

Simultaneous elections to Lok Sabha and State Legislative Assemblies

†2519. SHRI PRABHAT JHA: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Law Commission and a Parliamentary Committee had suggested to hold elections to Lok Sabha and the Legislative Assemblies simultaneously;
- (b) if so, the details thereof;
- (c) whether the Election Commission and States have recently given any suggestion in this regard; and
- (d) if so, the details thereof, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P.P. CHAUDHARY): (a) to (d) The Department-Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice had examined the issue of simultaneous elections to Lok Sabha and State Legislative Assemblies in consultation with various stake-holders including Election Commission of India. The Committee has given certain recommendations in this regard in its 79th Report. Further, no suggestion has been received from the State Governments in this regard recently.

National Litigation Policy

2520. SHRI AHAMED HASSAN: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government plans to implement the National Litigation Policy of 2010, if so, the details thereof;
- (b) if not, the reasons therefor;
- (c) the meaning of the term 'Government' while classifying that 46 per cent of the court cases have Government as a litigant; and
- (d) whether Government litigation includes cases where Government is a petitioner or respondent or both?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P.P. CHAUDHARY): (a) and (b) A draft National Litigation Policy was formulated by the Government in the year 2010. Since it could not be placed before the competent

†Original notice of the question was received in Hindi.

authority it could not be implemented. Formulation of Fresh National Litigation Policy is under consideration of the Government.

(c) The Law Commission of India in its 100th report has observed that bulk of litigation in the courts, including, in particular, writ petitions in the Supreme Court and the High Courts, consists of cases in which the Government is a party. Government in reference to litigation pending before Courts will include Ministries and Departments of the Government and may also include its instrumentalities.

(d) Yes, Government litigation includes both cases where Government is a petitioner or respondent.

Meetings of DPC in ITAT

†2521. SHRIMATI CHHAYA VERMA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the dates on which the meetings of the Departmental Promotion Committee (DPC) for the post of Assistant Registrar in the office of Income Tax Appellate Tribunal (ITAT) were held in the last one decade;

(b) the duration after which the meeting of DPC should be held as per rule and whether it is being complied with;

(c) the reasons for which the meetings of DPC are not being held in the office of ITAT; and

(d) whether it amounts to violation of the rules of the Department of Personnel, Public Grievances and Pensions?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P.P. CHAUDHARY): (a) and (b) There is no statutory rule stipulating the duration after which the meetings of the Departmental Promotion Committee (DPC) should be held. However, the circular from Department of Personnel and Training (DoP&T) stipulates that the DPCs are convened in advance of the relevant vacancy year. The last meeting of the DPC for the post of Assistant Registrar in the office of Income Tax Appellate Tribunal (ITAT) was held in the year 2005.

(c) and (d) The meeting of the DPC for filling up the post(s) of Assistant Registrar in the ITAT could not be held as the matter was *sub-judice* in as much as the feeder cadre personnel belonging to two different eligible categories had filed court cases

†Original notice of the question was received in Hindi.