

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH : PATNA

Date of Order:- 18.12.06.

Registration No. OA-214 of 2006

C O R A M

Hon'ble Km Sadhna Srivastava, Member (J)

Smt. Krishna Devi

... Applicant

-By Shri M.P.Dixit, Advocate

Versus

The Union of India & Others

....Respondents

-By 1. Shri S.K.Jha, Additional Standing Counsel for U.O.I.

2. Shri Shekhar Singh, Standing Counsel for State of Bihar

O R D E R

Km Sadhna Srivastava, Member (J):- The applicant seeks to challenge her date of birth as recorded in the service book.

2. The facts are that the applicant was provided appointment on compassionate ground in the office of the Regional Labour Commissioner (Central), Dhanbad, after the death of her husband who died in 1970. Her date of birth in the service book is recorded as 14.4.1946. She desired alteration in date of birth by means of representation claiming her date of birth as 18.12.1949. Her representation was forwarded to Chief Labour Commissioner, New Delhi, who rejected the same. It was communicated to the applicant vide letter dated 17/20.3.2006 as alleged in para 1 of the reply. The instant application was filed soon after on 2.4.2006 on the ground that the respondents have made interpolation in the service record as to read the




applicant's date of birth as 14.4.1946 instead of 18.12.1949. In support of her claim, the applicant has also filed School Leaving Certificate which reflects her date of birth as 18.12.1949.

3. I have perused the pleadings, the original service record (produced before the Tribunal) and heard the Learned counsel for the parties. A bare look of the service record discloses that there is no interpolation in service record as regards date of birth written in figure as 14.4.1946. Of course, the date of birth in words have been added within bracket below the figure 14.4.1946. The respondents have explained the same in their rejoinder reply dated 28.11.2006. The internal audit party, Government of India, Ministry of Labour had suggested that the date of birth should be written in words also. It was for this reason that the words 'Fourteenth April nineteen hundred forty six' were added below the figure 14.4.1946. I have carefully perused the service record. There is absolutely no interpolation regarding date of birth. The date of birth '18.12.1949' as suggested finds no mention at any place in the service record. It appears that the applicant at the fag end of her career obtained a School Leaving Certificate reflecting her date of birth as 18.12.1949. On this basis, in the first instance, she made a representation to Chief Commissioner of Labour for change of date of birth. Once it was rejected, she has filed the instant application. On a careful consideration I find no force in the allegation that there was interpolation in the service record. The applicant's date of birth is clearly mentioned as 14.4.1946. The legal position is also clear. The date of birth as recorded at the time of entry into service can not be changed on the basis of document like School Leaving Certificate, etc. particularly at the fag end of career. Therefore, I do not find any force in this application.

3.

4. Resultantly the application is dismissed without any order as to costs.


(Sadhna Srivastava)
Member (J)

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