

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

UNSTARRED QUESTION NO:4517
ANSWERED ON:20.12.2012
NATIONAL LITIGATION POLICY
Panda Shri Baijayant

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

- (a) whether the Government is the single biggest litigant in the country;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether the National Litigation Policy introduced in 2010 is being implemented;
- (d) if so, the details thereof and its impact on the number of cases; and
- (e) the further steps being contemplated by the Government in this regard?

Answer

MINISTER OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

(a)&(b) The 10th Law Commission headed by Hon'ble Justice K. K. Mathew in its 100th Report entitled "Litigation by and against the Government : Some Recommendations for Reform" (May 1984) observed that "a pretty bulk of litigation in the courts, including, in particular, writ petitions in the Supreme Court and the High courts, consists of cases to which the Government is a party." Ministry of Law and Justice, Government of India introduced "National Litigation Policy 2010" based on the recognition that Government and its various agencies are the pre-dominant litigants in courts and Tribunals in the country. Accordingly, the Policy declared "Government must cease to be a compulsive litigant. The philosophy that matters should be left to the courts for ultimate decision has to be discarded. The easy approach, "Let the court decide," must be eschewed and condemned."

(c) to (e) National Litigation Policy is yet to implemented. Since the policy has yet not been implemented, the question of analyzing its impact on litigation does not arise.