

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

UNSTARRED QUESTION NO:3427

ANSWERED ON:13.12.2012

LITIGATION MANAGEMENT

Bhagora Shri Tarachand;Shekhar Shri Neeraj;Singh Shri Yashvir

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

- (a) whether the Union Government litigation agencies are unable to present the position of the Union Government in crucial cases in the Supreme Court;
- (b) if so, the details thereof;
- (c) whether in crucial cases, important pages are invariably found missing, full case files are not given to law officers and briefs are given just a minute before the court hearings;
- (d) if so, the details thereof;
- (e) the reasons for the same;
- (f) whether Government look into the matter and streamline the litigation management agencies of the Government;
- (g) if so, the details thereof; and
- (h) if not, the reasons therefor?

Answer

MINISTER OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

(a) to (h) A Statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (h) of the unstarred Question no. 3427 for answer in the Lok Sabha on 13.12.2012.

1. By and large the Government's point of view is well represented before the Supreme Court with some exceptions. Certain gaps in the management of Government litigation have been noticed which are being addressed.

2. This Ministry has already taken several steps to streamline the litigation management agencies of the Government. Some of such steps are as under:-

(i) A new procedure for empanelment of advocates as panel counsel has been adopted in the year 2011 which envisages empanelment of counsel on the recommendations of Committees of Supreme Court/various High Courts. The said Committees after interview/interaction with the advocates make their recommendations to the Government.

(ii) The said Committees have also been mandated to review the performance of existing panel counsel and make their recommendations accordingly.

(iii) So far the Committees have held their meetings in Chennai, Bangalore, Kerala, Bombay, Jaipur, Allahabad, Lucknow, Calcutta and recently in Supreme Court and Delhi High Court.

(iv) The above procedure has proved to be objective, transparent, efficient and effective.

(v) Steps are being initiated to streamline the litigation system of the UOI in the Supreme Court and in other courts. Development of IT platform to ensure greater functional efficiency in the litigation management are under consideration of the Government.