CENTRAL ADMINISTRATIVE TRIBUNALS: A BOON OR A BANE
FOR INDIAN JUSTICE SYSTEM

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ABSTRACT

A country progressing with a welfare motive tends to face setbacks in providing justice to its people. Therefore it was necessary to equip our judicial system with tribunals which can resolve such disputes fairly and effectively. The paper will analyze and discuss the meaning, the purpose, and the function of such tribunals established under the Article 323 A of the Indian constitution. The central government has notified 45 other services which covers within its jurisdiction and does not apply to officers of paramilitary forces, armed forces and Court officials. Basically these organizations work on the principle of natural Justice and not entertain or follow CPC or Evidence Act. Today there are 17 benches of CAT which is located throughout the country wherever a High Court is established with a 33 Division benches. The administrative reforms commission and the Shah commission which recommended the establishment of tribunals particularly with respect to service disputes is a part of this study. Also the Administrative Tribunals Act 1985 which has provisions for the Central Administrative Tribunal for the Centre and a State Administrative Tribunal for a particular State will be discussed. The administrative Tribunals under the Act were recognized as effective substitutes to the High Courts. The research on the subject will also relate to a few paramount cases which set contestations regarding the formation of tribunals.

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INTRODUCTION

The basic aim of Government is to provide welfare to its people and that is the sole goal for a government in this contemporary world and as the population is rising there has been a significant increase in the function and duties of the government as the executive of this country has been given and granted enormous powers which has resulted in the increase of legislative powers and output, which has resulted into more and more litigations and also simultaneously resulted into restriction on the freedom of the people which causes a constant frictional force and parallelism between the individual and executive. The recent development of welfarism leads to increase in govt. function and by seeing this executive saw a dire need to of quasi-legislative and quasi-judicial function, which blurred the various function of government under doctrine of separation of power under whom the governmental powers were separated between the legislature and executive because earlier it was only with the judiciary which was known for its interpretation and making law.

These welfare states have emerged themselves into new socio economic activities like providing health services, education, industrial laws and other welfare activities. Now in this era it is obvious to have disputes regarding these services being provided by the state. As we know that our constitutional laws and functions are very slack and inefficient. So it has made the case disposal very difficult for the judiciary which results into deep backlog of cases at every level of Indian judicial system. Due to this courts became deluged from the government cases and its interventions, Also the members of the judiciary were not that trained enough nor equipped to deal with matters relating to government that were considered technical and above their way of reach and understanding.

Thus a need for special judicial bodies like Tribunals were felt to resolve the disputes regarding government and with fairness and effectively.

Tribunals are considered as a self-judgment chair, a court for justice and that is made to adjudicate the matters of a particular kind. The meaning of tribunal could be chirred out of Supreme Court that these are the adjuratory bodies not like normal courts established by the states. These Administrative tribunals are not only been established India but can also be seen may other countries to provide specific justice in the welfare of the people and providing the justice. This tribunal has their specific type of experts in that particular field with dexterity in their profession which smoothen the importance of adjudication.
According to Servai, the recent development in Administrative law have has made a need to establish administrative tribunals and came out as a necessity. These are considered as an authority outside the preview of normal judicial and court system, whose work is to interpret laws where the public administration is being questioned by the people and formal petitions and suits or by any other methods. They are neither a court nor an executive body but an amalgamation of both. They are considered as judicial because of its ruling and discretionary powers like court without hampering or considering executive laws or rules. Administrative because of the special purpose that is for the administrative issues for the reason why they are established.

Thus the idea of a welfare state transitioning from an old police state system demands radical change in the philosophy of the role to be played by state. Therefore the growth of tribunals is very correct in response to the need to provide for specialized forums of dispute settlement that would possess some expertise and policy commitment, and would be comparatively cheaper, more expeditious and relatively free from technical procedures.

The Supreme Court in the case of *Jaswant Sugar Mills v. Lakshmi Chand*[^3] laid down the following characteristics to determine whether an authority is to be considered as a tribunal or not-

1. Power of adjudication must be derived from a statute or statutory rule.
2. It must possess the trappings of a court and thereby be vested with the power to summon witnesses, administer oath, compel production of evidence, etc.
3. Tribunals are not bound by strict rules of evidence.
4. They are to exercise their functions objectively and judicially and to apply the law and resolve disputes independently of executive policy.
5. Tribunals are supposed to be independent and immune from any administrative interference in the discharge of their judicial functions”

Supreme court in the case of *Durga Shankar Mehta vs. Raghuraj Singh*[^4] defined “tribunal” in the following words- The expression ‘tribunal’ as used in art 136 does not mean the same thing as ‘Court’ but includes, within its ambit, all adjudicating bodies, provided they are

[^3]: AIR 1963 SC 677 at 687
[^4]: AIR 1954 SC 520 (1955) I SCR 267
constituted by the state and are invested with judicial as distinguished from administrative or executive functions.5

The learned judge in the case of Engineering Mazdoor Sabha vs. Hind Cycles6, Gajendragadkar CJ laid down prerequisites of a tribunal:
   i. It must have the trappings of a court;
   ii. It should be constituted by state, and;
   iii. It should be invested with state’s inherent power.

The concept of tribunal became more concrete in the case of Bharat Bank vs. Employees of Bharat Bank7, in which the apex court held that a body or authority vested with certain functions of court of justice having some of its trappings would fall within the ambit of the word ‘tribunal’ as used in art 136 of the Constitution.

DEFINITION

Defining the word “tribunal” is not possible neither precisely nor scientifically, but according to the oxford dictionary,8 “tribunal” a type of court with the authority to deal with a particular problem or disagreement and according to the Blacks law it means - the seat of a judge; the place where he administers justice; a judicial court: the bench of judges. But the true meaning is very wide as it includes even the ordinary courts of law delivering judicial functions. Whereas, in administrative law this expression is limited to adjudicating authorities other than established courts of law.

The word ‘tribunal’ in arts 227 and 136 of the Constitution has been interpreted broadly to include within it all the bodies that exercise judicial functions. Its more specific connotation came as substitute for courts when lesser formalism, greater expediency, and better expertise were required in adjudication of disputes. The upper hand in case of tribunals is that they entertain matter of specific nature and enjoy freedom to follow simpler procedures, and possess expertise in a particular branch of litigation. In the strictest sense, a tribunal only

5 Ibid, AIR 522
6 AIR 1963 SC 874
7 AIR 1950 SC 188.
8 Available at http://www.oxfordlearnersdictionaries.com/definition/english/tribunal (Last accessed on 26/05/2017)
performs judicial functions distinguishing it from the administrative agencies which also perform administrative responsibilities along with the judicial duty.

HISTORY OF TRIBUNALS AND ADMINISTRATIVE LAW

In India, administrative justice and adjudication took a steep incline after the independence and many welfare laws were made which were controlled by the administration. Thus we can say that India converted itself as a welfare state and made itself as a host and service provider for welfare and justice which directly increased huge number of cases with respect to administration and due to which administrative bodies arrived at their decision. The Court wanted that these bodies must maintain a procedure with certain safeguards while coming at a decision and to provide natural justice which was enumerated in the 14th Law commission Report. In order to avoid severe dislodging many new judicial alike bodies were established like this by the government. This was done to provide a speedy and cheap determination of the disputes arising out of different legislative bodies. Another germane reason was development of new law courts, as they were not able render justice to new parties concerned, in many cases relating to specific matters that was little technical.

Judges used to bring up traditional laws in these matters which were not capable to get used or to understand the technical problems which were creating havoc in the modern justice and social welfare system. Only Administrators who were having knowledge of these specific fields were able to tackle such problems in a fair and a judicious manner, to meet this need, number of Administrative tribunals were established and they came into existence.

In India these tribunal were immediately set up after the independence. In fact one of the most important judicial functions which were carried by these tribunals was to decide on the issues arising out of administration with fair and a judicious manner.

The Income Tax Tribunal, Railway Tribunal, labor Tribunal, and other Tax Appellate and Revenue Courts of various Courts etc. can be taken as an example.

Due to the backlog and delayed decision government set up Administrative Reforms Commission in 1967. It was made to suggest solution for proper and efficient disposal of cases in the tribunals and its growth According to the commission some reasons for the growth of administrative tribunal are as follows-
1) Inefficiency of traditional judiciary was seen and was considered as slow, costly and with extensive procedures.

2) Traditional Judiciary was not effective in matters pertaining to administration and specially regarding the technicalities of the matter.

3) The Commission also recommended establishments of new Tribunals like Central Excise, Customs, Sales Tax and some orders pertaining to Motor vehicles Act.

Emergency period played a very important role in the evolution and development of Tribunals in India. The executive did not wanted judiciary to interfere with developmental plans and other decision. Such like removing disputes of the president, Prime Minister and Speaker of Lok Sabha, hence in the year 1976 the issue was discussed in ma meeting among all the Chief Secretaries and other various crucial bodies and it was states’, parliament enacted the 42nd Constitutional Amendment Act 1976 inserting Articles 323-A and 323-B which provided for the establishments of the Administrative Tribunals to deal with the issues and matters that are specially provided for.

The main contention and distinction between 323-A and 323-B is 323A allows parliament to provide by law for administrative tribunals to adjudicate matters and disputes, whereas 323B allows any "appropriate legislature" to create law for administrative tribunal for the fair adjudication of matters relating to the tribunal.

DISTINCTION BETWEEN COURT AND TRIBUNAL

It is ascertained by the Supreme Court in Associated Cement Companies Ltd. vs. P.N. Sharma9– “the basic and the fundamental feature which is common to both the courts and the tribunals is that they discharge judicial functions and exercise judicial powers which inherently vests in a sovereign state”.

Keeping in mind the similarities in judicial powers vested with both, there exists a line of distinction which is although very fine but real. A tribunal possesses some trappings of the court. But not all and therefore, both must be distinguished:

i. A court is the part of the traditional judicial system where judicial powers are derived from the state. But on the other hand, an administrative tribunal is an agency created

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9AIR 1965 2 SCR 366
by a statute and then invested with judicial powers. So a tribunal is essentially a part of the executive wing, performing executive as well as judicial duty.

ii. Ordinary courts have the power to try all kinds of suits of civil nature, excepting those whose cognizance is barred as per the law. Whereas in case of tribunals, they possess power to try cases in specific matters statutorily conferred.

iii. A court of law is presided over by an officer trained in law, but the president or a member of a tribunal may not be trained as well in law.

iv. A tribunal has no power to punish for contempt of court and it may not be considered as a court for the purpose of prosecution for false evidence, unless the statute under which it is set up expressly say so.

v. Decisions of the tribunal are subjected to appeal to any higher tribunal or court, or they may be final and attain immunity from getting challenged in any court.

vi. While a court of law is bound by precedents, principles of res-judicata and estoppels, an administrative tribunal is not strictly bound by these principles.

vii. A court of law is bound by the rules of evidence and criminal procedure, but an administrative tribunal is not bound by those rules unless there is any explicit statute made for it.

viii. Also a court adjudicates on the basis of evidence but administrative tribunals decide questions by taking help of departmental policy and speedy justice policy in mind. Thus courts are more objective in approach whereas tribunals have a subjective approach.

ix. Lastly, courts can decide the vires of legislation, while an administrative tribunal.

**ADMINISTRATIVE TRIBUNALS ACT, 1985**

After a broader outlook on the subject, the project narrows down to the tribunal exclusively created for resolving disputes and complaints with respect to recruitment and conditions of service and posts that is the Central Administrative Tribunal.

In exercise of power conferred by clause (I) of the Article 323-A of the Constitution as inserted by the (42\textsuperscript{nd} amendment) Act, 1976 Parliament enacted the Administrative Tribunals Act, 1985, to adjudicate over disputes with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or
other local authorities within the territory of India or under the control of Government of India and for matters connected therewith or incidental thereto.
The government was then authorized to establish a Central Administrative Tribunal (CAT) with its 17 benches all over the country wherever the seat of high court is located. Tribunal is a substitute of High Court and has inherited the power to issue any direction order or writ under Article 226 and 227 of the Constitution with respect to service matters.

TYPES OF ADMINISTRATIVE TRIBUNALS

The listed below are the different types of Administrative tribunals which are made and covered by statutes, regulations and rules by the Central Government and State Government.

CENTRAL ADMINISTRATIVE TRIBUNALS (CAT)

These tribunals are made under the Administrative Tribunals Act, 1985 which was opened for administrating justice to the aggrieved govt. servants. It gains its origin from Article 323-A of the Indian Constitution which gives power to the Central Government to set up An act for the Parliament and it deals with the complaints with respective and particular recruitment of services of persons who get appointed in the Public services through service commission in Union and States.

These tribunals are equally powerful and enjoy power as a High Court of a concern state in regard with the public servants or employees who are covered under the Act. They do not follow any Civil Procedures but follow ad abide by the Principles of Natural Justice. They are separated from ordinary court and have their own credibility and distinction which frees them from the shackles of ordinary and slack judiciary and thus provide free and fast justice or speedy trials. It is being headed by a Chairperson, under whom the Vice- Chairman works and other members appointed by the state. The appeal against the decision of the Administrative tribunal lies with the Supreme Court of India.
CUSTOMS AND EXCISE REVENUE APPELLATE TRIBUNAL (CERAT)

This was passed by the parliament i.e. the CERAT Act 1986; it deals with the offences regarding the customs and excise revenues. Appeals in those tribunals lie with the Supreme Court of India.

ELECTION COMMISSION (EC)

It is the tribunal for the matters concern with the adjudication of the matters relating to election, election symbols and others problems relating to the matter. The decision of the matter can be tried and challenged in the Supreme Court.

FOREIGN EXCHANGE REGULATION APPELLATE BOARD (FERAB)

This Board was set up under FERA Act, 1973. This is for the breach of the offences relating to the Act and any appeal can be filed before the FERAB.

INCOME TAX APPELLATE TRIBUNAL

This tribunal is constituted under the Income Tax Act, 1961. This tribunal has benches in many cities and here the appeals are entertained by an aggrieved person passed by the Commissioner or Deputy Commissioner of Income tax. An appeal in this lies with the High Court and can be challenged in the Supreme Court.

RAILWAY RATES TRIBUNAL

This Tribunal was set up under the Indian Railways Act, 1989. Which entertains the matter and complains relating to complains and issues against the railway authorities and
administration? This covers unfair rates, fares ill treatment or preferential treatment. Appeals against the order can be challenged in the Supreme Court of India.

**INDUSTRIAL TRIBUNALS**

These Tribunals were set up under the Industrial Disputes Act, 1974. It can be established by both state and central Governments. This tribunal entertains matters relating to workers and labors in the industries relating to wages, period of payments, allowance and compensation, working hours etc. The appeals against the decision can be challenged in the Hon’ble Supreme Court of India.

**ADVANTAGES OF ADMINISTRATIVE TRIBUNALS**

This type of system is a very speedy and dynamic system of administration, which serves the best in varied and complex needs of the new and technical modern society, some advantages of this are-

**Flexibility**- These tribunals are the most flexible institutions and are very adaptable to the Indian Judiciary as well executive. For Example the courts exhibit a good type of conservatism and Inflexibility and different outlook approach. Thus justice they administer becomes an example for harmony with rapidly changing social condition. As they are not restrained by old civil procedures and follow a Natural Justice thus they can synchronize better in this new society.

**Adequate Justice**- In today's world, Administrative tribunals are not only the sole means of providing justice, but also the best means of providing fair justice to the parties.

**Less Expensive**- Administrative justice should ensure less expensive and speedy justice. As earlier the procedural law was very cumbersome and litigation was costly people have to pay a very high court fees, also the lawyers charge very high fees and other incidental charges. On the other side administrative adjudication requires very less fees and no stamp fees and its procedures can be understood by a normal Layman.
Relief to the Courts- This system has brought a much required relief to the Indian judicial system which is already much overburdened with the cases.

SECTION 4 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985 (ATA) GIVES US 3 TYPES OF TRIBUNALS

i. Central Administrative tribunal - which deals with service matter in central government, or of any union territory, or of a corporation which is owned by government.

ii. On the request of state government, central government may establish a State Administrative Tribunal (SAT) which shall deal with service matters pertaining to state employees.

iii. Else two or more states might form a joint tribunal, which shall be the Joint Administrative Tribunal (JAT) that deals with the matters of such states.

MEMBERS OF CAT: (SECTION 5 AND 6 OF CAT)

i. Chairman who is a high court judge or has been one or has held the office of a Vice-Chairman for two years.

ii. Vice – chairman

iii. One judicial and one administrative member (to act as assessors)

COMPARISON BETWEEN THE DEBT RECOVERY TRIBUNAL AND CENTRAL ADMINISTRATIVE TRIBUNALS: (PERFORMANCE OF CAT)

This data explains the performances of both judicial bodies as the number of pending cases in the Administrative Tribunals are very high if compared to the other tribunals but still the performance of the AT is far better than Other Tribunal.

(Source- Ministry of Personnel, Public Grievances and Pensions, Govt. of India)
TRIBUNALS AND NATURAL JUSTICE

Natural Justice is considered as one of the most important and germane concept in administrative law. According to Megarry J it is "Justice that is simple and elementary, as distinct from justice that is complex, sophisticated and technical" The principals of the natural justice of procedure are not defined in any field or code of law. They are more known for their distinction and simplicity and fairness.
According to De Smith the term "Natural Justice" is an expression between moral principles and common law which has an impressive ancestry. It is also known for "fair play in action" it is not a great legal principle to invest law with essence of fairness but to secure justice and prevent destruction of justice.

Administrative tribunals are required to act openly and fairly. In the case of State of UP. v. Md. Nooh\textsuperscript{11} where the prosecution was also an adjudicating officer and in the Dhakeshwari mills case where tribunal didn't showed some evidences that were relied upon the , the ruling was set aside.

In Union of India v. T.R Verma\textsuperscript{12} Supreme Court took care of the following natural justice to be followed and thus decision was set aside.

A) Party should be able deduce all the evidences which are taken into account.
b) Evidences should be heard and submitted in presence of both the parties.
c) Cross examination opportunities should be given to both the parties.
D) Every party should be given chance to explain the evidence presented before the court.

Thus the Tribunals are free to interpret and evolve their own method as far as the rule of Natural Justice is followed as discussed above.

**ISSUES IN ATA: (JUDICIAL INTERPRETATION OF THE ACT)**

The Indian constitution was amended the 44\textsuperscript{th} time by the 44\textsuperscript{th} Amendment Act, 1978, Art 227 saw changes in its which said that the HC could now have their jurisdiction over tribunals restored.
**Landmark cases that challenged the validity of the Act**

*Sampath Kumar V. UOI*\(^{13}\)- This is a paramount case which challenged the powers of the tribunal which excluded the judicial review exercised by the HC in service matters under Art 226 and 227 as per Section 28 of ATA.

**Justice Bhagwati and Justice Ranganath Misra** delivered the judgment -

i. Justice Bhagwati reiterated the ratio as mentioned in the case of *Minerva mills vs. UOI*\(^{14}\), that If, by any constitutional amendment, the power of judicial review of the high-court is taken away and vested in any institution or authority which is born out of statute or by any authority set up by parliamentary amendment then it would not be violative of the basic structure doctrine.

ii. Justice Ranganath observed that exclusion of jurisdiction of the high court does not bar the judicial review. Therefore any other institution like a tribunal can be setup which is substitutive and not supplemental with regards to the powers conferred with the high court

iii. Later in the case it was said that the tribunal should be a real substitute for the high court not just in form and by law but also in content and by fact as stated u/s 14 and 15 of ATA which states the jurisdiction, power and authority of central and state administrative tribunal.

iv. The final decision was- that the impugned Act which excludes the jurisdiction of high court in respect to service matters, passes the test of constitutionality being within the ambit of clause(2)(d) of Art 323A as long as it can be shown that the Administrative tribunal set up under the impugned Act is equally effective as High Courts.

v. Also the appointment of the chairman who has been in the post of a government secretary is eligible to hold the office was held unconstitutional u/s 6(c) of the impugned Act. Thus the bench held that the chairman must be a judicial officer who has proper know how about the judicial process and procedure. Therefore a retiring or retired Chief Justice of a High Court must be a chairman. Other members have to appointed by a committee consisting of a sitting Judge of the Supreme Court. The Parliament made changes in the Act by the Administrative Tribunals (Amendment) Act of 1986 accepting the recommendations made in this case.

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\(^{13}\) AIR 1987 SC 386  
\(^{14}\) AIR 1986 SC 2030
1. In *M.B. Majumdar v. UOI*\(^{15}\) SC rejected the premise set by the Sampat Kumar case and analyzed the Art 323A with the ATA to conclude that tribunal do not hold equal stand with high courts in matters involving the kind of service each of them provides, stating the reasons that even though tribunals form as equal to HC in adjudicating service matters, but the tribunals cannot be treated as equal for all other purposes.

2. In *R.K. Jain vs. UOI*\(^{16}\) - Supreme Court expressed its dissent on the concept of “alternative institution mechanism” and their inability to deliver proper justice while exercising the high power of judicial review. Court also stated that the sole remedy under Art 136 of the Constitution was not being achieved, and thus suggested that there must be a report of the law commission which should study the feasibility of providing an appeal to a bench of at least 2 judges of the high court concerned from the orders such tribunals.

3. *Sakinala Harinath v. State of Andhra Pradesh*\(^{17}\) - Andhra Pradesh HC stated serious doubts by challenging the decision of SC in the case of *Sampat Kumar* stating that “equating Administrative Tribunals to the High courts with respect to their jurisdiction under Articles 226 and 227 was inconsistent with the apex court’s ruling in cases like *Kesavanda Bharati v. State of Kerala*\(^{18}\) and *Indira Gandhi v. Raj Narain*\(^{19}\)” the court in this case also said that the tribunals do not fit in the scheme that they can exercise judicial review even though they are born out of a constitutional statute.

4. *L. Chandra Kumar v. UOI*\(^{20}\) - All this confusion regarding the exclusion of high courts to exercise its judicial review in tribunal matter needed serious review into the law providing power to tribunals relating in the matter of judicial review. Therefore SC expressed its decision rendered by a seven judge bench larger than the five judge bench in the case of *Sampath Kumar*\(^{21}\).

After taking a fresh look at all the aspects of the matter, Supreme Court laid down its observation.-

\(^{15}\) AIR 1990 SC 2263  
\(^{16}\) AIR 1993 4 SCC 119  
\(^{17}\) AIR 1993 (2) An. W.R.484 (FB)  
\(^{18}\) AIR (1973) 4 SCC 225  
\(^{19}\) AIR 1975 SC 2291  
\(^{20}\) (1995) 1 SCC 400  
\(^{21}\) Supra 8
i. That the power of judicial review is conferred on High Courts under Articles 226 and 227 and on Supreme Court under Article 32 thus forms a part of basic structure.

ii. Section 28 of the ATA, clause 2 (d) of 323A and clause 3 (d) of 323B were ultra vires and unconstitutional. The court held that the tribunals had no bar in performing supplementary functions but cannot perform as substitute of High courts and Supreme courts as it is violative of the basic structure.

iii. It was also made clear in this case that, all the decisions of the tribunal are subjected to scrutiny before the respective HC and SC as per there power of judicial review stated in the Constitution.

iv. Tribunals constituted either under Article 323A or under Article 323B of the Constitution will be in power to test the validity of any law, statute, provision or rule subject to the review by higher courts. The court took the help of Art32 (3)22 to uphold its decision.

v. The court added its explanation regarding the appeal to SC under Art 136, that any party who is not aggrieved by the decision of the tribunal shall approach the HC under Art 226/227 of the Constitution and then if it still feels that he has not achieved justice can move the apex court under Art 136 of the constitution.

**OPINION AND SUGGESTION**

- After going through the above mentioned cases, it is very relevant that no body, let it be any judicial or any quasi-judicial body, even though born out of a constitutional statute, shall not affect the basic structure of the Constitution and thus amendments were essential to keep this principle intact.

- In various cases it was told that the tribunals are not effective and not as efficient for the purpose they were made for, but this should not be attributed to the problems to the basic principle of the establishment of such institutions. In such case The Ministry of law and justice collaborating with the principle bench of the CAT may appoint an independent supervisory body to oversee the working of the tribunals.

- Also to remove the backlog of cases in such tribunals HC could interfere and have a supervisory jurisdiction over such tribunals.

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22 Art 32(3)- Without prejudice to the powers conferred on the Supreme Court by clause (1) and (2), Parliament may by law empower any other court to exercise within the local limits of its jurisdiction all or any of the powers exercisable by the Supreme Court under clause (2).
CONCLUSION

In India today there are many tribunals that are functioning. And a very less and zilch of them are able to provide justice and confidence for public. The tribunals show a lack of competency and lack their objectivity in determining the disputes. Another reason for their poor performance is glitch in the appointments of their personnel. Persons with knowledge and expertise do not sit in these tribunals which lead to unsatisfactory and poor performance of these judicial bodies. The unsatisfactory performance has led to downfall of these tribunals.

This is due to political interferences and by executive due to which tribunals cannot comprehensively deliver justice. Also they are supposed to provide specialized judicial service or executive service but the type of people appointed lack the requisite expertise and also because of political and executive interference they lack in functioning.

Tribunals are tend to serve as a distinct institution, they should try to gain public confidence by providing and giving them justice in an expertise manner. In order to achieve this there is a need to review the ATA and try to create more conducive laws which protects the tribunals from the control of the power heads like the politician and politician driven institutions or organization.

As the role of administration is increasing day by day in the citizen’s life, so they are expected to play an important role in the grievance redressal. In this paper we have examined the types and nature of Administrative justice in the tribunals for their growing importance. Many types of administrative tribunal are being set up in the country to address various issues and disputes relating to administration, civil servants, income taxes etc.

They have ensured a greater flexibility in administering justice to people by providing them appropriate relief. But sometimes they violate the principles of natural justice and lack in administering justice and thus the system suffers from lack of judicial work. However it is possible to rectify these problems in judicial system by giving people some legal training and experience. A new code should be enacted for enforcing their functioning.