

3

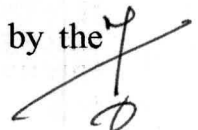
O.A. No. 601 of 2005(Prabhakar Pradhan Vrs. UOI & Ors.)
O.A.No. 602 of 2005 (Ajaya Swain Vrs. UOI & Ors.)
O.A.No. 603 of 2005(Namita Subudhi Vrs. UOI & Ors.)

ORDER DATED: 30-08-2005,

Heard Mr. Achintya Das, Learned Counsel appearing for all the Applicants and Mr. R.C.Rath, Learned Standing Counsel appearing for the Respondents/Railways and perused the materials placed on record.

2. The Applicants, who are working as Constables in the Railway Protection Force, have filed this Original Application u/s 19 of the Administrative Tribunals Act, 1985 (challenging the action/inaction of the Railway Doctors) without impleading any of the authorities of the said Force.

3. Section 2 (a) of the Railway Protection Force Act, 1957 (Act 23 of 1957) provides the definitions of 'Force' which means the Railway Protection Force constituted under Section 3. Section 3 of the said Act of 1957 deals with Constitution of the Force; which provides that "There shall be constituted and maintained by the



✓

Central Government a Force, to be called the Railway Protection Force for the better protection and security of the Railway property.” Section 2 of the Administrative Tribunals Act, 1985 clearly puts a bar before the Tribunal to hear and decide matters pertaining to any member of the naval, Military or Air forces or of any other **armed forces of the Union**. There are no dispute at the Bar that the employees of the Railway Protection Force are the armed forces of the Union/Central Government.

4. In the above said premises, it is crystal clear that this Tribunal has no jurisdiction/authority to hear and decide the service matters of any membes of any armed forces of the Union and, therefore, these Original Applications are dismissed being not maintainable. No costs.

5. Send copies of this order to the Respondents and to all the Applicants. Free copies of this order be given to the Counsel appearing for both parties.

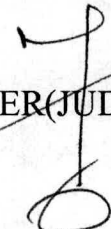
A copy of this order (with copies of all the OAs) be also

[Handwritten signature]

5
sent to the Senior Security Commissioner/RPF, E.Co.

Railway/Khurda Road, at Jatni, Dist. Khurda.


VICE-CHAIRMAN


MEMBER(JUDICIAL)

30.08.2005