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Ease of Doing Business Needs Ease of Justice: The Law Minister's Case for the Tribunals Bill

 **INDIAN EXPRESS**

12 August 2026

POLITY**ECONOMY****GS2****GS3**

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 The Indian Express

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GS2

GS3



INTERVIEW ANGLE

"Meghwal argues the Tribunal Reforms Bill does not alter tribunals' substantive jurisdiction, only their governance. If the Supreme Court's own repeated interventions (Rojer Mathew, Madras Bar Association) were about governance and appointments, not jurisdiction, does confining reform to governance fully answer the independence concerns those judgments raised, or does it deliberately leave a narrower reform than the judgments demanded?"

Source: [Original editorial](#)

The Indian Express

 Every fact web-verified against primary sources

THE LIFT LINE

The minister's argument is precise where it counts: this Bill changes who runs the tribunals, not what they can decide. Whether that distinction is enough is the question his own piece does not ask.

WHY THIS EDITORIAL MATTERS FOR YOUR EXAM

This is a signed op-ed by **Arjun Ram Meghwal**, Union Minister of State (Independent Charge) for Law and Justice, not an unsigned Indian Express editorial, which makes it a primary government-position source, useful precisely because a Mains answer can cite the minister's own reasoning directly. Its most exam-useful feature is the constitutional and legislative lineage he lays out in sequence, Articles 323A/323B, the 2015 rationalisation, the Finance Act 2017, the 2021 Ordinance and Act, and the November 2025 Supreme Court judgment, a chain very few candidates can currently reproduce accurately.

GS Paper 2: Statutory, regulatory and quasi-judicial bodies; structure, organisation and functioning of the judiciary; separation of powers; government policies and interventions.

GS Paper 3: Effects of liberalisation on the economy; investment models; ease of doing business.

CONCEPT	MEANING	SOURCE
“Reform, perform, transform”	Meghwal’s framing of the government’s decade-long reform philosophy	From the op-ed
Governance reform, not jurisdictional reform	His central interpretive claim about what the Bill actually changes	From the op-ed
Articles 323A, 323B	Constitutional basis for tribunals, cited by the minister himself	From the op-ed
National Tribunals Commission (NTC) + Secretariat	The Bill’s central institutional innovation, as the minister describes it	From the op-ed
Exact backlog and vacancy figures	Quantified scale of the problem the Bill addresses	Ujiyari’s addition
Search-cum-Selection Committee independence critique	The Hindu’s counter-reading of the same Bill	Ujiyari’s addition (cross-referenced)

WHAT THE OP-ED ARGUES

(This section reports Union Law Minister Arjun Ram Meghwal’s own argument, as the Bill’s sponsoring minister writing a signed op-ed, not an unsigned Indian Express editorial position.)

Who is arguing this. Arjun Ram Meghwal is Union Minister of State (Independent Charge) for Law and Justice and Minister of State for Parliamentary Affairs, the minister directly responsible for the Bill. This is his own justification for the reform, not an outside commentator’s assessment.

Part of a larger reform story. Meghwal frames India’s “journey towards Viksit Bharat” as “equally a journey of institutional reform,” not only economic growth and infrastructure. As the economy expands and India strengthens its position in global supply chains, he argues, “the institutions that support economic activity must also evolve with speed, transparency and credibility.” He places the Tribunal Reforms Bill alongside **GST** (which “transformed indirect taxation”), the **Insolvency and Bankruptcy Code** (“strengthened the insolvency resolution framework”), the **Jan Vishwas initiative** (“reduced the burden of compliance”), and **Digital India** (“connected governance with technology”) as fitting “naturally into this larger philosophy of ‘reform, perform and transform.’”

What the Bill actually targets. Meghwal is precise that the Bill “seeks to strengthen the governance architecture of tribunals without altering their substantive jurisdiction.” Its central focus is institutional: “improving appointments, governance, transparency, service conditions, independence and efficiency.”

Why tribunals matter economically. Tribunals deal with “specialised areas such as taxation, company law, securities and the environment,” complementing, not replacing, constitutional courts. “A dispute in a growing economy is rarely a mere question of accounting or a legal anomaly,” Meghwal writes; behind it “may

lie an entrepreneur's confidence, an industry's investment, a business's future, employment opportunities and the continuity of economic activity." His central thesis: "ease of justice and ease of doing business are deeply interconnected."

The constitutional and legislative lineage, in the minister's own sequence. Articles **323A** and **323B** "laid the foundation for administrative tribunals," recognising the need for specialised mechanisms. The tribunal ecosystem that developed across different ministries led to "variations in practices and multiplicity of procedures." The Modi government "began the process of restructuring tribunals in 2015." The **Finance Act, 2017** "merged tribunals of a similar nature and reduced their number from 26 to 19," followed by **Tribunal Rules in 2017 and 2020**. The **Tribunals Reforms Ordinance, 2021** and the **Tribunals Reforms Act, 2021** "reduced the number of tribunals from 19 to 16"; however, Meghwal candidly notes, "several provisions were struck down by the Supreme Court as contrary to judicial independence and separation of powers." He names the specific judicial line: **Roger Mathew, Madras Bar Association**, and "the Supreme Court's judgment of **November 19, 2025**," all "consistently" emphasising "that appointments, tenure and service conditions of tribunal members must uphold judicial independence." "It is in this context," he writes, "that the Tribunal Reforms Bill, 2026 has been brought forward."

The National Tribunals Commission. At the Bill's core is the proposed **National Tribunals Commission (NTC)**, which "will bring 16 tribunals under its umbrella, creating a common framework for their governance and administration." It is proposed to be **headed by a former Supreme Court judge or a former Chief Justice of a High Court**, supported by **two judicial members and two technical members**. A dedicated **NTC Secretariat** is also proposed, "supporting the objective of uniform governance."

The jurisdiction distinction, called "central." Meghwal states plainly: "the Bill does not change the substantive jurisdiction of individual tribunals. Their jurisdiction will continue to be determined by their respective parent statutes. This distinction is central to understanding the reform."

The closing argument. "Strong institutions inspire confidence; confidence drives investment; investment fuels growth; and effective justice ensures that this virtuous cycle remains anchored in the rule of law." The Tribunal Reforms Bill, 2026, he concludes, "is an important step towards strengthening this cycle."

Ujjayari's addition begins below. Nothing past this point should be read as Meghwal's argument.

BACKGROUND THE OP-ED ASSUMES

The following is Ujjayari's addition, not part of Meghwal's argument. As the sponsoring minister, he writes about the reform's intent and lineage rather than quantifying the current backlog or vacancy problem in numbers; the figures below supply that missing scale.

Across the 16 tribunals the NTC will govern, **pendency** runs to more than **5.24 lakh cases**, including **2,33,901** at the Debts Recovery Tribunals, **71,454** at CESTAT, **69,102** at the Central Administrative Tribunal, and **42,502** at the ITAT. As of a Ministry of Law and Justice reply to the Rajya Sabha in **December**

2025, 94 of 518 sanctioned tribunal-member posts (roughly 18 per cent) stood vacant. Before the World Bank discontinued its Doing Business index in 2021, India's **Enforcing Contracts** indicator, the component most directly linked to tribunal and court delay, ranked **163rd of 190 economies**, with an average **1,445 days** to resolve a standardised commercial dispute.

THE ANALYSIS

1. Meghwal's governance-versus-jurisdiction distinction is a genuine, checkable feature of the Bill, and it is worth taking at face value rather than treating it as spin. Substantive jurisdiction, what a tribunal can actually decide, is legally distinct from its governance, who appoints and disciplines its members, and the Bill's text does confine itself to the latter. This is an accurate description of the Bill's scope, not merely a talking point.

2. Precisely because the distinction is accurate, it also marks the limit of what this reform claims to do. A reader should notice what Meghwal's framing implicitly rules out of scope: questions about whether 16 tribunals is the right number, whether specific tribunals' jurisdiction should be expanded or narrowed, or whether the tribunal model itself needs rethinking are all placed outside this Bill's ambit by design, not oversight.

3. Citing Rojer Mathew, Madras Bar Association and the November 2025 judgment by name, in sequence, is the piece's strongest evidentiary move. Rather than asserting independence has been strengthened, Meghwal traces a specific judicial history of the government's own repeated failures to satisfy the Court on this exact point, then presents the NTC as the direct legislative response to the most recent of those failures. This [candour](#) about past judicial rejection is unusual for a ministerial op-ed and strengthens, rather than weakens, the piece's credibility.

4. The "ease of justice, ease of doing business" thesis is asserted, not evidenced, in this piece specifically. Meghwal states the interconnection as a proposition but does not, in this op-ed, cite the backlog figures, vacancy rate, or India's Enforcing Contracts ranking that would make the economic argument concrete; those numbers exist and are verifiable, but a reader relying on this piece alone would not have them.

5. The piece is silent on exactly the residual-independence question The Hindu's reading raises, and that silence is structurally unsurprising for a sponsoring minister's op-ed. Meghwal writes about what the NTC is designed to do, not about delegated rule-making, complaint-routing procedures, or any specific channel through which executive influence might persist beneath the headline structure. This is not a flaw unique to this piece, government op-eds justifying their own legislation rarely surface the strongest counter-arguments, but it means the independence question needs a separate, [adversarial](#) source to be fully answered.

6. Reading Meghwal's piece alongside the Hindu's skeptical reading and the HT provision-by-provision analysis gives a genuinely fuller picture than any one source alone. The minister supplies the authoritative legislative lineage and the government's own stated rationale; the skeptical reading

supplies the specific residual-risk critique; the provision-level reading supplies the mapping from Supreme Court finding to statutory fix. None of the three is complete without the others.

DATA AND INSTITUTIONS VAULT

PRELIMS-GRADE FACTS, FROM THE OP-ED:

Author: Arjun Ram Meghwal, Union Minister of State (I/C) for Law & Justice and MoS Parliamentary Affairs

Reform philosophy cited: “reform, perform and transform”; sibling reforms named: GST, IBC, Jan Vishwas, Digital India

Constitutional basis: Articles 323A and 323B

Legislative lineage: rationalisation began 2015; Finance Act, 2017 reduced tribunals 26 to 19; Tribunal Rules 2017 and 2020; Tribunals Reforms Ordinance and Act, 2021 reduced tribunals 19 to 16

Judicial line cited by name: Rojer Mathew, Madras Bar Association, Supreme Court judgment of 19 November 2025

National Tribunals Commission (NTC): governs 16 tribunals; headed by a former Supreme Court judge or former High Court Chief Justice; 2 judicial members, 2 technical members; dedicated NTC Secretariat

Explicit claim: Bill does not change substantive jurisdiction; jurisdiction remains with each tribunal’s parent statute

PRELIMS-GRADE FACTS, UJIYARI’S ADDITION:

Pendency: 5.24 lakh+ cases across 16 tribunals; DRT 2,33,901; CESTAT 71,454; CAT 69,102; ITAT 42,502

Vacancy: 94 of 518 sanctioned posts (~18%), per Ministry of Law and Justice reply, December 2025

Pre-discontinuation Enforcing Contracts rank: 163rd of 190, 1,445 days average

WATCH THE TRAP: DO NOT ATTRIBUTE THE BACKLOG, VACANCY OR ENFORCING CONTRACTS FIGURES TO MEGHWAL’S OWN OP-ED. HIS PIECE MAKES THE “EASE OF JUSTICE DRIVES EASE OF DOING BUSINESS” ARGUMENT IN PRINCIPLE, USING THE REFORM’S CONSTITUTIONAL AND LEGISLATIVE LINEAGE AS ITS EVIDENCE; THE QUANTIFIED SCALE OF THE PROBLEM IS UJIYARI’S SUPPLEMENTARY RESEARCH, USEFUL FOR A COMPLETE ANSWER BUT NOT PART OF WHAT THIS SPECIFIC MINISTER’S PIECE STATES.

THE DEBATE

Argument FOR treating this as a credible, substantive government justification. Meghwal’s precise legislative lineage, and his candid acknowledgment that prior tribunal reforms were struck down by the Supreme Court, distinguish this from a purely defensive ministerial statement. Tracing the reform to

specific named judgments and constitutional articles, rather than asserting independence in the abstract, gives the piece real evidentiary weight as a primary source on the government's own reasoning.

Argument AGAINST treating it as the complete picture. As the sponsoring minister's own justification, the piece naturally omits the residual-independence concerns raised elsewhere, delegated rule-making, complaint-routing through the administrative ministry, and the specific quantified scale of the backlog and vacancy problem the reform is meant to solve. A reader relying on this piece alone would have the government's rationale but not the tools to assess whether it will actually work.

Balanced verdict. Meghwal's op-ed is the most authoritative available source on what the government believes it has done and why, and the governance-versus-jurisdiction distinction he draws is accurate and worth citing precisely. But precisely because it is the sponsoring minister's own account, it should be read alongside, not instead of, the skeptical and provision-level readings the same day's other coverage supplies.

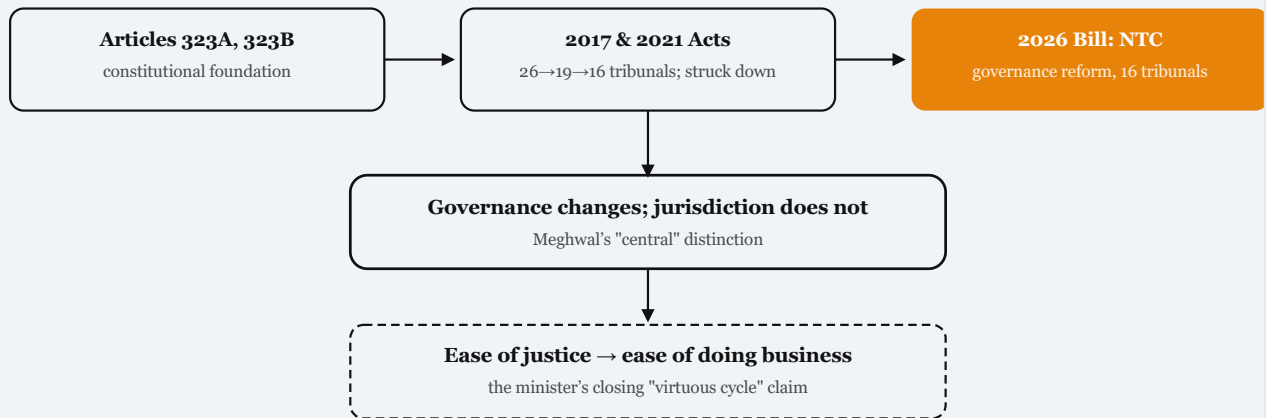
HOW TO THINK ABOUT THIS

The transferable pattern: when the minister or official directly responsible for a policy writes its public justification, treat that as an authoritative primary source on stated intent and legislative lineage, while recognising it is structurally unlikely to surface the strongest counter-arguments against its own policy. The correct response is not to discount a ministerial op-ed as biased and therefore less useful, its lineage and rationale are genuinely valuable and often more precise than secondary reporting, but to pair it deliberately with an independent or adversarial source before forming a complete judgment.

This applies wherever a scheme, bill or policy has a ministerial op-ed alongside independent commentary: RBI governors on [monetary policy](#) decisions, finance ministers on budget provisions, or agriculture ministers on farm-law reforms all supply authoritative intent and lineage that independent analysis alone often lacks, but none of them substitute for that independent analysis.

DIAGRAM-IN-WORDS

The minister's own lineage of reform



Meghwal traces a precise lineage from Articles 323A/323B through the struck-down 2017/2021 reforms to the 2026 Bill's National Tribunals Commission, insisting throughout that only governance, not jurisdiction, is being changed.

TAKEAWAY BOX

The minister's case is precise about what changed, governance, not jurisdiction. Whether that precision is also the reform's limit is the question his own piece leaves for others to ask.

*Author **Arjun Ram Meghwal**; sibling reforms **GST, IBC, Jan Vishwas, Digital India**; **Articles 323A, 323B**; **Finance Act 2017** (26→19 tribunals); **Tribunals Reforms Act 2021** (19→16); judgments named: **Rojer Mathew, Madras Bar Association, 19 November 2025**; **NTC** (former SC judge/HC Chief Justice + 2 judicial + 2 technical members) + **NTC Secretariat**.*

*Pendency **5.24 lakh+** across 16 tribunals; vacancy **94/518** (~18%); pre-2021 **Enforcing Contracts** rank **163rd/190**, **1,445 days**.*

when a minister writes the public justification for their own bill, do they have an ethical obligation to also name the strongest counter-arguments against it, or is that legitimately the role of a free press and opposition, with the minister's job being advocacy, not balance?

UPSC has repeatedly tested tribunalisation of justice and the constitutional basis of tribunals (Articles 323A, 323B); this op-ed supplies the authoritative government lineage, best paired with the skeptical and provision-level readings published the same day for a complete answer.

"A reform confined to governance, without touching jurisdiction, cannot fully answer concerns about institutional independence." Examine this statement with reference to the Tribunal Reforms Bill, 2026 and the Law Minister's own framing of its scope.

Sources: Indian Express, "Ease of doing business needs ease of justice" by Arjun Ram Meghwal, PRS Legislative Research

Source: Ease of Doing Business Needs Ease of Justice: The Law Minister's Case for the Tribunals Bill — Ujjyari.com
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● KEY ARGUMENTS AT A GLANCE

Union Law Minister Arjun Ram Meghwal, writing in the Indian Express, situates the Tribunal Reforms Bill 2026 within a decade-long reform philosophy of “reform, perform and transform,” arguing it strengthens tribunal governance, appointments, transparency and independence through a new National Tribunals Commission without altering any tribunal’s substantive jurisdiction, which continues to be determined by each tribunal’s parent statute, and frames ease of justice as directly interconnected with ease of doing business.



SUPPORTING

- Meghwal places the Bill alongside GST, the Insolvency and Bankruptcy Code, the Jan Vishwas initiative and Digital India as part of a single reform philosophy under Prime Minister Modi, “reform, perform and transform,” positioning tribunal reform as institutional continuity rather than a standalone legislative response to litigation.
- He traces the reform lineage precisely: Articles 323A and 323B as the constitutional foundation, the 2015 rationalisation process, the Finance Act 2017 (reducing tribunals from 26 to 19), Tribunal Rules of 2017 and 2020, the Tribunals Reforms Ordinance and Act of 2021 (reducing tribunals from 19 to 16) whose provisions the Supreme Court struck down, and the judicial line running through Rojer Mathew, Madras Bar Association and the Court’s judgment of 19 November 2025.
- The National Tribunals Commission (NTC), Meghwal writes, brings 16 tribunals under one governance umbrella, headed by a former Supreme Court judge or former High Court Chief Justice, supported by two judicial members and two technical members, with a dedicated NTC Secretariat for uniform administration.
- Meghwal is explicit that the Bill “does not change the substantive jurisdiction of individual tribunals,” which “will continue to be determined by their respective parent statutes,” a distinction he calls “central to understanding the reform”: this is a governance and appointments reform, not a jurisdictional one.



COUNTER

The Hindu’s more skeptical reading of the same Bill argues that confining reform to governance, while leaving delegated rule-making on the Search-cum-Selection Committee’s procedure and complaint-routing in executive hands, may not fully answer the specific independence concerns the Supreme Court’s Madras Bar Association line of judgments raised;

a reform that changes who appoints tribunal members without equally securing the rules governing how appointments and complaints are processed addresses one layer of the problem while leaving another largely untouched.

**WAY FORWARD**

Meghwal's own framing suggests the honest test is not the Bill's passage but its downstream delivery: since he stakes his case on ease of justice feeding directly into ease of doing business, investor confidence and the "virtuous cycle" of institutional trust, the National Tribunals Commission's first appointment cycle, its Secretariat's functioning, and independently tracked case-pendency and vacancy data should be the actual metrics used to judge whether the reform delivers the outcomes his piece promises, not the Statement of Objects and Reasons alone.


MAINS ANSWER FRAMEWORK
QUESTION

Union Law Minister Arjun Ram Meghwal frames the Tribunal Reforms Bill, 2026 as institutional reform that strengthens, without altering, tribunals' substantive jurisdiction. Examine this claim with reference to the Bill's National Tribunals Commission and assess whether governance reform alone is sufficient to secure tribunal independence. (250 words)

INTRODUCTION

Arjun Ram Meghwal, Union Minister of State (Independent Charge) for Law and Justice and Minister of State for Parliamentary Affairs, writing in the Indian Express, presents the government's own case for the Tribunal Reforms Bill, 2026: not as a narrow response to adverse litigation, but as the latest chapter in a reform philosophy running from GST and the Insolvency and Bankruptcy Code through Jan Vishwas and Digital India, all converging on Viksit Bharat.

BODY

Meghwal grounds the Bill constitutionally in Articles 323A and 323B, inserted to permit specialised tribunals for service matters and other subjects, and traces its institutional lineage through the 2015 rationalisation drive, the Finance Act 2017 (which reduced 26 tribunals to 19), the Tribunal Rules of 2017 and 2020, and the Tribunals Reforms Ordinance and Act of 2021 (which further reduced 19 tribunals to 16). He is candid that several 2021 Act provisions were struck down by the Supreme Court, citing the judicial line through Rojer Mathew, Madras Bar Association, and the Court's 19 November 2025 judgment, as consistently holding that appointments, tenure and service conditions of tribunal members must uphold judicial independence.

His response is the National Tribunals Commission, headed by a former Supreme Court judge or High Court Chief Justice with two judicial and two technical members and a dedicated Secretariat, bringing 16 tribunals under one governance framework. His central emphasis, repeated as the interpretive key to the whole Bill, is that this is a governance reform, not a jurisdictional one: "the Bill does not change the substantive jurisdiction of individual tribunals," which remain governed by their parent statutes.

His broader thesis links this directly to economic outcomes: "ease of justice and ease of doing business are deeply interconnected," strong institutions inspiring confidence, confidence driving investment, investment fuelling growth, in what he calls a virtuous cycle anchored in the rule of law.

CONCLUSION

As the minister responsible for the Bill, Meghwal's piece is best read as the government's own institutional justification, valuable for its precise legislative and constitutional lineage but naturally silent on the specific residual-independence concerns raised elsewhere, particularly around delegated rule-making and complaint-routing. A complete Mains answer should credit his governance-versus-jurisdiction distinction as a genuine, checkable feature of the Bill, while weighing it against the counter-argument that

governance reform alone may not fully close the independence gap the Supreme Court's repeated interventions identified.

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