

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A. No.60/726/2018

Date of decision: 17.12.2018

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

Roshan Lal Goyal, A/a 58 years, S/o Sh. Doulat Ram Goyal, R/o Chatti Gali, Near Janta Dhaba, Red Light Chowk, Kotakpura (Punjab) Group-C.

**... APPLICANT
VERSUS**

1. Indian Red Cross Society, Punjab State Branch, Sector 16-A, Chandigarh through its President.
2. The Secretary, Indian Red Cross Society, Indian Red Cross Society, Punjab State Branch, Sector 16-A, Chandigarh.
3. Deputy Commissioner Cum President, Indian Red Cross Society, District Branch, Faridkot.
4. Honorary Secretary, Indian Red Cross Society, District Branch, Faridkot.

... RESPONDENTS

PRESENT: Ms. Riti Aggarwal vice Sh. Sunny Singh, counsel for the applicant.
Sh. A.D.S. Bal, counsel for the respondents.

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. An objection has been raised by counsel for the respondents with regard to jurisdiction of this Tribunal to entertain this petition as the applicant is employee under District Red Cross Society, Faridkot.
2. Sh. A.D.S. Bal, learned counsel for the respondents submitted that in terms of view taken by this Court, based upon judicial pronouncement

by the Hon'ble High Court, petition at the hands of employees of District Red Cross Society, cannot be entertained as held in O. A. No.60/561/2015 titled **Dr. Subodh Parkash Singh vs. District Red Cross Society & Others**, which was disposed of on the basis of decision in a bunch of petitions including O.A. No.060/00267/2014 titled **Janak Raj Verma vs. Union of India**, therefore, this petition also deserves the same fate, relevant paras of the same read as under:-

“13. In exercise of 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
1 to 189	Xxx	Xxx
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 aforesaid notification that the respondents before the Additional District Judge, Ambala, took a plea that since 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 respondent 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 the nature and character of District red Cross Society and provides as under:-

"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 Committee. 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 Indian Red Cross Society and as such these societies being run at State/District level would not come within 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."
3. Though learned counsel for the applicant tried to convince us that this Court has jurisdiction, but considering the fact that this issue has already been settled by the jurisdictional High Court as followed by us that under Section 14 (2) of Administrative Tribunals Act, 1985, Tribunal has no jurisdiction over the service disputes of District Red Cross Society and only cases of Indian Red Cross Society can be entertained, we dispose of this O.A. as barred by jurisdiction with liberty to the applicant to agitate the matter before appropriate legal forum for redressal of his grievance.

(P. GOPINATH)
MEMBER (A)

Date: 17.12.2018.
Place: Chandigarh.

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(SANJEEV KAUSHIK)
MEMBER (J)