

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

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ORIGINAL APPLICATION NO.694 of 1996

DATE OF ORDER: 19th July, 1996

BETWEEN:

A.RAM REDDY .. Applicant
and

1. Union of India represented by
the Secretary,
Ministry of Communications,
Department of Posts,
New Delhi 110 001,
2. The Postmaster General,
Hyderabad Region,
Hyderabad 500 001,
3. The Superintendent of Post Offices,
Karimnagar,
Karimnagar Division 505 001,
4. The Sub Divisional Inspector Postal,
Karimnagar South, Sub Division,
Karimnagar 505 002. .. Respondents.

COUNSEL FOR THE APPLICANT: Shri BSA SATYANARAYANA

COUNSEL FOR THE RESPONDENTS: SHRI N.R.DEVARAJ,Sr.CGSC

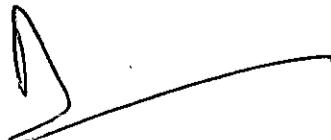
CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMINISTRATIVE)

JUDGEMENT

(AS PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Shri B.S.A.Satyanarayana, learned
counsel for the applicant and Shri N.R.Devaraj, learned
standing counsel for the respondents.



2. The applicant in this OA joined as EDBPM on 25.11.58 in Pandilla B.O, under Husnabad Post Office in Karimnagar Postal Division. As seen from the questionnaire to be filled by ED Agents at the time of joining that there is no exact date of birth entered, but it is stated that he is 27 years old on that date. That questionnaire form was signed by the applicant accepting his age on that date as 27 years. Though the applicant submits that he had studied in the Government High School, Karimnagar upto HSC and failed in that examination and possessed the Transfer Certificate wherein his date of birth is shown as 6.6.1936, he has not asked the authorities to write his date of birth as entered in the Transfer Certificate instead of writing his age as 27 years, for reasons known to him. The applicant submits that no gradation list was issued during the later years and hence he is not aware of the exact date of birth entered in the service register. However, he came to know of his date of birth entered as 20.11.1931 from the Inspection Note issued on 21.8.1992 (Annexure A-4 page 16). He further submits that he approached the authorities and orally requested for correction of his date of birth as 6.6.1936 as entered in his Transfer Certificate. He showed also to the authorities the relevant documents such as Transfer Certificate, hall ticket for the examination etc, for making necessary alteration of his date of birth. But he has not submitted any written representation in this connection in 1992. A further inspection note was issued on 24.8.95 (Annexure A-5 page 19) wherein the inspecting official viz, Sub Divisional Inspector (P),

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Karimnagar, South Sub Division has remarked that the date of birth of the applicant herein is entered as 6.6.1936 in his Transfer Certificate whereas as per the Inspection Report dated 8.9.94, the date of birth of the applicant is shown as 20.11.1931. Hence there is a discrepancy in regard to his date of birth which has to be reconciled. The applicant thereafter filed his first representation for correction of his date of birth by his representation dated 1.9.95 vide Annexure A-6 page 21. It was rejected by the impugned order dated 5.1.1996 (Annexure A-8).

3. This OA is filed on 10.6.96 for correction of his date of birth as 6.6.1936 instead of 20.11.1931.

4. The respondents rely on his age as indicated in the Questionnaire filled by ED Agent at the time of joining which was signed by him on 25.11.1958. They further submit that the applicant waited till 1995 to file his first representation i.e, when he was left only over a year before his retirement. They further submit that submitting a representation at the fag end of his service for change of date of birth cannot be countenanced in view of the judgement of the Supreme Court.

5. It is not known whether the applicant really orally represented his case immediately after issue of the Inspection Report on 21.8.1992 wherein it is stated that his date of birth is 20.11.1931. Though the applicant states that he orally represented his case,



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this factor has to be verified. It is fact that he represented his case only on 1.9.1995 as revealed from records. But in the Inspection Note dated 24.8.1995 of R-4, a recommendation has been made by the Inspecting officials to reconcile his date of birth. It is not known whether any such reconciliation has been made. In view of the above, it is essential for the Department now to reconcile his date of birth on the basis of the records available taking into account the various factors made in this OA. The applicant may also submit any representation in this connection within 15 days from today, if he desires to do so. If no such representation is received within 15 days from today, the case may be decided on the basis of the material available on record and also the material available in this O.A.

6. In the result, the following direction is given:-

R-2 should reconcile the date of birth of the applicant from various records available taking due note of the contentions made in this OA and also if any representation is received by him from the applicant within 15 days from today. A final decision in this connection should be taken by R-2 or or before 31.10.1996 and the applicant advised accordingly.

7. The OA is ordered accordingly at the admission stage. No costs.

Mo

(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: 19th July, 1996
Open court dictation.

Avvithu
By Registration
cm 11..

O.A.694/96.

Copy to:-

1. The Secretary, Ministry of Communications, Union of India, Department of Posts, New Delhi.
2. The Postmaster General, Hyderabad Region, Hyd.
3. The Superintendent of Post Offices, Karimnagar, Karimnagar Division.
4. The Sub Divisional Inspector Postal, Karimnagar South, Sub Division, Karimnagar.
5. One copy to Sri. B.S.A. Satyanarayana, advocate, CAT, Hyd.
6. One copy to Sri. N.R. Deva aji, Sr. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

9/7/96
TYPED BY
COMPARED BY

DA-694/16
CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN: M(A)

DATED: 19/7/96

ORDER/JUDGEMENT

O.A. NO./R.A./C.P. NO.

O.A. NO.

in
694/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

No Spare Copy

केन्द्रीय प्रशासनिक विविकाल
Central Administrative Tribunal
DESPATCH
30 JUL 1996
हैदराबाद आयोगी
HYDERABAD BENCH