



Operation of Quasi-judicial Courts

For Prelims: Quasi-judicial Bodies in India

For Mains: Quasi-judicial Bodies in India, Role of Quasi-judicial Bodies & Measures for Better Operation

Why in News?

The most critical issue faced by **Quasi-judicial Courts** is the **lack of adequate supervision** and **ownership** by the administrative and political leadership.

- Data on the level of pendency or the speed of disposal is not compiled in many states.

What is a Quasi-judicial Body?

▪ About:

- A **quasi-judicial body** is “an organ of Government **other than a Court or Legislature**, which affects the **rights of private parties** either through adjudication or rulemaking”.
- It is **not mandatory** that a Quasi-judicial Body has to necessarily be an organisation **resembling a Court of Law**.
 - For example, the [Election Commission of India](#) is also a Quasi-judicial Body but **does not have its core functions as a Court of Law**.
- **Some examples of Quasi-judicial Bodies in India are:**
 - [National Green Tribunal](#)
 - [Central Information Commission \(CIC\)](#)
 - [Lok Adalat](#)
 - [Finance Commission](#)
 - [National Consumer Disputes Redressal Commission](#)
 - [Income Tax Appellate Tribunal](#)
 - [Railway Claims Tribunal](#)

▪ Role in Governance:

- In the **conventional judicial process**, a large section of the populace for the fear of expenditure may hesitate from approaching the Courts, thus defeating the purpose of justice.
 - **Quasi-judicial bodies**, on the other hand, have an **overall low-cost** which **encourages people to seek redressal for their grievances**.
- Tribunals and other such bodies **do not follow any lengthy or complex procedure** for submitting application or evidence etc.
- Quasi-judicial bodies, while taking up specific matters, **majorly help by sharing the massive workload of the Judiciary**.
 - Like the **National Green Tribunal** adjudicating the matters related to environment and **pollution**.
- Quasi-judicial bodies are accessible, free from technicalities, expeditious and proceed more rapidly and efficiently as manned by experts.

▪ Challenges:

- Data on the **level of pendency or the speed of disposal** is not compiled in many states.
- There is a class of quasi-judicial agencies that are not discussed in conversations on the pendency of cases.
 - These are generally **handled by the revenue authorities** and largely relate to **land, tenancy, excise, arms, mining, or preventive functions** under the **Criminal Procedure Code**. Usually, many of these offices are understaffed.
 - Their engagement with duties such as law and order, protocol, coordination and other administrative functions **leaves them with much less time for court work**.
 - Their access to **court clerks and record keepers is limited**. Computers and video recorders are not available in many of these courts.
 - Several of the presiding officers lack proper knowledge of law and procedures, which has landed many civil servants in deep trouble in sensitive matters such as those related to arms licenses.

What Measures can be taken to Improve Quasi-judicial Courts?

- The government should make the **efficient functioning of these agencies a priority** and clearly articulate **its position on the issue**.
- **Detailed data** on the functioning of these agencies must be collected and published from time to time, at least annually.
 - These should be **laid before the concerned legislatures**.
 - These results should be the **basis of decisions regarding the rationalising of staff strength**.
- An **electronic platform** should be established to handle all ancillary work related to the administration of justice, such as filing of complaints, issue of summons, movement of case records between courts, issuing copies of the judgments and so on.
 - It could establish a sound basis for analysing the functioning of these bodies and facilitate the publication of statistics.
- **Annual inspections of the subordinate courts** should be made mandatory.
 - This should be an important indicator for assessment by the superior authority. The inspections could become the basis of customised training of presiding officers.
- **Interdisciplinary research on the functioning of these courts** should be encouraged.
 - This would identify the areas of improvement such as legal reforms or issue of clear guidelines.
- Regular **training and orientation** of the adjudicating authorities should be taken up from time to time.
- The **state index of performance of these quasi-judicial courts** be made and published.
 - It would draw the attention of the states to their performance in comparison to others and help them identify areas of weakness.
- Important decisions, guidelines and directions **could be compiled and published on the portal of the apex adjudicating** forum such as the Board of Revenue.
 - These would be helpful to lower-level agencies.
- More **rigorous induction training of officials** handling judicial work would be helpful.
 - The importance of judicial work should be instilled among the trainees and the skill and confidence in handling them should be developed.
- **Procedural reforms** such as minimising adjournments, mandatory filing of written arguments and other such reforms proposed by bodies like the Law Commission for reform of the Civil Procedure Code should be adopted by these adjudicating bodies.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

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)

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