

Tribunals Reforms Bill, 2026

Mains: GS-II-Polity & Governance

Why in News?

The Tribunals Reforms Bill, 2026 was introduced in the Lok Sabha recently.

What is the background about the tribunals & the 2026 bill?

- **Tribunals** - Tribunals are ***specialised quasi-judicial bodies*** established by law to resolve specific kinds of disputes outside traditional courts.
- **Purpose** - To replace courts but to function as complementary institutions in modern governance to ensure speedy and effective delivery of justice.
- They deal with specialised matters such as taxation, company law, environment, securities market, intellectual property, and other regulatory domains.
- **SC's criticism** - The Supreme Court earlier identified as "inefficiency and lack of independence" of India's 16 tribunals.
- **Striking Down Ordinance Provisions** - The SC struck down key provisions of the Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021.
- Cited that short tenures, restrictive age criteria, and heavy executive control over appointments violated judicial independence and the separation of powers.
- **Government's Aim** - The government intended to "insulate tribunals from executive interference", aligning with the Supreme Court in the Madras Bar Association judgement.
- **L. Chandra Kumar v. Union of India (1997)** - The Supreme Court conceptualised the need for a single, independent nodal agency to insulate tribunals from executive interference.
- **Judicial Review as Basic Structure** - The top court ruled that the power of judicial review vested in the High Courts (Article 226/227) and the Supreme Court (Article 32) is an indelible part of the basic structure of the Indian Constitution.
- **Tribunals Reforms Bill, 2026** - The bill seeks to reshape the functioning of quasi-judicial bodies in India.
- **Aim** - To improve efficiency, ensure independence, transparency, and uniformity in the qualifications, appointment, and service of Chairpersons and Members of various Tribunals, as well as the administration and functioning of the Tribunals.
- **Replaces** - It seeks to ***repeal the Tribunals Reforms Act, 2021***, which provides for appointments and terms and conditions of service for various Tribunals.
- Certain provisions of the 2021 Act were struck down by the Supreme Court for contradicting the principles of separation of powers and the independence of the judiciary.

To know more about **tribunals**, click [here](#)

What are the key provisions of the bill?

- **National Tribunals Commission (NTC)** - It seeks to establish an independent body to be tasked with conducting selection processes for tribunal vacancies, reviewing performance, and managing a new digital repository of case information.
- **Composition** - The Commission will consist of
 - A chairperson, who has been a Judge of the Supreme Court or a Chief Justice of a High Court,
 - Two judicial members, who have been a Chief Justice or Judge of a High Court, and
 - Two technical members - Must have at least 25 years of experience in the fields of public administration, finance, law, accountancy, banking, management, or technology.
- **Appointed by** - Appointments to the Commission will be made by the central government after consultation with the Chief Justice of India.
- **Secretariat** - The Commission will have a secretariat, headed by a secretary of the central government.
- **Selection process for Tribunals** - The Commission will constitute a search-cum-selection committee to recommend appointment to a Tribunal.
- The Committee will be headed by
 - The chairperson of the Commission in case of appointment of a chairperson of a Tribunal,
 - A judicial member of the Commission in case of a member.
- **Nomination** - The chairperson of the Commission will nominate to the Committee
 - A retired Chief Justice of a High Court in case of appointment of a chairperson of a Tribunal, or
 - Judge of a High Court in case of a member.
- Other members of the Committee will include
 - A technical member of the Commission,
 - A secretary of the government nominated by the central government,
 - Two expert members, and
 - The Commission Secretary.
- **Voting** - Expert members and the Commission Secretary will not have any vote.
- The chairperson of the Committee will have a casting vote.
- **Recommendation for Vacancy** - For each vacancy, the Committee will recommend one name for appointment, and one additional name in the waiting list.
- The central government must make an appointment within three months from the recommendation.
- **Term of office** - Chairpersons and members of Tribunals will hold office for five years, or until a specified age limit, whichever is earlier. Age limit will be 70 years for chairpersons & 67 years for members.
- **Re-appointments** - Chairpersons and members of Tribunals may be considered for re-appointment subject to
 - Consideration of previous work performance, and
 - In case of a member, consultation with the chairperson of the concerned

Tribunal.

- **Removal of members** - The chairperson and members of the Commission may be removed by the central government.
- **Grounds for removal** - If the person
 - Is adjudged insolvent,
 - Is convicted of an offence involving moral turpitude,
 - Has become physically or mentally incapable,
 - Has abused his position, or
 - Has acquired financial or other interest which is prejudicial to functions.
- **Additional Grounds** - In case of Tribunal chairpersons and members, additional grounds for removal include being found to be
 - Incompetent or inefficient, or
 - Engaging in paid assignment.
- **Terms of appointment & service** - The central government will prescribe through Rules
 - Qualifications,
 - Manner of selection,
 - Salaries and allowances,
 - Resignation, removal, and other conditions of service.

What are the concerns of the bill?

- **Executive influence** - Though the NTC is to strengthen tribunal independence, the appointments to the NTC are by the Central Government.
- **Service conditions remain rule-based** - The qualifications, selection procedures, salaries, allowances, etc are to be prescribed by the Central Government.
- **Tribunalisation vs judicial independence** - The broader debate is whether specialised tribunals should complement constitutional courts or excessive tribunalisation could weaken the traditional judicial structure.
- **Implementation challenge** - The success of the bill depends on filling vacancies, providing adequate infrastructure, ensuring qualified members and preventing excessive government interference.

Reference

[The Hindu | Lok Sabha passes Tribunals Reforms Bill amid din](#)