

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

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

240

1987

DATE OF DECISION 27.2.1987

Shri Jai Kirat Singh

Applicant
~~Petitioner~~

None

Applicant
~~Advocate~~ for the ~~Petitioner(s)~~ ~~XXXXXXXX~~

Versus

Adjutant 7th Battalion RPSF
& Others

Respondent s.

None

~~XXXXXXXX~~
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 ? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *No*
4. Whether to be circulated to all the Benches ? *No*

Kaushal Kumar
(Kaushal Kumar)
Member
27.2.87

K. Madhava Reddy
(K. Madhava Reddy)
Chairman
27.2.87

CENTRAL

ADMINISTRATIVE
PRINCIPAL BENCH
NEW DELHI.

TRIBUNAL

REGN. NO. OA 240/87

Dated: 27.2.1987

Shri Jai Kirat Singh

----- Applicant.

Vs.

Adjutant 7th Battalian RPSF &
others

---- Respondents

CORAM: Hon'ble Mr. Justice K. Madhava Reddy, Chairman
Hon'ble Mr. Kaushal Kumar, Member

For the Applicant

--- None

For the Respondents

-- None

(Judgement of the Bench delivered by Hon'ble
Mr. Justice K. Madhava Reddy, Chairman)


This is an application under Section 19 of the Administrative Tribunals Act, 1985 (hereinafter referred to as "The Act") by a Subedar Rakshak in the 7th Battalian R.P. S. F. calling in question the order removing him from service made by the Adjutant on 25.10.83, the order dismissing his appeal made by the Commandant on 4.12.83 and the further order of the DIG/RPSF and Additional Director Security dated 18.4.84 rejecting his representation. The grievance of the applicant undoubtedly relates to a "service matter" as defined under Section 3(q) of the Act. However as held by this Tribunal in T-200/85 (Attar Singh v. IG, RPF) judgement dated 28.2.1986 the R.P.F. constituted under the Railway Protection Force Act, 1957 is an 'armed force of the Union'. A reading of the R.P.F. Act and the Rules made thereunder makes it clear that R.P.S.F is a branch of the R.P.F which is constituted as an 'armed force of the Union' under the Act. It is also clear from the Rules that the Rakshak, Senior Rakshak and Head Rakshak and other ranks are the members of the R.P.S.F which is a branch of the R.P.F. As the provisions of the Act are not applicable to the members of the 'armed forces of the Union' in view of Section 2(a) of the Act,

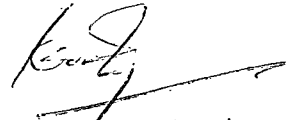
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this Tribunal has no jurisdiction to entertain the grievances of the members of the R.P.S. Force. This application is, therefore, not maintainable before this Tribunal. It is accordingly returned to the applicant for presentation to the appropriate forum in accordance with law.

Ordered accordingly.


(Kaushal Kumar)
Member
27.2.87


(K. Madhava Reddy)
Chairman
27.2.87