

Electoral reforms

396. SHRI D. RAJA:

SHRI M.P. ACHUTHAN:

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

(a) whether Government is considering a proposal to bring about some major electoral reforms for a long time;

(b) if so, the details of the steps being taken in this regard and at what stage is the proposal at present; and

(c) whether Government intends to finalise the electoral reforms before the next general elections in the country?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) to (c) With a view to carrying out comprehensive electoral reforms, a Core-Committee was constituted on 1st October, 2010 under the Chairmanship of Shri Vivek K. Tankha, Additional Solicitor General. The talking points of the Committee included (i) De-criminalisation of Politics; (ii) Funding of Elections; (iii) Conduct and better Management of Elections; (iv) Regulation of Political Parties; (v) Audit and Finances of Political Parties; and (vi) Review of Anti-Defection Law. The Committee under the aegis of Legislative Department and in co-sponsorship of the Election Commission of India conducted seven regional consultations at Bhopal, Kolkata, Mumbai, Lucknow, Chandigarh, Bengaluru and Guwahati, wherein the stakeholders have been consulted, who *inter-alia* included leaders and workers of the political parties, legislators, legal luminaries, representatives of NGOs, eminent persons, civil servants (serving and retired), students etc. and views have been gathered. The details of these consultations have been put on the website of the Ministry of Law and Justice *i.e.* www.lawmin.nic.in. On the basis of the inputs received in these consultations, discussion with all political parties is contemplated. In view of the complexity of the subject, it is not possible to lay down any rigid time-frame in this regard.

Reasons for pending cases

397. DR T. N. SEEMA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether government is aware that non-implementation of court orders and judgments promptly are the main reasons behind second round of litigations pending in the country;

- (b) if so, the steps taken by Government to address the issue;
- (c) whether Government and its various agencies are the predominant litigants in courts in the country; and
- (d) the steps taken by the Government to cut down on Government litigation in avoidable cases?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) and (b) No such data is maintained by the Government.

(c) and (d) 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."

Funds for improving court infrastructure in Maharashtra

398. SHRI RAJKUMAR DHOOT: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the Central funds provided to Maharashtra for developing infrastructure in the subordinate courts of the State during the last three years, year-wise;
- (b) the results achieved with these funds in the State during the said period;
- (c) whether Government proposes to provide funds to the State for construction of buildings for the subordinate courts; and
- (d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) The details of year-wise funds provided to the Government of Maharashtra during the last three years under Centrally Sponsored Scheme (CSS) for development of infrastructure facilities for subordinate judiciary are as follows: