

RMM LAW COLLEGE SAHARSA

ADMINISTRATIVE LAW

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Paper -VII

TOPIC- Administrative Tribunals

Notes by- **INDRA BHUSHAN SINGH**

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INTRODUCTION

Tribunals have been defined as “Bodies outside the hierarchy of the courts with administrative or judicial functions” (Curzon, *Dictionary of Law*, 1994, p387).

Administrative tribunals resolve disputes between, for example, the citizen and an officer of a government agency or between individuals in an area of law in which the government has legislated the conduct of their relations.

REASONS FOR EXISTENCE

Administrative tribunals have been established by statute, in the main, to resolve:

* disputes between a private citizen and a central government department, such as claims to social security benefits;

* disputes which require the application of specialised knowledge or expertise, such as the assessment of compensation following the compulsory purchase of land; and

* other disputes which by their nature or quantity are considered unsuitable for the ordinary courts, such as fixing a fair rent for premises or immigration appeals.

The main reasons for the creation of administrative tribunals may be identified as:

* the relief of congestion in the ordinary courts of law (the courts could not cope with the case-load that is now borne by social security tribunals, employment tribunals and the like);

* the provision of a speedier and cheaper procedure than that afforded by the ordinary courts (tribunals avoid the formality of the ordinary courts); and

* the desire to have specific issues dealt with by persons with an intimate knowledge and experience of the problems involved (which a court with a wide general jurisdiction might not acquire).

Note: a distinction must be drawn between administrative tribunals and domestic tribunals. Domestic tribunals are bodies appointed within an

organisation to decide disputes, eg, the Disciplinary Committee of the General Medical Council, which controls the professional activities of doctors.

CLASSIFICATION OF TRIBUNALS

Administrative tribunals are sets of tribunals which adjudicate on specialist civil disputes outside of the court system. Darbyshire has reported (2008) that there are over 130 such bodies in the UK covering a vast array of areas. Until recently each tribunal was separate and in 1996 the list of administrative tribunals included: agricultural land tribunals, child support appeal tribunals, the Civil

Aviation Authority and the Director General of Fair Trading in their licensing functions, criminal injuries adjudicators, the Data Protection Registrar,

education appeal committees, immigration adjudicators and the Immigration Appeal

tribunal, industrial tribunals (renamed employment tribunals), the two Lands

Tribunals, mental health review tribunals, the Comptroller-General of Patents,

war pensions appeal tribunals, rent assessment committees, social security

appeal tribunals and the Social Security Commissioners, disability and medical

appeal tribunals, the general and special commissioners of income tax, traffic

commissioners, valuation and community charge tribunals, and VAT tribunals.

However, these tribunals have now been incorporated into the unified Tribunals System which includes all administrative tribunals with the exceptions of Patent Office tribunals and the Investigatory Powers Tribunal.

