

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 2406/94

Hon'ble Shri A.V. Haridasan, Vice-Chairman(J)
Hon'ble Shri R.K. Ahooja, Member(A)

New Delhi, this 19th day of March, 1996

Smt. Dharam Wati
W/o Shri Nihal Singh
H.No.85-A/5 Mohammad Pur
R.K.Puram
NEW DELHI-66.

... Applicant

(By Ms. Pankaj Bala Verma, Adv.)

Versus

1. The Director of Education
Old Sectt.
Delhi.
2. The Dy. Director of Education
Distt. East Rani Garden
DELHI.
3. The Principal
Govt. Girls Sr. Sec. School
Shankar Nagar
DELHI.

... Respondents

(By Shri Ajesh Luthra, proxy of Ms. Jyotsna
Kaushik, Advocate)

O R D E R (Oral)

Hon'ble Shri A.V. Haridasan, Vice-Chairman(J)

The letter written by the applicant to the Hon'ble Chairman of this Tribunal has been treated as an Original Application. The grievance of the applicant is that while she has been working as Domestic Science Helper on Part-time basis in the Govt. Girls Sr. Sec. School, she is not being considered for regularisation to Group 'D' post and that the enhanced remuneration of Part-time workers from Rs.489/- to Rs.900/- is also not yet been paid to her, the applicant sought a direction to the respondents to pay her the minimum wages as payable on a Minimum Wages Act w.e.f. 1.8.1993.

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2. Notices have sent to the respondents, Ms.Jyotsna Kaushik, counsel for the respondents has filed a reply to which the applicant has also filed rejoinder. We have heard the counsel for the applicant and Shri Ajesh Luthra, proxy counsel of Ms.Jyotsna Kaushik, counsel for the respondents and we have carefully perused the materials placed on the file as also the file produced for our perusal by the learned counsel for the respondents regarding the appointment and the continuance of the applicant as a Part-time Domestic Science Helper. The ^{respondents} case of the applicant is that the applicant is working as a Part-time Domestic Science Helper and is being paid wages under the Pupils Fund and the Govt. ^{has} is nothing to do with this fund ^{This is} and it has ^{also} not disputed in the rejoinder. The file produced for our perusal by the respondents shows ^{been} that an approval had ^{been} given by the Dy. Director to engage the applicant as a Part-time Domestic Science Helper on daily basis out of the Pupils Fund. The Pupils Fund ~~is~~ not being a Government Fund, the applicant cannot be considered a person who is discharging any duties in relation to the ~~affairs~~ Delhi Administration, but only for the benefit of the Students ^{she has been appointed and paid her wages from} the Pupils Fund. In the circumstances, we find that we have no jurisdiction to deal with the issue involved in this case. Hence, the application is rejected for want of jurisdiction, making it clear that the applicant may approach with ^{before the} appropriate forum for ~~the~~ appropriate relief. No costs.

R.K. Ahuja
(R.K. AHOOJA)
MEMBER(A)

M. A. Rao
(A.V. HARIDASAN)
VICE-CHAIRMAN(J)

/RAO/