



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

111

CWP-3172-2026

Date of Decision: 11.02.2026

INSPECTOR RAMESH CHAND

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Karamveer Singh Banyan, Advocate
for the petitioner

Mr. Ravi Partap Singh, DAG Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 22.01.2026 whereby respondent has rejected his representation for correction of date of birth in his service record.
2. Written statement of Ms. Upasana, IPS, Superintendent of Police Kaithal-respondent No.4 filed on behalf of respondents is taken on record.
3. The petitioner joined Haryana Police as Constable on 09.10.1989. He vide application dated 27.07.2001 requested the respondent to correct his date of birth in his service record. As per his service record, his date of birth is 05.02.1968 whereas he claims that it is 28.03.1970. Additional Director General of Police (for short 'ADGP'), Karnal examined his case and recommended the aforesaid change vide

order dated 29.12.2025. The Director General of Police pursuant to aforesaid recommendation did not carry out change in the record on the ground that the application was submitted after 12 years of service whereas request for change in date of birth can be filed within 2 years of service.

4. Learned State counsel submits that petitioner entered into service on 09.10.1989. He submitted his matriculation certificate. He applied for correction/alteration in his date of birth in 2001 i.e. after 12 years from the date of joining service. The respondent relied upon his testimonials including matriculation certificate. Hon'ble Supreme Court in ***General Manager South Eastern Coalfields Ltd. & Ors. Vs. Avinash Kumar Tiwari, 2023 SCC OnLine SC 2536*** has held that alteration in date of birth should not be permitted at fag end of the career. The petitioner is going to retire on 28.02.2026, thus, his claim deserves to be rejected in the light of said order. As per Rule 9.7(2) of Punjab Police Rules, 1934 (as applicable to State of Haryana) (in short 'PPR') alteration in date of birth can be made within two years from the date entering into service.

5. Heard the arguments and perused the record.

6. The respondent has rejected petitioner's claim while relying upon Rule 9.7 of PPR. As per impugned order as well as recommendation dated 29.12.2025 of ADGP Karnal Range, the respondent is conceding that petitioner approached respondent in 2001 for correction of his date of birth. He did not approach within two years

from the date of entering into service. Rule 9.7 of PPR reads as:-

“9.7. Alteration in age.- (1) The date of birth shown in the character roll or corresponding record, can be altered only with the sanction of the Inspector-General of Police, on production of proof to his satisfaction. If the recorded age does not tally with that certified by an invaliding medical officer, board or committee, and the discrepancy affects the title to pension or liability to superannuation, the matter should be reported and the officer should not be discharged till the orders of the Inspector-General have been received. In the case of an officer whose year of birth or year and month of birth only is known, but not the exact date, the 1st July of the year or 16th of the month, respectively, should be treated as the date of birth for the purpose of calculation of pension, -vide note under Article 283 of the Audit Code, Volume I. The date of birth of all officers enrolled before the 1st October, 1933, may be allowed to remain as already recorded.

(2) Further orders as to the conditions under which alterations of age may be sanctioned are contained in letter No. 20076 (Home Gazette) of 4th July, 1928, from the Chief Secretary to Government, Punjab. According to these orders, an alteration may only be made, after special enquiry, if applied for within two years of the applicant's entry into Government service. The Provincial Government may, however, make a correction in the recorded age of a Government servant at any time, if it is, satisfied that age has been incorrectly recorded with the object that the Government servant may derive unfair advantage.”

7. From the perusal of sub-rule (2) at the first blush it appears that limitation of two years for seeking correction in date of birth is mandatory, however, close scrutiny of entire Rule reveals otherwise. As

per sub-rule (1), if recorded age does not tally with certificate issued by Medical Officer, Board or Committee, the matter should be reported and officer should not be discharged till the orders of Inspector General have been received. It shows that matter can be considered even just before the date of retirement. Sub-rule (2) provides that Provincial Government may make correction at any point of time if incorrectly recorded age gives unfair advantage to the employee. It means if recorded age entitles an employee to work for a longer period than his actual entitlement, the State Government can make correction even at the fag end of the career. There is no time bar. A Division Bench of this Court in ***Dimpi Sharma Vs. State of Punjab, 2006(4) SLR 828*** while noticing identical argument of two year limitation has held that if it is found that candidate had secured job on the basis of incorrect date and he was not otherwise eligible, the correction may be denied, however, if claim is otherwise genuine, it should not be denied on the ground of two years' limitation.

8. The respondent is relying upon order of Hon'ble Supreme Court in ***Avinash Kumar Tiwari (supra)***. Hon'ble Court has opined that correction should not be made at the fag end of employee's career. In the present case, the petitioner applied for correction in 2001 i.e. 25 years back. The respondent did not discharge its duty. He was compelled to apply again for correction in 2024. In these circumstances it cannot be held that employee has woken up from slumber and raised his claim at the fag end of his career.

9. The petitioner is relying upon entry made in record in 1970. The respondent conducted inquiry and found his claim genuine. Thus,

there is no dispute with respect to genuineness of petitioner’s claim. He cannot be denied benefit of 2 years’ service on technical grounds. His claims deserves to be accepted.

10. In the wake of above discussion and findings, this Court is of the considered opinion that the instant petition deserves to be allowed and accordingly allowed. Impugned order passed by DGP Haryana is hereby set aside.

11. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

February 11, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No