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भारत सरकार

GOVERNMENT OF INDIA

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

भारत के महारजिस्ट्रार का कार्यालय

OFFICE OF THE REGISTRAR GENERAL, INDIA

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Dated 12.03.2012

### CIRCULAR

**Subject: Procedure for making/changing entries in the birth record for children taken on adoption - Issue of guidelines.**

As you are aware, the registration of births and deaths is done under the ambit of Registration of Births and Deaths, (RBD) Act, 1969. The issue relating to registration of birth of children taken on adoption hitherto is being dealt with on the basis of guidelines issued by the Office of the Registrar General, India, in 1999. In order to add objectivity to the entire process and also to keep abreast with the changes that have taken place, an emergent need was felt to re-visit the subject. As a part of this process, it has been decided to introduce a new birth reporting form (1A) namely "Birth Report for adopted child" on the pattern of the existing birth reporting form. The new form also comprise two parts namely Legal and Statistical part. The said form will be applicable both for the adoptions taking place through institution or otherwise. The procedure to be adopted while making entries / changes in the birth record of children taken on adoption is described below.

#### **1. Children taken on adoption through Institutions**

In the adoptions taking place through institutions, the details of the parents may or may not be known and the birth of the child may or may not be registered. The procedure for both the cases, i.e., the birth already registered and not yet registered is dealt separately.

##### **i. Birth not registered and name(s) of parents known**

- (a) In case the birth of the adopted child has not been registered, the 'place where the adoption agency is located' shall be treated as the 'place of birth' of the child. In the event of the date of birth of the child being not known, the same as determined by the CMO or any duly licensed Physician and as reflected in the adoption order/deed issued by the local Magistrate shall be recorded as the date of birth of the child in birth reporting form. Besides the date of birth, the name(s) of adoptive parent(s) and address of adoptive parent(s) as contained in

the adoption order/deed along with the number and date of the order shall be entered in the birth reporting form. The name(s) of parents shall also be entered in birth reporting form.

- (b) The concerned Registrar of the area where the adoption agency is located shall register the birth on the basis of adoption deed and duly filled-in birth reporting form, and issue the birth certificate with the name(s) of adoptive parent(s).

## ii. Birth not registered and name(s) of parents not known

(a) In case the birth of the adopted child has not been registered, the 'place where the adoption agency is located' shall be treated as the 'place of birth' of the child. In the event of the date of birth of the child being not known, the same as determined by the CMO or any duly licensed Physician and as reflected in the adoption order/deed issued by the local Magistrate shall be recorded as the date of birth of the child in birth reporting form. Besides the date of birth, the name(s) of adoptive parent(s) and address of adoptive parent(s) as contained in the adoption order/deed along with the number and date of the order shall be entered in the birth reporting form. The column for name(s) of parents shall remain blank in birth reporting form.

- (b) The concerned Registrar of the area where the adoption agency is located shall register the birth on the basis of adoption deed and duly filled-in birth reporting form, and issue the birth certificate with the name(s) of adoptive parent(s).

## ii. Birth registered

(a) A birth shall be treated as registered only when supported by the original birth certificate or a copy thereof. The place of birth and the date of birth as mentioned in the original birth certificate will not undergo any change and shall remain as it is. However, on the basis of details contained in adoption order/deed, requisite changes will be made in the name of child, name of adoptive parent(s) and address of adoptive parent(s) by the Registrar where the birth was originally registered.

- (b) In order to facilitate the entire process, the Registrar in whose jurisdiction the adoption agency is located shall send the duly filled birth reporting form along with the adoption order/deed and the copy of the original birth certificate to the Registrar where the birth was originally registered. The Registrar shall also make a request to effect changes in the name of child, name of adoptive parent(s) and address of adoptive parent(s) in the birth records and send the revised birth certificate to him/her for being provided to the adoptive parent(s).

## 2. Children taken on adoption outside Institutions—

Apart from adoptions taking place through institutions, a number of children are adopted by relatives / acquaintances. In this case also, the birth of child may or may not be registered. The procedure for both the cases, i.e., the birth already registered and not yet registered, is described as under:

### i. Birth not registered and name(s) of parents known

(a) In case the birth of the adopted child has not been registered, the 'place where the adoption took place shall be treated as the 'place of birth' of the child. In the event of the date of birth of the child being not known, the same as determined by the CMO or any duly licensed Physician and as reflected in the adoption order/deed issued by the local Magistrate shall be recorded as the date of birth of the child in birth reporting form. Besides the date of birth, the name(s) of adoptive parent(s) and address of adoptive parent(s) as contained in the adoption order/deed along with the number and date of the order shall be entered in the birth reporting form. The name(s) of parents shall also be entered in birth reporting form.

(b) The concerned Registrar of the area where the adoption has taken place shall register the birth on the basis of adoption deed and duly filled-in birth reporting form, and issue the birth certificate with the name(s) of adoptive parent(s).

### ii. Birth not registered and name(s) of parents not known

(a) In case the birth of the adopted child has not been registered, the 'place where the adoption took place shall be treated as the 'place of birth' of the child. In the event of the date of birth of the child being not known, the same as determined by the CMO or any duly licensed Physician and as reflected in the adoption order/deed issued by the local Magistrate shall be recorded as the date of birth of the child in birth reporting form. Besides the date of birth, the name(s) of adoptive parent(s) and address of adoptive parent(s) as contained in the adoption order/deed along with the number and date of the order shall be entered in the birth reporting form. The column for name(s) of parents shall remain blank in birth reporting form.

(b) The concerned Registrar of the area where the adoption has taken place shall register the birth on the basis of adoption deed and duly filled-in birth reporting form, and issue the birth certificate with the name(s) of adoptive parent(s).

### iii. Birth registered

(a) A birth shall be treated as registered only when supported by the original birth certificate or a copy thereof. The place of birth and the date of birth as mentioned in the original birth certificate will not undergo any change and shall

remain as it is. However, on the basis of details contained in adoption order/deed, requisite changes will be made in the name of child, name of adoptive parent(s) and address of adoptive parent(s) by the Registrar where the birth was originally registered.

(b) If the adoption order is issued from a place other than the place where birth is actually registered, the adoptive parents will approach the Registrar in whose jurisdiction adoption order is issued. The Registrar shall send the duly filled birth reporting form along with the adoption order/deed and the copy of the original birth certificate to the Registrar where the birth was originally registered. The Registrar shall also make a request to effect changes in the name of child, name of adoptive parent(s) and address of adoptive parent(s) in the birth records and send the revised birth certificate to him/her for being provided to the adoptive parent(s).

3. The following points may also be taken care of while making entries in the birth reporting form / changes in the birth record.

(a) The term 'adoptive parents' or 'adopted child' shall not be used in the birth certificate. The name of adoptive parents shall appear as 'parents' (father and mother of the child) in the birth certificate. The 'address of adoptive parents' shall be recorded as the 'address of parents at the time of birth of the child' in the birth certificate.

(b) In case of births that have already been registered, the Registrar shall make suitable entries with regard to the changes made in the Remarks column of the Birth Register.

(c) The Legal part of the birth reporting form shall be treated as the birth register (form No.7). The Statistical part shall be detached and sent for compilation to the prescribed authority along with Summary Monthly Report of Births (form No.11).

(d) The provisions relating to delayed registration as prescribed under Section 13 of the RBD Act, 1969 shall not be applicable in these cases as judicial resolution in the form of adoption deed /order has already been issued by the Magistrate.

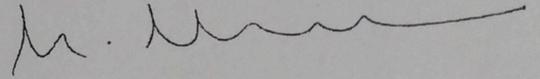
4. Form 1-A shall form part of the respective State Rules and the necessary permission of the Central Government to amend Rule 5 (1) is hereby granted under Section 30(1) of the RBD Act, 1969. The existing Rule 5(1) under Section 8 shall be replaced with the following:

'5(1). Form, etc. for giving information of births and deaths--(1) The information required to be given to the Registrar under section 8 or section 9, as the case

may be, shall be in Form Nos. 1, 1-A, 2 and 3 for the Registration of a birth, **birth of an adopted child**, death and still birth respectively, hereinafter to be collectively called the reporting forms. Information if given orally shall be entered by the Registrar in the appropriate reporting forms and the signature/thumb impression of the informant obtained.'

5. These directions are issued under Section 3(3) of the Registration of Births and Deaths (RBD) Act, 1969. These guidelines will repeal the previous guidelines and shall come into force with immediate effect.

6. You are requested to implement these guidelines by amending the aforesaid Rule for incorporating the new form in the system. You are also requested to issue necessary directions to all the registration functionaries down the hierarchy right up to the level of the local Registrar of Births and Deaths for strict compliance. A copy of the notification of the amended rule along with the copy of the directions issued to the concerned authorities may also be forwarded to this office for record.



(Dr. C. Chandramouli)  
Registrar General, India

Encl: Birth Reporting form for adopted child (1-A)

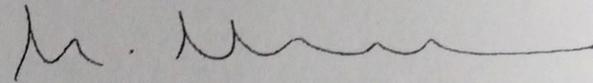
To

The Chief Registrars/ Additional/ Deputy Chief Registrars  
of Births and Deaths of all States and UTs.

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