

**Central Administrative Tribunal
Principal Bench**

**OA No.3843/2014
MA No.3326/2014**

New Delhi, this the 14th day of August, 2015

**Hon'ble Mr. A.K. Bhardwaj, Member (J)
Hon'ble Mr.V.N. Gaur, Member (A)**

1. Vinod Kumar Verma,
S/o Shri Mahendra Prasad Verma,
R/o 66A, Nanlai, Razapur,
New Delhi-28,
Post-Welfare Officer.
2. Raveesh Singh,
S/o Devende Singh,
R/o 3D, Pocket E, GTB Enclave,
Dilshad Garden, Delhi-93,
Age-27 years,
Post-Welfare Officer.
3. Shiwani Bist, W/o Chandra Mohan Bist,
R/o H.No.83, Ganpati Apartment,
IInd Floor, Gautaam Nagar,
New Delhi,
Age-29 years,
Post-Welfare Officer.
4. Upasana, D/o Sh. Raj Kumar,
R/o Vill. Garhi Bajidpur,
Post-Damdma, Distt.- Gurgaon, HR,
Age 26 years,
Post-Welfare Officer
5. Rohit Kumar, S/o Shri Babu Lal,
R/o Asha Deep (HMC) Khadi Ashram Road,
Narela Delhi,
Age 29
Post-Welfare Officer.
6. Pappu Rajak, S/o Sunil Rajak,
R/o B-44B/3, NSA Colony, Viswas Nagar,
Shahdara, Delhi
Age 28
Post-Welfare Officer.

7. Madhu Bala, W/o Narendra Kumar,
R/o RZ-357, Durga Vihar Phase 1,
B-Block Street No.16 Najafgarh, Delhi,
Age 26
Post-Welfare Officer.
8. Ritu W/o Sh. Rajendra Singh,
R/o H.No. 65A, Shiv Enclave Nangloi,
Najafgarh Road,
Delhi,
Age 28
Post- Welfare Officer.
9. Yogesh Gautam, S/o Shri Rajendra Gautam,
R/o H.No.801, Ground floor,
Dr. Mukherjee Nagar, Delhi,
Age 30
Post-Welfare Officer.
10. Anu Punnoose, d/o Shri Punnoose,
R/o H.No.B4, Shankar Garden Vikar Puri,
Delhi
Age 28
Post-Welfare Officer.
11. Malti Jha, D/o Sh. Bhagirath Jha,
R/o B-15/178, Pharma Apartment,
I.P. Extension, Patparganj, Delhi
Age 28
Post-Welfare Officer.

...applicants

(By Advocate : Shri Pankaj Kumar with Shri Ankit Khatri)

Versus

Govt. of NCT of Delhi,
Through its Director,
Deptt. of Social Welfare,
GLNS Complex, Delhi Gate,
New Delhi-02.

...respondent

(By Advocate : Ms.Sumedha Sharma)

ORDER (ORAL)

Mr. A.K. Bhardwaj, Member (J) :

The ICSIL i.e. Indian Intelligence Communication Systems India Ltd., is a joint venture of T.C.I.L. - a Government of India Enterprise & DSIIDC - an undertaking of Delhi Government. The applicants who are contractual employees of the venture have filed the present OA under Section 19 of the Administrative Tribunals Act, 1985, praying therein :-

“(i) The Hon'ble Tribunal may graciously be pleased to direct the respondent to give equal salary in the minimum of the pay scale applicable to regular employees, allowance and leave to the applicants w.e.f. date of joining in consonance with the law laid down in Sonia Gandhi & Others v/s Government of NCT of Hon'ble Delhi High Court.

(ii) The Hon'ble Tribunal may graciously be pleased to direct respondent to release the salary of the applicants on or before 10th of every calendar month.

(iii) Any other relief which the Hon'ble Tribunal deem fit and proper in the above mentioned facts and circumstances may also be granted to the applicant in the interest of justice.”

2. Ms. Sumedha Sharma, learned counsel for respondents raised the preliminary objection that the applicants are not the employees of either the Government of India or GNCTD and the cases of employees of ICSIL are not amenable to the jurisdiction of this Tribunal. In terms of the provisions of Section 14 of the AT

Act, 1985, the Central Administrative Tribunal has jurisdiction on and from the appointed day in relation to -

(a) recruitment, and matters concerning recruitment, to any All-India Service or to any civil service of the Union or a civil post under the Union or to a post connected with defence or in the defence service, being, in either case, a post filled by a civilian;

(b) all service matters concerning-

(i) a member of any All-India Service; or

(ii) a person [not being a member of an All-India Service or a person referred to in clause (c)] appointed to any civil service of the Union or any civil post under the Union; or

(iii) a civilian [not being a member of an All-India Service or a person referred in clause (c)] appointed to any defence services or a post connected with defence,

and pertaining to the service of such member, person or civilian, in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of the Government of India or of any corporation [or society] owned or controlled by the Government;

(c) all service matters pertaining to service in connection with the affairs of the Union concerning a person appointed to any service or post referred to in sub-clause (ii) or sub-clause (iii) of clause (b), being a person whose services have been placed by a State Government or any local or other authority or any corporation [or society] or other body, at the disposal of the Central Government for such appointment.”

3. Nevertheless, Under Section 14(2) of the Act, it could be provided that the Central Government might by notification with

effect from such date as may be specified in the notification the provisions of sub-section (3) extend the jurisdiction of the Tribunal to local or other authorities within the territory of India or under the control of the Government 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 Government. No notification extending the jurisdiction of the Tribunal to the ICSIL has been issued. Accordingly the OA is not maintainable for want of jurisdiction and is returned. The applicants would be at liberty to approach appropriate forum for redressal of their grievances, if any. No costs.

(V.N. GAUR)
Member (A)

(A.K. Bhardwaj)
Member (J)

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