

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C) No. 125 of 2020

MD. Soukat Ali

Petitioner

Vs.

State of Manipur & 4 Ors

Respondents

**BEFORE
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

31.07.2025

[1] Heard Mr. I. Denning, learned counsel appearing for the petitioner and Mr. Th. Vashum, learned GA appearing for the respondents.

[2] The present petition has been filed with a prayer for directing the respondents to count the service period of the petitioner from the date of birth of the petitioner, i.e., from 01.03.1961 as recorded in his service book maintained by the authority which is supported by his Matriculation Certificate issued by the Secretary, Board of Secondary Education, Manipur as well as other relevant Govt. documents, so as to enable the petitioner to complete the retirement age as per his date of birth.

[3] The case of the petitioner is that in his High School Leaving Certificate, issued by Board of Secondary Education, Manipur his date of

birth is recorded as 01.03.1961. The petitioner was initially appointed as teacher in Kiyamgei L.P. (M) on adhoc basis for a period of 6(six) months by order dated 04.06.1984 issued by the Addl. Director of Education (V), Government of Manipur. While the petitioner was serving as a teacher on adhoc basis, the Director of Education(S), Government of Manipur issued another order dated 15.03.1985 by which the petitioner was appointed as a teacher at Kiyamgei L.P (M) on temporary basis and thereafter the petitioner continued to render his service in the said school without any break and to the satisfaction of all concerned. While the petitioner was rendering service as a teacher, the Director of Education (S), Government of Manipur wrote a letter dated 30.11.2017 to the Principal Secretary/Education(S), Government of Manipur stating inter alia that in the initial compilation of MGEL, the date of birth of the petitioner was inadvertently recorded as 01.03.1960 in the CPIS database. It was also pointed out in the said letter that in the Matriculation Certificate of the petitioner his date of birth is recorded as 01.03.1961 and that in his service book also the date of birth of the petitioner was found to be corrected from 01.03.1960 to 01.03.1961 on the same date of construction of the service book by the same officer who constructed the petitioner's service book, namely, D.I. Schools, Central District, (Zone-II). In the said letter, the Director of Education (S), Government of Manipur requested the government to issue appropriate order for

correction of the date of birth of the petitioner as 01.03.1961 in place of 01.03.1960 in the said CPIS database.

[4] By another letter dated 29.05.2019, the Director of Education (S), Government of Manipur, intimated to the Deputy Secretary, Education School, Government of Manipur that the date of birth of the petitioner as recorded in his service book was cancelled and corrected without obtaining approval of the government in the year 1985 and thereafter requesting to issue an appropriate order for correcting the date of birth of the petitioner in the CPIS database as 01.03.1961 in place of 01.03.1960 at an early date.

[5] Instead of correcting the wrong entry of the date of the birth of the petitioner in the CPIS database, the Secretariat, Education (S), Department inform the petitioner by letter dated 06.03.2020 that correction of date of birth as 01.03.1961 in lieu of 01.03.1960 was rejected on the ground that the time limit for correction of date of birth after 5 years of entry into government service is not permissible and that the earlier correction in the service book was done without authority. Having being aggrieved, the petitioner approach this Court by filing the writ petition for redressal of his grievances.

[6] It has been submitted on behalf of the petitioner that at the time of preparation of the service book of the petitioner, through inadvertent mistake his date of birth was recorded as 01.03.1960, however, on realizing such mistake, the same officer who prepared the

said service book corrected the mistake by cancelling the original entry and by writing the correct date of birth of the petitioner on the same date the said service book was prepared. According to the learned counsel for the petitioner such correction did not required any approval of the government inasmuch as the correction was done by the officer at the time of preparation of the service book. According to the learned counsel, it is only a case of correct entry and not a case of correction of the date of birth of that employee subsequently and as such, no prior approval of the government is necessary. It has been also submitted by the learned counsel for the petitioner that the actual date of birth of the petitioner is 01.03.1961 as recorded in his Matriculation Certificate and that his correct date of birth is also recorded in his service book and as such there is no question of correction of date of birth. At the time of entry of the particulars of the petitioner while preparing MGEL and uploading in the CPIS database, his date of birth was wrongly entered and the petitioner is only asking for correction of the wrong entry in the CPIS database and not requesting for correction of his date of birth. The learned counsel accordingly submitted that the rejection of the request made by the Director of Education (S) for correction of the wrong entry of the date of birth of the petitioner in the CPIS database only on the ground that the same cannot be done after lapse of 5 years is unreasonable and not sustainable in the eye of Law.

[7] Mr. Th. Vashum, learned GA appearing for the respondents submitted that as per rules and guidelines issued by the government as well as in a catena of judgment rendered by the Hon'ble Apex Court, it has been repeatedly held that the correction of date of birth of an employee after lapse of 5 years from the date of entry in service is impermissible. It has been submitted by the learned GA that in the present case, the request for correcting the date of birth of the petitioner was made after lapse of 5 years and as such, on this ground the request for correction of the date of the birth of the petitioner has been rejected by the authority. The learned GA accordingly submitted that no interference by this Court is called for. In support of his contentions the learned GA cited the following case laws;

- (i) [(2000) 8 SCC 696 **"G.M., Bharat Coking Coal Ltd., West Bengal vs Shib Kumar Dushad and Others"** (Para 17)]
- (ii) [(2011) 9 SCC 664 **"State of Madhya Pradesh & Others vs Premlal Shrivastava"** (Para 8, 11)]

[8] I have heard the submission advanced by the learned counsel appearing for the parties at length and also carefully examined the materials available on records and also examined the original service book of the petitioner produced by the learned G.A. On examination of the service book, it is found that the original entry of the date of birth of the petitioner in his service book was recorded as 01.03.1960. However,

the year 1960 was cancelled and in its place the year 1961 was recorded by the same officer who prepared the said service book on the same date. Nothing has been submitted by the learned GA that such correction was done on a subsequent date and also there is no whisper what so ever on what basis the date of birth of the petitioner was entered as 01.03.1960 in the CPIS database. It has also been admitted by the learned GA that on verification of the authenticity of the Matriculate Certificate of the petitioner it has been found to be genuine. In view of such admitted position, this Court has no hesitation to hold that the correct date of birth of the petitioner is 01.03.1961 and not 01.03.1960. In fact there is no material available on record to arrive at the conclusion that the date of the birth of the petitioner is 01.03.1960 and not 01.03.1961. When the authorities have failed to explain on what basis the date of birth of the petitioner was entered as 01.03.1960 in the CPIS database, this Court cannot accept the contention made on behalf of the respondents that the date of birth of the petitioner as entered in the CPIS database cannot be corrected.

[9] Accordingly, the respondents are hereby directed to take necessary steps for correcting the date of birth of the petitioner as entered in the CPIS database as 01.03.1961 instead of 01.03.1960 as early as possible. Consequently after such correction, the authority should issue necessary orders for releasing all the service benefits due payable to the petitioner.

[10] It is made clear that the whole process should be completed within a period of 3 months from the date of receipt of certified copy of this order.

[11] With the aforesaid direction, the present writ petition is disposed of.

JUDGE

Lucy