

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA 213/98 in OA 1971/97

New Delhi, this 19th day of August, 1999

Hon'ble Shri N. Sahu, Member(A)

Union of India, through
Director (Admn.)
Office of Development Commissioner
Small Scale Industries
Nirman Bhavan, New Delhi

.. Applicant

(By Shri V.S.R. Krishna, Advocate)

versus

1. Shri Ram Karan Singh
799, Panna Papasiya
Narela, Delhi-40

2. Secretary
Ministry of Industry
Nirman Bhavan, New Delhi

3. Chairman/Development Commissioner
Small Scale Industries
Nirman Bhavan, New Delhi

4. Section Officer, GA Branch
734A, Development Commission
Small Scale Industry
Nirman Bhavan, New Delhi

.. Respondents

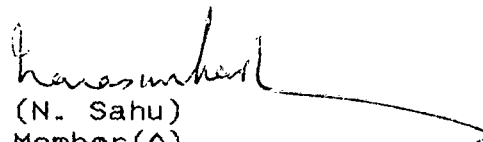
(By Shri A.K.Bhardwaj, Advocate for R-1)

ORDER(oral)

Learned counsel for the review applicant submits that the applicant was engaged by an autonomous body namely Fragrance & Flavour Development Centre (FFDC for short), Kannauj. In the review application, it is stated that the applicant's services were requisitioned by FFDC for maintaining the office of Chairman, FFDC, which is situated on the 7th Floor of Nirman Bhavan. The point is that FFDC, being a society under the Societies Registration Act, is an autonomous body and is not covered within the ambit of Section 14 of AT Act, 1985.

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2. Shri A.K. Bhardwaj, learned counsel for the respondent-applicant submits that the services of the applicant were temporarily utilised in the office of FFDC but actually he was working in the office of the official respondents. He showed the certificate issued by the Assistant Director in the office of Development Commissioner, Small Scale Industries, stating that the applicant was actually engaged in the Government office upto August, 1997. Applicant had also received payment of daily wages for 18 days during the month of April, 1997. It was also certified by Shri Y.S. Bhatnagar, Assistant Director. The Chairman of FFDC is Additional Secretary & Development Commissioner (SSI) and the services were requisitioned again by FFDC. Shri Bhardwaj submits that Shri Bhatnagar in the affidavit did not deny the genuineness of the certificate referred to above issued by him. The services of the applicant apparently were loaned to FFDC which is also a wholly owned concern of the Government, the Additional Secretary being its Chairman. In principle and in essence the applicant has rendered services primarily to the Government and while doing so his services were requisitioned by the FFDC for a shortwhile. As such the order impugned in the RA does not call for any interference. The RA is dismissed.


(N. Sahu)
Member(A)

/gtv/