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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/01116/2014

Decided on: 19.08.2015

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mrs. Rajwant Sandhu, Member (A)**

Dr. A.K. Chadha, M.O. (Retd.) Distt. Red Cross Society, Kurukshetra,
R/o Sanjivani Clinic, Sector 13, Kurukshetra

.....Applicant

Versus

1. Union of India through its Secretary, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.
2. Distt. Red Cross Society, Kurukshetra through its President-cum-Deputy Commissioner
3. Distt. Red Cross Society through its Secretary, Red Cross Bhawan, Sector 13, Kurukshetra.
4. Indian Red Cross Society, Haryana State Branch through its Secretary, Red Cross Bhawan, Sector 16, Chandigarh.

.....Respondents

Present: Mr. Aakash Juneja, counsel for the applicant
None for the Respondent No. 1
Mr. M.S. Sindhu, counsel for Respondents No. 2 to 4

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Order (Oral)**By Hon'ble Mr. Sanjeev Kaushik, Member(J)**

1. Learned counsel for the respondents submits that this Tribunal, in a bunch of petitions including O.A. NO 060/00267/2014 titled **Janak Raj Verma Vs. Union of India & Others**, has held that this Tribunal has no jurisdiction over the State or District Red Cross societies and since this matter pertains to District Red Cross Society, therefore, it deserves the same fate.

2. Since this Court has already taken a view with regard to the jurisdiction of this Tribunal over District/Red Cross Society in the case of Janak Raj Verma (supra), the relevant portion whereof is extracted hereunder, this O.A. stands dismissed for want of jurisdiction, in the same terms.

"13. In exercise of the powers conferred by sub-section (2) of Section 14 of the Administrative Tribunals Act, 1985 (13 of 1985), the Central Government issued a Notification dated 1.12.2008 fixing 15th day of December, 2008 as the date on and from which the provisions of sub-section (3) of Section 14 of the said Act shall apply to the organizations mentioned therein including Indian Red Cross Society (IRCS). The relevant entry is reproduced as under :-

Sr. No.	Name of the Corporation / Society/ Other authority	Status
1to189	Xxx	Xxx

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190	Indian Red Cross Society (IRCS)	Statutory Autonomous Organization under Ministry of Health & Family Welfare
191	Medical Council of India	Statutory Autonomous Organization under Ministry of Health & Family Welfare

14. It is on the basis of the aforesaid notification that the respondents before the Additional District Judge, Ambala, took a plea that since the Indian Red Cross Society has been brought within the purview of jurisdiction of this Tribunal, the case was required to be sent to this Tribunal for adjudication. It is on their own application and plea that the appeal was allowed and case was sent to the Civil Court for transferring it to this Tribunal for adjudication. Now, the same respondents in their wisdom have taken an objection that this Tribunal has no jurisdiction to adjudicate over the issue.
15. Finding the contradictory stand taken by the respondents, a Bench of this Tribunal on 3.8.2015 directed the District Red Cross Society to file an affidavit as to whether they have an independent registration or they are part of the Indian Red Cross Society.
16. Learned counsel for the respondents has produced copy of a letter dated 1.4.2014 issued by the Indian Red Cross Society, New Delhi to one Sh. J.R. Verma, of Ambala City in response to information sought under RTI Act, 2005. The same also talks about nature and character of District Red Cross Society and provides as under :-

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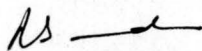
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"All the State/UT/District Branches of Indian Red Cross Society are financially and administratively independent entities. "the Policies and functions of all the State/UT/District Red Cross Branches are being managed by their respective Branch Committees. It is therefore the relevant information is not available with IRCS, NHQ"

17. The stand taken by the Indian Red Cross Society gives credence to the view taken by us as noticed above that State or District Red Cross Societies have independent existence and they are not part and parcel of the Indian Red Cross Society and as such these societies being run at State/District level would not come within the purview of jurisdiction of this Tribunal even after issuance of Notification dated 1.12.2008 as the same only talks of Indian Red Cross Society (IRCS) and not the Societies independently formed at State/District level. We, thus, hold that this Tribunal has no jurisdiction over the service disputes raised in these Original Applications/Transferred Applications."

The applicant is at liberty to approach the appropriate legal forum for redressal of his grievance.

3. No costs.



(RAJWANT SANDHU)
MEMBER (A)



(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 19.08.2015

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