

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.520/2006

Friday this the 8 th day of June, 2007.

CORAM:

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

P.Kumari, W/o M.Ponnu,
Ex-Casual Labourer,
Southern Railway, Palghat Division,
Residing at Pathanara Veedu,
Neymeni P.O., Kollamgode,
Palghat District.

Applicant

(By Advocate Shri T.C.Govindaswamy)

Vs.

1. Union of India, represented by
the General Manager, Southern Railway,
Headquarters Office, Park Town Post,
Chennai-3.
2. The Senior Divisional Personnel Officer,
Southern Railway, Palghat Division,
Palghat.

Respondents

(By Advocate Smt.Sumathi Dandapani, Sr. with Ms.P.K.Nandini)

The application having been heard on 5.6.2007,
the Tribunal on 8.6.2007 delivered the following.

ORDER

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

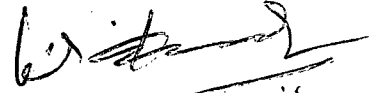
Para 7 of the counter, which remains un-controverted would justify dismissal
of this OA. The said paragraph reads as under:-

.... the applicant freported office with documents. For proving her age, she had produced an affidavit, in which date of birth was declared as 18-06-1965. A true copy of the said affidavit dated 22-11-1993 is produced herewith and marked as Annexure R-2. In this connection, it is pertinent to point out that during 1999 the applicant had produced another affidavit in which the date of birth was declared as 26-05-1969. A true copy of the said affidavit dated 26-03-99 is produced

herewith and marked as Annexure R3. As per Ann. A-1 casual labour card produced by the applicant, the date of engagement is recorded as 10-05-83. So if the date of birth is taken as 26-05-69, as indicated in Annexure R-3, it would mean that she was engaged in Railways at the age of 13 years. Alternatively, if the date of birth is taken as 18-06-65 as mentioned in Ann. R2, it would mean that she was engaged in Railways at the age of 17 years. Since there was considerable variation in the date of birth declared on two occasions, the affidavit at Ann. R2 produced by the applicant in response to Ann. R1 notification could not be taken as a proof for date of birth. Hence, the applicant was asked to produce the date of birth certificate before the screening committee on 8-10-03 as per letter dated 22/25-9-03, a true copy of which (without enclosure) is produced herewith and marked as Annexure R4. The applicant reported on the prescribed date however, she had failed to produce the date of birth certificate as called for in Ann. R4. Hence, the screening committee did not recommend her name for absorption. This position was communicated to the applicant vide letter dated 20-03-04, a true copy of which is produced herewith and marked as Annexure R5."

The O.A. is, therefore, dismissed. No costs.

Dated the 8 th June 2007.



Dr.K.B.S. RAJAN
JUDICIAL MEMBER