

No.19017/7/79-Estt(A)
 Government of India/Bharat Sarkar
 Ministry of Home Affairs/Bharat Sarkar
 Department of Personnel and Administrative Reforms
 (Karmik aur Prashashnik Sudhar Vibhag)

New Delhi, the 30th Nov., 1979.

NOTIFICATION

S.O.....3997.. In exercise of the powers conferred by the proviso to Article 309 and clause (5) of article 148 of the Constitution and in consultation with the Comptroller and Auditor General of India in so far as persons serving in the Indian Audit and Accounts Departments are concerned, the President hereby makes the following rules further to amend the Fundamental Rules, namely:-

1. (a) These rules may be called the Fundamental (Fourth Amendment) Rules, 1979.
 (b) They shall come into force from the date of their publication in the official Gazette.
2. For the existing note 5 below Rule 56, the following note shall be substituted, namely:-

"Note 5 - The date on which a Government servant attains the age of fifty-eight years or sixty years, as the case may be, shall be determined with reference to the date of birth declared by the Government servant at the time of appointment and accepted by the appropriate authority on production, as far as possible, of confirmatory documentary evidence such as High School or Higher Secondary or Secondary School Certificate or extracts from Birth Register. The date of birth so declared by the Government servant and accepted by the appropriate authority shall not be subject to any alteration except as specified in this note. An alteration of date of birth of a Government servant can be made, with the sanction of a Ministry or Department of the Central Government, or the Comptroller & Auditor General in regard to persons serving in the Indian Audit and Accounts Department, or an administrator of an Union Territory under which the Government servant is serving, if -

- (a) a request in this regard is made within five years of his entry into Government service;
- (b) it is clearly established that a genuine bonafide mistake has occurred; and

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- (c) the date of birth so altered would not make him ineligible to appear in any School or University or Union Public Service 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.

Sd/-

(R.C. GUPTA)

Deputy Secretary to the Govt. of India.