

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS**

RAJYA SABHA

UNSTARRED QUESTION NO.3318

TO BE ANSWERED ON THURSDAY, THE 31ST MARCH, 2022

Cases filed against Central and State Governments

3318 Shri Binoy Viswam:

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether Government is aware that cases against Government, Centre as well as States, have increased manifold over the years;
- (b) if so, details of the number of cases filed and disposed off against Central Government and State Governments, since 2017, State and year-wise;
- (c) the number of such cases that have been pending for more than five years;
- (d) the total number of vacancies in Government Pleaders (GPs), Public Prosecutors (PPs) and other Judicial Officers responsible to argue such cases; and
- (e) steps taken by Government to ensure that such cases are disposed off in a timely manner?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): As per data available, cases by and against Central Government and State Governments, filed in various courts have on an average, increased over the years but not manifold.

(b) & (c): The information is available for Supreme Court of India and 14 High Courts, which is as per **Annexure-I**.

(d) : As regards Judicial Officers in subordinate courts are concerned they do not argue cases but adjudicate them. Further, their selection and appointment is the responsibility of the High Courts and State Governments concerned, which is done through recruitment/promotion as envisaged in the concerned state judicial service rules. As regards, the vacancies of Government Pleaders / Public Prosecutors are concerned, they are filled up by the State Governments through recruitment as and when required. In addition to this, Central Government engages sufficient number of Government Pleaders for pleading/defending in matters pertaining to Union of India litigations. The number of Panel Counsels engaged in Supreme Court and various High Courts as on 30.03.2022 is as per **Annexure-II**. Besides, Central Government appoints/engages Public Prosecutors/ Special Public Prosecutors for conducting cases of Ministry of Home Affairs, CBI, Department of Revenue etc. as and when required.

(e): Disposal of pending cases in courts is within the domain of the judiciary. No time frame has been prescribed for disposal of various kinds of cases by the respective courts. Government has no role in disposal of cases in courts. Timely disposal of cases in courts depends on several factors which, inter-alia, include availability of adequate number of judges and judicial officers, supporting court staff and physical infrastructure, complexity of facts involved, nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures.

ANNEXURE-I TORAJYA SABHA UNSTARRED QUESTION NO. 3318 DATED 31stMARCH, 2022

Sl. No.	Name of the Court	(b) if so, details of the number of cases filed and disposed off against Central Government and State Governments, since 2017, State and year-wise;	(c) the number of such cases that have been pending for more than five years;																																																																																						
1	Supreme Court of India	<p>The information is not maintained in the manner as sought for. However, on the basis of text search contained in the party's name for "Central Government" like 'UOI', 'U.O.I', 'Union of India', 'Govt. of India', 'Govt of India' and for 'State Government' like 'Government', 'Govt', 'Govt.' and 'State' excluding text searched for 'Central Government' the number of cases filed and disposed off against Central Government and State Government, since 2017, year-wise and State-wise, in Supreme Court of India as retrieved from the Integrated Case Management Information System (ICMIS) as on 26.03.2022 is as under:</p> <p><u>Central Government</u></p> <table border="1" data-bbox="612 743 1607 1049"> <thead> <tr> <th rowspan="2">Year</th> <th colspan="2">As Petitioner</th> <th colspan="2">As Respondent</th> </tr> <tr> <th>Filed</th> <th>Disposed</th> <th>Filed</th> <th>Disposed</th> </tr> </thead> <tbody> <tr> <td>2017</td> <td>708</td> <td>582</td> <td>3690</td> <td>2958</td> </tr> <tr> <td>2018</td> <td>742</td> <td>539</td> <td>3985</td> <td>3177</td> </tr> <tr> <td>2019</td> <td>826</td> <td>486</td> <td>4249</td> <td>2970</td> </tr> <tr> <td>2020</td> <td>790</td> <td>376</td> <td>3544</td> <td>2058</td> </tr> <tr> <td>2021</td> <td>879</td> <td>306</td> <td>2882</td> <td>1497</td> </tr> <tr> <td>2022</td> <td>196</td> <td>14</td> <td>691</td> <td>155</td> </tr> </tbody> </table> <p><u>State Government</u></p> <table border="1" data-bbox="612 1107 1607 1408"> <thead> <tr> <th rowspan="2">Year</th> <th colspan="2">As Petitioner</th> <th colspan="2">As Respondent</th> </tr> <tr> <th>Filed</th> <th>Disposed</th> <th>Filed</th> <th>Disposed</th> </tr> </thead> <tbody> <tr> <td>2017</td> <td>3836</td> <td>2974</td> <td>17849</td> <td>15679</td> </tr> <tr> <td>2018</td> <td>3667</td> <td>2662</td> <td>20830</td> <td>17706</td> </tr> <tr> <td>2019</td> <td>3862</td> <td>2259</td> <td>18874</td> <td>14731</td> </tr> <tr> <td>2020</td> <td>2722</td> <td>1445</td> <td>12272</td> <td>8769</td> </tr> <tr> <td>2021</td> <td>2391</td> <td>1131</td> <td>14518</td> <td>9349</td> </tr> <tr> <td>2022</td> <td>740</td> <td>93</td> <td>4254</td> <td>1270</td> </tr> </tbody> </table>	Year	As Petitioner		As Respondent		Filed	Disposed	Filed	Disposed	2017	708	582	3690	2958	2018	742	539	3985	3177	2019	826	486	4249	2970	2020	790	376	3544	2058	2021	879	306	2882	1497	2022	196	14	691	155	Year	As Petitioner		As Respondent		Filed	Disposed	Filed	Disposed	2017	3836	2974	17849	15679	2018	3667	2662	20830	17706	2019	3862	2259	18874	14731	2020	2722	1445	12272	8769	2021	2391	1131	14518	9349	2022	740	93	4254	1270	<p>The number of cases pending for more than five years against Central Government and State Government, since 2017 in Supreme Court of India as retrieved from the Integrated Case Management Information System (ICMIS) as on 26.03.2022 is as under:</p> <table border="1" data-bbox="1876 636 2561 935"> <tbody> <tr> <td>Central Government as Petitioner</td> <td>1807</td> </tr> <tr> <td>Central Government as Respondent</td> <td>6104</td> </tr> <tr> <td>State Government as Petitioner</td> <td>6426</td> </tr> <tr> <td>State Government as Respondent</td> <td>20637</td> </tr> </tbody> </table>	Central Government as Petitioner	1807	Central Government as Respondent	6104	State Government as Petitioner	6426	State Government as Respondent	20637
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13	High Court of Jammu & Kashmir and Ladakh at Jammu	High Court			13003 cases in High Court
		Year	Instituted	Disposed	
		2017	11852	10737	
		2018	8081	9007	
		2019	4969	4617	
		2020	282	13950	
		2021	451	11043	
14	High Court of Gujarat	High Court			17,726 cases
		Year	Filed	Disposed	
		2017	43869	37782	
		2018	51151	44086	
		2019	53951	48585	
		2020	42386	34283	
		2021	51979	45120	
		2022 (upto 28.03.2022)	14144	11740	
15	High Court of Meghalaya	High Court			5 cases
		Year	Filed	Disposed	
		2017	626	602	
		2018	793	720	
		2019	833	692	
		2020	551	357	
		2021	557	285	
		2022 (upto 28.02.2022)	61	24	

STRENGTH OF PANEL COUNSEL IN SUPREME COURT AND VARIOUS HIGH COURTS**AS ON 30.03.2022**

SUPREME COURT OF INDIA		Group 'A' Panel Counsel: 358 Group 'B' Panel Counsel: 270 Group 'C' Panel Counsel: 195 Total : 823
Sl. No.	Name of High Court (including all their Benches)	Number of Panel Counsel engaged (Approximate figures)
1.	High Court of Delhi	471
2.	High Court of Bombay	230
3.	High Court of Calcutta	278
4.	High Court of Madras	192
5.	High Court of Karnataka	155
6.	Allahabad High Court	341
7.	Gauhati High Court	01
8.	High Court of Manipur	06
9.	High Court of Meghalaya	02
10.	High Court of Sikkim	01
11.	High Court of Tripura	00
12.	High Court of Uttarakhand	36
13.	High Court for the state of Telangana	70
14.	High Court of Andhra Pradesh	05
15.	High Court of Jammu & Kashmir at Jammu & at Kashmir	06
16.	High Court of Jharkhand	05
17.	Punjab & Haryana High Court	04
18.	High Court of Patna	46
19.	High Court of Orissa	37
20.	High Court of Himachal Pradesh	10
21.	High Court of Madhya Pradesh	47
22.	High Court of Rajasthan	67
23.	High Court of Gujarat	29
24.	High Court of Chhattisgarh	38
25.	High Court of Kerala	112
TOTAL		2189