births etc of European British subjects in the
Hyderabad State under the Births, Deaths and Marriages
Registration Act, 1886 which is administered by the Registrar
General.

3. There is also the question of
"Sacred Returns" of baptisms, marriages and burials of
Europeans and Anglo-Indians which were transmitted by the
Registrar-General every quarter to the India Office, London
in accordance with sec. 81 of the Indian Christian Marriage
Act, 1872 and under the instructions of the Government.
Requisitions were also received by the Registrar-General
from the India Office for furnishing certificates of birth
marriages and deaths from the Registrar-General's records
free of charge. Such requisitions are still being
received from the Commonwealth Relations Office, London.

4. As matters stand, the Registrar
General is not certain regarding his jurisdiction with
regard to the matters pointed out above. The points re-
quiring elucidation therefore are -

(1) Whether the Registrar-General
should continue to receive the returns of births, deaths
marriages from the licensed ministers, Marriage Regi-
strars and Registrars of Births and Deaths in the Indian States

appointed by the Resident or by the Government of India.

(2) Whether the Registrar-General may proceed to the Indian States referred to, as permitted in G.O.No.Mis.113, Law(Regn.)Department, dated 13-7-1927.

(3) Whether the "Sacred Returns" of Baptisms, Marriages and Burials/to the Commonwealth Relations Office, London, and certificates of births, deaths and marriages furnished free of charge on requisitions received from the Commonwealth Relations Office.

I request that the Government may pass necessary orders on the subject.

encl. nil.

msd.10.10.

M. S. S. S.
for Registrar-General of Births,
Deaths and Marriages.

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G.O. No. 113 Law (Regn) dt 13.7.27 required for the disposal of this case, has been called for from M. R. O. hence this may be over till 29.10.47

RC
21.10.47

Registration Department.

Sri Diwan Bahadur H. Krishnamurti,
Registrar-General of Births, Deaths and Marriages,
Madras.

The Secretary to Government,
Education and Public Health Department,
Fort St. George.

No.C/152, dated 7-11-1947.

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Sir,

Sub: Births, Deaths and Marriages Registration
Act, 1886 and Indian Christian Marriage Act, 1872 -
Indian States - lapse of Paramountcy.

blank Ref: My letter No.C.152, dated 10-10-47.

The Secretary of the European Association,
Madras, has sent me, with his letter No.850A/47, dated 29th
October 1947, a copy of the Travancore Government's Press
Note regarding the registration of births and deaths of
European British subjects in that state, and I enclose a copy
of the Note for the information of Government in continuation
of my letter cited above.

I have the honour to be, Sir,
Your most obedient servant,

Encl. nil.

msd.
10.11.

M. S. S. S.
for Registrar-General.

C O P Y.

Registration of Britons.

Travancore Government's advice.

A press note says that "the consular" function of registering, under the British Nationality and status of Aliens Act, the births and deaths of European British subjects residing in Travancore has hitherto been performed by the Resident for the Madras States, and will continue to be performed by the Residency until it is finally closed.

When the Resident is withdrawn the registers of births and deaths of European British subjects will be transferred to the United Kingdom High Commissioner in India, who will thereafter be the proper authority to perform the functions of registration.

In view of the legal importance of such consular registration in deciding questions of nationality, inheritance, legitimacy, and the like all European British subjects in Travancore are advised to ensure that steps are taken to register births and deaths in the office of the United Kingdom High Commissioner in India under the provisions of the British Nationality and Status of Aliens Act.

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Edu & P.H. (C2)

Letter no. 81563-2 C2. Edu., dt., 24-12-47.

To

The Secretary to the G.O.I.,
Ministry of Education

New Delhi. (With enclosure)

Sir,

Births, Deaths and Marriages Registration Act,
1886 and Indian Christian Marriage Act 1872 -
Registers in Indian States - Examination -

I am directed to forward copies of the letters
from the Registrar-G.O. of Births, Deaths and
Marriages, Madras, no. C 152 dated 10.10.47 and
no. C 152 dated 7.11.47 and to request that the points
raised in para 4 of the first letter may kindly be
clarified.

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[P.T.O.]

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Note: Pub (Poll) and Legal may see for remarks if any before issue.

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Public (Poll) A dep.

The letter from the Registrar-General of Births, Deaths & Marriages in the CP. & the draft letter to the G.O.S. which may be perused & the file passed on to Legal.

8/12/47

8/12/47

11/12/47

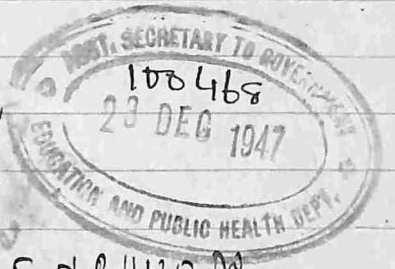
Legal Dept

This is a matter affecting Indian states & it is advisable to get the points clarified by a letter to the Govt of India. The draft letter to India is appended.

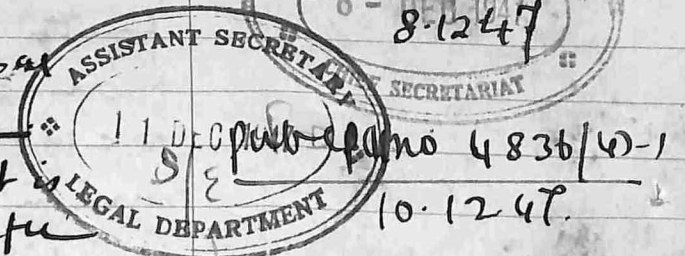
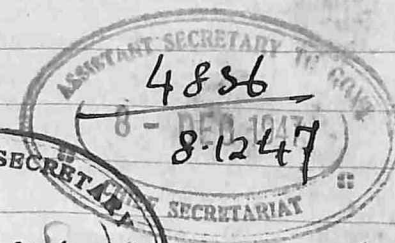
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E & PH

May issue to 3.12.47 S 6.12.47



E & PH UO M. 81563 C2/47 - 1 Edu. 6.12.47



13517 Legal no no 13517/47-7 22.12.47

(Received in 22.12.47)

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Pl wait till 16.2.48
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Letter/Ref. No. 81563/47-3C2 Edu., dt., 16.2.48.

To The Secretary to the Govt. of India, Ministry of Education, New Delhi.

Sir,
Births, Deaths and Marriages Registration Act, 1886 and Indian Christian Marriage Act 1872 - Registers in Indian States - Examination.

I am directed to invite reference to my letter Ref. No. 81563-2C2 Edu., dated, 24-12-47, on the subject mentioned above, and to ^{inform} ~~advise~~ when a reply in the matter may be expected.

7/2/48. 16.2.48

of. o. S.

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Edu & PH (C2)

Letter No. 81563 C2/47 - H Edu Dated 26.4.48
Ref To

The Secretary to the G.O.I.,
Ministry of Education
New Delhi

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1/4

Sir,

Births, Deaths and Marriages Registration
Act 1886 and Indian Christian Marriage Act 1872-
Registers in Indian States- Examination.

I am directed to invite your attention to
this Govt's letter / 24 / No. ~~81563 C2/47~~ - 81563 - 2 C2 Edu
dated 24.12.47 on the subject cited and to ~~ask~~ ^{ask}
when a reply in the matter may be expected.

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 3001300230033004300530063007300830093010301130123013301430153016301730183019302030213022302330243025302630273028302930303031303230333034303530363037303830393040304130423043304430453046304730483049305030513052305330543055305630573058305930603061306230633064306530663067306830693070307130723073307430753076307730783079308030813082308330843085308630873088308930903091309230933094309530963097309830993100
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 3201320232033204320532063207320832093210321132123213321432153216321732183219322032213222322332243225322632273228322932303231323232333234323532363237323832393240324132423243324432453246324732483249325032513252325332543255325632573258325932603261326232633264326532663267326832693270327132723273327432753276327732783279328032813282328332843285328632873288328932903291329232933294329532963297329832993300
 330133023303330433053306330733083309331033113312331333143315331633173318331933203321332233233324

14

Letter No. 81563-22 Edu of 24.12.47
 To
 The Secretary to the G.O.S.
 Ministry of Education
 New Delhi.

Re: Births, Deaths and Marriages Registration Act 1886 and Indian Christian Marriages Act 1872 Registers in Indian States - Examination

I am directed to write your attention to this Govt's letter No. 81563-22 Edu of 24.12.47 and the reminder thereon dated 16.2.48, 26.4.48 and 29.5.48 and to enquire when a reply in the matter may be expected.

Yours faithfully,
 J. N. S. 28.6.48

15

Edu of H (C2)

Letter No. 81563-22/47-6 Edu of 3.7.48
 To
 The Secretary to the G.O.S.
 Ministry of Education
 New Delhi.

DP
 24/5/48
 2/7

Sir,
 Births, Deaths and Marriages Registration Act 1886 and Indian Christian Marriages Act 1872 Registers in Indian States - Examination

I am directed to write your attention to this Govt's letter No. 81563-22 Edu of 24.12.47 and the reminder thereon dated 16.2.48, 26.4.48 and 29.5.48 and to enquire when a reply in the matter may be expected.

Re 28.6.48 J. N. S. 28.6.48
 3/2/48
 28/6/48
 Yours faithfully

79g, 11cy
 13g

16

Handwritten text in Devanagari script, likely a letter or official communication.

Handwritten notes in Devanagari script, possibly a signature or date.

17

E. H. H. (C₂)

10

Letter Ref. No. 81563/47-7C₂ Edu., d. 17-9-48.

To

The Secretary to the G.O.I.,
Ministry of Education,
New Delhi.

Sir,

Births, Deaths and Marriages
Registration and Indian Christian
Marriages Act 1872 — Registers in
Indian States — Examination.

I am directed to invite your
attention to this Govt. letter No.
81563-2C₂ Edu., dated, 24-12-47,
and to enquire when a reply in
the matter may be expected.

yours faithfully,

P. Y. D. 7.

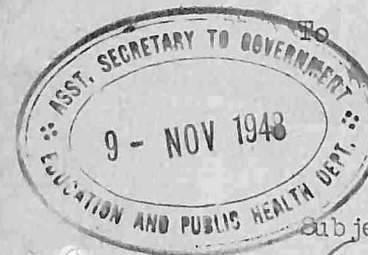
Jb
14/9Jb
13/9/48.Jb
16/9/48

No.D.4347-PH.II/48
Government of India,
Ministry of Health .

83092 New Delhi, the 5th November, 1948.

From

P. S. Doraswami, Esquire, B.A.,
Under Secretary to the Government of India,



To
The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George,
MADRAS.

Subject:- Births, Deaths and Marriages Registration and Indian
Christian Marriages Act, 1872 - Registers in Indian
States - Examination.

.....

Sir,

With reference to your letter No.81563/47-7 C2-
Education dated the 17th September, 1948, addressed to the
Ministry of Education, I am directed to request that a copy
of your letter, dated the 24th December, 1947 referred to
therein may be supplied to this Ministry to enable it to
take necessary action.

Yours faithfully,

P. S. Doraswami
UNDER SECRETARY.

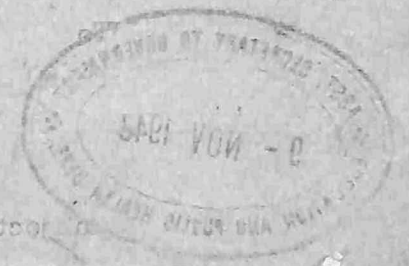
"SAJAN"

18
20

No. 81563 C₂/47-8
Ministry of Health
Government of India

18th November, 1948

The Secretary to the Government of India,
Ministry of Health,
New Delhi.



Copy

With reference to your letter No. D. 4347-PH. 11/48, dated 5-11-48, I am directed to enclose a copy of my letter No. 81563-2 C₂. Edu., dated 24-12-47, (with its

21

21

E.P.H.
C₂ 12

Letter No. 81563 C₂/47-8. Edu., d. 16-11-48.
Ref

17/11/48
17/11/48
17/11/48

Copy of P. 1-1 C. 7.

The Secretary to the Govt. of India,
Ministry of Health,
New Delhi. (with enclosure)

Sir,

Births, Deaths and Marriages
Registration and Indian Christian
Marriages Act 1872 - Registers in
Indian States - Examination.

P. 19 C. 7.

P. 7 C. 7.

Ministry With reference to
your letter No. D. 4347-PH. 11/48,
dated, 5-11-48, I am directed
to enclose a copy of my letter
No. 81563-2 C₂. Edu., dated, 24-12-47,
(with its

22

2

with its enclosures) addressed to
the Govt. of India in the Ministry
of Education.

⊗ copy of H.15
C.7.

yours faithfully,

11/11/48.

16/11/48

JS
15/11/48

28
26/12

MS
1/13

PP. 21-22 C.7.

Ibid

25

E. & P. H.

Letter / Ref. No. 81563/47-9C₂ Edu., dated, 26-2-48.

To
The Secy. to the Govt. of India,
Ministry of Health,
New Delhi.

Sir,

Births, Deaths and Marriages.
Registration and Indian Christian
Marriages Act 1872 — Registers in
Indian States — Examination.

I am directed to invite
a reference to ^{my} this ~~dept~~ letter
No. 81563C₂/47-8 Edu., dated, 16-11-48,
^{on the subject mentioned above,}
and to request when a reply to
my letter No. 81563-2C₂ Edu., dated,
24-12-47, mentioned therein,

may

GOVERNMENT OF INDIA.

Ministry of Health.

New Delhi, the 17th March, 1949.

From

P.S. Doraswami, Esquire, B.A.,
Under Secretary to the Government of India,

To

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George, Madras.Sub:- Births, Deaths and Marriages Registration and Indian
Christian Marriages Act, 1872-Registers in Indian
States - Examination.

Sir,

With reference to your letter No.81563 C2/47-8 Education, dated the 16th November, 1948, forwarding a copy of your letter No. 81563-2 C2 Education dated the 24th December, 1947, on the subject mentioned above, I am directed to say that replies to the three points raised by the Registrar-General of Births, Deaths and Marriages, Madras in his letter of the 10th October, 1947, are given below:-

- (1) The Ministry of States are in correspondence with the States concerned about the arrangements to be made for the registration of births, deaths and Marriages of British subjects resident in them. Pending a decision in the matter, the Registrar General should continue to receive such returns as are sent to him as heretofore.
- (2) Till the nature of the future arrangements is settled, the Registrar-General will not know what are the authorities with whom he will have to deal in the Indian States. It is therefore desirable that for the present he should not visit the States to inspect the registers.
- (3) Section 81 of the Indian Christian Marriage Act, 1872 has recently been adapted to provide that copies of selected certificates should be sent quarterly to the Central Government instead of to the Secretary of State.

Yours faithfully,

P. S. Doraswami
Under Secretary.

Gopal.

may be expected.

yours faithfully,

22/2/49.

24/2/49

JP
non

21918

22/3

64721564

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5/5

pp. 1-2 d. 7.

p. 3 d. 7.

27

E. J. P. H.

C₂

Memo. No. 81563/47-11 C₂. Edn. d., 5-5-47.

Births, Deaths and Marriages-
Registration Act, 1886 and Indian
Christian Marriage Act, 1872 —
Indian States — lapse of
paramountcy. ~~in~~

Ref: From the Registrar-General
of Births, ~~and~~ Deaths and
Marriages, No. C/152, d., 10-10-47.
and No. C/152, dated, 7-11-47.

With reference to the
letters ~~from the Regr. Genl. of~~
~~Births, Deaths and Marriages,~~
cited, ~~read~~

28

cited, ²

~~Read above~~ a copy of the letter from the Govt. of India, Ministry of Health, No. F. 2-3/48- P. 25 d. 7. PH. II, dated, 17-3-49, on the subject, is forwarded to the Regr. - Genl. of Births, Deaths and Marriages for guidance until further orders.

29/4/49

JD
25/4

4/5/49

104/8

Not
done

To
The Regr. - Genl.
of Births, Deaths and
Marriages, Madras.
(with copy of P. 25 d. 7)

E

2 of 4

From the S. G. & Regn. No C2
C/152 of 10-10-47 16
From the do. C/152 of 7-11-47
From the Gen. & India No
F-2-3-48 P. 11 of 17349

Births, Deaths & Marriages
& Registration Act, 1866 & Indian
Christian Marriage Act, 1872.
Indian Stats. Lapse of Para.
mouney.

The Regr. Genl. & Births
Deaths & Marriages, Madras has
raised certain points for elucidation
refer to on p. 1-2 of. The
Gen. & India that we address
on these points has replied to
these points on p. 254
The letter from the Gen. & India
may be communicated to the
Regr. Genl. for guidance until
further orders. There may be
a regard point (3).

J.D.
16/4/49

18/4/49

Home Dept.

H. W. O. No.
563/47-10 C2.
19-4-49



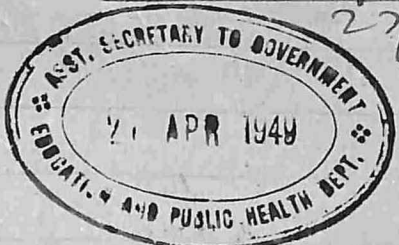
Please see the notes of the E. & P. H. Dy.
above. As regards point (3) on p. 254.
necessary corrections have already been
carried out in the Book kept in section.
E & P. H. propose to communicate a
copy of the Govt. of India's letter on p. 25
to the R. G. of B. D and M. May do

and returned to the E. & P. H. Dept.

25.4.49.
22.4.49

27/4
E.P.H.

Home no. 332132/US



E.P.H.
C₂

32042

27/4

A draft Memo. is submitted for approval.

29/4/49
27/5

27/5/49

5 16 4/5

Issued as Memo. No. 81563/47-11C₂. Edu., d., 5-5-49. PP. 27-28
C.7.

Order 2732. Edu., d., 29/4/49
NB

Births, Deaths and Marriages Registration Act, 1886 and Indian Christian Marriage Act, 1872 — Indian States — lapse of paramountcy —
Papers recorded.

(vide page 4 of G.O. Ms. No. 2733. Edu., dated, 29-5-49.)

17