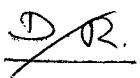


CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCHNOTE ON MAINTAINABILITY:-

Applicant in this OA is working in the Fluid Control Research Institute, Palghat. The Institute is an independent National Centre set up by the Govt. of India under the Department of Heavy Industries with assistance from United Nations Development Programme. The said Institute is registered under the Societies Registration Act (Act XXI of 1860) and registration No. is 376/87.

The Institute does not seem to be an integral part of any Central Government Department. Nor the jurisdiction of Central Administrative Tribunal has been extended to the said Institute by the Central Government in exercise of the powers conferred by sub-section (2) of section 14 of the A.T. Act, 1985.

Hence submitted for orders on jurisdiction of CAT in this case.



4/3/91



4/3/91

SPM & ND

Mr. A. R. Sreenivasan for the applicant

Heard learned counsel for the applicant about the maintenance of this application. The learned counsel concede that the Fluid Control Research Institute, Palghat is a society registered under the Societies Registration Act. He has not been able to produce any notification issued under sub section (2) of Section 14 of the Administrative Tribunals' Act ^{making} bringing the provisions of the Act applicable to the said Society. The learned counsel also concedes that the applicant is not a member of any All India Service or a person appointed to the

Civil Service of the Union or a Civilian appointed to any Defence Unit having been taken on deputation to the aforesaid Institute. The provisions of Section 14(1) cannot be invoked for interfering in this application. In the circumstances, we find that the application does not lie within the jurisdiction of the Tribunal and is dismissed as not maintainable. This is without prejudice to the rights of the applicant to approach the proper legal forum ^{and} if so advised in accordance with law.

5.3.91

Mr. M.W.
A
6/3/91