

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 12 JAN 1989

APPLICATION NO. 2 /89(F)

W.P. NO. /

Applicant(s)

Shri C. Rajasekhar
To

Respondent(s)

V/s The Group Commandant, Central Industrial
Security Force, Madras & another

1. Shri C. Rajasekhar
No. 1, 18th Cross-8
Lakshmipuram
Ulsoor
Bangalore - 560 008
2. Shri K. Sreedhar
Advocate
No. 730, 6th Main
Srinagar
Bangalore - 560 050

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 6-1-89.

Issued
K. M. Srinivas
13-1-89
Encl : As above

DEPUTY REGISTRAR
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL : BANGALORE

DATED THIS THE 6TH DAY OF JANUARY 1989

PRESENT :

Hon'ble Mr. Justice K.S. Puttaswamy ... Vice Chairman
Hon'ble Mr. P. Srinivasan ... Member (A)

APPLICATION NO.2 OF 1989

C.Rajasekhar,
S/O Chudegowda,
Ex.S.G.7007193 CISF TSP,
T.B.Dam, No.1,
18th Cross-8, Lakshmipuram,
Ulsoor, BANGALORE-8.

... Applicant

(Shri K.Sreedhar, Advocate)

vs

1. The Group Commandant,
Central Industrial Security Force,
Anna Nagar, East,
MADRAS-600102.
2. The Deputy Inspector General,
Central Industrial Security Force,
(South Zone), Anna Nagar East,
MADRAS-600102.

... Respondents

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

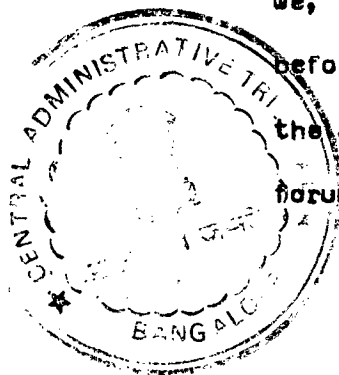
ORDER

In this application made under section 19 of the
Administrative Tribunals Act, 1985 (Act) the applicant has
challenged Order No.V-15014/Maj.58/TSP/80/Ad.VI dated 21-12-1981
(Annexure F) made by the Group Commandant, CISF, Madras
(Commandant) and Order No.V-11014/10/82-A6(SZ)3390 dated
21-4-1983 made by the Deputy Inspector General/SZ (Annexure H).

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 21-12-1981 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 VS. UNION OF INDIA (1987 (3) ATC 93) has held that CISF employees were members of the Armed Forces 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 an appropriate forum.



Sd/-
VICE CHAIRMAN

Sd/-
MEMBER(A)

TRUE COPY

R.V. Venkatesh
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE