



**Central Administrative Tribunal
Principal Bench**

OA No.2093/2017

New Delhi, this the 19th day of November, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

G.A. Arife, Group 'C', LDC
1269, Laxmi Bai Nagar,
New Delhi-23.

...Applicant

(In person)

Versus

Union of India

The Joint Secretary (Trg.) &
O/o J.S. & CAO (Trg.)
Chief Administrative Officer.
"E" Block, Dalhousie Road,
Ministry of Defence,
New Delhi-110011.

...Respondent

(By Advocate : Shri Gyanendra Singh)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

The applicant was appointed as LDC in the office of JS(Trg) & CAO, Ministry of Defence in the year 1983. This OA is filed with a prayer to direct the respondents to change her date of birth in the service record as 17.04.1962 in place of 02.06.1957.



2. The applicant contends that though her date of birth is mentioned in the service as 02.06.1957, recently she came to know that her father was in possession of her date of birth certificate, which reflects the date of birth as 17.04.1962. As regards delay, it is stated that she was busy in the Court proceedings and other issues and, accordingly, she filed the OA at this stage.

3. The respondents filed counter affidavit opposing the OA. It is stated that the date of birth was mentioned in the service record, as per the particulars, furnished by the applicant and some important documents were filled by the applicant herself. It is also stated that the request for change of date of birth cannot be entertained at this stage.

4. Heard the applicant, who argued the case in person and Shri Gyanendra Singh, learned counsel for respondents and have perused the record.

5. The applicant joined the service of the respondents in the year 1983. The date of birth of an employee is entered in the service record, on the basis of the educational certificates, particularly, at the secondary level. The applicant does not dispute that her date of birth in the SSLC Certificate was mentioned as



02.06.1957. If there exist any circumstances for alteration of the date of birth, the first step in this behalf is to get the date of birth in the SSLC Certificate changed. It is only thereafter, that an attempt can be made to alter the date of birth in the service record. There again, several limitations exist. The request in behalf is required to be made within a stipulated time from the date of entering into service. Once the date of birth is entered, it cannot be altered at the instance of the employee, unless the stipulated conditions are satisfied.

6. One important aspect in this case is that the applicant ceased to be in service in view of an order dated 29.05.2007, whereunder the penalty of compulsory retirement was imposed. Once the applicant is out of service, the question of changing the date of birth does not arise.

7. We do not find any merit in the OA and the same is, accordingly, dismissed.

There shall be no orders as to costs.

(Mohd. Jamshed)
Member (A)
'rk'

(Justice L. Narasimha Reddy)
Chairman