

CHAPTER : 7 – DATE OF BIRTH

(7.1)

**Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)**

No.AR-13/28/75

Dated Kohima, the 11th July, 1979.

OFFICE MEMORANDUM

Sub:- CONDONATION OF OVERAGE:

The undersigned is directed to say that in the past, the Heads of the Department had recruited a large number of persons in State Government services who have exceeded the upper age limit without obtaining prior approval of the Government. In a number of such cases, the appointing authorities approached the Government for condonation of the overage of the officials only when their pension cases are held up by the Accountant General. As a consequence, those retired personnel have suffered much for non-finalisation of their pension cases in time for no fault of their own. The State Government have been all along liberal in dealing with matters of condonation of the overage of serving personnel and have accorded ex post facto sanctions in a number of such cases over the last few years.

2. Under the rules, the overage of a person if considered for appointment in a service is required to be condoned at the time of his first entry into service and not after retirement. In all such cases the appointment authorities should invariably obtain prior approval of the Government for condonation of the overage of the person concerned. In no circumstances, the persons should be appointed first and then proposal for condoning the overage should be submitted. There are duly constituted selection committees at all levels for selection of candidates for recruitment to the State services. Also, the maximum and minimum of age limits for direct recruitment have since been prescribed by the Government in its notification No. APPT/1/10/67 dated 17-5-67. All Heads of the Department and other recruiting agencies should follow strictly the prescribed age limits in cases of direct recruitments to all services. It is, therefore, impressed upon all concerned that in future it should be ensured that the overage of a person be condoned with the approval of the Government prior to entry in service and not after recruitment to service.

Sd/- L.L. YADEN
Special Secretary to the Govt. of Nagaland

(7.2)
Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)

MEMORANDUM

No.AR-8/1/87

Dated, Kohima, the 26th March, 1987.

Sub:- Relaxation of upper age limit in respect of Scheduled Tribe Govt. employees in relation to State of Nagaland clarification thereof :

The undersigned is direct to invite a reference to the Notification No. AR-8/14/81 dated 5-10-82 on the subject cited above and to say that as stated in the order one should have put in a continuous service of not less than three years either in the Central Government or other State Government offices within the State for the purpose of relaxation of upper age limit. After careful consideration, it is clarified that since the order do not make any distinction of regular/contract/ad-hoc service, those having three years continuous service, irrespective of whether regular, contract ad-hoc service should also be given the benefit of relaxation under those orders.

Sd/- I. LONGKUMER
Chief Secretary to the Govt. of Nagaland

(7.3)
Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)

No.AR-13/28/75

Dated Kohima, the 4th August, 1987.

OFFICE MEMORANDUM

SUB: CONDONATION OF OVERAGE OF GOVERNMENT SERVANTS INSTRUCTIONS THEREOF:

The matter relating to condonation of overage for person appointed to service beyond the prescribed age limits have been under consideration since 1975. In this connection an instruction have been issued vide this Department's Office Memorandum No.AR-13/28/75 of 9-10-75 where in the Administrative Department have been instructed to submit cases of condonation under their control before 30-11-75. Similar instruction have also been issued vide this Department's letter of even number dated 24-5-75. However, it has been observed that proposal for condonation of overage have taken up the Administrative Departments only as and when the Office/ Official concerned is about to retire. Hence, a fresh instruction have been issued vide this Department's Office Memorandum of even number dated 14-4-83, wherein the deadline for submission of the proposal have been fixed as on 30-4-83. The latest instruction in this regard has been issued vide this Departments Office Memorandum of even number dated 26-10-83, prohibiting appointment of overaged persons in Government service.

Now, it is observed with great concern that instead of following the instructions may of the Administrative Departments are still submitting proposals in respect of persons, appointed,

even as late as 1986 for condonation of overage. This is not only a very serious irregularity but also utter negligence on the part of concerned Administrative Departments which the Government has viewed seriously.

It is fact that there have been occasions when the right type of persons were not available due to abnormal situations then prevailing in the State which resulted the appointment of overaged persons in various Departments/offices. But now the situations have changed and there should not be any occasion to appoint overaged persons contrary to the existing orders of the Government.

It is therefore, impressed upon to all concerned once again to strictly adhere to the instructions issued by the Government earlier in this regard and to desist from appointing overaged persons in service. Pending cases, if any for condonation of overage in respect of existing Government officials, may be submitted immediately but not later than 31-8-87. Under no circumstances cases of overaged person appointed on or **after 1-1-1987** shall be entertained for condonation of overage.

Receipt of the Office Memorandum may please be acknowledged.

Sd/- T.P. IMCHEN

Secretary to the Govt. of Nagaland.

(7.4)

**Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)**

NOTIFICATION

No. AR-8/14/81

Dated, Kohima, the 13th June, 1989

The Governor of Nagaland is pleased to order that the following shall be age limits for direct recruitment to the Nagaland State Government services:

- (i) Candidates not belonging to Scheduled Caste and Scheduled Tribes communities 18 years minimum, 30 years maximum.
- (ii) Scheduled Caste and Scheduled Tribes 18 years minimum, 30 years maximum.

2. Further, upper age limit is relaxable in each case by another 5(five) years in respect of government servants who have put in a continuous service of not less than 3(three) years whether on regular/contract/adhoc service either in a Central Government or other State Government offices within the State Government of Nagaland as under:

- (i) Candidates not belonging to Scheduled Caste/Scheduled Tribes : 30 years.
- (ii) Scheduled Castes/Scheduled Tribes : 35 years.

3. This refers Government notifications No. APPT/1/110/67 of dated 17/5/1967 and AR-8/14/81 of dated 5/10/1982 and memorandum No. AR-8/1/67 of dated 26/5/1987.

Sd/- Z. OBED

Chief Secretary to the Govt. of Nagaland

(7.5)

**Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)**

No. AR-5/ASSO/98(A)

Dated, Kohima, the 26th Feb, 2001.

Sub:- Tampering of proof of age in service records.

Instances have come to the notice of the Government that some government employees have tampered with their proof of age/date of birth in their service book records. This practice is not only a serious violation of the Nagaland Government Servants Conduct Rules, 1965, but amounts to grave criminal misconduct attracting legal action.

2. The Government has taken a serious view of such illegal practices by Government employees. All Administrative Heads of Department and Heads of the Department are hereby directed to carefully check and scrutinise the service books/records of all employees under their control. If an instance of tampering with proof of age is established, disciplinary action against such employees should be initiated under the provisions of the Conduct Rules. Further, any such case should also be brought to the notice of the Department of Personnel and AR for advice regarding appropriate legal action to be taken against the concerned employee.

3. The contents of this O.M are brought to the notice of all concerned for strict compliance. All Heads of Department are also requested to send copies of this O.M to all their District & Subordinate Offices.

Sd/- R.S.PANDEY

Chief Secretary to the Govt. of Nagaland

(7.6)

**Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)**

OFFICE MEMORANDUM

NO.AR-3/GEN-108/2003

Dated, Kohima, the 4th December, 2003

Sub:- Procedure for change in Date of Birth of Government Employees.

Orders have been issued from time to time regulating the procedure for effecting change in date of birth of Government employees particularly the O.M. NO. APA-2/9/69 dated 20/11/1973 and O.M. NO. APA-2/9/69 dated 11/3/1990. To remove any misunderstanding in this regard the position is clarified as follows:

The date on which a government servant attains the age of superannuation 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 of HSLC examination certificate for matriculates and above or school leaving certificate and extracts from Birth Register for non-matriculates. The date of birth so declared by the Government servant and accepted by the appropriate authority shall not be subject to any alteration.

In exceptional cases the alteration of date of birth of a Government servant can be made with the approval of the Department of Personnel & Administrative Reforms only when a request in this regard has been made within 5(five) years of the entry of the Government employee in service and after thorough investigation it has been established that a genuine bona fide mistake had occurred.

For the employees who have completed 5(five) years or more in Government service no request for change in the date of birth to the advantage of the employee shall be entertained.

All the officers/staff in charge of safe custody of the Service Books of Government employees shall take all precautions to ensure that there is no possibility of overwriting, changing or mutilating the entries in the Service Books. If an instance like this is brought to the notice of the Government/Department, a departmental enquiry to look into the circumstances leading to tampering in the service records will be invariably ordered with a view to fixing responsibility and taking departmental/any other appropriate action against the person(s) involved.

Date of birth should be recorded in figures as well as in words in order to minimize the chances of tampering.

This supersedes all earlier orders issued by the State Government in this regard on the subject.

Sd/- V. N. GAUR
Principal Secretary to the Govt. of Nagaland.

(7.7)
Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)

No. APPT-15/3/67 (Pt)

Dated, Kohima, the 24th May, 2005.

OFFICE MEMORANDUM

It has come to the notice of the Government that despite ban on overstay of government employees beyond the date of superannuation. Many Departments are sending proposals to the P&AR Department and the Cabinet for regularisation of the period of overstay in government service. It is the duty of the Departments concerned to see that the Government employees retire on their actual date of superannuation.

Henceforth, no cases of regularisation of overstay period of Government servant will be entertained by the P&AR and the Cabinet. The Heads of the Departments/Controlling officer will be held responsible for the lapses in allowing the Government servants to hold office after their date of superannuation.

Sd/- P. TALITEMJEN AO
Chief Secretary to the Govt. of Nagaland

(7.8)
Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)

No. AR-3/Gen-174/2007

Dated Kohima, the 30th November, 2007.

OFFICE MEMORANDUM

Sub: Enhancement of Upper Age limit for entry into Government Service.

In super cession of all Government Notifications on prescription of age limits, the Governor of Nagaland is hereby pleased to order the following Lower and Upper age limits to enter Government service for different categories as follows:

- (a) Grade-IV : minimum 18 years and maximum 35 years.
- (b) Grade-III : minimum 21 years and maximum 35 years.
- (c) Grade-II : minimum 21 years and maximum 35 years.
- (d) Grade-I : minimum 21 years and maximum 35 years.

2. But for General candidates, the Upper age limit will be 30 years only. Further, age concession for serving Government employees will be allowed, the equal number of years they are in service subject to a maximum of 5 years.

3. The Upper age limit for the Physically Handicapped persons will be relaxable by another 10 (ten) years.

4. The effective date for implementation of this O.M will be 15th November, 2007.

Sd/- LALHUMA
Chief Secretary to the Government of Nagaland.

(7.9)

**Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)**

No. AR-3/Gen-174/2007 (Pt)

Dated, Kohima, the 26th March, 2013.

OFFICE MEMORANDUM

Sub:- Release of Government servants on completion of 35 years of service.

The superannuation of State Government employees is governed by the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009 and Rule 56 of Fundamental Rules (FR). Accordingly, the State Government employees shall go on superannuation on the afternoon of the last day of the month in which he attains the age of 60 years, or in which he completes 35 years of public employment, whichever is earlier and those employees whose date of birth/date of joining the service falls on the first day of month, they shall retire from service on the afternoon of the last day of preceding month on attaining the age of 60 years or completion of 35 years if service, whichever is earlier.

All Administrative Heads and Heads of Departments shall ensure that the date of superannuation of the employees is ascertained well in advance and they are released on the stipulated date without any discrepancy.

Sd/- ALEMTEMSHI JAMIR
Chief Secretary to the Govt. of Nagaland.

(7.10)

**Government of Nagaland
Economics & Statistics Department
Nagaland Civil Secretariat**

Dated Kohima the 11th December 2015

NOTIFICATION

No. STAT/P-36/2001(Pt-2):: In exercise of the power conferred under section 30 (1) & (2) clause (g) of the registrations of Births and Deaths Act, 1969 and Nagaland Registration of Births & Deaths Rules 1999 for amendment of the respective State Registration of Births & Deaths Rules, the following amendments for enhancements of delayed registration fees on births and deaths is substituted and incorporated under section 9 sub-clause 1,2 & 3 of the Nagaland Registration of Births & Deaths (Amendment) Rules 1999.

1. Any birth or death for which information is given to the Registrar after the expiry of the period specified (21days) in Rule 5, but within thirty days of its occurrence, shall be registered on payment of late fee of Rs 10/- (Rupees Ten).

2. Any birth or death for which information is given to the registrar after thirty days but within one year of its occurrence, shall be registered on production of an affidavit made before a notary public and on payment of late fee of Rs 20/- (Rupees Twenty).
3. Any birth or death which has not been registered within one year of its occurrence shall be registered only on an order of a Magistrate of the first class or a presidency Magistrate and on a payment of late fee of Rs.30/- (Rupees Thirty).

Sd/-
KEVILENO ANGAMI
Chief Registrar of Births & Deaths
&
Secretary to the Government of Nagaland.