

EAH (1946) Department.

Ms SERIES.

G.O. No.

827
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Dated

16.2.1946

[Despatch Abstract.]

Certificate - S.S.L.C. - Alteration of the date of birth of
Sri P.S. Raghavachari - Request - Negatived.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

ASAN, M. A., B. L.,

ADVOCATE,
Suits of Income-Tax Cases.



SRIPURAM
ROYAPETTAH, P.O., MADRAS.
Dated 16-1-46 . 19

To
The Secretary,
Govt., of Madras (Education Dept.,)
Through The Director of Public Instruction,
M a d r a s.

Sir,

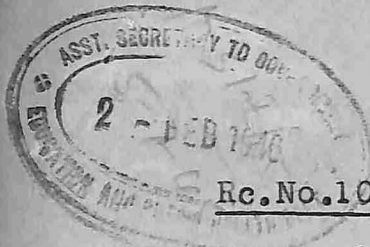
I beg to place before you the following for your kind consideration and favour of early orders.

I am an Advocate practising at Madras with permanent residence here. My son P.S. Raghavachari was born in Madras in 1931 and was undergoing his education course in Madras till 1942. In February 1942, the evacuation period, I sent my family to Tirupur (Coimbatore District) and my son was put to school at Nanjappa High School, Tirupur being admitted as a student of Fourth Form there.

When my son was admitted to the Fourth Form the declaration of his age was incorrectly given as 15-3-1931 in the absence of papers left behind and not available in the evacuation zone. This wrong date came to be entered in the Secondary School Leaving Certificate. This was noted only recently. The enclosed extract from the Birth Register of the Corporation of Madras shows the correct date as 10-1-1931. The discrepancy of about two months between the original age declaration and the correct age was due to the non-availability of the papers left behind at Madras at the time of evacuation.

I request that you will be pleased to rectify the mistake in the original age declaration and direct the entry of the correct date of birth as 10-1-1931.

Yours obediently,
P. R. Srinivasan



Office of the Director of
Public Instruction, Madras.

Re.No.106 E/46 dated 29-1-1946.

Submitted.

2. The petitioner made a similar request to this office in June 1945 and it was refused as it was supported only by what purported to be an extract from the boy's horoscope. The present petition is accompanied by a genuine birth extract and the request thus supported appears to be quite reasonable. The extract from the Birth Register refers to the child by name and the name is the same as that of the boy under reference. The period involved being only 3 months, there is no possibility of the certificate referring to another child of the same father, who was given the same name.

3. The present entry, wrong as it is, cannot be described as absurd nor is there any declaration by a court of Law of the correct date of birth. So I cannot alter the entry in the S.S.L.C. register of my own motion (vide G.O.No.39 Edn. dated 12-1-44). But I am prepared to make the alteration if Government have no objection to my doing so.

4. The S.S.L.C. of the pupil is also enclosed.

To
The Secretary to Government,
Education and P.H. Department, Madras.

k.h.31-1.

*Certain G.O.s required for the disposal
of this case have been called for from MROs. Their receipt
maybe awaited till 12/2/46*

*OSM
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*Ex-Off Dept
B*

6504

E& P.H. (B1)

Certificate - S-S-L-C. Alteration of the date of birth of Sri
P.S.Raghavachari

Petition from Sri P.R.Srinivasan, Advocate, Madras dated 16-1-46
Endt of the D.P.I. R.C.No 106 E/46 dated 29-1-46

The petitioner reports that the date of birth of his son
Sri P.S.Raghavachari was incorrectly given as 15-3-31 when he
joined the 1Vth Form in the Nanjappa High School, Tiruppur, in
1942 as the papers were left behind and ^{were} not available in the
evacuation scare and requests that it may now be altered into
10-1-31 which is the correct date as entered in the Corporation
Birth Register.

2. Under rule 5 of the subsidiary rules of the S.S.L.C.
scheme, care should be taken when a secondary leaving certificate
is opened on behalf of a pupil to ascertain the correct date of
birth and enter that date in the S.S.L.C. and if the date of
birth proposed to be entered in the S.S.L.C. does not differ from
the date entered already in the school admission register, a
declaration should ~~be~~ be obtained from the parent or guardian
that the date of birth entered in the school register is correct
and that no alteration of that date will be demanded in future
on the plea that the correct date was not given at the time of
admission and filed in the school. In the present case the date
entered in the S.S.L.C. must have been the date entered in the
school admission register and given in the transfer certificate
of the pupil ~~for otherwise~~ ^(the necessary) and a declaration would have been
obtained from the parent of the pupil at the time of admission
into the Nanjappa High School, Tiruppur for otherwise the parent
would have been required to produce a certified birth extract
from the Register of Births maintained by a public authority and
he would have obtained one, and the alleged inaccuracy in the
date of birth would not have occurred.

3. Alterations in the entries relating to date of birth
should not generally be made after a pupil has completed his
school course and appeared for the S.S.L.C.

In G.O. No 39 Edn dated 12-1-44 the D.P.I. was authorised to order corrections at any time in the date of birth as recorded in the S.S.L.C. in the following circumstances:-

- (1) when an obviously absurd entry has to be set right and
- (2) when a Civil Court directs correction in any individual case.

In the present case as neither of the above conditions are satisfied the D.P.I. cannot alter the date ~~but~~ but he has no objection to doing so if Govt have no objection.

4. In February 1944, in order to avoid civil suits, the D.P.I. suggested that Govt should take power to alter the date of birth if satisfactory evidence is produced but the proposal was not accepted.

Wide in this connection the correspondence on pp 7-16 n-f- of (Y).

In the present case there would seem to be no justification for the Govt to alter the decision and agree to the alteration of the date of birth. For orders whether the petitioner's request may be negatived.

Pl see A on p 1 of. The propils

transfer Certificate. Cols now have been left behind. This Certificate shd have shown the correct age and his age shd have been entered in the S.S.L.C. Book. The parent's explanation is not hereupon acceptable.

2- Under rule 5 the date cannot be altered after the propil has appeared for the S.S.L.C. Examination except in cases referred to at B above. There is no ground for either of them. The request for alteration may be negatived.

may be negatived.

A draft order is submitted below for approval

Certificate S.S.L.C. Alteration of the date of birth of Sri P.S. Raghavachari - Request - Negatived

From Sri P.R. Srinivasan, Advocate Sripuram
Royapettah 8/16.1.46

End of the DP 9 memo 106 E/46 8/29.1.46

Order no 827 Edn. 16.4.46.

The petitioner is informed that his request that the date of birth of his son Sri P.S. Raghavachari entered in his S.S.L.C. may be altered into 10.1.1931 cannot be complied

To
The petitioner with S.S.L.C. & certified extract from the Registrar's & Deaths Registry DP 9 12/4/46

15.4.46

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