



Mains Practice Question

Q. "Administrative tribunals are an essential adjunct to the justice delivery system in India." Examine the rationale of the recent tribunal reforms and their impact on speedy justice. (250 words)

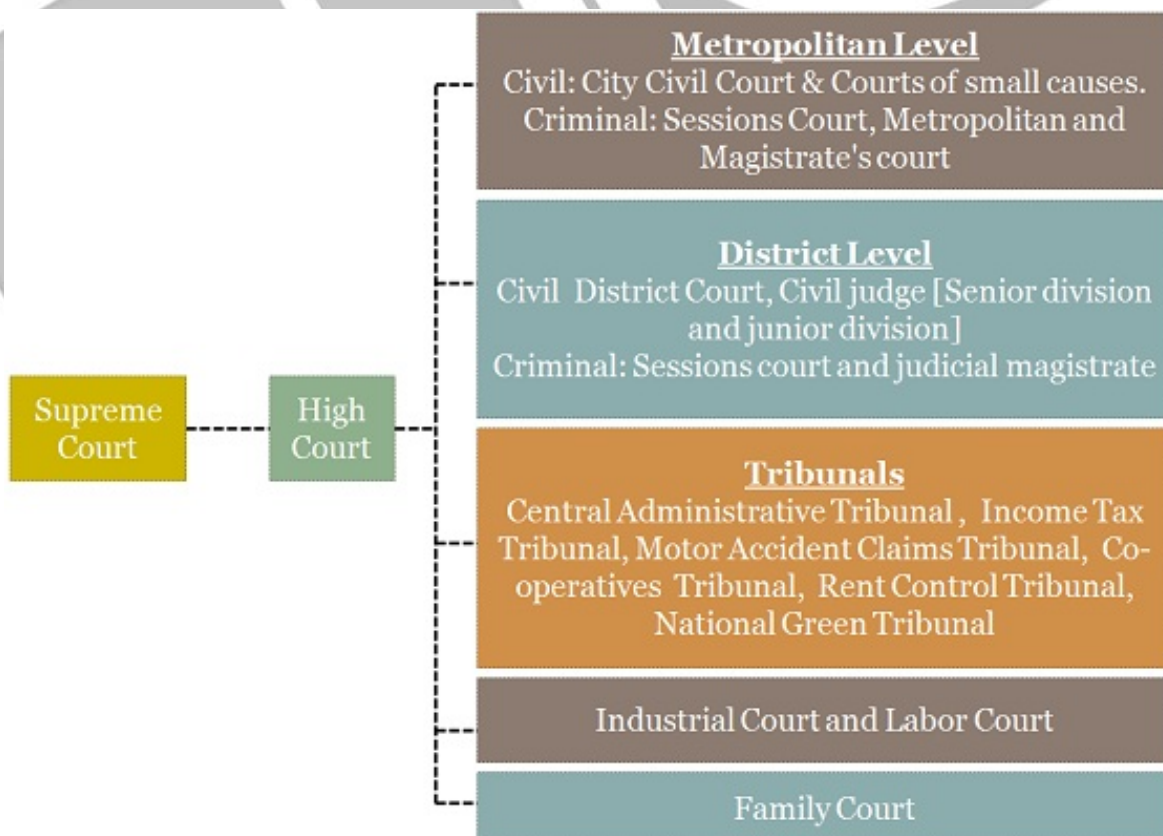
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Approach:

- Provide a brief introduction to the administrative tribunals.
- Examine the rationale of the recent tribunal reforms.
- Discuss their impact on speedy justice.
- Conclude with a suitable way forward.

Introduction:

Tribunals, introduced by the **42nd Constitutional Amendment (1976)** under **Articles 323A and 323B**, were established to provide **specialized, speedy justice** in areas like **public service, taxation, labour, elections, and regulation**. The **Administrative Tribunals Act, 1985** operationalized them as **quasi-judicial bodies** to act as an **adjunct to higher judiciary**, easing the **burden on regular courts**.



Body:

Rationale of Recent Tribunal Reforms

- **Streamlining and Rationalization:** The **Tribunals Reforms Act, 2021** dissolved several appellate tribunals such as the **Film Certification Appellate Tribunal** and transferred their appellate functions to existing judicial forums such as High Courts and Commercial Courts to reduce **duplication and inefficiency**.
- **Uniform Appointments:** Creation of a **Search-cum-Selection Committee** was aimed at reducing arbitrariness in appointments.
- **Ensuring Independence:** Provided fixed tenure and safeguards on service conditions sought to protect **judicial autonomy**.
- **Financial Prudence:** Rationalization minimized **administrative expenditure** and duplication of infrastructure.

Impact on Speedy Justice

- **Positive Impact:** Specialized tribunals like the **National Green Tribunal (NGT)** and **Central Administrative Tribunal (CAT)** have significantly reduced pendency in their domains.
- **Concerns:** The **abolition of certain tribunals** has shifted cases back to already burdened High Courts. For example, disputes on **intellectual property rights** now directly go to High Courts, potentially slowing resolution.
- **Judicial Oversight:** In *L. Chandra Kumar vs Union of India (1997)*, the Supreme Court emphasized that tribunals must remain subject to judicial review to balance **efficiency with accountability**.

Way Forward

- **Strengthen autonomy:** Set up a **National Tribunals Commission**, as recommended by the Supreme Court, to supervise the **appointment, functioning, and administration** of tribunals.
- **Adequate staffing:** Fill vacancies swiftly and increase sanctioned posts.
- **Digital integration:** Use **e-filing and virtual hearings** for faster disposal.
- **Capacity building:** Continuous training for tribunal members and staff.
- **Accessibility:** Establish regional benches to reduce travel and litigation costs.

Conclusion :

Administrative tribunals are crucial to the **justice delivery system**, but reforms must ensure **true autonomy, adequate staffing, and digital integration**. Strengthening successful models like the **NGT** while preventing **executive dominance** will help achieve the twin goals of **specialized expertise and speedy justice**.