

The Armed Forces Tribunal (Procedure for Appointment of Vice-Chairperson and Other Members) Rules, 2008

UNION OF INDIA

India

The Armed Forces Tribunal Act, 2007

The Armed Forces Tribunal (Procedure for Appointment of Vice-Chairperson and Other Members) Rules, 2008

Rule THE-ARMED-FORCES-TRIBUNAL-PROCEDURE-FOR of 2008

- Published on 1 January 2008
- Commenced on 1 January 2008
- [This is the version of this document from 1 January 2008.]
- [Note: The original publication document is not available and this content could not be verified.]

Central Government Actthe Armed Forces Tribunal (Procedure for Appointment of Vice-Chairperson and Other Members) Rules, 2008

1. Short title and commencement. (1) These rules may be called the Armed Forces Tribunal (Procedure for Appointment of Vice-Chairperson and Other Members) Rules, 2008.

(2)They shall come into force on the date of their publication in the Official Gazette. _____

1. Vide S.R.O. 65, dated 21st July, 2008, published in the Gazette of India Weekly, Pt. II, Sec. 4, dated 20th-26th July, 2008.

2. Came into force on 21-7-2008.

2. Definitions. (1) In these rules, unless the context otherwise requires, (a) Act means the Armed Forces Tribunal Act, 2007 (55 of 2007);

(b) Chairperson means the Chairperson of Selection Committee;(c) Tribunal means the Armed Forces Tribunal established under section 4 of the Act.(2)Words and expressions used in these rules and not defined but defined in the Armed Forces Tribunal Act, 2007 (55 of 2007) shall have the

meaning respectively assigned to them in the Act. _____(1)Vide S.R.O. 65, dated 21st July, 2008, published in the Gazette of India Weekly, Pt. II, Sec. 4, dated 20th-26th July, 2008.

3. Composition of Selection Committee. There shall be a Selection Committee for the purpose of the selection of the Vice-Chairperson and Members in the Tribunal consisting of the following: (a) sitting Judge of the Supreme Court nominated Chairperson by the Chief Justice of India

(b)Chairperson, Armed Forces Tribunal Member(c)Secretary to the Government of India, Ministry Member of Defence(d)Secretary, Government of India, Ministry of Member Law and Justice, Department Legal Affairs_____(1) Vide S.R.O. 65, dated 21st July, 2008, published in the Gazette of India Weekly, Pt. II, Sec. 4, dated 20th-26th July, 2008.

4. Vacancies. (1) The anticipated vacancies of Vice-Chairpersons and Members shall be placed before the Selection Committee for a block of six months, i.e., January to June and July to December of each calendar year.

(2)The Chairperson of the Tribunal shall indicate the number of vacancies of the Vice-Chairperson and the Members to be filled from the judicial stream and the administrative stream respectively to the Central Government whereupon the procedure to fill up the vacancies accordingly shall be initiated by that Government. _____(1)Vide S.R.O. 65, dated 21st July, 2008, published in the Gazette of India Weekly, Pt. II, Sec. 4, dated 20th-26th July, 2008.

5. Procedure for inviting/processing of candidatures. (1) The Selection Committee shall devise its own procedure and lay down guidelines for inviting applications as also for the selection of the Vice-Chairperson and the Members of the Tribunal.

(2)The Selection Committee shall recommend the names of persons for appointment as the Vice-Chairperson and Members from amongst the persons on the list of candidates prepared by the Central Government, after obtaining names from the various cadre controlling authorities.(3)The Central Government shall, after taking into consideration the recommendations of the selection Committee, and in consultation with the Chief Justice of India in accordance with the provision contained in sections 6 and 7 of the Act, make a list of persons for appointment as the Vice-Chairperson and Members of the Tribunal. _____(1)Vide S.R.O. 65, dated 21st July, 2008, published in the Gazette of India Weekly, Pt. II, Sec. 4, dated 20th-26th July, 2008.

6. Meetings of the Selection Committee. (1) The Selection Committee shall normally hold its meetings at New Delhi or at such place or places, as may be authorised by the Chairperson by recording the reasons for the change of the venue of such meetings.

(2)The notice/agenda, as the case may be, for the meeting of the Selection Committee shall be issued in advance. The date and venue for the meeting shall be fixed with the convenience of the Chairperson.(3)The minimum quorum for the meeting shall be the Chairperson and at least, one other member. _____(1)Vide S.R.O. 65, dated 21st July, 2008, published in the Gazette of India Weekly, Pt. II, Sec. 4, dated 20th-26th July, 2008.

7. Criteria for selection. Merit in terms of suitability and not seniority shall be the sole criterion in the matter of filling up the post of the Vice-Chairperson from amongst Members of the Tribunal. _____(1) Vide S.R.O. 65, dated 21st July, 2008, published in the Gazette of India Weekly, Pt. II, Sec. 4, dated 20th-26th July, 2008.

8. Consultation with the Chief Justice of India. (1) The recommendations of the Selection Committee shall be placed before the Chief Justice of India for his views.

(2)The recommendations of the Selection Committee, together with the views of the Chief Justice of India shall be submitted to the competent authority for orders. _____(1)Vide S.R.O. 65, dated 21st July, 2008, published in the Gazette of India Weekly, Pt. II, Sec. 4, dated 20th-26th July, 2008.