

Government of Jammu and Kashmir,  
**Youth Services & Sports Department**  
Civil Secretariat, J&K.

\*\*\*\*\*

Subject: Establishing of date of birth of Mr. Abdul Qayoom Nayak, Ex. I/C Zonal Physical Education Officer.

**Government Order No: 14 -JK(YSS) of 2022**

**Dated: 28.04.2022.**

Whereas, the Director, Youth Services & Sports J&K vide letter No. Dir-YSS/Estt/3666-69 dated 16-11-2021 has intimated that Sh. Abdul Qayoom Nayak, Ex. I/C ZPEO retired on superannuation w.e.f 29-02-2010 on the basis of date of birth recorded in the service book of the retired official.

Whereas, the Director, YSS has also intimated that during the review of the service book of the above named official in the office of the Accountant General J&K, it has been observed that there was an attested cutting in the date of birth and vide No. PNRJ-IV/S-3/2013-14/2363-37 dated 07-05-2013 advised that the correct date of birth was to be verified and established by the Administrative Department in light of Rule 6.4 of Financial Code Vol-I and Rule 35-AA of J&K CSR Vol-I.

Whereas, the Director, YSS has further intimated that after receipt of the case back in the office of DYSSO Rajouri, the matter was taken up with JKBOSE for verification of the particulars of the date of Birth Certificate in respect of Name and Date of Birth vide Directorate's vide No. DG-YSS/Estt/5216 dated 18.10.2019.

Whereas, in response to the Directorates letter Joint Secretary, J&K BOSE vide letter No. F(veri-B) JD/2020-2421-C Dated 05.03.2020 has furnished the particulars of the candidate of class 10<sup>th</sup> as per records available in the Board as under:-

S. No.	Roll Number & Session	Name & parentage	Date of birth	Result & Grade
1.	12103/May/1981	Abdul Qayoom Qamar S/O Abdul Subhan Naik	15-02-1952 (Fifteenth of February N.H Fifty Two)	Pass/414/Second

Whereas, on the basis of the verification received from the JKBOSE, the case was again submitted to the AG's office for settlement vide letter No. DG-YSS/Estt/8995-97 dated 07-03-2021.

*[Handwritten signature]*

*[Handwritten signature]*

808669/2022/O/o UND.SEC

Whereas, the AG's Office vide letter No. PNRJ-3/5-4/2020-21/185-87 Dated 01.06.2021 has observed that the name recorded in the date of birth certificate issued by the JKBOSE is "Abdul Qayoom Qamar S/O Abdul Subhan Naik" while as the name recorded in the service book is "Abdul Qayoom Nayak" and has again advised to get the correct Date of Birth established by Administrative Department in terms of Rule 6.4 of J&K Financial Code Vol-I and Rule 35-AA of JKCSR Vol-I.

Whereas, the case was examined in the Department and vide Office Order No.32-JK(YSS) of 2021 dated 08.12.2021, Mr. Bashir Ahmed, Joint Director, Directorate of YSS was appointed as Inquiry Officer to enquire into matter with regard to the reasons for correction made in the date of birth of Sh. Abdul Qayoom Nayak, Ex I/C ZPEO recorded in his Service Book and also find out the actual date of birth & name of the official after verifying date of birth certificate and Service Book etc. of the official.

Whereas, the Inquiry officer among other observations, has observed that there are different names mentioned in different official records of the ex-employee as per details given below:-

S. No.	Document	Name
1.	Appointment Order	Abdul Qyoom S/O Abdul Subhan
2.	DOB Certificate	Abdul Qayoom Qamar S/O Abdul Subhan Naik
3.	PRC	Abdul Qyoom S/O Abdul Subhan
4.	Service Book	Abdul Qayoom Nayak S/O Abdul Subhan Nayak

Whereas, Inquiry Officer in his report has also mentioned that as per the certificate issued by Tehsildar Thanamandi and countersigned by SDM, Thanamandi, it has been reported that Abdul Qayoom, Abdul Qayoom Qammar and Abdul Qayoom Nayak are one and the same person.

Whereas, owing to the dispute in the title of the name recorded in the different official records viz service book, appointment order, PRC and date of birth certificate issued by the JKBOSE, the matter was taken up with the Revenue Department vide O.M No. YSS-Adm/378/2021-02-YSS dated 09-02-2022 for clarification whether it is usual to have multiple names in the revenue records of any person(s).

Whereas, the Tehsildar, Thanamandi Rajouri vide letter OQ/2022 dated 12-04-2022 addressed to Deputy Commissioner Rajouri intimated that a detailed report was obtained from Patwar halqa concerned which revealed that Mr. Abdul Qayoom S/O Abdul Subhan Naik caste Naik is permanent resident of village

*[Handwritten signature]*

*[Handwritten initials]*

808669/2022/O/o UND.SEC

Behrote Tehsil Thanamandi as per revenue records of the village Behrote and his name has been inadvertently written as Abdul Qayoom Qammar in educational qualification certificates. Moreover the statement of prominent persons of the area has also been recorded and it has been found that Abdul Qayoom Naik, Abdul Qayoom Qammar and Abdul Qayoom is the name of same person.

Whereas, article 35-AA, clause C of JKCSR Vol-I provides as under:-

"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 alteration, except in the case of a clerical error without the orders 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.

Provided that in case of Government servant in service on the date of issue of this Notification, a request for alteration of his/her date of birth may be considered by the Government, for reasons to be recorded in writing, if an application to this effect is made within a period of six months from the date of issue of this Notification.

Provided further that the date of birth so altered would not make him/ her ineligible to appear in any school or University/Board or Public Service Commission Examination in which he had appeared or for entry into Government service, on the date on which he first appeared at such examination or on the date on which he entered Government service".

Whereas, the case was further examined in the Department and on the basis of the report received from JKBOSE and Tehsildar Thanamandi, it has been decided to establish date of birth of the official as **15-02-1952** as recorded in the service book of Mr. Abdul Qayoom Nayak, Ex. I/C Zonal Physical Education Officer.

Now therefore, in view of the above rule position and documentary evidence provided by different quarters, the date of birth of Mr. Abdul Qayoom Nayak, Ex. I/C ZPEO is established as **15-02-1952**.

*[Handwritten signature]*  
*[Circular stamp]*

This issues with the concurrence of Financial Advisor/Chief Accounts Officer, Youth Services & Sports Department.

**By order of the Government of Jammu and Kashmir.**

**Sd/ =**

(Alok Kumar), IRS

Principal Secretary to the Government  
Youth Services & Sports Department

Dated: 28 -04-2022.

No: YSS-Adm/378/2021-02-YSS

Copy to the:-

01. Principal Accountant General (A&E), J&K, Jammu/Srinagar.
02. Joint Secretary, (J&K) Ministry of Home Affairs, GoI.
03. Director, Youth Services & Sports J&K.
04. Secretary, J&K Board of School Education.
05. District, Youth Services & Sports Officer, Rajouri.
06. Treasury Officer, Moving Treasury Civil Secretariat, J&K  
Jammu/Srinagar.
07. Private Secretary to Principal Secretary to Government, Youth Services  
& Sports Department for information of Principal Secretary.
08. In charge website.
09. Government order file(w.2.s.c)

*M Ayub*  
28/4/22  
(Mohammad Ayub)

Under Secretary to the Government,  
Youth Services & Sports Department.

*mka*