

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE BENCH,  
BANGALORE

O.A. NO. 938/94

Between

V. Praveen Kumar  
Ex-Reporter  
CSR&TI  
MYSORE

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PETITIONER

And

1] Member Secretary, CSB, Bangalore ]  
2] Secretary, Ministry of Textiles, ]  
Govt. of India ]

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RESPONDENTS

M E M O


The respondents in the above case state that the Central Silk Board [CSB] is a statutory Board constituted by an Act of Parliament, the CSB Act 1948. As this is a statutory body, there is no Notification issued by the Govt. of India conferring jurisdiction upon Central Administrative Tribunal [CAT] under Section 14 [2] to entertain the above application. In the said connection, a photo copy of the Order passed on 3/8/87 in G.C.No. 73 of 87 by CAT, Gauhati Bench is enclosed as Annexure-I. A copy of Ministry's letter No.25012/2/93-Silk dtd. 25/3/93 wherein the Govt.'s decision not bringing CSB under the purview of Section 14 [2] of the Administrative Tribunal Act 1985 has been indicated, is enclosed as Annexure-II.

In view of the above, the CAT has no jurisdiction to try the above application. Hence, the respondents in the above case pray the Hon'ble Tribunal to dismiss the above case for want of jurisdiction in the interest of justice and equity. A copy of the Telex Message issued by the Deputy Secretary to the Govt. of India [2nd Respondent] requesting CSB to represent Ministry also in the above case is enclosed herewith as Annexure-III.

Encl : As above.

BANGALORE

DATE : 02/09/94



For Respondents

[DR.G.SUBBA RAO]

DIRECTOR, I/C

CENTRAL SILK BOARD

Dr. G. SUBBA RAO

DIRECTOR

CENTRAL SILK BOARD

BANGALORE-560 001

DATE : 02/09/84

BANGALORE  
CENTRAL SILK BOARD  
DIRECTOR, T/S  
[DR.G.SUBBA RAO]  
For Respondents

in the above case is enclosed herewith as Annexure-III.

India [2nd Respondent] requesting CSR to represent Ministry also the Telex Message issued by the Deputy Secretary to the Govt. of of jurisdiction in the interest of justice and equity. A copy of case pray the Hon'ble Tribunal to dismiss the above case for want try the above application. Hence, the respondents in the above In view of the above, the CAT has no jurisdiction to

has been indicated, is enclosed as Annexure-II.

purview of Section 14 [2] of the Administrative Tribunal Act 1985 25/3/83 wherein the Govt.'s decision not bringing CSR under the Annexure-I. A copy of Ministry's letter No.25012/2/83-21K dtd. 3/8/87 in G.O.No. 73 of 87 by CAT, General Bench is enclosed as in the said connection, a photo copy of the Order passed on [CAT] under Section 14 [2] to entertain the above application. conferring jurisdiction upon Central Administrative Tribunal body, there is no Notification issued by the Govt. of India Act of Parliament, the CSR Act 1948. As this is a statutory Central Silk Board [CSR] is a statutory Board constituted by an the respondents in the above case state that the

RESPONDENTS  
1] Member Secretary, CSR, Bangalore  
2] Secretary, Ministry of Textiles,  
Govt. of India

And  
PETITIONER  
MYSORE  
CSRSTI  
EX-Reporter  
/ P. Prasad Kumar  
Between

O.A. NO. 385/84  
BANGALORE  
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE

IN THE CENTRAL ADMINISTRATIVE TRI UNAL:  
GRUINATE LEICH :

G.C.No.73 of 1987.

.....

K. Taluking. - - - Applicant.  
vrs.  
The Union of India and others. - Respo dents.

P.R.E.S.E.N.T :

The Hon'ble Justice Shri D. Pathak, Vice-Chairman.  
The Hon'ble Shri S.P. Hazarika, Member.

For the applicant : Mr. K.M. Chonjion Singh, Advocate.

For the Respo dents : Mr. A.K. Choudhury, Addl. Central  
Govt. Standing Counsel.

Date of order: Imphal, The 3rd day of August 1987,

O R D E R :

Although we admitted this application, we do not have jurisdiction to hear this application in the absence of a notification under section 14(2) of the Administrative Tribunals Act, 1985. The applicant has made grievance against the authority which is constituted under the Central Silk Board Act 1948. So as there is no notification has yet been issued we cannot exercise our jurisdiction over this application. The applicant is at liberty to file in the proper forum if so advised. We make it clear that we have not gone into the merit of the case as we do not have jurisdiction. The application is disposed of as such. However, such disposal will not be <sup>a</sup> ~~barred~~ for the applicant to move the proper forum.

Certified to be True Copy

Deputy Registrar (Judicial)

3/8/87

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

1.1. 550 of 1987

Date of order : 25.9.1987

Present : The Hon'ble Mr. Justice Achamukul Pal, Vice-Chairman.

The Hon'ble Mr. B. K. Mukhopadhyay, Member



P. B. SIHNA

VS

UNION OF INDIA & ORS

For the applicant : Mr. N. C. Chakraborty, counsel

For the respondents: Mr. Moley Bose, counsel

Mr. B. D. Chatterjee, counsel.

The grievance of the applicant in this matter is against the Central Silk Board which is an institute constituted under the Silk Board Act, 1948. As this is a statutory body and as for such statutory body, there is no notification conferring jurisdiction upon us w/s 14(2) of the Administrative Tribunals Act, 1985, we cannot entertain, try and dispose of the grievance of the applicant as made out in this application.

Hence, we allow the applicant to withdraw the application with liberty to file it before proper forum, if he so chooses.

Matter is disposed of accordingly.

25.9.1987

CERTIFIED TRUE COPY

COPIES OFFICER

25.9.1987

RECORDED

JUDICIAL MEMBER

ADMINISTRATIVE MEMBER



Sl. No. 11

157

No. 25012/2/93-Silk  
Government of India  
Ministry of Textiles  
.....

New Delhi, 27 March, 93.

The Secretary,  
Central Silk Board,  
Bangalore.

Subject:- Issue of Notification under Section 14(2) bringing CSB  
under purview of A.T. Act - reg.  
.....

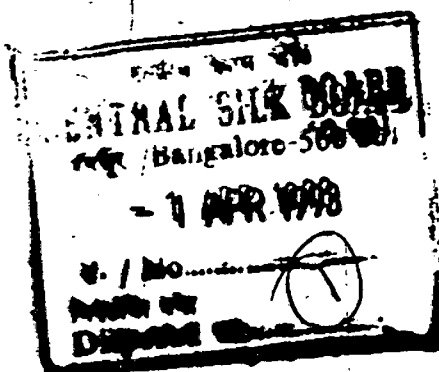
Sir,

I am directed to refer to your D.O. letter No. CSB-  
5(1)/88-Law dated 28.1.93 on the subject cited above and to  
say that your proposal for bringing CSB under the purview of the  
Administrative Tribunal Act, 1985 has been considered in  
consultation with Deptt. of Personnel & Training, New Delhi, who  
have informed that in view of the increasing pendency <sup>in</sup> at various  
Benches of the CAT, it has been decided not to bring any new  
society/organisation under the purview of Section 14(2) of the  
AT Act, 1985 for the present.

Yours faithfully,

(JAYANT DASGUPTA)

DEPUTY SECRETARY TO THE GOVT. OF INDIA.



**TELEX**

TO : 845-2798 CSB IN  
FOR : DR G. SUBBA RAO, DIRECTOR, CSB, BANGALORE  
FROM : JAYANT DASGUPTA, DEPUTY SECRETARY(SILK)  
P.NO. : 25015/1/93-SILK

REFERENCE LEGAL NOTICE (ORIGINAL APPLICATION NO. 938/94) DATED 22.7.94 ISSUED BY REGISTRAR IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE BENCH AT BANGALORE IN CONNECTION WITH PETITION FILED BY SHRI V. PRAVEEN KUMAR, EX-REPORTER, CSR&TI, MYSORE REGARDING DISMISSED ~~THE APPEAL~~ FROM SERVICE(.) REGISTRAR, CAT, BANGALORE HAS INFORMED THAT THE HEARING OF THIS CASE IS AT 10.30 A.M. ON 2.9.94(.) REQUEST TAKE NECESSARY ACTION TO REPRESENT MINISTRY AS WELL(.)

INCIDENTLY, DEPTT. OF PERSONNEL & TRAINING WHO WERE EARLIER REQUESTED TO CONSIDER CSB'S REQUEST TO BRING IT WITHIN THE PURVIEW OF CENTRAL ADMINISTRATIVE TRIBUNAL ACTION HAD NOT AGREED TO THE SAME(.) THIS ASPECT COULD BE BROUGHT TO THE NOTICE OF THE CSB'S COUNSEL REPRESENTING THE ABOVE SAID CASE BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL(.)

N. T. T.

NEW DELHI, 3.8.94

केन्द्रीय रक्षण बोर्ड
<b>CENTRAL SILK BOARD</b>
बंगलूर/Bangalore-560 001.
- 9 AUG 1994
सं / No.....
निपटारा गया
Disposed on.....

COMIND

sd/-

(JAYANT DASGUPTA)  
DEPUTY SECRETARY TO THE GOVERNMENT OF  
INDIA

TELEX CELL

Copy by post in confirmation to:-

Dr. G. Subba Rao, Director, CSB, Bangalore.

(JAYANT DASGUPTA)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

RPAD

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560 038.

Dated:- 27 SEP 1994

APPLICATION NUMBER: 938 of 1994.

APPLICANTS:

Sri.V.Praveen Kumar  
vs.

RESPONDENTS:

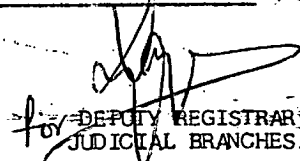
Member Secretary, Central Silk Board,  
Bangalore and another.


1.

Sri.M.Lakshmana Murthy, Advocate,  
'Laxminivas', Milk Colony,  
Bangalore-560 055.....As directed by the Tribunal,  
the original case papers are hereby returned to the  
counsel for the applicant, which may kindly be acknow-  
ledged(Two sets).

Subject:- Forwarding of copies of the Orders passed by the  
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above  
mentioned application(s) on 13th September, 1994.

  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*  
Issued on  
10/10/94 



CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION No.938/1994

TUESDAY, THIS THE 13TH DAY OF SEPTEMBER, 1994

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN ... MEMBER (A)

V. Praveen Kumar,  
S/o. Sri Subba Rao,  
Ex-Reporter,  
C.S.R & T.I. Central Silk Board,  
Ministry of Textiles,  
Government of India, Mysore. ... Applicant

(By Advocate Shri M. Lakshmana Murthy)

Vs.

1. Member Secretary,  
Central Silk Board,  
Ministry of Textiles,  
Government of India,  
United Mansions, 2nd Floor,  
39, Mahatma Gandhi Road,  
Bangalore - 1.

2. The Secretary,  
Ministry of Textiles,  
Government of India and  
Vice Chairman, Central Silk Board,  
New Delhi - 1. ... Respondents

ORDER

Shri Justice P.K. Shyamsundar, Vice Chairman :

Having heard both sides, it becomes clear that this Tribunal has no jurisdiction over the respondents' which is the Central Silk Board. The said Board, although a statutory one, we however, have no jurisdiction over the same. To this effect, a memo had also been filed on behalf of the Board denying our jurisdiction in the matter.

...2..



2. The situation being as such, the learned counsel for the applicant submits that we may pass an order directing the return of the papers to him with liberty to approach the appropriate forum. Accordingly, we direct return of the case papers to the applicant or his counsel for presentation to the appropriate forum.

No costs.

Sd-

( T.V. RAMANAN )  
MEMBER (A)

Sd-

(P.K.SHYAMSUNDAR)  
VICE CHAIRMAN



TRUE COPY

Section Officer  
Central Administrative Tribunal -  
Bangalore Bench  
Bangalore