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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. 2104 of 1993

2nd November, 1993

Hon'ble Mr. J.P. Sharma, Member (J)

Hon'ble Mr. B.K. Singh, Member (A)

Bhagirath Prasad Gupta,
S/o late Shri B.L. Vaish,
III-D/25, Nehru Nagar,
Ghaziabad.

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Applicant

By Advocate : None

Applicant present in person.

Versus

1. Union of India, through
Regional Director (Food),
Food Corporation of India,
16-20 Barakhamba Lane,
New Delhi.

2. The Chairman,
Food Corporation of India,
16-20 Barakhamba Lane,
New Delhi

3. The Managing Director,
Food Corporation of India,
16-20, Barakhamba Lane,
New Delhi.

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Respondents

By Advocate: None appeared for the respondents.

ORDER (ORAL)

Hon'ble Mr. J.P. Sharma, Member (J)

The applicant has assailed the order dated 21st September, 1990 passed by the Managing Director, Food Corporation of India by which a memorandum has been issued to the applicant enclosing the imputation of misconduct. He has also assailed the order dated 13th March, 1991 by which a penalty of 'censure' has been imposed upon the applicant by the Managing Director, F.C.I. after the conclusion of the enquiry.

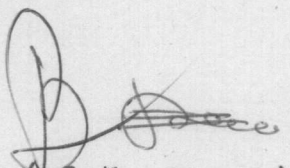
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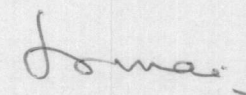
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2. The case was listed on 6.10.93 before the Bench and since the applicant did not appear on that day, a notice was issued to him in compliance of which the applicant has appeared today. The contention of the applicant is that earlier to joining the F.C.I. he was an employee of Union of India and as such like other employees of Central Govt. his grievance may also be considered in an application under Section 19 of CAT Act, 1985.

3. We have heard the applicant in person at considerable length and we find that there is no notification under Section 14(2) bringing the FCI, a corporation wholly owned by the Union of India, within the purview and jurisdiction of the Central Administrative Tribunal. The application therefore does not lie. The applicant shall, however, be free to agitate the matter before any other competent Court. Therefore this application is dismissed not being within the jurisdiction of CAT.


(B.K. Singh)
Member (A)


(J.P. Sharma)
Member (J) 2/11/93

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