

**TWENTY-FOURTH REPORT
COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)**

**MINISTRY OF DEFENCE
(DEPARTMENT OF MILITARY AFFAIRS)**

(Presented to Lok Sabha on 15.12.2021)



**LOK SABHA SECRETARIAT
NEW DELHI**

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COMPOSITION OF THE COMMITTEE ON PETITIONS

(2020-21)

Dr. Virendra Kumar* - *Chairperson*

MEMBERS

2. Shri Anto Antony
3. Shri Hanuman Beniwal
4. Shri P. Ravindhranath
5. Shri Manoj Tiwari
6. Dr. Sukanta Majumdar
7. Shri Sanjay Sadashivrao Mandlik
8. Smt. Anupriya Patel*
9. Dr. Bharati Pravin Pawar*
10. Shri Brijendra Singh
11. Shri Sushil Kumar Singh
12. Shri Prabhubhai Nagarbhai Vasava
13. Shri Rajan Vichare
14. Vacant
15. Vacant

** Dr. Virendra Kumar, Smt. Anupriya Patel and Dr. Bharati Pravin Pawar ceased to be the Members of the Committee w.e.f 7 July, 2021 vice they were appointed as Union Ministers.*

COMPOSITION OF THE COMMITTEE ON PETITIONS

Shri Harish Dwivedi - *Chairperson*

MEMBERS

2. Shri Anto Antony
3. Shri Hanuman Beniwal
4. Dr. Sukanta Majumdar
5. Shri Sanjay Sadashivrao Mandlik
6. Shri P. Ravindhranath
7. Shri Brijendra Singh
8. Shri Sushil Kumar Singh
9. Shri Manoj Tiwari
10. Shri Prabhubhai Nagarbhai Vasava
11. Shri Rajan Vichare
12. Vacant
13. Vacant
14. Vacant
15. Vacant

SECRETARIAT

1. Shri T.G. Chandrasekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G. C. Dobhal - Additional Director
4. Shri Harish Kumar Sethi - Executive Officer

**TWENTY-FOURTH REPORT OF THE COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)**

INTRODUCTION

I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present on their behalf, this Twenty-Fourth Report (Seventeenth Lok Sabha) of the Committee to the House on the Action Taken by the Government on the recommendations made by the Committee on Petitions (Seventeenth Lok Sabha) in their Fifth Report on the representation of Smt. Suman Dudee forwarded by Shri Rajendra Agrawal, M.P., Lok Sabha alleging injustice to her spouse, Colonel (TS) (Retd.) Ran Singh Dudee by denying him consequential benefits and other important issues related therewith.

2. The Committee considered and adopted the draft Twenty-Fourth Report at their sitting held on 24 June, 2021.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;

**HARISH DWIVEDI,
Chairperson,
Committee on Petitions.**

13 December, 2021

22 Agrahayana, 1943 (Saka)

REPORT

ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (SEVENTEENTH LOK SABHA) IN THEIR FIFTH REPORT ON THE REPRESENTATION OF SMT. SUMAN DUDEE FORWARDED BY SHRI RAJENDRA AGRAWAL, M.P., LOK SABHA ALLEGING INJUSTICE TO HER SPOUSE, COLONEL (TS) (RETD.) RAN SINGH DUDEE BY DENYING HIM CONSEQUENTIAL BENEFITS AND OTHER IMPORTANT ISSUES RELATED THEREWITH.

The Committee on Petitions (Seventeenth Lok Sabha) presented their Fifth Report to Lok Sabha on 17.9.2020 which had dealt with the representation of Smt. Suman Dudee forwarded by Shri Rajendra Agrawal, M.P., Lok Sabha alleging injustice to her spouse, Colonel (TS) (Retd.) Ran Singh Dudee by denying him consequential benefits and other important issues related therewith.

2. The Committee had made certain observations/recommendations in the matter and the Ministry of Defence (Department of Military Affairs) were asked to implement the recommendations and requested to furnish their action taken replies thereon for further consideration of the Committee.

3. Action Taken Replies have since been received from the Ministry of Defence (Department of Military Affairs) in respect of all the observations/ recommendations contained in the aforesaid Report. The recommendations made by the Committee and the replies furnished thereto by the Ministry of Defence (Department of Military Affairs) have been detailed in the succeeding paragraphs.

4. In paras 12, 13, 14, 15, 16 and 17 of the Report, the Committee had observed/recommended as follows :-

"Trial and sentencing of Colonel (TS) (Retd.) Ran Singh Dudee by the General Court Martial (GCM)

The Committee undertook a detailed examination of the representation of Smt. Suman Dudee, spouse of Colonel (TS) (Retd.) Ran Singh Dudee. During the Presentation made by the representatives of the Ministry of Defence (Department of Military Affairs) and during interactions with them in the Committee meeting, a few issues which impinges on the overall justice-driven and disciplined administrative functioning of Indian Army by some of the functionaries at that point of time came to the fore. The written replies provided to the Committee by the Ministry also brought into sharper focus the contents and contours, besides the extent, of these issues.

The Committee note that IC-47908F Colonel (TS) (Retd.) Ran Singh Dudee was commissioned in the Indian Army on 11 June, 1988. The officer was tried by the General Court Martial (GCM) on four charges, with effect from, 19 October, 2004 to 16 May, 2005 and found him 'Guilty' of the first charge for such an offence as is mentioned in Clause (f) of Section 52 of the Army Act, with intent to defraud and the third charge for an act prejudicial to good order and military discipline and sentenced him to be cashiered and to suffer rigorous imprisonment for three years. The sentence awarded by the GCM was confirmed with remission of six months out of three years rigorous imprisonment.

The Committee also note that Colonel (TS) (Retd.) Ran Singh Dudee filed a WP No. 4681/2008 in Delhi High Court praying for quashing of GCM proceedings. The WP was transferred to AFT (RB) Kolkata Bench as TA No. 84/2011. In its interim order dated 26.03.2012, the Hon'ble AFT ordered the respondents to take a decision on representation dated 07.07.2007 of the applicant and to inform the Tribunal that the said petition has been examined along with the proceedings of GCM. Accordingly, Ministry of Defence considered the petition of the officer and based on the opinion of Ld. Solicitor General, annulled the findings and proceedings of GCM dated 16.05.2005 and confirmation order dated 21.10.2005 being time barred, illegal and unjust and allowed the petition filed by Major R. S. Dudee of 36 Infantry Division Ordnance Unit. It has been mentioned in the order that he is entitled to all consequential benefits as admissible under rules on the subject.

The Committee, having noted the entire sequence of events relating to the trial and sentencing of Colonel (TS) (Retd.) Ran Singh Dudee by the GCM along with further consequential action initiated by him in the form of filing of a Writ Petition in the High Court, found that the Ministry of Defence under the powers conferred under Section 165 of the Army Act, 1950 vide its Order dated 20 November, 2013 annulled the findings and proceedings of GCM. With a view to weighing the application of the principle(s) of fair play, law of natural justice and the doctrine of proportionality during the trial and sentencing of Colonel (TS) (Retd.) Ran Singh Dudee, the Committee considered it necessary to carefully go through the relevant 'Order' of the Ministry of Defence. The salient observations along with the reasoning for arriving at the decision of rescinding the findings and proceedings of the GCM could be summarised, as under:-

- (i) IC-47908F ex-Major Ran Singh Dudee, formerly of 36 Infantry Division Ordnance Unit attached with 109 RAPID (Strike) Engineer Regiment for the trial by the GCM, was on 19 October, 2004 arraigned before the said Court Martial on four charges, as under:-

- (a) He at Saugor, Madhya Pradesh, between November 2000 and May 2001, which came to the knowledge of the authority competent to initiate disciplinary action, on 15 May, 2002, having progressed a case for procurement of 8.64 hectares of Government land consisting ₹ 6.75 lakh near village Raipura, District Saugor to the Defence Department for the purpose of immortalisation of forgotten hero Late Sepoy Hawa Singh of 9 JAT, with intent to defraud, proceeded to obtain the land, in his favour, for a sum of ₹25/-.
- (b) He, at Saugor, on 9 November, 2000, which came to the knowledge of the authority competent to initiate disciplinary action, on 15 May, 2002, while performing the duties of Officiating Commanding Officer of 36 Infantry Division Ordnance Unit, improperly, wrote Demi Official Letter bearing No. 47908/RSD/Pers/DO dated 9 November, 2000 addressed to Shri B.R. Naidu, Collector and District Magistrate, Saugor, seeking therein, allotment of 8.64 hectares of Government land near village Raipur, Saugor District.
- (c) He, at Saugor, on 14 November, 2000, which came to the knowledge of the authority competent to initiate disciplinary action, on 15 May, 2002, while performing duties of Administrative Officer of 36 Infantry Division Ordnance Unit, improperly, wrote Demi Official Letter bearing No.47908/RSD/Pers/DO dated 14 December 2000 addressed to Shri B.R. Naidu, Collector and District Magistrate, Saugor, seeking therein allotment of 8.64 hectares of Government land near village Rajpura, Saugor District.
- (d) He, at Saugor, between November, 2000 and May, 2001, having procured Government land as averred in the first charge, which came to the knowledge of the authority competent to initiate disciplinary action, on 15 May, 2002, improperly failed to submit the report on the acquisition of the said immovable property, contrary to Special Army Order 3/S/98, which enjoins that such reports must be submitted forthwith but in no case, later than one year from the date of completion of the transaction.
- (ii) After the trial, the GCM found IC-47908F ex-Major Ran Singh Dudee 'Guilty' of the first and third charges but 'Not Guilty' of the second and fourth charges, and sentenced him to be cashiered and to suffer rigorous imprisonment for three years.
- (iii) On 21 October, 2005, the General Officer Commanding-in-Chief (GOC-in-C), Southern Command, confirmed the findings on the first, second and fourth

charges but did not confirm the findings on the third charge. The GOC-in-C, Southern Command further confirmed the sentence awarded by the GCM but remitted six months out of the three years' rigorous imprisonment awarded by the Court.

- (iv) The complete record of the case was examined, in detail, including the Court Martial proceedings and the opinion rendered by the learned Solicitor General in the matter. After considering all aspects of the petition and viewing it against the redressal sought, the following facts emerged:-
- (a) It is observed that the IC-47908F ex-Major Ran Singh Dudee wrote multiple letters requesting for allotment of land for construction of a War Memorial. The petitioner initially approached the then Commanding Officer of 9 JAT (Unit of ex-Major Ran Singh Dudee's late brother), Colonel S.B. Chavan, to apply for land to construct a war memorial for his late brother. Accordingly, on 29.7.2000, Colonel S.B. Chavan wrote a letter to the District Collector, Jhunjhunu (Rajasthan) for allocating a suitable piece of land. Vide letter dated 7 November, 2000, ex-Major Ran Singh Dudee also sought permission of Colonel Devinder Singh Yadav, the then Commanding Officer of 36 Infantry Division Ordnance Unit at Saugor (where ex-Major Ran Singh Dudee was posted at that time), for applying for another piece of land for constructing the war memorial (i.e., the land in question), Vide letter dated 14 December, 2000, ex-Major Ran Singh Dudee, in his capacity as Administrative Officer of 36 Infantry Division Ordnance Unit, through his Commanding Officer, approached the Collector/District Magistrate, Saugor for allotment of the land in question.
- (b) On 5 March, 2001, Colonel S.B. Chavan issued an 'open-ended authority letter' authorizing ex-Major Ran Singh Dudee to take possession of the land given by the Government for war memorial, etc., and also authorizing him to take all necessary decisions and actions as he deems fit and suitable. As per Challan dated 1 April, 2001, a sum of ₹25/- was deposited by the Applicant as cost of the land.
- (c) According to a letter dated 5 May, 2001, Shri S.C. Arya, Additional Collector, Saugor, Madhya Pradesh clarified that 9 JAT was the owner and title holder of the land allotted to Veer Shaheed Hawa Singh and that ex-Major Ran Singh Dudee was handed over all necessary documents and possession of the land for further necessary action.

- (d) On 6 May, 2001, ex-Major Ran Singh Dudee informed Shri Arya that since 9 JAT was likely to move out of Gwalior, it was decided that the land would be given back to the Government in the form of immortalization trust and the land would be utilized for social service.
- (e) On 20 July, 2001, Shri Arya certified that the land was given back to the Government in the form of a trust and no allotment stood in the name of the Applicant.
- (f) On 9 March, 2002, Colonel S.B. Chavan requested for cancellation of the allotment of land made for constructing the war memorial, stating that "it appears that my letters under reference have been used for allotment of land for memorial of late Sepoy Hawa Singh at Saugor, Madhya Pradesh which was never intended. As such, these letters may please be treated as cancelled and action taken on these, if any may please be reversed".
- (g) On 15 May, 2002, disciplinary action was directed against ex-Major Ran Singh Dudee by the GOC 36 Infantry Division.
- (h) On 18 July, 2002, ex-Major Ran Singh Dudee informed Shri Arya that he did not wish to form as Trust and requested him to cancel the allotment of the land.
- (i) Based on the above, it is not clear as to how 'wrongful gain' was caused to ex-Major Ran Singh Dudee and how he acted with intent to defraud. On 6 May, 2001, ex-Major Ran Singh Dudee made it clear that the land would be given back to the Government. He is not in possession of the land, he has not used it for his personal gain, he has not constructed any Memorial on it. There is no conclusive evidence of any collusion between ex-Major Ran Singh Dudee and the Civil Officials of District Administration, Saugor (particularly, Shri S.C. Arya), the authenticity of the aforementioned communication is not in dispute and the Civil Officials of District Administration, Saugor have not come forth with any complaint in this respect. It is relevant to mention here that a Magisterial Inquiry conducted in this respect, based on the anonymous complaint dated 10 January, 2001, also concluded that the land was allotted for Shaheed Hawa Singh Memorial with due procedure. Thus, it is not clear as to how this constitutes an offence under Section 52(f).

- (j) As regards the issue of limitation, the issue has been considered by the GCM as well as the Confirming Officer. As per Section 122 of the Army Act, the period of limitation for trial by Court Martial is three years from -
- (a) The date of offence; or
 - (b) Where the commission of the offence was not known to the person aggrieved by the offence or to the authority competent to initiate action, the first day on which such offence comes to the knowledge of such person or authority, whichever is earlier; or
 - (c) Where it is not known by whom the offence was committed, first day on which the identity of the offender is known to the person aggrieved by the offence or to the authority competent to initiate action, whichever is earlier.
 - (d) The disciplinary action against the ex-Major Ran Singh Dudee was directed on 15 May, 2002 and the trial commenced on 19 October, 2004. The GCM concluded that the actionable wrongs become clear and came to the knowledge of the authority competent to initiate disciplinary action, when the record of the Second Court of Inquiry was made available to the G-O-C 36 Infantry Division in the first week of May, 2002. The authorities have considered 15 February, 2002 as the date from which the period of limitation commences.
- (k) It is observed that a Court of Inquiry was first ordered by Colonel Devinder Yadav (Commanding Officer, 36 Infantry Division Ordnance Unit) on 7 July, 2001 to investigate inter alia alleged fraudulent allotment of land to the applicant, after receipt of three anonymous complaints. Based on the report of the Court of Inquiry, on 19 July, 2001, the Commanding Officer held that the allegations were false and baseless. Around the same time, another anonymous complaint dated 10 January, 2001 was under civil investigation by Magisterial Inquiry. The report of the Magisterial Inquiry concluded that the land, in question, was allotted for Shaheed Hawa Singh Memorial with due procedure and the anonymous complaint was infructuous. Subsequently, a second Court of Inquiry was convened on 3 November, 2001 to investigate into the circumstances under which the allotment of land was applied for without permission of the competent military authorities and whether any existing orders were violated. Based

on the report of the second Court of Inquiry, disciplinary action was initiated against ex-Major Ran Singh Dudee.

- (l) Even assuming that an offence has been committed under Section 52(f), it cannot be said that 15 February, 2002 has to be considered as the date from which the period of limitation commences. For the purpose of computing limitation, what is to be considered is the date of knowledge and not the date of 'actionable knowledge'.*
- (m) Since the first Court of Inquiry was ordered to be convened on 7 July, 2001, it can be said that the knowledge of the alleged offence (i.e., fraudulent allotment of land) was gained on or before such date. The trial of ex-Major Ran Singh Dudee commenced from 19 October, 2004, which is years beyond the date. Thus, the GCM proceedings are barred by limitation.*
- (n) It is also an admitted fact that the purpose of the allotment was only to build a War Memorial, which has not been done by virtue of surrender of the land to the Government. Hence, any wrongful pecuniary gain cannot be concluded. From an overall perspective, the intent of ex-Major Ran Singh Dudee cannot be said to be something which is forbidden by law. It was only to perpetuate the memory of his brother.*

The Committee, while appreciating the exceptional ground work and intensive examination of the petition of ex-Major Ran Singh Dudee vis-a-vis the proceedings of the General Court Martial by the Ministry of Defence, as narrated in the foregoing paragraphs, also note that the Ministry of Defence had concluded their findings vide Order No. C/06270/SC/345/AG/DV-2/3702/D (AG) dated 20 November, 2013, as under:-

"Taking all the above facts cumulatively, the findings of the GCM are unacceptable. The finding of the GCM, as confirmed, requires interference by the Central Government.

Now, therefore, the Central Government, under the powers conferred under Section 165 of the Army Act, 1950, hereby, annul the proceedings of the General Court Martial findings and sentence dated 16 May, 2005 and confirmation dated 21 October, 2005 being illegal and unjust and allow the petition filed by ex-Major Ran Singh Dudee of 36 DOU. Consequently, the penalty imposed upon ex-Major Ran Singh Dudee stands quashed and he is entitled to all consequential benefits as admissible under Rules on the subject."

The above events as concluded by the Ministry of Defence vide its Order dated 20 November, 2013 inter alia are the major issues that the Committee have flagged in the wake of detailed examination of the instant representation which clearly establish the fact that initiation of Court of Inquiry merely on the basis of anonymous complaints and, thereafter, trial and sentencing of Colonel (TS) (Retd.) Ran Singh Dudee by the General Court Martial was not only improper but also fraught with a possibility of some covert intent of certain serving officers, at that time, to harm the career aspirations, character and social status of the spouse of Smt. Suman Dudee. In this connection, it is stating the obvious that all the Government Establishments in the country need a transparent system of initiating the disciplinary proceedings against their own servicemen so that no innocent individual should be subjected to undergo the ordeals, social stigma and family sufferings which Colonel (TS) (Retd.) Ran Singh Dudee would have undergone during those years - in captivity and afterwards. Notwithstanding this, the Committee, after interacting with the representatives of the Ministry of Defence (Department of Military Affairs) during the discussion held on 18 February, 2020, are happy to note that the Chief of Defence Staff & Secretary, Department of Military Affairs was candid to inform that they are fully sympathetic in the case of Colonel (TS) (Retd.) Ran Singh Dudee and also assured that they would reconsider the case and if, any high-handedness of the Department is found, they would find out as to how some more relief could be given to Colonel (TS) (Retd.) Ran Singh Dudee. Keeping in view all the facts and circumstances, the Committee, therefore, recommend that the mechanism of initiating disciplinary proceedings in the Armed Forces should be revisited and any ambiguity which might encourage subjectivity and/or opens a window to settle career-related score(s) should be appropriately plugged in by way of introducing appropriate modifications/amendments in the relevant Rules/Orders/Guidelines, etc., on the subject."

5. The Ministry of Defence (Department of Military Affairs), in their action taken replies, have submitted as under:-

"It is submitted that "the existing system under which disciplinary proceedings are initiated and processed in the Indian Army, is a robust and time tested system, wherein there are inherent checks and balances to prevent subjectivity from creeping in. At every stage, opportunity is provided to any affected person/accused to participate and defend himself in any proceedings. Rules of natural justice are implicit in such multi layered scrutiny including independent legal advice. This procedure has withstood acute legal exam and even the Hon'ble SC has held in the case of Maj A Hussain vs UoI (1988 (1) SCC 43) "If one looks at the provision of law relating to Court Martials in the Army Act, the Army Rules, Defence Services Regulations and Administrative Instructions of the Army, it is manifestly that procedure prescribed is perhaps equally fair if not more than a

criminal trial provides to the accused". It is also stated that the Complete Army Act, 1950 and the Army Rules, 1954 which contain the disciplinary code applicable to the Army Personnel, have been recently scrutinized in detail and requisite amendments have already been suggested through DMA to bring the system at par with the Criminal Law of the land". It is considered view that there is no requirement for any new mechanism for initiating disciplinary proceedings in the Army at this stage and there exist enough safeguards to prevent subjectivity from creeping in."

6. In paras 18, 19, 20 and 21 of the Report, the Committee had observed/recommended as follows:-

"Habitual litigant vis-a-vis forcing an officer to litigate

The Committee note that after annulment of the proceedings of the GCM findings and sentence dated 16 May, 2005 along with the confirmation dated 21 October, 2005 being illegal and unjust by the Ministry of Defence vide its Order dated 20 November, 2013, Colonel (TS) (Retd.) Ran Singh Dudee was reinstated in service with effect from 13 January, 2014 and granted full pay of his rank and all benefits, as per Rules. Colonel (TS) (Retd.) Ran Singh Dudee was also promoted to the rank of Lieutenant Colonel, retrospectively, with effect from 16 December, 2004 and subsequently, the officer was granted the rank of Colonel by Time Scale on 30 June, 2015 on completion of 26 years reckonable commissioned service. Grant of Time Scale unlike 'Selection Grade' is not based on vacancies. Colonel (TS) (Retd.) Ran Singh Dudee was considered by Selection Board No. 3 in April, 2016 for promotion to the rank of Colonel by selection, applying the same policy and criteria as applied to his original Batch considered in 2006. However, he was not empanelled based on his overall profile and comparative merit.

The examination of the Committee further revealed that Colonel (TS) (Retd.) Ran Singh Dudee filed OA 260 of 2016 at AFT (PB), New Delhi seeking inter alia promotion to the rank of Brigadier and consequential benefits which was allowed on 17.01.2017. Civil Appeal No. 11009 of 2017 was filed by UOI on 01.02.2017 and Hon'ble Court was pleased to stay the operation of impugned Order dated 17.01.2017 on the condition that UOI shall take a decision on the promotion of the officer to the rank of Colonel, within a period of two weeks, in accordance with law. In the meantime, the officer retired from service on 2.2.2017 on attaining the age of superannuation. The officer, on retirement, has been granted re-employment, at par with other officers. The UOI, in compliance of the Order of the Hon'ble Court, considered the officer for promotion to the rank of Colonel based on the same parameters as applied to his 1988 batch. However, based on the overall profile and comparative merit, the Special No. 3 Selection Board found the officer 'not fit' and 'not empanelled' for promotion.

The Committee have further been informed that Colonel (TS) (Retd.) Ran Singh Dudee, subsequently, filed another OA No. 104 of 2017 before the Ld. AFT, Lucknow against impugned Non-Empanelment result. The Ld. Tribunal vide order 27.03.2017 allowed the OA setting aside the result of Special No. 3 Selection Board, directed fresh consideration of the officer keeping in mind the observations of the Tribunal that the officer is high in merit and also imposed cost of ₹5 lakh on the Appellants for allegedly forcing the officer to litigate. The Union of India filed appeal in Supreme Court in December, 2017 challenging the Order dated 27.03.2017 of AFT. Appeal filed by the Government was allowed by the Supreme Court vide Order dated 03.07.2018 to set aside the cost of ₹5 lakh awarded to the respondent and quashed the judgment of AFT, in toto. In this chronology, the Ministry have also furnished a list of Court cases filed by Colonel (TS) (Retd.) Ran Singh Dudee, which contains the details of 14 cases.

The Committee find that filing of Court cases by Colonel (TS) (Retd.) Ran Singh Dudee could not be an indication of his being a habitual litigator in view of the fact that even the Ld. ATF, Lucknow vide Order dated 27 March, 2017 had imposed cost on the Appellants for allegedly 'forcing the officer to litigate' irrespective of the fact that later on, the Supreme Court vide Order dated 03.07.2018 set aside the cost of ₹5 lakh. Moreover, prior to the facts and circumstances as narrated by the Ministry of Defence vide its Order dated 20 November, 2013, while annulling the proceedings of the GCM findings and the sentence, Colonel (TS) (Retd.) Ran Singh Dudee had already undergone the ordeals of jail as also his entire career was shaken. In this context, the Committee are of the view that in case, any other serviceman had come across similar situation/incident, he would also have acted in the same manner. Though, the Committee vehemently endorse the adherence to high degree of discipline and devotion to duty by all the personnel of the Defence Services which is an essential and non-negotiable pre-requisite, yet, the Committee feel that if any serviceman is aggrieved of any decision of his superior authority and prefer to approach the Court, in that eventuality, some internal but Independent Reconciliation Mechanism, on the basis of which the litigations could be quickly and amicably resolved, could be a viable proposition. The Committee, therefore, desire that some out-of-box internal but Independent Reconciliation Mechanism should be worked out by the Ministry of Defence so that such unpleasant incidents are averted at the nascent stage itself."

7. The Ministry of Defence (Department of Military Affairs), in their action taken replies, have submitted as under:-

"Any proceedings under the Army Act/Rules there are various formal and informal grievance redressal mechanisms. While an accused gets full opportunity to participate in

and defend himself from the stage of Court of Inquiry, there is consistently an opportunity and right to Petition, be it at the stage of Court Martial or post the findings of the Court. Any findings or sentence of a Court Martial is subject to confirmation and the affected person have various rights in regard to petition/appeal whether pre/post confirmation. Thus, there is no necessity felt for any such reconciliation mechanism outside the ambit of the existing Act/Rules/Policies on the subject."

8. In paras 22, 23, 24, 25, 26 and 27 of the Report, the Committee had observed/recommended as follows:-

"Consequential benefits paid to Colonel (TS) (Retd.) Ran Singh Dudee

The Committee note that the Department of Military Affairs (Legal) vide their Office Memorandum No. 7(10)/2018-D(AG)/DMA (Legal) dated 4 March, 2020 had inter alia submitted before the Committee that Colonel (TS) (Retd.) Ran Singh Dudee was tried by the General Court Martial on four charges pertaining to fraudulently obtaining 8.64 hectare of land in District Saugor, Madhya Pradesh. The GCM found him 'Guilty' of two of the charges and sentenced him on 16 May, 2005 to be cashiered and to suffer rigorous imprisonment for three years. On 21 October, 2005, the General Officer Commanding-in-Chief, Southern Command confirmed the sentence awarded by the GCM but remitted six months out of the three years rigorous imprisonment awarded by the GCM.

The Committee also note that Colonel (TS) (Retd.) Ran Singh Dudee filed a Post-Confirmation Petition under the Army Act, Section 164 in January, 2006 which was rejected by the Central Government in June, 2006. Later, the officer filed a petition for annulment of GCM proceedings under the Army Act, Section 165 on 7 July, 2007. The officer also filed a Writ Petition, No. 4681/2008 in the Delhi High Court praying for quashing of GCM proceedings. This Writ Petition was transferred to Armed Forces Tribunal (Regional Bench) Kolkata as Transferred Application, No. 84/2011. In its interim Order dated 26 March, 2012, the Hon'ble AFT ordered the respondents to take a decision in respect of representation dated 7 July, 2005, under Section 165 of the Army Act. The case was, accordingly, analysed and recommended by the COAS at Army Headquarters as well as by the Legal Advisor (Defence), Ministry of Defence for rejection. However, the Government of India/ Ministry of Defence, considered the petition based on the opinion of Ld. Solicitor General annulled the GCM proceedings with all consequential benefits as admissible under the Rules on the subject vide Order dated 20 November, 2013.

The Committee further note that Colonel (TS) (Retd.) Ran Singh Dudee was reinstated in service on 13 January, 2014. He was also promoted to the rank of Lieutenant Colonel

with effect from 16 December, 2004 (retrospectively). Later, in June 2015, the officer was granted the rank of Colonel (Time Scale) on completion of 26 years of service. As regards monetary benefits are concerned, an amount of ₹1,28,80,918 has been paid to Colonel (TS) (Retd.) Ran Singh Dudee, as per the following break-up:-

S.No.	Details of payment	Amount (in ₹)
1.	Arrears of pay and allowances	77,34,772
2.	Children Education Allowance	71,550
3.	Family Planning Allowance	48,909
4.	Rank Pay Arrears	13,828
5.	Interest on Rank Pay Arrears	16,605
6.	Arrears of Pay & Allowances	2,60,075
7.	Outfit Allowance	11,205
8.	Interest on Pay & Allowances	38,10,532
9.	House Rent Allowance for last duty Station	5,21,857
10.	Interest on HRA	3,91,585

After going through all the aforementioned details of monetary benefits, the Committee wish to point out that release of monetary benefits was a consequence of annulment of GCM findings/proceedings against Colonel (TS) (Retd.) Ran Singh Dudee by the Government of India/Ministry of Defence vide Order dated 20 November, 2013. Since the Ministry of Defence vide their Order *ibid* had also held the GCM findings and sentence as 'illegal' and 'unjust', as a natural corollary, Colonel (TS) (Retd.) Ran Singh Dudee was also entitled to all consequential benefits as admissible, under the Rules. However, in this context, the Committee are of considered view that the 'monetary benefits' paid to Colonel (TS) (Retd.) Ran Singh Dudee were actually confined to that amount which any serving officer would have otherwise received after his/her exoneration from the 'Article of Charge(s)' imposed by the Disciplinary Authority. Keeping in view the Order of annulment of GCM proceedings by the Ministry of Defence, the fact requires no further elucidation that Colonel (TS) (Retd.) Ran Singh Dudee was falsely implicated and even confined to rigorous imprisonment. Therefore, this extraordinary case, with some personal ramifications and implications, which had all through sustained during 2004-2013 could not be compensated by way of releasing only the amount of money for which any serviceman is legally entitled to receive in the normal course, but the 'consequential benefits' should include consideration of career elevation of the affected official on 'notional basis', i.e., by pragmatically assuming that had the officer not been falsely implicated, he would have been promoted at par with his/her batch mates.

In this context, the Committee have no inhibition even to appreciate the submission made by the Department of Military Affairs to the effect that Colonel (TS) (Retd.) Ran

Singh Dudee was not only retrospectively promoted to the rank of Lieutenant Colonel and later on, granted the rank of Colonel on Time Scale basis, but also subsequently, considered for promotion to the rank of Colonel by 'selection' which could not reach the 'stage of being empanelled' due to his overall profile and comparative merit. Contrary to this, the Department of Military Affairs vide their Office Memorandum dated 13 February, 2020, had also inter alia submitted before the Committee, as under:-

"In August, 2006, 1988 Batch officers of the Army Ordnance Corps were considered by No. 3 Selection Board for promotion to the rank of Colonel as per the policy, wherein, 17 officers out of 106 officers were empanelled based on their overall profile and comparative merit against the available vacancies. Major Dudee was not considered by the Board as he was imprisoned"(emphasis provided).

The aforementioned averments of the Department of Military Affairs go on to show that the Court Martial of Colonel (TS) (Retd.) Ran Singh Dudee along with his imprisonment had a direct bearing on his promotional prospects and career elevation vis-a-vis his colleagues. The Committee, therefore, feel that a plausible remedy for this entire incident, irrespective of any Order/Judgment of the Honourable Court(s) of Law, could be set right by re-visiting the entire case of Colonel (TS) (Retd.) Ran Singh Dudee to ascertain the culpability of any serving officer/ group of officers at that point in time or to ascertain as to whether it was a case of some 'error of judgment'. In case, the findings of such an exercise bring to light any such act of misuse of official authority by the then Controlling Officers, Colonel (TS) (Retd.) Ran Singh Dudee could be considered for grant of some additional service-related benefits, the form and manner of which could be decided by the Highest Authority in the Department of Military Affairs. The intention of the Committee is not only to suggest, at the least, giving some honour to the affected officer on the basis of all the material facts, presently, in possession with them, but also to ensure that any such incidents had not happened to any other serviceman during the relevant period."

9. The Ministry of Defence (Department of Military Affairs), in their action taken replies, have submitted as under:-

"The issue related to promotion do not have 'Locus Standi' as promotion issues in respect of the officer have been put to an end by the Supreme Court vide its order dated 03 Jul 2018.

The case of the officer has been deliberated at length after passing of judgement by the Hon'ble Supreme Court. Therefore, no further action on the case is recommended."

10. In paras 28 and 29 of the Report, the Committee had observed/recommended as follows:-

"Proposal to create a Memorial for the brother of Colonel (TS) (Retd.) Ran Singh Dudee

During the discussion with the representatives of the Department of Military Affairs on 18 February, 2020, the aspect of extending consequential benefits, in any manner, to Colonel (TS) (Retd.) Ran Singh Dudee was also deliberated upon. In pursuance thereof, the Committee have been informed that the officer had been given all possible consequential benefits as admissible under Rules. However, with a view to addressing any remaining dissatisfaction which might be felt by the officer, it was also informed that the Organisation is willing to take measures to immortalize the supreme sacrifice made by Late Sepoy Hawa Singh (brother of the officer). The officer had taken over 8.64 hectares of land from the State Government between November, 2000 and May, 2001 at Saugor with a payment of ₹ 25/-. The land had been taken for construction of Memorial of his brother, Late Sepoy Hawa Singh. The entire episode leading to award of punishment by sentencing officer to three years rigorous imprisonment, which was mitigated to 2.5 years and later quashed, on the directions of Ministry of Defence, was because of the officer's desire to create a Memorial for his brother. The Department of Military Affairs have, thus, proposed that an appropriately sculpted bust of the martyr may be gifted and installed at the officer's native village in Jhunjhunu District of Rajasthan at a prominent place which may be provided by the State Government/ Local Administration. The same will be done in a military ceremony befitting the occasion which could bring about closure of the case and fulfil the original desire of the officer.

The Committee are extremely glad that the Department of Military Affairs have exhibited a high degree of sincerity, concern and sensitivity by way of offering an exceptionally rare proposal to install a sculpted bust of Late Sepoy Hawa Singh, brother of Colonel (TS) (Retd.) Ran Singh Dudee, at his native village in Jhunjhunu District of Rajasthan in a military ceremony befitting the occasion. In this context, the Committee, with all humility at its command, wish to applaud the Highest Authority in the Department of Military Affairs, who was not only candid to discuss the entire case, circumstances and the remotest preponderance of probability of dispensing justice to the officer by the then Authorities concerned, but also agreeable to again go through the overall career-related grievances of the officer concerned as well as enhancing the motivation and a sense of justice amongst the rank and file of our decorated Defence Services. In this backdrop, the Committee wish to urge the Department of Military Affairs to prescribe a specific timeline to formalize the said proposal, in consultation with Colonel (TS) (Retd.) Ran Singh Dudee so that any remaining dissatisfaction which might be felt by the officer is appropriately addressed."

11. The Ministry of Defence (Department of Military Affairs), in their action taken replies, have submitted as under:-

"The matter of installing a sculpted bust of Late Sep Hawa Singh, brother of Col (TS)(Retd.) RS Dudee is under consideration."

12. The Committee on Petitions first, during their Fifteenth sitting held on 18 February, 2021 and then subsequently at the sitting held on 16.03.2021 were briefed by the representatives of the Ministry of Defence (Department of Military Affairs) on the status of implementation of the recommendations made by the Committee on Petitions in their Fifth Report (Seventeenth Lok Sabha) on the representation of Smt. Suman Dudee forwarded by Shri Rajendra Agrawal, M.P., Lok Sabha alleging injustice to her spouse, Colonel (TS) (Retd.) Ran Singh Dudee by denying him consequential benefits and other important issues related therewith presented to Lok Sabha on 17.09.2020. The major issues put forth before the Committee by these witnesses, were as follows:-

- (i) In the existing system under which disciplinary proceedings are initiated and processed in the Indian Army, there are inherent checks and balances to prevent subjectivity from creeping in. At every stage, opportunity is provided to the affected person/accused to participate in the proceedings. Rules of natural justice are also being scrupulously followed in such multi layered scrutiny including seeking of independent legal advice. The existing procedure has withstood the legal examination and even the Hon'ble Supreme Court has held in the case of Maj. A Hussain vs. UoI (1988 (1) SCC 43 that *"If one looks at the provision of law relating to Court Martial(s) in the Army Act, the Army Rules, Defence Services Regulations and Administrative Instructions of the Army, it is manifestly that procedure prescribed is perhaps equally fair if not more than a criminal trial provides to the accused"*.
- (ii) The Army Act, 1950 and the Army Rules, 1954 which contain the disciplinary code applicable to the Army Personnel, have been recently scrutinized, in detail and the requisite amendments have already been suggested through the Department of Military Affairs to bring the system at par with the Criminal Law of the land. There is, therefore, no requirement for any new mechanism for initiating disciplinary proceedings in the Army at this stage and there exist enough safeguards to prevent subjectivity from creeping in.
- (iii) With a view to conducting any proceedings under the Army Act/Rules, there are various formal and informal grievance redressal mechanism(s). While an accused gets full opportunity to participate in and defend himself from the stage of Court of

Inquiry, there is consistently an opportunity and right to Petition, be it, at the stage of Court Martial or post the findings of the Court. Any findings or sentence of a Court Martial is subject to confirmation and the affected person has various rights in regard to petition/appeal whether pre/post confirmation. Thus, there is no necessity for any reconciliation mechanism outside the ambit of the existing Act/Rules/Policies on the subject.

- (iv) The issue relating to promotion of Colonel (TS) (Retd.) Ran Singh Dudee do not have any '*Locus Standi*' as promotion issues in respect of the officer have been put to an end by the Hon'ble Supreme Court *vide* its order dated 03 July, 2018.
- (v) The aspect of installing a sculpted bust of Late Sep. Hawa Singh, brother of Col (TS) (Retd.) R.S. Dudee is under consideration. However, since the piece of land where the bust is to be installed at the native village of the officer in Jhunjhunu District of Rajasthan is yet to be allotted, there is little headway in the matter. However, as soon as the land is allotted, the process of installing the sculpted bust of Late Sep. Hawa Singh would be initiated.
- (vi) Notwithstanding the fact that the Ministry of Defence *vide* its Order dated 20 November, 2013, had annulled the proceedings of the General Court Martial findings in respect of Colonel (TS) (Retd.) R.S. Dudee and also the sentence and confirmation thereof, the Order *ibid* was silent about fixing responsibility on any of the then senior Officer(s)/Authority who initiated disciplinary proceedings against the Officer, in question.

OBSERVATIONS/RECOMMENDATIONS

Amendments in the relevant Army Act/Rules to bring the Disciplinary Proceeding System at par with the Criminal Law

13. The Committee on Petitions, while examining the instant representation received from Smt. Suman Dudee forwarded by Shri Rajendra Agrawal, M.P., Lok Sabha alleging injustice to her spouse, Colonel (TS) (Retd.) Ran Singh Dudee by denying him consequential benefits and other important issues related therewith, had appreciated the exceptional ground work and intensive examination of the petition of the ex-Major Ran Singh Dudee *vis-a-vis* the proceedings of the General Court Martial by the Ministry of Defence. During the examination, the Committee had noted that the Ministry of Defence had concluded their findings *vide* their orders dated 20.11.2013 stating, "*Taking all the above facts cumulatively, the findings of the GCM are unacceptable. The finding of the GCM, as confirmed, requires interference by the Central Government. Now, therefore, the Central Government, under the powers conferred under Section 165 of the Army Act, 1950, hereby, annul the proceedings of the General Court Martial findings and sentence dated 16 May, 2005 and confirmation dated 21 October, 2005 being illegal and unjust and allow the petition filed by ex-Major Ran Singh Dudee of 36 DOU. Consequently, the penalty imposed upon ex-Major Ran Singh Dudee stands quashed and he is entitled to all consequential benefits as admissible under Rules on the subject*".

14. As a matter of fact, the Committee had noted that the initiation of Court of Inquiry was merely on the basis of anonymous complaints and taking into account all other aspects of the instant case, the Committee had concluded that the subsequent trial and sentencing of Colonel (TS) (Retd.) Ran Singh Dudee by the General Court Martial was not only improper but also fraught with a possibility of some covert intent of certain serving

officers, at that time, to harm the career aspirations, character and social status of the spouse of Smt. Suman Dudee.

15. While expressing their concern over the plight of the affected officer and his family members, the Committee were of the considered opinion that all the Government Establishments in the country need a transparent system of initiating the disciplinary proceedings against their own servicemen so that no innocent individual should be subjected to undergo the ordeals, social stigma and family sufferings which Colonel (TS) (Retd.) Ran Singh Dudee would have undergone during those years - in captivity and afterwards.

16. Further, during the discussion with the Committee on Petitions held on 18.2.2020, the Chief of Defence Staff & Secretary, Department of Military Affairs was candid to state that they were fully sympathetic in the case of Colonel (TS) (Retd.) Ran Singh Dudee and had also assured that they would reconsider the case and if, any high-handedness of the Department is found, they would find out as to how some more relief could be given to Colonel (TS) (Retd.) Ran Singh Dudee. In this context, the Committee had recommended that the mechanism of initiating disciplinary proceedings in the Armed Forces should be revisited and any ambiguity which might encourage subjectivity and/or opens a window to settle career-related score(s) should be appropriately plugged in by way of introducing appropriate modifications/amendments in the relevant Rules/Orders/Guidelines, etc., on the subject.

17. In their Action Taken Replies, the Ministry of Defence (Department of Military Affairs) (DMA) have *inter alia* stated that the Army Act, 1950 and the Army Rules, 1954 which contain the disciplinary code applicable to the Army Personnel, have been recently scrutinized, in detail, and requisite amendments have already been suggested through

DMA to bring the system at par with the Criminal Law of the land and hence, there is no requirement for any new mechanism for initiating disciplinary proceedings in the Army at this stage as there exist enough safeguards to prevent subjectivity from creeping in. Notwithstanding the above, the Committee are perturbed to note that the Ministry have not provided any specific details in respect to the suggestions of the DMA for amendment(s) in relevant Act(s)/Rule(s)/Code(s) to obviate subjectivity as far as their application and interpretation are concerned and to make them lucid and transparent. The Committee, therefore, reiterate to the Ministry of Defence (Department of Military Affairs) to once again re-visit the existing mechanism of initiating disciplinary proceedings in the Armed Forces so as to remove any ambiguity which might encourage subjectivity and to make it unbiased and transparent by way of carrying out necessary modifications/amendments in the relevant Acts/Rules/Orders/Guidelines, etc., on the subject. The Committee further recommend that the amendments as suggested by the DMA to bring the entire system of initiating disciplinary proceedings in the Armed Forces at par with the Criminal Law of the land be incorporated in the relevant Acts/Rules/Orders/Guidelines in a time bound manner. The Committee would like to be apprised of the concrete action taken in the matter.

Consequential benefits to Colonel (TS) (Retd.) Ran Singh Dudee

18. During the course of examination, the Committee had noted that Colonel (TS) (Retd.) Ran Singh Dudee was not only retrospectively promoted to the rank of Lieutenant Colonel and later on, granted the rank of Colonel on Time Scale basis, but also subsequently, considered for promotion to the rank of Colonel by 'selection' which could not reach the 'stage of being empanelled' due to his overall profile and comparative merit. Contrary to this, the Department of Military Affairs *vide* their communication dated 13.2.2020, had also *inter alia* submitted before the Committee, as under:-

"In August, 2006, 1988 Batch officers of the Army Ordnance Corps were considered by No. 3 Selection Board for promotion to the rank of Colonel as per the policy, wherein, 17 officers out of 106 officers were empanelled based on their overall profile and comparative merit against the available vacancies. Major Dudee was not considered by the Board as he was imprisoned".

19. The aforementioned averments of the Department of Military Affairs go on to show that the Court Martial of Colonel (TS) (Retd.) Ran Singh Dudee along with his imprisonment had a direct bearing on his promotional prospects and career elevation *vis-a-vis* his colleagues. The Committee had felt that a plausible remedy for this entire incident, irrespective of any Order/Judgment of the Honourable Court(s) of Law, could be set right by re-visiting the entire case of Colonel (TS) (Retd.) Ran Singh Dudee to ascertain the culpability of any serving officer/group of officers at that point in time or to ascertain as to whether it was a case of some 'error of judgment'. In case, the findings of such an exercise bring to light any such act of misuse of official authority by the then Controlling Officers, Colonel (TS) (Retd.) Ran Singh Dudee could be considered for grant of some additional service-related benefits, the form and manner of which could be decided by the Highest Authority in the Department of Military Affairs. In view this, the Committee had suggested, at the least, giving some honour to the affected officer on the basis of all the material facts, presently, in possession with them, but also to ensure that any such incidents had not happened to any other serviceman during the relevant period.

20. Based on the averments made by the Ministry of Defence (Department of Military Affairs), in their action taken replies, the Committee note that the issue related to the promotion do not have *locus standi* as promotion issues in respect of the officer have been put to an end by the Supreme Court *vide* its Order dated 03.07.2018. Notwithstanding the above, keeping in view the principles of natural justice, the Committee would again impress upon the Ministry of Defence (Department of Military

Affairs) that the issue of providing consequential benefits to Colonel (TS) (Retd.) Ran Singh Dudee, be it in monetary terms or otherwise, be reconsidered on sympathetic and humanitarian grounds. The Committee would like to await some positive outcome from the Ministry of Defence (Department of Military Affairs) in this regard.

Constitution of a 'Special Committee'

21. During the course of detailed examination of the representation of Smt. Suman Dudee, spouse of Colonel (TS) (Retd.) Ran Singh Dudee, the Committee had observed as under:-

- Colonel (TS) (Retd.) Ran Singh Dudee was commissioned in the Indian Army on 11 June, 1988.
- The officer was tried by the General Court Martial on four charges, with effect from, 19 October, 2004 to 16 May, 2005 and found him 'Guilty' of the first charge for such an offence as is mentioned in Clause (f) of Section 52 of the Army Act, with intent to defraud and the third charge for an act prejudicial to good order and military discipline and sentenced him to be cashiered and to suffer rigorous imprisonment for three years.
- The sentence awarded by the GCM was confirmed with remission of six months out of three years rigorous imprisonment.
- Colonel (TS) (Retd.) Ran Singh Dudee filed a WP No. 4681/2008 in Delhi High Court praying for quashing of GCM proceedings. The WP was transferred to AFT (RB) Kolkata Bench as TA No. 84/2011.
- In its interim order dated 26.03.2012, the Hon'ble AFT ordered the respondents to take a decision on representation dated 07.07.2007 of the applicant and to inform the Tribunal that the said petition has been examined along with the proceedings of GCM.
- Accordingly, Ministry of Defence considered the petition of the officer and based on the opinion of Ld. Solicitor General, annulled the findings and proceedings of GCM dated 16.05.2005 and confirmation order dated 21.10.2005

being time barred, illegal and unjust and allowed the petition filed by Major R. S. Dudee.

- It was mentioned in the order that he is entitled to all consequential benefits as admissible under rules on the subject.
- The Ministry of Defence under the powers conferred under Section 165 of the Army Act, 1950 vide its Order dated 20 November, 2013 annulled the findings and proceedings of GCM.
- The Ministry of Defence had concluded their findings vide Order No. C/06270/SC/345/AG/DV-2/3702/D (AG) dated 20 November, 2013, as under:-
 - (i) The findings of the GCM are unacceptable. The finding of the GCM, as confirmed, requires interference by the Central Government.
 - (ii) Now, therefore, the Central Government, under the powers conferred under Section 165 of the Army Act, 1950, hereby, annul the proceedings of the General Court Martial findings and sentence dated 16 May, 2005 and confirmation dated 21 October, 2005 being illegal and unjust and allow the petition filed by ex-Major Ran Singh Dudee. Consequently, the penalty imposed upon ex-Major Ran Singh Dudee stands quashed and he is entitled to all consequential benefits as admissible under Rules on the subject.

22. The representative of the Ministry of Defence (Department of Military Affairs), during the sitting of the Committee held on 18 February, 2020, had first informed that they are fully sympathetic in the case of Colonel (TS) (Retd.) Ran Singh Dudee and also assured the Committee that they would reconsider the case and with a view to fining out any high-handedness of the Department, they would find out as to how some more relief could be given to Colonel (TS) (Retd.) Ran Singh Dudee. However, during the sitting of the Committee held on 16 March, 2021, wherein the representatives of the Ministry of Defence (Department of Military Affairs) were invited to brief the Committee on the status of implementation of the recommendations made by the Committee on Petitions in their Fifth Report (Seventeenth Lok Sabha) on the representation of Smt. Suman Dudee, the

representatives of the Ministry contended that though the Ministry of Defence *vide* its Order dated 20 November, 2013, had annulled the proceedings of the General Court Martial findings in respect of Colonel (TS) (Retd.) R.S. Dudee and also the sentence and confirmation thereof, the Order *ibid* was silent about fixing responsibility on any of the then senior Officer(s)/Authority who initiated disciplinary proceedings against the Officer, in question.

23. Having observed all the facts and circumstances in the instant case, the Committee are of the considered opinion that it cannot be denied that injustice was meted out to the spouse of the representationist, Colonel (TS) (Retd.) Ran Singh Dudee and hence, there is a need to review the entire case. The Committee, therefore, suggest that a 'Special Committee' be constituted by the Ministry of Defence (Department of Military Affairs) to review the entire case of Colonel (TS) (Retd.) Ran Singh Dudee, in a time bound manner, wherein, one of the members of the said 'Special Committee' could be from the Organisation other than the Defence Services, *viz.*, the Central Vigilance Commission, etc. The Committee may be apprised of the necessary action taken/proposed to be taken in the matter.

Memorial of Late Sep. Hawa Singh, brother of Colonel (TS) (Retd) Ran Singh Dudee

24. While applauding the efforts of the Ministry of Defence (Department of Military Affairs) in regard to offering an exceptionally rare proposal to install a sculpted bust of Late Sep. Hawa Singh, brother of Col (TS)(Retd.) Ran Singh Dudee at his native village in Jhunjhunu District of Rajasthan in a military ceremony befitting the occasion by the Department of Military Affairs, the Committee had urged the DMA to prescribe a specific timeline for formalization of the said proposal in consultation with Colonel (TS) (Retd.) Ran Singh Dudee so that any remaining dissatisfaction which might be felt by the officer is appropriately addressed.

25. Pursuant to the above recommendation, the Ministry of Defence (Department of Military Affairs) have informed the Committee that the aspect of installing a sculpted bust of Late Sep. Hawa Singh, brother of Colonel (TS) (Retd.) R.S. Dudee is under consideration. However, the piece of land where the bust is to be installed at the native village of the officer in Jhunjhunu District of Rajasthan is yet to be provided. The Ministry have further assured that the process of installing the sculpted bust of Late Sep. Hawa Singh would be initiated, as soon as the land is provided.

26. In this regard, the Committee recommend that the Ministry of Defence (Department of Military Affairs) should put in their efforts to get the land for creation of Memorial by installing a sculpted bust of Late Sep. Hawa Singh in order to address the issue amicably in a time bound manner. The Committee may be apprised of the necessary action taken in this regard.

NEW DELHI;

HARISH DWIVEDI,
Chairperson,
Committee on Petitions.

13 December, 2021

22 Agrahayana, 1943 (Saka)

**MINUTES OF THE SEVENTEENTH SITTING OF THE COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)**

The Committee met on Thursday, 24 June, 2021 from 1200 hrs. to 1430 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

PRESENT

Dr. Virendra Kumar - Chairperson

MEMBERS

2. Shri Anto Antony
3. Shri Dr. Sukanta Majumdar
4. Prof. Sanjay Sadashivrao Mandlik
5. Dr. Bharati Pravin Pawar
6. Shri Brijendra Singh
7. Shri Sushil Kumar Singh
8. Shri Manoj Kumar Tiwari
9. Shri Prabhubhai Nagarbhai Vasava
10. Shri Rajan Vichare

SECRETARIAT

1. Shri T.G. Chandrashekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G. C. Dobhal - Additional Director

SPECIAL INVITEE

XXXXX XXXXX XXXXX XXXXX

WITNESSES

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2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee.

3. XXXXX XXXXX XXXXX XXXXX

4. XXXXX XXXXX XXXXX XXXXX

5. XXXXX XXXXX XXXXX XXXXX

6. XXXXX XXXXX XXXXX XXXXX

7. The Committee, then, considered the Draft Action Taken Report on the action taken by the Government on the recommendations made by the Committee on Petitions (Seventeenth Lok Sabha) in their Fifth Report on the representation of Smt. Suman Dudee forwarded by Shri Rajendra Agrawal, M.P., Lok Sabha alleging injustice to her spouse, Colonel (TS) (Retd.) Ran Singh Dudee by denying him consequential benefits and other important issues related therewith. After detailed discussion, the Committee adopted the above mentioned Draft Action Taken Report without any modification(s). The Committee also authorised the Chairperson to finalise the Draft Report and present the same to the House.

8. A copy of the verbatim record of the proceedings of the sitting of the Committee has been kept.

The Committee, then, adjourned.