

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indira Nagar, Bangalore-38.

Dated

Application No. 842 /86(T)

Writ Petition No. 34430/81

APPLICANT

K. Sivagrajan

To

VERSUS

Director of central plantation
Coops Research Institute your

- 1) Dr. N. C. Biligiri Rangiah - for Applicants
- 2) Sri S. Ranjendra Babu - for R2.
- 3) Sri K. Shiva Shankar Bhat for R1

Writ petition No. 34430/81 on the file of Hon'ble
High Court of Karnataka, Bangalore, transferred to this Tribunal

under Section 29 of the Administrative Tribunals Act, 1985, and
registered in this Tribunal as Application No. 842/867 is
posted before the Bench on 29/7/86 for fixing the date of

final hearing. & Reg. Mailability of the case before Tribunal

2. You are directed to appear on the aforesaid date at
10.30 AM failing which further proceedings will be held in your
absence.

By order of the Tribunal.

Swd
(COURT OFFICER)

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CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

· ORDER

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

TUESDAY, THE 29TH OF JULY, 1986

PRESENT

THE HON'BLE MEMBER (JUDICIAL) : SH. CH. RAMAKRISHNA RAO

THE HON'BLE MEMBER(ADMINISTRATIVE) : SH L.H.A. REGO

IN

APPLICATION NO 842/86(T)
(W.P. NO 34430/81)

K. Singarajan,
Senior Research Assistant,
Central Sericultural Research
and Training Institute, Mysore of
Central Silk Board, Govt of India. : : : Applicant

VERSUS

1. The Director of Central Plantation Crops Research Institute, Kasargod, Kerala State.
2. The Director, Central Sericultural Research Training Institute, (C.S.R. and T.I.) Institute Mysore. : Respondents.

ORDER

In the above application, this Tribunal has passed the following Order:-

"It is brought to our notice that no notification has yet been issued under Section 14(2) of the Administrative Tribunals Act, 1985 conferring jurisdiction on the Central Administrative Tribunal to entertain any application relating to the Central Plantation crops & Institute. *Research* We therefore direct the Registrar of this Bench to take steps for transferring the W.P. back to the High Court of Karnataka addressing Suitably the Registrar of that High Court".

Given under my hand and the seal of this Tribunal, this
8th day of August, 1986.

REGISTRAR

Copy to :-

Sri Sivaraj Patil, Advocate,
No. 1036, 80 feet Main Road,
4th Block, Rajaji Nagar,
Banqalore - 10

Sh.M.S.Padmarajaiah,
Sr.Central Govt. Stng. Couns
High Court of Karnataka,
High Court Building,
Bangalore.

ORDER

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me *DR* *2028*
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REGISTERED/AD

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indira Nagar,
Bangalore-560 038.

Dated the August, 1986.

REF: APPLICATION NO. 842/86(T)

To

The Registrar,
High Court of Karnataka,
High Court Building,
Bangalore.1.

Subject: Returning of W.P.No. 34430/81
to the High Court of Karnataka.

Sir,

Writ Petition No. 34430/81 on the file of the High Court of Karnataka, Bangalore, transferred to this Tribunal under Section 29 of the Administrative Tribunal Act, 1985, is returned herewith for necessary action, in pursuance of this Tribunal's Order Dated 29.7.1986, copy of which is enclosed herewith.

Deepti
REGISTRAR.

O/c Pre

Encl: Entire Records of the Case.

KRM

Deepti
Deputy Registrar,
High Court of Karnataka,
Bangalore-560 038.

ORDER

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Registered A/D

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

TUESDAY, THE 29TH OF JULY, 1986

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THE HON'BLE MEMBER (ADMINISTRATIVE) : SH L.H.A. REGO

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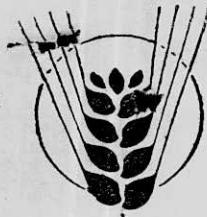
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8th day of August, 1986.

See *2028*
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Sh. M. S. Padmarajaiah,
Sr. Central Govt. Stng. Couns
High Court of Karnataka,
High Court Building,
Bangalore.



19/1/86

Most Urgent

TELE { GRAMS: "RESEARCH"
PHONE: OFFICE 94
TELEX: 0842 248 CASC IN

केन्द्रीय रोपण फसल अनुसंधान संस्थान
(भारतीय कृषि अनुसंधान परिषद)
कासरगोड

ICAR

CENTRAL PLANTATION CROPS RESEARCH INSTITUTE
(Indian Council of Agricultural Research)
KASARAGOD-670 124, Kerala, India

No. F. 7(2)182-Bart Cau- 81/1

Dated 23 July, 1986

To

Shri M.S. Padmarajaiah
Advocate & Addl. Central Govt. Standing Counsel
High Court of Karnataka
Bangalore-560 001

Sub: Writ Petition filed by Shri K Singarajan - regarding
Ref: 1. Writ Petition No.34430/81 on the file of Hon'ble
High Court of Karnataka, Bangalore.
2. Application No.842/86(T) of the Central Adminis-
trative Tribunal, Bangalore.

Sir,

Kindly refer to your endorsement forwarding the new Application No. of the above case transferred to the Central Administrative Tribunal, Bangalore Bench and date of posting of the case. In this connection, I am forwarding herewith a copy of ICAR letter No.F.1-6/85-Law dated 31.12.1985, informing that the Tribunal has no jurisdiction over the ICAR and its Institutes, which is self explanatory, for your kind information.

In view of the above, letter you may kindly consider whether we can argue before the Tribunal that they have no jurisdiction over this Institute. If required, you may kindly send a Vakkalath form for the signature of the Director, which will be made available to you before the due date i.e. 29.7.1986.

Yours faithfully,

Ramamurthy
(R.C.Mandal)
Senior Scientist
for Director

PM
23/7/86

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAVAN, NEW DELHI-110 001.

F.No.1-6/85-Law.

December 31, 1985

To

All the Directors, ICAR Research
Institutes/Laboratories.

Subject:Central Administrative Tribunals Act, 1985

As you may be aware, the Administrative Tribunals Act, 1985 enacted by the Parliament provides for the establishment of Administrative Tribunals by the Central Government which shall exercise, on and from the appointed day, all the jurisdiction powers and authority exercisable immediately before that date by all courts(except the Supreme Court under Article 136 of the Constitution) in relation to:

a) recruitment, and matters concerning recruitment, to any all India service or to any civil service of the Union or a civil post under the Union or to a post connected with defence or in the defence services, being, in either case, a post filled by a civilian and all service matters concerning the member of any all India service or a person appointed to any civil service of the Union or any civil post under the Union or a civilian appointed to any defence service or a post connected with defence.

The said Act also provides that the Central Administrative Tribunals shall have jurisdiction and powers and authority in relation to and pertaining to service matters of the employees of any local or other authority within the territory of India or of any corporation owned and controlled by the Government.

Since ICAR is covered under the term 'other authority' it was presumed that the said Act shall straightaway apply to its employees also. But now, in view of the provisions of Section 14(2) of the said Act it has transpired that the provisions of the said Act shall not apply to the ICAR and its Institutes till a notification to that effect is issued by the Central Government in this regard.

In view of the position mentioned above, the provisions of the Central Administrative Tribunals Act, 1985 do not apply to the ICAR and its Institutes for the present. Therefore, cases relating to the ICAR and its Institutes pending in the District Courts or in the High courts may continued to be pursued vigorously through the Advocates already engaged until a notification under Section 14(2) of the said Act applying the provisions thereof to ICAR is issued by the Central Government.

Yours faithfully,

Sd/-

(B.N.Pd.Pathak)

Legal Adviser

Copy circulated to:

1. Director(P)/Director(F) ICAR
2. All Addl. Secretaries, ICAR
3. All Under Secretaries, ICAR

4. All Administrative Sections at ICAR Hqrs. including ASRB
for information and necessary action.

Central Plantation Crops Research Institute
KASARAGOD - 670 124

Sd/-
Legal Adviser

ORDER

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