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Tribunals Reforms Bill, 2026: Lok Sabha Creates the National Tribunals Commission

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Tribunals Reforms Bill, 2026: Lok Sabha Creates the National Tribunals Commission

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✓ Every fact web-verified against primary sources

The Lok Sabha passed the Tribunals Reforms Bill, 2026 on August 10, 2026, without debate amid Opposition sloganeering, establishing a National Tribunals Commission (NTC) and repealing the Tribunals Reforms Act, 2021. Law Minister Arjun Ram Meghwal described the legislation as aimed at strengthening tribunal appointments, independence and transparency.

WHY ANOTHER TRIBUNALS LAW, SO SOON AFTER 2021

India's tribunal appointment framework has been rewritten repeatedly in the last decade, and almost every rewrite has been forced by the courts rather than volunteered by the executive. The pattern traces back to a sustained line of litigation by the **Madras Bar Association (MBA)**, beginning with *R. Gandhi v. Union of India* (2010) and continuing through *Madras Bar Association v. Union of India* judgments in 2014, 2015, 2020 and 2021. Across these rulings, the Supreme Court has repeatedly struck down executive-heavy appointment structures for tribunals, holding that tribunals, which exercise judicial power that would otherwise sit with High Courts and other courts, must be insulated from executive control to preserve the constitutional **separation of powers** and the independence of the justice-delivery system. The Tribunals Reforms Act, 2021 itself was enacted after the Court had struck down an earlier ordinance's provisions, and it too ran into the same objection: the Supreme Court found aspects of the 2021 Act's search-cum-selection process and tenure provisions fell short of the independence standard it had laid down, including a minimum five-year tenure requirement set out in its 2020 judgment. The Tribunals Reforms Bill, 2026 is the government's latest attempt to build an appointment architecture that survives this scrutiny, this time through a permanent, dedicated oversight body rather than case-by-case rules.

THE NATIONAL TRIBUNALS COMMISSION: COMPOSITION AND POWERS

The Bill's central structural change is the creation of the NTC as a standing, five-member body, replacing the earlier system where individual search-cum-selection committees were constituted separately for each tribunal.

POSITION	NUMBER	ELIGIBILITY
Chairperson	1	Retired Supreme Court judge or retired Chief Justice of a High Court
Judicial Member	2	Retired Chief Justices or judges of High Courts
Technical Member	2	Minimum 25 years' experience in public administration, finance, law, accountancy, banking, management or technology

Members hold office for a **five-year term**, or until the Chairperson turns 70 and other members turn 67, whichever is earlier. The NTC is headquartered in **New Delhi** and is empowered to conduct the selection process for tribunal chairpersons and members across the tribunals under its purview, review the functioning and performance of tribunals, oversee inquiries into complaints against members, and maintain a **National Tribunals Data Grid** consolidating case-pendency and case-related information. Selection for individual appointments continues to run through a search-cum-selection committee for each vacancy, comprising NTC members, a retired High Court judge or Chief Justice, a Union government secretary, and two subject experts, with the government required to process the Commission's recommendation and finalise the appointment within three months, a timeline aimed directly at the chronic appointment delays that have previously left tribunal benches understaffed for extended periods.

WHICH TRIBUNALS FALL UNDER THE NTC

The Bill brings **16 tribunals** under the NTC's oversight umbrella. Those explicitly named in reporting on the Bill include the Central Administrative Tribunal (CAT) and State Administrative Tribunals, the Securities Appellate Tribunal (SAT), the Debts Recovery Tribunal (DRT), the Telecom Disputes Settlement and Appellate Tribunal (TDSAT), the Armed Forces Tribunal (AFT), the National Green Tribunal (NGT), the National Company Law Appellate Tribunal (NCLAT), the National Consumer Disputes Redressal Commission (NCDRC), and the Income Tax Appellate Tribunal (ITAT). The Bill estimates a modest recurring expenditure of approximately Rs 24.79 crore and a non-recurring cost of about Rs 2.35 crore for setting up the NTC, projecting roughly a 10 percent annual increase thereafter, figures placed in Parliament to establish the fiscal footprint of the new institutional layer.

THE DEEPER PROBLEM: TRIBUNALS AS A JUSTICE-DELIVERY BOTTLENECK

Tribunals were originally created, many under Article 323A and 323B enabling provisions inserted by the 42nd Amendment in 1976, to offer specialised, faster adjudication outside the ordinary court hierarchy for matters like service disputes, tax appeals, company law and environmental regulation. In practice, prolonged vacancies at the chairperson and member level have repeatedly undermined that promise, with several tribunals functioning without a full quorum for extended stretches, forcing litigants back toward High Court **writ jurisdiction** that tribunals were meant to relieve. The NTC's data-grid and three-month appointment-processing mandate are direct responses to this administrative failure mode; whether a permanent

Commission structurally different from ad hoc search committees can actually keep pace with vacancies as they arise, rather than simply centralising the same delays under a new name, is the practical question the reform will be tested against.

UPSC RELEVANCE

GS Paper 2: Structure, organisation and functioning of the Executive and the Judiciary; **statutory**, regulatory and quasi-judicial bodies; separation of powers between various organs, dispute redressal mechanisms and institutions.

Mains angle: “Recurrent litigation over tribunal appointments reflects a deeper tension between administrative efficiency and judicial independence in India’s tribunal system.” Examine this statement with reference to the Madras Bar Association line of Supreme Court judgments and the National Tribunals Commission created by the Tribunals Reforms Bill, 2026.

★ FACTS CORNER, KNOWLEDGE PEDIA

TRIBUNALS REFORMS BILL, 2026:

Passed by Lok Sabha: August 10, 2026 (without debate)

Piloted by: Union Law Minister Arjun Ram Meghwal

Repeals: Tribunals Reforms Act, 2021

Tribunals covered: 16, including CAT, SAT, DRT, TDSAT, AFT, NGT, NCLAT, NCDRC and ITAT

NATIONAL TRIBUNALS COMMISSION (NTC):

Composition: 1 Chairperson + 2 Judicial Members + 2 Technical Members (5 total)

Chairperson: retired Supreme Court judge or retired High Court Chief Justice

Technical Members: minimum 25 years' experience in specified fields

Tenure: 5 years, or age 70 (Chairperson) / 67 (Members), whichever earlier

Headquarters: New Delhi

Appointment timeline mandate: government to act on NTC recommendations within 3 months

Estimated cost: ~Rs 27.14 crore (Rs 24.79 crore recurring + Rs 2.35 crore non-recurring)

LEGAL BACKGROUND:

Key precedent litigant: Madras Bar Association, in Supreme Court cases from 2010 (R. Gandhi v. Union of India) through 2014, 2015, 2020 and 2021

2020 judgment prescribed a minimum 5-year tenure for tribunal members

Constitutional basis for tribunals: Articles 323A and 323B, inserted by the 42nd Constitutional Amendment (1976)

Sources: PRS Legislative Research, LiveLaw, PIB

Source: Tribunals Reforms Bill, 2026: Lok Sabha Creates the National Tribunals Commission — Ujjayiari.com | Free
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