

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 354

Dated 16th Feb. 1895.

INDEXED.

[Despatch Abstract.]

BIRTH AND DEATH REGISTERS

Communicating to the Honourable the Judges of the High Court Proceedings, Revenue Department, directing that the period of retention of rural -- should be ten years instead of five, and stating that the subject should be further considered in the Local and Municipal Department in view to the system of registration of vital statistics being improved in municipal towns.

BACK PAPERS.

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G.O. of {1895} Madras. REVENUE.

Order 16 Feb 1895 No 354
mis

Com. to the Honble the Judges
of the High Court and the Inspector General
of Registration 16/2

Issued

Recd. 13/2
Resd 14/2

Encl.

G.O., 28th January 1895, No. 45.

CHIEF SECRETARY
13 FEB 1895
JANUARY.
GOVERNMENT OF MADRAS

To
The Hon: the C. J. High Court
with C.L. 30/1/95
24 of Reg'n
Copied 18/2
MR 16/1/95

Birth and Death Registers.

Directing that the period of retention of rural
— should be ten years instead of five, and stating
that the subject should be further considered in
the Local and Municipal Department in view to
the system of registration of vital statistics being
improved in Municipal towns.

28TH JANUARY 1895, No. 45, REVENUE.

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

Read—again the following G.O., dated 17th November 1894, Mis. No. 4484, Revenue:—

Read—the following letter from H. W. FOSTER, Esq., Registrar of the High Court of Judicature, Appellate Side, Madras, to the Chief Secretary to Government, dated 30th October 1894, No. 3151:—

I am directed to forward herewith copy of a letter, No. 75, dated 4th September 1894, addressed to this Court by the District Judge of Kurnool, who suggests the advisability of directing the permanent retention of the village registers of births and deaths in modification of the present rule sanctioning their destruction after five years.

2. The High Court agrees with the District Judge that these registers are valuable records which should be preserved, and I am to commend the suggestion to the Government's consideration.

ENCLOSURE.

From W. M. THORBURN, Esq., District Judge, Kurnool, to the Registrar of the High Court of Judicature, Appellate Side, Madras, dated 4th September 1894, No. 75.

In a very large number of suits the date of a birth or death is a fact in issue. Often the decision depends entirely on proof, or want of proof, that a certain person died before or after a certain date or another person. Definite evidence is very rarely forthcoming and is still more rarely to be trusted. A public record of births and deaths would enable the Courts to settle such issues with ease and confidence. Such a record is maintained in each village (at least each Sirkar village), but is now destroyed in the Collector's office after five years. It is therefore practically *useless* for judicial purposes. I beg therefore that the High Court will move Government to direct the permanent retention of these records for the future.

No. 2144.

Transferred to the Revenue Department for disposal. It is understood that the records in question are destroyed under a Standing Order of the Board of Revenue (Appendix to No. 219).

(Signed) J. F. PRICE,
Chief Secretary.

5th November 1894.

Order—dated 17th November 1894, Mis. No. 4484, Revenue.
Referred to the Board of Revenue for remarks.
(True Extract.)

(Signed) E. GIBSON,
Secretary to Government.

To the Board of Revenue (Land Revenue).

READ—the following Proceedings of the Board of Revenue (Land Revenue), dated 17th December 1894, Mis. No. 6919:—

Read—G.O., dated 17th November 1894, Mis. No. 4484, Revenue.

Resolution—dated 17th December 1894, Mis. No. 6919.

The effect of the proposal made in the papers read above would be to burden record-rooms with a mass of birth and death registers, most of which would never be required. Requisitions from the Courts to produce the registers or certified extracts therefrom would entail on taluk officials the expenditure of much time which could ill be spared and an amount of trouble altogether incommensurate, in the Board's opinion with the value of the evidence when produced, since the percentage of entries verified by responsible officers is exceedingly small, and the fabrication of false entries would be a matter of but little difficulty. For the foregoing reasons, the Board considers the proposal futile and impracticable.

(True Copies and Extract.)

(Signed) L. M. WYNCH,
Secretary.

To the Secretary to Government, Revenue Department,
with two enclosures returned.

ORDER—dated 28th January 1895, No. 45, Revenue.

Miscellaneous.

Birth and death registers are not compiled in a very trustworthy manner by village officers, but there is no reason to suppose that their use in evidence would give rise to false entries or to falsification of entries already made. To retain them permanently would, however, give them an artificial value, and, having regard to the inefficiency of the agency compiling them, the Government is of opinion that the limit of retention should not exceed the period during which fairly sound independent testimony might ordinarily be expected to be available to parties against whom they may be produced in evidence. The period of retention in the case of these records will accordingly be fixed at ten years.

2. It is doubtless very desirable to improve the present system of registration, but the country is not yet sufficiently advanced for the maintenance in rural tracts of such a registry of births and deaths as is maintained in England. His Excellency the Governor in Council is, however, of opinion that something in this direction might be done in Municipal towns, and the subject will be considered further in the Local and Municipal Department.

(True Extract.)

L. M. Wynch
Secretary to Government.

To the Local and Municipal Department, with Hon'ble Members' notes, in original.
„ the Judicial Department
„ the Board of Revenue (Land Revenue).

Exd. A. Grubert.

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When signed _____

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READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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