

SC SAYS TRIBUNALS ACT GOES AGAINST ITS ORDER

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The Supreme Court on Thursday said the government's move to introduce a statute last year on key tribunals, that too, merely days after the court struck down an identical law, may amount to dishonouring its judgment.

The oral remark came during a mentioning made by senior advocate Arvind Datar before a Bench led by Chief Justice N.V. Ramana for early hearing of petitions filed by the likes of the Madras Bar Association and Rajya Sabha member Jairam Ramesh, who have challenged the Tribunal Reforms Act of 2021.

This Act, it is argued, revives an ordinance struck down by the Supreme Court.

Mr. Ramesh, in his petition, has submitted that the 2021 Act which abolishes nine key tribunals, raises a serious threat to judicial independence by giving the government wide powers regarding appointments, service conditions, salaries and so on, of members of key tribunals. He said it was passed without debate amid ruckus in the House.

The petitioners have argued that the Act was introduced in the Lok Sabha just days after the Supreme Court struck down the Tribunal Reforms (Rationalisation and Conditions of Service) Ordinance of 2021. The Act brought back the very same provisions in the ordinance which were struck down by the Supreme Court. All this was done without even removing the basis of the top court's judgment.

"They have not honoured the judgment. They have immediately amended the Act," the Bench remarked orally. The court scheduled the case for hearing on March 24.

'Vacancies filled'

Meanwhile, the court referred to a communication from the Attorney-General which informed that vacancies in various key tribunals have been filled. Appointments are yet to be made to the National Green Tribunal, Armed Forces Tribunal and the Central Administrative Tribunal as the files are pending with selection committees headed by Supreme Court judges.

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