

PRESS SERIES.

G.O., No. 213

Dated 19 April

[Despatch Abstract.]

Vital Statistics

Considering that section 13 (2) of the draft Bill for the registration of births and deaths in rural tracts makes sufficient provision for the registration of — within railway limits, and stating that enquires whether made in the Public Works Department whether the railway authorities have any objection to the Station-Masters being entrusted with the duty of reporting to village Munsiffs births and deaths occurring within the Station Limits until the Bill is passed into Law.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.
Cus 3616/1882/12757-5-8	19-6-98		

Revenue (1898) Department.

CURRENT No. 2239.

*Printed full
without*

From

The Government of India,
Home Dept.

Order Endorsement.

Referred to the
Board of Revenue for favour
of report.

No. 519

Dated 14th March 1898

Received 19th 80.

Registered 19th 80.

Enclosures 1

Spare copies. 7

SUBJECT.

Inquiring what arrange-
ments are in force in the Madras
Presidency for securing the
registration of vital statistics
within Railway limits outside
Municipal Towns.

To the Board of Revl Rev. Sitt.

29/3/98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Extract paragraph 6 of a letter from the Chief Commissioner, Central Provinces, No. 3377, dated the 1st May 1895.

6. I am to bring to the notice of the Government of India in this connection that a difficulty is found to exist in the registration of vital statistics within railway limits outside Municipal Towns. On the East Indian Railway, Station Masters are the reporting agency, but they report deaths only, not births. The other lines passing through the Central Provinces have no reporting agency. As arrangements in this matter cannot conveniently be made for a single Province, the Chief Commissioner thinks it better to draw the attention of the Government of India to the difficulty than to enter into communication himself with the Railway Administrations concerned.

P. M. 1898

10
CHIEF SECRETARY
19 MAR 1898
DEPARTMENT OF MANUFACTURES

No. 519

FROM

R. NATHAN, Esq.,

Under Secretary to the Government of India,

TO

The Chief Secy to the Govt. of Madras.

Home Department
Sanitary.

Calcutta, the 14th March 1898.

SIR,

I AM directed to forward an extract (paragraph 6) of a letter No. 3377, dated the 1st May 1895, from the Chief Commissioner, Central Provinces, on the subject of the registration of vital statistics within railway limits outside Municipal Towns.

I am to inquire what arrangements are in force in *the Madras Presidency* for securing the registration of these statistics. The Government of India will be also glad to know whether in *the opinion of the Governor in Council* the present arrangements are satisfactory, and if not what improvements it is desirable to make.

I have the honour to be,

SIR,

Your most obedient Servant,

R. Nathan

Under Secretary to the Government of India.

Letter from the G of I no. 519
14-3-98
(Cis. 2289 of 1898)

To Secretary

There is no legis-
lative enactment imposing
on any one the duty of
reporting births and deaths
within the limits of rail-
way stations, and a draft
Bill for the registration
of births and deaths in
rural tracts will shortly
be forwarded to the Govt.
of India. It is desirable,
however, to ascertain
whether any administra-
tive arrangements are
in force at present. Hence
the proposed reference to the
Board.

(Jb) K.R.
29-3-98.

As our Bill stands, a
railway station is a place
of "public resort" under sec 13
and I suppose the "person in
charge" is the station ma-

G.B. 213
19-4-98
Hodgkinson

and if this bill is passed into law there will be no difficulty.

Meantime perhaps the R^d Dept^y might issue direct instructions requiring station masters to report births or deaths occurring in a station to the Village Municipality of the village in which the station is situated.

The file may go to R^d Dept^y for their remarks.

S.H. 31/3/98
To D.O. Railway.

Enquiries will be made.

F.R.S.
4/4/98

To L. L. Rev. Dept.

J.R.
5/4/98

8 Hon. Secy.
S.H. 4/4/98

Letter from the Govt of India
Home Dep^y 14-3-20 No 519
(C No 2239)

G.O. No 2138 19th April 1898.

Section 13(2) of the draft Bill for the registration of births and deaths in rural tracts provides that "in the case of persons living in or dying in any dwelling house or other place of public resort, it shall be the duty of the owner, keeper or person in charge thereof to give the information required under sections 9 & 11 within the time and in the manner specified therein". A railway station being a place of "public resort" and the station master being in charge of it, the Bill makes sufficient provision for the registration of vital statistics within railway limits.

2. But until the Bill is passed into law, the duty of reporting births and deaths occurring ^{within the station limits} to the Village Municipality of the village in which the station is situated may be imposed on station masters by executive orders.

Government (1898) of Madras.
REVENUE.

Recd. }
Regd. } 1898. }
Enclosures
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G.O., No. 213, 19th April 1898.

APRIL.

Vital statistics.

Considering that section 13 (2) of the draft Bill for the registration of births and deaths in rural tracts makes sufficient provision for the registration of — within railway limits, and stating that enquiries will be made in the Public Works Department whether the railway authorities have any objection to the stationmasters being entrusted with the duty of reporting to village munsiffs births and deaths occurring within the station limits until the Bill is passed into law.

Enquiries will be made in the P. W. & whether the Railway authorities have any objection to the arrangement.

KD
15/4/98

8/2
15/4/98

7/18
18/4/98

To S.D.O. (Railway) for
counter initials
8/2

To
The P.W. & (Railway Branch) with copy of the Bill - Depo.
The S.D. (Rural) - Depo.
(from order) 7/5/98

60/3

(Note: - The Bill was in the
Depo. - It was not on
9.5.98. Hence the date
of despatch)

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following letter from R. NATHAN, Esq., Under Secretary to the Government of India, to the Chief Secretary to the Government of Madras, Home Department (Sanitary), dated Calcutta, 14th March 1898, No. 519:—

I am directed to forward an extract (paragraph 6) of a letter, No. 3377, dated the 1st May 1895, from the Chief Commissioner, Central Provinces, on the subject of the registration of vital statistics within railway limits outside Municipal towns.

I am to inquire what arrangements are in force in the Madras Presidency for securing the registration of these statistics. The Government of India will be also glad to know whether, in the opinion of the Governor in Council, the present arrangements are satisfactory, and if not what improvements it is desirable to make.

ENCLOSURE.

EXTRACT from a letter from the Chief Commissioner, Central Provinces, No. 3377, dated the 1st May 1895.

6. I am to bring to the notice of the Government of India in this connection that a difficulty is found to exist in the registration of vital statistics within railway limits outside Municipal towns. On the East Indian Railway, station masters are the reporting agency, but they report deaths only, not births. The other lines passing through the Central Provinces have no reporting agency. As arrangements in this matter cannot conveniently be made for a single province, the Chief Commissioner thinks it better to draw the attention of the Government of India to the difficulty than to enter into communication himself with the Railway Administrations concerned.

ORDER—No. 213, Revenue, dated 19th April 1898.

Miscellaneous.

Section 13 (2) of the draft Bill for the registration of births and deaths in rural tracts provides that “in the case of persons being born or dying in any choultry . . . or other place of public resort, it shall be the duty of the owner, keeper or person in charge thereof to give the information required under sections 9 and 11 within the time and in the manner specified therein.” A railway station being a place of “public resort” and the station master being in charge of it, the Bill makes sufficient provision for the registration of vital statistics within railway limits.

2. But until the Bill is passed into law, the duty of reporting to the village munsif of the village, in which the station is situated, births and deaths occurring within the station limits may be imposed on station masters by executive orders. Enquiries will be made in the Public Works Department whether the railway authorities have any objection to the arrangement.

(True Extract.)

(Signed) G. S. FORBES,
Ag. Secretary to Government.

To the Public Works Department (Railway Branch),
with copy of the Bill.
,, the Board of Revenue (Land Revenue).

Ed. A. F. Eccleston.

60 Copies.

DRAFT BILL.

WHEREAS it is expedient to make provision for the registration of births and deaths in rural tracts; It is hereby enacted as follows:—

1. This Act may be called the “Madras Registration of Births and Deaths Act, 189 .”

Section 1, Act IV of 1873 (Bengal).
” 106 (1), Act V of 1884 (Madras).

2. The Government may, by notification, extend this Act, or any portion thereof, from a date to be specified in such notification, to any district or portion of a district situated outside the limits of the city of Madras and of the municipalities constituted under the Madras District Municipalities Act, 1884.

3. In this Act, unless there be something repugnant in the subject or context, a “village” means any local area now recognised as a village, or which may hereafter be declared by Government to be a village, and included in any district or portion of a district to which the provisions of this Act have been extended.

“Registrar” means a person appointed registrar of births and deaths under section 5 of this Act.

Section 106 (2), Act V of 1884 (Madras).

4. On the publication of the notification referred to in section 2 of this Act, the District Collector shall cause to be proclaimed by notices posted at the village chavadi or other conspicuous place and by beat of drum in every village within the area so notified and by publication in the District Gazette that registration of births and deaths is compulsory in the district or part of the district concerned.

Section 2 of Act IV of 1873 (Bengal).
” 243 ” IV of 1884 (Madras).
” 181 ” II of 1888 (Bengal).
” 442 ” III ” (Bombay).

5. From the date on which such notification comes into force, the Collector shall cause a register of all births and deaths to be kept in each village, and for this purpose he may divide the village into such wards as he thinks fit, and shall appoint a person to be registrar of births and deaths within the village, if not divided into wards or, in the case of the division of the village into wards, for every ward he shall appoint a person to be registrar of births and deaths in such ward.

6. Every such registrar shall, unless otherwise expressly authorised by the Collector in writing, reside within the village or ward of which he is the registrar, and shall cause his name, with the addition of registrar of births and deaths for the village or ward for which he is so appointed, written in the vernacular language of the district, to be placed in some conspicuous place on or near the outer door of his dwelling house.

7. The Collector shall cause to be prepared and printed a sufficient number of register books for making entries of all births and deaths which take place in the village according to such forms and instructions as may, from time to time, be prescribed by the Governor in Council.

8. Every registrar shall inform himself carefully of every birth and of every death which happens in his village or ward after the coming into operation of the aforesaid notification, and shall register, as soon as conveniently may be after the event, without fee or reward, the particulars required to be registered according to the forms prescribed under section 7 touching every such birth and death as the case may be, which has not already been registered.

All such entries shall be made consecutively from the beginning to the end of the book.

9. The father or mother of every child born in the village, or, in the case of the default of the father and mother, the midwife or other person present at, or in attendance during the child birth, or in default of such midwife or person, the occupier of the house in which such child is born, or, in default of such occupier, the person having charge of the child shall, within two weeks next after the day of such birth, give or cause to be given, either orally or in writing, information to the registrar, according to the best of his knowledge and belief, of the several particulars required to complete the forms prescribed under section 7.

Provided that a person not required to give information in the first instance but only in default of some other person, shall not be bound to give information under this Act if it is shown that he had reasonable cause to suppose that the information had been or would be duly

Section 3 of Act IV of 1873 (Bengal).
 " 395 " I of 1884 (Madras).
 " 244 (1) of Act IV of 1884 (Madras).
 " 182 of Act II of 1888 (Bengal).
 " 443 (1) of Act III of 1888 (Bombay).

Section 4 of Act IV of 1873 (Bengal).
 " 396 of Act I of 1884 (Madras).
 " 245 " IV " (").
 " 183 " II of 1888 (Bengal).
 " 444 " III " (Bombay).

Section 5 of Act IV of 1873 (Bengal).
 " 397 " I of 1884 (Madras).
 " 246 " IV " (").
 " 184 " II of 1888 (Bengal).
 " 445 (1) of Act III of 1888 (Bombay).

Section 5 (Bengal), Act IV of 1873.
 " 246 (Madras), Act IV of 1884.
 " 397 (") " I
 " 184 (Bengal) " II of 1888.
 " 445 (1) (Bombay), Act III of 1888.

(Bengal) Act IV of 1873, section 7.
 (Madras) " I of 1884 " 398.
 (") " IV " 247 (1).
 (Bengal) " II of 1888, " 185.
 (Bombay) " III " " 446 (1).

(Bombay) section 446 (2), Act III of 1888.

Section 447, Act III of 1888 (Bombay).

(Bengal) Act IV of 1873, section 8.
 (Madras) " I of 1884 " 399.
 (") " IV " 247 (2).
 (Bengal) " II of 1888 " 186.
 (Bombay) " III " " 449 (1).

Section 447, Act III of 1888 (Bombay).
 " 45 (d), Criminal Procedure Code.

Provided also that, in the case of an illegitimate child, no person shall, as father of such child, be required to give information under this Act concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and such person shall in such case sign the register together with the mother.

10. In case any new-born child is found exposed, it shall be the duty of any person finding such child and of any person in whose charge such child may be placed to give, to the best of his knowledge and belief, to the registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses.

11. The nearest relative present at the death, or in attendance during the last illness, of any person dying in the village, or, in case of the default of such relative, every person present at the death, or, in case of their default, the occupier of the house, or if the occupier be the person who shall have died, each inmate living in the house in which such death shall have happened, or, in case of the default of such inmate, the undertaker or other person causing the corpse of the deceased person to be disposed of, shall, within forty-eight hours, give or cause to be given, either orally or in writing, information to the registrar, according to the best of his knowledge and belief, of the several particulars required to complete the forms prescribed under section 7.

Provided that a person not required to give information in the first instance, but only in default of some other person, shall not be bound to give information under this Act if it is shown that he had reasonable cause to suppose that the information had been or would be duly given.

12. In case any person is found dead in any place, or under any circumstances not covered by section 11, it shall be the duty of the head of the village, in which the body is found, or the officer in charge of the police station within the limits of which the village is included, to give forthwith to the best of his knowledge and belief, to the registrar, such information of the particulars required to be registered concerning such death as the informant possesses.

13. Notwithstanding anything contained in sections 9 and 11 of this Act—

(1) In the case of persons being born or dying in any hospital, it shall be the duty of the Medical officer in charge forthwith to send a notice in writing to the registrar of the occurrence of any birth or death in the hospital under his charge containing the several particulars required to complete the forms prescribed under section 7;

(2) In the case of persons being born or dying in any choultry, chattram, hotel, boarding house, lodging house, tavern, arrack or toddy shop or other place of public resort, it shall be the duty of the owner, keeper or person in charge thereof, to give the information required under sections 9 and 11 within the time and in the manner specified therein.

14. Every person who has orally given to a registrar any information required under this Act shall sign in the register his name, description and place of abode, and, if he cannot write, shall put his mark in the register to his name, description and place of abode, these particulars being in such case entered by the registrar.

Provided that, in the case of a person being born or dying in any hospital, the registration of the birth or death shall be deemed to be completed by the entry, in the register, of the written notice received from the Medical officer in charge of the said hospital prescribed in section 13 (1) without the signature of the Medical officer to the entry in such register. This proviso shall also apply in the case of information, touching any birth or death, given in writing by any person.

15. The Registrar shall, as soon as the registration has been completed, give, on application, free of all charge, to the person who gives information of the birth of a child an extract under his hand from the register relating to such birth.

16. (1) Any clerical error which may, at any time, be discovered in a register of births or in a register of deaths may be corrected in accordance with rules made under section 22.

(2) Except as aforesaid, no alteration shall be made in any such register.

17. (1) When the birth of any child has been registered and the name, if any by which it was registered, is altered or, if it was registered without a name when

Section 400, Act I of 1884 (Madras).
" 248 (1), Act IV of 1884 (Madras).
" 186, second proviso, Act II of 1888 (Bengal).

Section 403 (1), Act I of 1884 (Madras).
" 249 (1), Act IV
" 189, Act II of 1888 (Bengal).

Section 189, second proviso, Act II of 1888 (Bengal).
Section 403 (2), Act I of 1884 (Madras).
" 249 (3), Act IV " "

Section 403 (2), Act I of 1884 (Madras).
" 249 " IV " "

Section 248-A, Act IV of 1884 (Madras).
" 453, Act III of 1888 (Bombay).

a name is given to it, the parent or guardian of such child or other person procuring such name to be altered or given may, within twelve months next after the registration of the birth, deliver to the registrar such certificate as hereinafter mentioned, and the registrar, upon the receipt of that certificate, shall, without any erasure of the original entry, forthwith enter in the register book the name mentioned in the certificate as having been given to the child.

(2) The certificate shall be in such form as may from time to time be prescribed by the Governor in Council, and, in the case of a Christian, shall be signed by the minister of religion or person who performed the rite of baptism upon which the name was given or altered, or, if the child is not baptized or is not a Christian, shall be signed by the father, mother or guardian of the child or other person procuring the name of the child to be given or altered.

(3) Every minister of religion or person who performs the rite of baptism shall deliver the certificate required by this section on demand, on payment of a fee not exceeding one rupee.

18. Any person, may at all reasonable times, on payment of a fee of four annas for each visit, search, in the presence of the registrar, any register of births and deaths, and may on payment of a further fee of four annas require the registrar to give an extract under his hand from such register relating to any birth or death registered therein.

The registrar shall have the custody of the registers of births and deaths for the village or ward for which he has been appointed, and all extracts therefrom given under this section shall be certified by him as provided in section 76 of the Indian Evidence Act, 1872, and may be produced in proof of the entries of which they purport to be copies.

19. Any person who—

- (1) neglects or refuses or intentionally omits to give any information which it is his duty to give under sections 9, 10, 11 and 13 (2) of this Act; or
- (2) wilfully gives, or causes to be given, for the purpose of being inserted in any register of births or deaths, any false information touching any of the particulars required to be known and registered; or

Section 249 (4) of Act IV of 1884 (Madras).

Section 249 (5) of Act IV of 1884 (Madras).

Section 7 of Act IV of 1873 (Bengal).
" 8 of " IV of " "
" 402 of " I of 1884 (Madras).
" 283 of " IV of " "
" 188 of " II of 1888 (Bengal).
" 471 of " III of " (Bombay).

- (3) refuses or neglects to sign his name, description and place of abode or to put his mark in the register to such particulars in contravention of section 14 of this Act

Section 249 (1) of Act IV of 1884 (Madras).

shall, on conviction before a magistrate, be liable to a fine not exceeding Rs. 10.

20. No criminal complaint under the last preceding section shall be entertained by any magistrate which is not preferred under the orders of a Tahsildar or an officer superior to a Tahsildar.

21. The Collector may, of his own motion or on complaint and after enquiry, fine, suspend, dismiss or remove any registrar for misconduct or for neglect of duty or incapacity as such registrar or for non-residence in the village without the permission of the Collector, and shall record his reasons for so doing in writing.

22. The Governor in Council may from time to time make rules:—

(1) prescribing the forms of registers of births and deaths required to be kept under this Act, and the form of certificate referred to in section 17 (2);

(2) for the inspection and examination of the registers maintained under section 5;

(3) for the conduct of the duties of the registrar during his absence on other duty or on account of illness or other causes;

(4) for the custody, production and transfer of the registers and other records kept by registrars;

(5) for the correction of clerical errors which may be discovered in the registers of births or registers of deaths.

(6) generally, to carry out the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS.

Since the passing of the Madras District Municipalities Act, 1884 (IV of 1884), the registration of births and deaths has been compulsory in municipal towns under the provisions of sections 243 to 249 of that Act. During the thirteen years that these provisions have been in operation, they have worked smoothly. It now appears to the Government that the time has come when power should be taken to bring into force similar provisions in non-municipal areas, in which at present the reporting of domestic occurrences is not legally obligatory. Until this is done, the registration of vital statistics in this Presidency taken as a whole must continue to be inaccurate and incomplete. The draft Bill accordingly takes power to extend the system of compulsory registration to the Presidency generally, but it is not proposed to do this at once. The Bill leaves it to the Government to bring its provisions into effect in particular areas at its discretion. The extension will be made cautiously and gradually; large villages or rather towns with a population of 5,000 and upwards, or what are called major Unions, being first brought under the operation of the proposed Act.

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