

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn. No. OA-420/87

Date: 6.7.1987

Applicant: Shri T. Ramulu

Vs.

Respondents: Union of India

PRESENT:

Applicant or his Counsel not present.

Shri M.K. Gupta, Advocate, proxy for Shri K.C. Mittal, Counsel for the respondents, present.

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Hon'ble Shri B.C. Mathur, Vice-Chairman

Hon'ble Shri Ramakrishna Rao, Member

(Judgement delivered by Shri B.C. Mathur,
Vice-Chairman)

Judgment

This is an application for change of date of birth of the applicant from 14.7.1928, as recorded in the service record of the applicant, to 14.7.1945 which the applicant claims is his real age. The brief facts of the case are that the applicant was appointed as a Sweeper in the I.T.I. Wing of the Technical Training Centre, Mana Camp, Raipur, under the Department of Rehabilitation on 18.5.1965. His service record shows the date of birth as 14.7.1928. The applicant was appointed as Water Carrier in the same Department on 1.8.1969 but was relieved from Mana on 31.7.1980 and asked to report to the Executive Officer (Administration), Department of Light Houses and Light Ships at New Delhi, where he is working at present.

2. According to the service record in these offices, the date of birth of the applicant is shown as 14.7.1928. When the papers of the applicant for his superannuation were processed, he made an application for change in the date of birth but was informed that the date of birth which the applicant declared at the time of his initial appointment would be treated as final and could not be changed. The applicant was informed by the respondents that according to service records the applicant would complete 60 years of age in 1988, when he would retire from service on superannuation.

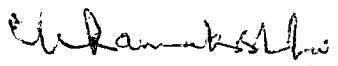
3. The plea of the applicant is that he is an illiterate person and he does not know how his date of birth was recorded as 14.7.1928 when it should have been recorded as 14.7.1945 which is mentioned in the certificate issued by the Church authorities at the time of his marriage. The applicant has also produced a certificate dated 20.4.1987 from the Sarpanch, Mellachervu Gram Panchayat in Andhra Pradesh, that according to the Panchayat record his date of birth is 14.7.1945.

4. In his application the applicant has stated that there is no authentic record pertaining to his date of birth available except the marriage certificate issued by the Church authorities at the time of the applicant's marriage and as he was never admitted to any school which could have the record pertaining to the date of birth of the applicant, he could not produce any document in support of his birth. His application before the Tribunal was made on 25.3.1987 whereas he has produced a certificate from the Sarpanch, Mellachervu Gram Panchayat, dated 20.4.1987 i.e. within a few days of filing the application. Much reliance cannot be placed on this certificate from the Sarpanch.

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5. As far as the marriage certificate is concerned, it is pertinent that it was issued 4 years after the applicant joined service. The photostat copy of the certificate of marriage is also not certified by anyone. The marriage record shows the name of the applicant as Daniel whereas the service record of the applicant shows his name only as Ramulu. In the application the applicant has given his name as T. Ramulu alias Daniel Takelu. There is no mention of this name in the service record and, therefore, the marriage certificate does not establish anything about his age.

6. Apart from the Panchayat's certificate issued in 1987, the point in favour of the applicant is that if the date of birth is taken as 14.7.1945, he would have been appointed at the age of 20 years and not at the age of 37 years as recorded in the service record. It is, however, quite possible that in a Refugee Camp they could have appointed a Sweeper of a higher age. The applicant has stated that his date of birth has been recorded on the basis of a medical certificate as at the time of appointment he was sent to an authorised Medical Attendant. It is difficult to believe that any Medical Officer would have made a difference of 17 years in determining the date of birth. As stated above, both the Panchayat's certificate as well as the marriage certificates cannot be relied upon to change the recorded date of birth of the applicant based on the medical certificate. The applicant had been posted in three different places and he should have known his date of birth as recorded in his service record on which he has put his thumb impression. We are, therefore, not prepared to accept that the date of birth was recorded wrongly by 17 years and come to the conclusion that there is no merit in the application which is dismissed.


(Ramakrishna Rao)
Member


(B.C. Mathur)
Vice-Chairman