

Central Administrative Tribunal
Principal Bench

OA No.4382/2014

MA No.355/2017

New Delhi, this the 3rd March, 2017.

Hon'ble Mr. K.N. Shrivastava, Member (A)

Smt. Shakunti Devi wd/o late Sh. Munni Lal,
Asstt. Chargeman (Retd.),
Ex-employee of State Farm Corporation of
India Ltd., Suratgarh,
Distt. Sri Ganga Nagar, Rajasthan-395003
R/o C/o Smt. Veena Devi
Qtr. No.628, Z-Type, Near B.D. Estate,
Timarpur, Delhi-110054. ...Applicant

(By Advocate: Dr. Dinesh Rattan Bhardwaj)

Versus

1. The Managing Director,
The State Farms Corporation of India Ltd.
Through National Seeds Corporation Ltd.
14-15 Farm Bhawan, Nehru Place,
New Delhi – 110 019.
2. The Pay & Accounts Officer (Sectt.)-I,
The Ministry of Agriculture,
Government of India, 34, Krishi Bhawan,
New Delhi – 110 001.
Also at
The Pay & Accounts Officer (Secretariat-II)
The Ministry of Agriculture,
Government of India, 16-A, Akbar Road,
New Delhi – 110 001.
Also at
The Pay & Accounts Officer
Room No.207, 2nd Floor, F Wing,
The Ministry of Agriculture,
Government of India, Shastri Bhawan,
New Delhi-110001.
3. The Administrative Officer,
Ministry of Agriculture, Govt. Of India,
Deptt. Of Agriculture & Cooperation (Seeds)
SD-II Section, Room No.432, 4th Floor,
Krishi Bhawan, New Delhi – 110 001.

4. The Pay & Accounts Officer,
The Central Pension Accounting Office,
Ministry of Finance, Govt. Of India,
Trikoort II Complex, Bhikaji Cama Place,
R.K. Puram, New Delhi-110 066.
5. The Secretary (PG),
Directorate of Public Grievances,
Cabinet Secretary,
Sardar Patel Bhawan, Parliament Street,
New Delhi – 110 001.
6. Smt. Lal Puri,
Vill. Bhuskaul, PO Pusa,
Distt. Samastipur,
Bihar – 842125. ...Respondents

(By Advocate: Sh.P. Sureshan with Mr. Sunny Priyadasshi
for R-1 to R-5
Shri N.K. Khetrapal for R-6)

ORDER (ORAL)

At the very outset, learned counsel for the respondents raised a preliminary objection in regard to the jurisdiction of this Tribunal to adjudicate this OA. He submits that as per the averments made by the applicant in the OA, her late husband Sh. Muni Lal was an employee of the State Farms Corporation of India Ltd. – respondent no.1 and that the said Corporation is not a notified Corporation under Section 14 (iv) of the Administrative Tribunals Act, 1985. He further submits that the applicant had approached the Hon'ble High Court of Delhi in WP(C) No.5623/2014, which was allowed to be withdrawn vide order dated 01.09.2014, which reads as under:-

“1. Counsel for the petitioner seeks leave to withdraw the present petition while reserving the right

of the petitioner to seek her remedies against the respondents by filing a civil suit.

2. Leave, as prayed for, is granted. The petition is dismissed as withdrawn along with the pending application.”

2. Learned counsel argues that the dispute raised by the applicant is civil in nature and, as such, the remedy for her grievance lies in appropriate civil courts and not before this Tribunal.

3. Learned counsel for the applicant, on the other hand, argues that the relief prayed for by applicant in the OA is against respondents no. 2 to 4, who are officers of Ministry of Agriculture and, as such, this Tribunal can adjudicate the instant OA. Learned counsel, on instructions, submits that late husband of the applicant Sh. Munni Lal was initially working in the Ministry of Agriculture and later deputed to respondent no.1. He fairly submits that there is no documentary evidence available to support this averment. Consequently, the applicant has filed MA No.355/2017 praying for the following relief(s):-

“1. That the respondent no. 1 to 5 are jointly and severally required to discover and produce the complete true copy of service book of late Sh. Munni Lal containing service details since the day of joining the services till the date of his superannuation;

2. That the respondents no.1 to 5 are jointly and severally required to provide the following employment details of late Munni Lal, post chargemen, PPO No.000018200379:

(i) employed with;

- (ii) *various posting durations;*
- (iii) *place of posting; and*
- (iv) *posted at during the service tenure.*
- (v) *Office maintaining and responsible for the release of family pension of late Sh. Munni Lal.”*

4. The sum and substance of the arguments of the learned counsel for the applicant is that the truth will come out if the required documents, as prayed for in MA No.355/2017, are produced by respondents no.2 to 4.

5. I have given due consideration to the arguments put-forth by the learned counsel for the parties and also perused the records. Admittedly, as on date, the State Farms Corporation of India Ltd. (respondent no.1) is not a notified organization under Section 14(iv) of the Act *ibid.* As such, the Tribunal is disabled from adjudicating any service dispute relating to an employee of respondent no.1, and the onus of proving that late Sh. Munni Lal was indeed employee of Ministry of Agriculture and later deputed to respondent no.1 lies squarely on the applicant. Moreover, for getting the necessary information from the Ministry of Agriculture, as prayed for in MA No.355/2017, there are avenues available to the applicant, which also includes Right to Information Act.

6. In the conspectus of the discussion in the forgoing paragraphs, the instant OA is dismissed for want of

jurisdiction. The applicant is, however, at liberty to approach this Tribunal in case she is able to establish that her late husband Sh. Munni Lal was in fact an employee of Ministry of Agriculture. No costs.

(K.N. Shrivastava)
Member (A)

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