



CWP-30461-2025

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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Date of Decision: 16.04.2026

RAJVEER KAUR MINOR THROUGH VIVEK KUMAR

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Anoop Verma, Advocate for petitioner

Mr. Vikas Arora, D.A.G., Punjab

Mr. H.K. Aurora, Advocate
For respondent No.3

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to carry out necessary corrections in her birth certificate.

2. The petitioner is a minor girl. She is about 2 years old. As per her birth certificate, her father's name is Sethi Ram. The birth certificate was issued on 20.11.2023 and her date of birth is 13.11.2023. Her father on the basis of a sworn affidavit and publication in the weekly Official Gazette of India dated 31.05.2025 to 06.06.2025 requested respondent to change his name. His present name is Vivek Kumar and he was earlier known as Sethi Ram. As per petition, a similar application was filed for the correction in the



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certificate of petitioner's sister which was allowed vide certificate dated 12.09.2025. The respondent by impugned orders dated 11.09.2025, 16.09.2025 and 18.09.2025 has rejected petitioner's application on the ground that authorities have relied upon record of hospital. He filed appeal seeking setting aside of order passed by authorities.

3. Learned counsel for the petitioner submits that petitioner's father's name as recorded in hospital record as well as official documents was Sethi Ram. He changed his name. For the said purpose, publication was made in weekly Official Gazette of India dated 31.05.2025 to 06.06.2025. Requisite correction has been made in Aadhaar Card. No prejudice is going to be caused to respondent and public at large if petitioner's father name is changed in the Register of Births & Deaths.

4. Learned counsel for the respondent submits that as per Section 15 of the Registration of Births and Deaths Act, 1969 (for short '1969 Act') read with Rule 11 of the Punjab Registration of Births and Deaths Rules, 2004 (for short '2004 Rules'), an erroneous entry in the register may be corrected. In the present case, petitioner's father changed his name. On the basis of changed name, the petitioner is seeking correction in the register. It does not fall within the purview of Section 15 read with Rule 11 of the Rules. Hon'ble Supreme Court in ***Jigya Yadav V/s C.B.S.E. (Central Board of Secondary Education) & Ors., 2021 (7) SCC 535*** has held that particulars of a student may be changed by C.B.S.E. after following procedure which includes declaration by Civil Court and submission of public documents. The petitioner has not submitted Court declaration, thus, correction cannot be made.



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5. Heard the arguments and perused the record.
6. From the perusal of record, it is evident that petitioner is about 2 years old. Her father was known as Sethi Ram at the time of her birth, accordingly, in the record of hospital, her father's name was recorded as Sethi Ram. He changed his name and for the said purpose, publication was made in Official Gazette. He has got his name changed in Aadhaar Card. The petitioner is seeking correction of her father's name in Births and Deaths Register.
7. As per reply, the petitioner's sister's birth certificate was amended by mistake. The petitioner's father vide letter dated 14.10.2025 was informed that correction stands cancelled and he should deposit certificate in the office of Sub Registrar, Births and Deaths, Civil Hospital Phagwara. Appeal filed by petitioner's father stands dismissed. The appeal filed by petitioner's father with respect to correction of petitioner's birth certificate also stands rejected. The petitioner's father name cannot be corrected in birth certificate because it is beyond the scope of Section 15 of the Registration of Births & Deaths Act, 1969 read with Rule 11 of the Punjab Registration of Births & Deaths Rules, 2004. As per Section 15 read with Rule 11, correction can be made whereas petitioner is seeking change of name. Father's name was borrowed from the record of hospital. Change in the father's name is beyond the scope of Section 15 and Rules made thereunder.
8. The respondent is relying upon Section 15 of 1969 Act and Rule 11 of 2004 Rules which read as:-



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“Section 15. Correction or cancellation of entry in the register of births and deaths.—If it is proved to the satisfaction of the Registrar that any entry of a birth or death in any register kept by him under this Act is erroneous in form or substance, or has been fraudulently or improperly made, he may, subject to such rules as may be made by the State Government with respect to the conditions on which and the circumstances in which such entries may be corrected or cancelled, correct the error or cancel the entry by suitable entry in the margin, without any alteration of the original entry, and shall sign the marginal entry and add thereto the date of the correction or cancellation.

Rule - 11. Correction or cancellation of entry in the register of births and deaths. [Sections 15 and 30].

(1) If it is reported to the Registrar that a clerical or formal error has been made in the register or if such error is otherwise noticed by him and if the register is in his possession, the Registrar shall enquire into the matter and if he is satisfied that any such error has been made, he shall correct the error by correcting or cancelling the entry as provided in section 15, and shall send an extract of the entry showing the error and how it has been corrected to the District Registrar and the State Government or the officer specified by it in this behalf.

(2) In the case referred to in sub-rule (1), if the register is not in his possession, the Registrar shall make a report to the District Registrar or the officer specified by the State Government in this behalf, and call for the relevant register and after enquiring into the matter, if he is satisfied that any such error has been made, make the necessary correction.

(3) Any such correction as mentioned in sub-rule (2), shall be countersigned by the District Registrar or



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the officer specified by the State Government in this behalf, when the register is received from the Registrar.

(4) If any person asserts that any entry in the register of births and deaths is erroneous in substance, the Registrar may correct the entry in accordance with the provisions of section 15 upon production by that person 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.

Explanation. - For the purpose of this sub-rule, the term 'Credible Person' stands for Panch, Sarpanch, Municipal Commissioner, Member of Legislative Assembly, Member of Parliament and a Gazetted Officer.

(5) Notwithstanding anything contained in sub-rule (1) and sub-rule (4), the Registrar shall make report of any correction of the kind referred to therein, giving necessary details to the District Registrar or the officer specified by the State Government in this behalf.

(6) If it is proved to the satisfaction of the Registrar that any entry in the register of births and deaths has been fraudulently or improperly made, he shall make a report giving necessary details to the Officer Authorized by the Chief Registrar by a General or special order in this behalf under section 25, and on hearing from him, take necessary action in the matter.

(7) In every case in which an entry is corrected or cancelled under this rule, an intimation thereof shall be sent on the residential address of the person, who had given information under section 8 or section 9, as the case may be.”



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9. The respondent is declining petitioner's claim on the sole ground that as per Section 15 read with Rule 11, father's name cannot be changed because it does not fall within the scope of erroneous entry. At the time of making entry, her father's name was Sethi Ram. Correct entry was made in Births & Deaths Register. Correction can be made if there is an entry which is erroneous in form or substance or has been fraudulently or improperly made. The petitioner is not claiming any benefit. She is just 2 years old. Her father has changed his name. If particulars of her father are not changed in Births & Deaths Register, it may cause irreparable loss and in future create a lot of problems for her. The respondent has not pointed out any fact or figure disclosing that there would be prejudice to respondents or public at large. The respondent is only harping on interpretation of Section 15 read with Rule 11. Section 15 permits correction if there is an entry which is erroneous in form or substance or has been fraudulently or improperly made. It means an erroneous as well as fraudulent or improper entry may be corrected. Rule 11(4) of 2004 Rules provides that Registrar will make correction upon production by anyone a declaration setting forth the nature of error and true facts of the case. There is further requirement that two credible persons having knowledge of the facts must support case of the applicant. In the present case, petitioner has duly complied with procedure contemplated by Rule 11(4). Object of aforesaid Section & Rule is to correct the record. There may be an erroneous or fraudulent or improper entry. Section 15 and Rule 11 cannot be read in a manner that entry once made cannot be changed. It is settled law that a provision cannot be read in a manner which makes it otiose or redundant. Thus, Section 15 and Rule 11



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should be interpreted in such a manner that expression 'erroneous' or 'improper' includes change in particulars which make previous entry erroneous or improper. At the time of recording of petitioner's father name, there was neither erroneous nor improper nor fraudulent entry, however, after two years it became erroneous because of change of name. If respondent does not make correction in the Births & Deaths Register, petitioner would have to face problems while getting admission in the school besides other multiple problems. The respondent is not disputing that petitioner's father has changed his name. In such circumstances, there seems no reason to make narrow interpretation of Section 15 which would deprive petitioner from amendment of her father's name in the Births & Deaths Register. There would be abysmal prejudice to petitioner and no benefit to respondents if entry is not corrected. Similarly, no prejudice is going to be caused to respondents as well as public at large if petitioner's father name is corrected in the register. It is apt to notice here that while making correction in the register, the authorities are supposed to maintain previous entry. The authorities cannot erase previous entry. They have to maintain previous as well as new entry which protects interest of everyone. The judgment relied upon by respondent is inapplicable to present case because said matter relates to correction of particulars of a candidate by C.B.S.E. whereas present matter relates to correction of entry in Births & Deaths Register. Correction in the Births & Deaths Register is directly governed by 1969 Act and Rules made thereunder.

10. In the wake of above discussion and findings, this Court is of the considered opinion that impugned orders deserve to be set aside and



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accordingly set aside. The respondents are hereby directed to make necessary corrections in the Births & Deaths Register within two weeks from today.

11. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

16.04.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No