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Q12

How far do you agree with the view that tribunals curtail the jurisdiction of ordinary courts? In view of the above, discuss the constitutional validity and competency of the tribunals in India. (15).

UPSC Civil Services Mains 2018 · GS II · 15 marks · Separation of Powers

Separation of powers between various organs; dispute redressal mechanisms and institutions.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

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Articles 323A and 323B

Inserted by the 42nd Amendment, 1976; basis of administrative and other tribunals.

L. Chandra Kumar v. Union of India (1997)

Seven-judge Bench: High Court judicial review is basic structure; tribunal orders go to a High Court Division Bench.

S.P. Sampath Kumar (1987)

Early case treating CAT as a possible substitute for High Court service jurisdiction if independence is real.

Madras Bar Association cases

Struck or limited tribunal designs that lacked judicial character, including the National Tax Tribunal experiment.

Roger Mathew (2019)

Examined tribunal rules packed into the Finance Act, 2017, and stressed independent appointment and tenure.

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