

(1)

**IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL ADDITIONAL BENCH,
BANGALORE**

ORDER SHEET

Application No. 17 of 1987 (A)

Applicant

H. S. Narayana

Advocate for Applicant

Respondent

*Sec. 176 Home Affairs Freedom
Fighters Govt. of India, Delhi.*

Advocate for Respondent

H. S. Narayana

Date	Office Notes	Orders of Tribunal
RL 87	<p>Though the application is not filed in prescribed form. All the particulars are given. Hence notwithstanding the fact that the application is not in prescribed form, it is order to be registered.</p> <p>It is the case of the applicant that during the freedom movement he was sentenced and had suffered imprisonment. He further claims that he is entitled to political pension under the scheme framed by the Government for grant of such pension to the freedom fighters who had suffered imprisonment. He further claims that though his case was recommended for grant of pension by the Department of Personnel and Administrative Reforms, Government of Karnataka. The same was refused to be granted by the Government of India. Therefore he filed the application.</p> <p>From the averments made by the application it is clear that the applicant is not public servant within the meaning of Administrative Tribunals Act. He is claiming pension under a separate scheme framed by the Government for grant of pension to freedom fighters who had suffered imprisonment. In view of these facts the Tribunal has no jurisdiction to entertain the application. The grievance was made by the applicant in this application does not pertain to the service matter and is not an application for redressal of grievances in relation to Service Rules. The application therefore does not fall form securely within Section 14 of the Act.</p>	

(2)

Date	Office Notes	Orders of Tribunal
	<p><i>To be forwarded 8/12/1987</i></p> <p>This application be posted before Bench (Court Hall No. 1) on 19.1.1987 for hearing on the question of jurisdiction and admission.</p> <p><i>Patil 12.1.87</i></p> <p>(VENKATASH PATIL) REGISTRAR 12.1.87</p> <p><u>19-1-87</u></p> <p><u>Befor</u></p> <p>The Hon'ble Mr. Justice K. S. Pillaiaswamy - V.C</p> <p>The Hon'ble Sri. P. Srinivasan - M.C.A)</p> <p>Shri H. P. Mudaleappa feta Application repeated order dictated</p> <p><i>P.P.D B CO H.L.</i></p>	

(3)

**IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL ADDITIONAL BENCH,
BANGALORE**

Order Sheet (contd)

Date	Office Notes	Orders of Tribunal
	<p><u>A. No. 17 of 1987</u></p>	<p><u>KSP(VC)/PS(M)</u> 19.1.1987.</p> <p><u>Order</u></p> <p>In this application made U/s 19 of the Administrative Tribunals Act, 1985 ('the Act'), the applicant has sought for a direction to the respondent to sanction him political pension.</p> <p>The applicant claims to be a political sufferer and is therefore entitled for political pension under a Scheme framed by the Government of India. His application for grant of political pension has been rejected. Hence he has approached this Tribunal for relief under the Act.</p> <p>Shri H.P. Mudalappa, learned counsel for the applicant, contends that the claim made by the applicant falls within the meaning of the term 'service matters' occurring in Section 3(q) of the Act, and therefore this Tribunal is competent to adjudicate the claim and grant relief.</p> <p>We have carefully examined Sec.3(q) and other related provisions. Sec.3(q) and other related provisions confer jurisdiction on this Tribunal in respect of service matters of Central Government employees and not in respect of claims for political pensions that are regulated by executive orders made by the Government. We have, therefore, no doubt that this Tribunal has no jurisdiction to adjudicate the claim made by the applicant, under the Act.</p>

(4)

Date

Office Notes

Orders of Tribunal

We, therefore, reject this application at the admission stage, without notice to the respondent, with liberty to the applicant to approach the ~~High Court~~ ^{Competent forum for} Court for necessary relief.

Ms. Praveen
VICE CHAIRMAN
dms.

19/1/87

19/1/87
MEMBER(A).

29-1-87 order dt. 19-1-87
issued to all the
Parties Concerned.
TRB