

Government of Jammu and Kashmir
School Education Department
(Gazetted Section)
Civil Secretariat, Jammu/Srinagar

Subject: Establishing the date of birth of Mr.Rafeeq Ahmad, Mir, Senior Lecturer, (Physics), BHSS, Handwara.

Ref: 1. Letter No. DSEK/ Estt-I/ 30 dated 13.01.2017 from DSE, Kashmir; and
2. Letter No.F(JS-Ver) B/ KD/ 2017-9195 dated 16.03.2017 from Joint Secretary, (Verification-KD), J&K State BOSE, Srinagar.

Government Order No: 531 -Edu of 2017

D a t e d : 10 - 08 - 2017

Whereas, the Director, School Education, Kashmir vide above referred letter has intimated that as reported by the CEO, Kupwara, the date of birth in the service book of Mr. Rafeeq Ahmad Mir, Senior Lecturer, (Physics), BHSS Handwara was recorded as 14.03.1963 as per entry made in the service book of the official by the Principal HSS Qalamabad at the time of his initial appointment; and

Whereas, the DSE Kashmir, stated that as per Order No.12 CERTs of 2004 dated 19.01.2004 issued by the Deputy Secretary, J&K State BOSE, the date of birth of Mr.Rafeeq Ahmad Mir S/O Ab.Rashid Mir, bearing Roll No.474, session 1982 Annual (November) Registration No.8158-Lect-1X-81, has been changed by the Correction Committee from "14.03.1963" to "14.03.1967" and the same had been authenticated by the Assistant Secretary, J&K State BOSE vide NO.T-106 dated:- 22.04.2006 and a revised date of birth certificate had been issued in favour of Rafeeq Ahmad Mir at S.No.2591 under registration No. 8158-KC-1X-81 Roll No. 474; and

Whereas, the DSE, Kashmir has also stated that on the basis of above documents, the Principal, BHSS Handwara has effected correction in the service book in the column of date of birth of the official from 14.03.1963 to 14.03.1967. The DSE Kashmir, as such, has sought confirmation to the revised entry in the date of birth of Mr.Rafeeq Ahmad Mir, Senior Lecturer (Physics) BHSS Handwara from "04.03.1963" to "04.03.1967" accorded in light of relevant documentary evidences of the J&K State BOSE; and

Whereas, the case was examined and the matter was taken up with the Secretary, BOSE, J&K Jammu on 22.02.2017, for verification of certificate and furnishing of genuineness of the date of birth certificate issued in favour of Mr.Rafeeq Ahmad Mir, Senior Lecturer. Besides, the DSE Kashmir was requested to furnish the particulars of the then Principal, BHSS Handwara who has effected correction in date of birth on the service book of the Lecturer in question.

[Handwritten signatures]

Whereas, in response to this department's communication, dated 22.02.2017, Joint Secretary, J&K State BOSE vide his communication referred above has communicated the particulars of the candidate (Mr.Rafeeq) of Class 10th in question as per records available in the Board as under and treated as correct:-

S. No.	Roll No.	Year/ Session	Name of the candidate	Parntage	Marks/ Grade	D.O.B
1.	474	1982/ November	Rafeeq Ahmad Mir	Ab Rashid Mir	476/ Second Div.	14.03.1967

Whereas, the above reflected particulars, authenticated by the J&K, BOSE are similar as reflected/ indicated in DOB/ matriculation certificate of Mr.Rafeeq Ahmad Mir; and

Whereas, as authenticated by the Joint Secretary, (Verification) J&K BOSE, the actual date of birth of Mr.Rafeeq Ahmad Mir is **14.03.1967** whereas, the initial entry in the service book is 14.03.1963 which, as such needs to be corrected. Besides, the concerned Principal has effected a correction on the said entry by changing it from 14.03.1963 to 14.03.1967 which also needs to be rectified in terms of Rule 35-AA of CSR-I and Rule 6.4 of J&K Financial Code; and

Whereas, Rule 35-AA of Civil Service Regulation-I and Rule 6.4 of J&K Financial Code provides as under:-

Rule 35-AA (C)

"The date of birth so declared by the Government servant and accepted and once recorded by the appropriate authority (as specified in clause (b) above) in the service book or any other record of service of the Government servant, as the case may be, shall not be subject to any alternation, except in the case of a clerical error without the order of the Government. No alteration of date of birth of a Government servant shall be made by the Government (Administrative Department) unless a request in this regard is made by the concerned Government servant within a period of five years of his/ her entry into Government service and it is clearly established that a genuine/ bonafide mistake has occurred."

Rule 6.4 (i)

"Every person newly appointed to a service or a post under Government, should at the time of appointment declare the date of his/her birth by the Christian era with confirmatory documentary evidence such as Matriculation Certificate, School Leaving Certificate, Municipal Birth Certificate and so on, as required by or permitted under Article 35-AA of the Jammu and Kashmir Civil Service Regulations.

Service under Government and once recorded, it cannot be altered, except in the case of a clerical error, without the previous orders of Government.

Government, however, reserve the right to make a correction in the recorded age of a Government servant at any time, against the interest of that Government servant when it is satisfied that the age recorded in his service book or in the history of services of a gazetted Government servant is incorrect

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and has been incorrectly recorded , with the object that the government servant may derive some unfair advantage there from. This will, however, apply to the cases of those Government servants only who entered service after the date of issue of council order No. 677-C of 1941, dated 22-7-1941, as in the case of those who entered service prior to 22-7-1941 the basis is the age declared at the time of their entry in Government service."

Whereas, the case was further examined in this department and it has been decided to issue necessary order regarding correction in Date of Birth as "**14.03.1967 (fourteenth of March Nineteen hundred sixty seven)**" instead of **14.03.1963** in the service book of Mr.Rafeeq Ahmad Mir, Senior Lecturer (Physics), BHSS Handwara.

Now, therefore, in view of above rule position and documentary evidence provided by the Director, School Education Kashmir, as also authenticated by the J&K Board of School Education, the date of birth of Mr.Rafeeq Ahmad Mir, Senior Lecturer, BHSS Handwara is established as "**14.03.1967 (Fourteenth of March, Nineteen hundred sixty seven)**" instead of **14.03.1963** in his service book.

This issues, with the concurrence of Financial Advisor/ Chief Accounts Officer, School Education Department.

By order of the Government of Jammu and Kashmir.

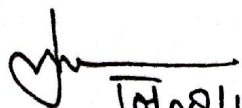
Sd/-
(Farooq Ahmad Shah) IAS
Secretary to the Government
School Education Department

No.Edu/ V/ 16/ 2017

Dated : 10 .08. 2017

Copy to the:-

1. Director School Education Kashmir for further necessary action.
2. Secretary, J&K State Board of School Education, Srinagar.
3. OSD to the Hon'ble Minister for School Education for information of the Hon'ble Minister.
4. Special Assistant to the Hon'ble Minister of State for School Education for information of Hon'ble Minister.
5. Private Secretary to Secretary to the Government, School Education Department.
6. Concerned.
7. I/C Website, School Education Department.
8. Government Order file (w.3.s.c.)/ Monday return/ Stock file.


10/08/17
(Sanjay Pandita)
Under Secretary to Government
School Education Department