

Central Administrative Tribunal
Principal Bench, New Delhi.

O.A. No.1782 of 1988

6th day of December, 1993.

Shri P.T. Thiruvengadam, Member (J)

Shri J.P. Sharma, Member (A)

Shri S.N. Dhoundiyal,
C/o Sh. P.T.S. Murthy,
Advocate,
JG-1-59-A, Vikas Puri,
New Delhi-110018.

Applicant

By Advocate Shri P.T.S. Murthy
Versus

1. Union of India through
Secretary, 1
Ministry of Environment,
Lodhi Complex,
New Delhi.

2. President,
Forest Research Institute
& Colleges,
P.O.: New Forest,
Dehradun.

Respondents

By Advocate Shri P.P. Khurana with
Shri George Paricken.

(Oral) O R D E R

Shri J.P. Sharma

The applicant, while working as R.A.-II (Assistant Foreman), Cellulose & Paper Branch, F.R.I., Dehradun, filed this application on 13.9.1988 against the respondents, Union of India and President, F.R.I. & College, Dehradun. The grievance of the applicant for non-promotion for the last 24 years even though his juniors with equivalent or even lesser qualifications were promoted. He has prayed for the grant of the relief that the applicant be promoted from Grade II to Grade

le I with ^{ret.} prospective effect from the earliest date from which his junior was promoted, with consequential benefits of arrears of difference of pay and allowances from the date of promotion between Grade I-RA and Grade II-RA.

2. A notice was issued to the respondents, who contested the application and filed the reply. During the pendency of this application, respondent No.2, i.e., the Forest Research Institute and Colleges, has been declared as an autonomous body and has been registered as a society under the Society Registration Act No.21 of 1860 and the said certificate has been issued on 12.3.1991. A copy of the same has been filed by the learned proxy counsel for Shri P.P. Khurana, Counsel for the respondents. A copy of this has to be given to the learned counsel for the applicant, Shri P.T.S. Murthy. The learned counsel for the respondents has also filed a letter addressed to the learned counsel for the applicant dated 22.8.1991 to the same effect.

3. In order to come within the jurisdiction of the Tribunal, there should be a notification issued under sub-clause (2) of Section 14 of the A.T. Act. Though initially, the jurisdiction of the Tribunal was there, as the respondent No.2 was an organisation of the Union of India, yet the conferring of autonomous status on respondent No.2 with registration under the Societies Registration Act, 1860, the jurisdiction of the Tribunal ceased in this particular case. The grievance of the applicant is of non-promotion by Respondent No.2.

4. In view of the above facts and circumstances, the application is not maintainable as Res.No.2 is not within the jurisdiction of this Tribunal at present and the grievance made by the applicant cannot come within Section 19 of the A.T. Act, 1985.

5. The application, therefore, is held to be not maintainable. Registry to return the application to the applicant for presentation to the competent forum who may pursue the matter, if so advised according to the extant law. No costs.

P.T. Thiruvengadam

(P.T. Thiruvengadam)
Member(A)

J.P. Sharma

(J.P. Sharma)
Member(J)

SLP