

# **The Tribune**

## **Fill vacancies, AFT Bar urges CJI**

With most of the posts of judicial members in the Armed Forces Tribunal (AFT) lying vacant, the AFT Bar Association has approached the Chief Justice of India, saying the situation has resulted in “a complete breakdown” of the system of administration of justice for defence personnel and their families.

At present there are only five judicial members against the sanctioned strength of 17 and out of eight AFT Benches located across the country, only three are functional as no fresh appointments have been made. This will be further reduced to two as another judicial member will be retiring this month.

Stating that “incoherent and disjointed” legal provisions are equally to blame for the sorry state of affairs, Bar members have decided to protest by wearing black badges on September 22.

“Other arbitrary provisions of the Armed Forces Tribunal Act, 2007, have not only resulted in a grave threat to administration of justice but have also placed the military community at a major disadvantage as compared to their civilian counterparts, resulting in blockage of effective access to justice and judicial review,” said a letter written by the Bar to Chief Justice TS Thakur.

Claiming that quicker dispensation of justice through the AFT is just a myth, the Bar has averred that the biggest disappointment with the creation of the AFT is lack of any effective remedy of judicial review over its orders, thereby making it the first and the last court for litigants.

While civilians get a three-tier system of justice and judicial review, military litigants, under the current provisions, cannot seek judicial review of AFT orders in the High Court and can seek review in the Supreme Court only on a point of law of general public importance.