

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

(3)  
O.A. NO.1342/1996

New Delhi this the 19th day of September, 1996.

HON'BLE SHRI JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN  
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Jayadeva Prasad S/O Baldeo Prasad,  
R/O 240-E, Mayur Vihar,  
Pocket No.1, Phase-I,  
Delhi-110091.  
employed as Senior Public  
Prosecutor in Central Bureau  
of Investigation, Anti-Corruption  
Branch-I, CGO Complex,  
New Delhi. ....

Applicant

( By Shri D. S. Choudhary, Advocate )

-Versus-

1. Union of India through  
Secretary (Personnel),  
Department of Personnel &  
Training, Ministry of Personnel,  
Public Grievances and Pensions,  
North Block, New Delhi.
2. The Director,  
Central Bureau of Investigation,  
North Block,  
New Delhi. ....

Respondents

( By Shri M. M. Sudan, Advocate )

The application having been heard on 19.9.1996  
the Tribunal on the same day delivered the  
following:

O R D E R

CHETTUR SANKARAN NAIR, J./CHAIRMAN —

Applicant, a Senior Public Prosecutor in the  
Central Bureau of Investigation, seeks a direction,  
"to separate the Public Prosecutors from the  
administrative and disciplinary control of Police  
Officers and constitute a separate Prosecution Branch."  
Otherwise put, applicant seeks the implementation of

...2.

(A)

a directive policy in the Constitution or more fundamentally, the basic principle of separation of powers. This is not a matter in the jurisdiction of this Tribunal as it is not a condition of service of an aggrieved employee. It may generally be a matter relating to constitution of services on the basis of the guiding principles in the Constitution. Applicant may seek his remedy before the appropriate forum. We decline jurisdiction.

Dated, the 19th September, 1996.

*R. K. Aboojah*  
( R. K. Aboojah )  
Member (A)

*Chettur Sankaran Nair, J.*  
( Chettur Sankaran Nair, J. )  
Chairman

/as/