

WRAP Exams · wrapexams.com

Prelims PYQ, Mains model answers, and copy evaluation. Write to the desk for this paper, a doubt, or the AI waitlist.

ask@wrapexams.com · +91 85951 84903 · wrapexams.com

Q2

"The Central Administration Tribunal which was established for redressal of grievances and complaints by or against central government employees, nowadays is exercising its powers as an independent judicial authority." Explain.

UPSC Civil Services Mains 2019 · GS II · 10 marks · Governance and Policy

Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

Core demand of the question

- Explain the Central Administrative Tribunal's original role in redressal of grievances of central government employees
- Explain how it now exercises powers as an independent judicial authority

Revision summary

Article 323A and the **Administrative Tribunals Act, 1985**, created the CAT for Union service disputes.

The original aim was expert, speedy redress instead of a first writ in the High Court.

Sampath Kumar treated a proper tribunal as a substitute forum; Chandra Kumar restored High Court review as basic structure.

The CAT still hears the dispute first, with civil-court powers and reasoned orders.

It is an independent judicial authority of first instance, not a ministry cell and not a sealed final court.

Introduction

The Central Administrative Tribunal was created so that service disputes of Union employees would not clog the High Courts. **Article 323A** and the **Administrative Tribunals Act, 1985**, gave it that specialised role. Over time, statute, procedure, and Supreme Court rulings have made it sit as a judicial forum, not as a wing of the department it reviews.

Body**Original redressal role**

- The Forty-second Amendment inserted **Article 323A** so that Parliament could set up administrative tribunals for Union and State public-service matters.
- The **Administrative Tribunals Act, 1985**, established the CAT to hear recruitment and service conditions of persons appointed to public services of the Union, All-India Services, and specified organisations.
- The aim was speedy, inexpensive, and expert disposal of grievances by or against the government as employer, in place of a long writ in the High Court as the first court.

- **S.P. Sampath Kumar v. Union of India (1987)** treated a well-designed tribunal as a substitute for the High Court's jurisdiction in service matters, which was the original constitutional bargain.
- Benches, a judicial member, and an administrative member were meant to mix law with service experience, so the employee met a specialised forum rather than a general civil court.

Exercise as an independent judicial authority

- The CAT has the powers of a civil court for summoning, discovery, and evidence; its orders bind the department and can be executed.
- Contempt power, open hearings, reasoned orders, and a Chairman drawn from the higher judiciary give it the look and the discipline of a court.
- It is not subject to the day-to-day control of the ministry whose orders it sets aside; that independence is the point of a tribunal under **Article 323A**.
- **L. Chandra Kumar v. Union of India (1997)** held that judicial review under **Articles 226 and 32** is part of the basic structure, so CAT orders can still be examined by a High Court Division Bench, but the CAT remains the court of first instance for the listed service disputes.
- After Chandra Kumar, the CAT is an independent judicial authority in the first round; it is not a departmental enquiry board, and it is not a final court sealed from the High Courts.

Limits that an explanation must record

- Vacancies, delayed benches, and the quality of administrative members can weaken the promise of a real court.
- Independence is statutory and functional; it is not the full constitutional insulation of a High Court under **Articles 214** to 217.
- The way forward is to fill judicial posts on time, publish disposal data, and keep the Chandra Kumar first-instance rule so that employees get a real hearing before any writ.

Flow diagram

Article 323A -> Administrative Tribunals Act 1985
 Administrative Tribunals Act 1985 -> CAT first-instance service forum
 CAT first-instance service forum -> Court-like independent process
 Court-like independent process -> High Court review Chandra Kumar
 High Court review Chandra Kumar -> Redress with constitutional check

Conclusion

The CAT was born as a specialised redressal body for Union service grievances under **Article 323A** and the 1985 Act. It now sits as an independent judicial authority of first instance, with court-like process, subject still to High Court review after L. Chandra Kumar.

Facts & figures

Article 323A

Inserted by the 42nd Amendment; allows Parliament to create administrative tribunals for Union and other public-service matters.

Administrative Tribunals Act, 1985

Statutory basis of the Central Administrative Tribunal and its jurisdiction over recruitment and service conditions.

S.P. Sampath Kumar v. Union of India (1987)

Upheld the tribunal scheme as an effective substitute for High Court jurisdiction in service matters, subject to a judicially headed design.

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

Held that **Articles 226 and 32** cannot be ousted; CAT is the court of first instance, with later High Court Division Bench review.

Article 227

High Court superintendence; Chandra Kumar linked tribunal control to this constitutional supervision rather than to a complete ouster.

WRAP Exams · Write. Read. Analyse. Practice. · <https://wrapexams.com/upsc/mains-answers/gs-2/2019/the-central-administration-tribunal-which-was-established-for-redressal-of-grievances-and-complaints-by-or-against-central-government-employees-nowadays-is-exercising-its-powers-as-an-independent-judicial-authority/> · ask@wrapexams.com · wrapexams.com