JUDICIAL TRANSPARENCY OF INDIAN TRIBUNALS IN THE DIGITAL ERA OF LEGAL DISCLOSURE

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ABSTRACT

Judicial transparency is a constitutional cornerstone that reinforces democracy, accountability, and public trust in the rule of law. While India's higher judiciary has embraced digitisation through cause lists, online judgments, and the National Judicial Data Grid (NJDG), tribunals the specialised adjudicatory bodies established under Articles 323A and 323B of the Constitution display uneven progress in disclosure and digital accessibility. Some tribunals, notably the National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT), supported by the Insolvency and Bankruptcy Board of India (IBBI), have pioneered statistical reporting and performance tracking. Others, however, either disclose only limited aggregated figures or provide no structured data at all, leaving their functioning opaque and difficult to assess. This disparity underscores the absence of a uniform framework for tribunal transparency in India. Drawing from global best practices in the United Kingdom, the United States, and Singapore, the paper argues for the establishment of a National Tribunal Data Grid, standardised reporting templates, and technological integration to ensure consistency across all tribunals. Such reforms would not only enhance accountability and predictability but also enable data-driven legal research, policymaking, and efficient justice delivery. Ultimately, transparency in tribunals must be recognised as a constitutional obligation rather than an administrative choice, essential to the credibility and future readiness of India's justice system.

Keywords: Judicial transparency, Indian tribunals, Digital Disclosure, National Tribunal Data Grid (NTDG), Insolvency and Bankruptcy Board of India (IBBI), NCLT, NJDG, accountability, rule of law, data driven justice.

INTRODUCTION:

Judicial transparency is widely regarded as the bedrock of democracy and the rule of law. For a country like India, where the judiciary holds immense responsibility as the guardian of rights and liberties, making legal processes visible and accessible is crucial. In the modern digital world, where every arm of governance is being reshaped by technology, the judicial system has also stepped into the era of openness through digitisation. The Supreme Court and various High Courts have already embraced technological reforms that allow citizens to track case hearings, view judgments, and analyse pendency statistics with comparative ease. Yet, the same cannot be said across the board for India's tribunals. As specialised adjudicatory bodies that handle subject specific disputes, tribunals were originally established to unburden conventional courts and provide quicker resolutions with the help of subject expertise. Their role in deciding high impact matters relating to taxation, insolvency, corporate governance, environment, administration, and even armed forces discipline makes their transparency doubly important. However, their evolution into the digital age has been uneven, creating a patchy landscape where some tribunals have emerged as frontrunners while others remain opaque.

ESTABLISHMENT OF TRIBUNALS:

The history of tribunals in India reflects both legislative necessity and administrative innovation. With the 42nd Constitutional Amendment of 1976, Articles 323A[1] and 323B[2] formally empowered Parliament and state legislatures to set up tribunals for matters ranging from public employment to taxation. The Supreme Court has played a major role in clarifying the independence and accountability of tribunals. In Madras Bar Association v. Union of India[3], the Court emphasized that tribunals are constitutional substitutes for High Courts in certain matters and their functioning must reflect the same standards of fairness, independence, and transparency. These constitutional observations make it clear that tribunal transparency is not a peripheral issue but a constitutional necessity tied deeply to separation of powers and rule of law.

Over the years, specialised forums like the Income Tax Appellate Tribunal, the Central Administrative Tribunal, the Debt Recovery Tribunal, the National Green Tribunal, the National Company Law Tribunal, and many more were created with the twin purposes of reducing case pendency in civil courts and introducing technical expertise into the judicial process. The expectation was that tribunals, because of their narrow subject focus, would be more efficient and predictable. Yet while their functional role has grown stronger, the question of transparency has consistently troubled observers. In an era where citizens expect real time information and digital access to legal processes, merely resolving disputes is

[1] *Indian Constitution, art. 323A.*
[2] *Indian Constitution, art. 323B*
[3] *Madras Bar Association v. Union of India, 2015 AIR SCW 3376*

not enough. What matters equally is whether these tribunals let the public peek into their functioning through structured data, online judgments, and statistical reports.

DATA AND STATISTICS:

A closer look reveals that some tribunals have indeed taken the lead. Both the National Company Law Tribunal (NLCT) and its appellate counterpart, the NCLAT, backed by the Insolvency and Bankruptcy Board of India (IBBI), have set the benchmark for judicial transparency in recent years. The IBBI, mandated to oversee insolvency processes, releases quarterly reports containing comprehensive statistics about matters admitted, cases pending, resolutions approved, and liquidations ordered. For instance, its June 2025[4] report put forth figures that painted a vivid picture of the insolvency regime: 8,492 cases were admitted under the corporate insolvency resolution process, of which 1,905 remained ongoing; 2,505 were closed through appeal, review, settlement o withdrawn under Section 12A; 1,258 were resolved successfully; and 2,824 ultimately ended in liquidation. These numbers are not mere statistics but markers of the health of India's insolvency ecosystem, and they owe their existence to a conscious commitment to transparency

The Central Administrative Tribunal has followed a similar path, though with limited granularity. It routinely makes available cumulative statistics, indicating that more than five lakh cases had been filed before it, with nearly four lakhs disposed of. While these disclosures foster a general sense of its functioning, they lack the detailed breakdowns that could shed light on pendency trends, adjournments, jurisdictional variations, and the average time taken to resolve a matter. A similar pattern exists with the Debt Recovery Tribunal and its appellate body. Although they publish yearly performance statistics — disclosing, for example, that nearly two lakh cases had been disposed of through Original Applications and over seventy-five thousand through SARFAESI applications by the end of 2024 — the reporting is too infrequent to map emerging changes or identify systemic delays. The Appellate Tribunal for Electricity fares slightly better by releasing monthly disposal data, recording in January 2025 that 29 appeals, 3 execution petitions, and 242 interim applications were decided. However, such numerical summaries reveal little about timelines, pendency, or effectiveness.

There are also examples of lost momentum. The Telecom Disputes Settlement and Appellate Tribunal briefly experimented with a newsletter model of monthly disclosure in late 2018, publishing reports for August, September, and October, but then abandoned the effort, leaving a noticeable gap. The Railway Claims Tribunal prefers the method of daily jurisdiction-wise reporting, but its failure to integrate them into structured annual reports again makes analysis difficult. More worrying, however, is the situation

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[4] *Insolvency and Bankruptcy Board of India, Quarterly Newsletter for April-June, 2025, available at https://ibbi.gov.in/uploads/publication/3694d8874ee2ac5802de48d293ad5802.pdf (last visited Sep. 29, 2025)*

in tribunals such as the Income Tax Appellate Tribunal, the Customs, Excise and Service Tax Appellate Tribunal, the Securities Appellate Tribunal, and the Armed Forces Tribunal, which do not maintain any regular structured data reports at all. Without admission, disposal, and pendency statistics, the performance of these tribunals becomes nearly impossible to evaluate, leaving stakeholders to depend on anecdotal impressions rather than hard evidence.

THESE IRREGULARITIES ACROSS TRIBUNALS UNDERSCORE A SYSTEMIC PROBLEM:

The absence of a uniform framework for judicial transparency. The contrast with higher courts is telling. The Supreme Court of India as well as many High Courts systematically publish cause lists, judgments, and daily orders online. Moreover, the National Judicial Data Grid has aggregated statistics across High Courts and District Courts, disclosing pendency figures broken down by case type, stage, and age. This single innovation has transformed judicial research in India. Yet tribunals institutions which decide matters equally vital to the public remain outside its ambit. The lack of standardisation means that while the insolvency regime can be statistically mapped with precision, other areas like taxation or securities law remain opaque.

WHY IS UNIFORM TRANSPARENCY FOR TRIBUNALS ESSENTIAL:

The answer lies in principles of accountability and predictability. When courts and tribunals make their data, judgments, and performance statistics public, they subject themselves to continuous scrutiny. This scrutiny is not hostile but democratic it helps identify bottlenecks, understand areas of delay, and generate momentum for reform. For litigants and practitioners, the accessibility of judgments builds a corpus of precedents which ensures consistency. For researchers and policymakers, data driven insights guide reforms in dispute resolution. And for the ordinary citizen, transparency is central to trust. It reassures them that justice is not shrouded in secrecy. Conversely, opacity breeds suspicion, inefficiency, and in some cases, arbitrariness.

International experience provides clear lessons on what India's tribunals might emulate. In the United Kingdom, tribunals functioning under the umbrella of Her Majesty's Courts and Tribunals Service publish detailed annual statistics and judgments online. The United States ensures that federal tribunals maintain easily searchable databases. Singapore offers an Asian example where digital case management and open-] access reporting are integral to judicial functioning. These global practices suggest that adopting consistent disclosure is not merely aspirational but practical and achievable.

RECOMMENDATIONS AND SUGGESTIONS:

The way forward for India lies in creating a uniform statutory mandate for tribunal transparency. What is needed is a National Tribunal Data Grid on the lines of the NJDG, pooling statistics across all tribunals with mandatory quarterly reporting. Standard templates could include not only fresh filings, disposals, and pendency but also granular metrics like average time to resolution, adjournments count, and distribution across benches. Such information should be provided both in annual narrative reports and in machine readable formats conducive to academic research, advocacy, and policy evaluation. Equally important is to ensure that tribunal websites are modernised, user friendly, and updated, preventing the kind of outdated or sporadic disclosures that plague institutions like TDSAT.

Of course, challenges persist. Creating structured transparency requires resources, trained staff, and a cultural shift in administrative attitudes. Many tribunal registries may resist because it imposes additional workload or exposes inefficiencies to public gaze. Technological investments will be necessary to create integrated platforms, and privacy concerns must be addressed in sensitive areas such as armed forces disputes. Yet these obstacles are not insurmountable. The experience of the judiciary's NJDG itself proves that once initial systems are built and digitisation adopted, the long-term efficiencies outweigh the costs.

At the intersection of technology and law lies an even bigger opportunity. If tribunals consistently release structured case data, artificial intelligence and data analytics tools could unlock insights unheard of before. Researchers could map disposal trends in insolvency or environmental litigation; policymakers could anticipate bottlenecks and allocate resources accordingly; predictive tools could even estimate the likely time frame for resolution of different categories of cases, improving both planning and confidence for litigants. Transparency in this sense is not only about present accountability but also about building future capacity for intelligent policymaking and efficient justice delivery.

CONCLUSION:

In conclusion, judicial transparency in Indian tribunals today is a story of uneven progress. Institutions like NCLT and NCLAT shine as exemplars, while others languish in poor disclosure practices. This unevenness hampers accountability and leaves critical areas of adjudication in the dark. If tribunals are to live up to their founding promise of efficiency, expertise, and expeditious justice, they must embrace transparency not as an optional accessory but as a constitutional responsibility. By building on the success of IBBI's quarterly reporting model and integrating technological innovations on the lines of the National Judicial Data Grid, India can bring all tribunals into a unified, transparent fold. Such a transformation will not only strengthen public faith but will also enrich legal scholarship, policymaking, and ultimately, the delivery of justice itself.