

ARMY JUSTICE SYSTEM

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INTRODUCTION

- Summary trial or disposal court martial
- Principles or natural justice
 - ❑ Notice of the cause
 - ❑ Opportunity to explain

ARMY

➤ GCM

➤ DCM

➤ SCM

➤ SGCM

AIRFORCE

➤ GCM

➤ DCM

➤ SGCM

SUMMARY TRIAL OR DISPOSAL

- CO
- Subordinate Commander
- Peditious Process
- Within the Eco System
- Limited Punishments
- Less serious offences
- Only by Brigadier in case of officers.

GCM

- Highest level
- Serious offences
- All punishments including death
- Provision of defence counsel free of cost
- Eligibility and number of members
- Confirmation

GENERAL PROVISIONS

- Maintenance of discipline
- Unit environment
- STIGMA
- Training to the CO
- Availability of legal advice at lower formations
- Principles of natural justice
- Liberal system
- No formal procedures

INTERVENTION BY COURTS

- Procedural lapses
- Limitation in time
- Principles of natural justice no applied
- BIAS
- Deficiency in constitution of court martial

COURT-MARTIAL

- General Court-Martial
- District Court-Martial
- Summary Court-Martial
- Summary general Court-Martial

GENERAL COURT-MARTIAL

- Introduction
- Competent Authority to Conduct General Court-Martial
- Composition
- Jurisdiction

DISTRICT COURT-MARTIAL

- Introduction
- Composition of District Court-Martial
- District Court- Martial: Competent Authority
- Confirmation of Findings
- Powers of District Court-martial

Summary General Court-Martial

- Meaning and Scope
- Who can convene Summary General Court-Martial
- Powers of Revision
- Re-assembly in revision

Summary Court-Martial

- Definition and Meaning
- Powers of Summary Court-Martial
- Transfer of Proceedings of Summary Court-Martial
- Holding of court-martial for dismissal from service is not obligatory
- Powers of Summary Court-Martial regarding Sentencing

COURT-MARTIAL PROCEEDINGS IN INDIAN AIR FORCE

➤ General Court-Martial

- Order Regarding General and District Court-Martial
- Adjournment in Certain Cases
- Composition of General Court-Martial
 - *Membership*
 - *Qualifications*
 - *Ineligibility and Disqualifications*