



2026:DHC:2291-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 18.03.2026

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LPA 136/2026

UNION OF INDIA

.....Appellant

Through: Mr. Sushil Kumar Pandey, Mr.
Mahesh Gautam & Ms. Anjali Yadav,
Advocates.

Versus

GURMEET SINGH AND ORS

.....Respondents

Through: Mr. Rajat Sang, Advocate for R-1.
Mr. Sameer Vashisht, Ms. Harshita
Nathrani & Mr. Ayushman Vachher,
Advocates for R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

DEVENDRA KUMAR UPADHYAYA, CJ. (ORAL)

CM APPL. 16585/2026 (Delay)

1. Having heard the learned Counsel for the Parties, the delay in filing the present Appeal is condoned.
2. The Application stands disposed of.

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3. Heard Mr. Sushil Kumar Pandey, learned Counsel for the Appellant, Mr. Rajat Sang, learned Counsel representing Respondent No.1 and Mr. Sameer Vashisht, learned Counsel representing Respondent No.2.
4. By instituting the proceedings of this *intra-court* appeal challenge has



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been made to the order dated 09.01.2026 (“**Impugned Order**”) passed by the learned Single Judge whereby the petition seeking review of the order dated 16.10.2025 has been rejected.

5. It has been contended by learned Counsel for the Appellant that the directions issued in the order dated 16.10.2025 passed by the learned Single Judge to the Registrar General of India is against the powers conferred by the Registration of Births and Deaths Act, 1969 (“**Act**”) upon him and therefore the learned Single Judge has erred not only while passing the order dated 16.10.2025 but also in rejecting the application seeking review of the order by means of the Impugned Order.

6. The Respondent No.1 had filed W.P.(C) No.546/2025 with the prayer that Union of India / Appellant be directed to conduct comprehensive enquiry in view of the contrary record / certificates furnished by Chief Registrar, Government of NCT of Delhi (“**GNCTD**”) and Chief Registrar, Punjab in respect of the Death Certificate of one Smt. Nihal Kaur.

7. The learned Single Judge considering the submissions of the parties disposed of the said writ petition by means of order dated 16.10.2025 directing the Registrar General of India to conduct an enquiry in the matter and make an endeavour to resolve the dichotomy between the Death Certificates issued by the Chief Registrar, GNCTD and Chief Registrar, Punjab.

8. A petition seeking Review of the order dated 16.10.2025 was filed by the Appellant which has been dismissed by the Impugned Order. The learned Single Judge while dismissing the Review Petition has discussed the scope of the powers vested in the Registrar General under Section 3 of the Act and has concluded that under sub-section (4) of Section 3 of the Act, the



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Registrar General of India has been charged with the duty of maintenance of data base of registered births and deaths at the national level and in case any conflict / inconsistency in the data received by the Registrar General of India from the concerned authorities / Registrars of different states is noticed, the Registrar General is not precluded from examining the matter and making an attempt to resolve such inconsistency.

9. The learned Single Judge has further observed in the Impugned Order that such steps may be taken by the Registrar General of India to maintain integrity and reliability of the database. The learned Single Judge has also while issuing such directions, observed that the exercise as directed by the order under challenge shall not preclude the Registrar General of India from relegating any unresolved issue / discrepancy to appropriate civil / judicial proceedings for adjudication.

10. Impeaching the Impugned Order, the learned Counsel for the Appellant has emphasized that the Act was amended *vide* Registration of Birth and Death (Amendment) Act, 2023 which came into force with effect from 01.10.2023. It has been contended by the learned Counsel for the Appellant that it is only when the 2023 amendment was brought into force that the Registrar General was cast a duty to take steps not only to co-ordinate and unify the activities of Chief Registrars in the matter of registration of births and deaths but also in relation to maintenance of database of registered births and deaths. By the said amendment, the Registrar General of India has also been required to submit an annual report on the working of the Act to the Central Government. It has been further argued by learned Counsel for the Appellant that sub-sections (4) and (5) of Section 3 of the Act were inserted only by way of 2023 amendment which



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provides that one of functions of the Registrar General of India is to maintain register of births and deaths at national level and obligates the Chief Registrars and Registrars of the states to share the data of registered births and deaths with the Registrar General of India. The learned Counsel for the Appellants submits that prior to the amendment, which was brought into force in the year 2023, the Registrar General of India did not owe any duty to maintain the database of registered births and deaths. He states that, as a matter, of fact no database has been maintained by the Registrar General of India under the Act pertaining to the period prior to 2023 amendment. In the light of the aforesaid, it has been argued that since the Death Certificate in question pertains to a period prior to 01.10.2023, the Registrar General is not under any obligation to maintain the data base in respect of the same and the direction issued by the learned Single Judge in the Impugned Order is, thus, beyond the scope of the power and authority vested in the Registrar General of India under Section 3 of the Act.

11. He has also drawn our attention to Section 15 of the Act and submitted that any discrepancy, correction or cancellation of any entry in the register of births and deaths can be sought by any person aggrieved by moving an appropriate application before the Registrar of the state concerned and not before the Registrar General of India.

12. Learned counsel for the Appellant has also referred to a communication dated 12.12.2023, issued from the Office of Registrar General of India, wherein, a letter of Respondent No.1 dated 01.12.2023 has been mentioned whereby, a request was made to cancel the Death Certificate of late Shri. Nihal Kaur, issued by the local Registrar of Municipal Corporation, Mohali, Punjab. By the said letter the Chief Registrar of Births



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and Deaths, Punjab was requested to look into the matter and direct the concerned local registration authority to conduct an inquiry, if required, and take appropriate necessary action, as per the provisions of the Act and the Rules made there under. The said letter makes a reference to Section 15 of the Act and corresponding Rule 11 of the Rules framed under the said Act and accordingly, requests the Chief Registrar of Births and Deaths to do the needful on the complaint of Respondent No.1, contained in the letter dated 01.12.2023. It has, thus, been argued that any grievance in relation to any discrepancy in the Death Certificate issued by any authority in Punjab, could be attended to only by the Chief Registrar of Punjab, as provided for under Section 15 of the Act and, therefore, the direction issued by the learned Single Judge in the impugned order to the Registrar General of India is contrary to the said provision and hence is not sustainable.

13. Mr. Rajat Sang, learned Counsel for Respondent No.1 has opposed the appeal and submitted that the learned Single Judge has correctly interpreted the provisions of sub-section (4) of Section 3 of the Act and in the peculiar facts and circumstances of the instant case, where discrepancy has been noticed in two death registers, the one maintained by the Chief Registrar, GNCTD and the other by Chief Registrar, Punjab, in respect of the certificate of death of the same person, the impugned order rightly issues the requisite direction to the Registrar General of India.

14. Having heard the learned counsel for the parties, we are unable to agree with the submissions made on behalf of the appellant and express our complete agreement with the impugned order passed by learned Single Judge for the reason that the learned Single Judge has appropriately interpreted the provisions contained in sub-section (4) of Section 3 of the



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Act and has accordingly, returned a finding that in case, there is a conflict/inconsistency in the data received by the Registrar General of India from the concerned authorities/Registrars of different states, the Registrar General of India is not precluded from examining the matter and making an attempt to resolve such inconsistency, which will be in fulfilment of his duty to maintain the integrity and reliability of the data base.

15. Sub-Section (3) of Section 3 of the Act empowers the Registrar General of India to issue general directions regarding registration of births and deaths. It also casts a duty on the Registrar General to take steps to coordinate and unify the activities of Chief Registrars of the states in the matter of registration of births and deaths and further, to submit an annual report on the working of the Act to the Central Government.

16. Sub-section (4) of Section 3 of the Act mandates that Registrar General of India shall maintain a data base of registered of births and deaths at the national level. Simultaneously, the said provision also makes it mandatory and obligatory upon the Registrars and Chief Registrars of different states to share the data of registered births and deaths to such data base.

17. In our opinion, in case, the Registrar General of India has been cast with a mandatory duty to maintain data of registered births and deaths at the national level, such duty necessarily includes duty to maintain the integrity and reliability of such data base. In a situation where in respect of the same Death Certificate, two different information/data is received by the Registrar General of India from authorities of two different states, to maintain the integrity and reliability of such data in respect of such a certificate, it will be obligatory on the part of the Registrar General of India to accept only the



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correct data pertaining to the Death Certificate in question.

18. Maintaining any inconsistent information in respect of the same Death Certificate received from two different states will make the data base maintained by the Registrar General of India not reliable and the integrity of such data base may also be compromised. Accordingly, we hold that in a case, where there is a conflict/inconsistency in the data received by the Registrar General of India from the authorities/Registrars of different states, duty to get the inconsistency removed is intrinsic in the duty of the Registrar General of India to maintain the data base of registered births and deaths as mandated in sub-section (4) of Section 3 of the Act.

19. Even otherwise, what we notice is that the learned Single Judge while passing the order dated 16.10.2025 has only directed the Registrar General of India to conduct an inquiry in the matter and make an endeavour to resolve the dichotomy which has occurred on account of different information sent in respect of the same Death Certificate of the same person by two states, namely, State of Delhi and State of Punjab.

20. The submissions of the learned counsel for the appellant that since sub-section (4) and (5) of Section 3 of the Act were inserted for the first time in the Act by way of 2023 Amendment and, therefore, any discrepancy existing in the certificate issued prior to the said Amendment, cannot be looked into by the Registrar General of India, in our opinion, is not tenable. There is no prohibition under the Act that Registrar General of India shall not maintain the data base of registered births and deaths of the period prior to 01.10.2023 when the Amendment was brought into force in the Act.

21. Further, we may also note that the learned Single Judge has clarified the order dated 16.10.2025 by providing in the order dated 09.01.2026 that,



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the Registrar General of India shall necessarily be entitled to take requisite assistance of the Chief Registrars of the concerned states and may also call upon the Chief Registrars or Registrars of the states to examine the matter in accordance with the provisions of the Act with a view to rectify the discrepancy.

22. Learned Single Judge has further observed that such exercise shall not preclude the Registrar General of India from relegating any unresolved issued/discrepancy to appropriate civil/judicial proceedings for adjudication.

23. For the reasons stated above, we find no good ground to interfere in the impugned order passed by learned Single Judge.

24. Resultantly, the appeal is hereby dismissed. There will be no order as to costs.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MARCH 18, 2026
'gsr'/MJ