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No takers for Army tribunal jobs

NEW DELHI: Lieutenant Colonel Ram Kumar (name changed), presently posted in Kupwara, close to the Line of Control, is visiting Delhi in connection with his service matter, which he has challenged in the Armed Forces Tribunal (AFT). But for the last six months, he is only getting fresh dates as there is no judge to hear his case. All three posts of judicial members of the principal bench of the tribunal in Delhi are lying vacant for nearly six months.

There are well over 13,000 service related cases of defence personnel lying pending and out of which 8,678 are only pending in the AFTs.

The armed forces are hit hard by the shortage of judges. Till date, 16 out of 22 posts of judges are vacant across all AFT. It also includes chairperson, the post which is lying vacant since February 2016. Though the collegium has shortlisted name of a judge to head the AFT, but was turned down by Appointments Committee of Cabinet. And with absence of judges, pendency is expected to take sharp increase.

It is believed that retired judges are not keen to join armed forces tribunals as it is paper tiger with no powers to issue contempt.

The AFT not only hear disputes and complaints with respect to service matter, but also appeals arising out of orders, findings or sentences of courts-martial. The tribunal comprises of judicial members as well as administrative members. While the judicial members are retired judges of High Court, a retired officer of Major General rank serves as administrative member.

Besides the principal bench in New Delhi, the tribunal has regional benches at Chandigarh, Lucknow, Kolkata, Guwahati, Chennai, Kochi, Mumbai and Jaipur.

Defence Minister Manohar Parrikar has expressed his views on several occasions that our soldiers should not waste their time in courts, but should serve at the border. But interestingly, the ministry has moved against the AFTs judgment in 994 cases in 2014 and 333 in 2015 to the High Court or even the Supreme Court.

To minimise resentment amongst the armed forces, a five-member committee of experts for reduction of litigation in the Ministry of Defence and strengthening mechanisms of redressal of grievances was formed few months back. And the report, submitted to the ministry came out with observation that many appeals in military service matters “are fueled by prestige and official egotism.”