BLOGS

Why Tribunals Exist and Why They Matter

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When studying Administrative Law, many CLAT PG aspirants come across the topic of tribunals and immediately feel unsure about its relevance. At first glance, tribunals may appear to be just another set of institutions within the legal system. But once you understand why they were created and how courts supervise them, the topic becomes much clearer, and much more useful for solving exam questions.

To understand tribunals, it helps to start with a simple observation about modern governance. Over time, the role of the State has expanded significantly. Governments today regulate industries, manage public employment, impose taxes, supervise markets, and resolve disputes arising from these activities. Naturally, this expansion has also increased the number of legal disputes connected with administrative decisions.

Traditional courts began to face a heavy burden of such cases. Many disputes also involved technical or specialised issues, such as service rules, tax structures, or regulatory frameworks. To deal with these efficiently, the idea of tribunals emerged. Tribunals were meant to provide specialised adjudication with relatively simpler procedures while still performing a function similar to that of courts.

In India, constitutional recognition of tribunals came through the **42nd Constitutional Amendment Act, 1976**. This amendment inserted **Articles 323A and 323B** into the Constitution. Article 323A allows Parliament to establish tribunals specifically for disputes related to public service matters, while Article 323B permits the creation of tribunals for various other areas such as taxation, industrial disputes, land reforms, and elections.

One of the most prominent tribunals created under this framework is the **Central Administrative Tribunal (CAT)**, which deals with disputes concerning the service conditions of government employees. The idea behind such tribunals was to reduce the workload of regular courts and ensure that disputes requiring specialised knowledge could be resolved more efficiently.

However, the creation of tribunals soon raised an important constitutional question: Can tribunals replace courts entirely?

This issue became central in the landmark judgment of **L. Chandra Kumar v. Union of India (1997)**. Earlier, the law attempted to exclude the jurisdiction of High Courts over certain tribunal decisions.

The Supreme Court examined whether this exclusion was constitutionally valid. The Court held that judicial review by High Courts under Articles 226 and 227 is part of the basic structure of the Constitution and therefore cannot be removed. As a result, decisions of tribunals are subject to scrutiny by the High Courts.

This judgment clarified the constitutional position of tribunals. They may function as specialised adjudicatory bodies, but they cannot completely replace the role of constitutional courts. The judiciary retains the final authority to ensure that tribunals act within legal and constitutional limits.

Another important development in this area came through the Finance Act, 2017, which reorganised several tribunals and altered their structure and appointments. These changes were challenged in court, leading to the decision in Madras Bar Association v. Union of India (2020). The Supreme Court emphasised that tribunals must maintain judicial independence and that their structure should not undermine the constitutional principles governing adjudication.

For CLAT PG aspirants, tribunals are important not because you need to memorise every tribunal that exists, but because they illustrate a broader issue in Administrative Law: how to balance efficiency with constitutional safeguards. Tribunals were created to make dispute resolution faster and more specialised, but they must still operate within the framework of judicial review and the rule of law.

When I studied this topic, what helped me most was focusing on the problem that tribunals were designed to solve. Instead of trying to remember every constitutional provision or amendment, I asked a simple question: Why did the legal system feel the need to create tribunals in the first place? Once that question became clear, the rest of the topic started to make much more sense.

Another useful approach was to connect multiple cases with one underlying concept. For example, cases like **L. Chandra Kumar and Madras Bar Association** both deal with the same larger issue, the need to preserve judicial review and judicial independence even when specialised

tribunals are created. Looking at cases in this way made it easier to organise the subject and remember the key principles.

For anyone preparing for CLAT PG, a helpful strategy is to read Administrative Law topics with an eye on the constitutional values behind them. Tribunals are not merely administrative bodies; they exist within a system guided by the rule of law, separation of powers, and judicial oversight. Recognising this connection helps in analysing passage-based questions more effectively.

In the end, tribunals represent an attempt to adapt the legal system to the realities of modern governance. They aim to provide quicker and more specialised justice, but the Constitution ensures that this efficiency does not come at the cost of fairness or accountability. Understanding this balance is the key to making sense of tribunals in Administrative Law, and to approaching related questions in CLAT PG with greater confidence.