



Harshad R. Patel, IAS
Commissioner and Secretary

SBHS/SH3/Birth-Death/Note/
No: Name-Birth/Date/Change/Circular/24
Commissioner of Health, Medical Services, 4719
Medical Education & Research
Government of Gujarat

Block No. 5/1st Floor, Dr. Jivraj Mehta Bhavan,
Sachivalaya, Gandhinagar-382010
Phone : +91 79 23253271
Email : cohealth@gujarat.gov.in

Date : 25/09/2024

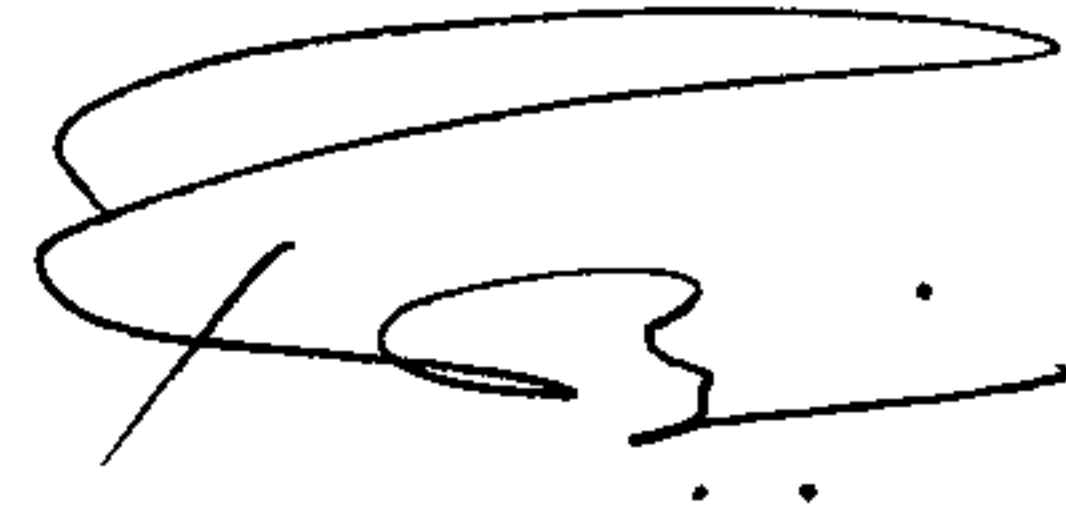
Subject: Correction in the Name and Date of Birth written at the time of registration of Birth & Death.

CIRCULAR

This Circular is issued to facilitate the applicants in getting their names / birth date corrected in the Register of Birth and Death under Section 15 of the Registration of Birth and Death Act, 1969 (the "Act") and Rule 11 of Gujarat Registration of Births and Deaths Rules, 2018. While considering any application for change of name / birth date, the jurisdictional Registrar of Birth and Death shall take note of the following:

1. An application for change in name may be allowed if the overall identity of the applicant does not undergo a change. In making such determination, the Registrar shall consider factors such as, whether the other identity particulars of the person such as father's name, last name/surname and/or date of birth, or any one or some of them, have undergone a change in the past; or are sought to be changed as part of the application. The Registrar shall also consider the availability of photo identity/ identity documents that may be submitted by the Applicant in support of his/her Application.
2. As far as possible, the concern Registrar may use the term 'alias' in respect of change in name and prefer to write both names in the birth certificate after making necessary entry in the remarks column of birth register. In case 'alias' is not acceptable to the applicant, then necessary changes in the name may be done upon the satisfaction of the registrar on the authenticity of the documents furnished by the applicant. After making changes, necessary entry should be made in the remarks column of the birth register and mention the date of correction and both names in the remarks column of birth register.

3. So far as correction in date of birth is concerned, it is clarified that the entries made in the birth and death registers are admissible as evidence under section 36 of the Bharatiya Sakshya Adhiniyam, 2023 and these entries are conclusive evidence of the fact of birth & death, as the case may be. In view of the above fact, correction in date of birth is not to be allowed unless it is proved to the satisfaction of the Registrar that it has been made fraudulently or improperly or erroneously regarding the date of birth at the time of reporting/registering the event.
4. The Registrars has to rectify the entry, if any clerical error is found in the register or certificate in accordance with law/circulars.
5. The Registrars may not reject the application solely on the ground that there is no clerical error while making entry in the register and shall consider the same in accordance with law/circulars and considering aforesaid paragraphs.
6. It has been observed that while rejecting an application for change of name under the Act, the Registrars often rely on circular no. SBHI/B&D/Guidance/2538-2941/VS-09 dated 12.08.2009 and circular no. SBHI/B&D/Guidance/1110-1559/VS-16 dated 18.02.2016, both of which have been cancelled *vide* circular no. SBHI/B&D/SO/cancellation/3463-3950/vs-2021 dated 02.12.2021 issued by the Chief Registrar (Birth and Death), Commissioner (Health), Gujarat State. Registrars shall ensure that the applications are decided based on circulars in force; and not on the basis of circulars which are cancelled.



Harshad R. Patel, IAS
Chief Registrar of Births & Deaths
And
Commissioner of Health
Gandhinagar

To,

- (1) District Registrar of Births & Deaths and Chief District Health Officer,
All
- (2) Registrar of Births & Deaths and Medical Officer(Health), Municipal
Corporation, All
- (3) Registrar of Births & Deaths and Chief Officer, Municipality, All
- (4) Taluka Registrar of Births & Deaths and Taluka Development Officer,
All
- (5) Registrar of Births & Deaths and Talati cum Mantri, All

Copy With Courtesy:-

- (1) District Development Officer, All
- (2) Commissioner, Municipal Corporation, All
- (3) District Magistrate, All

