

## FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, Lucknow BENCH  
OA/TA/RA/CP/MA/PT 1981/88 of 20.....

K. Kumar.....Applicant(S)

Versus

Union of India.....Respondent(S)

## INDEX SHEET

Serial No.	DESCRIPTION OF DOCUMENTS	PAGE
1.	check list	1
2.	order sheet	2 - 8
3.	Judgment 29-12-88 04/02/93	9 - 11
4.	petition copy. 4-2-93	12 - 38
5.	Annexure	39 - 92
6.	Power	93 - 94
7.	Counter affidavit	95 - 102
7.	Respondent's affidavit	

Certified that the file is complete in all respects.

B.C. Filed Weeded &amp; Discreet

Signature of S.O.

Signature of Deal. Hand

19/6/2016

## CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, MOTI MAHAL, LUCKNOW.

1981 88

DATED: 21/1/93

Title

O.A. 108

1988

Name of Parties.

K. Kumar

Applicant

versus  
Union of India

Respondents.

## PART-A

<u>Sl.No.</u>	<u>Description of Documents</u>	<u>Page</u>
1-	Check List	A 1 - A 1
2-	Order Sheet	A 2 - A 8
3-	Final Judgement (4-2-93)	A 9 - A 11
4-	Petition Copy	A 12 - A 30
5-	Annexure	A 39 - A 92
6-	Power	A 93 - A 94
7-	Counter Affidavit	A 95 - A 100
8-	Rejoinder Affidavit	

## PART-B

B101

B102

Part-C C203 - C222

Certified that no further action is required. The case is fit for consignment to record room.

Section OfficerCourt OfficerIncharge

21/1/94

Signature of Deal  
Assistant.

(RN)

21/1/94

SM

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ADDITIONAL BENCH,**  
23-A, Thornhill Road, Allahabad-211001

Correct  
Date of P.

A.

Registration No. 198 of 1988 (L)

APPLICANT (s) Krishna Kumar

RESPONDENT(s) U.O.G. (M. Rhy)

**Particulars to be examined**

**Endorsement as to result of Examination**

1. Is the appeal competent ?
2. (a) Is the application in the prescribed form ?
- (b) Is the application in paper book form ?
- (c) Have six complete sets of the application been filed ?
3. (a) Is the appeal in time ?
- (b) If not, by how many days it is beyond time ?
- (c) Has sufficient cause for not making the application in time, been filed ?
4. Has the document of authorisation/Vakalat-nama been filed ?
5. Is the application accompanied by B. D./Postal-Order for Rs. 50/-
6. Has the certified copy/copies of the order (s) against which the application is made been filed ?

yes

yes

yes

only two sets.

yes

—

yes

yes S.P.O. DD 020884 dt. 17/8/

yes

yes

yes by the Advocate.

7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ?
- (b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH AT LOKNO.

二二

O.A. T.A. No. 190 1988 (1)

Krishna Kr.

Applicant(s)

## Versus

U.S.A.

Respondent(s)

S. No.	Date	Orders
	21-2-09	No sitting. Adjourned to 9.2.09 for orders. <i>b 2/1</i>

A 2

C.W. No. 198 of 1988 (L)

27.12.88.

Hon'ble G.S.Sharma - J.J.

Heard Sri A.P.Shukla and Sri Siddhartha Verma. A reply has been filed on behalf of the respondents. The grievance of the applicant is that the Railway Administration itself had asked the applicant to go to Lahore to obtain the record pertaining to his date of birth and to apply for no objection certificate. The applicant is shown to have applied for 'no objection certificate' for obtaining the pass port for Lahore (Pakistan) in January, 1987 but since then no objection certificate has been issued as a result the applicant could not obtain the pass port nor could go the Lahore (Pakistan) to obtain the require record.

The applicant has to retire on 31.12.88. The respondents are required to issue the 'no objection certificate' to disclose the reasons for not issuing the same to the applicant within 10 days. The applicant will take necessary steps for ~~the~~ obtaining the Passport and shall produce the required record as may be available within the next one month.

Put up on 21.2.1989 for further orders. In the meantime the respondents shall allow the applicant to continue on his post. In case, the applicant ultimately fails to establish his claim and his petition is dismissed, he will not be entitled to get any benefit of the extention in service under this order except

A3

- 2 -

for the pay for the period he actually works.

MEMBER (J)

Dated: 27.12.88.

ha.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH AT LOCHNO. 13

\*\*\*\*

O.A./T.A. No. 198 1988(C)

Kishan Kr.

Applicant(s)

Versus

U.O.I.

Respondent(s)

Sr. No.	Date	Orders
	<u>21-11-88</u>	No. Sitting . Adjourned to 24.11.88 for. admission - <i>fixd 21/11/88</i>
	<u>24-XI-88</u>	Hon. D.S. Misra, A.M. Hon. G.S. Sharma, T.M.  Admit Issue notice. one month for C.A & 16 days thereafter for R.A.  As regards prayer for interim relief, notice be issued to the respondents to show cause within 3 weeks as to why the prayer for interim relief be not granted. List this case for order on interim matter on 22.12.88.
		sd/- A.M. sd/- A.M. <i>fixd 30/11</i>
	<u>30.XI-88</u>	<u>OR</u> Notices issued to respondents No 142 through regd. Post. fixing 22.12.88 to consider the interim matter - <i>fixd 30/11</i>
	<u>22-12-88</u>	No Sitting, Adjourned to for <sup>order</sup> 23-12-88  file has been sent to Add. for orders. <i>Recon 22/12</i>
	<u>23-12-88</u>	<i>Received copy of order add 22-12-88 G.M.</i>
	<u>21/2</u>	No Sitting, Adjourned to 9-3-89 for order. <i>Ram 21/2</i>

5A 198/88(C)

Hon'ble Justice K. Nath, V.C  
Hon'ble Mr. Justice K. Raman, V.A.M.

A 6

5-7-89

On the request of learned counsel for the respondents, the case is listed for final hearing on 28-8-89.

Interim order dated 27-12-88 shall continue till that date.

V.C.  
A.P.M.

John

V.C.

OR

Case was adjourned to 28.8.89 for hearing  
submitted for hearing

h 25/8

(S.M.S)

28.8.89

No sitting. Adj to 25.8.89.  
Both the counsel are present.

h 28/8

25/8/89

Hon. Justice K. Nath, V.C.

On the ground of illness of Shri Siddhartha Varma of the opposite party, the case is adjourned to 23-1-90 for final hearing. The interim order will continue till then.

John  
V.C.

OR

No RA filed submitted to hearing.

h 24/8

23-1-90

No sitting. Adj to 04.90  
Shri L.P. Shukla, LC for the applicants  
& Shri S. Varma, LC for the respondents  
are present.

h 28/1/90

O.A. 298/88

8.9.91  
D.R.

A 7

Both the parties are absent today. Rejoinder has not been filed. Applicant to file it.

by 26.6.91

26.6.91  
D.R.

Both the parties are present today. Applicant did not file R.A. till today. Applicant to file it by 3/9/91.

3.9.91  
D.R.

Rejoinder has not been filed. On the request of Applicant. case is listed on 29/11/91 for filing Rejoinder. O.P. is absent.

29.11.91  
D.R.

Respondent's side is present. Applicant to file Rejoinder by 4/3/92.

AKS  
29/11/91  
cc.

OA. 198 of 1988

29-5-92

AI

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon. Mr. A.B. Godse, A.M.

This is an application for substitution of heirs and legal representative of the applicant.

In this application, it has been stated that the applicant had died on 11.3.92 leaving behind his two heirs, his widow and one son. The cause of death was already survived. Accordingly the name of the applicant has been strucked-off from the array of the applicant and the names of his legal heirs and representative may be recorded in his place. This order will be subject to any objection raised by the counsel for the respondent according to the claim of the applicant, if the first case on 13.8.92 is for hearing.

LS

V.C.

2  
Am

new

13.8.92 No filing of D. M. adjourned  
17.9.92

d

case is  
S. & H.

8

16/9/92

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH  
LUCKNOW

A. No. Case No. 280/88 199 (L)

T.A. No. 199 (TL)

Date of Decision 4.2.93

Krishna Kumar - - - - - Petitioner.

- - - - - Advocate for the  
Petitioner(s)

V E R S I O N

Union of India & Others - - - Respondent.

- - - - - Advocate for the  
Respondents

A C C R A Y

Hon'ble Mr. Justice U.C. Srivastava, VC

Hon'ble Mr. K. Obayya, Member (S)

1. Whether Reporter of local papers may be allowed to see the Judgment .
2. To be referred to the reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether to be circulated to other benches ?

Vice-Chairman / Member

Aa

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Original Application No. 198 of 1988 (L)

Hon'ble Mr. K. Obayya, Member (A)

( By Hon'ble Mr. Justice U.C.Srivastava, VC)

The applicant who had to migrate from Pakistan to India as a result of partition of this country and he was born on 19.3.1934 in Lahore, Pakistan and there he allegedly studied in Sat Sabha School where his date of birth was recorded 19.3.1934 and when after partition of this country when the family migrated to India and the family settled at Lucknow and because of the poverty, the applicant had to enter in the service. On 9.12.1950, when the applicant was below 17 years of age, the applicant was taken in service as a Cleaner in class IV post and later on he was promoted. According to the applicant, his date of birth was wrongly recorded as 20 years on appointment in his service record, and in the medical examination also, the same date was given. But, while in the year 1954, he filled up High School Examination form as a private candidate and in that he gave his correct date of birth as 19.3.1934. He passed the High School and thereafter, he moved an application for his appointment in class III post and according to him in the application, the correct date of birth was mentioned. The applicant later on was promoted to the said post. In the year 1971, coming to learn that he has been shown as 20 years of age. The applicant moved a representation for correction of

:: 2 ::

his date of birth. Ultimately, he was informed on 26.7.85 that " Proof of registration of age in Pakistan, if any, available should be shown. The others cannot be considered as reliable document." According to the applicant he made various efforts, although he filed the Horoscope and other documents, which indicate that he was born on a particular date and he tried to contact this plea in Pakistan, but no reply was given. He has also filed the copy of the letter, which during the pendency of this case was sent by him to Pakistan and which returned back without any reply and as such according to the applicant it became impossible task to produce the documents from Pakistan from where he migrated without any documents etc. The applicant also <sup>gave</sup> ~~gave~~ certain others documents regarding no objection certificate etc. were given but the correct date of birth, which recorded in Pakistan could not be <sup>found</sup> ~~find~~ and he was retired taking his age of 20 years, when he entered the service. Feeling aggrieved against the same, the applicant has approached this tribunal for correction of his date of birth.

2. The respondents have opposed the application and have stated that <sup>if</sup> ~~as~~ he was minor, he could not have been taken in service, in the year 1950 he was major, that's why his correct date of birth was recorded as 20 years and his thumb impressions were also taken on a token of acknowledgement of correctness of the said declaration, which was given by him. According to the applicant, only thumb impressions were taken. It appears that the respondents have over looked the fact that various concessions were accorded by the government of India, to those who were displaced person from Pakistan for whom many concessions were given. It may be that the applicant's case

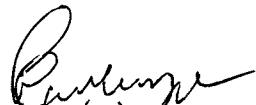
Contd.. 3/-

Ch

A 11

:: 3 ::

is also a case of relaxation and that's why he was taken in service being a minor. Obviously, in the High School certificate in the year 1954 there was no dispute regarding the date of birth and if he has given the date of birth 1934, the same could not have been disallowed in such manner as has been shown in this case. It may be true and the background in which he shifted to India and the manner in which service was given to him and the purpose of service, the application should have been accepted. May be because in his service record 20 years was recorded and ~~he name was~~ ~~were and were~~ given ~~which is a must~~ <sup>recorded</sup>. In view of the fact that when he was major, was taken in service and put thumb impression that would not stand his way for rejecting the same. Accordingly, this application deserves to be allowed and the applicant is to be treated to be in service as his correct date of birth as given by him as per High School certificate is 19.3.1934, which may be corrected. The applicant will be deemed to be continuing in service and did not attain the age of superannuation taking his date of birth as corrected above and the consequential benefits will also be given to the family of the applicant. Let it be done within a period of three months from the date of communication of this order. No order as to costs.

  
Member (A)

  
Vice-Chairman

Lucknow Dated: 4.2.1993.

(RKA)

In the Central Administrative Tribunal, Allahabad,  
Circuit Bench, Lucknow.

A/2

Krishan Kumar .. Applicant.

Versus

Co. ~~Union of India through~~ General Manager, Northern - Railway, New Delhi & another .. Respondents.

F O R M -I.  
( See rule 4 )

APPLICATION UNDER SECTION 19 OF THE  
ADMINISTRATIVE TRIBUNAL ACT, 1985

For use in Tribunal's office:

Date of filing -----

of

Date of receipt by post. -----

Registration No. -----

Filed on 28.X.88  
To be listed on 21.11.88  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD,  
CIRCUIT BENCH, LUCKNOW.

O. A. No. 198 of 1988(L)

DR(J) 28/10/88

A 12

Krishan Kumar ... Applicant.

Versus

General Manager (P) ... Respondents.  
and another.

I n d e x.

Sl. No.	Particulars.	Page nos.
1.	Application ... ...	1 to 23
2.	<u>Annexure No. A-1.</u> Photo stat copy of offer of appointment dated 17/24.10.1950 as cleaner.	24
3.	<u>Annexure No. A-2.</u> Photo stat copy of High School Certificate.	25
4.	<u>Annexure No. A-3.</u> Photo original application dated 31.8.1955 for appointment as Clerk.	26
5.	<u>Annexure No. A-4.</u> Photo stat copy of letter No. 758E/E-6/1 Janam Tithi dated 16.5.1985 of respondent no. 2 giving the facts to respondent no. 1.	27
6.	<u>Annexure No. A-5.</u> Photo stat copy of letter No. 522E/41/1009 (Eiid) dated 26.7.1985 of respondent no. 1 containing his observations with regard to documents filed by the applicant for correc- tion of his date of birth.	28
7.	<u>Annexure No. A-6.</u> Photo stat copy of applicant's represen- tation dated 30.6.86 to respondent no. 1.	29
8.	<u>Annexure No. A-7.</u> Photo stat copy of affidavit dated 10.10.85 of applicant's mother.	30
7.	<u>Annexure No. A-8.</u> Photo stat copy of letter No. 758E6/1 dated 25.9.1986 <del>xxx</del> of respondent no. 1 alongwith	31 to 32

...2.

Q. Meen

Index continued:

Sl. No.	Particulars.	Page no.
	a photo stat copy of letter No. 522E/41/1009/ E IID dt. 28.8.1986 of respondent no.1 requiring proof of registration of age in Pakistan.	A 13
18.	<u>Annexure No. A9.</u> Photo stat copy of letter No. 522E/41/1009/ (EIID) dt. 29.10.1986 of respondent no. 1 asking the applicant to apply for 'No - Objection certificate' for visiting to Pak- istan to bring the proof of his age.	33
19.	<u>Annexure No. A-10.</u> Photo stat copy of letter No. 758E/6-1 dt. dated 29.12.1986 of respondent no.2 commu- nicating the orders of respondent no. 1 as contained in Annexure No. A-9.	34
12.	<u>Annexure No. A-11.</u> Photo stat copy of application dated 21.1.87 to respondent no. 2 praying for issue of 'No Objection Certificate.'	35
13.	<u>Annexure No. A-12.</u> Photo stat copy of reminder dated 11.5.1987 to respondent no.2 for issue of 'N.O.C.'	36
14.	<u>Annexure No. A-13.</u> Photo stat copy of reminder dated 20.7.1987 to respondent no.2 for issue of 'N.O.C.'	37
15.	<u>Annexure No. A-14.</u> Photo stat copy of reminder dated 13.10.87 to respondent no.2 for issue of 'N.O.C.'	38
16.	<u>Annexure No. A-15.</u> Photo stat copy of Notice No. 342E/Niptan/ Seva Nirvit/1988 dated 29.9.87 with rele- vant pages ordering the retirement of the applicant on the basis of disputed date of birth.	39 to 42
17.	<u>Annexure No. A-16.</u> Photo stat copy of representation dt. 6.11.1987 against the orders contained in Annexure A-15.	43 to 45
18.	<u>Annexure No. A-17.</u> Photo stat copy of receipt dated 21.12.87 regarding purchase of Pass Port Form for Rs. 60/- by the applicant.	46
19.	<u>Annexure No. A-18.</u> Photo stat copy of reminders dated 24.12.87, 17.2.88, 8.4.88 and 8.5.88 to respondents, postal receipts and acknowledgements of the respondents.	47 to 56

*Leave*

Index continued:

A/21

Sl. No.	Particulars.	Page no.
20.	<u>Annexure No. A-19.</u> Photo stat copy of application dt. 8.5.88 sent by registered post to Head Master, Sat Sabha School, Lahore, D.M.V. School, Lahore and Inspector of Schools, Lahore for issue of age certificate with postal receipts (3).	49-50-20 57 to 58
21.	<u>Annexure No A-20</u> Photo stat copy of 2 postal receipts in respect of letters sent to Sri Shaukat Ali - Siddiqui at his Karachi and Lahore addresses.	59
22.	<u>Annexure No A-21.</u> Original letter sent to Head Master, Sat - Sabha School, Lahore received back as undelivered.	60
23.	<u>Annexure No. A-22.</u> Original letter sent to Principal, DAV - School, Lahore received back as un-delivered.	61
24.	<u>Annexure No. A-23.</u> Original letter sent to Sri Shaukat Ali - Siddiqui at his Karachi address received back as un-delivered.	62
25.	<u>Annexure No. A-24.</u> Application form dated 5.7.1988 for issue of 'NOC'.( photo stat copy ).	63
26.	<u>Annexure No. A-25. &amp; A-26.</u> Photo stat copy of representation dated 20.7.88 sent to respondent no. 1 under registered cover and also to respondent no.2 with postal receipt.	64 to 67
27.	<u>Annexure No. A-27. &amp; A-28</u> Original Letter of Sri Shaukat Ali Siddiqui with original postal envelop.	68 to 69
28.	<u>Annexure No. A-29. &amp; A-30.</u> Photo stat copy of authority letter dated 9.9.1988 with postal receipt.	70 to 71
29.	<u>Annexure Nos. A-31.</u> Photo stat copy of letter dated 12.9.88 sent to respondent no.1 alongwith an application dt. 12.9.88 addressed to Mayor, Lahore Municipal-Corporation.	72 to 73
30.	<u>Annexure Nos. A-32, A-33 &amp; A-34.</u> Photo stat copies of two postal receipts & two acknowledgments of the respondent in respect of Annexure No. A-31.	74 to 76

...4.

(e. u. m)

Index Continued:

<u>Sl. no.</u>	<u>Particulars.</u>	<u>Page no.</u>
31.	<u>Annexure No. A-35.</u> Photo stat copy of application dated 12.9.88 sent to Ambassador, Embassy of Pakistan, New Delhi alongwith an application dated 12.9.88 addressed to Mayor, Municipal Corporation, Lahore.	77
32.	<u>Annexure No. A-36.</u> Photo stat copy of postal receipt in respect of letter sent to Ambassador.	78
33.	<u>Annexure No. A-37.</u> Photo stat copy of Postal Receipt in respect of application dated 12.9.88 directly sent to Mayor, Lahore Municipal Corporation, Lahore.	79
34.	<u>Annexure No. A-38.</u> Photo stat copy of acknowledgment of Ambassador, Embassy of Pakistan, Lahore.	80
35.	Vakalatnama	...

Signature  
Signature of the applicant.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, AJMABAD,

Circuit Bench, Lucknow.

O.A. No. of 1988

A 16

Krishan Kumar .. . . . . Applicant.

Versus

General Manager  
~~Union of India~~ & another .. . . . Respondents.  
~~Govt.~~

Application under section 19 of the  
Administrative Tribunals Act, 1985.

DETAILS OF APPLICATION:

1. Particulars of the applicant:

(i) Name of applicant : Krishan Kumar.

(ii) Name of father : Late Amar Nath.

(iii) Designation and : Head Clerk, Pay Bill Sec.,  
Office address in Divisional Railway Manager's  
which employed. Office, Northern Railway,  
Hazratganj, Lucknow.

(iv) Office Address : - as above -

(v) Address for service: 2/5 A, Lejpat Nagar,  
of all notices. opp. Nibu Park, Chowk,  
Lucknow.

...2.

(c) *Wearer*

2

A 17

2. PARTICULARS OF THE RESPONDENTS.

(i). Name/or designation of respondents.	)	1. General Manager (P), Northern Railway, Baroda House, <u>NEW DELHI.</u>
(ii). Office address of respondents.	)	2. The Divisional Railway Manager, Northern Railway, Hazratganj, <u>LUCKNOW.</u>
(iii). Address for service of all notices.	)	

3. PARTICULARS OF ORDERS AGAINST WHICH APPLICATION IS MADE.

Order No. 342 E/Niptan/Sewa Nirvit/1988 dated 22.9.1987 issued by the respondent no. 2 ordering the retirement of the applicant with effect from 31.12.1988 (A.N.) on the basis of incorrect date of birth without finally disposing of his case still pending with the respondents.

SUBJECT IN BRIEF:

For correction of applicant's date of birth wrongly recorded in his Service Record without any basis or support.

4. JURISDICTION OF THE TRIBUNAL.

The applicant declares that the subject matter against which he wants redressal is within the jurisdiction of this Hon'ble Tribunal.

...3.

*U. U. U.*

5. LIMITATION:

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

6. Facts of the Case:

(a). That the applicant, according to the verdicts of his parent, was born on 19th. March, 1934 in LAHORE now in Pakistan. His birth was registered in the Municipal Board of Lahore.

(b). That for receiving primary education, the applicant was got admitted by his father in SAT SABHA SCHOOL then situated in Gali Shami Hukan, Chowk Matti, Lahore and according to his Late father, the very same date of birth viz 19th. March, 1934 was got recorded in school records.

(c). That thereafter, the applicant, on the basis of school leaving certificate issued by the aforesaid Sat Sabha School, was got admitted by his father in D.A.V. School, Lahore in the year 1946 for further education.

(d). That 14/15th. August, 1947, when the applicant had been studying in D.A.V. School, Lahore, India

A 23

between the respondents and on a query, the respondent no. 2, by his letter No. 758E/E-6/1 Janam Tith dated 16.5.1985, clarified the position of applicant's date of birth to the respondent no. 1. A true photo stat copy of the said letter dated 16.5.1985 is being filed herewith as ANNEXURE NO. A-4 to this application.

Annexure A-4.

(r). That thereafter, the respondent no. 1, by his letter No. 522E/41/1009 (Eiid) dated 26.7.85, got the applicant informed through respondent no. 2 as under :-

" Proof of registration of age in Pakistan, if any, available should be shown. The others cannot be considered as reliable document."

A true photo stat copy of letter dated 26.7.1985 of the respondent no. 1 is being filed herewith as ANNEXURE NO. A-5 to this application.

Annexure A-5.

(s). That thereafter, the applicant, by means of a representation dated 30.6.1986, requested the respondent no. 2 to correct his date of birth on the basis of Horoscope, which was prepared on his birth in Lahore by the religious Pandit and also on the basis of affidavit dated 10.10.1985 of his mother. It may be mentioned that these two documents viz the Horoscope and the affidavit of applicant's mother had already been filed for consideration. In the said representation dated 30.6.1986, the applicant again

again expressed his difficulty in getting the desired document from Pakistan at that belated stage. A true photo stat copy of representation dated 30.6.1986 and affidavit dated 10.10.1985 of the applicant's mother are being filed herewith respectively as ANNEXURE NOS. A-6 and A-7 to this application.

Annexure A-6 & A-7.

(t). That thereafter, the respondent no.2, by his letter No. 758E6/1 dated 25.9.1986, informed the applicant that in terms of Letter No. 522E/41/1009 (EIID) dated 28.8.1986 issued by the respondent no.1, his date of birth can be corrected only on production of reliable document. A true photo stat copy of letters dated 25.9.1986 of the respondent no.1 <sup>6/28-9-86 (2)</sup> <sup>are as</sup> <sup>is</sup> being filed herewith <sup>to collectively or</sup> as ANNEXURE NO. A-8 to this application.

Annexure A-8.

(u). That there being no alternative, the applicant, by means of an application dated 8.10.1986, requested the respondent no. 1 either to allow him to go to Pakistan to bring the desired proof of his date of birth or depute some one of his own accord to visit Pakistan for the said purpose.

(v). That in response to above, the respondent no. 1, by his letter No. 522E/41/1009 (EIID) dated 29.10.1986 communicated by the respondent no. 2 under his letter no. 758E/6-1 dated 29.12.1986, informed the applicant that it was for him to produce the documentary evidence asked for to substantiate his claim and in case, he intends <sup>6/28-12-86</sup> <sup>to visit</sup> <sup>ce</sup> to Pakistan, he should apply **fax**

...10.

Annexure A-9 & A-10.

A25

for ' NO OBJECTION CERTIFICATE ' for securing a Pass Port on his own risk and cost. True photo stat copies of letter dated 29.10.1986 of the respondent no. 1 and communication letter dated 29.12.1986 of the respondent no. 2 are being filed herewith respectively as ANNEXURES NOS. A-9 and A-10 to this application.

Annexure A-11.

(w). That on 21.1.1987, the applicant, in terms of instructions contained in Annexure A-9 and A-10, applied for ' No objection certificate ', a true photo stat copy of the application dated 21.1.1987 is being filed herewith as ANNEXURE NO. A-11 to this application.

Annexure A-12 & A-13.

(x). That on receipt of no ' No Objection Certificate ' or any reply in response to application dated 21.1.1987 ( Annexure A-11 ), the applicant gave reminder dated 11.5.1987 received in the office of the respondent no. 2 on 14.5.1987 and again on 20.7.1987 for issue of the said certificate without delay so as to enable him to apply for Pass Port. True photo stat copies of the said reminders dated 11.5.1987 and 20.7.87 are being filed herewith as ANNEXURE NO. A-12 and A-13 to this application.

(y). That on receipt of no response to the aforesaid application and reminders ( Annexures A-11 , A-12 and A13 ) and the ' No Objection Certificate ', the applicant further gave a reminder dated 13.10.1987 requesting the respondent no. 2 to issue the said certificate, but in vain. A true photo stat copy of the said reminder dated 13.10.1987 duly received by the office of

the respondent no. 2 is being filed herewith as Annexure A-14. Annexure No. A-14 to this application.

(z). That in the month of October, 1987, the applicant came to know that the respondent no. 2, by means of notice bearing No. 342E/Niptan/ dated 22.9.1987 Sewa Nirvit/1988, had ordered the retirement of the applicant on the basis of disputed date of birth as recorded in his service record and accordingly he has to retire from service in the afternoon of 31.12.1988. The name of the applicant in the said notice has been shown at Serial No. 15 of the list of staff retiring in the month of December, 1988. A true photo stat copy of the said notice dated 22.9.1987 alongwith the relevant pages are being filed herewith collectively as ANNEXURE NO. A-15 to this application.

(aa). That since the aforesaid notice ( Annexure A-15 ) ordering the retirement of the applicant was issued without finally disposing of the applicant's case after giving an opportunity to him to visit Pakistan for bringing the proof of his age as desired by the respondent no. 2, the applicant preferred a detailed representation to the respondent no. 2 requesting him either to correct his date of birth in the special circumstances attached to his case or immediately issue ' No Objection Certificate ' to enable him to apply for Pass Port, Visa for visiting to Pakistan to bring the proof of his age from the institution in which he <sup>had</sup> ~~had~~ read or from the Municipal Board of Lahore.

(12).

A 27

The validity of the said notice of retirement & Annexure A-15) was, thus, challenged. The said representation dated 6.11.1987 was received in the office of the respondent no.2 on the same date. A true copy of the said representation dated 6.11.1987 together with the acknowledgement of respondent no. 2 thereon is being filed herewith as ANNEXURE NO. A-16 to this application.

Annexure A-16.

(bb). That on 21.12.1987, the applicant also purchased Pass Port Form for Rs. 60/- so as to apply for issue of Pass Port as soon as the 'No - Objection Certificate' is received from the respondent no.2. A true photo stat copy of receipt regarding purchase of Pass Port Form is being filed herewith as ANNEXURE NO. A-17 to this application.

Annexure A-17.

(cc). That on receipt of no response to the aforesaid representation and reminders, the applicant gave further reminders even by Registered Post to the respondent nos. 1 and 2 on 24.12.1987, 17.2.1988, - 8.4.1988 and 8.5.1988 for issue of 'No Objection - Certificate' so as to enable him to apply for Pass - Port for visiting to Lahore to obtain proof of his date of birth. True photo stat copies of the said reminders together with the Postal Receipts and the acknowledgements of the respondents are being filed herewith collectively as ANNEXURE NOS. A\*18 to this application.

Annexure A-18.

... 13.

(dd).

10/10/88

(dd). That on account of complete silence being maintained by the respondents on the matter of despite issue/various reminders even by registered post, the applicant was constrained to send an application dated 8.5.1988 to the Head Master/Principal, Sat Sabha School, Lahore (Pakistan), Principal D.A.V.-School, Lahore (Pakistan) and the Inspector of School, Lahore (Pakistan) requesting them all to send a certificate regarding the date of birth of the applicant. True photo stat copies of the said application dated 8.5.1988 and the Postal Receipts are being filed herewith collectively as ANNEXURE NO. A-19 to this application.

Annexure A-19.

(ee). That on the same date that is 8.5.1988, the applicant also sent registered letters to one Shri - Shaukat Ali Siddiqui, a citizen of Pakistan to whom he had met in India in the month of January, 1988 as he had come to India in connection with the marriage of his son. On request made by the applicant, the said Sri Shaukat Ali Siddiqui had promised to help the applicant on his visit to Lahore in getting the certificate of his date of birth from the schools e.t.c. A true copy of the postal receipt under which the letters dated 8.5.1988 were sent to the said Sri Shaukat Ali Siddiqui on his address of Karachi and Lahore (Pakistan) are being filed herewith collectively as ANNEXURE NO. 20 to this application.

Annexure A-20.

(ff). That the registered letters dated 8th. - May, 1988 sent to the Head Master, Sat Sabha School, Lahore, Principal, D.A.V. School, Lahore and Sri Shakat Ali Siddiqui at his Karach address have been received back un-delivered for want of full address whereas the letter sent to the Inspector of School, Lahore and Sri Shakat Ali Siddiqui at his Lahore address have been delivered, but the Inspector of Schools, Lahore has sent nothing to the applicant as yet. The three orginal letters received back by the applicant are being filed herewith as ANNEXURES NOS. A-21, A-22 and A-23 to this application.

Annexure A-21  
to A-23.

(gg). That thereafter on 5.7.1988, the applicant again required to fill up a form in connection with issue of 'No Objection Certificate'. A true copy of the said form is being filed herewith as ANNEXURE NO. - A-24 to this application.

Applicant  
Annexure A-24.

(hh). That when the applicant, even after filling up the aforesaid form, did not receive the ' No Objection Certificate ' from the respondent no. 2, a representation dated 20.7.1988 was sent to the respondent no. 1 under registered post and a copy of which was also delivered to the respondent no.2 on the same date requesting them all to correct his date of birth as per circumstances of the case or to issue ' No objection certificate ' at once to enable him to apply for Pass Port for visiting Lahore. But it was also not taken into consideration. A true copy of the said representation dated 20.7.1988 and the

Annexure nos.  
A-25 & A-26.

postal receipt are being filed herewith as ANNEXURE  
No. A-25 and A-26 to this application.

Annexures  
A-27 & A-28.

(ii). <sup>6/1988</sup> That in the month of September, the applicant, in response to his letter, received reply from the aforesaid Sri Sheukat Ali Siddiqui ( citizen of Pakistan ) whereby the applicant was required to visit Lahore in connection with his case. The applicant was also advised to send an application through Embassy to the Mayor of Lahore requesting for issue of desired document. He further advised the applicant to send a letter of authority in his favour so as to enable him to make efforts on that basis. The original letter and the postal envelop of the said Sri Sheukat Ali Siddiqui are being filed herewith as ANNEXURE No.  
A-27 and A-28 to this application.

Annexures  
A-29 & A-30.

(jj). That on 12.9.1988, the applicant sent his authority letter under registered post to aforesaid Sri Sheukat Ali Siddiqui as desired by him. A true photo stat copy of the authority letter dated 9.9.1988 duly attested by the Public Notary and the postal receipt are being filed herewith as ANNEXURES  
Nos. A-29 and A30 to this application.

(kk). That on the same date that is 12.9.88, the applicant sent a registered letter dated 12.9.88 alongwith an application dated 12.9.1988 addressed to the Mayor, Municipal Corporation, Lahore (Pakistan), to the respondent no. 1 requesting him to forward the

AB/

same to the said authority through Embassy for verification of his date of birth. With the same request, a copy of the said application was also sent under registered cover to the respondent no.2. True photo stat copies of the said letter dated 12.9.1988 along with an application dated 12.9.1988 addressed to the Mayor, Municipal Corporation, Lahore (Pakistan) postal receipts and the acknowledgements of the respondents nos. 1 and 2 are being filed herewith respectively as ANNEXURES NOS. A-31, A-32, A-33 and A-34 to this application.

Annexures nos.  
A-31 to A-34.

(ll). That on the same date that is 12.9.88, the applicant also sent a copy of the aforesaid application dated 12.9.1988 addressed to the Mayor, Municipal Corporation, Lahore (Pakistan) to the Ambassador, Embassy of Pakistan, New Delhi and the Mayor, Municipal Corporation, Lahore under registered covers for verification of his date of birth from Municipal records. A true photo stat copy of the covering letter dated 13th. September, 1988 sent to the Ambassador and the postal <sup>re</sup>ceived and the acknowledgement of the Ambassador are being filed herewith respectively as ANNEXURES NOS. A-35 A-36, A-37, A-38 ~~and A-39~~ to this application.

Annexure nos.  
A-35 to A-38.

(mm). That till today, the applicant has neither received the 'No objection certificate' nor his representation made against the order of his retirement disposed of by the respondents.

(nn). That till to day, the applicant <sup>to has not</sup> received any response to his applications directly

sent to the Inspector of Schools, Lahore, Mayor of Lahore Municipal Corporation, Lahore and Ambassador of Pakistan Embassy, New Delhi for verification of his date of birth. The aforesaid Sri - Shaukat Ali Siddiqui ( citizen of Pakistan ) to whom the applicant had sent his authority letter has also not communicated any thing.

(oo). That due to non-receipt of the ' no objection certificate ' from the respondents, the applicant neither could apply for Pass Port nor could visit to Lahore to bring the proof of his date of birth as desired by the respondent no.1.

(pp). That from the facts mentioned above, it will be seen that the respondents have deprived the applicant of his right to bring the proof of his date of birth ~~as~~ desired by them; and as such the order of his retirement in the after-noon of 31st. - December, 1988 on the basis of incorrect date of birth is arbitrary, against the Principles of Natural Justice violative of Articles 14 and 16 of the Constitution of India.

(qq). That from the facts mentioned in the foregoing paras, it will also be seen that the applicant in the event of non-receipt of ' no objection certificate ' from the respondents, made all possible efforts within his capacity to obtain additional proof of his date of birth through various agencies of Pakistan

of Pakistan directly and also through Embassy as well as through respondents, but since he was prevented from visiting Lahore by the respondents, no such proof could be obtained, which fault is directly attributable on the part of the respondents.

(rr). That in the circumstances mentioned above, the retirement of the applicant on the basis of incorrect date of birth amounts to punishment without being given him a reasonable opportunity to substantiate his claim.

(ss). That in the circumstances mentioned above, the applicant is entitled to correction of his date of birth on the basis of affidavit of his mother and High School Certificate.

(tt). That the order of applicant's retirement as contained in Annexure A-15, in the facts and circumstances mentioned above, therefore, is illegal, unconstitutional rather arbitrary.

#### 7. RELIEF SOUGHT:

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

(a). That this Hon'ble Tribunal be pleased to direct the respondents to ~~record~~ <sup>record</sup> ~~actual~~ the applicant's date of birth as 19th. March, 1934

AB 4

wrongly recorded in his service record as ' 20 years on appointment ' without any basis or proof, by treating his High School Certificate and the affidavit of his mother as authentic proof of his age; or in the alternative, the respondents may be directed to issue ' No objection certificate ' to the applicant for visiting Lahore (Pakistan) to bring further proof of his age as desired by them and till that time, he should not be retired from service on the basis of disputed date of birth.

- (b) In view of the above relief, the order of applicant's retirement from service as contained in Annexure no. A-15 may be quashed.
- (c) Cost of the application may also kindly be awarded to the applicant.

G r o u n d s.

- (i). That the order of applicant's retirement from service issued on the basis of disputed date of birth without finally disposing of his case and without affording him an opportunity to visit Lahore to bring further proof of his age as desired by the respondents is illegal, unconstitutional violative of Articles 14 and 16 of the Constitution of India and it amounts to punishment.

Leave

A35

(ii). That there being no proof in support of the recorded date of birth, which ~~is~~ was required under the rules and in terms of offer of appointment ( Annexure A-1), the recorded date of birth of the service record is not authentic and the applicant cannot be retired from service on that basis.

(iii). That in the circumstances of the case, the affidavit of the applicant's mother is an authentic document in respect of the applicant's age.

(iv). That the appointment of the applicant as a clerk on the basis of High School certificate, which indicates his correct date of birth, is a sufficient proof that the said certificate was fully relied upon and accepted as correct. <sup>to by the respondents to</sup> Thus the High School Certificate is a reliable document for correction of the applicant's date of birth.

(v). That the respondents, by not issuing the ' no objection certificate ' deprived the applicant of his right to bring the desired proof from Lahore ( Pakistan ). Therefore, the order of his retirement is in violation of the Rules of Natural Justice.

Contra

8. INTERIM ORDER, IF PRAYED FOR:

In the facts and circumstances of the case, the respondents may be restrained from retiring the applicant from service on the basis of disputed date of birth pending disposal of this application.

9. DETAILS OF THE REMEDY EXHAUSTED:

The applicant declares that he has availed of all the remedies available to him under the relevant service rules e.t.c.

10. MATTER NOT PENDING WITH ANY OTHER COURT ETC.

The applicant further declares that the matter regarding which the application has been made is not pending before any court of law or any other bench of the Tribunal.

11. PARTICULARS OF THE POSTAL ORDER(S) INRESPECT OF APPLICATION FEE.

(i). No. of Indian Postal Order DD 020884

(ii) Name of issuing Post office G.P.O Lucknow

(iii) Date of issue of Postal Order 17/10/88

(iv) Post office at which payable \_\_\_\_\_

12. DETAILS OF INDEX.

An index in duplicate containing the details

*to be seen*

of the documents to be relied upon is enclosed.

13. LIST OF ENCLOSURES:

- (1). Photo stat copy of offer of appointment dated 17/24.10.1950.
- (2). Photo stat copy of High School Certificate.
- (3). Photo stat copy of application dated 31.8.55 for appointment as clerk.
- (4). Photo stat copy of letter No. 758E/E-6/1 Janam Tithi dated 16.5.1985 issued by respondent no.2.
- (5) Photo stat copy of Letter No.522E/41/1009(Eiid) dated 26.7.1985 issued by respondent no.1.
- (6) Photo stat copy of representation dated 30.6.86.
- (7) Photo Stat copy of affidavit dated 10.10.85 of applicant's mother.
- (8) Photo stat copy of letter No. 758E/6/1 dated 25.9.1986 of respondent no.2.
- (9) Photo stat copy of Letter No. 522E/41/1009(Eiid) dated 28.8.1986 of respondent no.1.
- (10) Letter dated 29.10.86 ( Photo stat copy ) of respondent no. 1.
- (11) Photo stat copy of letter dated 29.12.1986 of respondent no.2.
- (12) Photo stat copy of application dated 21.1.87.
- (13) Photo stat copy of reminder dated 11.5.87.
- (14) Photo stat copy of reminder dated 20.7.87.
- (15) Photo stat copy of reminder dated 13.10.87
- (16) Photo stat copy of Notice No. 342E/Niptan/ Sewa Nirvit/1988 dated 22.9.87 issued by respondent no.2.
- (17) Photo stat copy of representation dated 6.11.1987.
- (18) Photo stat copy of receipt dated 21.12.87 for purchase of Pass Port Form.
- (19) Photo stat copies of reminders dated 24.12.87, 17.2.88, 8.4.88 and 8.5.88, postal receipts and acknowledgement.

... 23.

*(Signature)*

A 38

(20). Photo stat copy of application dated 8.5.1988 and Postal receipts.

(21). <sup>Co</sup> <sup>u</sup> Postal receipt <sup>receipt</sup> dated 8.5.1988 in respect of letter sent to Sri Shaukat Ali Siddiqui.

(22). 3 Original letters sent to Head Master Sat - Sabha School, Lahore, Principal D.A.V. School, Lahore and Sri Shaukat Ali Siddiqui returned by the post Post office.

(24). Photo stat copy of form filled up by the applicant for issue of 'No objection Certificate'.

(25) Photo stat copy of representation dated 20.7.88 and postal receipt.

(26) Original letter of Sri Shaukat Ali.

(27) Original Postal envelop <sup>under</sup> which the letter of Sri Shaukat Ali Siddiqui was received. <sup>Co</sup>

(28). Photo stat copy of authority letter dated 9.9.88 with postal receipt.

(29) Photo stat copy of letter dated 12.9.1988 with application dated 12.9.1988 addressed to the Mayor, Lahore Corporation sent to respondents with postal receipts.& acknowledgments.

(30) Photo stat copy of covering letter addressed to Ambassador, Pakistan Embassy, New Delhi with postal receipt and acknowledgment.

31). Postal receipt in respect of application dated 12.9.1988 sent to Mayor, Lahore Municipal Corporation, Lahore.

Verification:

I, Krishen Kumar, son of Late Amar Nath, aged 54 yrs resident of 2/5 A, Lajpat Nagar, Chowk, Lucknow, do hereby verify that the contents from paragraphs 1 to 13 are true to my knowledge and belief and that I have not suppressed any material fact.

6. ~~Lease~~  
Signature of the applicant.

To,

The Registrar,  
Central Administrative Tribunal,  
Circuit Bench, Lucknow.

## ANNEXURE NO. ....

A-1

A3C

No. E.I.R/121-111

EAST INDIAN RAILWAY

EI-G96

Office of the

Station

Dated

To 1. Assistant Driver, N.T.Name 21 Arun Nath Dasgupta  
Address Sagun Mat Charanpara

Regarding temporary appointment

Nature of appointment

Grade

Rate of pay per mensem

1. I am prepared to offer you a post in Grade and rate of pay specified above plus usual Dearness Allowance subject to your passing the prescribed medical examination by an authorized Medical Officer of this Railway and (for subordinate staff only) production of your original certificates and satisfactory proof in support of your age, such as a birth or Matriculation certificate, &c.

2. It must be clearly understood that the appointment is terminable on 14 days' notice on either side except that no such notice will be required on return to duty of the absentee in whose place you may be engaged in which case your service will automatically terminate from the day the former resumes duty. Also no such notice will be required if the termination of service is due to your mental or physical incapacity or to your removal or dismissal for serious misconduct.

3. You will not be eligible for any pension nor any benefit under the State Life Insurance Fund or Gratuity rules or to any absentee allowances beyond those admissible to temporary employees under the rules in force from time to time during such temporary service.

4. You will be held responsible for the charge and care of Government goods and stores and all other property that may be entrusted to you.

5. You will be required to take an oath of allegiance to the Indian Empire in the form prescribed below—

"I ..... Shashi Kumar ..... do swear/solemnly affirm that I will be faithful and bear true allegiance to India and to the Constitution as by law established and that I will loyally carry out the duties of my office help me God."

Note.—Conscientious objectors to oath taking may strike out the word "swear" from the above declaration

6. You will conform to all rules and regulations applicable to you

Attested/True Copy

VishwanathL. P. SHUKLA  
Advocate



To,  
The Divisional Superintendent (Power),  
Northern Railway, Lucknow.

Sir,

Sub: Appointment for the post of 'CLERK'.

Having come to know that some posts of 'CLE' have fallen vacant under your kind control. In this connection I have to mention that I am an employee in Running Shed, Alambagh, Lucknow and working there as a Gleaner. My ticket No. is 1220. I have been working nearly for the last five years on the said post.

Further I beg to state that I passed my High School examination in the year 1954-55 from U.P. Board, Allahabad. I, therefore, request you to kindly give me a chance to serve under you as a 'CLERKS' in any office under your kind control .....

I am a young man of 20 years old possessing sound physique and active habits.

If given a chance, I assure you sir, that I shall leave no stone unturned to satisfy you from my work and integrity.

I hope that your goodself would be kind enough to give me a chance for which I shall ever remain grateful.

Thanking you in anticipation.

Yours faithfully,

Dt: 31st Aug. '55

Loco Foreman  
N. R. LUCKNOW.

(KRISHAN KUMAR)  
T.NO.1220, Loco Foreman,  
Running Shed Office,  
Northern Railway,  
Alambagh, Lucknow

A/c/copy

Vasant Kumar  
L. L. S. & Co.  
Advocates

G. L. L. S. & Co.

ANNEXURE NO. 4-4  
लेखा।

पन. लाइ. 758/ई-6/। जन्मागेय

दिनांक 16.5.85

मुमा बन्दुर्गा लाली भैरव  
उत्तरी रेत्ती द्वारा दाउम,  
नवीन दत्ती।

विवरण:- परी कृष्ण कुमार व लिपक की जन्मतिथि छलने ऐतु।

तारीख:- पत्र संख्या 922 दृ. 41/1009/ई-11-डी. दिनांक

विवरण:- उपरोक्त पत्र के सन्दर्भ में मागी गयी विवरणीन मिले इसे:-

1. उस समय बन्दुर्ग थेजी के कर्मतात्त्वियों के भरती करने को कोई निर्धारित पालिसी नहीं थी। तथापि प्री कृष्णकुमार की भरती मेवा नियोजन कार्यालय द्वारा विवरणीपत्रों के कोटे के बन्तर्गत की गई थी जिसकी पुस्तक में श्री कुमार ने फोटो स्टेट प्रतिलिपि प्रस्तुत की थी।

2. सेवा परिका का अवलोकन करने से प्रतीत होता है कि नियुक्त हो समय एन्डोने द्वारा संरेखी कोई प्रमाण प्रस्तुत नहीं किया था। बिल्कुल प्रमाण-प्रमाण में उल्लिखित जन्मतिथि के दावार पर एन्डोने अपनी जन्मतिथि में सुधार का दावा किया है।

3. जिस समय प्री कृष्णकुमार की भरती हुई थी उस समय द्वारा सर्विस का प्राविधान था उर्वर उस समय के नियमों के अनुसार 18 वर्ष से कम की आयु में भरती हो सकती थी।

4. 10. उस सम्बन्ध में यह कहना है कि पहले श्री कृष्णकुमार ने अपना प्रार्थना पत्र 19.3.71 को दिया था। जिस पर कृष्ण जानकारी अम्बाही गई थी परन्तु इसके बाद यहनहीं पता बल उत्तरा है कि इस प्रावली में वया आदेशाद्य बाद में पित्र जीवितारी में 1983 में यह महता युनियन के द्वारा बनाया सथा इसने प्रार्था पत्र की कापी श्री दिनांक 19.3.71, 18.4.76 व 7.3.80 की दी, जिसे दाय के द्वारा सम्बन्धित अग्रिम कार्यतात्त्वी ऐतु इस कार्यालय के एक सहयोग पत्र दिनांक 21.8.84 के द्वारा सर्विस परिका संहित भेजी जा चुकी है इस मुडल पर परमनत फाईल का बलन नहीं है।

रामेश्वर मिश्र  
कृष्ण मुडल रेत्ती पुस्तक,

काशी लखनऊ।

Attested/True Copy

L. P. MISHRA  
Advocate

Northam Railway

Headquarters Office,  
Baroda Benco, Row Dohi.

D.922B/41/1009(BLD).

Date: 9-7-1985

The Divl. Railway Manager,  
Northern Railway,  
Lucknow.Sub:- Shri Krishan Kumar Sr. Clerk P Branch. Chago in date of  
15th.

Ref:- Your letter No. 758E/B-6/1 date of birth dated 16.3.85.

The case of Shri Krishan Kumar was put up to Chief Personnel Officer for decision.

The Chief Personnel Officer has minuted as under:

Proof of registration of age in Pakistan, if any, available should be shown. The others cannot be considered as reliable document."

Shri Krishan Kumar may please be advised accordingly.

*15/7/85*  
( J.L. Bhatnagar ) 25/7  
for General Manager (P)

Attested/True Copy

*Copy of Vashi*

L. P. SHUKLA  
Advocate

The General Manager (P),  
HQ Office, N.Rly.,  
Baroda House,  
New Delhi.

Through Proper Channel.

Sub: Change in date of birth.

Ref: Your letter No. 522E/41/1009/EIID dt. 26.7.85.

REMINDED IN REF. TO MY LETTER DT. 30.10.85 ADDRESSED TO DRB/LKO  
Sir,

HQ Office waited certain correspondence vide letter No. dated 11.2.85 and reply of the same are sent to Baroda House vide DRB letter No. 758E/EVI/1 dt. 16.5.85, which covers all the points raised by HQ Office. But the observation made by the CPO communicated to DRB/LKO vide letter dated 26.7.85 needs some document of evidence of Pakistan and no other documents can be relied upon as per his observation.

In this connection it is brought to your kind notice that I have given a photostat copy of my horoscope and affidavit of my mother, which are available with us and the same have been forwarded to the G.M.(P) vide DRB/LKO letter dated 5.12.85. Since it is a case of more than 30 years old it is impossible to obtain any documents even in India, what to talk of Pakistan. And I am not sure whether school in which I read (Satsabha School) Lahore exist in the Pakistan. Besides I migrated in 1947 and no my relation are available there to whom I contact. Moreover my horoscope is much more than sufficient to reality as authoritative document for the purpose.

It is brought to your notice that the case of Sri Sitaram Sharma of S.LKO Divn. was quite similar to me and he was allowed the benefit of change of birth date on the simple certificate giving by Head Master of Balia but Justice is denied to me even on production of horoscope which is treated as very authentic document in every purpose. Moreover the document is prepared at Lahore not in India.

In my opinion this claim should be taken as proof of registration of age in Pakistan as desired by CPO and it is evident that no other document can be obtained at this stage.

It is worth to mention that the merit of the case even in High Court and Supreme Court are decided on the basis of affidavit. Its mean that affidavit has got some cognizance in the court so the affidavit given in my case may also be treated as authentic for the purpose there is no man on the earth to tell the correct date of birth and my mother is the only person whom is alive on date for interrogation, if required by the Administration.

Under the circumstances explained above it is construed that my date of birth can be changed by CPO on the authority of horoscope and affidavit of my mother without any hitch as there are more than sufficient document to believe for the purpose.

Thanking you, Sir,

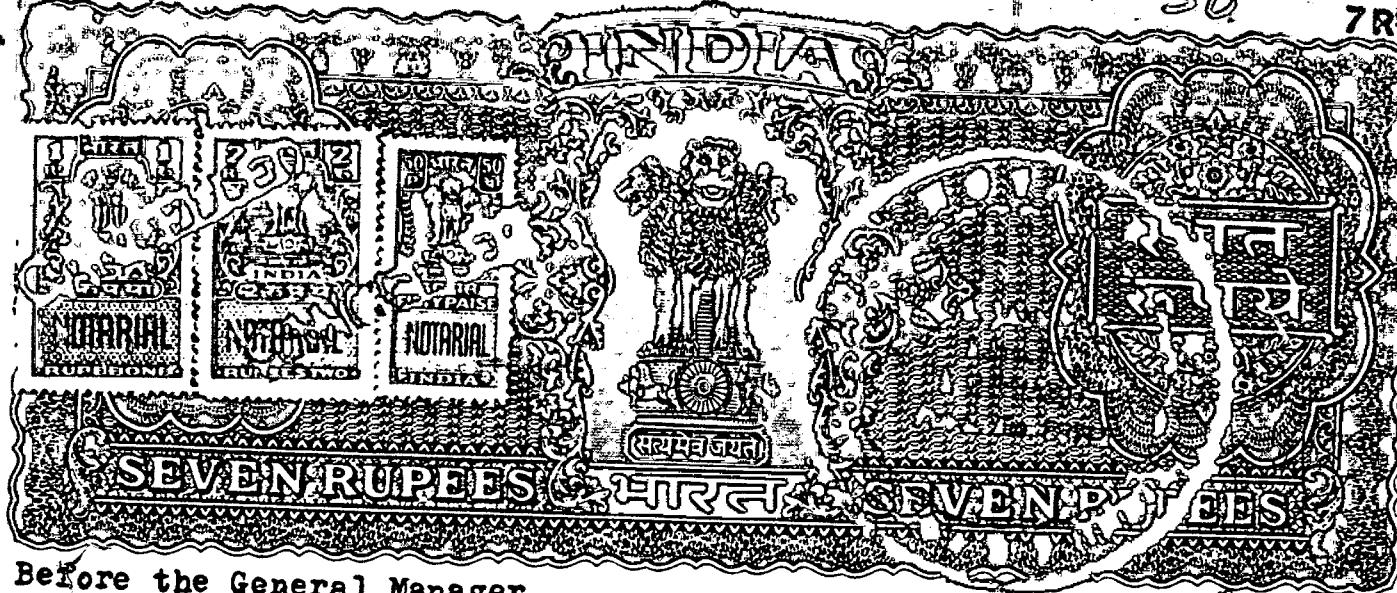
Dt. 30. 36

Yours faithfully,

*Rajendra Singh  
for Lekhraj*

Attested/True Copy

*Lekech* *Subramaniam*  
L. P. SHUKLA  
Advocate



Rs. 350 Stamps Required

Before the General Manager,  
N.Rly., Baroda House, HQ Office, New Delhi.

ANNEXURE NO. A-1

AFFIDAVIT OF SMT. PRAKASHVATI WIDOW OF LATE SRI AMARNATH.

I, Prakashvati widow of Late Sri Amarnath, aged about 72 years R/O 2/5A Lajpat Nagar, Chowk, Lucknow, do hereby solemnly affirm and depose as under :-

- That I, Prakashvati is a deponent in this affidavit.
- That the deponent was resident of Mori Gate, Sutarmandi, Lahore prior to migration to India in 1947 from Pakistan on account of partition.
- That the deponent was married sometime in the year 1930 at Lahore.
- That the deponent gave birth to the second male child in Sambat 1991, March, 1934.
- That the name of the second male child born to the deponent is Kishan Kumar, who is now working as Senior Clerk in the Office of Divisional Railway Manager, Lucknow (N.Rly.).
- That the deponent is the mother of Sri Kishan Kumar, Senior Clerk, D.R.M. Office, Northern Railway, Lucknow.
- That the deponent's son whose name is Kishan Kumar got his admission in D.A.V. School, Lahore and his date of birth was recorded in that school as 19.3.1934.
- That the deponent's son read upto the V class in that school.
- That the deponent could not get the school leaving certificate of my son Sri Kishan Kumar, the senior Clerk of D.R.M. Office, Northern Railway Lucknow because the deponent had to leave Pakistan during disturbance on account of partition of India in 1947.
- That the deponent's son passed his High School Examination in 1955 and the date of birth of the deponent's son was recorded in High School certificate as the basis of affidavit given by the deponent's husband.
- That the deponent also got the horoscope of Sri Kishan Kumar the deponent's son by a pandit of Lahore, the photostat of which is also enclosed in support of deponent's declaration.

Lucknow

Dated: 10/10/85

✓  
DEPONENT

Verification

I, Smt. Prakashvati, the deponent, do hereby verify that the contents of paras from 1 to 11 of the affidavit are known to my personal knowledge and belief and no part of it is false. Nothing material has been concealed, so help me god.

Verified and signed this day of 10th October, 1985 in Civil Court compound.

✓  
DEPONENT

I identify Smt. Prakashvati who has signed before me.

SWORN & VERIFIED  
BEFORE ME

(S. S. JAISWAL)  
NOTARY PUBLIC  
LUCKNOW. 10/10/85

✓  
Advocate.

Attested/True Copy

✓  
L. P. SINGH  
Advocate

ANNEXURE NO

A-8

A/G/6

कात्र ऐलै

पं. ७५४८६१

मात्र स ० रुपय

लाख

प्रियं २५-७-८६

श्री द्विरा गुमार  
ग्राम सिपिठ,  
पैठन जनपद

तिथ्यः :- एवं लिपि हे एवित्तिः है

ग्राम द्विरालिय हे ग्राम एवं गंडा ५२२७/५१/१००१/८०८  
प्रियं २५-७-८६ हे ग्राम एवं ग्राम द्विरा हे ग्राम लिपि  
है ग्राम द्विरालिय एवं ग्राम द्विरा हा ग्राम है।

गतः ग्राम ग्राम लिपि हे एवं ग्राम द्विरा है ग्राम द्विरा है  
एवं ग्राम ग्राम लिपि है ग्राम द्विरा है।

25-7-86  
श्री द्विरा ग्राम लिपि  
ग्राम

Attested/True Copy  
Dr. V. S. Chauhan  
L. P. SHUKLA  
Advocate

A47

उत्तर रेलवे  
NORTHERN RAILWAY

क्रमांक/वर्ष  
0001/89/L

No-522 E/14/1009/EID

The Div Railway Manager,  
Northern Railway  
Lucknow.

Head quarters office

Banoda House  
NEW DELHI  
Dt 28-8-86

Sub-change in date of birth of Shri Krishan Kumar

Sr. Clerk 'P' Branch LHO

Ref:- your letter No. 758 E/5-611/DOB dt 13.12.85.

Documents submitted by the employee cannot be taken as reliable document for change in recorded date of birth. He should submit proof of registration of age, if any, available as, already advise via this office letter of even number dated 26.7.1985.

He may be advised accordingly

R. Nanda

(R. Nanda)  
for General Manager (P)

Attested/True Copy

Official - Krishan Kumar

L. P. SHUKLA  
Advocate

**ANNEXURE 'NO**

ਪੀ.0.ਏ.ਪ.0 19-੯/ਪਸੰਦ ਪੰਜਾਬ 99 ਪੰਡਾ।

G.L. "D-AGC1" 00 Small

3

# ਪੰਜਾਬ ਰੋਲਿੰਗ NORTHERN RAILWAY

## The Civil Railway Manager

Northern Railway

Lucknow

road yrs. office

Baroda 210009

दोस बिही

DT 29/10/86

Sub:- change in date of birth of  
Shri Krishan Kumar Srilekha  
P. Booth LXO

Ref: - your letter N-158E/C-6  
dated with DK 13 to 86.

It is for the employee to produce the documentary evidence asked for to substantiate his claim.

On case he intends to visit  
Pakistan, he should apply for "Diplomatic  
certificate" for securing a passport  
his own risk and cost.

advised accordingly.

R. Naud.

(R. L. Nevada)  
for General Monroe

Attested/Take Copy

Virginia Bixby

L. P. SHUCKLE  
Advocate

**ANNEXURE NO**

A-10

34

पत्र सं 758 ई/6-1

## मण्डल वार्षिकीय

श्री विश्वान तुमार  
प्रधान लिपिक  
वेतन अमूलीग

ਲਖਨਤਾ  
ਦਿਨਾਂਕ 29-12-86

विषय:- जन्म तिथि के प्ररिक्षण हेतु।

प्रधान कायलिय ने अपने पत्र सं 522ई/41/1009/ई ।।-इनिटिनॉल

29-10-86 के द्वारा आपको यह लिखा है निर्यदि आप पालित्तान अपने जनसतिथि प्रमाण के बारे में जाना चाहते हैं तो नोक्सापेक्षान सारीफ़िल्म हेतु प्रार्थना पत्र दे सकते हैं जिसके लिये स्वयं आपको ही प्रयास करना होगा तथा धन आदि की व्यवस्था स्वयं बदन लगना होगा। पालित्तान याना विश्वास करके अदिग्नित याना होना जो आपके लिये तो आपके अक्षय कर दें।

मुमुक्षु  
हेतु मण्डल रेलवे प्रबन्धक,

लखनउपी

Attested/True Copy

Washington, D. C.

L. P. SHUKLA  
Advocate

ANNEXURE NO..... A-11

35

8

The Divisional Railway Manager,  
Northern Railway,  
Lucknow.

A 49

Ref: Your letter No. 525E/41/1009E(iid)  
dated 29th October, 1986.

---

Sir,

I may kindly be granted no objection certificate for visiting Pakistan to obtain a Certificate from the school where I had my primary education initially before partition. This is required as desired in your above mentioned letter in support of my date of birth which has incorrectly been recorded in my Service Record.

*Recd  
9/11/87*  
It is therefore, requested that no objection certificate may kindly be issued immediately to enable me to get my passport prepared for the purpose. <sup>THE</sup> necessary form in triplicate are enclosed.

Thanking you,

(3 enclosures).

Yours faithfully,

*Kishan Kumar*  
(Kishan Kumar)

Attested/True Copy

*Ch. S. S. S. S.*

*L. P. S. S. S.*

Advocate

The Divl. Railway Manager,  
Northern Railway,  
Lucknow.

Dated 11.5.1987.

A 56

Sub: Issue of no objection certificate  
for visiting Pakistan to obtain  
a certificate in support of my date  
of birth from the Institution where  
I prosecuted my education before  
Partition.

Ref: 1. XXXX Letter No. 525-E/41/1009E(iID)  
dated 29.10.1986 issued by Headquarters  
Office/NDLS.

2. My application dated 21.1.1987.

....

Sir,

Please call for my application referred to above.  
I regret to say that no action has <sup>yet</sup> been taken thereon  
with the result that I have been still awaiting your  
no objection certificate required in connection with  
the matter referred to above.

It is, therefore, requested that the matter may  
kindly be looked into at your earliest and I may be given  
' No Objection Certificate ' to enable me to apply for  
Pass Port.

Thanking You.

Yours faithfully,

*Krishan Kumar*  
( Krishan Kumar ),  
Head Clerk,  
Pay Bill Section,  
DRM's Office/NR/LKO.

Attached/True Copy

*Vishwanath*

L. P. SH. K.L.A.  
Advocate

The Divl. Railway Manager,  
Northern Railway,  
Lucknow.

Dated -7-1987.

ANNEXURE NO A/13

**Sub: Issue of No Objection Certificate for visiting Pakistan to obtain a certificate in support of my date of birth from the institution where I prosecuted my education before partition.**

Ref : 1. Your Letter No. 525-E/41/1009E(iID) dated 29.10.1986 issued by the Headquarters Office/NDLS.

2. My representation dated 21.1.1987.

3. Reminder dated 14.5.1987.

.....

Sir,

I regret to write that according to wrong date of birth written in my service record, I will be retired from service in the month of December, 1988. In order to get a certificate of my date of birth from the institution where I had studied which is in Pakistan, I applied for 'No Objection Certificate' in pursuance of your Letter No. 758E/6-1 dated 29th December, 1986. Despite reminder dated 11.5.1987 and personal approaches, the said certificate has yet not been issued to me with the result I could not apply for issue of Pass Port.

Sir, time is very short and as such any more delay in the issue of 'No objection Certificate' at your end will cause serious prejudice to my case which shall make me handicap in obtaining the said certificate.

You are, therefore, requested to please look into the matter and be pleased to issue me the said certificate without any further delay so as

Attested/True Copy

(Signature)

(Signature)

L. P. SHUKLA

318

The Mv. Railway Manager,  
Northern Railway,  
Lucknow

ANNEXURE NO.....

A-14

A52

Sub : Issue of 'No Objection Certificate' for visiting Pakistan to obtain a certificate in support of my date of birth from the institution where I prosecuted my primary education before partition.

Reft : 1. Your Letter No. 758E/6-1 dated 29.12.86.  
2. My representation dated 21.1.1987 followed by reminders dated 14.5.1987 and 20.7.1987.

\*\*\*

Sir,

*Recd*  
*Shri*  
*13/12/87*

Please call for my representation followed by reminders referred to above. It is regretted that till date the certificate of no objection applied for has yet not been issued in my favour with the result no application for issue of pass port could be moved before the competent authority. It is reiterated that abnormal delay will cause serious prejudice to my case and there will be every likelihood of the justice being defeated merely on the ground of delay.

It is, therefore, respectfully prayed that the matter may kindly be looked into seriously and the certificate applied for may immediately be issued in my favour so as to enable me to take further action in the matter.

Thanking You,

Yours faithfully,

*Krishan Kumar*

( Krishan Kumar ),  
Head Clerk, Pay Bill Section,  
D.R.M's Office, Lucknow.

Dated 12-10-1987.

Attested/True Copy

*L. P. Singh*

L. P. Singh  
Advocate

## -उत्तर रेलवे -

सं० ३४२ई/निपटान/सेवा निष्पत्ति/१९८८ " मण्डल कार्यालय/लखनऊ

दिनांक तितम्बर २२.३।१९८७

१०. वरिं मण्डल लेण्ठा अधिकारी लखनऊ भविष्य निधि कृपया यह ध्यान दें कि इस कर्मयारियों का भविष्य निधि कालेण्ठा सेवा निवृत्त होने की तारीख से पहले तैयार है।

20. वरिंग मण्डल लेखा अधिकारी/ उत्तरो/ लखनऊ प्रैन्सन को सूचना एवं आवश्यक कार्यवाही हेतु ।

३० महा प्रबन्धक श्रीका०४ उत्तर रेलवे, बड़ोदा हाउस नई दिल्ली को उक्ते पत्र संख्या ९०७८८/२९ श्रीवीर०४ दिनांक २४.१०.८४ के सन्दर्भ में सूचनार्थी

४०. लखनऊ मण्डल के वरिं ० हित निरीक्षकों सूचना एवं हित निरीक्षकों सूचना एवं आवश्यक कायवाही हेतु । वह कृपया इस बात को ध्यान रहें कि स० अभियन्ता एवं बाहर के अन् कार्यालयों से जो कि सेवा पंजिका, छुट्टी का निकाई अनुबंध करते हैं वे कर्मचारियों की सेवा निवृत्त होने से पहले सारी आवश्यक बादें नी करते हुये सेवा पंजिका और छुट्टी का रिकाई तैयार कराके सेवा निवृत्त अनुबंध पहले से प्राप्त हो गये हैं ये इस बात का भी ध्यान रखें कि कर्मचारियों के पैशान विकल्प सेवा पंजिकाओं में संलग्न है और इसआशय की संवा निकाई के में प्रविष्टियाँ कर दी गयी हैं ।

५. प्रबन्धक कोआपरेटिव सोसाइटी बैंक ।९ ए विधान सभा मार्ग, लहनऊ को सूचनार्थी है कि वे इस बातका ध्यान रखें कि निम्नलिखित संलग्न सूची में उल्लिखित सेवा निवृत्त होने वाले कर्मचारियों के छिलाफ यदि कोई कर्ज की बकाया राशि हो तो उसकी सूचना सेवा निवृत्त होने से पहले ही अन्यथा कर्मचारियों को उनकी सेवा निवृत्ति का ज्ञान कर दिया जायेगा ।

60. मण्डल अभियन्ता/ वाराणसी वरिष्ठ अभियन्ता, लखनऊ, सहायता प्रशिक्षण अभियन्ता - 1, लखनऊ, फैजाबाद, प्रतापगढ़, रायबरेली, प्रयाग, लखनऊ को सूचना है।

अब वह कृपया इस बात की सुनिश्चित करें कि सेवा निवृत्त होने वाले कर्मयारी जिन्होंने पैशेन विकल्प का फार्म भर दिया है उनकी सेवा पंजिका सेवा निवृत्त होने के 6 माह के पहले इस कायालिय को उनकी सेवा पंजिका और छट्टी का रिकार्ड आदि पूर्ण कराकर इस अनुभाग को भेज दिया जाता है।

—27—

Seeeee-

Attested/True Copy

✓  
Washington, D. C.

L. P. SHUKLA  
Advocate

-3-

23. समस्त स्टैर्शन अधीक्षकः वाराणसी, लखनऊ, प्रतापगढ़ उन्नाव  
इलाहाबाद अकबरपुर रायबरेली फैजाबाद ऊंचाहार दुल्लानपुर अयोध्या बाराबंकी  
जैनपुर जंबूर्फामठ दरियापुर मऊआयमा ।

24. एस०एच० आई आलमबाग लखनऊ

25. कार्य निरीक्षक सुल्तानपुर रायबरेली वाराणसी जैनपुर प्रतापगढ़ ।

26. स्कूल टीचर फैजाबाद बाराबंकी ।

27. चीफ मेडिकल सुपरीटोरेन्टेन्ट चारबो लखनऊ

28. मण्डल अधियन्ता चारबाग लखनऊ

29. समस्त चीफ रेल पथ निरीक्षक वाराणसी चारबाग लखनऊ

30. समस्त गुंदस अधीक्षक लखनऊ ।

31. हेड क्वार्टर नई दिल्ली बड़ौदा हाउस

32. डी एम ओ वाराणसी

33. एफआईओ पैप चारबाग लखनऊ ।

AS4

अधीक्षक शूलार्थिक सहायक अधीक्षक कार्मिक समस्त प्रधान लिपिक एवं  
सम्बन्धित लिपिक कार्मिक अनुभाग मण्डल वायरलिय लखनऊ को सूचित किया जा  
है कि वे सेवा निवृत्त होने वाले कर्मचारियों के सेवा निवृत्ति तिथि का  
स्वयं जांच करें और यदि त्रुटि हो तो उसे तुरन्त सूचित करें ।

सहायक वाणिज्य अधीक्षक/लखनऊ । वह कूपया सभी सम्बन्धित कर्मचारी  
के वाणिज्य सम्बन्धी सभी बकांयां धनराशि को समय रहते हुये दुक्ता कराने की  
चयवस्था करायें ।

कार्मिक शाखा के विभिन्न अनुभागों के प्रभारियों को यह नोट कर दें  
याहिस कि एस०आर०प०००फ००४प्र०ति के अन्तर्गत आने वाले सभी कर्मचारियों की  
पुस्तकारं सेवा निवृत्ति होने की तीन महीने पूर्व वरिष्ठ मण्डल लेखा अधिकारी  
लखनऊ को सत्यापन हेतु पहले ही भेज दियेजाने चाहिये । पैशान नियमों के  
अन्तर्गत सेवा निवृत्ति होने वाले कर्मचारियों की सेवा पंजिलारं अधीक्षक शूलिपटा  
को तुरन्त दे देनी चाहिस क्यों कि ऐसे सब मामलों में 15 महीने पूर्व कार्यवाही  
की जानी होती है सेवा निवृत्ति होने वालों की सूची में जो पैशान लेने वालों का  
दर्शाया गया है तो कि संबंधित लिपिक कार्मिक शाखा ने प्रस्तुत की के पुनः  
एक बार फिर से जाँच कर लेनी चाहिस जिसके कि कोई त्रुटि न रह जाये ।

अतः एक बार पुनः आग्रह किया जाता है कि संबंधित वरिष्ठ अधीक्षकों  
की कार्यरत सेवा निवृत्ति होने वाले कर्मचारियों उनकी सेवा निवृत्ति वाली तिथि  
को अवश्य ही कार्यमुक्त कर देना चाहिये उनके स्थान पर रिलीफ मिले  
न मिले अन्यथा जिसके न किये जाने पर वह स्वयं अनुशासन एवं अपील नि.प्रो.  
अन्तर्गत लार्यवाडी किये जाने के लिए स्वयं उत्तरदायी होगा वह यह भी नोट

---4---

Attested/True Copy

6 weeks

Chanchal Singh

L. P. Singh K.L.A.  
Advocate

The Divl. Railway Manager,  
Northern Railway,  
LUCKNOW

25/7

Sub: Issue of 'no objection certificate' for visiting Pakistan ( Lahore ) to obtain a certificate in support of my date of birth from the institution where I prosecuted my primary education before partition.

Ref: Your Letter No. 758E/6-1 dated 29.12.86.  
My representation dated 21.1.1987 followed by reminders dated 14.5.87, 20.7.1987 and 13.10.1987.

Representation against your Notice no. 342E/Niptan/  
Sewa Nirvit/dt 1988 dt. 22.9.1987.

\*\*\*  
Sir,

I regret to write that despite my representation followed by reminders mentioned above on the above subject, no step has yet been taken with regard to issue of 'No objection Certificate' at your end to enable me to apply for pass port for visiting to Lahore ( Pakistan ) for obtaining a certificate in support of my date of birth from the institution where I prosecuted my primary education before partition of India in the year 1947. This abnormal delay at your end will defeat my bona fide claim and my retirement, on the basis of incorrect date of birth as recorded in the official records, will amount to my premature retirement as a measure of punishment.

*Recd*  
*Shiv*  
*6/11/87*

It is reiterated that at the time of partition of India in the year 1947, it was not feasible to obtain T.C. from the institution ( as now desired by the administration ) where I was studying, as every thing, at

Attested, True Copy

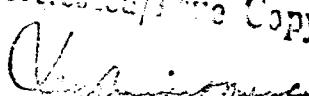
*Chintan*  
L. P. M. KLA  
Advocate

that time, was abnormal and we all had to save our lives by way of migration. So in these special circumstances attached to my family members, the demand of producing a certificate of school situated in Pakistan is highly unjustified on the part of the Railway Administration. Despite it being so, I am still prepared to visit Lahore (Pakistan) for that purpose and for that I have been requesting the administration to issue me a 'No objection Certificate' so as to enable me to apply for Pass Port, which will also take some time. It is known to the administration that on the basis of the recorded date of birth (incorrectly recorded in the official documents/records), I ~~will~~ have to face my retirement in the month of December, 1988 and as such the abnormal delay on the part of the administration in issuing the 'No Objection Certificate' may cause substantial loss to me.

In the facts and circumstances mentioned above, it is, therefore, most respectfully prayed that your goodself may kindly look into it and immediate steps may be taken in issuing the 'No objection Certificate' so as to enable me to visit Lahore (Pakistan) to ~~try~~ trace out the institution and records for obtaining a certificate in support of my date of birth as demanded by the administration. It is further submitted that my date of birth as mentioned in the High School Certificate issued by the Board of High School and Intermediate Education, Uttar Pradesh, Allahabad already filed by me and on record is the correct date of birth, which, as per verdicts of my parents, is the same which

Attested/True Copy

Verbal



L. H. S. K.L.A.  
Advocate

48

(3)

A.S. 9

was originally recorded in the institution at Lahore at the time of my admission for primary education.

It is further submitted that in the facts and circumstances of the case, the notice for retirement in the after-noon of 31st. December, 1988 based on the disputed date of birth is wholly illegal and against all canons of justice. It is the administrative fault that I have yet not been granted 'N.O.C.' despite my repeated requests and demands. It is also worth mentioning that my case being a case of migrated person is entirely different to that of these, who originally born in India, prosecuted their education in India and never faced such circumstances which I and my parents faced in 1947. The affidavit already filed by my mother in support of my date of birth, in the circumstances of the case, is worth reliance.

Your goodself, therefore, is requested that my date of birth may kindly be corrected on the basis of High School Certificate and the affidavit of my mother already filed or in the alternative I may immediately be issued 'N.O.C.' so as to enable me to apply for Pass Port for visiting Lahore to bring the proof of my age either from school or Municipal Corporation. It is further prayed that it would be better if your goodself, on your accord, arrange a Pass Port for me so as to avoid further delay. The Notice of my retirement referred to above, in such circumstances, may be treated as cancelled.

Thanking You.

Yours faithfully,

Dated 6.11.1987.

*Krishan Kumar*  
( Krishan Kumar ) Head Clerk,  
Pay Bill Section, DRM's Office  
Lucknow.

Attested/Tape Copy

*Govindarao Venkateswaran*

L. P. S. K. L. A.  
Advocate

ANNEXURE NO

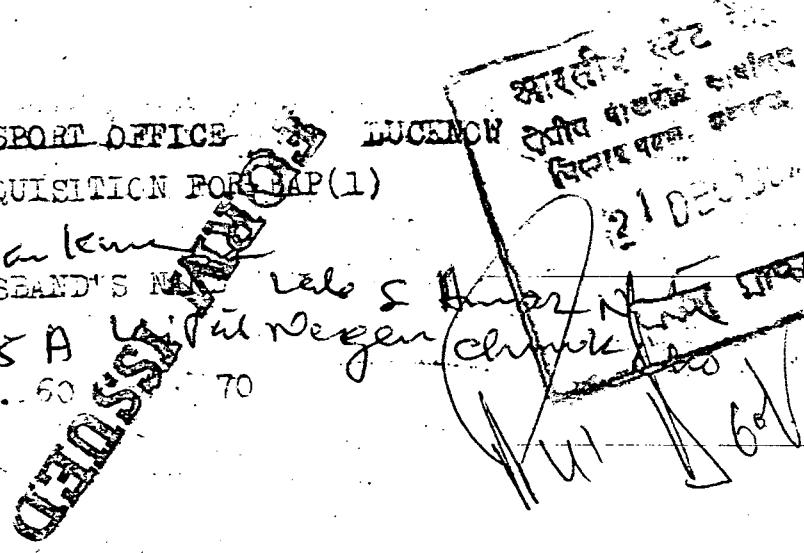
A-12

46

A 66

PASSPORT OFFICE LUCKNOW  
REQUISITION FORM (AP(1))

NAME Kishan lal  
FATHER'S/HUSBAND'S NAME Lal S  
ADDRESS 2/5 A Lajpat Nagar (Chowk) Lucknow  
FEE PAID RS. 60/-



Attested/True Copy

*Kishan Lal*

Dr. P. SINGHLA

Advocate

The Divisional Railway Manager,  
Northern Railway,  
Lucknow.

Sub : Issue of 'No Objection Certificate' for visiting pakistan ( Lahore ) to obtain a certificate of school in support of my date of birth.

Ref : 1. Your Letter No. 758E/6-1 dated 29.12.1986.

2. My representation dated 21.1.1987 followed by reminders dated 14.5.87, 20.7.87, 13.10.87 and 6.11.1987.

\*\*\*

Sir,

Please call for my last representation/reminder dated 6.11.1987 on the subject mentioned above. In this respect, I regret to write your goodself again that no step has been taken on the said representation/reminder and even I have not been obliged by a mere reply with the result no application for issue of Pass Port could be given by me to the Pass Port issuing authority. Under these circumstances and specially when I have to be retired from service in the month of December, 1988 on the basis of incorrect date of birth recorded in the Service Record, I have no alternative but to apply for issue of Pass Port without 'No objection Certificate' and in case the application is rejected and no Pass Port is issued, it would be the sole responsibility of the Railway Administration.

It is, therefore, once again requested that my afore-mentioned representations followed by various reminders may kindly be taken into consideration and a 'No objection certificate' or necessary instructions may be issued to me within a week otherwise I will have no option but to apply for Pass Port without such certificate indicating the facts therein. Attested/True Copy

*Give me - V. Shukla*

The Divisional Railway Manager,  
Northern Railway,  
Hazratganj,  
Lucknow.

40

A 62

Sub : Issue of 'No Objection Certificate'  
for visiting Pakistan ( Jashore ) for  
obtaining school certificate in sup-  
port of my date of birth.

Ref 1) Your letter No. 7535/6-1 dated 29.12.86.  
2) My representation dated 21.1.1987 for  
issue of 'No Objection Certificate'.  
3) Reminder dated 14.5.1987 to your goodself.  
4) Reminder dated 20.7.1987 to your goodself.  
5) Reminder dated 13.10.1987 to your goodself.  
6) Reminder dated 6.11.1987 to your goodself.  
7) Reminder dated 24.12.1987 to your goodself  
and copy to G.M.(P)/N.R's under registered  
cover.

\*\*\*

SIR,

With reference to above, it most respectfully submitted  
again to your goodself for your kind attention and immediate  
action in the matter as indicated below :-

1. That I had applied for correction of my record of  
date birth, which was incorrectly recorded in my Service  
Record.
2. That after a lengthy correspondence, your goodself,  
on the strength of a letter bearing No. 5223/41/1009/111  
dated 28.2.1986 issued by the G.M.(P), Northern Railway,  
Headquarters Office, Hazrat Ganj, New Delhi, intimated  
to the undersigned that his claim was not admissible for  
want of authentic proof regarding date of birth. Accordingly,  
the undersigned was required to submit authentic proof in  
support of his date of birth.

3. That in view of Attested/True Copy etc.,

Yours

6 Weeks

Submissions

L. P. SHUKLA  
Advocate

A63

noon of December 31, 1988 but despite it being so, no step is being taken by the administration in issuing the 'No objection Certificate' to enable the undersigned to obtain a Pass Port for being visited to Pakistan for obtaining the school certificate in support of his date of birth as required.

8. That from the aforementioned act and abnormal delay, it is evidently clear that some one is interested to get my bonafide claim defeated by getting me retired from service on the basis of incorrect recorded date of birth so as to create a room <sup>for others</sup> for promotion after my retirement.

9. That the aforesaid act of non issue of 'No - Objection Certificate' is highly prejudicial and against the provisions contained under Articles 14 and 16 of the Constitution of India rather it will amount to punishment if the undersigned is retired from service on the basis of incorrect recorded date of birth without being given him a reasonable opportunity to substantiate his claim as prayed and allowed by the administration only on paper.

10. That it is a recorded fact that the undersigned is a displaced person. He migrated from Pakistan ( Lahore ) in the year 1947 i.e. on partition. At the time of partition, he was of about 13 years of age and was receiving his Primary education in Lahore. At the time of partition, his parents had to save the lives of their children and of their own and that was the primary act. Under that circumstances, it was not possible either for the undersigned or his parents to obtain school certificate from the institution as at that time, every body and every thing was under disturbance. So the undersigned as well as his parents were separated by

Affidavit, Two Copy

Sd/-

Address of me = 6/162-A, Vasant Vihar  
Lok Kalyan Colony  
Delhi - 110 017

50

AGY

क्रमांक/No.

73

10

प्राप्ति क्रान्ति के हमारा  
Signature of Receiving Officer

क्रमांक/No. १८८६

B-e

पानेदाले अधिकारी के हस्ताक्षर  
Signature of Receiving Officer

**Attachment Copy**

base on V. 3.1.1.1.1.1

L. R. KELLA  
Advocate

51

A65

19

### प्राप्ति स्वीकृति (रसीद) ACKNOWLEDGMENT

\*एक रजिस्टर्ड बीमा पत्र/पोस्टकार्ड/पैकेट/पासल प्राप्त हुआ क्रमांक/No.

\*Received a Registered Insured Letter/Postcard/Packet/Parcel

\* दोने वाले का नाम : N. R. Shukla, Baroda Office  
Addressed to (name)

बीमे का मूल्य (रुपयों में)

†Insured for Rupees

वितरण की तारीख/Date of Delivery ..... 198

\*अनावश्यक को काट दिया जाए

\*Score out the matter not required.

†केवल बीमा वस्तुओं के लिए

†For Insured articles only

पाने वाले के हस्ताक्षर/Signature of addressee

100

50

25

10

5

2.5

1.25

0.625

Attested/True Copy

*65*

*L. P. SHUKLA*

L. P. SHUKLA  
Advocate

26

Rajatnand M.D.

52

The Divisional Railway Manager,  
Northern Railway,  
Hazaratganj, Lucknow.

A 66

Sub: Issue of No objection certificate  
for visiting Pakistan ( Lahore )  
for obtaining School Certificate  
in support of my date of birth.

Ref: 1. Your Letter No. 725E/6-1 dated 29.12.86  
2. My representation dated 21.1.1987 for  
issue of No objection certificate followed  
by various reminders even by registered  
post.

.....

Sir,

Please call for my representation dated 21.1.1987  
followed by various reminders dated 14.5.87, 29.7.87,  
13.10.1987, 6.11.1987, 24.12.1987 and 17.2.1988. I regret  
to write you again that no action has yet been taken  
on the representation and reminders mentioned above at  
your end with the result I am handicapped to visit Lahore  
( Pakistan ) for obtaining certificate of my date of birth.

It is, therefore, requested that the matter may  
kindly be looked into and the no objection certificate  
may kindly be issued at your earliest so as to enable me  
to apply for Pass Port. It is reiterated that I, as per  
incorrect date of birth as recorded in the Service Record,  
will be retired in the afternoon of 31.12.1988 and as  
such the matter may please be treated as most urgent.

Thanking You.

Yours faithfully,

*K. Kumar*

( Krishan Kumar )  
H.O. Clerk, Pay Bill,  
D.R.M's Office/ Iko

Dated 6.4.1988.

Copy forwarded to G.M.(P), N. Railway Baroda House, New Delhi  
for information and similar necessary action. This is in  
reference to my representation/reminder dated 17.2.1988  
already sent under registered post.

Original Copy  
L. P. & Co.  
Advocates

Insurance fee Rs.

699

Stamps affixed except in case of uniusu-

red letters of not more than the initial

weight prescribed in the Post and Tele-

Guide on which no acknowledgement

Received 24 P. Registered  
addressed to

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

21

REMINDEE:  
Registered A/D.  
Dt. 8.5.1988.

54

The Divl. Railway Manager,  
Northora Railway,  
Razrotganj,  
Lucknow.

A 60

SUB : ISSUE OF ' NO OBJECTION CERTIFICATE ' FOR VISITING PAKISTAN (LAHORE ) FOR OBTAINING SCHOOL CERTIFICATE IN SUPPORT OF MY DATE OF BIRTH AS DESIRED VIDE YOUR LETTER NO. 758-E/6-1 DATED 29.12.1986.

REF : My representation dated 21.1.1987 for issue of ' No objection Certificate ' followed by reminders dated :-  
14.5.1987,  
20.7.1987,  
13.10.1987,  
6.11.1987,  
24.12.1987,  
17.2.1988 and  
8.4.1988.

.....

Sir,

I regret to write that despite my representation and reminders referred to above and also personal contacts with A.P.O., no action has yet been taken thereon with the result I could not get ' No objection certificate ' and as such I still could not apply for Pass Port.

It is very well known to the administration that on the basis of recorded date of birth, which is incorrect, I will be retired from service in the afternoon of 31.12.1988 and as such the delay on the part of the administration in issuing the ' No objection Certificate ' is highly unjustified rather it amounts to denial of opportunity to me to represent my case for correction of my date of birth.

Since the time is too short, it is requested that the matter may kindly be looked into without any further delay and the 'NOC' already applied for may kindly be issued within 15 days next after the receipt of this reminder. In case, no such certificate is issued within the said period, I shall have no option but to apply for Pass Port without the said certificate and also approach the higher authorities ~~for~~ ~~in~~ against the injustice meted out to me. In these circumstances, the administration will be itself responsible.

It is hoped that the matter will be looked into without delay.

Thanking You.

Yours faithfully,

*Krishan Kumar*

( Krishan Kumar ),  
Head Clerk, Pay Bill Section,  
DRM's Office, N.R./IKO

Original ~~copy~~ Registered A/D.  
Copy to G.M.(P), N.R. Baroda House, + my previous representations.

*6. Venkatesh*

Attached True Copy

L.A. 100000  
G. Venkatesh

55

169

क्रमांक/No.

242 610 1

लगाए गए डाक टिकटों का मूल्य रु. ....  
 Amount of Stamps affixed Rs. ....  
 एक रजिस्टरेड ईमेल\*  
 Received - Registered Email  
 पात्र के नाम पर  
 Addressee  
 दिनांक (दिन-महीना-वर्ष)  
 Insured for (in rupees) (in words)  
 बोमा वज़न रु. .... वज़न (ग्रामों में) ....  
 Insurance fee Rs. P. Weight in grams  
 भेजने वाले के नाम पर  
 Name and address of sender  
 डाकघर से भेजा गया  
 जारी के अधीक्षित वाले के नाम  
 Issued subject to terms and conditions in P. 12/2/1947

प्रत्येक अधिकारी के हस्ताक्षर  
 Signature of Receiving Officer

क्रमांक/No.

243 610

लगाए गए डाक टिकटों का मूल्य रु. ....  
 Amount of Stamps affixed Rs. ....  
 एक रजिस्टरेड ईमेल\*  
 Received - Registered Insured\*  
 पात्र के नाम पर  
 Addressee  
 दिनांक (दिन-महीने) (दिवसों में)  
 Insured for (in rupees) (in words)  
 बोमा वज़न रु. .... वज़न (ग्रामों में)  
 Insurance fee Rs. P. Weight in grams  
 भेजने वाले के नाम पर  
 Name and address of sender  
 डाकघर से भेजा गया  
 जारी के अधीक्षित वाले के नाम  
 Issued subject to terms and conditions in P. 12/2/1947

प्रत्येक अधिकारी के हस्ताक्षर  
 Signature of Receiving Officer

Attested/True Copy

*Concurred* *Verbalintance*

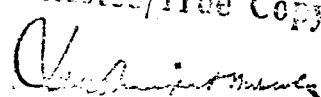
L. P. SHUKLA  
 Advocate

56

A 76

Attested/True Copy

verso ad



L. P. SINGHLA  
Advocate

ANNEXURE NO. At - 19 (collective)

## Project - 100% C++

Illichum Nameort 45 yrs old. 11:30 AM 10/10/1980. This person left for  
S/o Lulu Lee Nameort, 45 yrs old. Lulu Lee is the wife of Illichum Nameort.  
S/o 2/5A, Losjots Nameort (S/o).  
Nameort (UP) (S/o).

300

1. The Inspector of Schools,  
Lahore (President).

2. The Head Master/Principal,  
Sat Sabha School, Bazar Chowk Ghazia,  
Gali Ghazi Bookm, Lahore (Pakistan).

S. The Principal,  
R. A. V. School, Igatpuri (Pc. 1987).

### Документы для

Most respectfully, the applicant, under very compelling circumstances, approaches your Goodwill with the following facts and request:-

1. That the applicant, before partition in 1947, had been residing with his parents at Moor Goto, Submargai, Lahore and at that time he was about 13 years of age.

2. That the applicant proceeded his primary education in Sot Sobha School, which was then situated in Dagar Chowk Chakla, Lahore and after passing his class IV from that institution, he was admitted in class V in B. A. V. - School, Lahore in 1946/47 and at the time of partition, he was studying in that school in class V.

5. That the applicant alongwith his parents migrated to India in 1967 but due to circumstances beyond his control, he could not obtain the school leaving certificate showing his date of birth.

6. That the applicant's date of birth, as per his parent's verdict, was recorded as 19th March, 1936 in that institution.

7. At present, the applicant is employed in the  
Railway Department and in absence of school certificate,  
the date of birth has wrongly been recorded in the official  
records, and as such he will be retired from service  
this year on the basis of incorrect recorded date of birth  
100, prior to his actual date of retirement.

In the facts and circumstances mentioned above, it is requested that your Goodwill, in the name of humanity and our kind, be pleased to go through the school records and be pleased further to issue me a certificate in support of my date of birth and send the same at the address given above at your earliest possible, so as to enable me to produce the same before the departmental authorities for correction of my date birth wrongly recorded in my Service Record.

Since the applicant has yet not been issued a DEC, he is unable to visit Lakeview personally for the ride.

R. FeO<sub>2</sub>

Atmospheric

General (1)

1

6100-1

23  
M. Lahore

शाह ०५०-५१  
०. प.५१

क्रमांक/No.

2371 16

1 A 72

लगाए गए डाक टिकटों का मूल्य ५० ..... पै. ....  
Amount of Stamps affixed Rs. P. ....  
एक रजिस्ट्री बीमा ..... प्राप्ति-मोहर  
Received a Registered Insured\*  
पानेवाले .....  
Addressee .....  
वीमाने की रकम (अंकों में) ..... (शब्दों में) .....  
Insured for Rs. (in figures) ..... (in words) .....  
बीमा रकम ५० ..... वजन .....  
Insurance fee ..... (शब्दों में) .....  
मूल्यदाता का नाम व पता .....  
Name and address of sender  
डाकघर स्विट्चिंग में दो ग्राम  
मार्ग के अधीन नाम को  
Issued subject to terms and  
conditions of P. O. guide  
Signature of Receiving Officer

क्रमांक/No. 238 16

लगाए गए डाक टिकटों का मूल्य ५० ..... पै. ....  
Amount of Stamps affixed Rs. P. ....  
एक रजिस्ट्री बीमा ..... प्राप्ति-मोहर  
Received a Registered Insured\*  
पानेवाले .....  
Addressee .....  
वीमाने की रकम (अंकों में) ..... (शब्दों में) .....  
Insured for Rs. (in figures) ..... (in words) .....  
बीमा रकम ५० ..... वजन (शब्दों में) .....  
Insurance fee Rs. .....  
मूल्यदाता का नाम व पता .....  
Name and address of sender  
डाकघर स्विट्चिंग में दो ग्राम  
मार्ग के अधीन नाम को  
Issued subject to terms and  
conditions of P. O. guide  
Signature of Receiving Officer

क्रमांक/No.

0240 16

लगाए गए डाक टिकटों का मूल्य ५० ..... पै. ....  
Amount of Stamps affixed Rs. P. ....  
एक रजिस्ट्री बीमा\* ..... प्राप्ति-मोहर  
Received a Registered Insured\*  
पानेवाले .....  
Addressee .....  
वीमाने की रकम (अंकों में) ..... (शब्दों में) .....  
Insured for Rs. (in figures) ..... (in words) .....  
बीमा रकम ५० ..... वजन (शब्दों में) .....  
Insurance fee Rs. .....  
मूल्यदाता का नाम व पता .....  
Name and address of sender  
डाकघर स्विट्चिंग में दो ग्राम  
मार्ग के अधीन नाम को  
Issued subject to terms and  
conditions of P. O. guide  
Signature of Receiving Officer

Allgemeine Copy

6th June - 1968

11.11.1968  
11.11.1968

## ANNEXURE NO. A-20

आमंत्रण ३  
२०८१

क्रमांक/No.

241

लगाए गए टाक डिक्टों का मूल्य रु० ..... वै० .....  
 Amount of Stamps affixed Rs. .....  
 एक रजिस्ट्रेड वित्ती ..... आवृत्ति .....  
 Received a Registered Insured\*  
 पानेवाले अधिकारी के हस्ताक्षर  
 Addressed to .....  
 विदेशी की रूपम (अंग्रेजी में) ..... (शब्दों में) .....  
 Insured for Rs. (in figures) ..... (In words) .....  
 बोमा जलक रु० ..... वजन (शब्दों में) .....  
 Insurance fee Rs. ..... Weight (in words) .....  
 मालदेशी का नाम रु० .....  
 Name and address of sender .....  
 डाकधर लिवेंगिका में दो गई<sup>2</sup>  
 जानीं के जाती दर्शी की गई<sup>2</sup>  
 Issued subject to terms and  
 conditions in P. O. guide

पानेवाले अधिकारी के हस्ताक्षर  
Signature of Receiving Officer

AMB

क्रमांक/No.

239

लगाए गए टाक डिक्टों का मूल्य रु० ..... वै० .....  
 Amount of Stamps affixed Rs. .....  
 एक रजिस्ट्रेड वित्ती ..... आवृत्ति .....  
 Received a Registered Insured\*  
 पानेवाले अधिकारी के हस्ताक्षर  
 Addressed to .....  
 विदेशी की रूपम (अंग्रेजी में) ..... (शब्दों में) .....  
 Insured for Rs. (in figures) ..... (In words) .....  
 बोमा जलक रु० ..... वजन (शब्दों में) .....  
 Insurance fee Rs. ..... Weight (in words) .....  
 मालदेशी का नाम रु० .....  
 Name and address of sender .....  
 डाकधर लिवेंगिका में दो गई<sup>2</sup>  
 जानीं के जाती दर्शी की गई<sup>2</sup>  
 Issued subject to terms and  
 conditions in P. O. guide

पानेवाले अधिकारी के हस्ताक्षर  
Signature of Receiving Officer

Attested/..... a Copy

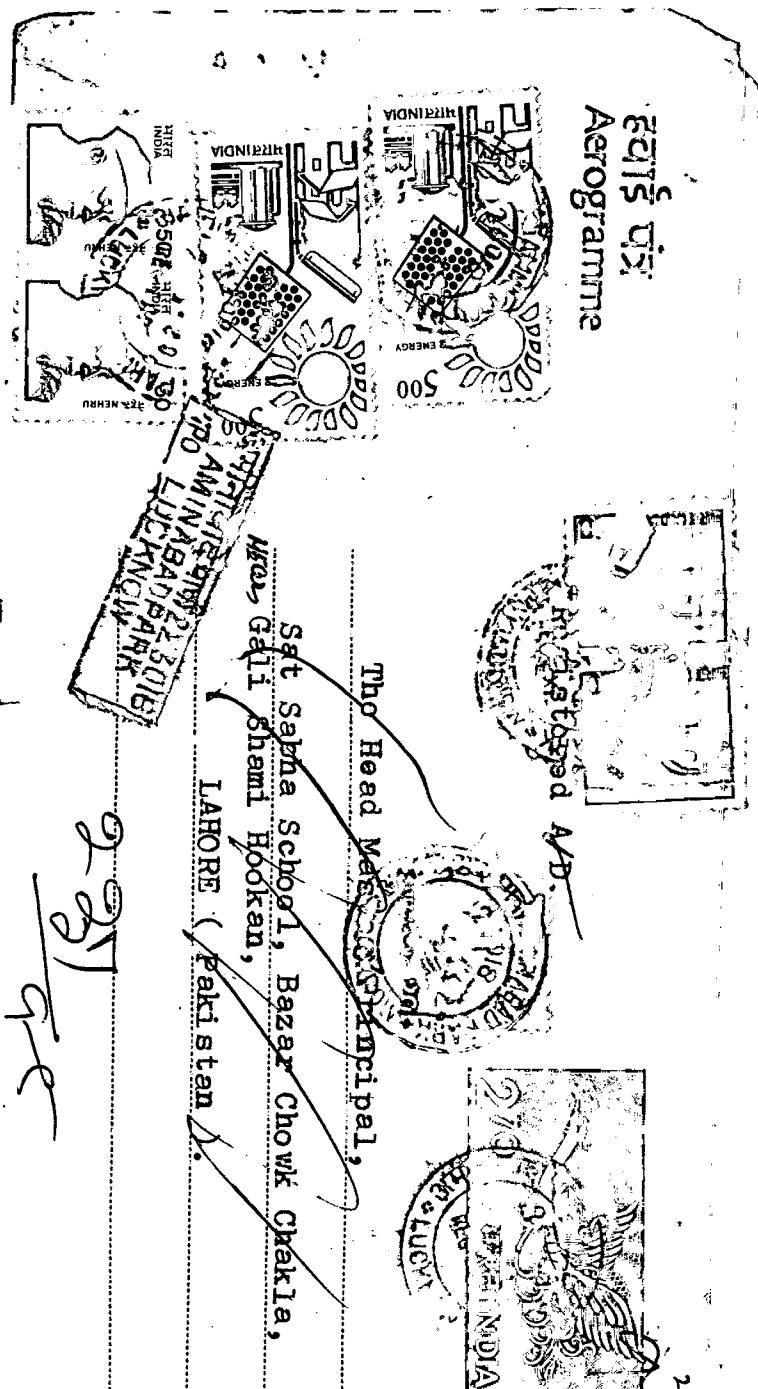
V. B. Shukla

L. P. SHUKLA  
Advocate

AH

ANNEXURE NO A-26

हवाई पंस  
Aerogramme



60000

Annexure A Copy

Circular stamp

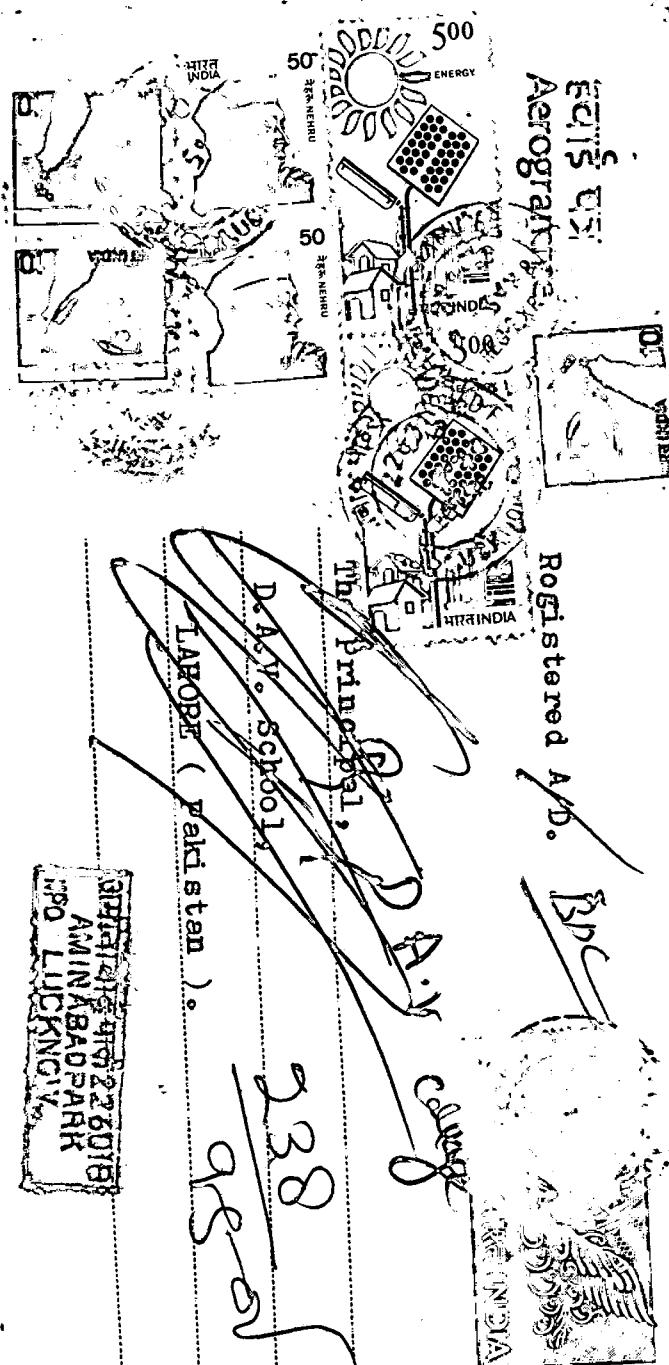
L

A.C. Create

64

EXHIBIT NO A-22

A75



Reference -

Attached File Copy

✓ Attached

L...

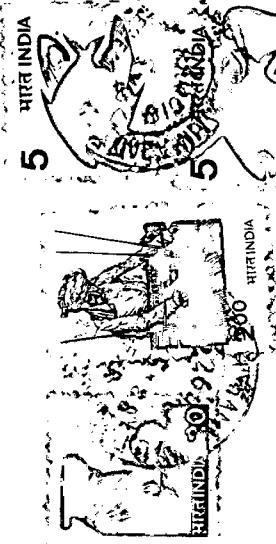
Attached

62

A 76

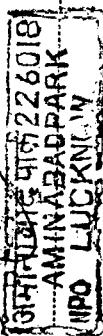
EXHIBIT NO

4-23



इंडिया पत्र<sup>5</sup>  
AeroGramme

pegd 46 27  
Mr. Shaukat Ali Siddiqui, 27  
C/O Mr. Ashraf Ali,  
1-J, 28/2, Nazimabad-I, KARACHI (PAKISTAN).



6000/- Attn: Mr. Copy

Chintan Bhushan

L...  
Advocate

A-24

## ANNEXURE NO

## EXCECIA

## ( ISSUE OF NO OBJECTION CERTIFICATE )

1. Name : KRISHNA KUMAR  
 2. Father's name : Late Sri Amal Nath  
 3. Designation : Asst. Executive  
 4. Scale & Rate of Pay : 1400 - 2300 Rs @ 16.5% P.M.  
 5. Branch : Personnel Pay & Allowances  
 6. Station of posting : Lko.  
 7. Birth Date of birth : 19-3-1931  
 8. Date of Appointment : 9-12-1950  
 9. Place of residential : 2/5 ATC P. Lajpat Nagar  
 during the last 2 years. Closely off. Newton Road  
 10. Permanent residential : Chandi Chowk  
 address. As before  
 11. Country to which Passport : Pakistan  
 is required.  
 12. Place of visit : L A H O R E

13. Purpose for which the : For obtaining Exécia  
 Passport is required. ~~to suffice of my old~~  
 14. Duration of stay in : as desire by the Government  
 that country. About a week  
 15. Postal address where the : I will stay in some hotel at L.A.H.O.R.E  
 applicant is to stay. ~~in particular in which hotel~~  
 in that country. ~~is communicated later on~~  
 16. Estimated expenditure : About 1251.00/-  
 involved.

17. Source of availability of : From Personnel Service  
 funds to meet the personal ~~for 6 months~~  
 expenditures. ~~Signature~~

Date : 8-7-1980

## DECLARATION

I hereby declare that I will not undertake any job  
 in Abroad during my stay.

Wanted to

Dmm

Supah Bitts  
 6/11/88

~~Signature~~  
 KRISHNA KUMAR

A 16

General Manager  
Northern Railway (P),  
Bandra East, Mumbai

Annexure No. 64

Regd. No. A-25

ANNEXURE NO.

~~Chmn  
20/7/80  
Subject~~

1. The M/s. M.V. Hargovil,  
Northern Railway, Mumbai.

2. Correction in date of birth.

64

A 70

0000

Respected Sir,

Inviting information to all my correspondences on the subject mentioned above, it is most respectfully submitted as follows :-

1. That on 19th March, 1934, I was born in Lahore (now in Pakistan) and completed my primary education in Sati Sabha School, Bazar Chaur Bazaar, Lahore and thereafter was admitted in Class V in D.A.V. School, Lahore in 1945.
2. That at the time of partition of India in 1947, I had been studying in the D.A.V. School, Lahore. It was a period of great uncertainty and it was very difficult to safe life. My Sir, my parents could be able to migrate/India during the period of riots. In such circumstances, it was neither possible nor could be done to obtain P.C. or my certificates regarding my date of birth from the aforesaid institution or from the Municipal Board of Lahore. However, my 'Jan Mandir' was incidentally available with my parents' luggage which they had brought with them while leaving Lahore.
3. That on the basis of the aforesaid 'Jan Mandir', I passed my High School Examination from the U.P. Board, Allahabad in the year 1955 giving my date of birth as 19.3.1934 which is available in the High School Certificate.

Attest, *True Copy*

*64/2000*

*Ch. Subramanyam*

L. P. SARKAR



අභ්‍යන්තර නො යොමු කළ නො යොමු විය නො යොමු  
( ප්‍රතිචාර ) නො යොමු නො යොමු

A/19

8). That in view of your letter No. 5227/61/1003/R-XXX dated 29.10.1986 communicated by the M/s. Railway Manager, Northern Railway, Mumbai under the letter No. 7582/6-1 dated 29.12.1986 permitted me to visit Latur ( Paliota ) and for that I was directed to send copy of 'No Objection Certificate ' by the Minister of Railways.

9). That on having received the aforesaid letter, I, by reason of my representation dated 21.1.87, requested the administration for issue of 'No objection certificate ' for visiting Latur to bring the certificate regarding my date of birth.

10). That despite reminders dated 14.5.1987, 20.7.1987, 13.10.1987, 6.11.1987, 24.12.1987, 17.2.88 & 8.4.1988 own and under registered name to the Environmental Railway Manager, D. R. M. Mumbai and your officials, the aforesaid 'No Objection Certificate ' has not been issued with the result I could not file an application before the Port Trust regarding the entry for issue of Port Port in my favour.

11). That in the next circumstance mentioned above and those being so circumstances, I was instructed to send registered letters directly to the Inspector of Schools, Latur, Head Master/Principal, Smt Sathya School, Latur and the Principal D. A. V. School, Latur requesting them to send a certificate regarding my date of birth as recorded in their records.

12). Apart from the above, I have also sent registered letters to persons residing in Latur

Against, True Copy

  
L. A. J. J. Adv.  
Advocate

6/10/2022

17) *AB*  
In view of the definition of ' Date of Birth'. The 'Date of Birth' always carry the Date, Month and Year, which are absent in the instant case. Thus the date recorded in the concerned record is apparently wrong/incorrect and needs to be corrected as prayed by me on the basis of High School Certificate.

21. That in view of aforesaid letter, as could be seen from the official records, my application was subject to production of authentic proof of my date of birth. Also, the same, indicates that the date recorded in the service record viz '20 years on appointment', in the opinion of the administration, was not correct and was subject to correction on production of satisfactory proof regarding my date of birth. The act of making the correction in the instant date of birth is arbitrary in law and it could be a great injustice rather punishment if I am released from service on the basis of incorrect date of birth as recorded in my service record.

In the facts and circumstances mentioned above, it is once again requested that your Goodself may be pleased to consider my case and pass an order for correction of recorded date of birth as prayed for in the aforesaid, I may immediately be issued 'No Objection Certificate' so as to enable me to apply for issue of Pass Port for visiting to Lahore for obtaining certificate of my date of birth as desired by the administration. In every such matter is engaged my case, the same would do foot a genuine claim and for that the administration would be responsible for same.

Thanking You.

Yours faithfully,  
Lalita Umeran  
(Kirsha Kumar) Ed. CLEK  
P.W.D. Section, D.E.M's  
Office.

Two Copy  
Lalita Umeran  
L. U. MURKLA  
Advocate

Veru-

DATED 26-7-1988.

67  
ANNEXURE NO

4-26

AB/

No. 1955

Star  
red letters of not more than the initial ~~one~~ ~~one~~ ~~Stamp~~  
weight prescribed in the Post and Telegraph  
paid on which no acknowledgement is due

Received ~~for~~ ~~by~~ Registered  
addressed to

Mr. Rajendra Ch.  
Hauz Khas  
New Delhi

Signature of Receiving Officer

Insured for Rs. (in figures)

(in words)

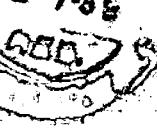
weight } rates

(in words) } grams

Insurance fee Rs.

P.

100



Attested, True Copy

*Chandramukhi*

L. P. SHUKLA

Advocate

ہدایت کرنے کا راستہ - کتاب

وہ راستہ ہے  
19th

بندہ شہر میں ہے اور اپنے ایک کام کے منور ہے  
کہاں جو بے ذمین ہے تعلیم میں حکیم علی چاہوئے۔ ایک  
بھتیجی بیوی بھائی اور صنالہ ہے۔

A 82

پس پانی پر عالم ہوا۔ اسکو کے کاغذات کیس پیس پوچھا گی  
پس میں رکارڈ میں لکھنے مرے پاس اس کا کوئی احتیاط نہیں  
کیا ہے اسکے میں ذریافت کر سکوں۔ میراہ کم ایسا  
انعامیں بھی خستہ نہیں تھیں کو تھے ہونے صد از صد موقوفہ

کروں

شوكت میں صدیقی و دل سدا لازماں رجوم  
کرنے سکتے ہیں ۔ A 526 B ناریوں کو رکھی ٹاون نہتے بلکہ اس  
کی وارد الی چاہوں۔ وائیڈا کا کوئی روز  
ٹاون نہ ٹاون۔ لہوڑ ٹاں  
نافٹی کارڈ میز ۱۷۔ ایجع  
018-۲۲-۴۴۹

اپنے دنیوں راستہ بڑا کیا کیا کیا کیا کیا کیا کیا کیا  
ایم پر کسی کے ذریعہ روانہ کر دیں اور اسکو دیکھ لیں میر کو اور پس میں  
روزانہ کر دیں۔ دریافت ہر چیز میں کاغذات کے اسی دنیوں کے

پر لصیت کر دیں چارہ ۔ ہم کام اپنے صد از صد میں کو  
دن یہاں عیام کر دیں اور ہر چارہ چل دیا دیں تو دشواری کو

رکھے طبع میں کو صد از صد کر دیں۔ اسی کرائے میں سب  
کاغذات تعلیم کیں ہیں اور کھانا بھی۔ جس طبقہ میں آئے

عندیں صوڑا ترکاب قوہ لکھ لئے رکر دیں۔ ایتھے سالہ  
چونکہ کوئی آئے کام صد از صد ہو جائے

اور لیوہ رفتہ رفتہ ہے۔ جوں کو رہاں چھوڑے

خانہ میں ہے

Attachment Copy

6/2000

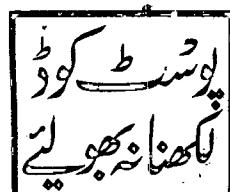
Visitors

L. P. S. ....

Advocate

69

ANEXURE NO ..... A-28



Rs.3 POSTAGE

Mr. Krishan Kumar,  
2/5A, Lajpat Nagar,  
Opp. Nibu Park,  
Chowk, Lucknow,

U. P.,  
INDIA.

--	--	--	--	--

(یوسف کوڈ)

Yester

### Attests IT to Copy

*Verminosaurus*

L. P. STRASBERG

## Advocate



ANNEXURE NO. 29

AUTHORITY LETTER

I, Krishan Kumar, son of late Amar Nath, permanent resident of 2/5A, Lajpat Nagar, opposite Nibu Park, Chowk, Lucknow (UP) (India) originally born in Lahore before Partition of India, do hereby authorise Mr. Shaukat Ali Siddiqui, son of Late Abdur Razzaque resident of Sector 11-B, A-526, North Karachi Township (Pakistan) at present residing at AL - Jawaid, KAPDA Colony Road, Shalamar Town, Lahore (Pakistan) whose Identity Card number is AH 636898 to present, pursue, answer, receive documents 503-27-229-518 and deposit fee/charges whatsoever on my behalf in the Lahore Municipal Corporation, Lahore (Pakistan) or before any other authority in connection with my date of birth.

*Krishan Kumar*  
(KRISHAN KUMAR)  
Authorizer

Lucknow

Dated: 9 - 9 - 1988

I know the authorizer, who has signed before me.

*Ch*  
ADVOCATE, 9-9-1988  
(Bhushan Kumar Singh)  
Pakhtawal Record

*Dhushan Singh*  
B.A.LL.B. D.P.A D.L.L  
ADVOCATE

Attest: True Copy

*V. Singh*

L. P. SINGH  
Advocate

21

No. 687 Stamps affixed except in case of uninsured <sup>21</sup> red letters of not more than the initial <sup>21</sup> ~~Postage~~ <sup>21</sup> weight prescribed in the Post and Telegraph Guide on which no acknowledgment is due <sup>21</sup>

ANNEXURE NO. A-30

A Q 4

Received a. V. P. Registered\*

Address to

Shankar Lal Siddique  
C. 11

Signature of Receiving Officer:

Insured for Rs. (in figures)

(in words)

weight ] rates

Insurance fee Rs.

P.

(in words) ] grams

6 leas.

687  
687  
L. P. 11  
L. P. 11

79  
D.F. 12-9-88

The General Manager (P),  
Northern Railway,  
Baroda House,  
Patna.

ANNEXURE NO 1-36

Through : The Divisional Railway Manager,  
Northern Railway, Patna,  
India.

Subject: Correction in Date of birth.

Ref: 1. Your letter No. 522E/41/1009/  
E-IID dated 29.10.1986 communicated  
through DRM/Lko's Letter  
No. 758E/6-1 dated 29.12.1986.

2. My last representation dated  
20.7.1988.

Sir,

On having received no response to my various representations including the last representation referred to above and the no objection certificate applied for, I have no alternative but to submit the enclosed application dated 12.9.1988 addressed to the Mayor, Lohore Municipal Corporation, Lohore to be sent through Embassy of Pakistan, New Delhi for verification of my date of birth from his records. Since the matter is urgent specially when I will be retired from service in the afternoon of 31st Dec., 1988 on the basis of incorrect date of birth recorded in my Service Record and also because of no action on my representation followed by various reminders, a carbon copy of the enclosed application, under very compelling circumstances, has been sent to the authorities concerned.

It is, therefore, requested that my enclosed application may kindly be sent to the Mayor, Lohore Municipal Corporation, Lohore through Embassy of Pakistan, New Delhi for verification of my date of birth from his records and necessary action may kindly be taken accordingly.

Thanking you.

Enc./One application.

Yours faithfully,

Krishan Kumar

( Krishan Kumar ),  
Head Clerk, Pay Bill Section,  
Divisional Railway Manager's  
Office, Northern Railway, Lko.

Attested/True Copy

L. P. Singh

L. P. Singh  
Advocate

600-00-

73

The Mayor,  
Lahore Municipal Corporation,  
LAHORE (Pakistan).

Through : The Embassy of Pakistan, New Delhi.

Rospected Sir,

A 85

I, Krishan Kumar, son of Late Amar Nath, permanent resident of 2/5A, Lajpat Nagar, opposite Nibu Park, Chowk, Lucknow (U.P.) (India), most humbly and respectfully beg to submit and request your goodself as under :-

1. That prior to partition of India, I, alongwith my parent, had been residing at Muri Gate, Gali Shami Hukan, Sutar Mandi, Lahore and after partition, migrated to India in 1947.
2. That according to my parent, I was born at the aforesaid place on 19th March, 1934 and my birth was got recorded in the then Municipal Board, Lahore.
3. That I am the first male issue of my parent born in Lahore on the aforesaid date.

It is, therefore, most respectfully prayed that your goodself may be pleased to verify my afore-mentioned date of birth from your record at your earliest possible and, if permissible, a certificate to that effect may kindly be issued and sent to me or delivered to my authorised representative on production of authority letter or through any agency as you may deem fit and proper so as to enable me to use the same as and when required.

It is further prayed that the matter may kindly be treated as most urgent and expedited at your earliest possible.

Thanking you,

Yours faithfully,

Krishan Kumar  
( Krishan Kumar)

S/o Late Amar Nath,  
R/o 2/5A, Lajpat Nagar, Opposite  
Nibu Park, Chowk, Lucknow (U.P.)  
(India)

Dated: 12.9.1988

Attestation Copy

K. Kumar

L. I. -

60000-  
60000-

No. 689

R. P. 51 (a)

Stamps affixed except in case of unregistered letters of not more than the initial Date-Stamp weight prescribed in the Post and Telegraph Guide on which no acknowledgment is due.

Received a V. P. Registered\*  
addressed to

D. K. R. P. 689  
20/12/1958

Signature of Receiving Officer

ANNEXURE NO. A-32

A 86

Insured for Rs. (in figures)

(in words)

weight ] rates ]

Insurance fee Rs. P.

No. 685

R. P. 51 (a)

Stamps affixed except in case of unregistered letters of not more than the initial Date-Stamp weight prescribed in the Post and Telegraph Guide on which no acknowledgment is due.

Received a V. P. Registered\*  
addressed to

D. K. R. P. 685  
20/12/1958

Signature of Receiving Officer

Insured for Rs. (in figures)

(in words)

weight ] rates ]

Insurance fee Rs. P.

(in words) grams ]

R. P. 51 (a)

689  
A. P. 689  
L. K. 689  
20/12/1958

25

A 87

ANNEXURE NO A-32

*please* Attested/True Copy  
*V. Chintamani*  
L. I. D. 1990  
Advocate

76

A 28

ANNEXURE NO A-34

1000000

Affected/Taco Copy

11/2000

1. 1. 1. 1. 1.

Parikhatal NO

Dt 12-9-88

From :

Krishan Kumar,  
 c/o Late Anup Nath,  
 2/54, Lajpat Nagar,  
 Opp. Nitu Park, Choki,  
 Lucknow (UP) (India).

ANNEXURE NO

A-35

To,

The Hon'ble Ambassador,  
 Embassy of Pakistan,  
 [Lahore].

Sub: Enclosed application for  
 verification of date of birth  
 by Lahore Municipal Corporation,  
 Lahore.

\*\*\*

Hon'ble Sir,

Under very compelling circumstances, I  
 dare to approach your kindness with the enclosed  
 application addressed to Hon'ble Mayor, Lahore -  
 Municipal Corporation, Lahore (Pakistan) for  
 verification of my date of birth recorded in that  
 office. The enclosed application is self explanatory  
 on the subject.

It is, therefore, most respectfully prayed  
 that your Goodself may be pleased to forward the  
 aforesaid application to the aforesaid Municipal  
 Authority for verification of my recorded date of  
 birth and the result, for the God Sake, communicated  
 to me at your earliest possible at the address men-  
 tioned above.

I beg for excuse for the trouble.

Thanking You.

Enc/One application.

Yours faithfully,

Krishan Kumar

( Krishan Kumar ).

Affd/True Copy

Ch. Asst. Secy

R. Patel - L... L.A.  
 12/12/88

78

No. 686 Stamps affixed except in case of uninsured P. R. Letters of not more than the initial ~~date~~ <sup>Stamp</sup> weight prescribed in the Post and Telegraph <sup>45</sup> Guide on which no acknowledgment is due. <sup>50</sup>

Received a V. P. Registered\*

addressed to

Ambeasie  
Pakistani Embassy

Signature of Receiving Officer

ANNEXURE NO

A-36

Insured for Rs. (in figures)	(in words)	weight	rates
Insurance fee Rs.	P.	(in words)	grams

6 Cents

1. 100  
2. 200  
3. 300  
4. 400

79

A91

R. P. St (a)

No. 668 Stamps affixed except in case of uninsured-Rs. P  
red letters of not more than the initial Date-Stamp  
weight prescribed in the Post and Telegraph  
Guide on which no acknowledgment is due.

Received a V. P. Registered<sup>3</sup>  
addressed to

Mayor (Chairman of Committee)  
Signature of Receiving Officer

ANNEXURE NO

A-32

Insured for Rs. (in figures)

(in words)

weight ] rates

Insurance fee Rs.

P.

(in words) grams

Wrecker

88

A 92

ANNEXURE NO A 30

600000-

Before the Central Administrative Tribunal,  
Circuit Bench, Lucknow.

O. A. No. 198/1988 (L).

A 95

Sri Krishna Kumar.

-----Petitioner

Versus

Union of India and others.

-----Opp-parties.

Written Statement on behalf of Opp-parties.

I, RAHUL JHA ~~aged about~~  
~~years, son of Sri S.~~  
presently working as Sr. Head Personnel Officer  
in the Office of the Divisional Railway Manager,  
Northern Railway, Lucknow, do hereby affirm and  
state as under :-

1. That I am presently working ~~as~~ <sup>as</sup> Sr. D.P.O.  
in the Office of the Divisional Railway Manager,  
Northern Railway, Lucknow, is looking after the  
above mentioned case on behalf of the answering  
opposite parties. I am duly authorised and competent  
to file this written statement on behalf of answering  
opposite parties, which is being given hereunder.
2. That the contents of paragraphs (A) to (H) of  
the claim petition are denied for want of knowledge  
~~and~~ record.

*Not by  
mail offer*

AM 6

3. That the contents of paragraph (I) of the petitioner-claimant are admitted only to the extent that the claimant/petitioner was appointed in the Railway Service as Cleaner on 9.12.1950 and his date of birth was correctly recorded as 20 years on appointment according to his own declaration. It is pertinent to note that the applicant had himself signed on the appointment card and had placed his thumb impression as a token of acknowledgement of correctness of the said declaration and recording of the date of birth of the claimant/petitioner. It is also to be noted that the claimant/petitioner was not an illiterate person who could not have understood the nature and implication of his own declaration, which has also been counter signed by him. *The contents of para (I)(2) need no comment.*

4. That the contents of paragraph (j) of the claim petition are not admitted for want of knowledge and record. It is most respectfully submitted as per office record available at this end, there is no affidavit sworn by the father of the claimant/petitioner. It is also denied that the date of birth of the petitioner was ever changed or allegedly correctly by the Railway Authorities at any time for the reason that there is nothing on record which would verify or corroborate the averments made in this paragraph.

5. That the averments made in paragraphs (K) to (N) of the claim petition are not admitted for want of

*Baruah*  
Divisional  
N.R.

ACI 7

knowledge and non-availability of record wherefrom the averments made in the paragraphs under reply can be verified or corroborated.

6. That the contents of paragraphs (O) and (P) are denied. It is further submitted that during the entire tenure of the petitioner in service several seniority lists were published in which date of birth of the petitioner was mentioned but not even once the petitioner made <sup>representation</sup> or objected against the alleged wrong recording of his date of birth.

7. That the contents of paragraphs (Q), (R), (S), (T), (U), (V), (W), (X) and (Y) are not admitted as no such case is available, at least, there is no such record which would be suggestive of the averments made in the paragraphs under reply.

8. That the contents of paragraph (Z) of the petition are admitted only to the extent that as per record the date of birth of the petitioner recorded in his service record, he was aged 20 years at the time of his appointment on 9.12.1950 which means that he attains age of his retirement i.e. 58 years on 31.12.88 and accordingly his name was notified through retirement list of the year 1988 vide letter No.342/E/Niptan/Sevanivrit/1988 dated 22.9.87.

9. That in reply to the averment made in paragraph (aa), the document referred ~~in~~ therein

Divisionsal  
N.C.T. of Delhi  
1

AKP

is not available on record, hence no comment can be offered.

10. That the contents of paragraph (bb) need no comment from the answering opposite parties as they do not concern their offices.

11. That in reply to the contents of paragraphs (cc) and (dd), only this much is admitted that the petitioner applied for 'No Objection Certificate' for his proposed visit to Pakistan and his case has been referred to ~~Excellencies~~ <sup>Dir. Inspectr, SIB, Chancery Ltr</sup> for clearance which is still awaited.

12. That the contents of paragraphs (ee) and (ff) need no comment as they do not relate to the answering opposite parties.

13. That the contents of paragraphs (gg) and (hh) need no comment except that the application for 'No Objection Certificate' has been sent to the Competent Authority whose decision is still awaited.

14. That the contents of paragraphs (ii) to (11) need no comment as they do not relate to the answering opposite parties.

15. That in reply to the contents of paragraph (mm) it is submitted that the application for 'No Objection Certificate' made by the petitioner has been forwarded to the Competent Authority whose decision is still

7/19

16. That the contents of paragraph (nn) need no comment as the same have no concern with the answering opposite parties.

17. That the contents of paragraph (oo) need no comment.

18. That the contents of paragraphs (pp) as stated, are denied.

19. That the contents of paragraphs (qq), (rr), (ss) and (tt) are denied. It is further submitted that the claim petition of the petitioner is liable to be dismissed with costs.

Lucknow, dated,  
21.12.88

*Ranbir*  
S/ Divisional Railway Manager  
Opposite Party No.  
Northern Railway  
LUCKNOW.

Verification.

I, RAHUL JHA presently working as ~~Senior~~ Mr. ~~officer~~ in the Office of the Divisional Railway Manager, Northern Railway, Lucknow do hereby verify that the contents of paragraph 1 of this reply are based on my personal knowledge while those of paragraphs 2 to 19 are based on record.

Lucknow, dated,  
12.88

*Ranbir*  
S/ Divisional Railway Manager  
Opposite Party No.  
Northern Railway  
LUCKNOW.

व अदालत श्रीमान

Before the Central Adm. Tribunal

Lalitpur

महोदय

प्रवादी अधीतान्त श्री

Registration No 198 / 1988

प्रतिवादी रेपान्डेट

का बकालतनामा

Krishan Kumar

वादी अधीतान्त

Union of India

प्रतिवादी रेपान्डेट

मुकदमा सं०

उमर मुकदमा में अपनो और से श्री

S. Siddharth Verma

Advocates

Luccu

एडवोकेट

महोदय

कानून

को अपना कानून नियुक्त करके इकरार करता है और किये देता है कि इस मुकदमे में कानून महोदय संघर्ष अधिकार अधिकार द्वारा जो कुछ वैरकी व जवाब देती व प्रश्नोत्तर करे या कोई कानून दाखिल करे या जैताये या हसाये तरीके से डिगरी जारी करावें और स्वामी व स्वामी या रुलहनामा या डक्किल भराया जाया अग्रिम व निगरानी हमारी और से हपारे या शपनि इस्ताधर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई स्वामी लड़ा करे या ज्ञानी किसी भी प्रतीकतानों का दाखिल किया हुआ स्वया अपने या इमारे हस्ताक्षर युक्त दृष्टियां रसीद से लेवे या पैद नियुक्त करें।

छारेत महोदय द्वारा ली गई दृष्टि कानून से अपने हाथी इस लिये श्रीमान अदालतनामा तिथि दिया कि प्रमाण इसे अपने लाभ पर काय आते।

✓  
हस्ताक्षर

26/12/88

साक्षी गवाह

साक्षी गवाह

दिनांक

महीना

तिथि 198

१०

Accepted

Sherma

27/12/88

(Siddharth Verma)

Advocate

Counsel for C.P.S.