

**Government of Jammu and Kashmir,
Directorate of Agriculture, Kashmir.**

Subject: Submission of fake DOB certificates-----Recoveries thereof.

Agriculture Order No: 361/Estt of 2018.

D A T E D : 22 / 12 / 2018.

Whereas, Article 35-AA of J&K CSR Volume-Ist envisages as under:

Notwithstanding anything contained in rules 6.4 and 6.5 of the Jammu and Kashmir Financial Code Volume-I, the following provisions shall apply for determination of Date of birth recording thereof in reference to the government servants:-

Determination of age: The date on which a Govt. servant attains the age of superannuation shall be determined with reference to the date of birth declared by the govt. employee at the time of appointment and accepted by the appointing authority on production, as far as possible, or confirmatory documentary evidence in the following manner:

- 1) In case of Govt. employee, where prescribed qualification is matriculation or above, matriculation or equivalent certificate issued by the Jammu and Kashmir Board of School Education or any recognized Board/ University wherefrom the employee has passed such examination;
- 2) In case of Govt. employees, where prescribed qualification is below matriculation, the school leaving certificate, duly signed by the concerned Head of Govt. School and countersigned by the concerned Gazetted Officer of the Education Department in immediate administrative control of the said Institution (in case the Head of Institution/ School is not a Gazetted Officer). Likewise, such certificate(s) issued by the head of Govt. recognized Private Institute/ School shall be countersigned by the concerned Gazetted Education Officer, who is in immediate administrative control of Govt. Institutions in the area as Zonal Education Officer.

Whereas Rule 6.4 of J&K Financial Code Vol-Ist envisages as under:

“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 J&K CSR.

Government, however reserve the right to make a correction in the recorded age of a Government servant at anytime against the interests 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 and has been incorrectly recorded, with the object that the Govt. servant may derive some unfair advantage therefrom. 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: 22.07.1941, as in the cases of those who entered service prior to 22.07.1941 the basis is the age declared at the time of their entry in Government service.

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Whereas, various complaints were pouring in to this Directorate wherein it was alleged that some officials have made insertions in their service records especially in respect of Date of Birth on the basis of fake and forged Date of Birth Certificates to earn undue benefits which is a matter of grave concern and needs to be discouraged and;

Whereas, accordingly in pursuance of this office communication No: Agri/ Estt/ NG/ 2018-19/3513-43, dated: 12.11.2018 it was impressed upon all the Drawing and Disbursing Officers/ Controlling Officers to get the Date of Birth Certificates of the officials verified from the concerned issuing authorities and;

Whereas, Sub Divisional Agriculture Officer Beerwah vide his No: SDAOB/Dev/2018-19/1041-43, dated: 22.12.2018 has intimated that **Sh. Sonallah Kumar regularized helper** has declared his date of birth as **01.05.1964** as per the School Leaving certificate issued by **Govt. Higher Secondary School Khag** under **Admission No: 2074, dated: 14.10.1984** at the time of his regularization for construction of his service book and;

Whereas, SDAO Beerwah has also intimated that the said official was asked to submit original Date of Birth Certificate which was recorded on the first page of his service book at the time of his regularization and;

Whereas, the said official has confessed that the DOB recorded on the first page of his service book is fake and fraud and he has submitted another original DOB certificate issued by **Govt. Higher Secondary Institute Magam under S.No: 48, File No: 02, dated: 14.10.1978 showing his date of birth as 01.05.1958**, while as the certificate submitted earlier by the official at the time of construction of service book under **admission No: 2074, dated: 14.10.1984 showing his date of birth as 01.05.1964 shown to be issued by Govt. Higher Secondary School Khag which envisages that Sh. Sonallah Kumar has submitted fake Date of Birth certificate by manipulating his date of birth from 01.05.1958 to 01.05.1964** to stay in active government services deliberately by (07) months thereby causing financial losses to the government exchequer to the tune of **Rs. 2,60,830.00 (Rupees two lacs sixty thousands eight hundred thirty only)** as worked out by Sub Divisional Agriculture Officer, Beerwah for which he was not entitled under law, therefore is under obligation to remit the whole amount into the Government treasury.

Now therefore, in view of the above the concerned Drawing and Disbursing Officer/Controlling shall recover the entire amount of **Rs. 2,60,830.00 (Rupees two lacs sixty thousands eight hundred thirty only)** drawn by the official by way of deceit as active government servant under the provisions of land ceiling act with penal interest of 12% for causing loss to government exchequer by way of his willful deceit and also an FIR shall be lodged against the official with the designated agency.

Sd/-

(Altaf Aijaz Andrabi)
Director Agriculture
Kashmir.

Dated: 22/12/2018.

No: Agri/Estt/NG/2018-19/4083-87.

Copy to the:

- Commissioner/ Secretary to Govt. Agriculture Production Department Civil Secretariat Jammu for favour of information.
- District Development Commissioner, Budgam for favour of information and n/ action.
- Chief Agriculture Officer, Budgam for information and n/ action.
- Sub Div. Agriculture Officer, Beerwah for inf. and n/ action. This is in ref. to his letter No: SDAOB/Estt/2018-19/1041-43, dated: 22.12.2018.
- Incharge I/T section DAK for uploading the same on departmental website.
- Agriculture Order file for records.