

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
REGN. No.:OA/050/00358/2018**

Date of Order: 18.07.2018

C O R A M

**HON'BLE MR. K.N.SHRIVASTAVA, MEMBER (ADMN.)
HON'BLE MR. JAYESH V.BHAIRAVIA, MEMBER (JUDL.)**

.....

Akhilesh Kumar Singh, son of Sri Vijay Singh, resident of Mohalla-Shivajee Path, Gola Road, PO-Danapur, PS_Rupaspur, District-Patna-800 011.

..... Applicant.

- By Advocate: - Mr. S.K.Bariar
Mr. R.K.Bariar.

-Versus-

1. The Union of India through the Secretary, Department of Personnel & Training, North Block, New Delhi-110 001.
2. The Secretary, Ministry of Home Affairs, Government of India, North Block, New Delhi-110 001.
3. The Director, Central Bureau of Investigation, Block No.5, CGO Complex, Lodhi Road, New Delhi-110 003.
4. The Director General CRPF, New Delhi-110 001.
5. The Joint Secretary (P-II), Ministry of Home Affairs, Government of India, North Block, New Delhi-110 001.
6. The Deputy Director (P), Central Bureau of Investigation, Block No.5, CGO Complex, Lodhi Road, New Delhi-110 003.
7. The DIG (Estt.), CRPF, New Delhi-110 001.
8. The DIG, CTC (Y&IT), CRPF, Dhurva, Ranchi.
9. The Under Secretary (P-II), Ministry of Home Affairs, Government of India, North Block, New Delhi-10 001.
10. The Administrative Officer (Pers.), CBI, Plot 5B, 7th Floor, CGO Complex Lodhi Road, New Delhi-110 003.

..... Respondents.

By Advocate: - Mr. H.P.Singh,
Sr. Standing Counsel.

ORDER

Per K.N.Shrivastava, Member (Admn.):- The applicant is a Constable in CRPF. Vide Annexure-A/1 order dated 30.06.2014 he was deputed to CBI. As per the then existing terms of deputation, his initial deputation was for a period of three years which can be extended for another two years, in two installments of one year each with the consent of his parent organization. As such, the applicant is due to complete his five years deputation on 30.06.2019. Now, the Govt. of India, Department of Personnel & Training have issued Office Memorandum dated 17.02.2016, whereby initial deputation can be made for a period of five years which can be extended for another two years. The applicant herein would like to work in CBI for seven years in terms of the DOPT OM dated 17.02.2016. His grievance is that unlike many others, his parent organization i.e. CRPF and its controlling Ministry i.e. Ministry of Home Affairs have not given their consent for extending the deputation period of the applicant.

The applicant has prayed for direction from this Tribunal to the Ministry of Home Affairs and CRPF for giving him NOC for further extension of deputation period.

2. We find that there is no Government notification bringing CRPF under the jurisdiction of this Tribunal. As such, direction sought by the applicant to CRPF cannot be granted by this Tribunal on the ground of jurisdiction itself. When this was pointed out to the

learned counsel for the applicant, he sought leave of the Tribunal to withdraw this OA with liberty to approach the proper legal forum for redressal of the applicant's grievance.

3. In view of the submission of the learned counsel for the applicant, this OA is dismissed as withdrawn with the liberty as prayed for.

(Jayesh V.Bhairavia)
Member (Judl.)

(K.N.Shrivastava)
Member (Admn.)

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