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Central Administrative Tribunal, Principal Bench

Original Application No.2690 of 1999

New Delhi, this the 2nd day of February, 2001

Hon'ble Mr.Kuldip Singh, Member (J)

Danish Siddiqui
S/o Shri K.P.Siddiqui
A-11, MCD Medical Complex,
Kalidas Marg, Gulabi Bagh
Delhi-7

- Applicant

(By Advocate - Sh. S.P.Sharma, proxy for Sh.Rishi Kesh)

Versus

1.The Director General
Indian Council for Cultural Relations
Azad Bhawan, I.P. Estate
New Delhi-2

2.The Deputy Director General (Administration)
Indian Council for Cultural Relations
Azad Bhawan, I.P. Estate
New Delhi-2

3.Union of India
through its Secretary
Ministry of External Affairs,
South Block, New Delhi-1

- Respondents

(By Advocate: Shri K.C.D.Gangwani)

O R D E R (ORAL)

By Hon'ble Mr.Kuldip Singh, Member(J)

In this OA, applicant has prayed for the following reliefs:

- "(a) To declare the discontinuance/ termination of the applicant as illegal, arbitrary and unjust and same be quashed and set aside;
- (b) That applicant herein be employed on continued basis as and when respondents engage incumbents on casual basis/daily wage basis;
- (c) That the services of the applicant be regularised as LDC from inception;
- (d) That the applicant be paid regular pay on the principle of equal pay for equal work as if applicant was regular LDC from the date of initial appointment; and
- (e) The applicant be paid arrears of

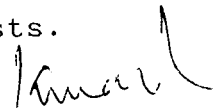
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salary/wages after deducting the pay received by him on daily wage basis."

2. Facts in brief are that applicant was working as casual Typist under Indian Council for Cultural Relations (in short 'ICCR'). Shri Gangwani, learned counsel for the respondents submitted that ICCR is not notified for the purpose of bringing it within the jurisdiction of C.A.T. On the last date also, this point was raised and the learned counsel for applicant had submitted that since ICCR is an independent body under the Union of India, so C.A.T. has jurisdiction to hear this matter.

3. Respondents have filed an affidavit stating that ICCR is a registered body under Societies Registration Act and since it has not been notified to be covered under the jurisdiction of C.A.T., the applicant is not entitled to invoke jurisdiction of C.A.T. for redressal of his grievance, if any.

4. Keeping in view the affidavit filed by respondents, I am of the considered opinion that this Tribunal has no jurisdiction to entertain the present petition. It is, therefore, dismissed for lack of jurisdiction. However, the applicant will be at liberty to agitate his grievance before the appropriate forum, if so advised. No costs.


(Kuldip Singh)
Member(J)

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