

CENTRAL ADMINISTRATIVE TRIBUNAL  
Circuit Bench, Lucknow  
Opp. Residency, Gandhi Bhawan, Lucknow  
\*\*\*\*\*

INDEX SHEETCAUSE TITLE 957/21 of 1990

NAME OF THE PARTIES

Shri. A. K. Singh Applicant

Versus

Union of India RespondentPart A, B & C

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22/6/12

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Date of birth (S.M.)

(A)

# CENTRAL ADMINISTRATIVE TRIBUNAL

## ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. 957 of 1988

APPLICANT (s) Itwari ~~and~~ **SINGLE MEMBER**

RESPONDENT(s) U.O.I. through Secretary to the Ministry of the

Railways. New Delhi + 4 others. [N.E. Rly]

### Particulars to be examined

### Endorsement as to result of Examination

- |   |   |
|---|---|
| 1. Is the appeal competent ?  | YB  |
| 2. (a) Is the application in the prescribed form ?  | YB  |
| (b) Is the application in paper book form ?   | YB  |
| (c) Have six complete sets of the application been filed ?  | 5 sets filed.                                   |
| 3. (a) Is the appeal in time ?  | YB  |
| (b) If not, by how many days it is beyond time ?  | -   |
| (c) Has sufficient case for not making the application in time, been filed ?  | -   |
| 4. Has the document of authorisation/Vakalat-nama been filed ?  | YB with Court fee stamp for Rs. 1-50            |
| 5. Is the application accompanied by B.D./Postal-Order for Rs. 50/-   | YB $\frac{20}{5}$ 062807 dt 6/7/88 for Rs. 50/- |
| 6. Has the certified copy/copies of the order (s) against which the application is made been filed ?                | YB  |
| 7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ? | YB  |
| (b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?      | YB  |

ORDER SHEET

14

Registration No. 957 of 1988

Appellant  
Applicant

Itiwan

Versus

Respondent

Union of India

Serial number of order and date	Brief Order, mentioning reference, if necessary	How complied with and date of compliance
---------------------------------	---	--

26.7.88

Reg. Last order dt 11.5.88 has not been complied by the office concern. office is warn to be careful in future. Reply not filed so far. Same may be filed by 10.8.88. Let the case be transferred to Lucknow bench and put up on the date fixed.

(u)  
Registrar

This case has been received from 29.0.04. from C.A.T., Allahabad. Both the parties have listed dt. 29.9.04. The learned counsel for the applicant has filed C.A. No. 2371 of 1988. Remitted on the C.A. Submitted for order

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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

CIRCUIT BENCH

LUCKNOW

S.A. 957/88

Itwari

Applicant

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon. Mr. A.B. Gorthi, Adm. Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant entered the Railway service on 3.9.54 as Safaiwala. On 29.2.88 a notice was served on the applicant for retirement. Against this order the applicant <sup>has come</sup> to this Tribunal.

2. The date of birth recorded in his service book, <sup>as per</sup> according to him, was not correct. He filed representation against the same in the year 1987 stating that his date of birth was entered on the advice of Railway doctor. He never <sup>2</sup> knew what was his date of birth. The applicant, in support of his case, has filed the extract of birth and death register stating that the same pertains to him and the date of birth may be corrected. The applicant also filed a certificate of Vice President, Cantonment Board and Local Board. The representation of the applicant was rejected on the ground that his date of birth as recorded in service record cannot be corrected. The Rule 145 of the Railway Establishment Manual has been referred

in

which reads as under:

"145. Date of birth: Every person, on entering Railway service, shall declare his date of birth which shall not differ from any declaration expressed or implied for any public purpose before entering railway service. In the case of literate staff, the date of birth shall be entered in the record of service in the railway servant's own hand writing. In the case of illiterate staff, the declared date of birth shall be recorded by a senior Class III railway servant and witnessed by another railway servant.

(2) (a) when the year or year and month of birth are known but not the exact date, the 1st or July or 16th of that month respectively, shall be treated as the date of birth.

(b) when a person entering service is unable to give his date of birth but gives his age, he should be assumed to have completed the stated age on the date of attestation e.g. if a person enters service on 1st January, 1938, and if on that date his age was stated to be 18, his date of birth should be taken as 1st January, 1920.

(c) Where the person concerned is unable to state his age, it should be assessed by a Railway Medical Officer and the age so assessed entered in his record of service in the manner prescribed above, the railway servant being informed of the age so recorded and his confirmation obtained thereto."

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2 (3).....it shall however, be open to the President in the case of a gazetted railway servant and a General Manager in the case of a non-gazetted ~~xxxxxx~~<sup>2</sup> servant to cause the date of birth to be altered:

(i) .....

(ii) where in the case of illiterate staff, the General Manager is satisfied that a clerical error has occurred, or

(iii) where a satisfactory explanation (which should ordinarily be submitted within a reasonable time after joining service) of the circumstances in which the wrong date came to be entered is furnished by the railway servant concerned, together with the statement of any previous attempts made to have the records amended."

Mere signing on the record (service record) will not make the applicant literate. The applicant had made a representation and he filed a particular document which could be said to be a public document. The respondents should have made enquiry and the applicant should <sup>have</sup> been associated with the enquiry and in the case of convincing evidence in support of date of birth the same might have been corrected.

Accordingly, this application is allowed to the extent that the respondents are directed to make an enquiry and find out whether the date of birth was correct and also what was stated by the applicant is correct. A decision in this behalf shall be taken by the respondents within six months. The respondents will fix a date for conducting enquiry in the month

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BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH.

(Application under Sec. 19a)  
(Act No. 13 of 1985)

BETWEEN

ITWARI son of Pyare Lal, Highly Skilled  
Grade II Welder Ticket No. 08 Wagon Repair  
Shop, N.E. Railway, Workshop, Izzatnagar,  
Bareilly.

..... APPLICANT.

AND

1. The Union of India through  
Secretary to, Ministry of the Railways,  
Rail Bhawan, Central Secretariate,  
New Delhi.
2. General Manager, North-Eastern Railway,  
Gorakhpur.
3. Chief Personnel Officer, N.E. Railway,  
Gorakhpur.
4. Deputy Chief Workshop Manager, N.E. Railway,  
Workshop, Izzatnagar, Bareilly.
5. Deputy Chief Mechanical Engineer (Kc)  
Karnic, Izzatnagar, Bareilly.

..... RESPONDENTS.

5/7/87

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DETAILS OF APPLICATION ::

I. PARTICULARS OF APPLICANT.

- (i) Name : ITWARI
- (ii) Father's name: Shri Pyare Lal
- (iii) Age of applicant : About 51 years (date of birth being : 28.2.1937)
- (iv) Designation and particulars of office : Highly skilled Grade II Welder, Wagon Repair Shop, N.E. Railway, Workshop, Izzatnagar, Bareilly.
- (v) Office Address: Itwari, Ticket No. 08  
Highly skilled grade II  
Welder Wagon Repair Shop,  
N.E. Railway, Workshop, Izzatnagar,  
Bareilly.
- (vi) Address for : Itwari, House No. 36  
service of  
notices. Harijan Colony, Madho Bari,  
Nai Basti,  
Bareilly-

2. PARTICULARS OF THE RESPONDENT :

- (i) Name of the respondent : (1) Union of India through Secretary, to the Ministry of Railways, New Delhi.
- (2) General Manager, N.E. Railway, Gorakhpur.

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(3) Chief Personnel Officer,  
N.E. Railway,  
Gorakhpur.

(4) Deputy Chief Workshop Manager,  
N.E. Railway, Workshop,  
Izzatnagar,

✓ 5, Bareilly.  
Deputy Chief Mechanical Engineer (I.C.)  
Karnic, Izzatnagar, Bareilly.

### 3. PARTICULARS OF ORDER

#### CHALLENGED

:

(1) Order dated 29.2.1988  
(Annexure No.1) giving notice of  
retirement on superannuation on  
31.8.88 <sup>by</sup> of opposite party No.5.

(2) Order No.E/PC/Ticket 8  
(WRS II) dated 1.1.1988 of Deputy  
Chief Workshop Manager, N.E.  
Railway, Workshop, Izzatnagar,  
Bareilly Opposite party No.1,  
(Annexure No.2) rejecting appli-  
cant's representation that his  
date of birth is 28.2.1937 and hence  
hence date of superannuation  
should be 28.2.1995.

### 4. JURISDICTION

The applicant declares that the subject matter of the  
order, against which he wants redressal is within the  
jurisdiction of this Tribunal.

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5. LIMITATION :

The applicant further declares that the application is within the limitation prescribed in Section 21 of the Administrative Tribunal Act, 1985.

6. FACTS OF THE CASE:

The facts of the case are give below:-

- (a) That the applicant was appointed on 3.9.1954 as 'SAFAI WALA' in Group D by the order of the then 'Works Manager, N.E. Railway Workshop, Izzatnagar, Bareilly.
- (b) That the applicant is altogether illiterate and can't read or write except make his signature in Hindi.
- (c) That at that time of joining this service the applicant was about 17 years old as his parents had told him. The applicant's parents have now died long ago.
- (d) That when the applicant entered into service he was not enquired about his date of Birth. The then clerk concerned of the said Workshop asked the applicant to put some signatures on same papers which the said clerk told to be the initiation of

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service records and the applicant in his simplicity put those signatures as desired in his presence. The applicant was not at all told the contents of those documents and no officer was present at that time.

- (e) That the applicant was never asked, if he could disclose his age or date of birth or give the proof of his date of birth. No officer ever interrogated him in this regard. Even the doctor who conducted his medical examination at the time of his joining the service under Rule 142 of the Railway Establishment Code did not enquire the applicant's date of birth from him.
- (f) That the applicant was never shown his service book or the record of his date of birth therein and he has never knowingly authenticated it. It is contrary to Rule 1942 G-1 of the Railway General Code as ammended under Railway Board's letter No. ECG-68LE1 + 6A dated 19.9.1968. ~~copy enclosed Annexure No. 1~~ The applicant came to know only about ten months ago that his date of birth has been wrongly entered in Service record. <sup>now</sup> has
- (g) That the applicant in March 1988/ been served by the opposite party no. 5, the notice Annexure No. 1 that he is going to retire on 31.8.1988 and he should get his pension papers prepared.

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- (h) That this notice Annexure No.1 is illegal and based on illegally collected information.
- (i) That the applicant has come to know that that it is based on the solitary opinion of some Railway doctor. It has not been supported by any other proof of date of birth as per example municipal birth certificate, the baptismal certificate, applicant's affidavit etc. In these days under Railway Establishment Code Rule 145 (2)(C)- RI it was provided that when a person was unable to state his age it was to be assessed by a Railway Medical Officer. But this rule has now been withdrawn by the Railway Boards Circular Number E(NG) 1170 BR I of 3.12.1971( N.R.S.N.5511), being an unreasonable one and several orders have been issued by the Railway Board to correct such wrong records. Special consideration has been ordered to be made in the cases of illiterate persons and as the order of the Railway Board letter No.E.(NG)/ II/78/BR/dated 25.10.1978(Annexure No.3) also indicates there is no time limit for representations regarding alterations of date of birth by group 'D'

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illiterate staff and they can be considered any time.  
The Railway Board in its <sup>said</sup> letter No.E(NG)11/78/BR/12 dated 25.10.1978(N.R.S.N. 7235)has also ordered that the last date fixed for making orders regarding alteration of date of birth does not apply to representation of illiterate staff.

- (j) That the Railway Board by the letter No. E(NG)/I/81 /BE/I or 29.1.1981 has ordered that where a person is unable to state his age at the time of appointment the case should be decided by the committee of three officers including <sup>a</sup> doctor and this assessment of age should be based on all the facts available rather than placing reliance merely on the report of <sup>the</sup> doctor member.
- (k) That on the receipt of <sup>information of wrong record of date of birth</sup> ~~notice of retirement Annexure-1~~ in September or October 1987, (which was given by the undersigned Inspector Divisional) the petitioner made the representation Annexure No.4 dated 24.12.1987 to opposite party no.4 which has been rejected by the order dated 1.1.1988 Annexure No.2 by <sup>He then</sup> him, made another representation to the General Manager (P) N.E.Railway, Gorakhpur Annexure No.5 on 7.1.1988 and it has also been rejected on 19.7.1988(vide Annexure-6).
- (l) That the applicant was the eldest issue <sup>L</sup> ~~of his parents~~

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of his parents Shri Pyare Lal and his wife Smt. Rampa and was born at House No. 807 Sadar Bazar, Bareilly falling under the jurisdiction of Cantonment Board, Bareilly. Only two other male issues were born to his parents. The last one has died and the other one is Birbal, is alive. He is employed as a Head Clerk in Sleeper Creosoting Plant N.E. Railway Collectorganj and is several years younger to the applicant. His date of birth is 1.1.1949.

- (m) That the applicant has now obtained his birth certificate Annexure No. 7 from the Cantonment Board, Bareilly which shows that he was born on 28.2.1937 and this fact is corroborated by the information received by the petitioner from his parents also, who have died.
- (n) That Shri Kadhey Ram, Member, Cantonment Board, Bareilly and Subedar Balwant Singh Vice President, Cantonment Board, Bareilly have also certified that the petitioner is the son of Shri Pyarelal. The said Shri Khadhey Ram on 9.12.1987 and the local M.L.A. Shri Rafiq Ahmad on 13.12.1987 have also certified that the petitioner Itwari was born on 28.2.1937. (Annexure No. 8.)

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(o) That the ~~applicant has come to know that the~~ opposite parties are insisting upon that the age of applicant <sup>legally</sup> which has been recorded on the assessment by the Railway Doctor when the applicant entered into service. <sup>No</sup> ~~Now~~ a confirmation of it <sup>was ever</sup> ~~has been~~ obtained from the petitioner and he was not informed at that time of this mode of assessment of date of birth. It has not been recorded in the applicant's service Record according to the provisions of Rule 145 of the Railway Establishment Code which in 1971 stood as follows:-

" 145. Date of birth:- (1) Every person, on entering Railway service, shall declare his date of birth which shall not differ from any declaration expressed or implied for any public purpose before entering railway service. In the case of literate staff, the date of birth shall be entered in the record of service in the railway servant's own handwriting. In the case of illiterate staff, the declared date of birth shall be recorded by a senior Class-III railway servant and witnessed by another railway servant.

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- (2)(a) When the year or year and month of birth are known but not the exact date, the 1st July or 16th of that month, respectively, shall be treated as the date of birth.
- (b) When a person entering service is unable to give his date of birth but gives his age, he should be assumed to have completed the stated age on the date of attestation e.g. if a person enters service on 1st January, 1938, and if on that date his age was stated to be 18, his date of birth should be taken as 1st January, 1920.
- (c) Where the person concerned is unable to state his age, it should be assessed by a Railway Medical Officer and the age so assessed entered in his record of service in the manner prescribed above, the railway servant being informed of the age so recorded and his confirmation obtained thereto.
- (3) The date of birth as recorded in accordance with these rules shall be held to be binding and no alteration of such date shall ordinarily be permitted subsequently. It shall however, be open to the President in the case of a gazetted railway servant, and a General Manager in the case of a non-gazetted railway servant to cause the date of birth to be altered--

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(i) Where in his opinion it had been falsely stated by the railway servant to obtain an advantage otherwise inadmissible, provided that such alteration shall not result in the railway servant being retained in service longer than if the alteration had not been made, or

(ii) where, in the case of illiterate staff, the General Manager is satisfied that a clerical error has occurred, or

(iii) where a satisfactory explanation ( which should ordinarily be submitted within a reasonable time after joining service) of the circumstances in which the wrong date came to be entered is furnished by the railway servant concerned, together with the statement of any previous attempts made to have the records amended."

*This assessment of age*  
(p) That ~~is~~ is illegal firstly because the Railway Doctor's opinion could not have been relied upon unless the applicant was unable to declare his age or date of birth and confirm it with documentary evidence or affidavit & secondly because this procedure was unreasonable defective

27/9/11

unscientific and the Railway Board too withdrew it away in 1981 and ammended Rule 145 of the Railway Establishment Code and gave opportunity to all the effected persons to get their ages corrected.

(q) That the opinion of the Railway Doctor regarding the assessment of the applicant's age, if <sup>any</sup> ~~only~~ was not based on any reliable scientific data.

(r) That the applicant being an illiterate person is entitled to make his representation regarding correction of date of birth even after 31.7.1973.

(s) That the applicant did not come to know ~~prior to the~~ <sup>Prior to September/October 1987</sup> ~~when he received the~~ receipt of his retirement notice Annexure D-1 that his date of birth was wrongly recorded in his service records (i.e. Card 'A') and since then he is making repeated efforts to get it corrected, but the opposite parties are insisting upon <sup>the</sup> an illegally recorded, date of birth in his service record.

(t) That this conduct of the opposite parties not only violates the service rules but also Articles 14 & 16 of the Constitution of India and will bring about the petitioner's retirement on superannuation 7 years before the due date.

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7- DETAILS OF REMEDIES EXHAUSTED :

That the applicant declares that he has availed all the remedies available to him under the relevant service rules, etc. as mentioned in para 6(k) above.

8- MATTER NOT PREVIOUSLY PENDING :

The applicant further declares that he has not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other Bench of the Tribunal, and nor any such application, writ petition or suit is pending before any of them.

9- RELIEFS SOUGHT :

In view of the facts mentioned in para 6 above the applicant prays for the following reliefs :-

- (a) The applicant's date of birth in his service record be ordered to be recorded as 28.2.1937 after deleting the existing date of birth (i.e. 1.9.1930) and the applicant be declared to attain age of retirement on superannuation on completing 58 years of age on 28.2.1995 and

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entitled to serve ~~with~~ with full salary, increments and allowances etc. till then.

(b) Such other relief as the Hon'ble Tribunal deems just and proper .

(c) Costs of these proceedings.

10. INTERIM ORDER :

The opposite parties-respondents <sup>restrained</sup> ~~had restrained~~ from retiring the applicant prior to 28.2.1995 on superannuation and withhold his pay etc. from 1.9.1988 till then. They may also ~~has~~ be ordered to pay his salary etc. as such <sup>as</sup> usual till 28.2.1995 as if he is not retired on 1.9.1988.

11. THE HON'BLE Tribunal may contact the applicants's counsel on his following address if hearing is needed:-

" Parmatma Swaroop  
Advocate  
18/179 Indira Nagar Extension  
Lucknow."

12. PARTICULARS OF POSTAL ORDER :

1. Number of Postal orders : 067807

2. Name of Issuing Post office: Post office Highcourt  
Branch Lucknow

3. Date of issue of Postal order: 6.7.88

4. Post office at which payable : Post office at Alaha-  
bad

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13. LIST OF ENCLOSURES :

1. Application's Eight ~~enclosures~~ annexures
2. Poster
3. Postal order
- etc.

Dated 7<sup>th</sup> August 1988  
Place Lucknow.

( Signature of Applicant )

VERIFICATION

I, Itwari son of Pyare Lal age \_\_\_\_\_ years working as Highly Skilled Grade II Welder Ticket No.08 in the office of Wagon Repair Shop, N.E. Railway Workshop, Izzatnagar, Bareilly resident of House No.36, Harijan Colony, Madho Bari, Nai Basti, Bareilly do hereby verify that the contents of paras nos 1, 2, 3, 6, 7 & 8 are true to my personal knowledge and paras nos 4, 5 <sup>& part of para 6 & 10</sup> are believed to be true on legal advice and that I have not suppressed any material fact.

Dated 7<sup>th</sup> August 1988  
Place : Lucknow.

(Signature of Applicant)

7. Not Sold

कार्यालय - .....  
दिनांक - 20/11/2018

(कर्मचारी का पदनाम और पता)

सेवा निवृत्त का आयु पूर्ण होने के कारण आज दिनांक 31-12-2019 से सेवा निवृत्त हो जायेंगे

सामान्य-सेवानिवृत्ति-पर-देय-राशि

प्रेमिनि ममते

- |  |  |
|--|--|
| 1. विविध निधि में कर्मचारों का अपना अंश (व्याज सहित) | 1. विविध निधि में कर्मचारों का अपना अंश (व्याज सहित) |
| 2. वैयक्तिक विविध निधि (यदि कोई हो)                  | 2. वैयक्तिक विविध निधि (यदि कोई हो)                  |
| 3. सरकार/औसत/वीनस (व्याज सहित)                       | 3. पेंशन/साधारण अनुग्रह                              |
| 4. विविध निधि में विशेष अंशदान/अनुग्रह               | 4. मृत्यु सह-सेवा निधि अनुग्रह                       |
| 5. सामूहिक बीमा                                      | 5. सामूहिक बीमा                                      |
| 6. अवकाश का नगदीकरण जो देय हो                        | 6. अवकाश का नगदीकरण जो देय हो                        |
| 7. रेल कर्मचारों बीमा योजना राशि (यदि कोई हो)        | 7. रेल कर्मचारों बीमा योजना राशि (यदि कोई हो)        |
| 8. स्थानान्तरण भत्ता (यदि कोई हो)                    | 8. स्थानान्तरण भत्ता (यदि कोई हो)                    |
|  | 9. पेंशन परिष्कारण (यदि प्राथमिकता दी गयी हो)        |

जी लागू न हो उसे काट दें।

पृष्ठ: 2

Truly attested  
Aunt Swaroop

15-2

N. E. - G. 40A  
RB - GL. 19

दिनांक (Dated) 1-1-82

सेवा में (To) H. S. Wadgaonkar Sir  
20/11/1991

संदर्भ (Ref :)

*[Faint, illegible handwritten text]*

The copy attached  
AS  
Anant Swaraj

## Annexure III

पुर्वोक्त रेलवे कार्डें नया प्रवचक (कार्मिक),  
दिनांक 21-3-1979

को विभागाध्यक्ष, सहायक रेल प्रवचक, सभी कार्मिक अधिकारी,  
को रेलवे मंडल अधिकारी (आयुक्त), पुर्वोक्त रेलवे।

विषय:- जनम तिथि में परिवर्तन करने के अनुरोध

को को के पत्र संख्या 11/78/बीआर/12 दिनांक 25-10-78  
1 इस कार्डों के सम्बन्धित परिपत्र (संख्या 467) दिनांक 31-1-79 द्वारा  
परिवर्तित किया गया है, उसकी प्रतिलिपि भेजी जा रही है।

संलग्नक/ए.सी.

कृते महाप्रवचक (कार्मिक)

Copy of Railway Board's letter No. E(MS) 11/78/BR/12 dated 6.3.1979  
addressed to the General Managers, All Indian Railway and others.

Sub:- Requests for alteration of date of birth.

Reference Ministry of Railways letter of even number dated  
25.10.1978 followed by its Hindi version vide letter dated 15.1.1979.  
It has been represented by certain Railways that original letter  
dated 25.10.1978 has not been received by them. The same appears to  
have been lost in transit. A copy of letter of even number dated  
25.10.1978 is accordingly sent herewith.

Copy of Ministry of Railways letter No. E(MS) 11/78/BR/12 dated  
25.10.1978.

Sub:- Requests for alteration of date of birth.

Complaints are frequently received that when class IV staff  
represent that their dates of birth have been wrongly entered in the  
service records by clerical staff, the representations are not  
entertained by the Railway administrations on the plea that in terms  
of Board's letter No. E(MS) 11-79/BR/1 dated 4.8.1972 the  
last date for making such representations was 31.7.1973. This matter  
discussed in the Board's P.N.A. meeting with the AIRF on 16/17.5.1973  
when the following minutes were recorded:-

11. Alteration of date of birth.

It was explained that the decision taken in 1972 affected only  
requests for alteration of date of birth from literate staff. As for  
illiterate staff, the rule had always been that where their date of  
birth has been incorrectly entered they could be conceded. It was  
agreed that a clarification would be issued that representations for  
alteration of date of birth from illiterate Class IV could be  
entertained at any time being stipulated for such cases.

From the above it will be clear that the last date of 31.7.1973  
does not apply to representations from illiterate staff. The  
rule had always provided for corrections being made in the case.  
The Board accordingly desire that all representations from illiterate  
staff should be dealt with on the above basis.

Hindi version will follow.

Sd/- 11/3/79

True copy attached  
Sd/- [Signature]

(20)

Annexure IV

A  
30

To,  
The Dy. Chief Workshop Manager (P)  
N.G. Railway/Izatnagar.

(Through Proper Channel)

Sir,

Subject: Wrong recording of my date of birth  
in my service records.

\*\*\*

With due respect I beg to state that I have been deeply shocked to learn that I am going to be retired on 31.8.1988 on attaining the age of 58 years as per office orders.

In this connection, I beg to point out that my date of birth as entered in my service records appears to have been based on the age assessed by the railway doctor at the time of my first medical examination. The age assessed by the railway doctor is presumptive and is not based on any documentary proof.

In support of my above statement, I beg to submit a Photo-stat copy of the Certificate issued by Vice President Contonant- Board Bareilly and Certified by Shri Rafiq Ahmad S.L.D. Bareilly showing my date of birth as 28.02.37 as recorded in the records of Contonant Board Bareilly.

It may be stated here that my date of birth as recorded in the birth Register of Contonant Board, Bareilly is authentic and genuine and is unchallengeable.

I am an illiterate person & never before I was advised of the date of birth recorded in my service records. Had it been done earlier, I would have certainly submitted my protest against the same based on the aforesaid authentic documents. I may emphasize here that since my appointment on the railway, I have never given any declaration regarding my date of birth nor I was ever asked to do so by the railway administration which was necessary before recording my date of birth as per rules.

I am quite hale & hearty and am confident that in case of my medical examination at present, my age cannot be assessed more than my actual age i.e. about 51 years.

I am a poor man belonging to Scheduled Caste Community and my pre-mature retirement seven years earlier will certainly hit me hard and may cause unbearable hardships to me.

It is, therefore, requested that my case may kindly be examined in the light of the facts narrated as above & the authentic documentary evidence produced by me and necessary correction of my date of birth which has wrongly been recorded in my service records may be made in accordance with my date of birth shown in the enclosed certificate.

Thanking you,

DA/1.

Yours faithfully,

*[Signature]*

( ITWARI )  
H.S. WELAR GRAMS-II,  
T/No.08, R.R.S. /WB  
Izatnagar.

Dated 24-12-1987

*[Signature]*  
True copy attested  
Anant Swami

(21)

Annexure <sup>31</sup>

To

The General Manager (P)  
N.E. Railway  
Gorakhpur.

( Through Proper Channel )

Sir,

Subj:- Wrong recording of my date of birth  
in my Service Records.

Ref:- My representation dated 24.12.87 and DYCW  
reply to the same given to me vide DYCW  
your letter No. E/PC/48/WRS/BEIDt.01/01/1988

While enclosing <sup>a copy</sup> of my aforesaid representation and  
a reply thereto received from Dy. Chief Workshop Manager (F)  
N.E. Railway/Izatnagar (S) vide his letter No. E/PC/T.8/WRS-II  
Dated 01.01.88, I beg to submit my protest as under against the  
orders passed on my representation for your kind consideration  
and favourable orders please:-

The grounds of my protest are given as under:-

- 1) That the reasons for non-acceptance of the  
bonafide Birth Certificate produced by me have not been conveyed  
to me.
- 2) That neither I had been asked nor I had given any  
declaration of my age or date of birth at the time of my entry into  
the Railway.
- 3) That my date of birth as entered in my Service Records  
is based on the age assessed by the Railway Doctor at the time of  
my first medical examination.

The age assessed by the Railway Doctor cannot be  
taken as more authentic than the date of birth shown in the  
birth certificate issued by Contonment Board Bareilly.

4) That the Railway administration cannot produce  
any documentary evidence in support of their aforesaid version. My  
date of birth written in my own hand writing could only be the  
valid document to disprove my statement that my date of birth  
recorded in the official documents is wrong but hereto I was  
never asked to write my date of birth in my own hand writing since  
my appointment to date.

5) That recording of my date of birth in my service  
records without asking me to produce any documentary evidence or  
declaration in support of my age which was necessary as per  
extent orders was illegal and in violation of the rules.

True copy attached  
AS

Amant Singh

6) That in terms of 1942 G-1, as amended under Board's letter No.2(G)68121-6A Dt. 19.9.68, my service book should have been shown to me, being a punishable staff, every year and my signatures obtained therein in token of my having inspected the service book but this was never done & I was thus totally kept in dark about my date birth as recorded in my service Records.

7) That the Railway Board on having noticed that the procedure of recording date of birth of an employee on the solitary opinion of the Railway Doctor was defective have modified the said procedure vide their letter No.2(NG)1/81/BR/1 of 29.1.81 and have now laid down that the decision regarding recording of date of birth at the time of initial appointment of the candidates who do not produce any authentic document in support of their dates of birth should be taken by a committee of 3 Officers including a Railway Doctor but the entire reliance on the views of the Doctor member of the committee should not be placed.

8) That all the aforesaid facts lead to the conclusion that with the issue of the aforesaid orders of the Railway Board amending the procedure of recording the date of birth of an employee on the basis of assessment of age done by the Railway Doctor, cases of all those Railway employees whose age has been recorded on the basis of the assessment done by the Railway Doctors deserve review. My case is also covered by the above orders of the Railway Board.

9) That all the aforesaid facts lead to the conclusion that neither with the extant orders of the Railway Board regarding recording of date of birth of a Railway servant, in his Service Record were rigidly followed in my case nor I was ever asked to produce documentary evidence in support of my date of birth which was recorded on the solitary opinion of the Railway Doctor.

#### P R A Y E R

In view of the ascertains made above, it is prayed that my date of birth as wrongly entered in my service records may kindly be amended to 28.2.37 as shown in my birth Certificate which has been defined as an authentic document by the Railway Board for recording of one's date of birth in his service records.

Thanking you,

DA/2.

Yours faithfully,

Dated 7-01-1988.

( ITWARI )

H.S. Welder Grade.II,

T/No.08 Wagon Repair Shop-II  
N.E. Railway/Workshop/IZN.

Copy in Advance to Shri A.S. Gupta C.P.C.(NG) N.E. Railway/  
Gorakhpur for his kind perusal. He is requested kindly to look into my case sympathetically & save me from irreparable loss which I shall suffer on account of my premature retirement by about 7 years.

*A. H. Gupta*  
*[Signature]*

( ITWARI ) H.S. Welder Grade.II.  
T/No.08 Wagon Repair Shop-II/Workshop/IZN.

Annexure VI

27

27. 1. 88

27. 1. 88

27. 1. 88

27. 1. 88

27. 1. 88

27. 1. 88

True copy attached  
AS  
K. S. Narayan

## Annexure VII

34

(निधम १ संक्षिप)

रजिस्टर करण अधिनियम, 1969 को धारा 12 के अधीन जारी किया गया।

715

(Bib. Mission)

1000

DATE	FILE	NAME
11/1/54	100	Doyle, Roger

[illegible]

卷之五

10

6-17-68

1000

श्रीमन्महादेवजी १९ फरवरी १९७४—३२३—१९८—५०,००० रु. (रो.)

True copy attached  
AS  
Amen. (stamp)

(25)

ANNEXURE No.8

क डे रा म  
मेम्बर कैंटोनेन्ट बोर्ड  
बरेली कैंन्ट

निवास: 187 सदर बाजार  
बरेली कैंन्ट

दिनांक -----198 .

This is to certify that Sri Itwari s/o  
Sri Payarey Lal r/o 807 Sadar Bazar, Bareilly Cantt. is  
well known to me and permanent resident of said house.

This is also certified that Sh. Itwari is the real  
son of Sh. Payarey Lal and born on 28.2.37 as per records  
of Cantonment Board.

sd. Kareram  
9.12.87

Kareram  
Member  
Cantonment Board,  
Bareilly U.P.

Certified  
sd.  
13.12.87

RAFIQ AHMAD  
CRAFTSMAN  
M.L.A. CONG. (I)  
BAREILLY.

It is certified that  
Payarey Lal had ser-  
viced in Jat Center his  
real son is Sri Itwari.

sd.

Sub. Balwant singh (Retd.)  
Vice President  
CANTONMENT BOARD, BAREILLY.

True copy attested  
AS  
Anant Singh

इतवारी

17

NS/CCS  
64

# VAKALATNAMA

36

Before

In the Court of

Central Administrative Tribunal Lucknow

Reg. No. 957 of 1989(L)

Shri

Versus

Union & India & Ors

I/We S. S. Singh Chief Workshop Manager - Izatnagar  
Workshop

do hereby appoint and authorise Shri Arjun Bhargava

Railway Advocate, Lucknow to appear, act apply and prosecute the above described Writ/Civil Revision/Case/Suit/Application/Appeal on my/our behalf, to file and take back documents, to accept processes of the Court, to deposit moneys and generally to represent myself/ourselves in the above proceeding and to do all things incidental to such appearing, acting, applying, pleading and prosecuting for myself/ourselves.

I/We hereby agree to ratify all acts done by the aforesaid Shri Arjun Bhargava

Railway Advocate, Lucknow

in pursuance of this authority.

IN WITNESS WHERE OF these presents are duly executed by me/us this 6.8.89

day of Nov 1989

8/11/89  
S. S. Singh

मुख्य कार्यकारी अधिकारी  
Chief Workshop Manager  
पु. सि. रेलवे, इलाहाबाद  
N.E. Rly. Lucknow

Accepted

8/11/89

(26)

ब अदालत श्रीमान्

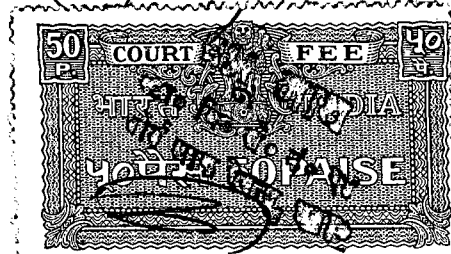
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प्रतिवादी [रिस्पॉण्डेंट]

ITBARI

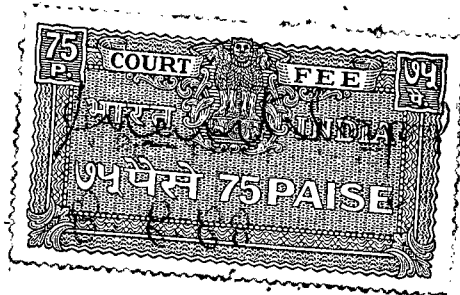
VS

UNION of INDIA and others



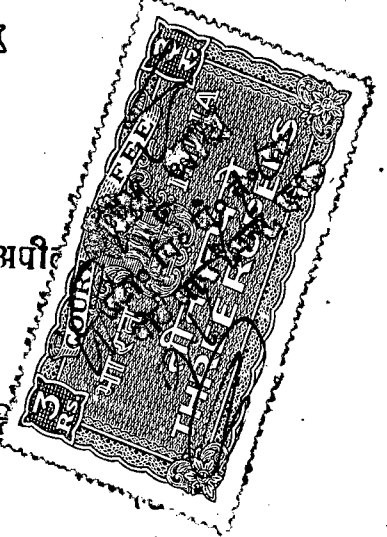
महोदय

पयगलपनामा



वादी [अपील]

प्रति



बनाम

नं० मुकदमा

सन्

पेशी की ता०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

① Parmatma Swaroop

② Anant Swaroop

वकील

महोदय

एडवोकेट

नाम अदालत  
मुकदमा नं०  
नाम फरीकन

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिंगरी जारी करावे और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें मुकदमा उठावें या कोई रुपया जमा करें या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त [दस्तखती] रसीद से लेंवे या पंच नियुक्त करें-वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

इतबारी

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

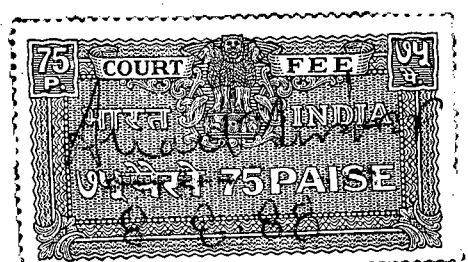
4.7.88

महीना

सन् १९ ई०

स्वीकृत

Accepted  
Anant Swaroop  
Parmatma Swaroop



38

In the Central Administrative Tribunal Allahabad

Circuit Bench Lucknow.

O.A. No. 957 of 1988

Itwari

....

Applicant

Versus

The Union of India and others

Respondents.

Reply on behalf of the Respondents:

Para 1 (i) Needs no reply.  
(ii)

1 (iii) Not admitted. The date of birth as shown in the service record is 1-9-1930.

(iv) Needs no reply.

(v) Needs no reply.

(vi) Needs no reply.

Para 2: Needs no reply.

Para 3:(i) Issue of order dated 29.3.'88 as contained in Annexure 1 to the petition is not denied.

3 (ii) Issue of order No. E/PC/Ticket 8(WRS-II) dated 1.1.1988 by Deputy Chief Workshop Manager/North Eastern Railway Workshop/Izatnagar is not denied. Rest is denied. The date of birth is correctly recorded as 1.9.1930 in the Service Record of the applicant.

Para 4: Needs no reply.

महायुक्त कार्यालय अधिकारी /  
पूर्वोत्तर रेलवे, लखनऊ २२०००२

Para 5: Denied. The applicant is barred by time as well as by laches.

Para 6(a) Needs no reply.

Para 6(b) Denied. The applicant was literate at the time of his appointment, as he had put his signature in the service record.

Para 6(c) Denied. It is submitted that the date of birth as recorded in the Service Record was 1.9.30. As such his age on the date of appointment was 24 years. It is submitted that no candidate could be employed at the age of 17 years.

Para 6(d) Denied. It is submitted that the enumbant employee only puts his thumb impression/signature after the record is filled up and witnessed, which was done in the case of the applicant by Shri A Gani Head Clerk. After the signatures was made by the applicant, the record was duly attested by Works Manager /Izatnagar on the same date. A photostat copy of the said Service Record is annexed to this reply as Annexure No. CA-1

Para 6(e) Denied. It is submitted that the date of birth is entered after the disclosure by the applicant. The applicant disclosed his date of birth as 1.9.30 which was duly entered in the Service Record and thereafter signed by the applicant. It is submitted that the applicant was also medically examined on 1.9.'54 and the Doctor also certified

the seniority list issued from time to time including the seniority lists attached as annexure to this reply.

Para 6(g) Issue of letter as contained in Annexure No.1 to the application is not denied. Rest is denied.

Para 6(h) Denied. The letter contained in Annexure No.1 is perfectly legal and valid. In fact the applicant acting on the said letter submitted form of application for pensionary benefit on 28.6.'88 as well as an application for commutation of pension without medical examination. In both these forms the applicant has shown his date of birth as 1.9.'30. Photostat copy of both the forms are enclosed to this reply as Annexure No. CA- 8 and CA-9.

Para 6(1) Denied. The date of birth was disclosed by the applicant as 1.9.'30, which was duly entered in the Service Record, which Service Record was duly signed by the applicant and witnessed by the Head Clerk and attested by Works Manager. Before entering the service the applicant was required to be medically examined and Doctor examining the applicant also certified his age as 24 years. The circulars referred to are not denied. Arguments placed in the para under reply will be duly met at the time of arguments of the case. However it is submitted that the respondent no.5 is not in the knowledge of said circular

Handwritten initials 'A' and '42' inside a circle.

- 5 -

Para 6(j) In reply, it is submitted that applicant had himself requested for the issue of a certificate of date of birth to be indicated in the policy he was taking from L.I.C. The certificate was issued on 22.6.'77 by the Respondent No.5. Moreover the applicant was literate, he having signed the service record. It is also submitted that the applicant was medically examined for the entry in the employment and the Doctor certified the age of his as 24 years. The applicant himself brought the said certificate and submitted the same to the department.

Para 6(k) Receipt of representation dated 24.12.'87 from the applicant and reply dated 1.1.'88 sent by the administration as contained in Annexure no. 4 and 5 of the application is not denied, It is also not denied that the applicant made another representation dated 7.1.'88 as contained in Annexure No. 6 to the application. The said representation was disposed off by sending reply dated 19.7.'88 to the applicant. A photostatic copy of the said reply dated 19.7.'88 is annexed to this reply as Annexure No. Ca- 10.-

Para 6(l) Denied. It is submitted that the facts <sup>given by the</sup> ~~are~~ <sup>applicant are</sup> irrelevant for the decision of the case. Moreover they are not within the knowledge of the respondents, neither they were brought to the knowledge of the respondents by means of any representation, in time.

for  
महापंचक कानिग अधिकारी /  
पूर्वांतर रेलवे, लखनऊ 25/07/2012

A  
43

- 6 -

Para 6(m) Denied. It is submitted that the Annexure No. 7 to the application was never made available to the respondents even while submitting the representation dated 24.12.'87 and 7.1.'88. It is submitted that the said document is not a reliable document. It is further submitted that even if the date of birth as 28.2.'37 is considered he would have been of the age of 17 years on the date of appointment on 3.9.'54 and <sup>at</sup> the said age, the applicant would never have been taken in the employment. Having taken one advantage by stating his age as 1.9.'30, he is not ~~estopped~~ stopped from taking the benefit of ~~correction~~ correction in ~~ing~~ his age.

Para 6(n) Submission of photostat copy of the certificate is not denied. However it has no legal value and it could not be considered for looking into the grievance of the applicant.

Para 6(o) Extract of Rule 145 indicated in the para is not denied. Rest is denied. It is submitted that the applicant was literate at the time of appointment, he having signed in his own handwriting in the service record, duly witnessed and attested by the Works Manager. It is specifically denied that the date of birth was recorded at the instance of the medical Doctor. The service record shows the date of birth as 1.9.'30 as disclosed by the applicant.

महायुक्त कायदा अधिकारी /  
पुणे - २०. २०२३ २०२३ २०२३

P  
44

- 7 -

Para 6(p) Denied. The date of birth entered in the service record shows the date of birth as 1.9.30 as disclosed by the applicant. It is not on the basis of the medical examination.

Para 6(q) In reply it is submitted that the opinion of the medical doctor is a corroborative evidence to the one disclosed by the applicant on which basis the entry of date of birth was made in the service record.

Para 6(r) In reply it is submitted that the applicant was literate. Even ~~afterwards~~ otherwise he had come to know of the date of birth recorded from time to time through seniority list published and specially on 22.6.'77 when he obtained in writing the date of birth for the purpose of submitting to LIC. Even thereafter he did not make any representation. It is submitted that it is not open to the applicant to come at any time to challenge the date of birth entered in the Service Record which is authentic piece of evidence. The case of the applicant is thus even barred by time.

Para 6(s) Denied. It is incorrect and false for the applicant to state that he did not know of the recorded date of birth prior to sept/Oct.87. As already submitted, the applicant was in the

महायुक्त कामिके अधिकारी /  
पूर्वांतर रेलवे, लखनऊ 25/5/87

... 8

know of the recorded date of birth through seniority list issued from time to time. Secondly he specifically applied for date of birth recorded through application dated 23.1.1977 (Annexure No. CA-3 to this reply) for submission to LIC and same was disclosed through certificate dated 22.6.'77 (Annexure No. CA-4) issued by respondent no. 5 to him showing the date of birth as 1.9.30. The applicant also took loans from The Mech. Department Cooperative Bank Gorakhpur, N. E. Rly. Employees Cooperative Bank Gorakhpur and N.E.Rly. Loco Credit Society Ltd. Izatnagar. He also took P.F. loan and advances where his date of birth is indicated as 1.9.'30. His assertion that he did not know of the date of birth recorded in Service Records prior to Sept./Oct. 1987 is therefore wrong and incorrect. Photostat copies of loan on 23.7.'69 and 17/8/85 are annexed to this reply as Annexure No. CA-11 and CA 12.

Para 6(t) Denied. All actions taken by the administration are according to rules and procedures. No action violates the service rule or Article 14 and 16 of the Constitution of India. The applicant has been correctly retired from service on attaining the age of superannuation in accordance with the recorded date of birth in the service record.

Para 7: Needs no reply. It is however submitted that the application is highly belated.

पूर्वोत्तर रेलवे, लखनऊ 22/10/82

AA  
46

- 9 -

Para 8: Needs no reply.

Para 9: Denied. The applicant is not entitled to any relief and the application is liable to be dismissed with costs.

Para 10: Denied. Not entitle to any interim relief as the application itself is liable to be dismissed.

Para 11 to  
13. Needs no reply.

Additional Pleas:

14. That the applicant while entering into service on 3.9.'54 gave out his date of birth as 1.9.1930, which was also entered in the Service Record bearing the thumb impression and signature of the applicant. The medical examination was also done by the Medical Officer pertaining to the applicant and the said certificate disclosed the age as 24 years.

15. That the applicant took loans from time to time, out of which some of the application were traced out of which photostat have been annexed with this application showing the date of birth as 1.9.'30.

16. That the seniority list issued from time to time also indicate the date of birth as 1.9.'30. Photostat of the seniority list traced out have been annexed with this reply.

प्रधान कार्यकारी अधिकारी  
पूर्वोत्तर रेलवे, कलकत्ता-२  
२५/१०/५२

49

C.T. R.

A CARD OF

ITWARI LAL

G. 171A

SERVICE REGISTER

Father's name PARSHU LAL

Place JAT CENTRE, NALAGATA. FOLLOWER LINE

Birth Place District BARBILLY

Country INDIA

Nationality INDIAN

Caste or Religion SWEET PER

Covenanted Uncovenanted Date of landing in India 3-9-54

In what capacity KHALASI

Date of birth 1-9-1930 Height 5' 6" inches

Personal marks for identification ONE SCAR ON BACK OF LEFT THIGH

ONE SCAR ON THE OUTER R+ FORE ARM.

Signature of thumb mark

T.A. Ghau  
Signature of Witness

Signature of employee

6-11-54 Date

Name ITWARI LAL S/o PARSHU LAL

P. Fund No.

N.U.A.E.

(U.S. 16 APR 62)

WORKS MANAGER

Designation

Date 6-11-54 (2.00 PM) 1954

Date of termination of service

Reason for termination of service

CHARGED WITH ANTECEDENTS VERIFIED

ON 3-12-54

RE-ENTERED INTO ON

Amount of money given (in words) AND THE

REPORT OF 19-30

THE OFFICE

Signature of official closing register

Designation

Date

Personal File No.

To:

135/C

The Dy CME(S)  
NE Rly Work Shop  
Ghatnagar.

Sir,

Kindly issue me a certificate  
for date of birth as it is required  
by LSC of India from whom I  
have taken an insurance policy  
on my life.

Thanking you.

Yours faithfully

21/4/11

(ITWARI)

T/B देवर

Erecting Shop

Dy. CO. E. (A) 200  
forwarded pl.

23/11  
आपके पत्र पर  
अभिनन्दन साथ  
इतिर देती हूँ।

S/NO : Name, T/NO & shop S/Shri Date of birth. Date of aptt. Date of Promot Temp. Length of service. of adjusted Length: Remark

1.	Ram Saran Arya/388/ (Boiler shop)	11.6.37	20.12.54	5/1/73	Temp.	2	2	26	2	2	26	
2.	K.C.Sharma/2722/T&C	11/7/41	1/4/59	5/1/73	-do-	-do-	-do-	-do-	-do-	-do-	-do-	
3	Ahmad Hussain/462/EGP	3/8/31	3/8/49	5/1/73	-do-	-do-	-do-	-do-	-do-	-do-	-do-	
4	Har Pd.Sharma/2414/CR.	30/11/39	11/8/58	5/1/73	-do-	-do-	-do-	-do-	-do-	-do-	-do-	

HIGHLY SKILLED GRA.F. LI Welders (Rs.330-480).

1	Janardhan Kishore/ T/2357 Equipment.	1/5/41	1/11/57	21/3/66	crd	9	0	10	8	0	10	
2	Kahmat Hussain/1576 WRS.	10/1/27	10/1/51	23/3/67	-do-	8	0	8	8	0	8	
3	Kishan Lal/3323/SS	11/6/36	1/6/54	17/10/70	Ty.	4	5	14	4	5	14	
4	Anur Singh/3239/EGP.	15/10/40	29/1/62	17/10/70	-do-	-do-	-do-	-do-	-do-	-do-	-do-	
5	John. Biptas/464/WRS	20/7/21.	20/7/51	14/11/73	expired in Dec/1974	1	4	17	1	4	17	
6	Prem Babco Sharma Boiler T/827.	21/12/37	22/2/58	14/11/73	temp.	1	4	17	1	4	17	
7	Pratap singh 479/EGP.	22/3/37	23/11/55	29/11/73	-do-	1	4	02	1	4	02	

SKILLED \*E.D.DERS (Rs.260-400)

1	Om Prakash/2334/Sevona CRS.	1.1.39	1.11.57	24.6.61	ofd	13	9	7	13	9	7	
2	Hari Om Prakash/3237/C.M	6/7/40	1/4/58	9/10/61	ofd	13	5	22	13	5	22	
3	Ram Prakash 2454/CRS	2/1/40	11/8/58	9/5/62	ofd	12	10	22	12	10	22	
4	Om Shankar Lal 3114 CM	15/12/37	25/4/60	24/11/62	ofd	12	4	7	12	4	7	
5	D.P.Singh/2715 PCO	4/4/41	1/4/59	15/1/63	-do-	12	2	16	12	2	16	
6	R.C.Chatterjee/3037WRS	3/2/43	22/4/60	18/12/53	-do-	11	3	13	11	3	13	
7	Ram Charan Lal 3002 CM	1/5/41	22/4/60	30/2/63	-do-	11	3	1	11	3	1	
8	Yogesh Chandra /3008	18/4/43	22/4/60	4/2/64	-do-	11	1	27	11	1	27	
9	Srivastava/Boiler.											
9	Brij Lal/1544WRS	14/4/32	10/4/54	8/12/64	-do-	10	3	23	10	3	23	
10	Khanni Lal/1581 Erect	17/6/30	21/6/55	8/12/64	-do-	10	3	23	10	3	23	
11	Hari Lal 6196 S/S.	21/8/24	8/9/49	12/5/59	ofd	10	1	29	10	1	29	

transfer from GKR./shops at mutual exchange seniority adjusted 29 po to extent 29 rule.

120

S/Serial

1	2	3	4	5	6	7	8	9
						Y	M	D
72.	G.C.MISHA./3250 WRS	4/1/36	14/3/62	24/11/73	Temp. 1	+	7	1
73	B.K.Singh/6020 EQP.	7/11/34	29/12/56	1/12/73	-do-	1	4	0
74	Gantoshi Lal/6250 Boiler	9/1/39	12/3/65	1/12/73	-do-	-do-	-do-	-do-
75	Itwari 08/ EQP.	1/9/30	3/9/54	1/12/73	-do-	-do-	-do-	-do-
76	Shamsher/3571/EQP.	14/7/38	4/5/63	1/12/73	-do-	-do-	-do-	-do-
77	Bahadur Singh/EQ/6141	14/1/63	26/12/64	1/12/73	-do-	-do-	-do-	-do-
78	Uddin/5148 EQ	20/1/44	26/12/64	1/12/73	-do-	-do-	-do-	-do-
79	Sri Kishan/6021 LWS	15/1/44	1/2/64	1/12/73	-do-	-do-	-do-	-do-

BASIC WELDERS (Rs. 210-290,

1.	Bipin Bohari./2834 WRS	2/6/34	23/9/59	30/11/73	Temp. 1	+	1	1
2	Nehoo Lal/3318/MBWZ	1/4/39	17/1/61	1/12/74	Temp. 0	4	0	4
3	T ulsi Ram/22	4-11-39	20/12/61	1-12-74	Temp. 0	4	0	4
4	Laya Shankar/3330 CWS	17/7/33	16/7/62	1/12/74	-do-	0	0	4
5	Prakesh Bahadur/3336 MBWZ	1/4/37	19/7/62	1/12/74	Temp. 0	4	0	4

END

*Prof. M. S. Singh*  
By. COME (clerk)  
N.E. Rd.  
16/11/75

कार्यालय

उप- मुख्य यंत्रिक ई जोनियर (कार्मिक)

इज्जतनगर: दिनांक 17-1- 1986

पत्रांक या/का/255/1

सेवा में,

સ્મિત અદ્યોક્ષક

[illegible]

उक्त वरियता सूची आप के पास 3 प्रति में भेजी जा रही है जिसमें से 2 काफ़ी नोटिस बोर्ड पर और एक काफ़ी आप के रिकार्ड के लिए भेजी जा रही है ।

अतः दो प्रतिलिपि नोटिस बोर्ड पर कर्मचारियों के सूचना हेतु और एक प्रति अपने रिकार्ड में रखे। यदि किसी कर्मचारी को अपनी वरियता के निष्पत्ति में कोई शिकायत है तो उस का आवेदन दो माह के अन्दर इस कार्यालय में भेज दिया जाय अन्यथा कोई कार्रवाई नहीं की जायेगी।

कृते उप मुख्य यांत्रिक इंजिनगर (कार्मिक)  
इज्जतनगर

इज्जतनगर

## प्रतिलिपि

1. सचिव एन.ई.रेलवे मजदूर यूनियन कारखाना इज्जतनगर द्वारा शाप अधोक्षक लोहारखाना
2. सचिव पूर्वोत्तर रेलवे कर्मचारि संघ (पो.आर.के.एस.) इज्जतनगर कारखाना

कृतेउपमुगाई(कर्णिक)

इज्जतनगर

(पत्तोन/३६)

25. 2

पत्रांक-११-१७७

9  
1-402  
निमिर्दः ६ नुगा

ਪਾਤਿਸ਼ਾਹੀ  
ਜੀਵਨ

415

( 4 , )

	1	2	3	4	5	6	7	8	9
1- ગે. ભા. નાથ 3245	3-9-39	24-1-62	10-3-79	અચારી	6	0	0	21	
2- પુષ્કિ. સિંહ 3247	1-2-6-39	25-5-62	,,	,,	,,	,,	,,	,,	
3- સિંધુભાઈ 3462	1-1-1-40	27-6-62	,,	,,	,,	,,	,,	,,	કાંડ શાવ
4- ભાગ્યદાસ 3464	5-1-41	28-6-62	,,	,,	,,	,,	,,	,,	દેગન
5- વાંદે ૨૦ વૈદિ 3339	10-5-30	20-8-62	,,	,,	,,	,,	,,	,,	દેશિકર વેગન
6- વૈદે ૦૦ જોગી 3341	1-1-39	,,	,,	,,	,,	,,	,,	,,	વૈદિ
7- રામ દાસ 650	10-7-39	20-2-60	,,	,,	,,	,,	,,	,,	દુશલ વાંદે દુધે
8- જીજાભાઈ 8	1-3-30	3-9-54	,,	,,	,,	,,	,,	,,	,,
9- ભાલ પ્રભા 511	1-9-39	13-8-62	1-4-83	,,	2	0	0	2	0
10- બાગી સિંહ 3521	0-1-41	15-1-63	,,	,,	,,	,,	,,	,,	,,

20/12/55

દુધે રામ સુખ ગોવિંદ જીનિયત કાલભાગ  
જાનભાગ

S/SKURT 2 2 4 5 6 7 8 9

49. Narendra singh/3234	6-7-35	12-3-62	6-6-70	7	9	26	7	9	26
50. P.K.Mahrotra/6610 C/M	28.1.45	1.7.70	1.7.70	-do-	-do-	-do-	-do-	-do-	-do-
51. J.D.Mukherjee/6665 E	5.3.45	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-
52. V.K.Saxena/6655/88	1.1.45	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-
53. Ved Prakash/6030 BPS	5.11.42	1.2.64	21.9.71	7	6	11	7	6	11
54. Brj Kishore/1441 CRS	9-6-46	3.7.72	3-7-72	5	9	29	5	9	29
55. Narendra singh/3182 CM	1.8.46	3.7.72	3.7.71	-do-	-do-	-do-	-do-	-do-	-do-
56. M.C.Shukla/1538 WRS	1.4.47	13.9.69	13.9.69	8-6-19	5-6-25	5-6-25	5-6-25	5-6-25	5-6-25
57. Satya Prakash/416	7.4.34	24.5.62	2/3-4-73	4-11-30	4-11-30	4-11-30	4-11-30	4-11-30	4-11-30
58. Ganga Lal/33/383 CM	12.8.36	5.8.58	2.5.73	4	10	30	4	10	30
59. Angan Lal/33/383 CM	1.6.40	4.2.60	2.5.73	-do-	-do-	-do-	-do-	-do-	-do-
60. Ramdas/6633/30 BS	10.7.39	20.2.60	2.5.73	-do-	-do-	-do-	-do-	-do-	-do-
61. Sri Ram/2066 WRS	29.3.36	1.4.57	2.5.73	-do-	-do-	-do-	-do-	-do-	-do-
62. R.K.Chakravorty/2968 SS	8.3.39	11.12.62	2.5.73	-do-	-do-	-do-	-do-	-do-	-do-
63. Manohar Lal/2951 E	26.12.38	12.12.60	2.5.73	-do-	-do-	-do-	-do-	-do-	-do-
64. R.M.Roy/2900 WRS	5.4.36	18.11.54	2.5.73	-do-	-do-	-do-	-do-	-do-	-do-
65. Chandrama/2623 CRS	1.7.31	17.11.61	2.5.73	-do-	-do-	-do-	-do-	-do-	-do-
66. Brj Lal/825 CRS	28.8.35	1.4.57	30.10.73	4	5	2	4	5	2
67. Mulaish H/3257 WR	9-11-35	13.3.62	24.11.73	4	4	8	4	4	8
68. Bhavir/3539 WRS	26.6.48	15.1.63	24.11.73	-do-	-do-	-do-	-do-	-do-	-do-
69. S.C.Mitra/3260 WRS	4-1-36	14.3.62	24.11.73	-do-	-do-	-do-	-do-	-do-	-do-
70. B.K.Singh/6080 E	7-11-34	29.11.56	1.12.73	-do-	-do-	-do-	-do-	-do-	-do-
71. Santokh Lal/6250 E	9-1-39	12-3-65	1-12-73	-do-	-do-	-do-	-do-	-do-	-do-
72. Itwari/08 E	1.9.30	3.9.54	-do-	-do-	-do-	-do-	-do-	-do-	-do-
73. Shamsheer/3571 E	14.7.38	14.5.63	-do-	-do-	-do-	-do-	-do-	-do-	-do-
74. Baladur Singh/6141	14.1.43	26.12.64	-do-	-do-	-do-	-do-	-do-	-do-	-do-
75. Quesada/6148 CRS	20.1.44	26.12.64	1.12.73	-do-	-do-	-do-	-do-	-do-	-do-
76. Sri Kishore/6021 LMS	15.1.44	1.2.64	1.12.73	-do-	-do-	-do-	-do-	-do-	-do-
77. Ramji/3048	6.8.50	16.11.53	25.2.74	4	1	7	4	1	7
78. Lata/3048	2.12.51	26.4.75	26.4.75	2	11	6	2	11	6
79. Mohd Wajuddin/6887 WRS	5.4.54	26.4.75	26.4.75	-do-	-do-	-do-	-do-	-do-	-do-
80. Rajendra Kumar/6891 CM	1.7.53	26.4.75	-do-	-do-	-do-	-do-	-do-	-do-	-do-
81. Krishan Mohan/6885 E	10.7.52	26.4.75	26.4.75	-do-	-do-	-do-	-do-	-do-	-do-
82. Subash chand/6880 E	15.6.53	26.4.75	-do-	-do-	-do-	-do-	-do-	-do-	-do-
83. Nanoo Lal/3318 CM	1.4.39	17.1.61	20.12.76 Temp.	1	3	11	1	3	11

14. Gik PWS

Caution on 1st floor at 1st request

13.6.79

11-12-76 Temp. 11-12-76

डाक्टरों जॉब कार्डे विना पेंशन का सँरक्षिकरण करवाने के लिए -  
 अवेदन पत्र का प्राप्ति (रेल मंत्रालय के 27-1-78 के पत्र सं० 10/एफ (पेंशन) का प्रमाणित प्रतिलिपि)

सेवा में, उप मुख्य कारखाना प्रबंधक  
 (कार्यालय अध्यक्ष) इंडियन रेलवे

विषय: डाक्टरों जॉब कार्डे विना पेंशन का सँरक्षिकरण।

महोदय,

मैं संबंधित जानकारी को नीचे दे रहा हूँ और यह अनुरोध है कि उसे नीचे बताये गये अनुसार पेंशन के एक हिस्से का सँरक्षिकरण करवाने की अनुमति प्रदान की जाये।\* (इस अवेदन पत्र पर मैंने अपने फोटो की प्रमाणित प्रति दिवका की है तथा फोटो की एक अप्रमाणित प्रतिलिपि है)।

- 1) एंस्ट्रॉट अक्षरों में नाम ----- इतवारि ----- दि सं ०८ -----
- 2) जन्म तारीख ----- ०१-१-१९३० -----
- 3) 58 वर्ष की आयु प्राप्त कर लेने पर अधिवर्षिता की तारीख (अथवा 60 वर्ष जहाँ लागू हो) 31-८-१९८०
- 4) अधिवर्षिता के समय धारित पद का नाम तथा मंत्रालय / विभाग / कार्यालय का नाम। मैजिस्ट्रेट ग्रेड II नैगल रिपेयरिंग वर्कशॉप, नैगल, इंडियन रेलवे
- 5) मंजूर की गई पेंशन की रकम तथा क्या वह रकम अनन्तितम है अथवा अन्तितम। अनन्तितम
- 6) भारतीय रेल स्थपना संहिता वायूम-11 के अध्याय 25 में यथामरिभाक्ति पेंशन की श्रेणी। अधिवर्षिता
- 7) छजने अथवा बैंक का नाम तथा लेखा संख्या जिसमें पेंशन ली जा रही है। यूनिक नैशनल बैंक, प्रेमनगर, बीला, संख्या 79८७
- 8) यदि अब छजनी उस लेखा अधिकारी के मार्फत नहीं ली जाती है जिसने पेंशन प्राधिकृत की है, तो छजने अथवा बैंक का नाम लिखें जिसके मार्फत सँरक्षित मूल्य की अदयोगी की जाये। नई - बैंक द्वारा
- 9) लेखा अधिकारी का पद नाम तथा यदि पेंशन की अदयोगी का आदेश जारी किया गया हो तो उसकी संख्या तथा तारीख। प्रवर लेखा अधिकारी (कारखाना) मैजिस्ट्रेट रेलवे, इंडियन रेलवे
- 10) रकम (पूर्ण रूप से) अथवा पेंशन का वह प्रतिशत पेंशन का 1/3 भाग सँरक्षिकरण करवाने का प्रस्ताव है।
- 11) पहले यदि पेंशन का सँरक्षिकरण करवाने संबंधी कोई अवेदन पत्र दिया गया हो तो उसका विवरण तथा क्या पहले कभी अथवा किसी चिकित्सा प्राधिकारी के सामने पेश हुए हैं अथवा नहीं। अवेदन

तारीख - २०८६ - ६ - १९

हस्ताक्षर - इतवारि

पूरा ठक कता - ३३०३३

मैजिस्ट्रेट सं० 36 मैजिस्ट्रेट कारखाना

नैगल (होरजान्ग कारखाना) बीला

एच एच सी (बेगन)

मोतार रोड पर इंडियन रेलवे

2-A-9

पू० उ०-पी० एन० 11  
N. E.-P. N. 11  
म० आर० पी० आर०-6  
MRPR 6

पूर्वोत्तर रेलवे  
North Eastern Railway

पू० उ०-जी० 324  
N. E.-G. 324

11/60

स्वयं रेलवे कर्मचारी द्वारा पेंशन सम्बन्धी लाभों के लिए औपचारिक आवेदन  
Formal application for pensionary benefits by the Railway Servant himself.

सेवा में: 31 जुलाई 1930 आर० पी० आर० 6  
To, पूर्वोत्तर रेलवे  
31 जुलाई 1930

मैंने अपने दिनांक ..... के विकल्प संख्या ..... के अनुसार रेलवे पेंशन विनियम, 1950 के लिए विकल्प दिया है, जिसकी पावती मुझे ..... दिनांक ..... के पत्र संख्या ..... के अनुसार प्राप्त हो चुकी है।

I have opted for Railway Pension Rules, 1950, Vide my option No. .... dated ..... which was acknowledged by ..... under his No. .... dated .....

\*2. मेरी जन्म तिथि 1-1-1930 और मैं दिनांक 31-7-30 से सेवा निवृत्त की आयु को प्राप्त करने पर सेवा-निवृत्त होने वाला हूँ। मैंने पहले ही ..... वर्ष की सेवा अवधि पूरी होने पर दिनांक ..... से सेवा से स्वेच्छा पूर्वक निवृत्त होने की अनुमति के लिए आवेदन किया है। अतः निवेदन है कि मेरी सेवा-निवृत्ति की तिथि तक मुझे देय पेंशन सम्बन्धी लाभ मंजूर करवाने की कृपा की जाय।

I am due to retire from service on attaining the age of retirement with effect from ..... my date of birth being ..... I have formerly applied for permission to retire Voluntarily from service with effect from ..... on completion of ..... years service. I, therefore, request that steps may kindly be taken with a view to the pensionary benefits admissible to me being sanctioned by the date of my retirement.

3. निम्नलिखित कागजात संलग्न करें :—

Enclose the following documents :—

†(i) पेंशन सम्बन्धी लाभों के नहीं मिलने के सम्बन्ध में जिसका हवाला इस आवेदन में दिया गया है (देखें विनियम 2807-आर० II) घोषणा (प्रपत्र संख्या पू० उ०-पी० एन० 4 एम० आर० पी० आर० 7) में।

Declaration (in Form No. N.E.-P.N. 4 MRPR 7) regarding non-receipt of any pensionary benefits to which this application refers (Vide Rule 2807 R. II).

‡(ii) नाम एवं पद संज्ञा सहित एक पासपोर्ट आकार (3"×2") का फोटो जो उसके पृष्ठ भाग में मेरे हस्ताक्षर द्वारा अधिकृत होगा।  
A passport size (3"×2") photograph showing full name and designation duly authenticated by my signature on the back of it.

@(iii) दो पर्ची (प्रपत्र संख्या पू० उ०-पी० एन० 5 एम० आर० पी० आर० 10) में जिनमें प्रत्येक पर मेरे 3 साक्षात्कृत नमूना हस्ताक्षर होंगे।

Two slips (in Form No. N.E.-P.N. 5 MRPR 10) each containing 3 specimen signatures of mine duly attested.

(iv) दो पर्ची (प्रपत्र संख्या पू० उ०-पी० एन० 9 एम० आर० पी० आर० 11) में जिनमें प्रत्येक पर मेरे 3 सेट बायें हाथ के अंगूठे एवं उंगली के निशान होंगे।

Two slips (in form No. N.E.-P.N. 9 MRPR 11) each having 3 sets of my left hand thumb and finger impression.



श्रेष्ठ संख्या

## श्रेष्ठ का प्रार्थना पत्र

पूर्वांतर रेलवे लोको को-आपरेटिव सोसायटी लि० आइजटनगर

आवेदन प्राप्त होने की तिथि.....  
पंजीकृत संख्या .....

9/30/2010

१-प्रार्थी का नाम.....  
२-जमानतदार का नाम-(अ).....  
(ब).....  
(स).....  
३-श्रेष्ठ की धन राशि (शब्दों में व अङ्कों में).....

४-प्रार्थी का ह० या नि० श्रृंगठा.....  
५-जमानती का ह० या नि० श्रृंगठा.....  
६-समिति से लिए गए श्रेष्ठ का शेष रु०.....  
७-अन्य स्थानों से लिए गए श्रेष्ठ की कटौती.....  
(अ) एकाउंट सोसायटी.....  
(ब) साइकिल आदिम.....  
(स) निर्वाह निधि आदिम.....

पद	टिकट नं०	कार्यालय का पुरा पता	सदस्य सकया	हिरन की धनराशि	वर्तमान धन की धन	महंगाई भत्ता	निर्वाह निधि संख्या	जन्म तिथि	नियुक्ति की तिथि	रेलवे की शेष आरु	वर्तमान धन के कार्यालय का नाम
उपस्थान	८	१०२८	६०	८०	८०	८०	८०	८०	८०	८०	८०
उपस्थान	१५६	१५६	६०	६०	६०	६०	६०	६०	६०	६०	६०

श्रेष्ठ लेने की आवश्यकता.....  
(द) निर्वाह निधि की कटौती.....  
(य) अन्य कटौतियाँ.....  
योग रूपया.....  
३-कटौती की देखते हुए यह कटौती मजदूरी आदिम के अनुसार काटी जा सकती है या नहीं? (हां या नहीं).....  
४-यदि प्रार्थी ने पेयान चुना है.....  
५-प्रार्थी की ऊपर लिखित जन्म तिथि इस कार्यालय के अभिलेखों के अनुसार ठीक है।  
६-उपरोक्त सभी तथ्यों का सत्यापन कार्यालय के अभिलेखों से कर लिया गया है।  
विल लिपिक का हस्ताक्षर.....  
१२/११/१०

कार्यालय - टिप्पणी  
१-श्रेष्ठ की धन राशि जिसके लिए आवेदन पत्र दिया गया है.....  
२-हिरन का ह० गुना.....  
३-धन राशि जो वसूल हो चुकी हो.....  
४-पिछले श्रेष्ठ का शेष.....  
५-वर्तमान का ५.०%.....  
६-अन्य कटौतियों की धन राशि.....  
७-श्रेष्ठ की धनराशि जो स्वीकृत की जा सकती है.....  
८-जमानतदार १, २, ३, टीक है या नहीं.....  
सम्बन्धित लिपिक का हस्ताक्षर.....  
२० के लिए अनुमोदित.....  
२० ई. जे. र.

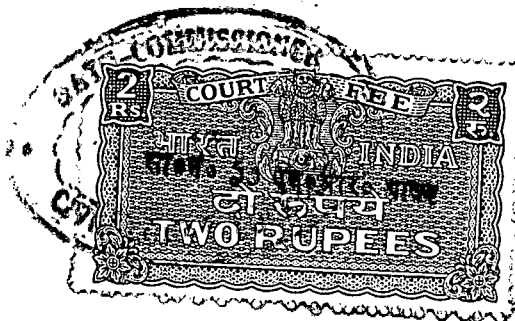
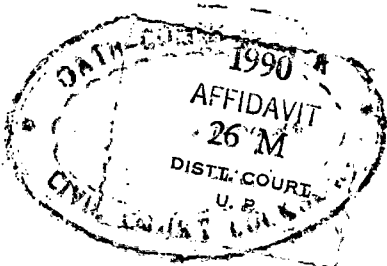


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64

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD  
CIRCUIT BENCH LUCKNOW.

O.A. NO. 957 of 1988

(Received by transfer from Allahabad)



Itwari ----- Applicant.

versus

The Union of India and others ----- Respondents.

(Fixed on 8.8.90)

(APPLICANT'S REJOINDER AFFIDAVIT)

I, Itwari aged about 53 years son of Sri Pyare Lal resident of 36 Harijan Colony, Madho Bari, Nai Basti, Bareilly, take oath and state as follows:-

1. That the deponent is the petitioner of this case and is personally conversant with its facts.

2. That the deponent has been read and explained the written statement/counter affidavit (hereinafter referred as CA/WS) filed on behalf of the respondents <sup>above mentioned</sup> in the case and he replies it parawise below.

3. That the contents of paras 1, 2, 3, 4, 6(a)(g)(k), 8, 11, to 13 of the said CA/WS need no reply except

A circular stamp from the Department of Defense, Office of the Inspector General. The text around the perimeter reads "DEPARTMENT OF DEFENSE" at the top and "OFFICE OF THE INSPECTOR GENERAL" at the bottom. In the center, there is a large handwritten letter "A" and the date "11/18/90" written in a cursive script. The stamp appears to be a physical seal or stamp on a document.

श्री. १०५५

not belief ~~working~~ in the absence of requisite tests.  
Applicant was not told the contents of 'A' Card when his  
signature or thumb impression was taken on it. 2

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-5-

7. That the contents of para 6(c) of the CA/WS are denied. The applicant did not make any disclosure as alleged. The doctor has not given the report as to applicant's age after conducting any requisite test of ossification of bones, examination of teeth etc. His report is merely regarding fitness for employment and nothing else. The formalities to base it on medical report have not been observed. The service record including the 'A' Card was not shown to the applicant and his signature obtained after every five year according to rules to ensure the authenticity of its contents.
8. That the contents of para 6(f) of the CA/WS are not admitted as written. The applicant is an illiterate simple man. The certificate <sup>Annexure CA-4</sup> was not read out to the applicant and given to him, he could not know its contents. The seniority lists were also not given or explained to him and he could not/did not understand their contents or their import. Hence no question of making objections to them arises.
9. That the contents of para 6(h) of CA/WS are not admitted as written. The applications for pension and commutation Annexures CA-8 and CA-9 were filled by the office clerk, as the petitioner is illiterate, and

STATE COMMISSION  
A  
OFFICE  
19/5/19

इतिवर्ति

its contents ~~are~~ were not explained or read to him. He merely signed it at the instance of clerk concerned for pension, etc. as he was soon going to be retired. He did not know that his date of birth was written in it.

The office has without informing the applicant, suo moto filed the date of birth from the record, which <sup>was/is</sup> being challenged from long <sup>before</sup> ~~in para~~ it and the applicant has <sup>no where</sup> ~~when~~ withdrawn his challenge since then as yet.

10- That the contents of para 6(i) of the CA/WS are not admitted as written and the corresponding para of the application is reiterated. ~~It is wrong that the date of birth is reiterated.~~ It is wrong that the date of birth ~~has~~ has been entered on the basis of any declaration by the deponent or witnessed by the Head of Clerk and the Works Manager. It has not been disclosed who has written this date. None of the said witnesses has given any affidavit in this case. The applicant was not at all questioned ~~on~~ at this point at that time. This entry has been made on the basis of doctor's unreliable report and without necessary formalities and informing the employees of such a report as to age. Applicant's signature was taken without informing him of the contents as he can <sup>not</sup> read or write except making the signature.

~~11- That the contents of para 6(j)(1) of the CA/WS are denied and those of the application are reiterated.~~

5/1/87

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.7.

- 11- That the contents of paras 6(j)(1) of the CA/WS <sup>and</sup> are denied subject to above assertions.
- 12- That the contents of para 6(m) of the CA/WS are denied and those of the application are reiterated. The applicant does not wish to take double advantage as the opposite parties were not particular about the minimum age at the time of appointments in those days ~~when~~ as appears from para 5 above and Annexure R-1 and the applicant was employed as class-IV employee without caring for his age as he was very strong & smart in the discharge of his duties, as was needed.
13. That the contents of para 6(o) <sup>of the CA/WS C</sup> are not admitted. If the applicant was taken to <sup>be</sup> ~~the~~ literate than his date of birth in 'A' Card Annexure CA-1 must have been had recorded in his handwriting. It is not in the applicants' handwriting but of <sup>some</sup> ~~some~~ body else. The service record as to date of birth is wrong and illegally maintained and recorded. This date has not been had corroborated by any <sup>document</sup> record or affidavit.
14. That contents of para 6(p)(q)(r) are denied. The applicant is ~~ill~~ literate. The alleged seniority lists were never brought to the notice of or explained to the applicant deponent and hence could not be objected.

92TH COM  
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18/12/11

21/12/11

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15. That the contents of para 6(s) are denied. The application forms mentioned in this para were not filled by the applicant but by the clerk concerned in the office and merely the signatures of the applicant, who is illiterate, were obtained without reading or explaining the contents to him. The applicant did not know that his date of birth was entered in it. These records can not determine his date of birth under Rules.

16. That the contents of paras 6(b)(7)(9)(10) are denied. This application is within time.

17. That additional pleas contained in paras 14 to 21 of the CA/WS are repetitions of the previous paras. They are denied subject to above assertions and the allegations in the application. The applicant never concealed his age. Rather he was taken in service due to his smartness like other persons without caring for his age. He is not taking double benefit. Rather his early age has been exploited and now he is being given double disadvantage. He did not move for correction of date of birth earlier as he was not informed of it earlier. He being illiterate could not guard his interest satisfactorily and has been illegally exploited and kept in dark as his date of birth. His illiteracy has been taken undue advantage of by the opposite parties.

21/10/80

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18- That the counter affidavit/written statement is fit to be rejected as not verified parawise and according to law.

Lucknow, dated

May 9, 1990

इतवारी  
Deponent

Verification

I, Itwari, the deponent, above named, do hereby verify that the contents of paras 1 to 18 of this affidavit are true to my personal knowledge. No part of it is false and nothing material has been concealed, so help me God.

Signed and verified this 9 day of May 1990 in the court compound at Lucknow.

Lucknow, dated

May 9, 1990

इतवारी  
Deponent

I identify the deponent who has signed before me.

26th  
Daya Nand Singh  
Advocate  
A  
9/5/90

पुर्वोत्तर लम्बे

कार्यालय मण्डल रेल प्रवक्ता (का)  
इज्जतनगर दिनांक 19-8-1983

सं० ई/213/सस०/०/1

सभी विभागीय अधिकारी/इज्जतनगर मण्डल  
सभी सुहायक अधिकारी/इज्जतनगर मण्डल  
सभी लोको/र०लोको/परीक्षक/लोकोपिटी, कासगंज, काशीपुर, पत्तेहगढ़, काठगोदाम  
समस्त रेल प्रथम निरीक्षक/काशीपुर, पत्तेहगढ़, काठगोदाम, पोलोभीत (एस) पोलोभीत, ब. लोसिटो  
समस्त वाणिज्य निरीक्षक/काशीपुर, पत्तेहगढ़, काठगोदाम, पोलोभीत (एस) पोलोभीत, ब. लोसिटो

समस्त टी०आर० काठगोदाम, पोलोभीत, पोलोभीत, मधुरा, पत्तेहगढ़  
प्रधान-गाड़ी परोक्षक/परीक्षक ज०, पोलोभीत, पोलोभीत, काठगोदाम, कासगंज  
सकल द०स०नि० इज्जतनगर, पोलोभीत, पत्तेहगढ़, मधुरा, कासगंज  
वि०वा०पेन, कासगंज, काठगोदाम, काशीपुर, लालकुवा, ब. लोसिटो  
स०स०स० लोको इज्जतनगर, पत्तेहगढ़, पोलोभीत, स०स०स०

स्वास्थ्य निरीक्षक/इज्जतनगर, पोलोभीत, पत्तेहगढ़, कासगंज, पोलोभीत,  
काशीपुर, काठगोदाम  
समस्त रेल मस्टर/इज्जतनगर

विषय :- अनुसूचित जाति को रेलों को पूरा करने हेतु विशेष बानवीन परीक्षा ।

जैसा कि रेल, कायदा के समसंख्यक पत्र दिनांक 1-4-83 द्वारा आपकी सूचित किया जा चुका है कि अनुसूचित जाति को रेलों को पूरा करने के लिए एक विशेष बानवीन परीक्षा करने का आयोजन है।

इस संबंध में विभागीय अधिकारियों से वस्तांतरित एवं सत्यापित स्वजो/आक० अनुसूचित जाति के अभिनेता को सुरक्षी - प्राप्त हुई है के आधार पर एक प्रकलित सूची बान परीक्षा हेतु प्रकाशित की जाती है।

संश्लेषणानुसार 50 अभ्यर्थियों को सूचि सूची दिनांक 19-8-83 को बान परीक्षा हेतु प्रकाशित की जा रही है। कार्यवाहियों एवं अधीनस्थ अधिकारियों से अनुरोध है कि वे सूची में प्रकाशित अभ्यर्थियों को दिनांक 19-8-83 को पूर्वान्ह 10.30 बजे बान परीक्षा हेतु निम्न प्रमाण पत्रों सहित रेल कार्यालय में भेजें।

- (1) नाम, पिता का नाम (सही सहित)
- (2) जाति प्रमाण पत्र (तहसीलदार या जिला मजिस्ट्रेट द्वारा जारी)
- (3) पिता एवं जन्म तिथि का प्रमाण पत्र स्कूल या ग्राम प्रधान द्वारा जारी।
- (4) 1-1-83 तक कुल कार्य कुल का योग कार्यभारों द्वारा स्थापित।
- (5) जन्म तिथि
- (6) दो शारीरिक चित्र एवं चित्रों के वस्तावर सहित

नोट :- मद्र 1, 4, 5 का संसाधन अभ्यर्थी कार्यभारों से कारगर अवश्य अपने साथ बानवीन परीक्षा हेतु करनी है।

यह बात पुनः दोहराया जाता है कि दिनांक 19-8-83 को सभी अभ्यर्थियों को उपस्थित होना अनिवार्य है।

संश्लेषणानुसार 50 नाम

कुले मण्डल रेल प्रवक्ता  
इज्जतनगर  
9/9/83

इ. वि. वि.

का. वि. वि.

As-RI

CA 157/88

Thurman

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1-1-83 तक कार्य किये हुये : अविन जाति के अभ्यर्थियों को सूची

पिता का नाम

जन्म तिथि

प्रमाणित युक्ति को तिथि

1-1-83 तक कल

पद एवं कार्यस्थान

निष्ठा

क्र.सं.	नाम	पिता का नाम	जन्म तिथि	प्रमाणित युक्ति को तिथि	1-1-83 तक कल	पद एवं कार्यस्थान	निष्ठा
1	सर्वश्री राम गोपाल	नरय लाल	1-1-58	17-1-77	2014	सुपरींटेंडेंट फ़ायरिंग कम्पा 8	
2	शिव प्रसाद	मृष्टी गोपाल	2-8-58	31-7-77	1993	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
3	देवदत्त	गिरी लाल	1-1-60	5-1-77	1749	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
4	मृष्टी लाल	कन्हैया लाल	4-12-58	25-6-77	1740	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
5	राम चन्द	गुमान बरसोकी	1-1-60	16-1-78	1706	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
6	नरेश बरसोकी	कन्हैया	20-2-58	2-8-76	1372	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
7	रामे	गोपाल लाल	1-1-58	16-12-77	1344	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
8	रामकुमार	शम्भू	25-5-53	19-4-76	1269	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
9	कन्हैया	पद्मा लाल	19-1-61	19-5-79	1225	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
10	रतनलाल	लाल सिंह	19-9-57	17-3-77	1167	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
11	रमेश कुमार	श्यामलाल	9-3-50	20-11-71	1147	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
12	मल्लिकार्जुन सिंह	चुलई	15-1-55	25-6-74	1130	सुपरींटेंडेंट फ़ायरिंग कम्पा 10 फ़ैक्ट	
13	कुशहर	गङ्गा					
14	बाबुराम	पुल लाल					

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क्र.सं.	नाम	पिता	विवरण	सं.	विवरण	सं.	विवरण	सं.	विवरण
1	कविशंकर लाल	देवर	1-6-55	26-2-79	1113	ईश्वर प्रसाद	12	पिता	
2	जान लाल	सुखदेव प्रसाद	1-1-56	16-7-79	1108	हमाल बोलोसिटी	12	पिता	
3	विश्वनाथ	ज्योतिप्रसाद	12-7-58	25-6-79	1094	श्री ईश्वर प्रसाद	12	पिता	
4	लालन	राम लाल	17-9-55	17-4-77	1086	पुनोवला, राम	10	पिता	
5	राम लाल	जयलाल	5-1-60	9-4-79	1070	पुनोवला, राम	10	पिता	
6	लक्ष्मण प्रसाद	रामलाल राम	1-1-57	17-5-79	1056	पुनोवला, राम	10	पिता	
7	राम नरेश	श्याम	15-4-58		1041	श्री ईश्वर प्रसाद	10	पिता	
8	मदन लाल	कुशुभराम	9-8-55	15-4-75	1029	पुनोवला/गोटी	10	पिता	
9	महेश	पारसी	1-1-56	15-7-78	1024	पुनोवला, राम	10	पिता	
10	आनंद	विहारी लाल	1-3-50	15-12-79	1011	श्री ईश्वर प्रसाद	10	पिता	
11	रमेश चन्द्र	बाबूलाल	15-6-58	22-10-77	982	श्री ईश्वर प्रसाद	10	पिता	
12	मुनी लाल	पुनोवला	5-6-57		972	श्री ईश्वर प्रसाद	10	पिता	
13	ब्रह्मलाल	लटारी	27-7-53	27-4-77	965	पुनोवला, राम	10	पिता	
14	सोहन लाल	नाथीराम	13-12-57	31-7-76	939	श्री ईश्वर प्रसाद	10	पिता	
15	राम प्रसाद	चुनो लाल	2-11-57	26-4-77	930	पुनोवला, राम	10	पिता	
16	राम भोले	मोतीराम	1-7-58	28-4-77	920	पुनोवला, राम	10	पिता	

Category: Senior Clerk (E).  
Department: Personnel.

NORTH EASTERN DISTRICT  
PROVISIONAL SENIORITY LIST AS ON 1.4.1972.

Authorised Scale of Pay Rs: 130-  
Unit: IZN Division.  
Sanctioned Strength: F: T: Total:  
53 10 = 63

S. No.	Name of employees in order of seniority.	Under whom working	Date of Birth	Date of joining	Date of last increment	Length of service	Sanctioned strength	Remarks
1.	K.M. Jordan	ASO(R)/IZN	30.7.17	15.10.42	23.11.57	16	4	OFF. as H.C.
2.	S.R. Saxena	DY. COM(S) IZN	26	30.7.41	30.4.55	16	11	2
3.	R.E. Gupta	DS(P)/IZN	15.6.25	30.12.43	1.4.56	16	1	1
4.	TRILOK SINGH	"	18.5.18	24.8.42	16.9.55	16	6	16
5.	PRAKASH CHANDRA	DE. COM(S) IZN	20.2.27	3.6.42	1.9.55	15	7	1
6.	BLAGWAN DAS	DS(P)/IZN	13.8.20	27.9.42	1.4.56	16	1	16
7.	S.S. Mahrotra	"	2.1.26	6.1.43	1.4.56	16	1	1
8.	J.N. Misra	"	1.1.24	11.5.45	16.1.56	14	2	16
9.	V.P. Singh	"	15.9.26	20.7.45	10.1.58	14	2	16
10.	R.S. Lal	"	10.7.27	13.12.45	16.1.56	14	2	16
11.	H.R. Saddiqi	"	2.4.22	30.8.45	15.4.58	12	6	14
12.	R.P. Das	DY. COM(S) IZN	11.7.37	8.5.45	7.2.58	12	6	14
13.	R.S. Shukla	"	15.2.24	30.5.46	6.4.59	12	6	14
14.	M.L. Sharma	DOBS/IZN	9.2.21	19.10.46	20.1.58	12	6	14
15.	B.N. Verma	DY. COM(S) IZN	15.6.26	4.1.47	10.7.59	12	6	14

Contd.....2.

A-1 04957/00

Sharma VVI

(Signature)

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