

is provided (a) Capital Subsidy: Grant-in-aid @35% of the bank appraised project cost for general areas, and @ 50% of the project cost for difficult areas including North-Eastern region, subject to maximum of ₹ 5 crore and (b) Interest Subsidy: Interest subsidy @ 6% per annum subject to a maximum of ₹ 2.00 crore per project or actual interest accrued on term loan, whichever is lower, for a period of 5 years from completion of the project for general areas, and @ 7 % per annum subject to a maximum of ₹ 3.00 crore per project or actual interest accrued on term loan, whichever is lower, for a period of 7 years from completion of the project for difficult areas including North-Eastern Region. However, it has been decided that National Mission of Food Processing will be delinked from central assistance from financial year 2015-16 and accordingly no provision has been made for the scheme as it stands transferred to the States.

In addition, National Horticulture Mission (NHM) and National Horticulture Board (NHB), under Department of Agriculture and Cooperation, Ministry of Agriculture, Government of India are also providing assistance for setting up cold storages under their respective schemes.

CVC guidelines for appointment of legal officers

1862. SHRI NEERAJ SHEKHAR:

SHRI ARVIND KUMAR SINGH:

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

(a) the details of the criteria for appointment of Additional Solicitor General, Standing Counsels, Additional and Assistant Standing Counsels and other Government Counsels in Supreme Court, High Court of Delhi and other High Courts;

(b) the details of CVC guidelines for appointment to above posts;

(c) the details of appointments made by Government against above posts since May, 2014 till date along with the salary/remuneration paid, post-wise; and

(d) whether CVC guidelines have been followed in appointments to above posts, if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA):

(a) The Additional Solicitors General are appointed from among the advocates, keeping in view their sincerity, integrity and professional competence. Such proposals are taken in the Government at the highest level and after approval of the Appointments Committee of the Cabinet, the appointment is made. Normally, only those who are designated as senior

advocates are considered for appointment as Additional Solicitors General. Empanelment of Government Counsels/Panel Counsels in the Supreme Court and High Courts are made on the basis of the advocate's standing at bar, experience, integrity and reputation which are assessed at higher level.

(b) This Ministry has received a report of Central Vigilance Commission (CVC) regarding review of the functioning of Central Agency Section. The report *inter-alia* highlighted the issue of empanelment of advocates and observed that the same is largely based on recommendation and discretion and was not based on the actual requirement or workload of litigation. Para-7 of the report of CVC contains recommendations relating to empanelment of panel counsel which is reproduced as under:-

7.1 The empanelment of advocates should be a one-time annual exercise instead of a continuous one. It should be an open, competitive process calling for applications from all advocates with certain prescribed criteria of selection like experience, qualification, etc. The selection process for the empanelment should be based on an objective assessment of the merit and suitability of the applicants by a Screening Committee before it is approved by the Minister of Law and Justice.

7.2 The number of panel counsels should be proportionate to the workload of litigation and to the actual requirement of advocates from different streams of specialization.

7.5 It is recommended that the whole exercise of empanelment, categorization of panel counsels, allocation of work and payment should be IT enabled to improve efficiency, consistency, transparency as well as accountability. All data base maintained by the Judicial and the Central Agency Section should be integrated to ensure integrity of data. The system should also provide for a complete trail of a case from start to end.

(c) A statement showing the details of appointments/empanelments made by Government since May, 2014 of the ASGs, Asstt. SGs and various categories of Government counsel is annexed as Annexure-'A'. The retainership per month is paid only to the Addl. SGs (₹ 30,000/-), Asstt. SGs (₹ 6,000/-) and Central Government Counsel in the High Court (₹ 6,000/-).

(d) Even prior to receipt of the CVC report, *vide* OMs. No.34(1)/2011-Judl. dated 25.08.2011 and dated 17.10.2011, the Ministry had rationalized the process of empanelment of counsel by establishing a procedure that ensures more accountability and objectivity. As per the instructions contained in the aforesaid OMs the empanelment of counsel were

used to be made on the recommendation of the Committees of Supreme Court/various High Courts. The said Committees were comprised of Joint Secretary and Legal Adviser of this Ministry, concerned In-charge (Litigation) and the concerned Additional Solicitor General. The said Committees after interview/interaction with advocates used to make their recommendations to the Government. It was experienced that the said Committee system has not worked well for many reasons including non-availability of Assistant Solicitors General/Law Officers for holding personal interaction with the advocates. It is also admitted fact that many good advocates, having sufficient standing at bar, are reluctant to appear before the Committee thereby depriving of the Government of their services, if required. Therefore, the system of empanelment of Government counsels on the basis of the recommendations of the Committees has been reviewed and has been discontinued in consultation with Ld. Attorney General for India. Now, the empanelment of counsels is done on the basis of the recommendations of the Hon'ble Minister for Law & Justice based upon his personal satisfaction and upon his satisfaction arrived as a result of his consultation with the Law Officers/Asstt. SGs, depending upon the requirement in various courts.

Letters from Members of Parliament

1863. SHRI GULAM RASOOL BALLYAWI : Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of letters received from Members of Parliament by the Minister since August, 2014 till date;

(b) the number of letters on which interim and final reply have been sent to the Members of Parliament;

(c) the number of letters on which action has been taken and those on which action is still pending;

(d) the number of letters on which neither any reply has been sent nor any action has been taken along with reasons therefor; and

(e) the action taken to avoid the situation as in part (d) above?

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA) : (a) to (e) The information is being collected and will be laid on the Table of the House.