



Speed Post

No. 1/7/2011- VS -CRS

भारत सरकार/

GOVERNMENT OF INDIA

गृह मंत्रालय/

MINISTRY OF HOME AFFAIRS

भारत के महारजिस्ट्रार का कार्यालय

OFFICE OF THE REGISTRAR GENERAL, INDIA

जीवनांक प्रभाग, पश्चिमी खण्ड-1, रामकृष्ण पुरम्, नई दिल्ली - 110066

V.S. Division, West Block -I, R.K. Puram, New Delhi - 110066

Tele-fax: 26104012 E-mail - drq-crs.rgi@censusindia.gov.in

To

Dated: 15-05-2015

All Chief Registrar of Births & Deaths

Sub: Clarification on making/ changing entries in birth record of Children taken on adoption.

Sir,

Please refer this office letter of even number dated 12th March, 2012 vide which instructions were issued on framing the procedure for making/ changing entries in birth record of children taken on adoption. Later on, taken into consideration the 2011 CARA guidelines, a clarification was issued by this office letter of even number dated 25th August, 2014 through which submission of adoption deed and adoption order (both) has been made mandatory for registration of birth of children taken on adoption and issue of birth certificate to them.

2. In response to the aforesaid clarification, this office has received certain queries on submission of adoption order and adoption deed in respect of non-institutional adoptions. In this regard, it has been quoted that non institutional adoptions are taken place under the provision of 'Hindu Adoption and Maintenance (HAMA) Act, 1956" and under Section 16 of this Act; the need for production of adoption deed i.e document registered under any law and signed by both parties is sufficient. In this regard, the authenticity of the adoption deed would have to be checked only with the criteria prescribed under the HAMA Act.

3. In order to address the difficulties in producing the adoption order by general public in case of adoption within relatives/ acquaintances, the matter has been reviewed and also discussed with the Central Adoption Resource Authority (CARA) of Ministry of Women & Child Development. Accordingly, it has been decided that for in country non-institutional adoptions took place within relations or acquaintances, registered adoption deed is enough, there would be no need to produce adoption order of a court for such cases.

4. However, before registering or making corrections in the birth record, the correctness of the adoption deed should be verified by the Registrar of births and deaths and if adoption deed is found to be valid duly registered before the Sub Registrar authorized by the State Government, the concern Registrar should make necessary changes in the birth record on the



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basis of the information given in the adoption deed and insert the name of adoptive parents and child and issue the birth certificate of the adopted child. Further, it is also clarified that in case of non-institutional event, if a adopted child is more than one year old and his/ her birth is not-found registered earlier then as per the prescribed procedure of section 13 (3) of the Registration of Births and Deaths (RBD) Act 1969 an order of local Magistrate under the Delayed registration provision should also be obtained before registering the said event.

5. In view of the above facts and taken into consideration the difficulties faced by the public in getting the birth certificate of adopted children, you are requested to direct the aforesaid contents to the concerned authorities and direct them to issue the birth certificate of adopted children on priority basis and ensure that desired birth certificate should be issued within 7 to 10 days from the date of submission of documents by the adoptive parents to the concerned Registrar. This office may be appraised about the action taken in this regard.

Yours faithfully

S/d

(P. A. Mini)

Deputy Registrar General (CRS)

No. 1/7/2011- VS -CRS, New Delhi, Dated 15-05- 2015

Copy forwarded to the concerned DCO's for information and necessary action.

S/d

(P. A. Mini)

Deputy Registrar General (CRS)

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