

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

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.

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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. Ahooja
(R. K. Ahooja)
Member (A)

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

/as/