

Government of Jammu and Kashmir
Home Department
Civil Secretariat, Jammu/Srinagar

Subject: Adoption of date of birth in respect of Retd. Follower Abdul Rashid PID No.ARP-811344.

Reference: Letter No.Esst/DoB-08/2020/45601-605 dated 31.07.2021 from Police Headquarters.

Government Order No. 112-Home of 2022
Dated: 21.04.2022

Whereas, Police Headquarters, J&K, vide communication under reference has submitted the case of Retd. Follower Abdul Rashid PID No.ARP-811344, for adoption of his date of birth as 01.10.1960, instead of 01.06.1960; and

Whereas, the Police Headquarters has intimated that the Retd. Follower Abdul Rashid proceeded on Voluntary retirement on 28.02.2019 and that his pension case was forwarded by the concerned Drawing and Disbursing Officer (DDO) to Accountant General, J&K, who returned the case with the observation that there was a cutting in date of birth recorded in the Character Roll; and

Whereas, Police Headquarters on the basis of recommendation of the designated "Date of Birth Committee" referred the case to the Home Department for accord of sanction to the adoption of his Date of Birth as 01.10.1960. PHQ submitted certificates issued by the SHO P/S Kulgam and Tehsildar Qaimoh, to substantiate the claim; and

Whereas, upon examination it was observed that the Retd. Follower Abdul Rashid PID No.ARP-811344, came to be appointed as Follower in J&K Police in the year 1981, and his date of birth was recorded as 01.06.1960, at the time of appointment, on the first page of his Character Roll; and

Whereas, Police Headquarters on the basis of recommendation of the designated committee of the PHQ referred the case to the Home Department for accord of sanction to the adoption of date of birth as 01.10.1960; and

Whereas, upon further examination, it was observed that the designated committee of the PHQ has without taking into consideration the relevant provisions of the J&K CSR and J&K Police Manual, recommended the case of the official for adoption of his date of birth as 01.10.1960; and

Whereas, the Article 35-AA of J&K Civil Services Regulations Volume-I explicitly lays down that the alteration in date of birth can be effected within 05 years from the date of entry into Government Service. The official has

failed to represent for alteration of his recorded date of birth within the prescribed time limit and the case has been brought to the notice of the Administrative Department after a lapse of more than three decades; and

Whereas, the case having being examined in light of the available records and the provisions contained in J&K Police Manual and J&K CSR, it was found that the official has not represented for alteration of his date of birth within the timeline prescribed under Rules, and as such, the case for change of Date of Birth warrants rejection.

Now, therefore in due deference to the order of Hon'ble Central Administrative Tribunal, Srinagar in WP(C) No.690/2021, CMA No.2043/2021 titled Abdul Rashid Dhobi V/s Union territory of J&K and Others, the claim of Retd. Follower Abdul Rashid, PID No.ARP-811344, after having been examined and considered in terms of the relevant rules governing the subject is, for the reasons recorded herein above, found devoid of any merit and rejected. The date of birth of the official shall continue to be treated as 01.06.1960, as recorded on his Character Roll, at the time of his appointment.

Sd/-

(R.K. Goyal) IAS


Financial Commissioner/
Additional Chief Secretary

Dated:21.04.2022

No.Home-NGiv/45/2021-01 (CC 19692)

Copy to the:

1. Director General of Police, J&K, for information, with the remarks to settle the pension case of Retd. Follower Abdul Rashid and timely file compliance report in Hon'ble Court accordingly.
2. Principal Accountant General, J&K.
3. Director Archives, Archeology and Museums, J&K.
4. Private Secretary to Financial Commissioner (Additional Chief Secretary), Home.
5. Incharge Website, Home Department.
6. Government Order file/Stock file.


21/04/2022
(Dr. Arvind Karwani)JKAS
Additional Secretary to the Government