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Proof of Life: The Births and Deaths Registration Amendment, 2026

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CURATED & WRITTEN BY

**Bharat Choudhary**

UPSC Educator & Content Creator

[in linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)

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Proof of Life: The Births and Deaths Registration Amendment, 2026

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The Rajya Sabha passed the Registration of Births and Deaths (Amendment) Bill, 2026 by voice vote on August 4, 2026, completing Parliament's approval. The Lok Sabha had passed it on July 31, 2026. Moved by Minister of State for Home Affairs Nityanand Rai, the Bill tightens the procedure for registering births and deaths reported after long delays.

WHAT CHANGES

The Bill amends the **Registration of Births and Deaths Act, 1969** and creates a graded regime for delayed registration. The existing structure treated all long delays alike; the amendment splits them.

DELAY IN REPORTING	AUTHORITY REQUIRED
Within the prescribed period	Registrar, ordinary registration
Beyond the period but within one year	Registration on prescribed conditions
One to two years	Order of a District Magistrate, Sub-Divisional Magistrate , or an Executive Magistrate authorised by the DM , after verification
Beyond two years	Order of a Judicial Magistrate of the First Class

The operative shift is in the last row. For very late registrations, the deciding authority moves **from the executive to the judiciary**.

THE RATIONALE

The government's stated case is anti-fraud. A birth certificate is, in practice, a foundational identity document: it seeds school admission, passport, and in some contexts arguments about citizenship. A registration entered decades after the fact, on thin verification by a local executive officer, is a known route to manufacturing a

documentary identity. Routing such cases through a Judicial Magistrate introduces an evidentiary process, a judicial mind, and a written order that can be tested on appeal.

This should be read alongside the **2023 amendment** to the same Act, which digitised registration, created a national database, and made the birth certificate a **single document** for admissions, driving licences, voter rolls, marriage registration and government appointments. The 2023 change raised the value of a birth certificate; the 2026 change raises the barrier to obtaining one late. The two moves are consistent with each other.

THE OBJECTION

The difficulty is distributional, and a good answer states it plainly.

The population whose births went unregistered is not randomly distributed. It is concentrated among the poor, migrants, home births, tribal and remote populations, and disproportionately women of older cohorts. These are precisely the people who will now need to approach a Judicial Magistrate, which means a court appearance, in many cases a lawyer, travel, lost wages and delay.

The measure therefore raises the transaction cost of documentation for the group least able to bear it, in service of preventing fraud by a group that is, by comparison, better resourced. Whether the trade-off is defensible depends on an [empirical](#) question that the debate did not settle: how many late registrations are fraudulent, and how many are simply late.

There is a wider anxiety in the background. As civil registration becomes the gateway to [entitlement](#) and, in the electoral-roll revision debate, to the franchise, tightening it converts a **statistical and rights-conferring record** into a **gatekeeping instrument**. That is a shift in the character of the institution, not merely in its procedure.

THE FEDERAL AND CONSTITUTIONAL FRAME

ELEMENT	POSITION
Subject-matter	Concurrent List, Entry 30: vital statistics including registration of births and deaths
Central statute	Registration of Births and Deaths Act, 1969
Administration	By State Governments , through Chief Registrars, District Registrars and Registrars
National coordination	Registrar General of India , under the Ministry of Home Affairs
System	Civil Registration System (CRS), digitised under the 2023 amendment

Because registration is concurrent and administered by states, a central amendment sets the framework while the workload of implementation, including the burden of the new magistrate route, falls on state machinery and state courts.

UPSC RELEVANCE

GS Paper 2: Government policies and interventions for development in various sectors; issues arising out of their design and implementation; **statutory** bodies; mechanisms and institutions for the protection of vulnerable sections.

Prelims pointers:

- Parent Act: **Registration of Births and Deaths Act, 1969.**
- Delay of **one to two years**: order of a **District Magistrate, SDM, or authorised Executive Magistrate.**
- Delay **beyond two years**: order of a **Judicial Magistrate of the First Class.**
- Passed **Lok Sabha 31 July 2026, Rajya Sabha 4 August 2026.**
- Subject falls under **Entry 30 of the Concurrent List**, vital statistics including registration of births and deaths.
- The **Registrar General of India**, under the Ministry of Home Affairs, coordinates the Civil Registration System.
- The **2023 amendment** digitised registration and made the birth certificate a single document for multiple purposes.

★ FACTS CORNER, KNOWLEDGE PEDIA

THE AMENDMENT:

Amends the Registration of Births and Deaths Act, 1969.

One to two years' delay: DM, SDM or authorised Executive Magistrate.

Beyond two years: Judicial Magistrate of the First Class. This is the shift from executive to judicial authority.

Lok Sabha 31 July 2026; Rajya Sabha 4 August 2026, by voice vote.

Moved by Nityanand Rai, MoS Home Affairs.

CONSTITUTIONAL PLACEMENT: CONCURRENT LIST ENTRY 30, VITAL STATISTICS INCLUDING REGISTRATION OF BIRTHS AND DEATHS. ADMINISTERED BY STATES; COORDINATED BY THE REGISTRAR GENERAL OF INDIA UNDER THE MHA.

THE 2023 AMENDMENT FOR CONTEXT: DIGITISED REGISTRATION, CREATED A NATIONAL DATABASE, AND MADE THE BIRTH CERTIFICATE A SINGLE DOCUMENT FOR SCHOOL ADMISSION, DRIVING LICENCE, VOTER REGISTRATION, MARRIAGE REGISTRATION AND GOVERNMENT APPOINTMENT.

Sources: PRS Legislative Research, Registrar General of India, The Hindu

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Bharat Choudhary

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