

(16)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
New Delhi.

Registration O.A. 1585 of 1987

Dr. R.L. Jussal Applicant.

Versus

Union of India
and others Respondents.

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Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. S.R. Adige, Member (A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant is the President of the Parishad of the Scheduled Castes and Scheduled Tribes Employees, working in the department of Science & Technology and in Scientific and Industrial Research. He has approached the Tribunal with a prayer that the impugned order dated 10.6.1976 be quashed being ultra-vires of the Constitution and further suitable directions may be issued to provide reservation for the members of the Scheduled Castes and the Scheduled Tribes in all Scientific and Technical Posts under their control. This application was filed before the Tribunal on 28.8.1987 that is some 9 years after the impugned order was passed. The impugned order was dated 10.6.1976. It has been contained the decision of the Government of India to exempt the certain Class-I Scientific/ Technical posts in the department of Science and Technology from the purview of the orders for reservation of the posts for the Scheduled Castes/Scheduled Tribes. The applicants feels aggrieved against the same order. The only averments which has

been made in the application is that the representations were made between the year 1981-86 i.e. 5 years after the impunged order was passed. The cause of action in the matter accrued as early as in the year 1976 when the Administrative Tribunals Act was not even brought in the statutory book.

The ~~CC~~ Tribunal will have no jurisdiction in respect of the matter in which cause of action accrued before the Tribunal came into existence. The applicant who is present in person has drawn our attention on the order passed by this Tribunal admitting this application for consideration. Merely because an application is admitted for consideration, that could not confer the jurisdiction on the Tribunal which is otherwise had not and the Tribunal has got no jurisdiction to entertain this matter in view of the fact that the cause of action accrued in the year 1976, as such, there is no option before us but to dismiss this application on the ground of jurisdiction. No order as to the costs.

Arif Ali
Member (A)

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Vice-Chairman

Dated: 18.3.1993
(n.u.)