

Central Administrative Tribunal
Principal Bench: New Delhi

O.A.No. 1936/94

New Delhi this the 27th Day of September, 1994

Hon'ble Shri J.P.Sharma, Member (J)

Hon'ble Shri B.K.Singh, Member(A)

Shri M.L.Sahu,
Pharmacist,
93 Bn, C.R.P.F.,
Ravinder Rang Shala,
New Delhi-110 060. Applicant

(By Advocate: Shri U.S. Chaudhary)

Vs

1. Union of India
through its Secretary,
Ministry of Home Affairs,
New Delhi.

2. Director General,
CRPF,
CGO Complex,
New Delhi-110 003.

3. Commandant,
93 Bn, C.R.P.F.,
Ravinder Rang Shala,
New Delhi. ... Respondents

(By Advocate:)

O R D E R (Oral)

Hon'ble Shri J.P. Sharma, Member (J)

Consequent on temporary transfer of the applicant from 93 BN, CRPF to EC Allahabad would be relieved from his duties with the direction to report to Group Commandant.

2. The applicant filed this application on 23.9.1994 which came for hearing on 26.9.1994. Central Administrative Tribunal was constituted by the CAT Act, 1985 (Act No. 13 of 1985 as amended by Act, 1987). Under Section 2 of this Act, it is laid down "Act not to apply to certain persons....."

..... any member of the naval, military or air forces or of any other armed forces of the Union; However, under Section 14 of the CAT Act, the jurisdiction and power of the CAT has been defined. It covers the service matters concerning civilians appointed to any defence services or a post connected with the defence. The contention of the learned counsel for the applicant is that the applicant for all purposes is a civilian employee though employed in CRFF and he has placed reliance on the authority of 1991(1) SLJ Vol.39 P 137 Anand Prasad Singal Vs. Union of India. In that case the petitioner was holding a civilian post in the military farm. That case, therefore, does not help the applicant for the reasons that the applicant's cadre controlling authority is Commandant CRFF. The Hon'ble Supreme Court considered the case of Civilian employees under CRFF in the case of R. Viswan Vs. Union of India reported AIR 1983 SC P 685. The Members of the GREF a Unit of CRFF was held to be the members of the Armed Forces under Section 33 of the Constitution of India.

3. We heard the learned counsel for the applicant also on the adjourned date to show any law, rule or notification that the applicant is a Civilian employee and come within the scope of jurisdiction of the Central Administrative Tribunal. The learned counsel for the applicant only argued that the applicant is a Civilian employee but looking to the impugned order the applicant has been

given a Number 681560031. Since CRPF is an Armed Force of Union of India, the Tribunal has no jurisdiction in the matter.

4. The application, therefore, is not maintainable. The applicant is at liberty to withdraw the application and assail his grievance in the Competent Court. Application, therefore, is disposed of accordingly.


(D.R. Singh)
Member (A)


(J.P. Sharma)
Member (J)

Mittal