

Does establishing The National Tribunal commission entail restructuring of the present tribunal system in the country? Analyse

Ans

The 42nd Amendment added a new part XIV-A with two articles 323A and 323B about the formation of different kind of tribunals in India. 323A deals with Administrative Tribunals (e.g. AT) and 323B with other kind of Tribunals.

Recently govt has taken UP Tribunals Reforms (Rationalisation and conditions of service) Ordinance 2021 and in light of ~~it~~ this ordinance National Tribunal Commission's issue has come up. (NTC).

Idea of NTC was first came by Chandan Kumar vs UOI (1997) case for administrative and other purposes like supervision of functioning of Tribunals, appointment and actions against members.

1) Authority to support uniform administration across all the tribunals

- separation of judicial and administrative powers

- it can support infrastructural needs

2) Recruitment body - appointment of members will be transparent and efficient

2) - deciding on members allowances and other perks can make it independent ~~and~~ from executive.

3) - other roles - Providing support services to tribunals members, litigant & lawyers.
- To hire supervisory staff and to consolidate improve and modernise tribunals infrastructure

Therefore the idea of NTC can pave the way for separation of judicial work from administrative work and can give better supervisory functioning over existing tribunal system