

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA



No. O.A. 1393 of 2019

Date of order: 6.2.2020

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member

Smt. Durga Sarkar,  
Wife of Late Hirendra Kumar Sarkar,  
Ex- Foreman (Mech.),  
Rifle Factory Ishapore,  
Aged about 81 years,  
Residing at 61, Sitalatala Street,  
P.O. & P.S. – Belgharia,  
Kolkata – 700 056.

..... Applicant

- VERSUS -

1. Union of India,  
Service through the Secretary,  
Ministry of Defence (Finance),  
North Block,  
New Delhi – 110 011.
2. The Director (PP),  
Department of Pension of Pensioner Welfare,  
Lok Nayak Bhawan,  
Khan Market,  
New Delhi – 110 003.
3. The General Manager 'Pension Cell',  
Rifle Factory Ishapore,  
Ishapore – Nawabganj,  
West Bengal,  
Pin – 743 144.

.... Respondents

For the Applicant : Mr. M.K. Bandyopadhyay, Counsel

For the Respondents : None



**ORDER (ORAL)**

**Per Dr. Nandita Chatterjee, Administrative Member:**

The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

- (a) An order directing the respondents to correct/amend the date of birth of the applicant as 01.10.1938 instead of 1.1.1970.
- (b) An order directing the respondents particularly the concerned HOO to submit the revised LPC – cum- Data Sheet along with part II order notifying date of birth of the applicant as 01.10.1938, CTC of date of birth proof (viz. Aadhar, Pan etc.).
- (c) An order directing the respondents to consider and/or disposed of the representation of the applicant dated 26.6.2019 immediately.
- (d) Any other order or further order/orders as the this Hon'ble Tribunal may deem fit and proper."

2. Heard Ld. Counsel for the applicant. Affidavit of service is taken on record.

As none represents the respondents despite affidavit of service, Rule 16 (1) of



CAT (Procedure) Rules, 1987 is invoked.

3. Ld. Counsel for the applicant would state that the applicant is a family pensioner, whose date of birth was wrongly printed as 1.1.1970 instead of 1.10.1938 in the E-PPO No. 401199000586. The applicant, thereafter, made a prayer for rectification of her date of birth in the said E- PPO and an order was issued by the AGM (Admin.) rectifying the date of the applicant as 1.10.1938 (Annexure A-6 to the O.A.) with consequent orders dated 24.5.2019 at Annexure A-7 to the O.A.

As the Office of the Respondent No. 3, however, has remained silent, and, has not introduced the necessary amendments despite the representation of the applicant dated 26.6.2019 (Annexure A-9 to the O.A.), the applicant, being aggrieved, has approached the Tribunal for relief.

Ld. Counsel for the applicant would further submit that the applicant would be fairly satisfied if directions are issued on the said Respondent No. 3 to decide on the said representation in a time bound manner.

*hwh*

4. Accordingly without entering into the merits of the matter, I hereby direct the respondent No. 3, who is the General Manager (Pension Cell), Rifle Factory Ishapore, to consider such representation dated 26.6.2019, if received at his end, and, to decide on the same in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The decision of the said respondent authority should be communicated to the applicant forthwith thereafter.

Consequent actions, if any, should follow within a further period of 8 weeks so that the applicant is able to receive her amended E-PPO within that time period.

5. With these directions, the O.A. is disposed of. No costs.



**(Dr. Nandita Chatterjee)**  
**Administrative Member**



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