

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.310/00890/2018

Dated Friday, the 9th day of November, Two Thousand Eighteen

PRESENT

**HON'BLE MRS.JASMINE AHMED, MEMBER(J)
&
HON'BLE MR.T.JACOB, MEMBER(A)**

Puducherry Fire Service Staff Association,
Regn.No.62/2015,
Rep., by its Secretary,
No.7-8, Moovendar Street,
Mullai Nagar, Puducherry 605 005.

... Applicant

By Advocate M/s Balan Haridas

Vs.

1.The Union of India rep., by
Government of Puducherry,
Rep., by its Chief Secretary,
Secretariat, Goubert Salai,
Puducherry-1.

2.The Secretary (Fire Service),
Government of Puducherry,
Secretariat, Goubert Salai,
Puducherry-1.

... Respondents

By Advocate Mr.R.Syed Mustafa

ORDER

(Pronounced by Hon'ble Mrs. JASMINE AHMED, Judicial Member)

The applicant has filed this OA under Section 19 of the Administrative Tribunal's Act, 1985 seeking the following relief:

- “(i) To quash the order of the 2nd respondent dated 22.06.2018 bearing No.130/2018-Home and
- (ii) pass such other orders or direction as this Hon'ble Tribunal think fit in the circumstances of the case and render justice.”

2. We have seen the order passed by the respondents dated 22.06.2018, which is a ban imposed upon the association functioning under the banner of Puducherry State Fire Service Staff Association, Puducherry. The reason of banning as stated in the order dated 22.06.2018 is that the members of the association are abandoning their official duties and disobeying the orders of the higher authorities. It is also stated that Fire Service is a Uniformed service/Essential service and declared as Public Utility Service under the Industrial Disputes Act, 1947 and also the association is not recognized by the Government of Puducherry. The applicant herein has filed this OA praying for quashing the order dated 22.06.2018.

3. Learned counsel for the respondent had vehemently argued that this Tribunal has no jurisdiction to entertain this matter for want of jurisdiction and relied his arguments on a Full Bench judgement of the Bangalore Bench of this Tribunal in the case of The Indian National NGO's & Others vs. The Secretary, Ministry of Defence & Others decided on 17.06.1992. In this judgement, we have seen an elaborate discussion in regard to conditions of service and service matters and it has been held that the constitution of an association is only to smooth away frictions between the employer and the employee in day to day work and the association does not have anything to do with any matter regulating the holding of the post by the employee.

4. The Central Administrative Tribunal is constituted mainly with the sole purpose of looking into the conditions of service of a Government employee. The association has no right to regulate or interfere in the conditions of service.

Accordingly, we feel that this is a misplaced filing of the Original Application. Hence, this Tribunal has no jurisdiction to entertain this matter as it does not fall within the category of service matter nor it deal with the conditions of service. Accordingly, the OA is dismissed.

(T.JACOB)
MEMBER(A)

(JASMINE AHMED)
MEMBER (J)

.11 .2018

M.T.