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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

O.A. No. 227  
T.A. No.

1986.

DATE OF DECISION July 21, 1986.

Shri Angad Thakur,

Petitioner

Sh. Sunil Malhotra,

Advocate for the Petitioner(s)

Versus

Union of India and others,

Respondent

None.

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice K. Madhava Reddy, Chairman.

The Hon'ble Mr. Kaushal Kumar, Member.

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporter or not? *Yes*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *No*
4. Whether to be circulated to other Benches? *Yes*

*Reddy*  
(K. Madhava Reddy)

Chairman 21.7.86.

*Reddy*  
(Kaushal Kumar)

Member 21.7.86.

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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
DELHI

Regn. No. OA 227/86

July 21, 1986

Shri Angad Thakur ... Petitioner  
Vs.  
Union of India and others ... Respondents

CORAM:

Shri Justice K. Madhava Reddy, Chairman.  
Shri Kaushal Kumar, Member.

For petitioner ... Shri Sunil Malhotra  
For respondents ... None

(Judgement of the Bench delivered by  
Shri Justice K. Madhava Reddy, Chairman).

The petitioner was a Constable (Security Guard) working in the Central Industrial Security Force (CISF) at Rourkela Steel Plant. In this petition under Section 19 of the Administrative Tribunals Act, 1985, he calls in question the order of removal from service made by the Commandant CISF Unit RSP, Rourkela vide order No. V-16015/52/83/RO/Admn. 2581 dated 26.5.83 and confirmed on appeal by the DIG, CISF, Unit Rourkela on 17.7.1984.

2. The Central Industrial Security Force is constituted under Section 3 of the CISF Act, 1968 (Act No. 50 of 1968).

Section 3 directs:

Security

"3. Constitution of the Force--(1) --There shall be constituted and maintained by the Central Government an armed force of the Union to be called the Central Industrial Force for the better protection and security of industrial undertakings owned by that Government".

Whatever may have been the nature of that force earlier, after the amendment of the Act under Section 14 of the CISF (Amendment) Act No. 14 of 1983, CISF is constituted as an "armed force of the Union."

Section 2(a) of the Administrative Tribunals Act declares that provisions of the said Act shall not apply to any member of the naval, military or air force or

  
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of any other armed force of the Union. The petitioner who is admittedly a Constable of the CISF Unit at Rourkela is, therefore, a member of an armed force of the Union. Though his grievance relates to removal from service and constitutes a "service matter" within the meaning of Section 2(q) of the Administrative Tribunals Act, in as much as he is a member of the Armed Force of the Union, the Act itself does not apply to him. This Tribunal, has, therefore, no jurisdiction to entertain his grievance under Section 19 of the Act. This petition does not lie before this Tribunal and must, therefore, be returned for presentation to such court or Tribunal as may have jurisdiction in this behalf. Petition be returned to the petitioner for presentation before the appropriate forum.

  
(K. Madhava Reddy)  
Chairman 21.7.86

  
(Kaushal Kumar)  
Member 21.7.86