

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

UNSTARRED QUESTION NO:1501

ANSWERED ON:14.08.2013

PUBLIC PROSECUTORS

Gawali Patil Smt. Bhavana Pundlikrao ;Mishra Shri Mahabal ;Nagorao Shri Dudhgaonkar Ganeshrao

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

- (a) the number of public prosecutors in various courts of the country including Maharashtra, State-wise, Court and case-wise;
- (b) whether the number of public prosecutors including women prosecutors have not increased in proportion to the rise in the number of court cases;
- (c) if so, the details thereof and the reasons therefor;
- (d) whether the Government proposes to enroll those who pass LLB examination as public prosecutors; and
- (e) if so, the details thereof and if not, the reasons therefor?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF LAW, JUSTICE, COMMUNICATIONS AND INFORMATION TECHNOLOGY (Shri Kapil Sibal)

(a) to (c) Criminal cases and appeals in criminal matters in subordinate courts and High Courts are conducted by public prosecutors/counsels appointed by the respective State Governments. Apart from that, certain Central Government Ministries/Departments viz. Ministry of Finance, Ministry of Home Affairs, Department of Personnel and Training also have their own panels of public prosecutors. There is no centralized data maintained by the Central Government as to the number of public prosecutors in various courts of the country State-wise, Court and case-wise and also as to the number of women prosecutors among them.

(d) & (e) As per section 24 of the Criminal Procedure Code, 1973, a person shall be eligible to be appointed as a Public Prosecutor or an Additional Public Prosecutor under sub-section (1) or sub-section (2) or sub-section (3) or sub-section (6) thereof, only if he has been in practice as an advocate for not less than seven years. The Central Government or the State Government may appoint under sub-section (8) thereof, for the purposes of any case or class of cases, a person who has been in practice as an advocate for not less than ten years as a Special Public Prosecutor.

So far as Ministry of Law and Justice is concerned, no proposal to enrol those who pass LLB examination as public prosecutors is under consideration.