

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 12 JAN 1989

APPLICATION NO.

1797

/88(F)

- W.P. NO.

Applicant(s)

Shri D.C. Shirol
To

Respondent(s)

V/s

The Director General, Central Industrial
Security Force, M/o Home Affairs, New Delhi &
3 Ors

1. Shri D.C. Shirol
S/o Shri Chand Sahab
Padakot Galli
Ramdurg
Belgaum District
2. Shri Sateesh M. Doddamani
Advocate
No. 4, 2nd Floor
SSB Mutt Buildings
Bangalore - 560 009

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/~~INTERIM ORDER~~
passed by this Tribunal in the above said application(*) on 5-1-89.

Encl : As above

DEPUTY REGISTRAR
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 5TH DAY OF JANUARY, 1989

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy,

.. Vice-Chairman.

And:

Hon'ble Mr. P. Srinivasan,

.. Member(A).

APPLICATION NO. 1797 OF 1988

D.C. Shirol,
S/o Chand Saheb,
Aged 40 years,
Occ: Constable,
r/o Padakot Galli,
Ram Durg, Belgaum District.

.. Applciant.

(By Sri Sateesh M. Doddamani, Advocate)

v.

1. The Director General,
Central Industrial Security Force,
Ministry of Home Affairs,
Central Government Offices Complex,
Lodhi Road, New Delhi.
2. The Deputy Inspector General of Police,
Central Industrial Security Force,
Western Zone, Bombay.
3. The Commandant,
Central Industrial Security Force,
Government of India (M.H.H)
Morma Goa Port Trust.
4. Inspector Rajappa,
Enquiry Officer,
Central Industrial Security Force,
Unit Marma Goa Port Turst,
Goa-403 803.

.. Respondents.

This application coming on for preliminary hearing this day,
Hon'ble Vice-Chairman made the following:

O R D E R

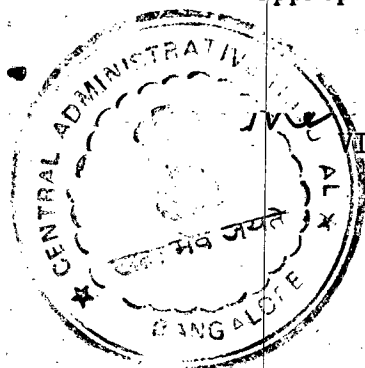
Applicant by Sri S.M. Doddamani.

2. In this application made under Section 19 of the Administrative Tribunals Act, 1985 ('Act') the applicant has challenged Order No. 15014(DCS)/CISF/MGPT/AD.II/84/79 dated 4th January, 1985 (Annexure-G) made by the Commandant, CISF/MGPT ('Commandant').

2. The applicant who was a member of Central Industrial Security Force governed by the Central Industrial Security Forces Act of 1968 (CISF Act) has challenged the order of dismissal made against him on 4th January, 1985 by the Commandant.



3. The CISF Act has been amended by Act 14 of 1983 declaring the force as an 'Armed Force' of the Union of India. On the construction of the CISF Act, a Division Bench of this Tribunal in S. JAGANNATHAN v. UNION OF INDIA [1987(3)ATC 93] has held that 'CISF employees were members of the Armed Forces of the Union of India and, therefore, this Tribunal has no jurisdiction to entertain any application under the Act. On the amendment made by Act 14 of 1983 and the ratio in S.Jagannathan's case, we hold that this application is not maintainable before us. We, therefore, reject this application as not maintainable before this Tribunal, which we need hardly say does not prevent the applicant from agitating the matter before the appropriate forum.



Sd/-
VICE-CHAIRMAN.

5/1/89

TRUE COPY

Sd/-
MEMBER(A)

[Signature]
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE