

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

O.A. Nos. 225/87, 226/87, 227/87 & 228/87

1. Mr. M. Ethiraj

.. Applicant in 225/87

2. Mrs. N. K. Athalye

.. Applicant in 226/87

3. Mrs. Zimra R. Israel

.. Applicant in 227/87

4. Mr. C. L. Rammurthy

.. Applicant in 228/87

V/s.

1. The Director
National Institute of Virology
20 'A' Dr. Ambedkar Road,
Pune - 411-001.

2. The Director General,
Indian Council for Medical Research,
Medical Enclave
(Ansari Nagar),
New Delhi - 110-016

.. Respondents in all
the above four cases.

Coram: Hon'ble Member (A) J. G. Rajadhyaksha
Hon'ble Member (J) M. B. Mujumdar

Appearance:

1. Mr. Babu Marlapalle,
Advocate for the
applicants.

2. Mr. Rihwani from
Respondent No. 1

Date: 8-6-1987

ORAL JUDGMENT

(Per J. G. Rajadhyaksha)

The applicants in these four applications are working with the National Institute of Virology in Pune, and have some service disputes with the employers. This Institute is governed by the Indian Council of Medical Research which itself is an autonomous body, under the general administrative control of the Health Ministry of Govt. of India. On 15-4-1987, when the matter came up for admission, the question arose as to whether Indian Council of Medical Research is an autonomous body or a Govt. department. Accordingly, notices for admission hearing fixing the date as 8-6-87 were issued. Today, Mr. Rihwani of the National Institute of Virology produces a letter addressed to the Tribunal clarifying that the

Indian Council of Medical Research is an independent autonomous body and it is not a Govt. department. He adds that this Council has not yet been notified under Section 14(2) of the Administrative Tribunals Act, 1985. Though the Council has every intention of moving Govt. for such a notification, until such a notification is issued, this Tribunal will have no jurisdiction to adjudicate upon the disputes between the employees of National Institute of Virology and the Indian Council of Medical Research and its subsidiary the National Institute of Virology.

In the circumstances, we have no alternative but to summarily reject all the four applications with the observation that the applicants may approach the proper forum if so advised.

The applications are summarily rejected.


(J.G. RAJADHYAKSHA)
Member (A)

True copy


(M.B. MUJUMDAR)
Member (J)