

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:5912
ANSWERED ON:08.09.2011
INDEPENDENT AGENCY FOR TRIBUNALS
Sharma Dr. Arvind Kumar

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Constitution Bench of the Supreme Court in Union of India (UOI) vs. R. Gandhi, reported in (2010) 11 SCC 1 in relation to composition, competence, standards, qualifications, tenure, lien of service and to safeguard the independence of thought and functioning of members of tribunals has made certain recommendations;
- (b) if so, the details in this regard;
- (c) whether the Government has taken any substantive steps to ensure these recommendations of the Supreme Court are implemented in all the existing tribunals;
- (d) if so, the details in this regard; and
- (e) the time by which an independent agency is likely to be set up for the administration of all tribunals?

Answer

MINISTER OF LAW & JUSTICE (SHRI SALMAN KHURSHID)

- (a) & (b) Yes, Madam. In its judgement delivered on 11.05.2010 in the Civil Appeal No 3067 of 2004 - Union of India Vs. R. Gandhi, President, Madras Bar Association, the Supreme Court has affirmed its observations made in L. Chandra Kumar's case (1977) 3 SCC 61 that uniformity in administration of tribunals may be brought in and there is a need of a nodal authority to oversee the functioning of tribunals and authorities set up by the Central Government.
- (c) & (d) The Government is seized of the matter and have made consultations with various Departments and Ministries presently administering the tribunals/authorities.
- (e) It is not possible to indicate any time limit to complete the above exercise as the final view has not been firmed up.