

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNALCIRCUIT BENCH AT NAINITALNainital this the 19th day of April, 2001

C O R A M :- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mej. Gen. K.K. Srivastava, A.M.

Orginal Application No. 994 of 1996

Hori Singh S/o Late Shri Nathan Singh
 R/o Ambedkar Nagar, Nala Pani Road, Nai Basti, Dehradun.

.....Applicant.

Counsel for the applicant :- Sri H.N. SharmaV E R S U S

1. Union of India through the Secretary, M/o Welfare
 New Delhi.
2. Director, National Institute for the Visually
 Handicapped (NIVH), M/o Welfare, Govt. of India,
 116, Rajpur Road, Dehradun.
3. Manager, Central Braille Press, National Institute for
 the Visually Handicapped, M/o Welfare, Govt. of India,
 116, Rajpur Road, Dehradun.

.....Respondents.

Counsel for the respondents:- Sri S.K. Anwar.O R D E R (Oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

This application has been filed for direction to the respondents to grant the pay scale of Packer that is Rs. 850-1150 to the petitioner from the date of his appointment and to pay arrears of salary and other emoluments

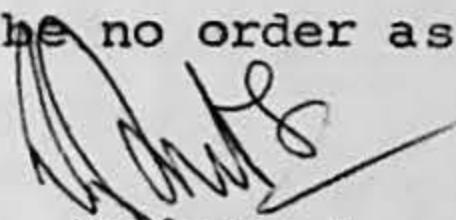
by computing the salary as per revised pay scale enforced by Pay Commission w.e.f 01.01.86.

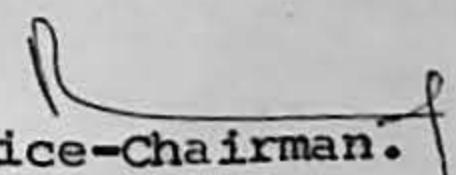
2. Applicant has claimed that he was recruited as Packer on 22.02.1966 in the Central Braille Press of the Government of India situated at Dehradun which is being run under the M/o Welfare, Govt. of India. It is further submitted that his appointment was made on substantial capacity on 22.08.66 (copy of order dt. 26.05.71 has been annexed as annexure- 2). From Annexure- 2 it appears that the applicant was employed by National Centre For The Blind, Department of Social Welfare, Govt. of India, Dehradun. Applicant has also filed pay slip of January, 96 which has been issued by National Institute for the Visually Handicapped, Dehradun (annexure A2/2).

3. The Division Bench of this Tribunal by order dt. 16.01.97 passed in O.A No. 417/1996, Mehal Singh and Ors. vs. U.O.I & Ors held that the National Institute for the Visually Handicapped is a registered society which does not come within the jurisdiction of the Tribunal. A copy of judgement has been placed before us by Km. Sadhna Srivastava, holding brief of Sri S.K. Anwar, learned counsel for the respondents and has been submitted that this application is not legally maintainable. Sri Sharad Sharma, learned counsel for the applicant could not place before us any notification issued by Central Government u/s 14 ^{showing that} ~~being such~~ society is under jurisdiction of this Tribunal.

4. In our opinion, the case is squarely covered by the judgement of D.B of this Tribunal. For the reason stated above this O.A is not legally maintainable and is dismissed as not maintainable. Applicant may seek remedy before the competent court.

5. There will be no order as to costs.


Member- A.


Vice-Chairman.

/Anand/