



## Quasi Judicial Body

**For Prelims:** [Quasi Judicial Bodies](#), [Arbitration](#), [Tribunal](#), [Administrative Agency](#), [Company Law Appellate Tribunal](#), [Consumer Court](#), [Legal Rights](#), [Duties](#), [Privileges](#), [Justice](#), [National Green Tribunal](#), [Pollution](#), [Election Commission of India](#), [Recognised Parties](#), [Income Tax Appellate Tribunal \(ITAT\)](#), [Income Tax](#), [Intellectual Property Appellate Board \(IPAB\)](#), [Copyright](#), [Copyright Act, 1957](#), [Telecom Disputes Settlement & Appellate Tribunal \(TDSAT\)](#), [Telecom Sector](#), [Finance Act](#), [Cyber Matters](#), [National Human Rights Commission \(NHRC\)](#), [Civil Court](#), [Human Rights](#), [Central Information Commission \(CIC\)](#), [Right to Information Act, 2005](#), [Rule of Law](#), [Specialized Agency](#), [Transparency](#), [Law Commission](#), [Code of Civil Procedure, 1908](#).

**For Mains:** Role and significance of Quasi judicial bodies in administration of justice.

### What are Quasi Judicial Bodies?

#### ▪ About:

- [Quasi judicial bodies](#) are **non-judicial entities** with the authority to **interpret the law**.
- They are organizations, such as an [arbitration panel](#) or [tribunal board](#), which could be public administrative agencies and which have been given powers and procedures similar to those of a **court of law** or judge.

#### ▪ Features:

##### ◦ **Resolving Disputes:**

- They can [arbitrate](#) cases and determine **punishments**.
- The parties can approach these bodies for justice without undergoing the hassle of approaching the judiciary.

##### ◦ **Limited Adjudicating Powers:**

- Their authority is usually **limited** to a specific **area of expertise**, such as financial markets, employment laws, public standards, immigration, or regulation e.g., [Company Law Appellate Tribunal](#) decides cases regarding the governance and functioning of corporate companies.

##### ◦ **Predetermined Rules:**

- **Awards** and **judgments** of quasi-judicial bodies frequently depend on **predetermined rules**.
- Their decisions are based on conclusions of **existing law**.

##### ◦ **Punishing Power:**

- They have the authority to **punish** in matters that fall under their **jurisdiction** e.g., the [Consumer Court](#) in India deals with consumer disputes and punishes the company indulging in [illegal practices](#).

##### ◦ **Judicial Review:**

- The **verdicts** issued by these bodies can be **challenged** in a court of law, and the decision of the judiciary is supreme.

##### ◦ **Non-Judicial Head:**

- Unlike the judiciary, which is led by judges, these bodies are **headed by experts** in fields like finance, economics, and law.

#### ▪ Powers:

- **Conduct Hearings:** They can hold **hearings** to **gather evidence** and hear testimony from witnesses.
- **Factual Determination:** Quasi-judicial authorities can make relevant factual determinations based on the evidence presented at a hearing.
- **Applying the Law:** They can apply the law to the facts they have determined and make decisions regarding the [legal rights](#), [duties](#), or [privileges](#) of the parties involved.
- **Issue Orders or Decisions:** They can issue orders or decisions that have **legal force**, such as requiring a party to pay damages or comply with certain conditions.
- **Enforcing Decisions:** They can take steps to enforce their decisions, such as by **imposing fines** or other **penalties** for non-compliance.

#### ▪ Advantages:

- **Cost Effective:** Tribunals are more **cost-effective** than traditional courts, encouraging people to seek [justice](#) and resolve their grievances.
- **Hassle Free:** They are **accessible**, free from **technicalities** and they proceed more rapidly and efficiently under **expert supervision**.
- **Reducing Judicial Workload:** The tribunals taking up many cases **reduce** the **workload** of the judiciary e.g., the [National Green Tribunal](#) adjudicating on matters concerning the environment and [pollution](#).
- **Speedy Justice:** They deliver speedy justice through **specialization**, focused jurisdiction and reduced formalities.

#### ▪ List of Important Quasi-Judicial Bodies in India:

##### ◦ Election Commission of India (ECI):

- As a part of its quasi-judicial jurisdiction, **ECI settles disputes** between the splinter groups of [recognised parties](#).
- It has the power to **disqualify** a **candidate** who has failed to lodge an account of his election expenses within the time and in the manner prescribed by law.

##### ◦ Income Tax Appellate Tribunal (ITAT):

- It is a quasi-judicial authority to file **appeals** against the **orders of income tax authorities**.
- An income-tax department can also file an appeal against any order passed by the **Commissioner of Income-tax (Appeals)** before the [ITAT](#).

##### ◦ Intellectual Property Appellate Board (IPAB):

- **IPAB** is responsible for adjudicating disputes related to [copyright](#) registration, copyright assignment, and granting licenses for works withheld from the public.
- It also hears cases in other miscellaneous matters instituted before it under the [Copyright Act, 1957](#).

##### ◦ Telecom Disputes Settlement & Appellate Tribunal (TDSAT):

- [TDSAT](#) adjudicates disputes in the [telecom sector](#) involving licensor, licensee and group of consumers.
- In 2004, the jurisdiction of TDSAT was extended to include **broadcasting** matters.
- By way of [Finance Act, 2017](#), the jurisdiction of TDSAT was further extended to **airport tariff** and [cyber matters](#).

- **National Human Rights Commission (NHRC):**
  - **NHRC** has powers of a **civil court**.
  - It can call for any documents and summon any person in a case of **human rights** violation.
  - Its recommendations in a case of human rights violation are two fold i.e., relief to the victim and punishment to the guilty.
- **Central Information Commission (CIC):**
  - **CIC** acts as the **final appellate authority** for hearing complaints and appeals against decisions made by public authorities under the **Right to Information Act, 2005**.

### Difference Between Judicial and Quasi-Judicial Bodies:

Basis	Judicial Body	Quasi-Judicial Body
<b>Authority</b>	It is a <b>court of law</b> that has the authority to <b>interpret</b> and <b>apply</b> the law, hear and decide cases, and <b>enforce judgments</b> .	It is an agency or <b>tribunal</b> that <b>acts like</b> a court, deciding disputes and enforcing decisions.
<b>Independence</b>	It is <b>independent</b> of the executive and legislative branches of government and is responsible for upholding the <b>rule of law</b> .	It is not a full court and has <b>less independence</b> . The executive and legislative branches of government have more control over it.
<b>Jurisdiction</b>	They have the authority to hear a <b>wide range</b> of cases, including <b>civil</b> and <b>criminal cases</b> .	They have limited jurisdiction and can only hear cases that are within their <b>specific area of expertise</b> or subject matter.
<b>Premise of Decision Making</b>	They have the power to establish <b>new legal precedents</b> that can be used in future cases.	Their decisions are limited to applying <b>existing laws</b> to the specific case at hand.
<b>Judges</b>	It consists of judges or Judicial magistrates <b>appointed</b> by the <b>government</b> .	It may consist of a combination of <b>judges</b> and <b>experts</b> appointed by the government or by a <b>specialized agency</b> .
<b>Rigidity</b>	They are usually <b>more formal</b> and follow <b>strict rules of procedure</b> .	It is comparatively <b>less formal</b> , but they still follow set procedures and rules of evidence.

### **What are the Challenges Associated with Quasi-Judicial Bodies?**

- **Limited Manpower:** These bodies are often understaffed and overwhelmed with cases, making it difficult to deliver speedy justice.
- **Appeal Mechanism:** The decisions and judgments of tribunals are often challenged in courts, undermining the purpose of a quasi-judicial body.
- **False Cases:** While the lower costs of tribunals encourage people to seek justice, they also attract many **baseless claims**.
- **Lack of Uniformity:** Inconsistent procedures and standards across different bodies can lead to **non-uniformity** and **unpredictability**.

## Way Forward

- **Increased Staffing:** Hire more qualified personnel to handle the caseload efficiently. This can include **judges, clerks, and support staff.**
- **Clear Appeal Guidelines:** Establish clear guidelines and criteria for when and how decisions can be appealed, to reduce frivolous challenges.
- **Screening Mechanisms:** Implement preliminary screening procedures to identify and **filter out baseless claims** before they proceed. Introduce and enforce penalties for those who file false or frivolous cases to deter misuse of the system.
- **Standardized Procedures:** Develop and enforce **standardized procedures** and guidelines across all quasi-judicial bodies to ensure consistency.
- **Inter-Body Coordination:** Promote coordination and communication between different quasi-judicial bodies to share best practices and harmonize procedures.
- **Case Management Systems:** Implement **advanced case management systems** to track cases efficiently and reduce administrative delays.
- **Regular Audits:** Conduct regular audits and evaluations of **quasi-judicial bodies** to assess their performance and identify areas for improvement.

## UPSC Civil Services Examination Previous Year Question (PYQ)

### Mains

**Q.** What is quasi judicial body? Explain with the help of concrete examples. **(2016)**

**Q.** National Human Rights Commission (NHRC) in India can be most effective when its tasks are adequately supported by other mechanisms that ensure the accountability of a government. In light of the above observation assess the role of NHRC as an effective complement to the judiciary and other institutions, in promoting and protecting human rights standards. **(2014)**

**Q.** Though the Human Rights Commissions have contributed immensely to the protection of human rights in India, yet they have failed to assert themselves against the mighty and powerful. Analysing their structural and practical limitations, suggest remedial measures. **(2021)**

**Q.** "The Central Administrative 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 **(2019)**

**Q.** 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. **(2018)**