

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

RAJYA SABHA

UNSTARRED QUESTION NO.410  
TO BE ANSWERED ON THURSDAY, THE 22.07.2021

**Unwarranted petitions in courts**

410 Shri V. Vijayasai Reddy:

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

- (a) the manner in which the Ministry looks at unwarranted petitions in courts through PILs, etc. against Government which are crippling and delaying developmental works and in taking policy decisions;
- (b) whether the Ministry or Supreme Court will issue some strict guidelines that cases against Governments, be it State or Central, can be filed only if there is any substantive question of law; and
- (c) if not, the alternatives Governments have before them to prevent such petitions for smooth functioning of their administration?

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

(a): Legal and Constitutional remedies against the administrative actions have been guaranteed under the provisions of the Constitution. Liberty is of the Petitioner to file a case or not against the administrative authorities to defend their actions and put forth the defence that their actions are legally and constitutionally valid.

(b) & (c): It is the domain of the Judiciary to decide whether there is merit or whether there is a substantive question of law in a petition. Government has no role to play in it. However, adequate measures are taken to defend the interest of the Union Government by providing for procedure for filing pleadings duly vetted by the Department of Legal Affairs and by engaging experienced counsels/Law Officers.