



**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services-Recording and alteration of date of birth-Orders- Issued.

FINANCE AND PLANNING (FIN. WING-F.R. I) DEPARTMENT

G.O.Ms.No. 165

Dated: 21-4-1984,
Read the following:

1. G.O.Ms.No. 50, Finance and Planning (Fin. Wing-F.R.I) Department., dt.10-2-70.
2. G.O.Ms.No. 18. Finance and Planning (Fin. Wing-F.R.I) Department, dt. 9-1-78.
3. G.O.Ms.No. 59, Finance and Planning (Fin. Wing-F.R.I) Dept. dt. 23-2-79.
4. G.O.Ms.No. 163, Finance and Planning (Fin. Wing-F.R.I) Dept.. dt. 21-5-80.
5. G.O.Ms.No. 344, Finance and Planning (Fin. Wing-F.R.I) Dept, dt. 3-2-80.

ORDER:

A P U S

In the order first and third to fifth read above, amendments to rule 6 of the subsidiary rules made under rule 74 (a) (iv) of the Fundamental Rules as well as rule 56 (a) and the provisions in Hyderabad Civil Services Rules were amended laying down the procedures in regard to alteration of date of birth once recorded in the Service Register or Service Records of Government Servants.

2. In the older 2nd read above, a procedure for recording of date of birth of fresh entrants to Government Service was laid down by way of insertion of Note 5 under rule 6 of subsidiary rules made under rule 74 (a) (iv) of Fundamental Rules.

3. Through clauses (ii) and (iii) of Section 18 of the Andhra Pradesh Public Employment (Regulation of Conditions of Service) Ordinance, 1983, (Ordinance No. 5 of 1983), dated 10th April. 1983, rule 56 and Note (3) and (5) of Part III of Annexure II of the Fundamental Rules and through section 19 of the said Ordinance, rule 231 of the Hyderabad Civil Service Rules were omitted. It has, therefore, become necessary to make rules, laying down the procedure for recording the date of birth in the Service Registers or Service Records, in respect of fresh entrants to Government Service, as well as alteration of the date of birth already entered in the 'Service Records.

4. After careful consideration. Government have decided to issue comprehensive rules in this regard. The following notification will be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling, and in super session of all roles relating to recording and alteration of date of birth of Government employees, the Governor of Andhra Pradesh hereby makes the following rules:

RULES

Short title: application and commencement:

- 1.i) These rules may be called the Andhra Pradesh Public Employment (Recording and Alteration of Date of Birth) Rules, 1984.
- ii) They shall apply to all persons appointed to Public Services and posts in connection with the affairs of the State of Andhra Pradesh.
- iii) They shall come into force with immediate effect.

RECORDING OF THE DATE OF BIRTH:

2. i) Every Government employee shall, within one month from the date on which he joins duty, make a declaration as to his date of birth.

ii) On receipt of the declaration made under sub-rule (1), the Head of Office or any other officer who maintains the service records in respect of such Government employee shall, after making such enquiry as may be deemed fit, with regard to the declaration and after taking into consideration such evidence, if any, as may be adduced in respect of the said declaration, make an order within four months from the date on which the Government employee joins service, determining the date of his birth.

Provided that in cases where the date of birth as determined under this sub rule is different from the one declared by the Government employee concerned under sub-rule (1), he shall be given an opportunity of making a representation, before final order is made.

3) Where a Government employee fails to make a declaration within the time specified in sub-rule (1), the Head of Office or the officer who maintains the service records shall, after taking into consideration such evidence as may be available and after giving an opportunity of making a representation to the Government employee concerned, determine the date of birth of the employee within six months from the date on which the Government employee joins service.

4) The date of birth determined under this rule shall be entered in the service record of the employee concerned duly attested by the Head of the Office or the officer who maintains the service records and the date of birth so entered shall be final and binding and the Government employee shall be stopped from disputing the correctness of such date of birth.

5) The date of birth as determined and entered in the service record shall not be altered except in the case of clerical error, under the orders of Government Procedure in recording date of birth of employees appointed before the commencement of these rules:

3. The date of birth of a Government employee who has been appointed before the commencement of these rules and whose service register has not been opened, shall be recorded in the manner laid down in Rule 2.

ALTERATION OF DATE OF BIRTH IN PAST CASES.

4. No Government employees, in service before the commencement of these rules, -

a) Whose date of birth has been recorded in the service register in accordance with the rules applicable to him; or

b) whose entry relating to date of birth became final and binding under the rules in force prior to the commencement of these rules; shall be entitled to claim alteration of his date of birth.

CASES PENDING ON THE DATE OF COMMENCEMENT OF THESE RULES :

5. The cases in which Government employees have already applied for alteration of their date of birth and which are pending on the date of commencement of these rules, shall be dealt with on the basis of recorded age in school and college records at the time of entry into service

EFFECT OF OTHER RULES

6. No rule made or deemed to have been made under the proviso to Article 309 of the Constitution of India shall, in so far as it is inconsistent with any of the provisions of these rules, shall have any effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.S. IYER
Special Secretary to Government

