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DATE OF DECISION 01.2.96

Petitioner

Advocate for the Petitioner (s)

Versus

Respondent

Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. GOPAL KRISHNA, VICE CHAIRMAN

The Hon'ble Mr. O.P. SHARMA, MEMBER (A)

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 it needs to be circulated to other Benches of the Tribunal ? *No.*

(O.P. SHAFIA)
MEMBER (A)

C. Kishore
(GOPAL KRISHNA)
VICE CHAIRMAN

**In The Central Administrative Tribunal
Jaipur Bench, Jaipur**

OA./TA/MP. No.....199

Harish Chandra Sharma Versus Govt. of India

Date of Order	Orders
<u>1.2.96</u>	<p><u>OA 52/96</u></p> <p><u>11 C.A. Kanaklila</u>, allowed for the applicant.</p> <p>Hand - The OA has been disposed of by a separate order, which has been pronounced in the open court.</p> <p>(O. P. Sharma) Administrative Member</p> <p>(GOPAL KRISHNA) VICE CHAIRMAN</p>

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 1.2.96.

OA 53/96

Harish Chandra Sharma

... Applicant

Versus

Union of India and another

... Respondents.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P. SHARMA, MEMBER (A)

For the Applicant

... Mr. G.P. Kaushik

For the Respondents

... —

O R D E R

FOR HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Harish Chandra Sharma, in this application u/s 19 of the Administrative Tribunals Act, 1985, has sought a direction to the respondents to give employment to his son, Pawan Kumar, in the Railway Service in the light of the circular dated 15.7.74 and, in the alternative, has prayed for deciding his representation dated 6.2.95.

2. We have heard the learned counsel for the applicant.

3. The applicant is working as Head Constable in the Railway Protection Force, Western Railway, Kota. Section-3 of Railway Protection Force Act, 1957, reads as under :-

"3. Constitution of the Force -(1) There shall be constituted and maintained by the Central Government [an armed force for the Union] to be called the Railway Protection Force for the better protection and security of railway property.

(2) The Force shall be constituted in such manner, shall consist of such member of [superior officers, subordinate officers, under officers and other enrolled members] of the Force and shall receive such pay and other remuneration as may be prescribed."


Since the Railway Protection Force has been constituted and maintained by the Central Government as an Armed Force of the Union, this Tribunal has no jurisdiction to adjudicate upon this matter in view of the provisions contained in Section-2 of the Administrative Tribunals Act, 1985.

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4. This application is, therefore, not maintainable before this Tribunal due to lack of jurisdiction. Application/papers shall be returned to the applicant for presentation before an appropriate legal forum.


(O.P. SHAFMA)
MEMBER (A)


(GOPAL KRISHNA)
VICE CHAIRMAN

VK