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The following Act, enacted by Parliament, having received presidential consent on  
7 December 2004, is published for public information:

**Act No. 29 of 2004**

**An Act amending and consolidating the Births and Deaths Registration Act**

WHEREAS it is expedient to amend and consolidate the existing Births and Deaths  
Registration Act:

It is here by enacted as follows:

**CHAPTER-1**  
**Preliminary**

**1. Short Title and Commencement**

- (1) This Act may be cited as the Births and Deaths Registration Act, 2004.
- (2) This Act shall come into force on the date as notified by the Government in the Official Gazette.

**2. Definitions-**

Unless otherwise stated, in this Act:

- (a) "Guardian" means guardian as defined in the Guardians and Wards Act, 1890 (Act VIII of 1890);
- (b) "Union Parishad" means any Union Parishad as defined in the Local Government (Union Parishad) Ordinance, 1983 (Ord. No. LI of 1983);
- (c) "Ward" means ward of any City Corporation, Pourashava (municipality) or Union Parishad;
- (d) "Commissioner" means commissioner of any city corporation or pourashava.
- (e) "Cantonment" means any cantonment formed under the Cantonments Act, 1924 (Act II of 1924);
- (f) "Birth or Death Certificate" means an extract of information from the register held under this Act, certified by the registrar;
- (g) "Birth" means birth of a living person;
- (h) "Prescribed" means prescribed by the rules defined under this Act;

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- (i) "Registrar" means any person appointed under Section 4 of this Act;
- (j) "Registration" means registering a person's birth or death in the register;
- (k) "Register" means register of births and deaths;
- (l) "Pourashava" means any Pourashava (municipality) formed under the Pourashava Ordinance, 1977(Ord. No. XXVI of 1977);
- (m) "Administrator" means any administrator under the Pourashava Ordinance, 1977(Ord. No. XXVI of 1977);
- (n) "Person" means any Bangladeshi or foreigner living in Bangladesh, including any refugee taking shelter in Bangladesh;
- (o) "Death" means the death of a person;
- (p) "Member" means member of any Union Parishad;
- (q) "Government" means the Local Government Division of the Ministry of Local Government, Rural Development and Co-operatives;
- (r) "City Corporation" means Dhaka, Chittagong, Khulna, Rajshahi, Barisal and Sylhet City Corporations; and shall include any other city corporation established under the law from time to time.
- (s) Registrar General

### 3. **Overriding Other Acts**

Notwithstanding the provisions of other Acts, once this Act has come into force all births and deaths must be registered according to the provisions of this Act.

## **CHAPTER-2** **Registrar and registration**

### 4. **Registrar**      AMENDED

For the purposes of births and deaths registration, the following persons shall act as Registrars:

- (a) For those people who are born, die or reside permanently in the jurisdiction of a city corporation, the Mayor of that city corporation or any officer or commissioner authorised by him;
- (b) For those people who are born, die or reside permanently in the jurisdiction of a Pourashava, the Chairman of that Pourashava or any officer or commissioner authorised by him;
- (c) For those people who are born, die or reside permanently in the jurisdiction of a Union Parishad, the Chairman of that Union Parishad or any officer or Member authorised by him;
- (d) For those people who are born, die or reside permanently in the jurisdiction of a cantonment board, the President of that cantonment board or any officer authorised by him;
- (e) For births and deaths of any Bangladeshi individuals abroad, the Ambassador of Bangladesh in the concerned country or any officer authorised by him.

### 5. **Registration**

- (1) The Registrar shall enter the full details of births and deaths in the register irrespective of race, religion, caste, clan or sex.      should be universal
- (2) All information relating to births and deaths must be presented to the Registrar for the registration within a specific period of time and in accordance with the prescribed process.
- (3) At the time of presenting the information relating to births and deaths under this Act, the informant shall formally declare that all information presented by him is true and that the birth or death has not ever been registered elsewhere.

**6. Duties of the Registrar**

The Registrar shall perform the following duties:

- (a) Registering all births and deaths;
- (b) Collecting the necessary information and printing or collecting forms, registers, and certificates for registration;
- (c) Maintaining the records and registers; AND REGISTRATION OPERATIONS
- (d) Issuing birth or death certificates;
- (e) Any other duties prescribed by the law.

**7. Powers of the Registrar**

- (1) The Registrar may make inquiries, either himself or by delegated authority, to verify the authenticity of information provided for registration.
- (2) The Registrar may issue notices instructing parents, children, guardians, or any other prescribed person, to provide information relating to a birth or a death if said birth or death is not registered in time.
- (3) The Registrar or any delegated person may consult the register or issue a notice to anyone to get a statement to support an investigation under Sub-Section (1).

7a. Appointment of Registrar General

**8. Persons Responsible for Providing Information Relating to Births and Deaths**

- (1) The father, Mother, guardian or any prescribed person shall be liable to provide information relating to the birth of a child to the Registrar within 45 (forty five) days of the child's birth.
- (2) The son, daughter or guardian of the deceased, or any prescribed person shall be liable to provide information relating to the death of a person to the Registrar within 45 (forty five)<sup>1</sup> days of the death.

**9. Duties of Specific Officers and Staff Members**

- (1) The following persons may provide information to the Registrar for the registration of births and deaths:
  - (a) Member and Secretary of Union Parishad;
  - (b) Village Police;
  - (c) Commissioner of City Corporation or Pourashava; Councillor
  - (d) Health and family welfare worker appointed in the Union Parishad, Pourashava, city corporation or cantonment board;
  - (e) Field worker appointed by a non-governmental organisation (NGO) in the health and family welfare sector;
  - (f) For births and deaths taking place in government or non-government hospitals or clinics or maternity centres or in any other institutions, the medical officer in charge of such institutions, a physician or any other delegated officer;
  - (g) Care-taker of any graveyard or crematorium;
  - (h) Any other officer or staff appointed by the Registrar;
  - (i) For births or deaths taking place in jails, the jail superintendent or any delegated person;
  - (j) For dead bodies or abandoned children found in the public place, the officer-in-charge of the concerned police station of such public place;
  - (k) Any other prescribed person or institution.
- (2) If anyone provides information relating to a birth or a death to the prescribed person under Sub-Section (1), the prescribed person will take all necessary actions for the registration of the birth or death, or provide necessary assistance to the informant for the registration of the birth or death.

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<sup>1</sup> [Translator's note: The period was changed from 30 to 45 days through a handwritten note.]

**10. Name of the Child**

The name of the child should be determined before the birth registration.

Under specific conditions, the birth of a child may be registered even if the child had not been given a name; the parents or guardian of such child shall provide the name of the child to the Registrar within 45 days of the registration.

**11. Issuance of a Birth and Death Certificate**

Upon application, the Registrar shall issue a birth or death certificate for a prescribed fee, following due process.

**12. Inquiry of Registration-**

- (1) Any person may apply to the Registrar seeking information relating to a registration or an extract of registration for a prescribed fee; Except if information relating to the cause of death may not be mentioned in the extract given under Sub-Section (1).
- (2) All information or an extract issued under Sub-Section (1) must be certified by the Registrar and such information or extract shall be admissible as evidence.

**13. Delayed Registration**

If a birth or death is not registered within the time specified in the Section 8, the birth or death may be registered at a later time, on payment of a late fee, following the prescribed process.

If the birth or death took place before the promulgation of this Act, said birth or death may be registered within two years of this Act coming into force without incurring a late fee.

**CHAPTER-3**

**Register Maintenance, Correction and Inspection**

**14. Maintenance of Records:**

- (1) The Registrar shall preserve and maintain the registers in the prescribed format and system, and such register shall be deemed to be a permanent record.
- (2) The Registrar shall bear responsibility for the destruction or loss of the register.
- (3) In addition to the register, information relating to births and deaths may be preserved in a prescribed system.

**15. Correction of Register: AMENDED**

- (1) If there is an error in the records of the register, one may apply for the correction of the error on payment of the prescribed fee.
- (2) If the Registrar is satisfied with the application submitted under Sub-Section (1), he will correct the error and insert his signature and the date where the amendment was made.

**16. Supervision and Inspection:**

Any authorised person may supervise and inspect the Registrar's Office, the register and the activities related to births and deaths registration at any time.

**17. Reporting:**

If and where needed, the Government may request information or reports on births and deaths registrations from the Registrar, who must comply with such requests.

**CHAPTER-4**  
**Miscellaneous**

**18. Evidential Value of a Birth or Death Certificate**

- (1) A birth or death certificate issued under this Act shall be considered as evidence of a person's age, birth or death to any office, court, school, college, government or non-government organisation.
- (2) All records and registers relating to the registration of births and deaths shall be deemed to be public documents as understood by the terminology 'public document' defined in the Evidence Act 1872 (Act I of 1872).
- (3) Notwithstanding the provisions of any other Acts, a birth or death certificate shall be used to prove the age of a person in the following cases:
  - (a) Issuance of passport;
  - (b) Registration of marriage;
  - (c) Admission into educational institutions ;
  - (d) Appointment in government or non-government organisations;
  - (e) Issuance of driver's licence;
  - (f) Preparation of voter list;
  - (g) Land registration; and NID, life insurance
  - (h) Other cases as prescribed by law.
- 3a death cert is evidence of . . .
- (4) Notwithstanding the provisions of Sub-Section (3), educational institutions may admit students without birth certificates; those students shall submit a birth certificate to the educational institution within 45 (forty five) days from the date of admission.
- (5) A birth or death certificate issued under any other Act before the enforcement of this Act may also be used for the purposes of Sub-Section (3). and 3A

**19. Public Servant:**

The Registrar shall be deemed to be a public servant as understood by the terminology 'public servant' in Section 21 of the Penal Code, 1860 (Act XLV of 1860).

**20. Appeal: AMENDED**

- (1) Any person aggrieved by the order of the Registrar may appeal to the following authorities within 30 (thirty) days from the date of such order:
  - (a) To a Upazila Nirbahi (sub-district) Officer, as against the order of the Chairman of a Union Parishad or a delegated person;
  - (b) To a District Magistrate, as against the order of the Chairman of a Pourashava, an administrator or a delegated person;
  - (c) To a District Magistrate, as against the order of the President of a Cantonment Board or a delegated person;
  - (d) To a District Magistrate, as against the order of the Mayor of a City Corporation, a commissioner or a delegated person;
  - (e) To the Secretary of the Local Government Division, as against the order of a High Commissioner or a delegated official.

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**21. Penalty:** AMENDED

Any breach of this Act or of any provision of this Act shall be punished with a fine of up to Taka 500.00 (five hundred) or 2 months imprisonment, or both.

**22. Cognisance:** OR RG

Any aggrieved person or Registrar may submit a complaint to the Magistrate's Court for non-compliance of duties under this Act.

**23. Rule-Making Power:**

The Government may make rules to enforce this Act, by notification in the Official Gazette.

Text

**24. Repeal and Protection:**

- (1) The Births and Deaths Registration Act, 1873(Bengal Act IV of 1873) is hereby repealed.
- (2) The provisions applicable to births and deaths registration of the Births, Deaths and Marriages Registration Act, 1886 (Bengal Act VI of 1886) is hereby repealed.
- (3) Notwithstanding Sub-Sections (1) and (2), all activities or actions undertaken under the repealed Acts shall be deemed to have been undertaken under this Act.

Khondokar Fazlur Rahman  
Secretary