

**CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH**

OA/701/93

Date of Decision : 01.11.2000

General Workmen's Union, Godhra & Ors. : **Petitioner (s)**

Mr. Y.V. Shah : **Advocate for the petitioner(s)**

**Versus**

Union of India & Ors. : **Respondent(s)**

Mr. M.S. Rao : **Advocate for the Respondent(s)**

**CORAM**

**The Hon'ble Mr. V. Ramakrishnan** : **Vice Chairman**

**The Hon'ble Mr. P. C. Kannan** : **Member (J)**

**JUDGMENT**

1. Whether Reporters of Local papers may be allowed to see the judgment? ✓
2. To be referred to the Reporter or not? ✓
3. Whether their Lordships wish to see the fair copy of the Judgment?
4. Whether it needs to be circulated to other Benches of the Tribunal? ✓

: 2 :

General Workmen's Union,  
A Registered Trade Union of Godhra  
by its Hon: Secretary J..K.Ved,  
GL Railway Colony,  
Godhra.

For and on behalf of Railway Workmen:

1. Pratap Hira,
2. Vajesih Sanabhai,  
Both Railway Workmen,  
C/o. J.K.Ved,  
GL Railway Colony,  
Godhra.

**Advocate: Mr.Y.V.Shah**

**Versus**

1. Union of India,  
Through:  
The Secretary to Govt.of India,  
Ministry of Labour,  
Central Secretariat,  
New Delhi-110 001.
2. Desk Officer,  
Minsitry of Labour,  
Govt. of India,  
Central Secretariat,  
New Delhi-110 001.

: Respondents

**Advocate: Mr.M.S.Rao.**

**ORAL ORDER**  
**OA/701/93**

**Date: 1.11.2000**

**Per: Hon'ble Mr.V.Ramakrishnan**

**: Vice Chairman**

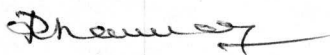
We have heard Mr.Y.V.Shah, counsel for the applicant and  
Mr.M.S.Rao, counsel for the respondents.


2. The applicant has challenged the order dated 17.7.1992 from the Ministry of Labour refusing to make a reference of the dispute to the Industrial Tribunal even though the conciliation proceedings taken up earlier had failed. The applicant seeks a direction to the Ministry of Labour to make a reference to the Industrial Tribunal under Section 10 of the Industrial Disputes Act.

3. Mr.M.S.Rao, counsel for the respondents states that the OA is not maintainable before this Tribunal as it has no jurisdiction to entertain matters pertaining to I.D.Act. Mr.Y.V.Shah does not however agree with the submission of Mr.Rao.

4. We find that the Hon'ble Supreme Court in the case of Krishna Prasad Gupta vs. Controller, Printing and Stationery (1996) 32 ATC 211 has held that this Tribunal has no jurisdiction to entertain matters pertaining to I.D.Act. This decision was consistently been followed by the Tribunal during the last 2 years. In view of this, we cannot entertain the present OA for want of jurisdiction. The papers may be returned to the applicant for approaching the appropriate forum keeping one copy for record purposes.

5. The O.A. is finally disposed of. No costs.

  
(P.C.Kannan)  
Member (J)

  
(V.Ramakrishnan)  
Vice Chairman