

Does establishing the National Tribunal Commission entail restructuring of the present tribunals system in the country? Analyse.

Recently the Central Government due to certain flaws in Quasi-Judicial tribunals in India passed Tribunals Reforms Ordinance 2021, which shows necessity to restructure present Judicial System.

Need for restructuring present tribunals:

1. Too many tribunals in India:

1. 42nd Amendment act 1976 focused on Part-14 A for Administrative Tribunals as per Art 343 A and Tribunal for other matters under Art 343 B

2. (e.g) Film Certificate Appellate Tribunal under Tribunal of other matters has Separate Chairman and members, thereby having wide expenses which can be merged with other tribunals

2. Interference by executives:

1. Quasi-Judicial body should always be independent for transparent process.

2. But CAT, SAT members are appointed by President after consultation

with central government shows backing up of executive in Judicial process.

NTC should restructure Tribunals:

1. Independence of Tribunals:

If NTC is formed, it would act as an umbrella commission in framing guidelines and procedure in appointment, tenure, salaries & expenses of tribunals thereby promoting transparency and efficiency.

2. Proper administration of Tribunals:

NTC can pave the way for proper functioning of administration and judicial functions of tribunals so that there will be uniformity over all tribunals.

3. Consolidation of Tribunals:

There is conflict of interest due to various overlapping of powers in various tribunals, hence NTC needs restructuring to decrease unnecessary tribunals operations.

Conclusion:

National Tribunal Commission they will create a perfect road map for efficient quasi-judicial process in both administrative & other judicial disputes over various pending cases in nation.