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भारत सरकार

GOVERNMENT OF INDIA

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

भारत के महारजिस्ट्रार का कार्यालय

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Dated: 12-09-2014

CIRCULAR

**Sub: Procedure for Registration of Death of Missing persons in Natural Calamities affected areas in Jammu & Kashmir.**

The Ministry of Home vide its D.O. letter no. 11012/5/2014-K-I dated 10.9.2014, has requested the Registrar General and Census Commissioner, India to formulate a standard procedure for issuing death certificate after due inquiry in case of the missing persons of Jammu & Kashmir and other States in J & K floods. Accordingly, the following procedure is communicated for necessary action by the concerned Chief Registrars of Births and Deaths.

2. As per the provision of Section 7(2) of the Registration of Births and Deaths (RBD) Act, 1969, the registration of birth and death has to take place at the place of occurrence of the event. In normal circumstances, the death is registered only on the reports from persons mentioned in section 8 of the RBD Act, 1969. However, in extraordinary cases like the one in Jammu & Kashmir, reports from public servants after due enquiry can be made use of for registering the deaths.

3. As regards persons whose dead body has been found, it is needless to state that the normal process of issuing Death Certificates should be followed.

4. In case of missing persons, who in all likelihood have died but the dead body is not traceable, all reasonable efforts should be made to determine that the person has in all likelihood died in the natural calamity that occurred in Jammu & Kashmir. The following process of enquiry may be followed in this regard:

## **Process**

The missing persons can be divided into the following categories:

- i. Permanent residents of the flood affected villages and permanent residents of the nearby villages of Jammu & Kashmir who were present in the flood affected villages during the catastrophe.
- ii. Residents of other districts of Jammu & Kashmir who were present in the flood affected villages during the catastrophe.
- iii. Tourists from other States who were present in the flood affected villages during the catastrophe.

### **Process to be followed in the case of permanent residents of the flood affected villages and permanent residents of the nearby villages of Jammu & Kashmir who were present in the flood affected villages during the catastrophe.**

1. A FIR/Missing Person Report should be filed by close relatives or next of kin at the place of residence of the person who is missing and presumed dead.
2. The FIR/Missing Person Report should be referred to the concerned Police Station under whose jurisdiction the person went missing. Notarised Affidavit regarding 'missing' should be filed by next of kin and should be kept as a permanent record.
3. The FIR/Missing Person Report should then be forwarded to the designated officer (Tahsildar/SDM) of the concerned area in Jammu & Kashmir along with report of Police Station and supporting documents for identification like ration card, family register, bank passbook etc.
4. The designated Officer should conduct a detailed enquiry regarding the missing person.
5. Based on the enquiry as detailed above the designated officer of Jammu & Kashmir should issue a speaking order regarding the provisional presumption of death.
6. The Designated Officer should then cause publication of the list of missing persons provisionally presumed dead in the Newspaper, Government Gazette in Hindi and English and also host the same on the Government Website for the purpose of obtaining Claims and Objections.
7. Claims and Objections should be received within 30 days

8. If no claim or objection is received within the time period, the Designated Officer should issue the Death Certificate.
9. The death certificate should be made available free of cost to the next of kin. The death certificate should also be sent to the Police Station where the FIR/Missing Person Report was filed.
10. In case of Claims and Objections, an appeal would lie with the Officer immediately superior to the Designated Officer (to be nominated by the State Government). After dealing with the appeal, speaking Orders should be sent to the Designated Officer who would then take appropriate action to issue the death certificate or deny it.

**Process to be followed in case of residents of other districts of Jammu & Kashmir who were present in the flood affected villages during the catastrophe**

1. 'FIR/Missing Person Report' should be filed by close relatives or next of kin at the place of residence in the originating district.
2. If FIR/Missing Person Report has already been filed in calamity affected areas of Jammu & Kashmir, the designated officer should forward the same to the designated Officer/SHO of the police station at the place of usual residence in the district of origin of the missing person, for local enquiry at their end.
3. Notarised Affidavit regarding 'missing' to be filed by next of kin and to be kept as a permanent record.
4. The enquiring officer in the originating district should conduct enquiry to establish the following facts:
  - a) That the family members or relatives or friends of the person concerned had filed FIR/Missing Person Report well in time (before 30<sup>th</sup> September, 2014). If it is beyond, this time limit, the reasons for approaching the police late should be enquired.
  - b) That the person concerned had travelled to the affected areas of Jammu & Kashmir before 4<sup>th</sup> September 2014.
  - c) That the person has been missing after his departure for affected district.
  - d) The enquiry report should be sent to the concerned Designated Officer at the affected areas of Jammu & Kashmir.

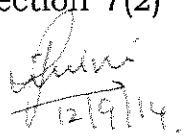
5. Based on the enquiry report of the officer in the originating district, the Designated Officer in affected areas of Jammu & Kashmir should further enquire into the fact of disappearance of the persons concerned, by looking into the database of missing persons maintained by the missing persons cell at Jammu and Srinagar by the State Government. He should also take into account all available information including the Statements of witnesses if any and last call data and other relevant data from mobile phone service providers to arrive at a conclusion regarding the death of the person. All available evidences may be taken into consideration before concluding whether the person has died or not. This may include police reports, enquiries from relief camps and affidavit submitted by the close relatives/next of kin etc.
6. Based on the enquiry as detailed above the designated officer of affected areas may issue a speaking order regarding the provisional presumption of death. This order should be communicated to the Designated Officer in the Originating district.
7. On receipt of such Order, the Designated Officer in the originating district should cause publication of the list of missing persons presumed dead in the Newspaper, Government Gazette in Hindi and English and also host the same on the Government Website for the purpose of Claims and Objections.
8. Claims and Objections may be received within 30 days
9. If no claim or objection is received within the time period, the Designated Officer in the originating district should send a report to the designated Officer in affected areas of Jammu & Kashmir.
10. Based on this report, the Designated Officer in affected areas of Jammu & Kashmir should issue the Death Certificate.
11. The death certificate should be made available free of cost to the next of kin. The death certificate should also be sent to the Police Station where the FIR/Missing Person Report was filed and to the designated officer in the originating district.
12. In case of Claims and Objections, an appeal would lie with the Officer immediately superior to the Designated Officer (to be nominated by the State Government). After dealing with the appeal, speaking Orders should be sent to the Designated Officer in affected areas of Jammu & Kashmir, who would then take appropriate action to issue the death certificate or deny it.

**Process to be followed in case of Tourists from other States who were present in the flood affected villages during the catastrophe.**

1. FIR/Missing Person Report', to be filed by close relatives or next of kin at the place of residence in the originating State.
2. If FIR/Missing Person Report have already been filed in Jammu & Kashmir, the designated officer of Jammu & Kashmir should forward the same to the designated Officer/SHO of the police station at the place of usual residence in the State of origin of the missing person, for local enquiry at their end.
3. Notarised Affidavit regarding 'missing' to be filed by next of kin and to be kept as a permanent record.
4. The enquiring officer in the originating State should conduct enquiry to establish the following facts:
  - a) That the family members or relatives or friends of the person concerned had filed FIR/Missing Person's Report well in time (before 30<sup>th</sup> September, 2014). If it is beyond, this time limit, the reasons for approaching the police late should be enquired.
  - b) That the person concerned had travelled to Jammu & Kashmir before 4<sup>th</sup> September, 2014.
  - c) That the person has been missing after his departure for Jammu & Kashmir. For arriving at his conclusion, the enquiry officer should also verify with reference to the database maintained for this purpose by the Resident Commissioner of the originating State Government at New Delhi or the authorised officers of the State Government who had camped at Jammu and Srinagar during September 2014 to conduct enquiries on missing persons from their States.
  - d) The enquiry report should be sent to the concerned Designated Officer at Jammu & Kashmir.
5. Based on the enquiry report of the officer in the originating State, the Designated Officer in Jammu & Kashmir should further enquire into the fact of disappearance of the persons concerned, by looking into the database of missing persons maintained by the missing persons cell at Jammu and Srinagar by the State Government. He should also take into account all available information including the Statements of witnesses if any and last call data and other relevant data from mobile phone service providers to arrive at a conclusion regarding the death of the person. All available evidences may be taken into consideration before concluding whether the person has died or not. This may include police

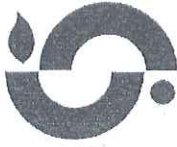
reports, enquiries from relief camps and affidavit submitted by the close relatives/next of kin etc.

6. Based on the enquiry as detailed above the designated officer of Jammu & Kashmir may issue a speaking order regarding the provisional presumption of death. This order should be communicated to the Designated Officer in the Originating State.
  7. On receipt of such Order, the Designated Officer in the originating State should cause publication of the list of missing persons presumed dead in the Newspaper, Government Gazette in the local language of the State and English and also host the same on the Government Website for the purpose of Claims and Objections.
  8. Claims and Objections may be received within 30 days
  9. If no claim or objection is received within the time period, the Designated Officer in the originating State should send a report to the designated Officer in Jammu & Kashmir.
  10. Based on this report, the Designated Officer in Jammu & Kashmir should issue the Death Certificate.
  11. The death certificate should be made available free of cost to the next of kin. The death certificate should also be sent to the Police Station where the FIR/Missing Person Report was filed and to the designated officer in the Originating State.
  12. In case of Claims and Objections, an appeal would lie with the Officer immediately superior to the Designated Officer (to be nominated by the originating State Government). After dealing with the appeal, speaking Orders should be sent to the Designated Officer in Jammu & Kashmir, who would then take appropriate action to issue the death certificate or deny it.
5. For enabling this process the designated Officer (Tahsildar/SDM) in Jammu & Kashmir may be declared as a Registrar of Death under Section 7(1) of the Registration of Births and Deaths (RBD) Act, 1969. In all the above cases, registration of death may be done at the place of occurrence of death/presumed death in accordance with provision made under Section 7(2) of RBD Act.

  
12/9/14  
(P. A. Mini)

Deputy Registrar General

To,  
The Chief Registrars of concerned States



Speed  
Post

सं./No. 1/2/ (Uttarakhand)/2011 -VS -CRS

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GOVERNMENT OF INDIA

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भारत के महारजिस्ट्रार का कार्यालय

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Dated 16-08-2013

CIRCULAR

**Sub: Procedure for Registration of Death of Missing persons in Natural Calamities affected areas in Uttarakhand.**

The Inter Ministerial Group (IMG) on Uttarakhand headed by the Cabinet Secretary in its meeting held on 2.08.2013, has requested the Registrar General and Census Commissioner, India to formulate a standard procedure for issuing death certificate after due inquiry in case of the missing persons of Uttarakhand and other States. Accordingly, the following procedure is communicated for necessary action by the concerned Chief Registrars of Births and Deaths.

2. As per the provision of Section 7(2) of the Registration of Births and Deaths (RBD) Act, 1969, the registration of birth and death has to take place at the place of occurrence of the event. In normal circumstances, the death is registered only on the reports from persons mentioned in section 8 of the RBD Act, 1969. However, in extraordinary cases like the one in Uttarakhand, reports from public servants after due enquiry can be made use of for registering the deaths.

3. As regards persons whose dead body has been found, it is needless to state that the normal process of issuing Death Certificates should be followed.

4. In case of missing persons, who in all likelihood have died but the dead body is not traceable, all reasonable efforts should be made to determine that the person has in all likelihood died in the natural calamity that occurred in Uttarakhand. The following process of enquiry may be followed in this regard:

**Process**

The missing persons can be divided into the following categories:

Dy. No. 3155-83  
(29/08/13)



- (i) Permanent residents of the flood affected villages and permanent residents of the nearby villages of Uttarakhand who were present in the flood affected villages during the catastrophe.
- (ii) Residents of other districts of Uttarakhand who were present in the flood affected villages during the catastrophe.
- (iii) Tourists from other States who were present in the flood affected villages during the catastrophe.

**Process to be followed in the case of permanent residents of the flood affected villages and permanent residents of the nearby villages of Uttarakhand who were present in the flood affected villages during the catastrophe.**

1. A FIR/Missing Person Report should be filed by close relatives or next of kin at the place of residence of the person who is missing and presumed dead.
2. The FIR/Missing Person Report should be referred to the concerned Police Station under whose jurisdiction the person went missing. Notarised Affidavit regarding 'missing' should be filed by next of kin and should be kept as a permanent record.
3. The FIR/Missing Person Report should then be forwarded to the designated officer (Pargana Adhikari/SDM) of the concerned area in Uttarakhand along with report of Police Station and supporting documents for identification like ration card, family register, bank passbook etc.
4. The designated Officer should conduct a detailed enquiry regarding the missing person.
5. Based on the enquiry as detailed above the designated officer of Uttarakhand should issue a speaking order regarding the provisional presumption of death.
6. The Designated Officer should then cause publication of the list of missing persons provisionally presumed dead in the Newspaper, Government Gazette in Hindi and English and also host the same on the Government Website for the purpose of obtaining Claims and Objections.
7. Claims and Objections should be received within 30 days
8. If no claim or objection is received within the time period, the Designated Officer should issue the Death Certificate.
9. The death certificate should be made available free of cost to the next of kin. The death certificate should also be sent to the Police Station where the FIR/Missing Person Report was filed.
10. In case of Claims and Objections, an appeal would lie with the Officer immediately superior to the Designated Officer (to be nominated by the





State Government). After dealing with the appeal, speaking Orders should be sent to the Designated Officer who would then take appropriate action to issue the death certificate or deny it.

**Process to be followed in case of residents of other districts of Uttarakhand who were present in the flood affected villages during the catastrophe**

1. 'FIR/Missing Person Report' should be filed by close relatives or next of kin at the place of residence in the originating district.
2. If FIR/Missing Person Report has already been filed in calamity affected areas of Uttarakhand, the designated officer should forward the same to the designated Officer/SHO of the police station at the place of usual residence in the district of origin of the missing person, for local enquiry at their end.
3. Notarised Affidavit regarding 'missing' to be filed by next of kin and to be kept as a permanent record.
4. The enquiring officer in the originating district should conduct enquiry to establish the following facts:
  - a) That the family members or relatives or friends of the person concerned had filed FIR/Missing Person Report well in time (before 30th June, 2013). If it is beyond, this time limit, the reasons for approaching the police late should be enquired.
  - b) That the person concerned had travelled to the affected areas of Uttarakhand before 16th June, 2013.
  - c) That the person has been missing after his departure for affected district.
  - d) The enquiry report should be sent to the concerned Designated Officer at the affected areas of Uttarakhand.
5. Based on the enquiry report of the officer in the originating district, the Designated Officer in affected areas of Uttarakhand should further enquire into the fact of disappearance of the persons concerned, by looking into the database of missing persons maintained by the missing persons cell at Dehradun by the State Government. He should also take into account all available information including the Statements of witnesses if any and last call data and other relevant data from mobile phone service providers to arrive at a conclusion regarding the death of the person. All available evidences may be taken into consideration before concluding whether the person has died or not. This may include police reports, enquiries from relief camps and affidavit submitted by the close relatives/next of kin etc.
6. Based on the enquiry as detailed above the designated officer of affected areas may issue a speaking order regarding the provisional presumption



of death. This order should be communicated to the Designated Officer in the Originating district.

7. On receipt of such Order, the Designated Officer in the originating district should cause publication of the list of missing persons presumed dead in the Newspaper, Government Gazette in Hindi and English and also host the same on the Government Website for the purpose of Claims and Objections.
8. Claims and Objections may be received within 30 days.
9. If no claim or objection is received within the time period, the Designated Officer in the originating district should send a report to the designated Officer in affected areas of Uttarakhand.
10. Based on this report, the Designated Officer in affected areas of Uttarakhand should issue the Death Certificate.
11. The death certificate should be made available free of cost to the next of kin. The death certificate should also be sent to the Police Station where the FIR/Missing Person Report was filed and to the designated officer in the originating district.
12. In case of Claims and Objections, an appeal would lie with the Officer immediately superior to the Designated Officer (to be nominated by the State Government). After dealing with the appeal, speaking Orders should be sent to the Designated Officer in affected areas of Uttarakhand, who would then take appropriate action to issue the death certificate or deny it.

**Process to be followed in case of Tourists from other States who were present in the flood affected villages during the catastrophe.**

1. FIR/Missing Person Report', to be filed by close relatives or next of kin at the place of residence in the originating State.
2. If FIR/Missing Person Report have already been filed in Uttarakhand, the designated officer of Uttarakhand should forward the same to the designated Officer/SHO of the police station at the place of usual residence in the State of origin of the missing person, for local enquiry at their end.
3. Notarised Affidavit regarding 'missing' to be filed by next of kin and to be kept as a permanent record.
4. The enquiring officer in the originating State should conduct enquiry to establish the following facts:
  - a) That the family members or relatives or friends of the person concerned had filed FIR/Missing Person's Report well in time (before 30th June, 2013). If it is beyond, this time limit, the reasons for approaching the police late should be enquired.
  - b) That the person concerned had travelled to Uttarakhand before 16th June, 2013.



- e) That the person has been missing after his departure for Uttarakhand. For arriving at his conclusion, the enquiry officer should also verify with reference to the database maintained for this purpose by the Resident Commissioner of the originating State Government at New Delhi or the authorised officers of the State Government who had camped at Dehradun during June 2013 to conduct enquiries on missing persons from their States.
- d) The enquiry report should be sent to the concerned Designated Officer at Uttarakhand.
5. Based on the enquiry report of the officer in the originating State, the Designated Officer in Uttarakhand should further enquire into the fact of disappearance of the persons concerned, by looking into the database of missing persons maintained by the missing persons cell at Dehradun by the State Government. He should also take into account all available information including the Statements of witnesses if any and last call data and other relevant data from mobile phone service providers to arrive at a conclusion regarding the death of the person. All available evidences may be taken into consideration before concluding whether the person has died or not. This may include police reports, enquiries from relief camps and affidavit submitted by the close relatives/next of kin etc.
  6. Based on the enquiry as detailed above the designated officer of Uttarakhand may issue a speaking order regarding the provisional presumption of death. This order should be communicated to the Designated Officer in the Originating State.
  7. On receipt of such Order, the Designated Officer in the originating State should cause publication of the list of missing persons presumed dead in the Newspaper, Government Gazette in the local language of the State and English and also host the same on the Government Website for the purpose of Claims and Objections.
  8. Claims and Objections may be received within 30 days
  9. If no claim or objection is received within the time period, the Designated Officer in the originating State should send a report to the designated Officer in Uttarakhand.
  10. Based on this report, the Designated Officer in Uttarakhand should issue the Death Certificate.
  11. The death certificate should be made available free of cost to the next of kin. The death certificate should also be sent to the Police Station where the FIR/Missing Person Report was filed and to the designated officer in the Originating State.
  12. In case of Claims and Objections, an appeal would lie with the Officer immediately superior to the Designated Officer (to be nominated by the originating State Government). After dealing with the appeal, speaking



Orders should be sent to the Designated Officer in Uttarakhand, who would then take appropriate action to issue the death certificate or deny it.

4. For enabling this process the designated Officer (Pargana Adhikari/SDM) in Uttarakhand may be declared as a Registrar of Death under Section 7(1) of the Registration of Births and Deaths (RBD) Act, 1969. In all the above cases, registration of death/presumed death in accordance with provision made under Section 7(2) of RBD Act.



(P. A. Mini)

Deputy Registrar General

To,

The All Chief Registrar of Births & Deaths and  
(Except North Eastern States)



प्रत्येक जन्म एवम् मृत्यु का पंजीकरण सुनिश्चित करें/  
"Ensure Registration of Every Birth and Death"



सं.1/2/(उत्तराखंड)/2011-वीएस-सीआरएस)

भारत सरकार

गृह मंत्रालय

भारत के महारजिस्ट्रार का कार्यालय

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दिनांक: 06-09-2013

### परिपत्र

**विषय:** उत्तराखंड के प्राकृतिक आपदा प्रभावित क्षेत्रों में लापता व्यक्तियों की मृत्यु के रजिस्ट्रीकरण संबंधी प्रक्रिया ।

मंत्रिमंडल सचिव की अध्यक्षता वाले उत्तराखंड संबंधी अंतर मंत्रालयी समूह (आईएमजी) ने 02.08.2013 को आयोजित अपनी बैठक में भारत के महारजिस्ट्रार एवं जनगणना आयुक्त से उत्तराखंड तथा अन्य राज्यों के लापता व्यक्तियों के मामले में यथोचित जांच-पड़ताल करने के पश्चात मृत्यु प्रमाणपत्र जारी करने के संबंध में एक मानक प्रक्रिया तैयार करने का अनुरोध किया है । तदनुसार, जन्म-मृत्यु से संबंधित मुख्य रजिस्ट्रारों द्वारा आवश्यक कार्रवाई के लिए निम्नलिखित प्रक्रिया सूचित की जा रही है ।

2. जन्म और मृत्यु रजिस्ट्रीकरण (आरबीडी) अधिनियम, 1969 की धारा 7(2) के प्रावधान के अनुसार जन्म और मृत्यु का रजिस्ट्रीकरण जन्म और मृत्यु के होने के स्थान पर ही किया जाता है । सामान्य परिस्थितियों में मृत्यु का रजिस्ट्रीकरण, जन्म और मृत्यु रजिस्ट्रीकरण अधिनियम, 1969 की धारा 8 में उल्लिखित व्यक्तियों से रिपोर्टें प्राप्त होने पर ही किया जाता है । तथापि, उत्तराखंड जैसे असाधारण मामलों में लोक सेवकों से प्राप्त रिपोर्टों को यथोचित जांच के पश्चात मृत्यु के रजिस्ट्रीकरण के लिए प्रयोग में लाया जा सकता है ।

3. जहां तक उन व्यक्तियों का संबंध है जिनके मृत शरीर प्राप्त हुए हैं, उनके लिए यह कहना आवश्यक नहीं है कि मृत्यु प्रमाणपत्र जारी करने की सामान्य प्रक्रिया का ही अनुसरण किया जाए ।

4. ऐसे लापता व्यक्तियों, जिनकी मृत्यु की पूर्ण संभावना है किन्तु मृत शरीर नहीं मिल पा रहा है, उनके उत्तराखंड में आई प्राकृतिक आपदा में मृत होने की संभावना के निर्धारण के लिए सभी युक्तिसंगत प्रयास किए जाने चाहिए । इस संबंध में जांच- पड़ताल की निम्नलिखित प्रक्रिया का अनुसरण किया जाए:

प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करें ।

*"Ensure Registration of Every Birth and Death"*



## प्रक्रिया

लापता व्यक्तियों को निम्नलिखित श्रेणियों में बांटा जा सकता है:

- (i) इस त्रासदी के दौरान बाढ़ प्रभावित गांवों में मौजूद बाढ़ प्रभावित गांवों के स्थाई निवासी तथा उत्तराखंड के आस-पास के गांवों के स्थाई निवासी ।
- (ii) इस त्रासदी के दौरान बाढ़ प्रभावित गांवों में मौजूद उत्तराखंड के अन्य जिलों के निवासी ।
- (iii) इस त्रासदी के दौरान बाढ़ प्रभावित गांवों में मौजूद अन्य राज्यों के पर्यटक ।

इस त्रासदी के समय बाढ़ प्रभावित गांवों में मौजूद बाढ़ प्रभावित गांवों के स्थाई निवासियों तथा उत्तराखंड के आस-पास के गांवों के स्थाई निवासियों के मामले में अनुसरित की जाने वाले प्रक्रिया ।

1. लापता और मृत मान लिए गए व्यक्ति के निवास के स्थान पर उसके सगे संबंधियों अथवा निकटतम संबंधियों द्वारा प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट दर्ज कराई जानी चाहिए ।
2. यह प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट संबंधित पुलिस थाने को भेजी जानी चाहिए जिसके क्षेत्राधिकार में वह व्यक्ति लापता हुआ था । 'गुमशुदगी' के संबंध में निकटतम संबंधी द्वारा नोटरीकृत शपथपत्र फाइल कराया जाना चाहिए और इसे स्थाई रिकार्ड के रूप में रखा जाना चाहिए ।
3. प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट, पुलिस थाने की रिपोर्ट और पहचान संबंधी अन्य सहायक दस्तावेजों जैसे राशन कार्ड, परिवार रजिस्टर, बैंक पासबुक इत्यादि उत्तराखंड में संबंधित क्षेत्र के नामोद्दिष्ट अधिकारी (परगना अधिकारी/एसडीएम) को भेजी जानी चाहिए ।
4. नामोद्दिष्ट अधिकारी को लापता व्यक्ति के संबंध में विस्तृत जांच-पड़ताल करनी चाहिए ।
5. ऊपर उल्लिखित जांच-पड़ताल के आधार पर उत्तराखंड के नामोद्दिष्ट अधिकारी को मृत्यु के अनन्तिम अनुमान के संबंध में एक व्याख्यात्मक आदेश जारी करना चाहिए ।
6. इसके पश्चात नामोद्दिष्ट अधिकारी को अनन्तिम रूप से मृत मान लिए गए लापता व्यक्तियों की सूची को दावे और आपत्तियां प्राप्त करने के प्रयोजन से अंग्रेजी और हिंदी समाचार पत्रों एवं सरकारी राजपत्र में प्रकाशित करवाना चाहिए तथा इसे सरकारी वेबसाइट पर भी डालना चाहिए।
7. दावे और आपत्तियां 30 दिन के भीतर प्राप्त हो जानी चाहिए ।
8. यदि निश्चित अवधि के भीतर कोई दावा अथवा आपत्ति प्राप्त नहीं होती है तो नामोद्दिष्ट अधिकारी द्वारा मृत्यु प्रमाणपत्र जारी कर दिया जाना चाहिए ।
9. यह मृत्यु प्रमाणपत्र निकटतम सम्बन्धी को निःशुल्क रूप से उपलब्ध करवाया जाना चाहिए । यह मृत्यु प्रमाणपत्र उस पुलिस थाने को भी भेजा जाना चाहिए जहां प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट दर्ज करवाई गई थी ।



प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करें ।

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10. दावों और आपत्तियों के मामले में नामोद्दिष्ट अधिकारी के तात्कालिक वरिष्ठ अधिकारी (जिसे राज्य सरकार द्वारा नामित किया जाना है) के पास एक अपील की जाएगी। अपील पर कार्रवाई के पश्चात, नामोद्दिष्ट अधिकारी को व्याख्यात्मक आदेश भेजे जाने चाहिए जिसके आधार पर वह मृत्यु प्रमाणपत्र जारी करने अथवा इसे अस्वीकार करने के लिए उचित कार्रवाई करेगा।

**त्रासदी के दौरान बाढ़ प्रभावित गांवों में मौजूद उत्तराखंड के अन्य जिलों के निवासियों के मामले में अपनाई जाने वाली प्रक्रिया**

1. मूल जिले में निवास के स्थान पर सगे संबंधी अथवा निकटतम संबंधी द्वारा 'प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट' दर्ज की जानी चाहिए।
2. यदि उत्तराखंड के आपदा प्रभावित क्षेत्रों में प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट पहले से दर्ज की जा चुकी है, तो नामोद्दिष्ट अधिकारी को इसे लापता व्यक्ति के मूल जिले में उसके सामान्य निवास के स्थान पर नामोद्दिष्ट अधिकारी/थाना प्रभारी को स्थानीय स्तर पर जांच के लिए अग्रेषित करनी चाहिए।
3. 'लापता' के संबंध में निकटतम संबंधी द्वारा नोटरीकृत शपथ-पत्र फाइल किया जाना चाहिए और उसे स्थायी रिकार्ड के रूप रखा जाना चाहिए।
4. मूल जिले के जांच अधिकारी को निम्नलिखित तथ्यों को सिद्ध करने के लिए जांच पड़ताल करनी चाहिए -
  - (क) कि संबंधित व्यक्ति के परिवार के सदस्यों अथवा संबंधियों अथवा मित्रों ने प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट ठीक समय (30 जून, 2013 से पहले) पर दर्ज की है। यदि यह इस समय सीमा के बाद की गई है तो पुलिस के पास देरी से जाने के कारणों की जांच-पड़ताल की जानी चाहिए।
  - (ख) कि संबंधित व्यक्ति 16 जून, 2013 से पहले उत्तराखंड के प्रभावित क्षेत्रों में गया था।
  - (ग) कि व्यक्ति प्रभावित जिले के लिए प्रस्थान करने के बाद लापता हुआ है।
  - (घ) जांच रिपोर्ट उत्तराखंड के प्रभावित क्षेत्रों के संबंधित नामोद्दिष्ट अधिकारी को भेजी जानी चाहिए।
5. मूल जिले में अधिकारी की जांच रिपोर्ट के आधार पर, उत्तराखंड के प्रभावित क्षेत्रों के नामोद्दिष्ट अधिकारी को राज्य सरकार द्वारा देहरादून में लापता व्यक्ति प्रकोष्ठ द्वारा अनुरक्षित लापता व्यक्तियों के डाटाबेस को देखकर संबंधित व्यक्तियों के गायब होने के तथ्य की अनुवर्ती रूप से जांच-पड़ताल करनी चाहिए। उसे व्यक्ति के मृत्यु के संबंध में किसी निष्कर्ष पर पहुंचने के लिए मोबाइल फोन सेवा प्रदाताओं से प्राप्त, अन्तिम कॉल डाटा और अन्य संगत डाटा एवं यदि कोई गवाह है तो उसके बयान सहित सभी उपलब्ध सूचना को भी ध्यान में रखना चाहिए। व्यक्ति की मृत्यु हो चुकी है या नहीं, इस निष्कर्ष पर पहुंचने से पहले सभी उपलब्ध सबूतों पर विचार किया जाना चाहिए। इसमें पुलिस रिपोर्ट, राहत शिविरों में की गई जांच-पड़ताल और सगे संबंधियों/निकटतम संबंधियों इत्यादि द्वारा प्रस्तुत शपथ-पत्र को शामिल किया जाना चाहिए।

प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करें।

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6. उपर्युक्त उल्लिखित जांच के आधार पर प्रभावित क्षेत्रों का नामोद्दिष्ट अधिकारी मृत्यु की अनंतिम संभावना के संबंध में व्याख्यात्मक आदेश जारी करेगा । इस आदेश को मूल जिले के नामोद्दिष्ट अधिकारी को संप्रेषित किया जाना चाहिए ।
7. ऐसे आदेश की प्राप्ति पर, मूल जिले के नामोद्दिष्ट अधिकारी द्वारा मृत मान लिए गए लापता व्यक्तियों की सूची को हिंदी और अंग्रेजी समाचार पत्र एवं सरकारी राजपत्र में प्रकाशित करवाना चाहिए और दावों तथा आपत्तियों के प्रयोजन से उसे सरकारी वेबसाइट पर भी डाल देना चाहिए ।
8. दावे और आपत्तियां 30 दिनों के अंदर प्राप्त हो जानी चाहिए ।
9. यदि समयवधि के भीतर कोई दावे और आपत्तियां प्राप्त नहीं होती हैं तो मूल जिले के नामोद्दिष्ट अधिकारी को उत्तराखंड के प्रभावित क्षेत्रों के नामोद्दिष्ट अधिकारी को एक रिपोर्ट भेजनी चाहिए ।
10. इस रिपोर्ट के आधार पर उत्तराखंड के प्रभावित क्षेत्रों के नामोद्दिष्ट अधिकारी द्वारा मृत्यु प्रमाणपत्र जारी किया जाना चाहिए ।
11. यह मृत्यु प्रमाणपत्र निकटतम संबंधी को निःशुल्क उपलब्ध कराया जाना चाहिए । मृत्यु प्रमाणपत्र उस थाने को जिसमें प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट दर्ज की गई है और मूल जिले में नामोद्दिष्ट अधिकारी को भी भेजा जाना चाहिए ।
12. दावों और आपत्तियों के मामले में, नामोद्दिष्ट अधिकारी (जिसे राज्य सरकार द्वारा नामित किया जाना है) के तात्कालिक रूप से वरिष्ठ अधिकारी के पास अपील की जाएगी । अपील पर कार्रवाई के पश्चात उत्तराखंड के प्रभावित क्षेत्रों के नामोद्दिष्ट अधिकारी को व्याख्यात्मक आदेश भेजे जाने चाहिए ताकि इसके पश्चात वह मृत्यु प्रमाणपत्र जारी करने अथवा अस्वीकार करने के लिए उचित कार्रवाई करेगा ।

**त्रासदी के दौरान बाढ़ प्रभावित क्षेत्रों में उपस्थित अन्य राज्यों के पर्यटकों के मामले में अपनाई जाने वाली प्रक्रिया ।**

1. मूल राज्य में निवास के स्थान पर सगे संबंधी अथवा निकटतम संबंधी द्वारा प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट दर्ज की जानी चाहिए ।
2. यदि प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट पहले ही उत्तराखंड में दर्ज की जा चुकी है तो उसे लापता व्यक्ति के मूल राज्य में सामान्य निवास के स्थान पर नामोद्दिष्ट अधिकारी/थाने के थाना प्रभारी को स्थानीय जांच के लिए भेज देना चाहिए ।
3. 'लापता' के संबंध में निकटतम संबंधी द्वारा नोटरीकृत शपथ-पत्र फाइल किया जाना चाहिए और उसे स्थायी रिकार्ड के रूप में रखा जाना चाहिए ।
4. मूल राज्य के जांच अधिकारी को निम्नलिखित तथ्यों को सिद्ध करने के लिए जांच करनी चाहिए:
  - (क) कि परिवार के सदस्यों अथवा संबंधियों अथवा मित्रों ने संबंधित व्यक्ति की प्रथम सूचना रिपोर्ट/लापता व्यक्ति रिपोर्ट ठीक समय (30 जून, 2013 से पहले) पर दर्ज की है । यदि यह इस समय सीमा के बाद दर्ज की गई है तो पुलिस के पास देरी से जाने के कारणों की जांच की जानी चाहिए ।

प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करें ।

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- (ख) कि संबंधित व्यक्ति 16 जून, 2013 से पहले उत्तराखंड के प्रभावित क्षेत्रों की यात्रा पर गया था ।
- (ग) उत्तराखंड के लिए रवाना होने के बाद व्यक्ति लापता है इस संबंध में कोई निष्कर्ष निकालने के लिए जांच अधिकारी को चाहिए कि वह नई दिल्ली में मूल राज्य सरकार के रेजिडेंट कमिश्नर द्वारा इस प्रयोजनार्थ रखे गए डाटाबेस से जांच करे अथवा राज्य सरकार के उन प्राधिकृत अधिकारियों से संपर्क करे जिन्होंने उनके राज्यों के लापता लोगों के बारे में पूछताछ करने के लिए देहरादून में जून, 2013 के दौरान कैंप लगाया था ।
- (घ) जांच रिपोर्ट उत्तराखंड में संबंधित नामोद्दिष्ट अधिकारी को भेजी जानी चाहिए ।
5. उत्तराखंड में नामोद्दिष्ट अधिकारी द्वारा मूल राज्य के अधिकारी द्वारा प्रस्तुत जांच रिपोर्ट के आधार पर संबंधित व्यक्तियों के लापता होने के बारे में आगे का जांच कार्य राज्य सरकार द्वारा देहरादून में बनाए गए लापता व्यक्ति प्रकोष्ठ द्वारा अनुरक्षित लापता लोगों के डाटाबेस में देखकर किया जाना चाहिए । व्यक्ति की मृत्यु के बारे में किसी निष्कर्ष पर पहुंचने के लिए नामोद्दिष्ट अधिकारी को प्रत्यक्षदर्शी के बयान, यदि कोई हो, और मोबाइल सर्विस प्रदाता से व्यक्ति की अंतिम कॉल और मोबाइल से संबंधित अन्य संगत डाटा सहित उपलब्ध समस्त जानकारी का उपयोग करना चाहिए । व्यक्ति की मृत्यु हो चुकी है या नहीं इस बात का निर्णय करने के लिए सभी उपलब्ध प्रमाणों पर विचार करना चाहिए । इसमें पुलिस रिपोर्ट, राहत शिविरों से पूछताछ और सगे संबंधियों/निकटतम संबंधियों इत्यादि द्वारा प्रस्तुत शपथ-पत्र शामिल हो सकते हैं ।
  6. उपर्युक्त विस्तृत जांच के आधार पर उत्तराखंड का नामोद्दिष्ट अधिकारी अस्थायी रूप से मृत माने जाने के संबंध में व्याख्यात्मक आदेश जारी कर सकता है । इस आदेश को मूल राज्य के नामोद्दिष्ट अधिकारी को भेजा जाना चाहिए ।
  7. इस आदेश की प्राप्ति पर संबंधित राज्य के नामोद्दिष्ट अधिकारी को मृत मान लिए गए लापता व्यक्तियों की सूची राज्य की स्थानीय भाषा एवं अंग्रेजी में समाचार पत्रों, सरकारी राजपत्र में प्रकाशित करवाना चाहिए और इस सूची को दावों अथवा आपत्तियों के प्रयोजन से सरकारी वेबसाइट में भी डाल देना चाहिए ।
  8. दावे और आपत्तियां 30 दिन के भीतर प्राप्त हो जानी चाहिए ।
  9. यदि निर्धारित समयावधि के भीतर कोई दावा या आपत्ति प्राप्त नहीं होती है तो संबंधित राज्य के नामोद्दिष्ट अधिकारी द्वारा एक रिपोर्ट उत्तराखंड के नामोद्दिष्ट अधिकारी को भेज दी जानी चाहिए ।
  10. इस रिपोर्ट के आधार पर उत्तराखंड के पदनामित अधिकारी द्वारा मृत्यु प्रमाणपत्र जारी किया जाना चाहिए ।
  11. निकटतम संबंधियों को मृत्यु प्रमाणपत्र निःशुल्क रूप से उपलब्ध कराया जाना चाहिए । मृत्यु प्रमाणपत्र उस पुलिस थाने, जहां एफआईआर/लापता व्यक्ति रिपोर्ट दर्ज करायी गई थी और संबंधित राज्य के नामोद्दिष्ट अधिकारी को भी भेजा जाना चाहिए ।

प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करें ।

“Ensure Registration of Every Birth and Death”



12. दावों और आपत्तियों की स्थिति में, पदनामित अधिकारी से तात्कालिक रूप से अधिकारी (जिसे संबंधित राज्य सरकार द्वारा नामित किया जाना है) के पास एक अपील की जाएगी। अपील पर कार्रवाई करने के बाद उत्तराखंड के नामोद्दिष्ट अधिकारी को व्याख्यात्मक आदेश भेजा जाना होगा जोकि इसके पश्चात मृत्यु होने का प्रमाणपत्र जारी करने अथवा इसे अस्वीकार करने के संबंध में उचित कार्रवाई करेगा।

4. इस प्रक्रिया को लागू करने के लिए उत्तराखंड के नामोद्दिष्ट अधिकारी (परगना अधिकारी/एसडीएम) को जन्म एवं मृत्यु रजिस्ट्रीकरण (आरबीडी) अधिनियम, 1969 की धारा 7(1) के अंतर्गत मृत्यु रजिस्ट्रार घोषित किया जाएगा। उपर्युक्त सभी मामलों में मृत्यु का रजिस्ट्रीकरण आरबीडी अधिनियम की धारा 7(2) के प्रावधान के अनुसार मृत्यु होने के स्थान/मृत मान लिए जाने वाले स्थान पर किया जाए।

पी. ए. मिनी  
6/9/13

(पी.ए.मिनी)

उप महारजिस्ट्रार (सीआरएस)

सेवा में,

मुख्य रजिस्ट्रार, जन्म और मृत्यु



प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करें।

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