HISTORY OF THE ARMED FORCES TRIBUNAL
REGIONAL BENCH, LUCKNOW

1. After independence, Defence Services Regulations were formulated as directives for functioning of all the three Services viz the Army, Air Force and Navy. These regulations contained rules relating to administrative as well as legal matters. Subsequently, Army Act 1950, Air Force Act 1950 and Navy Act 1957 came into force which amongst other legal provisions, delineated procedure for submission of statutory complaint against grievances relating to service matters and pre and post confirmation petition to various authorities against the findings and sentence of court martial.

2. Having regard to the fact that a large number of cases relating to service matters of the members of the three Services have been pending in the courts for quite a long time, the question of constituting an independent adjudicatory forum for the Armed Forces personnel had been engaging the attention of the Central Government for quite some time. In 1982, the Supreme Court in Lt. Col. Prithi Pal Singh Bedi vs Union of India, AIR 1982 SC 1413, held that the absence of even one appeal with power to review evidence, legal formulation, conclusion and adequacy or otherwise of punishment in the laws relating to the Armed Forces was a distressing and glaring lacuna and urged the Government to take steps to provide at least one judicial review in service matters. The Estimates Committee of the Parliament in their 19th Report presented to the Lok Sabha on 20th August 1992, had desired that the Government should constitute an independent statutory board or Tribunal for the service personnel.

3. The Armed Forces Tribunal Bill having been passed by both the Houses of Parliament received the assent of the President on 20th December 2007. It came on the Statute Book as THE ARMED FORCES TRIBUNAL ACT, 2007 (55 of 2007). The said act came into effect on 15th June 2008 vide Government of India Gazette Notification No S.R.O. 14(E) dated 13th June 2008. The Armed Forces Tribunal has its Principal Bench at New Delhi and eight Regional Benches spread across the country. The Tribunal has 15 courts in all with three Benches each at New Delhi, Chandigarh and Lucknow and one each at Jaipur, Mumbai, Kolkata, Guwahati, Chennai and Kochi. Her Excellency Smt. Pratibha Devi Patil, the President of India inaugurated the Principal Bench of the Tribunal at New Delhi on 8th August 2009.
4. The Armed Forces Tribunal, Regional Bench, Lucknow located at 3 Rafi Ahmed Kidwai Marg, Lucknow, came into effect on 9\textsuperscript{th} November 2009 vide Government of India Gazette Notification No S.R.O. 116(E). Hon’ble Mr Justice CK Prasad, Chief Justice, Allahabad High Court inaugurated the Bench on 7\textsuperscript{th} November 2009 in the presence of Hon’ble Mr. Justice AK Mathur, Chairperson, Armed Forces Tribunal. The Regional Bench has jurisdiction over the states of Uttar Pradesh, Madhya Pradesh, Uttarakhand and Chhattishgarh.

5. Aggrieved Armed Forces personnel (both serving and retired) including their dependants, heirs and successors can appeal against service matters as also against findings and sentence of the court martial.

6. The first meeting of the Judicial and Administrative Members took place in New Delhi under the Chairmanship of Hon’ble Mr. Justice A.K. Mathur, Chairperson, Armed Forces Tribunal on 22\textsuperscript{nd} June 2009. The Chairperson welcomed the Founder Members of the Armed Forces Tribunal and exhorted them to work towards early operationlisation of their respective Benches. A number of initial briefings were organized during the two day Conference.

7. Hon’ble Mr. Justice S.S. Kulshrestha, Member(J) and Hon’ble Lieutenant Generals (Retired) P.R. Gangadharan, R.K. Chhabra and B.S. Sisodia were appointed as Members, Regional Bench, Lucknow. These Members reported arrival at Lucknow in mid July 2009.

8. The immediate challenge for these newly appointed Members was to hasten the establishment and functioning of at least one Bench in the building earmarked for housing the Regional Bench, Lucknow at 51, 3 Rafi Ahmad Kidwai Marg which had been selected and approved by the Hon’ble Chairperson in March 2009. In pursuance of this objective, the initial meetings of the Members used to be held at the Palm Estate, the Guest House of the Cantonment Board, Lucknow. Headquarters Central Command nominated Col. Siddarth Seth as Officer-in-Charge, Administration, Armed Forces Tribunal with primary responsibility of liaison between Headquarters Central Command and Regional Bench, Lucknow and other administrative agencies such as Headquarters Lucknow Sub Area, MES, PCDA, etc.

9. In August 2009 Hon’ble Mr. Justice S.S. Kulshreshta, Member(J) was transferred to Principal Bench, New Delhi and Hon’ble Mr. Justice Janardan Sahai, Member(J) joined the Bench from Allahabad High Court on 27\textsuperscript{th} August 2009.
10. A number of meetings were held at Headquarters Central Command to hasten the process of modifications and alteration of the building allocated for housing the Regional Bench and related administrative issues. It was decided that although the building was under renovation it would be more pragmatic for the Members and the temporary staff attached by Headquarters Central Command for administration and the initial deputationists to function from the makeshift offices established at 3, Rafi Ahmad Kidwai Marg, Lucknow so that the ongoing work can be closely monitored.

11. The joint efforts of Headquarters Central Command and the minuscule staff of the Armed Forces Tribunal quickly bore fruits and on 7th November 2009 Regional Bench, Lucknow was inaugurated by Hon’ble Mr. Justice C.K. Prasad, Chief Justice, Allahabad High Court in the presence of Hon’ble Mr. Justice A.K. Mathur, Chairperson, Armed Forces Tribunal. A large number of serving and retired Judges from Allahabad High Court including Senior Judge Hon’ble Mr. Justice Pradeep Kant, senior Army officers of Headquarters Central Command, civil dignitaries and prominent lawyers of the Allahabad High Court attended the inaugural function organised at the Surya Auditorium.

12. Pursuant to publication of the Gazette Notification in respect of Regional Bench, Lucknow vide S.R.O. 16(E) the Bench started functioning with effect from 9th November 2009. The first sitting of the Regional Bench, Lucknow constituting the Bench of Hon’ble Mr. Justice Janardan Sahai, Member (J) and Hon’ble Lt. Gen. P.R. Gangadharan, Member (A) was held on 7th December 2009. Soon thereafter transferred cases from High Courts in the area of jurisdiction of the Regional Bench, Lucknow predominantly Allahabad High Court, started being received at the Armed Forces Tribunal.

13. Gradually after publication of the Gazette Notification staff from both civil and Army organizations started joining the Tribunal including Shri Pradeep Kumar, HJS who joined the Regional Bench as Registrar from District Court, Ghaziabad on 2nd February 2010. In addition, staff was appointed on contractual basis from various sources and agreement was signed with M/s Ex-servicemen Multipurpose Services, Nagpur for providing security and logistic services to the Bench.

14. Hon’ble Mr. Justice A.N. Varma, Member (J) from the Lucknow Bench of Allahabad High Court joined Regional Bench, Lucknow on 2nd May 2010. With his appointment two Benches started functioning from 3rd May 2010. Finally with appointment of Hon’ble Mr. Justice B.N. Shukla, Member (J) on 8th December 2011
from Allahabad High Court the quorum was complete and the third Bench started functioning from the same day i.e. 8th December 2011. Hon’ble Mr. Justice A.N. Varma, Member (J) superannuated on 6th April 2012.

15. For Chronology of Events and Biodata of the Members see following links as under:

* Chronology of Events.

* Biodata of the Members:
  * Mr. Justice Janardan Sahai, Member(J)
  * Mr. Justice B.N. Shukla, Member(J)
  * Lt. Gen. P.R. Gangadharan, PVSM, AVSM, VSM**
  * Lt. Gen. R.K. Chhabra, AVSM, VSM
  * Lt. Gen. B.S. Sisodia, AVSM, VSM
BRIEF HISTORY OF ARMED FORCES TRIBUNAL BUILDING

3. RAFI AHMED KIDWAI MARG, LUCKNOW

1. As per records available with Headquarters Lucknow Sub Area, the Principal Director, Defence Estate, Lucknow and Garrison Engineer (West), Lucknow, construction work of the building No. 3, Rafi Ahmed Kidwai Marg, Lucknow was initially started in 1868 as Military Officers’ Quarter on land survey No. 171 on A1 Defence land which is under management of the Quarter Master General, Army Headquarters. The building covers an area of 8902 sq ft.

2. Initially the postal address of the building was Military Officers’ Quarter viz No. 2 & 3, Debi Street and 2 Kasturba Road, Lucknow. Additions/alterations of the building were carried out in 1931 and at that time, accumulated cost of construction accrued to Rs.27,665/-.

3. The building has an epitaph of approximately 3 ft in height located in its premises with the following inscription:

   CTC
   STANDARD BENCH MARK
   1904
   THE HEIGHT OF THE TOP OF
   THIS PILLAR IS
   392.856 FT
   ABOVE MEAN LEVEL
   OF THE SEA

4. The Building has been renovated to suit the requirement of the Regional Bench, Lucknow at a cost of approximately Rs.2.15 Crores under the aegis of Military Engineering Service. It has three Court rooms, six Chambers for the
Members, Registrar’s Office Complex, Library, OIC Bar Council room, pantry, Staff Canteen and Car parking for staff and visitors.
CHRONOLOGY OF EVENTS

June 2009

The following Hon’ble Members (A) joined AFT, Regional Bench, Lucknow on 22 June 2009 :-

Lt Gen (Retd) PR Gangadharan, PVSM, AVSM, VSM**
Lt Gen (Retd) RK Chhabra, AVSM, VSM
Lt Gen (Retd) BS Sisodia, AVSM, VSM

July 2009

Col Sidharth Seth from Central Command Lucknow was appointed as Office-in-Charge, Administration.

Hon’ble Justice S S Kulshretha joined AFT, Regional Bench, Lucknow.

August 2009

Hon’ble Mr Justice Janardan Sahai, Joined the Bench on 28 August 2009.

Administrative office of the Bench was temporarily established at--- HQ Central Command.

Five PBOR’s were attached from AMC Center, COD Agra and HQ Central Command for administration:-

September 2009

The Bench was handed over House No 51, 3 Rafi Ahmad Marg, Lucknow, on 10 September 2009 by the MES which was selected and approved by the Hon’ble Chairperson on March 2009.

October 2009

The following persons joined the Bench on 01 October 2009 on deputation :-

Sh. AK Dwivedi, PPS from DRT, Lucknow
Sh. Ram Kumar, Assistant from DRT, Lucknow

November 2009
On 07 November 2009, the Bench was inaugurated by Hon’ble Mr Justice AK Mathur, Chairperson, Armed Forces Tribunal. Hon’ble Mr Justice CK Prasad, Chief Justice, Allahabad High Court was guest on the occasion. The function was attended by senior Army officer of HQ central Command, civil dignitaries and prominent lawyers of Allahabad High Courts.

The four drivers appointed the Hon’ble Members on 04 November 2009 on contract basis.

**January 2010**

Subedar Adarsh Kumar, Tribunal Officer/Section Officer joined on deputation from Records, The JAT Regt on 10 January 2010.

**February 2010**

02 February 2010 - Sh Pradeep Kumar, HJS joined the team as Registrar on deputation from District Court, Ghaziabad.

03 February 2010 - Subedar SK Malvia, Tribunal Officer/Section officer joined on deputation from OD, Shakurbasti.

11 February 2010 - Sh. USP Sinha, PPS joined on deputation from DRAT, Allahabad

Sh. RP Srivastava, PPS joined the team as second career on retirement from Allahabad High Court Bench at Lucknow on contract basis.

**March 2010**

The following ex-Army personnel have been selected for working with the Bench on the posts, dates as noted against each on contract basis :-

(a) Ex Hav Pritam Singh - DEO wef 11-03-2010

(b) Ex Sub MC Sharma - Jr Librarian wef 12-03-2010

Motor cycle hero Honda Glamour has been release to the Bench for DR duties.

**April 2010**

On 01 Apr 2010, the Bench has made an agreement with M/s Ex Servicemen Multipurpose Services, Nagpur for providing logistic services to the Bench.

Ex Sub Maj (Hony Lt) Nabab Singh has been appointed LDC from 12 Apr 2010 on contract basis.
Sh. SK Sinha, Steno Grade ‘D’ has joined on deputation from 08 May 2010

**May 2010**

Hon’ble Mr Justice AN Verma joined the Bench on 02 May 2010.

The following persons have joined the team on the post mentioned against each:-

Sh. Ajay Chaurasiya, DR on 03-05-2010 on deputation from DRAT, Allahabad.

Sh. Vinod Kumar, driver on 13-05-2010 on contract basis.

**June 2010**

Sh. Neeraj Kumar Pandey, UDC, joined on deputation from Distt Court, Agra on 02-06-2010.

Sh. Anup Singh Lalit, Asst, joined on deputation from Distt Court, Chitrakut on 03-06-2010.

Ex Sub YCS Yadava, DEO, joined on 01 Jul 2010 on contract basis.

**September 2010**

Ex Sub KC Shukla joined on the post of Section Officer on contract basis on 23-09-2010.

Ex Hav Sanjay Kumar Singh, DEO joined on 23.09.2010 on contract basis.

**October 2010**

Shri Shiv Prakash, SO/TO joined on 22.10.10 on deputation from HC Lucknow Bench Lucknow.