

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/021/396/2019

Dated: 04/06/2019

Between

S. Yesudas,
S/o. Sri. S. Kanthaiah, Group.C,
Aged about 59 years,
Occ: GDSMC/Delivery Agent,
R/o. Usirikayalapalli BO. a/w Yellandu,
Sub Post Office, Khammam Division,
Khammam Dist.

... Applicant

AND

1. Union of India rep. by
The Chief Postmaster General,
AP. Circle, Hyderabad.
2. The Postmaster General,
Vijayawada Region, Vijayawada.
3. Superintendent of Post Offices,
Khammam Division, Khammam Dist.

... Respondents

Counsel for the Applicant : Mr. R. Mahanty
Counsel for the Respondents : Mrs. M. Swarna, Addl. CGSC

CORAM :

***Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Admin. Member***

ORAL ORDER
(Per Hon~~ble~~ Mr. Justice L. Narasimha Reddy, Chairman)

The applicant joined the service of the Department of Post as GDS, on 02.12.1978. His date of birth was entered as 02.01.1959 in the Service Register. According to him, the correct date of birth is 02.01.1960. He made a representation on 01.03.2007 stating that his actual date of birth is 02.01.1960 but it was wrongly mentioned as 02.01.1959 in the Service Register and made a request to correct the entry. It is stated that a reminder was submitted on 20.03.2019. This O.A. is filed with a prayer to direct the 3rd respondent to correct the date of birth of the applicant from 02.01.1959 to 02.01.1960.

2. We heard Sri R. Mahanty, learned counsel for the applicant and Smt. M. Swarna, learned Standing Counsel for the respondents at length at the admission stage itself.

3. The applicant states that he passed SSC examination and the date of birth was mentioned as 02.01.1960 in the certificate. His grievance is that in the Service Register, the date of birth was mentioned as 02.01.1959. It is not uncommon that discrepancies occur in the date of birth that is entered in the service register of an employee on one hand, and the one in the school record, on the other hand. Irrespective of the service, the date of birth of a person, as entered in the SSC certificate, is taken as the basis and that is entered in the Service Register. As long as the entry in the SSC certificate remains the same, there is no way, that the employee can seek modification in the Service

Register. If at a subsequent stage, the date of birth in the SSC certificate is changed in accordance with the procedure, a representation can be made to the appropriate authority, in that behalf. Another important aspect is that the exercise for correction is required to take place within five years from the date of entry into service. Rules are made to that effect in various services.

4. The applicant did not file a copy of the SSC certificate in this O.A. There is no mention in his representation also about the entry in that certificate. He places reliance upon a Transfer Certificate that too, a duplicate one, said to have been issued by a Government High School wherein the date of birth is mentioned as 02.01.1960. The applicant filed a copy of such duplicate Transfer Certificate. The original of the Transfer Certificate is said to be already with the respondents. However, he made efforts to get that returned. There again, a serious doubt exists as to whether the date of birth in the original of the Transfer Certificate is 02.01.1959 or something else.

5. At any rate, the applicant did not file the SSC certificate nor placed reliance upon any other document. We do not find any merit in the O.A. and it is accordingly dismissed. There shall be no order as to costs.

**(B.V. SUDHAKAR)
MEMBER (ADMN.)**

**(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN**

pv