

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 10th day of August, 2010

ORIGINAL APPLICATION NO. 372/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER

Bihari Lal son of Shri Kishan Lal Belt No. 721340081, by caste SC, resident of Rajnagar, Post Office Loni, District Gajibabad, U.P. Presently working as Sub Inspector 4th Reserve Batalion, Jaipur and working at Jaipur Airport, Sanganer, Jaipur.

.....Applicant

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through the Secretary to the Government of India, Department of CISF, Ministry of Home Affairs, New Delhi.
2. Director General, CISF Headquarter, Block No. 13, CGO Complex, Lodhi Road, New Delhi.
3. Commandant, CISF, 4th Reserve Batalion, Amer, Jaipur.
4. Shri P.P. Singh, Deputy Commandant, CISF Unit, Sanganer, Jaipur.

.....Respondents

(By Advocate: -----)

ORDER (ORAL)

The applicant, who is working as Sub Inspector under the commandant OF CISF, Jaipur, has filed this OA thereby praying that direction may be given to the respondents to allow the applicant to leave the headquarter pursuant to the recommendation made by the Doctor. It may be stated that the applicant is working as Sub Inspector with CISF which is armed force of the Union ^{in and a} has been constituted under the Central Industrial Security Force Act, 1968 (Act 50 of 1968). As per provision contained in Section 3 of this Act, CISF is an armed

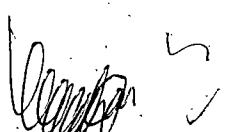
force. At this stage, it will be useful to quote Section 3 of CISF Act, 1968, which thus reads:-

"3. Constitution of the Force. - (1) There shall be constituted and maintained by the Central Government an Armed Force of the Union to be called the Central Industrial Security Force, for the better protection and security of industrial undertaking owned by that Government."

2. It may be stated that in terms of provision contained in Section 2(a) of the Central Administrative Tribunal's Act, 1985, this Tribunal has got no jurisdiction to entertain the matter in respect of any member of the Armed Force of the Union.

3. Thus in view of the specific provision contained in Section 2(a) of the Central Administrative Tribunal's Act, 1985 and in the light of the provision contained in Section 3 of CISF Act, 1968, as reproduced above, this Tribunal has got no jurisdiction, power and authority to decide the matter in respect of any Member of armed force. Accordingly, the OA is disposed of with liberty reserved to the applicant to agitate the matter before the appropriate forum.

3. With these observations, the OA is disposed of at admission stage with no order as to costs.


(M.L. CHAUHAN)
MEMBER (J)

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