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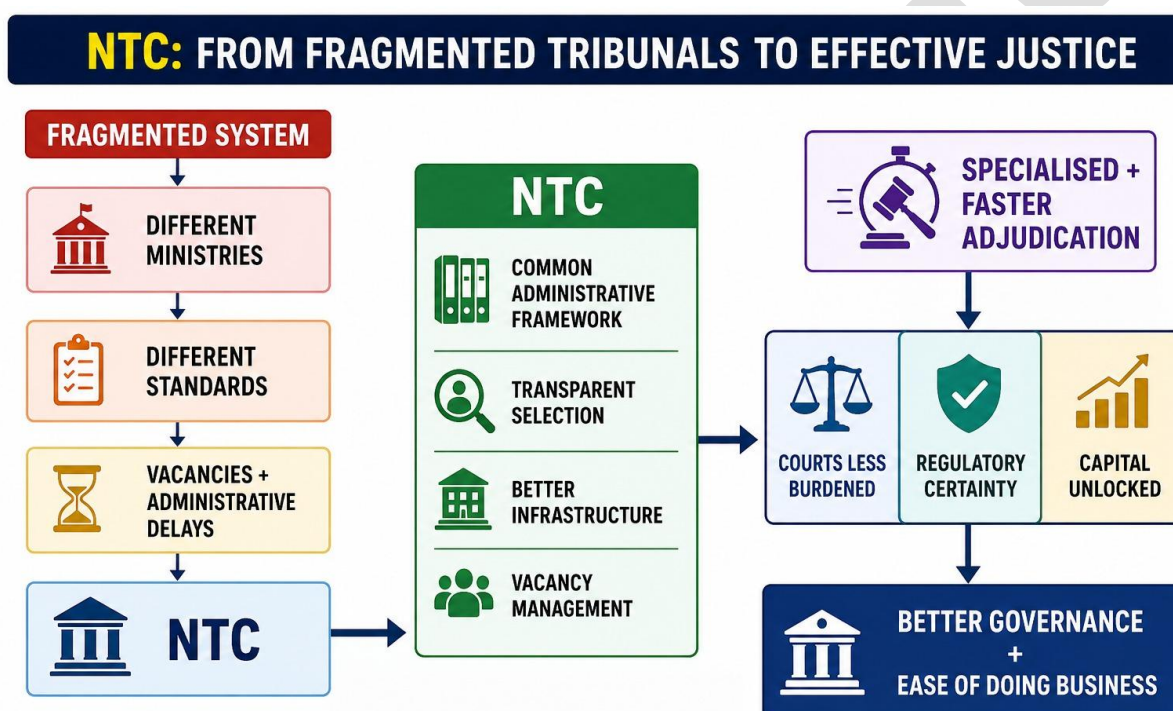
GS Paper II: Polity

1. Tribunals Reforms Bill, 2026: Towards an Independent Tribunal System

a. Introduction

Parliament has passed the Tribunals Reforms Bill, 2026, whose central institutional reform is the creation of a National Tribunal Commission (NTC). It seeks to improve transparency, appointments and administration of tribunals while facilitating timely dispute resolution.

Articles 323A and 323B provide the constitutional framework for administrative and other tribunals. Tribunals were created to provide specialised expertise, procedural flexibility and faster adjudication, while reducing the burden on regular courts. Their functioning has repeatedly generated concerns over vacancies, executive influence, fragmented administration and judicial independence.



b. Key Reform: National Tribunal Commission

The proposed NTC will:

- be chaired by a former Supreme Court judge or former Chief Justice of a High Court;
- include two judicial and two technical members;
- oversee appointments through a search-cum-selection mechanism;
- seek to create a more transparent and institutionalised tribunal administration.

The Bill does not alter the jurisdiction of existing tribunals. The government has also progressively rationalised their number from 26 to 19 and now 16.

c. Why a National Tribunal Commission Matters

Institutional independence

A persistent concern has been that ministries which are themselves litigants before tribunals may also exercise significant administrative influence over them.

This creates a structural problem:

Executive → administers tribunal → appears as litigant before tribunal

An independent umbrella institution can help create greater institutional distance between adjudicators and the executive, strengthening the principle of separation of powers.

Uniformity in tribunal administration

India's tribunal system has evolved in a fragmented manner, with different tribunals functioning under different ministries.

A central institutional framework can promote uniform standards regarding:

- appointments;
- service conditions;
- infrastructure;
- vacancies; and
- administrative procedures.

This can move India from a collection of individual tribunals towards a more coherent tribunal system.

Faster dispute resolution has economic consequences

Delays in commercial and regulatory disputes can keep capital and productive assets locked in litigation.

Efficient tribunals can therefore:

- improve contract enforcement;
- reduce regulatory uncertainty;
- release blocked capital;
- improve ease of doing business; and
- complement regular courts by handling specialised disputes.

Tribunal reform is consequently not merely a judicial reform but also an economic-governance reform.

d. Key Concerns

- **Incomplete institutional coverage:** Questions have been raised over whether important bodies such as the National Company Law Tribunal (NCLT) should be brought within the same framework. Excluding major tribunals could weaken the objective of uniform administration.
- **Appointments versus actual independence:** Creating an NTC will not automatically guarantee independence. Its effectiveness will depend on the composition, appointment process, tenure security and financial/administrative autonomy of the Commission itself.
- **Representation:** Concerns regarding inadequate representation of SCs, STs and other sections raise the broader question of diversity within adjudicatory institutions, while maintaining professional competence and independence.
- **Enforcement deficit:** Speedy adjudication has limited value if tribunal decisions are not implemented effectively. The challenge is therefore not only: Access → Adjudication → Order but: Access → Adjudication → Order → Effective Enforcement
- **Vacancies and capacity:** Institutional restructuring cannot substitute for adequate members, staff, infrastructure and technological capacity.

e. Constitutional Dimension

The Supreme Court has repeatedly emphasised that tribunals performing judicial functions must enjoy sufficient independence from executive control.

The appropriate objective is therefore neither complete executive control nor complete administrative isolation, but an architecture combining:

Judicial independence + Specialised expertise + Administrative accountability

f. Way Forward

- Give the NTC adequate functional, financial and administrative autonomy.
- Minimise executive dominance in tribunal appointments through transparent, merit-based selection.
- Consider bringing major tribunals under a common administrative framework wherever institutionally appropriate.
- Establish predictable timelines for filling vacancies and adequate tribunal infrastructure.
- Develop mechanisms for effective monitoring and enforcement of tribunal orders.
- Strengthen diversity in tribunal membership while maintaining transparent standards of competence.
- Periodically assess tribunal rationalisation based on pendency, disposal time and quality of adjudication, rather than merely reducing their numerical count.

Conclusion:

The National Tribunal Commission could address the long-standing fragmentation of India's tribunal architecture. However, the success of reform will depend less on creating another institution and more on whether it delivers independence, professional appointments, administrative capacity and effective enforcement. The ultimate objective should be a tribunal system that combines specialisation and speed with the constitutional safeguards of judicial independence and fairness.

Reader's Note — About This Current Affairs Compilation

Dear Aspirant,

This document is part of the PrepAlpine Current Affairs Series — designed to bring clarity, structure, and precision to your daily UPSC learning.

While every effort has been made to balance depth with brevity, please keep the following in mind:

1. Orientation & Purpose

This compilation is curated primarily from the UPSC Mains perspective — with emphasis on conceptual clarity, analytical depth, and interlinkages across GS papers.

However, the PrepAlpine team is simultaneously developing a dedicated Prelims-focused Current Affairs Series, designed for:

- factual coverage
- data recall
- Prelims-style MCQs
- objective pattern analysis

This Prelims Edition will be released separately as a standalone publication.

2. Content Length

Some sections may feel shorter or longer depending on topic relevance and news density. To fit your personal preference, you may freely resize or summarize sections using any LLM tool (ChatGPT, Gemini, Claude, etc.) at your convenience.

3. Format Flexibility

The formatting combines:

- paragraphs
- lists
- tables
- visual cues

—all optimised for retention.

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4. Monthly Current Affairs Release

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