

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

STARRED QUESTION NO:115
ANSWERED ON:04.03.2010
PUBLIC INTEREST LITIGATION
Yadav Shri Ranjan Prasad

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the number of Public Interest Litigations (PILs) filed in the country during the last year, High Court-wise;
- (b) whether the Government is aware that there is gross abuse of this instrument in the recent past;
- (c) if so, the reaction of the Government thereto; and
- (d) the remedial steps proposed to be taken in this regard?

Answer

MINISTER OF LAW & JUSTICE (DR. M. VEERAPPA MOILY)

(a) to (d): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO.115 FOR 04-03-2010

(a) to (d): The data regarding the number of Public Interest Litigations filed in the Courts is not maintained by the Department of Justice as the matter falls exclusively within the writ jurisdiction of the higher judiciary. No incident of gross abuse of the instrument has come to the notice of the Government.

The Jurisdiction as to Public Interest Litigations has been exercised by the Courts within their jurisdiction which has been conferred by the Constitution. The Courts have been exercising their jurisdiction and discretion in selecting cases which should be heard by them in detail. The Courts have also laid certain parameters to sieve worthy PILs from Publicity / Private / Pise / Political Interest Litigations. In Dr. B.K.. Subbarao Vs K. Parasaran 1996(7) JT 265, the Court cautioned 'No litigant has a right to unlimited drought on the Court time and public money in order to get his affairs settled in the manner as he wishes. Easy access to justice should not be misused as a licence to file misconceived and frivolous petitions.