



# Haryana Government Gazette

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### LEGISLATIVE SUPPLEMENT

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**PART-I****HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 9th April, 2025

**No. Leg. 10/2025.**— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 5<sup>th</sup> April, 2025 and is hereby published for general information:-

**HARYANA ACT NO. 9 OF 2025****THE HARYANA HONOURABLE DISPOSAL OF DEAD BODY ACT, 2025****AN****ACT**

*to uphold the basic human rights of dead body and for the decent final disposal of dead body in the State of Haryana and for matters connected therewith or incidental thereto.*

Be it enacted by the Legislature of the State of Haryana in the Seventy-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Haryana Honourable Disposal of Dead Body Act, 2025. Short title and commencement.
- (2) It shall come into force on the date of its publication in the Official Gazette.
2. (1) In this Act, unless the context otherwise requires,- Definitions.
  - (a) “dead body” means the body of a dead human being refused to be taken by any family member for last rites or after taking is used for the purpose of remonstrations;
  - (b) “family member” includes father, mother, wife, brother, son, daughter or any person who is related to the deceased by marriage or adoption or any family member living together in a joint family;
  - (c) “genetic data” means personal data related to inherited or acquired genetic characteristics of a dead body acquired through analysis of DNA or RNA;
  - (d) “Government” means the Government of the State of Haryana in the administrative department;
  - (e) “last rites” means the disposal of dead body as per the tradition or custom of the community or religion to which the deceased belonged;
  - (f) “prescribed” means prescribed by the rules made under this Act;
  - (g) “remonstration” means raising demands or baiting for pursuing any demands by way of any protest, disobedience or agitation to prevent the last rites of a dead body;
  - (h) “State” means the State of Haryana.
- (2) Words and expressions used herein and not defined but defined in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023), the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023), the Haryana Police Act, 2007 (25 of 2008) and the Haryana Anatomy Act, 1974 (24 of 1974) shall have the same meaning respectively assigned to them in the Sanhita or Act.
3. Without prejudice to any other law for the time being in force, every dead body shall have the right of an honourable and timely last rites. Right to last rites.
4. It shall be the duty of the family member to take possession of the dead body and to ensure that the last rites are performed when handed over by the police or the Executive Magistrate or hospital administration, after due compliance of legal procedure provided under this Act or any other law for the time being in force: Family member to take possession of dead body.

Provided that in the event of refusal by family member to take the dead body thereby depriving it of last rites, the Executive Magistrate shall ensure that the last rites are performed immediately:

Provided further that in the event of breaking out of an epidemic or occurrence of any calamity, where the dead body of the person cannot be handed over to the family member, the Government shall issue guidelines for disposal of such dead body.

Dead body not to be used for remonstration.  
Power of police officer to take possession of dead body.

**5.** No family member shall himself use or allow the dead body to be used or instigate or give consent to any other person or group of persons to use the dead body for remonstration of any kind.

**6.** (1) Whenever, an officer-in-charge of the police station, has reason to believe from personal knowledge or otherwise, to be recorded in writing, that any dead body is likely to be used by any family member or a group of persons or is being so used, for remonstration, he shall take possession of the dead body immediately and send an information to this effect to the District Superintendent of Police and the Executive Magistrate concerned.

(2) After taking possession of the dead body, the officer-in-charge of the police station shall send the dead body immediately for post-mortem if not done. The officer-in-charge, if deem necessary that re-postmortem of the dead body is required then after recording the reasons in writing, may send the dead body for re-post-mortem.

Obligation of hospital administration for storage of dead body.  
Power of Executive Magistrate.

**7.** The hospital administration shall-

- (a) ensure that the dead body is stored under safe conditions in the deep freezer to prevent any decay or damage; and
- (b) ensure that the dead body is kept in a dignified manner.

**8.** (1) The Executive Magistrate concerned, after receiving the information under section 6, shall give a notice to a family member of the deceased for taking custody of the dead body and to perform the last rites of the dead body.

(2) Whenever, an Executive Magistrate is satisfied on a report of a police officer or the response received to the notice issued under sub-section (1) that the family member is not willing to perform the last rites of the dead body, he shall issue an order to the family member to perform the last rites of the dead body within such time, as mentioned in the order, which shall not be later than twelve hours, and also to remove the unlawful obstruction, if any, from public place with immediate effect:

Provided that the Executive Magistrate may, if unlawful obstruction is removed, extend the time to perform the last rites of the dead body, if he is satisfied that the family member has sufficient reasons for the same:

Provided further that if the family member does not perform the last rites of the dead body within the specified period or the extended period, the Executive Magistrate shall direct any officer of the Urban Local Body or Gram Panchayat concerned or any other officer, as he deems fit, to perform the last rites within the next twelve hours.

(3) The order made by the Executive Magistrate under sub-section (2) shall not be called in question in any Court of law.

Videography and photography of post-mortem.

**9.** In every case of dead body, photographs of the deceased shall be taken and post-mortem of the deceased shall be videographed by the hospital administration and the arrangement for the same shall be ensured by the concerned police officer.

Protection of genetic data information.

**10.** The genetic data information of dead body shall be obtained through DNA or RNA profiling and shall be handled carefully and confidentially. The information shall be maintained in such manner and for such period, as may be prescribed.

Confidentiality of information.

**11.** No person shall disclose any information of clinical records related to the deceased to prevent stigmatization and social criticism unless required by law or is in public interest and in the interest of the deceased.

Disposal of unclaimed dead body.

**12.** If a dead body remains unclaimed, the disposal of the same shall be made in accordance with the provisions of the Haryana Anatomy Act, 1974 (24 of 1974).

Punishment for remonstration.

**13.** Any person who uses a dead body for remonstration shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to three years and shall also be liable to fine upto one lakh rupees.

- 14.** Any person, who is not authorized by law or who is so authorized but who without following due procedure or authorized by law, discloses any kind of genetic data information and confidentiality of information, shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to ten years and shall also be liable to fine upto one lakh rupees. Punishment for disclosure of genetic data information and confidentiality of information.
- 15.** Whoever abets, attempts or conspires to commit an offence under this Act, shall be punished in the same manner as if he himself had committed that offence under this Act. Punishment for abetment, attempt or conspiracy.
- 16.** No suit, prosecution or legal proceedings shall lie before any Court or Authority against any public servant for anything which is done or intended to be done in good faith in performance of duty in pursuance of the provisions of this Act. Protection of action taken in good faith.
- 17.** (1) The Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Power to make rules.
- (2) Every rule made under this Act shall, as soon as possible, after it is made, be laid before the State Legislature.
- 18.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for the purpose of removing the difficulty: Power to remove difficulties.
- Provided that no order under this section shall be made after expiry of a period of three years from the date of the commencement of this Act.
- (2) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the State Legislature.

RITU GARG,  
ADMINISTRATIVE SECRETARY TO GOVERNMENT, HARYANA,  
LAW AND LEGISLATIVE DEPARTMENT.