

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/50/2020

This the 24th day of March, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**



Mussrat Naz Choudhary w/o Riyazudin d/o Munshi Khan, r/o village
Gunthal, Tehsil Surankote, District Poonch.

.....Applicant

(Advocate: None)

Versus

1. Union Territory of J & K through Commissioner/Secretary,
Health & Medical Education Department, Civil Sectt., Jammu.
2. Mission Director, National Rural Health Mission, Nagrota, Jammu.
3. Deputy Commissioner, Poonch.
4. Vice Chairman/Chief Medical Officer, District Health Society,
Poonch.

...Official respondents.

5. Zahida Kouser d/o Mohd. Azam, r/o village Panchayat Gunthal
Dhana, Tehsil Surankote, Distt. Poonch.

(By Advocate : Mr. Amit Gupta).

.....Respondents

ORDER[ORAL]

(By Hon'ble Mr. Rakesh Sagar Jain, Member-J)



The present TA has been received by way of transfer from Hon'ble High Court of J&K at Srinagar. It has been submitted by the learned AAG that the applicant was appointed as Multi Purpose Health Worker under National Health Mission (for short NHM). He further states that since employees working under National Health Mission has not been notified under Section 14 of the Administrative Tribunals Act, 1985, as such, this Tribunal has no jurisdiction to entertain the present matter.

2. Contention of learned DAG has force and has to be accepted. Since National Health Mission has not been brought within the jurisdiction of this Tribunal by notification to be issued by the Central Government under Section 14 (2) of the Administrative Tribunals Act, 1985 and the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the NHM, under the Act. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition relating to any service dispute of NHM employees.

3. Therefore, since this Tribunal has no jurisdiction to deal with the present case, this case be sent back to Registrar (Judicial), High Court of Jammu & Kashmir at Jammu to be placed before the Hon'ble Bench for further orders.

4. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Jammu on 23.4.2021.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

KKS