

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

O.A.No.402/2001

Date of order: 15.10.2001

P.S.Ganlot, S/o late Sh.P.L.Ganlot, R/o A-3, Moti
Lal Atal Road, Jaipur.

...Applicant.

Vs.

1. Union of India through the Secretary of Human Resource Development, Technical Section VII, Govt of India, New Delhi.
2. Principal, Technical Teachers Training Institute, Sector 26, Chandigarh.

...Respondents.

Mr.K.N.Shrimal : Counsel for applicant

Mr.I.S.Sidhu : for respondents.

CORAM:

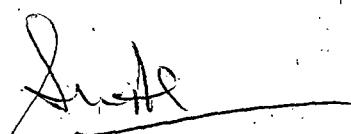
Hon'ble Mr.S.K.Agarwal, Judicial Member.

Hon'ble Mr.A.P.Nagrath, Administrative Member.

PER HON'BLE MR S.K.AGARWAL, JUDICIAL MEMBER:

In this O.A the applicant makes the following
prayers:

- i) to quash Annx.A5 as well as order dated 9.4.2001 and letter dated 11.5.2001 issued by TTTI, Chandigarh;
- ii) to direct respondent Nos.1 & 2 not to ask the applicant to deposit the amount of Rs.143298/-;
- iii) to direct respondent No.2 not to stop pension to collect the above noted amount from the pension and GPF of the applicant;
- iv) to direct respondent No.2 to make the payment of DA and TA of Rs.28928/- for attending the conference;
- v) to direct respondent No.2 to pay leave salary encashment for 44 days credited during the



econdment.

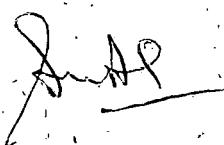
2. The learned counsel for respondent No.2 during the course of arguments made a preliminary objection that the applicant sought relief primarily against respondent No.2, who is a Society registered under the Societies Act, 1860 and under Sec.14 of the Administrative Tribunals Act, no notification has been issued in respect of the respondents to have the jurisdiction of this Tribunal regarding service matters. In support of his contentions, he has referred the order passed by Chandigarh Bench of the Tribunal in O.A No. 350/CH/99 dated 7.6.2000, Omesh Kumar Sardana Vs. UOI & Ors. The counsel for the applicant objected to this arguments.

3. We have given anxious consideration to the rival contentions of both the parties and also perused the whole record.

4. Section 14 of the Administrative Tribunals Act, 1985, deals with jurisdiction, powers and authority of the Central Administrative Tribunal - Sec.(1) ...

(2) The Central Govt may, by notification, apply with effect from such date as may be specified in the notification the provisions of sub-section (3) to local or other authorities within the territory of India or under the control of the Govt. of India and to corporations (or societies) owned or controlled by Government, not being a local or other authority or corporation (or society) controlled or owned by a State Govt.

Provided that if the Central Govt considers it expedient so to do for the purpose of facilitating transition to the scheme as envisaged by this Act, different dates may be so specified under this sub-



section in respect of different classes of, or different categories under any class of, local or other authorities or corporations (or societies).

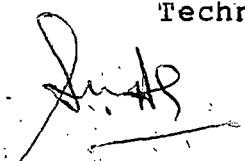
(3) Save as otherwise expressly provided in this Act, the Central Administrative Tribunal shall also exercise, on and from the date with effect from which the provisions of this sub-section apply to any local or other authority or corporation (or societies) all the jurisdiction, powers and authority exercisable immediately before that date by all courts (except the Supreme Court in relation to-

(a) recruitment, and matters concerning recruitment, to any service or post in connection with the affairs of such local or other authority or corporation (or society); and

(b) all service matters concerning a person (other than a person referred to in clause (a) or clause (b) of sub-section (1) appointed to any service or post in connection with the affairs of such local or other authority or corporation (or society) and pertaining to the service of such person in connection with such affairs.

5. According to this provision, it appears that sub-section 2 of Sec.14 provides that the Central Govt may by notification, apply with effect from such date as may be specified in the notification and the provisions of Sub-section 3 to local or other authorities within the territory of India.

6. Admittedly, no notification was issued in respect of Technical Teachers Training Institute as required under



Sec.14 of the Administrative Tribunals Act. It is also abundantly clear that primarily the reliefs sought by the applicant are against respondent No.2, Principal, Technical Teachers Training Institute, Chandigarh, for which no notification has been issued so far. Therefore, we are of the considered opinion that this Tribunal has no jurisdiction to adjudicate the service disputes relating to the Institute, respondent No.2.

7. In view of above, this O.A is not maintainable for want of jurisdiction. Therefore, this O.A is ordered to be returned to the applicant for being presented to the Court of competent jurisdiction.

APN
(A.P.Nagrath)

Member (A).

S.K.A
(S.K.Agarwal)

Member (J).