

GOVERNMENT OF ASSAM
HEALTH & FAMILY WELFARE (A) DEPARTMENT
DISPUR, GUWAHATI – 6

OFFICE MEMORANDUM

No. HLA.100/2012/196

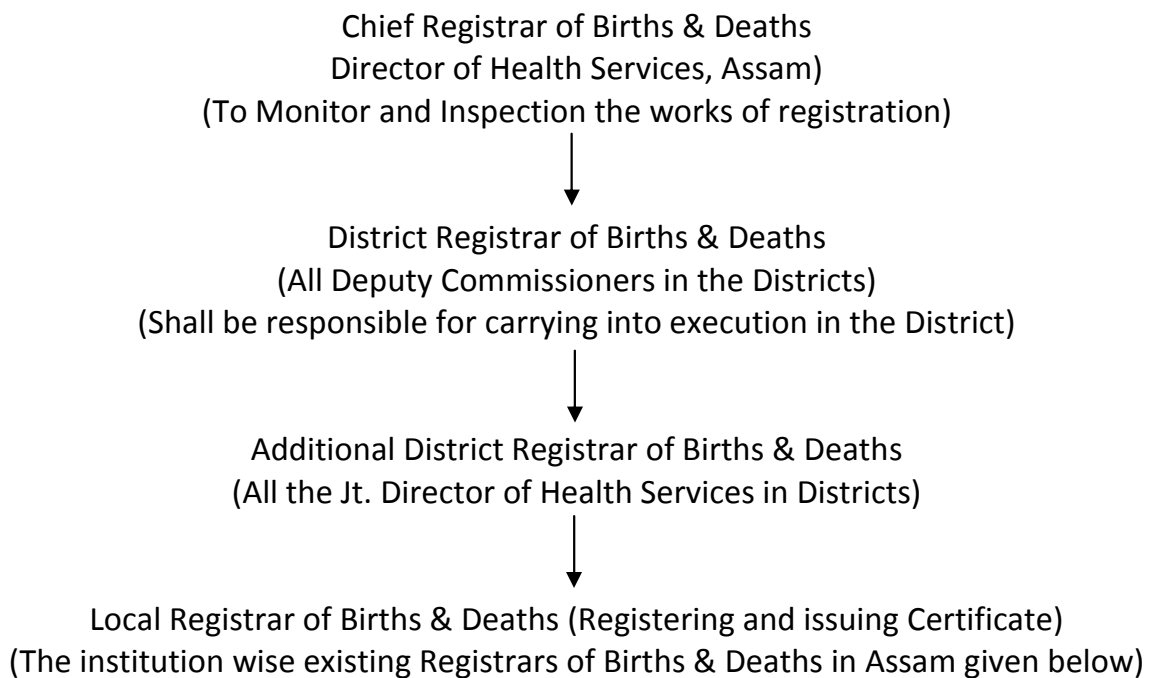
Dated, Dispur the 8th April, 2013

Subject : Issuance of Birth/Still Birth Certificate

Introduction:-

Registration of Birth in India is mandatory after the enactment of Registration of Birth and Deaths Act, 1969. In Assam, the Registration of Births & Deaths Rules, 1978 framed by the Health Department under the various provisions of RBD Act, 1969. These Rules are implemented throughout Assam with effect from 01-04-1978.

Roles and Responsibilities of the Civil Registration functionaries



Eligibility Criteria:-

For registering Birth, the informants will have to submit the Birth reporting from (FORM No- 1/3) to the nearest Registration offices within 21 days of occurrence and get an Extract (Birth Certificate) free of cost. Additional copies of certificate can be had on payment of prescribed fee per copy. There is, however, no limit for applying for additional number of copies.

The persons authorized under the RBD Act as informants and Notifier by place of occurrence as follows:-

Place of Occurrence	Informants	Notifier
House	Head of the household/ oldest person of the household/heir of the deceased.	ANMS / ASHAs/Link workers/ Anganwadi workers /Gaonburahs etc.
Institutional : Hospital/ Nursing Homes etc	I/c. of Institution or any person authorized by institution	
Jail/ Hotel/ Dharmasala/	Jail In-charge, Person in-	

Choultry, Hostel etc	charge	
Public Place (dead body found deserted)	I/c. Police Station or Head Person in village area	
Events in moving vehicle, aircraft, boat, ship, Rail	Person in-charge of moving vehicle	
Plantation	Superintendent/ Manager	

Procedures to Obtain Birth Certificate:-

The Informant / Notifier shall apply with duly filled in Birth Reporting form alongwith the Form No.- 1/3 to the local Registrar of Birth and Deaths within 21 days of place occurrence. The Forms should be completely filled up in clear handwriting and signed by the informant. Registration of twins (Multiple births) is done separately for each child. Standard application forms are available with all Registering Authorities. The informant will receive a receipt.

Steps simplify :

- After delivery of baby applicant (informant) will inform within 21 days to the nearest Registration Office (i.e.SD/PHC/CHC/DH etc.) and fill the Form No. 1/3 with the help of official staff of Registration Office.
- Then he deposits the Form 1/3 alongwith all documents i.e. Birth certificate from Health Institution in case of institutional delivery and in case of home delivery notified certificate from Doctor/ANM/ASHA Workers/ Link Workers/ Anganwadi Workers/Goanburha/ as the case may be at the Registration Office. **Then he will get the Birth certificate within 10 days without any fees.**

Registration of Birth in different situations:

Registration of Birth of citizen of India outside India is done at the Indian Mission under Citizenship Act, 1955. In case of parents of the child return to India with a view to settling therein, they may within 60 days of the arrival of the child in India, get birth registered in the same manner as if the child was born in India. However, a copy of certificate issued by Indian Mission will require.

Registration of Birth of children taken on adoption – One will have to apply in the Form-1A. All adoptions are subject to order of Magistrate having jurisdiction over the area in which the event falls.

Registration of Birth through surrogacy/ART/IVF Technique- In such case the birth certificate shall be in the name of genetic parents. In case of entry of name of single parent (mother) in birth record of child born through IVF, the entry of name of father should be left blank in the birth record.

Registration of Name of Child - If birth of a child has been registered without a name, subsequent addition of name in the birth register within 12 months from the date of registration of birth is allowed without late fee, on giving information regarding the name of the child to the Registrar either orally or in writing.

Correction or Cancellation of entry in the Birth Certificate : In general, no change is allowed in the certificate and registration record. However, correction/cancellation in the entry can be made under specific situation, if there are errors like (i) Clerical or Formal error means an inadvertent/typographical mistake, (ii) Error in form or substance-Error that has a bearing on identity of the person. In such case the person has to produce a declaration setting forth the nature of the error and true facts of the case

made by two credible persons having knowledge of the facts of the case. (iii) Fraudulent or improper entries-Entries made with an ulterior motive. In such case the person has to appeal before the officer authorized by the Chief Registrar of the State.

The institution wise existing Registrars of Births & Deaths in Assam:-

A. The Superintendent of Gauhati Medical College & Hospital, Guwahati, Assam Medical College & Hospital, Dibrugarh, Silchar Medical College & Hospital, Silchar, Ayurvedic College Hospital, Guwahati, District Hospitals in the Districts and Sub- Divisional Hospitals, Hospital in their respective hospital.

Any event of birth & death occurring in these hospitals, the respective Registrar will register the event.

B. The Deputy Superintendent of Community Health Centers.

C. The Medical & Health officers in charge of primary Health Centers, Subsidiary Health Centers, Mini PHCs, State Dispensaries.

They will registrar their event to their jurisdiction.

Jurisdiction

The Office of the Director of Health Services as the Office of the Chief Registrar shall be responsible for registration and issue of birth and death certificates in the State. Chief Registrar shall be responsible for issue of registers, forms and certificates to all Registration Centers of Birth and Deaths in Assam.

In urban areas in addition to the above listed functionaries of the Department of Health & FW designated as Registrars, the designated official of the Gauhati Municipal Corporation in Guwahati Municipal Area and designated officials of Urban Local Bodies in urban areas will register and issue birth and death certificates under the aegis of the Department of Health & FW.

In exercise of the power conferred by section 7(1) of the Registration of Birth and Death Act, 1969, the State Government may appoint a Registrar for each local area comprising the area within the jurisdiction of a municipality.

In the notified Panchayet areas the functionaries of Health & FW Department designated as Registrars will be responsible for registration and issue of Birth Certificates.

Jurisdiction of Appellate Authority and Reviewing Authority are Joint Director of Health Services of the District and Director of Health Services, Assam respectively.

Standard application forms:-

F- 1/3– Birth reporting form

List of documents to be enclosed:-

For registering birth event, Birth Reporting Form F-1/3

Users charge: -

Fee for 1st copy of Birth Certificate - Nil (within 21 days of birth)

Fee for extra copy of Birth Certificate Rs. 5.00 per copy

Citizen Charter (Rule-6)

Copy enclosed : Standard Certificate format

Sd/-

(C. Barua, ACS)

Joint Secretary to the Govt. of Assam
Health & Family Welfare Department

GOVERNMENT OF ASSAM
HEALTH & FAMILY WELFARE (A) DEPARTMENT
DISPUR, GUWAHATI – 6

OFFICE MEMORANDUM

No. HLA.100/2012/197

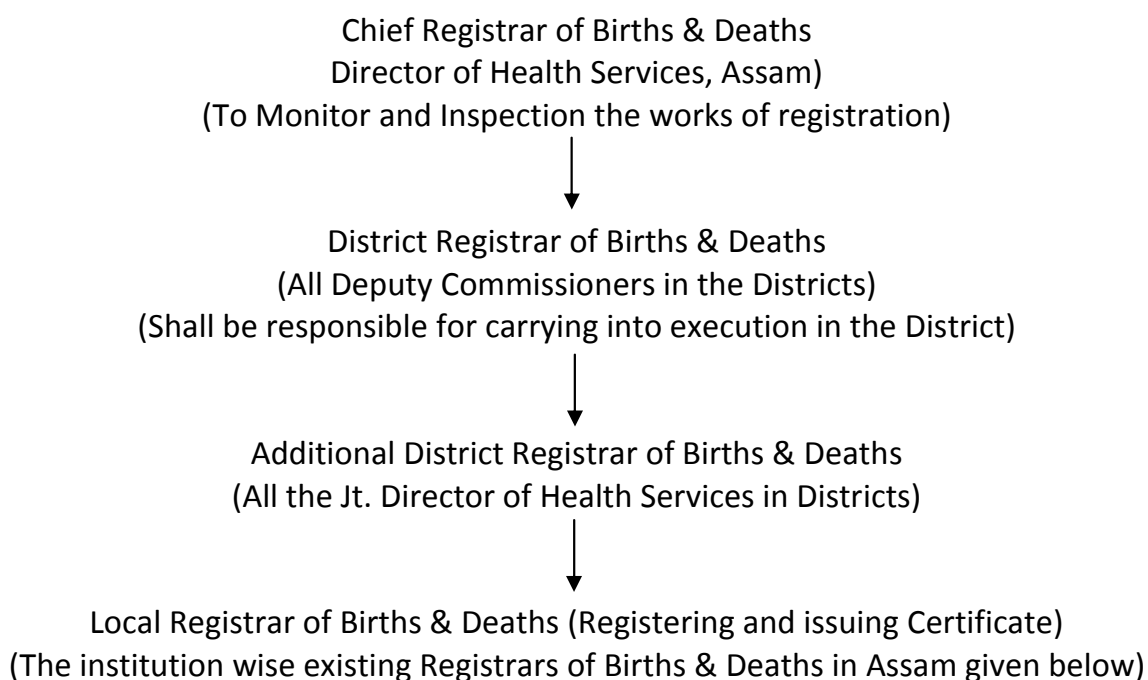
Dated, Dispur the 8th April, 2013

Subject : Issuance of Delayed Birth/Still Birth Certificate

Introduction:-

Registration of Birth in India is mandatory after the enactment of Registration of Birth and Deaths Act, 1969. In Assam, the Registration of Births & Deaths Rules, 1978 framed by the Health Department under the various provisions of RBD Act, 1969. These Rules are implemented throughout Assam with effect from 01-04-1978.

Roles and Responsibilities of the Civil Registration functionaries



Eligibility Criteria:-

For registering Birth, the informants will have to submit the Birth reporting form (FORM No- 1/3) to the nearest Registration offices within 21 days of occurrence and get an Extract (Birth Certificate) free of cost. Additional copies of certificate can be had on payment of prescribed fee per copy. There is, however, no limit for applying for additional number of copies.

The persons authorized under the RBD Act as informants and Notifier by place of occurrence as follows:-

Place of Occurrence	Informants	Notifies
House	Head of the household/ oldest person of the household/ Heir of the deceased.	ANMS / ASHAs/ Anganwadi worker / Gaonburahs / Keepers or Owners etc.
Institutional Hospital / Other Health / Nursing Homes etc	I/c- of Institution or any person authorized by institutions	
Jail/ Hotel/ Dharmasala/ Choultry, Hostel etc	Jail In-charge	
Public Place (dead body)	I/c. Police Station or Head	

found deserted)	person in village area	
Events in moving vehicles / Aircraft boat, ship , Rail	Person in-charge of moving vehicle	
Plantation	Superintendent/ Manager	

Procedures to Delayed Birth Certificate:-

The Informant / Notifier shall apply with duly filled in Birth Reporting form alongwith the Form No.– 1/3 to the local Registrar of Birth and Deaths after 21 days of place occurrence. The Forms should be completely filled up in clear handwriting and signed by the informant. Registration of twins (Multiple births) is done separately for each child. Standard application forms are available with all Registering Authorities. The informant will receive a receipt.

Steps simplify :

- After delivery of baby applicant (informant) will inform within 21 days to the nearest Registration Office (i.e.SD/PHC/CHC/DH etc.) and fill the Form No. 1/3 with the help of official staff of Registration Office.
- Then he deposits the Form 1/3 alongwith all documents i.e. Birth certificate from Health Institution in case of institutional delivery and in case of home delivery notified certificate from Doctor/ANM/ASHA Workers/ Link Workers/ Anganwadi Workers/Goanburha/as the case may be to birth at the registration office. **Then he will get the Birth certificate within 10 days without any fees.**

Legal Procedure for delayed registration of Birth

Time	Procedure
21 to 30 Days	Any birth of which information is given to the Registrar after expiry of the period of 21 Days of birth shall be registered on payment of late fees.
30 Days to 1 Year	Any birth delayed information given to Registrar after 30 Days but within 1 year of birth shall be registered only with the written permission of the Addl. District Registrar (Joint Director of Health Services, District) on payment of the prescribed fees.
More than 1 year	Any birth which has not been registered within 1 year of birth shall be registered only an order made by an Executive Magistrate after verifying the correctness of birth and on payment of the prescribed fees.

Registration of Birth in different situations:

Registration of Birth of citizen of India outside India is done at the India Mission. In case of parents of the child return to India with a view to settling therein, they may within 60 days of the arrival of the child in India, get birth registered in the same manner as if the child was born in India. However, a copy of certificate issued by Indian Mission will require.

Registration of Birth of children taken on adoption – One will have to apply in the Form-1A. All adoptions are subject to order of Magistrate having jurisdiction over the area in which the event falls.

Registration of Birth through surrogacy/ART/IVF Technique- In such case the birth certificate shall be in the name of genetic parents. In case of entry of name of single parent (mother) in birth record of child born through IVF, the entry of name of father should be left blank in the birth record.

Registration of Name of Child - If birth of a child has been registered without a name, subsequent addition of name in the birth register within 12 months from the date of registration of birth is allowed without late fee, on giving information regarding the name of the child to the Registrar either orally or in writing.

Correction or Cancellation of entry in the Birth Certificate : In general, no change is allowed in the certificate and registration record. However, correction/cancellation in the entry can be made under specific situation, if there are errors like (i) Clerical or Formal error means an inadvertent/typographical mistake, (ii) Error in form or substance-Error that has a bearing on identity of the person. In such case the person has to produce a declaration setting forth the nature of the error and true facts of the case made by two credible persons having knowledge of the facts of the case. (iii) Fraudulent or improper entries-Entries made with an ulterior motive. In such case the person has to appeal before the officer authorized by the Chief Registrar of the State.

Stipulated time limit for providing Birth/Death or delayed Birth/Death Certificate

If a person applies for Birth or delayed Birth Certificate in the prescribed reporting form, which is found to be complete/correct in all respects, the authority concerned shall issue the certificate within 10(ten) working days from the date of receipt of the application in his office.

The institution wise existing Registrars of Births & Deaths in Assam:-

A. The Superintendent of Gauhati Medical College & Hospital, Guwahati, Assam Medical College & Hospital, Dibrugarh, Silchar Medical College & Hospital, Silchar, Ayurvedic College Hospital, Guwahati, District Hospitals in the Districts and Sub- Divisional Hospitals, Hospital in their respective hospital.

Any event of birth & death occurring in these hospitals, the respective Registrar will register the event.

B. The Deputy Superintendent of Community Health Centers.

C. The Medical & Health officers in charge of primary Health Centers, Subsidiary Health Centers, Mini PHCs, State Dispensaries.

They will registrar their event to their jurisdiction.

Standard application forms:-

F-1/3 – Birth reporting form

List of documents to be enclosed:-

For registering birth event, Birth Reporting Form-1/3 and order of Circle officer/Executive Magistrate.

Users charge :-

Time period	Late fee
Between 21-30 days	Rs. 2/-
Between 31-1 year	Rs. 5/-
Beyond 1 year	Rs. 10/-

Fee for extra copy of Delayed Birth Certificate Rs. 5.00 per copy

Jurisdiction

The Office of the Director of Health Services as the Office of the Chief Registrar shall be responsible for registration and issue of birth and death certificates in the State. Chief Registrar shall be responsible for issue of registers, forms and certificates to all Registration Centers of Birth and Deaths in Assam.

In urban areas in addition to the above listed functionaries of the Department of Health & FW designated as Registrars, the designated official of the Gauhati Municipal Corporation in Guwahati Municipal Area and designated officials of Urban Local Bodies in urban areas will register and issue birth and death certificates under the aegis of the Department of Health & FW.

In exercise of the power conferred by section 7(1) of the Registration of Birth and Death Act, 1969, the State Government may appoint a Registrar for each local area comprising the area within the jurisdiction of a municipality.

In the notified Panchayet areas the functionaries of Health & FW Department designated as Registrars will be responsible for registration and issue of Birth Certificates.

Jurisdiction of Appellate Authority and Reviewing Authority are Joint Director of Health Services of the District and Director of Health Services, Assam respectively.

Citizen Charter (Rule-6) : Enclosed

Copy enclosed: Standard Certificate format

Sd/-
(C. Barua, ACS)
Joint Secretary to the Govt. of Assam
Health & Family Welfare Department

GOVERNMENT OF ASSAM
HEALTH & FAMILY WELFARE (A) DEPARTMENT
DISPUR, GUWAHATI – 6

OFFICE MEMORANDUM

No. HLA.100/2012/198

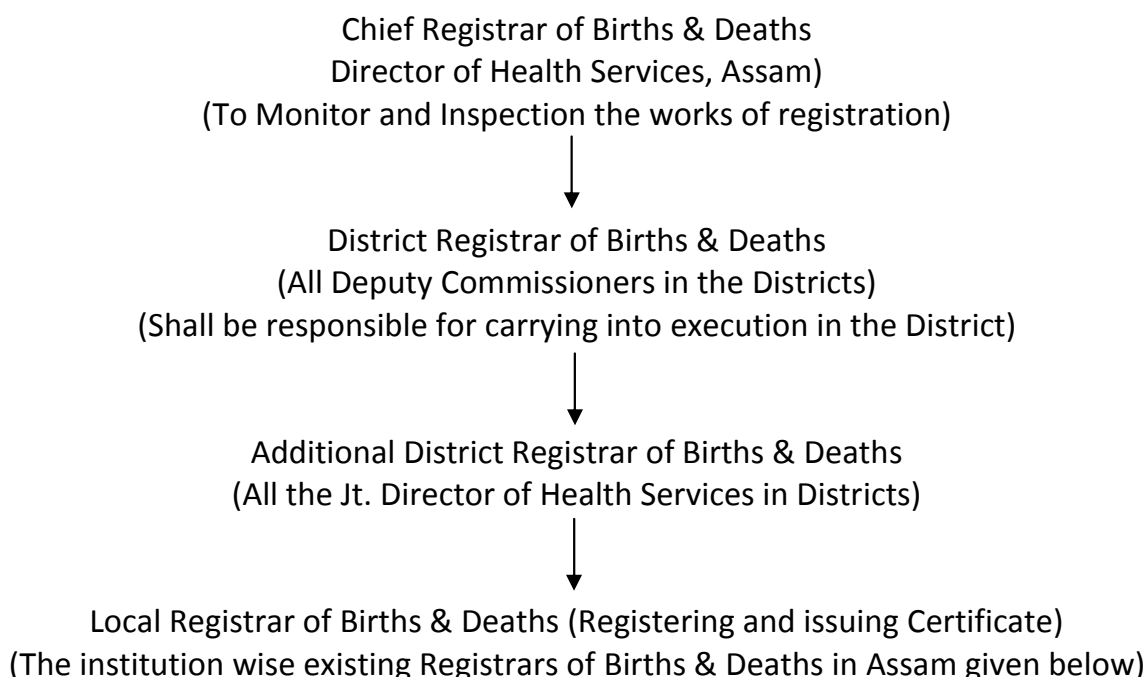
Dated, Dispur the 8th April, 2013

Subject : Issuance of Death Certificate

Introduction:-

Registration of Death in India is mandatory after the enactment of Registration of Birth and Deaths Act, 1969. In Assam, the Registration of Births & Deaths Rules, 1978 framed by the Health Department under the various provisions of RBD Act, 1969. These Rules are implemented throughout Assam with effect from 01-04-1978.

Roles and Responsibilities of the Civil Registration functionaries



Eligibility Criteria:-

For registering Death, the informants will have to submit application in the office of the Registrar of Birth and Death alongwith the Medical Certificate of cause of death for institutional cases in the death reporting form (FORM No- 2) at the nearest Registration offices within 21 days of occurrence and get an Extract (Death Certificate) with free of cost. Additional copies of certificate can be had on payment of prescribed fee per copy. There is, however, no limit for applying for additional number of copies.

The persons authorized under the RBD Act as informants and Notifier by place of occurrence as follows:-

Place of Occurrence	Informants	Notifier
House	Head of the household/ oldest person of the household/ Heir of the deceased.	ANMS / ASHAs/ Anganwadi worked / Gaonburahs / Keepers or Owners etc.
Institutional Hospital / Other Health / Nursing Homes etc	I/c- of Institution or any person authorized by institutions	
Jail/ Hotel/ Dharmasala/	Jail In-charge	

Choultry, Hostel etc		
Public Place (dead body found deserted)	I/c. Police Station or Head person in village area	
Events in moving vehicles / Aircraft boat, ship , Rail	Person in-charge of moving vehicle	
Plantation	Superintendent/ Manager	

Procedures to obtain Death Certificate:-

The informants / Notifier shall apply with duly filled in Death Reporting form F-2 alongwith the form – 4 (institutional) or Form – 4A (Non institutional cases) as the case may be to the local Registrar of Birth and Deaths within 21 days at place of occurrence.

The concerned Registrar will issue the Death Certificate, free of charge to the person who has given the information for registration as soon as the registration of death has been completed. (Section- 12).

Steps simplify :

- After death of a person applicant (informant) will inform within 21 days to the nearest Registration Office (i.e.SD/PHC/CHC/DH etc.) and fill the form F-2 alongwith the Form – 4 (institutional) or Form – 4A (Non institutional cases) with the help of official staff of Registration Office.
- Then he deposits the Form F-2 alongwith the form – 4 (institutional) or Form – 4A (Non institutional cases) i.e. Death certificate from Health Institution in case of institutional death and other than institutional death notified certificate from Doctor/ANM/ASHA Workers/ Anganwadi Workers/Goanburha with a cremation certificate at the registration office. **Then he will get the Death certificate within 10 days without any fees.**

The institution wise existing Registrars of Births & Deaths in Assam:

- A. The Superintendent of Gauhati Medical College & Hospital, Guwahati, Assam Medical College & Hospital, Dibrugarh, Silchar Medical College & Hospital, Silchar, Ayurvedic College Hospital, Guwahati, District Hospitals in the Districts and Sub-Divisional Hospitals, Hospital in their respective hospital.

Any event of birth & death occurring in these hospitals, the respective Registrar will register the event.

- B. The Deputy Superintendent of Community Health Centers.
- C. The Medical & Health officers in charge of primary Health Centers, Subsidiary Health Canters, Mini PHCs, State Dispensaries.

They will registrar their event to their jurisdiction.

Jurisdiction

The Office of the Director of Health Services as the Office of the Chief Registrar shall be responsible for registration and issue of birth and death certificates in the State. Chief Registrar shall be responsible for issue of registers, forms and certificates to all Registration Centers of Birth and Deaths in Assam.

In urban areas in addition to the above listed functionaries of the Department of Health & FW designated as Registrars, the designated official of the Gauhati Municipal

Corporation in Guwahati Municipal Area and designated officials of Urban Local Bodies in urban areas will register and issue birth and death certificates under the aegis of the Department of Health & FW.

In exercise of the power conferred by section 7(1) of the Registration of Birth and Death Act, 1969, the State Government may appoint a Registrar for each local area comprising the area within the jurisdiction of a municipality.

In the notified Panchayet areas the functionaries of Health & FW Department designated as Registrars will be responsible for registration and issue of Birth Certificates.

Jurisdiction of Appellate Authority and Reviewing Authority are Joint Director of Health Services of the District and Director of Health Services, Assam respectively.

Registration of Death of Citizens Outside India : Death to Indian citizens outside India cannot be registered in India. Such deaths are registered at the Indian Consulates under Citizenship Act 1955 and would deem to have been made under the RDB Act 1969.

Registration of Deaths of Missing Persons: Ordinarily, if a person is missing or unheard, she/he shall be presumed to be dead by the court under Section 107 and 108 of Indian Evidence Act on expiry of 7 years from the date of missing and not earlier. Competent court/authority will issue an order in such cases. If the Court does not mention the date of death in the order, the date on which plaintiff approached to the Court would be taken as the date of death.

Registration of deaths in natural Calamities and Disasters : In such cases the Chief Registrar will appoint sufficient Sub Registrars with sufficient power for on spot registration of the deaths and issuance of death certificates needs to be made.

Standard application forms:-

F-2 – Death reporting form

F-4- Medical certification of cause of death (institutional).

F-4A- Medical certification of cause of death (Non - institutional).

Sufficient forms to be kept in each Registration Centre. Annexure- I.

List of documents to be enclosed:-

For registering Death event, Death Reporting Form-2 alongwith form – 4 (institutional) or Form – 4A (Non institutional cases) as the case may be to the local Registrar of Birth and Deaths within 21 days at place of occurrence

Users charge –

Fee for 1st copy of Death Certificate - Nil (within 21 days of birth)

Fee for extra copy of Death Certificate Rs. 5.00 per copy

Citizen Charter (Rule-6)

Copy enclosed : Standard Certificate formats

Sd/-

(C. Barua, ACS)

Joint Secretary to the Govt. of Assam
Health & Family Welfare Department

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HEALTH & FAMILY WELFARE (A) DEPARTMENT
DISPUR, GUWAHATI – 6

OFFICE MEMORANDUM

No. HLA.100/2012/199

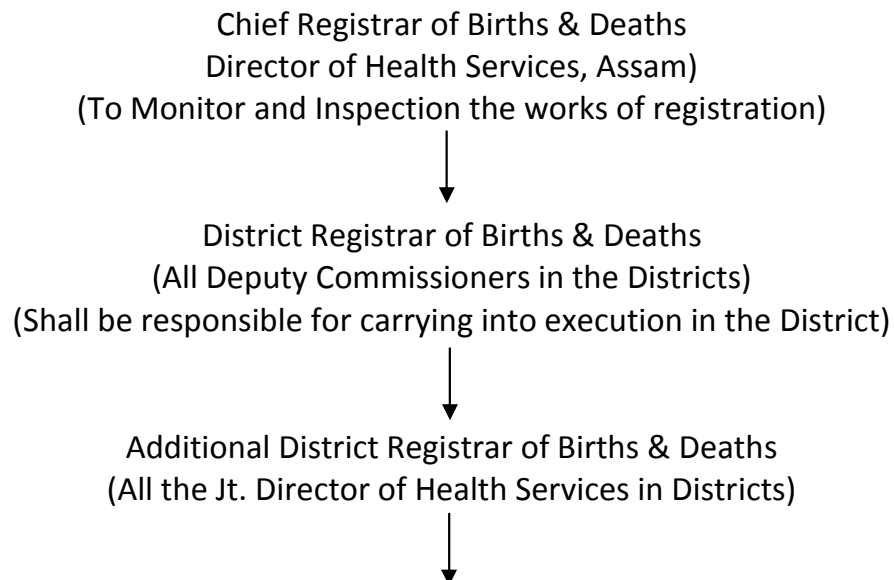
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Subject : Issuance of Delayed Death Certificate.

INTRODUCTION:

Registration of Death in India is mandatory after the enactment of Registration of Birth and Deaths Act, 1969. In Assam, the Registration of Births & Deaths Rules, 1978 framed by the Health Department under the various provisions of RBD Act, 1969. These Rules are implemented throughout Assam with effect from 01-04-1978.

Roles and Responsibilities of the Civil Registration functionaries



Local Registrar of Births & Deaths (Registering and issuing Certificate)
(The institution wise existing Registrars of Births & Deaths in Assam given below)

Eligibility Criteria:-

For registering Delayed Death, the informants will have to submit application in the office of the Registrar of Birth and Death alongwith the Medical Certificate of cause of death for institutional cases in the death reporting form (FORM No- 2) at the nearest Registration offices after 21 days of occurrence and get an Extract (Death Certificate) with free of cost. Additional copies of certificate can be had on payment of prescribed fee per copy. There is, however, no limit for applying for additional number of copies.

The persons authorized under the RBD Act as informants and Notifier by place of occurrence as follows:-

Place of Occurrence	Informants	Notifies
House	Head of the household/ oldest person of the household/ Heir of the deceased.	ANMS / ASHAs/ Anganwadi worker / Gaonburahs / Keepers or Owners etc.
Institutional Hospital / Other Health / Nursing Homes etc	I/c- of Institution or any person authorized by institutions	
Jail/ Hotel/ Dharmasala/ Choultry, Hostel etc	Jail In-charge	
Public Place (dead body found deserted)	I/c. Police Station or Head person in village area	
Events in moving vehicles / Aircraft boat, ship , Rail	Person in-charge of moving vehicle	
Plantation	Superintendent/ Manager	

Procedures to Delayed Death Certificate:-

The informants / Notifies shall apply with duly filled in Death Reporting form alongwith the MICCD form – 4 (institutional) and Form – 4A(Non institutional cases) to the local Registrar of Birth and Deaths after 21 days at the place occurrence.

The concerned Registrar will issue the Death Certificate, free of charge to the person who has given the information for registration as soon as the registration of death has been completed. (Section- 12).

Steps simplify :

- After death of person applicant (informant) will inform within 21 days to the nearest Registration Office (i.e.SD/PHC/CHC/DH etc.) and fill the form F-2 alongwith the Form – 4 (institutional) or Form – 4A (Non institutional cases) with the help of official staff of Registration Office.
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Legal Procedure for delayed registration of Death :

Time	Procedure
21 to 30 Days	Any death of which information is given to the Registrar after expiry of the period of 21 Days of death shall be registered on payment of late fees.
30 Days to 1 Year	Any death delayed information given to Registrar after 30 Days but within 1 year of death shall be registered only with the written permission of the District Registrar (Joint Director of Health Services, District) on payment of the prescribed fees.
More than 1 year	Any death which has not been registered within 1 year of death shall be registered only an order made by an Executive Magistrate after verifying the correctness of death and on payment of the prescribed fees.

Stipulated time limit for providing delayed Death Certificate

If a person applies for delayed Death Certificate in the prescribed reporting form, which is found to be complete/correct in all respects, the authority concerned shall issue the certificate within 10(ten) working days from the date of receipt of the application in his office.

The institution wise existing Registrars of Births & Deaths in Assam :-

A. The Superintendent of Gauhati Medical College & Hospital, Guwahati, Assam Medical College & Hospital, Dibrugarh, Silchar Medical College & Hospital, Silchar, Ayurvedic College Hospital, Guwahati, District Hospitals in the Districts and Sub- Divisional Hospitals, Hospital in their respective hospital.

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Jurisdiction of Appellate Authority and Reviewing Authority are Joint Director of Health Services of the District and Director of Health Services, Assam respectively.

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Registration of Deaths of Missing Persons: Ordinarily, if a person is missing or unheard, she/he shall be presumed to be dead by the court under Section 107 and 108 of Indian Evidence Act on expiry of 7 years from the date of missing and not earlier. Competent court/authority will issue an order in such cases. If the Court does not mention the date of death in the order, the date on which plaintiff approached to the Court would be taken as the date of death.

Standard application forms:-

F-2 – Death reporting form

F-4- Medical certification of cause of death (institutional).

F-4A- Medical certification of cause of death (Non - institutional).

Documents to be enclosed:-

For registering Death event, Death Reporting Form F-2, Medical certificate F-4 or F-4A.

Users charge :-

Time period	Late fee
Between 21-30 days	Rs. 2/-
Between 31-1 year	Rs. 5/-
Beyond 1 year	Rs. 10/-

Fee for extra copy of Delayed Death Certificate Rs. 5.00 per copy

Citizen Charter (Rule-6)

Copy enclosed: Standard Certificate format

Sd/-

(C. Barua, ACS)

Joint Secretary to the Govt. of Assam
Health & Family Welfare Department

**GOVERNMENT OF ASSAM
HEALTH & FAMILY WELFARE (A) DEPARTMENT
DISPUR : GUWAHATI 781 006**

No. HLA.100/2012/200

Dated, Dispur the 8th April, 2013

OFFICE MEMORANUM

Subject : Issuance of Disability Certificate to disabled persons.

Introduction

“The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995” has come into enforcement on February 7, 1996.. The Act provides for both preventive and promotional aspects of rehabilitation of disabled persons. To avail benefit of the Act one should have appropriate Disability Certificate.

Disability means

- “Disability” means physical and mental disability of a person to perform the basic essential activities of daily living such as welfare Social relations and economic role as required in accordance with age sex and more active Social Role.
- Disability may be short term, long term or permanent Medically disability is physical impairment and inability to perform physical function normally, Legally, disability is a permanent injury to the body for which the person should not be compensated.
- Temporary total disability is that period in which the affected person is totally unfit to work.
- Temporary partial disability is that period when recovery has reached the stage of improvement so that the person concerned may begin some kind of gainful occupation.
- Permanent disability means permanent damage or loss of use of some part/ parts of the body the stage of maximum improvement from any medical treatment and the condition is stationary.

Category

Physical disability of a person may be categorized broadly as follows:

- a) Visually disable : Visually disable means a person suffering from either total absence of sight, visual acuity not exceeding 6/60 or 20/200 in the better eye with correcting lenses, limitation of the field of vision sub-standing and angle of 20 degree of work.
- b) Locomotor disable, orthopaedically disable.
- c) Speech and hearing disable.
- d) Mentally disable.

Eligibility Criteria

A person having disability of 40% and above in a particular category as defined in instructions of the Act shall be eligible and may be considered for issuance of Disability Identity Card/Certificate.

- i) The person should be a bonafide citizen of India as defined under relevant laws applicable.
- ii) Temporary total disability person may prefer Orthopaedics, Ophthalmology auditory or speech or any other medical treatment, on the recommendation of the Medical Board.

Procedure

The application forms shall be available with the Superintendent/In-Charge of Medical Colleges & Hospitals and Civil Hospitals/CHCs/PHCs/SHCs/SDs.

Intending persons shall apply in prescribed format (Annexure-A) duly filled correctly together with the documents as mentioned below. If the applicant is illiterate, the Superintendent / In-Charge of Medical Colleges & Hospitals and Civil Hospitals/CHCs/PHCs/SHCs/SDs will assist him to fill up the application form and put the thumb impression of the applicant.

In case of persons with Mental Retardation, autism, cerebral palsy and multiple disabilities applicant of his/her legal guardian will sign the application form.

After receipt of the application duly filled the Superintendent/In-Charge of Medical Colleges & Hospitals and Civil Hospitals/CHCs/PHCs/SHCs/SDs will forward the application to the concerned Department of the Medical College or to the Joint Director of the District. The Head of the Department of the concerned Department of the Medical College will issue the disability certificate. In case of District, Jt. Director of Health Services of the District will refer the applicant to the specialist Doctor. On receipt of the report specialist Doctor the Jt. Director will issue necessary certificate.

In case of multiple disabilities, the application will be forwarded to the District Medical Board for examination and issue of certificate.

Authority

In case of singular disability, Government specialist doctors as notified by the Government or Head of the Department of Orthopaedics, Ophthalmology, ENT, Neurology and Psychiatry of Medical College as the case may be shall be the authority to certify and issue certificate as to physical disability of the applicant.

In case of multiple disabilities, the Medical Board shall be the authority to certify and issue certificate as to physical disability of the applicant. "Medical Board" means a Medical Board duly constituted by the Govt. for the purpose, it may be at least at sub-division levels, District or State level as decided /notified by Govt. from time to time.

Renewal

The applicant shall apply in prescribed form at least 30 (thirty) days ahead of stipulated date of expiry and shall surrender the identity certificate on the date of expiry or as directed by Medical Board.

Appellate Authority

In case of any controversy, dispute and double interpretation of the definition/prescribed degree of evaluation test etc. aggrieved person may appeal to the respective Medical Board through Jt. Director of Health Services in the District/ Principal in respect of Medical College.

Reviewing Authority

Director of Health Services / Director of Medical Education

Documents to be enclosed

Intending persons shall apply in prescribed format (Annexure-A) duly filled correctly, together with

- i) 3 (three) copies of attested recent photographs
- ii) Proof of residence as mentioned in the application form.
- iii) Birth / age certificate of schools.
- iv) Educational documents.
- v) Occupation certificate.
- vi) Certificate as mentioned in 12(ii)(b) of the application form, if applicable.

vii) Certificate as mentioned in 13 of the application form, if applicable.

Stipulated time limit for providing Disability Certificate

If a person applies for Disability Identity Certificate in the prescribed format, which is found to be complete/correct in all respects, the authority concerned shall issue the certificate within 15(fifteen) working days from the date of examination by specialist notified doctor, Head of the Department of the concerned Department of Medical College or District Medical Board meeting as the case may be.

User charge : Nil

Enclosed : i) Annexure – A.
ii) Citizen Charter

Sd/-
(C. Barua, ACS)
Joint Secretary to the Govt. of Assam
Health & Family Welfare Department