



जयेश के. उन्नीकृष्णन्  
विधि सलाहकार  
JAYESH K. UNNIKRIISHNAN  
LEGAL ADVISER

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्  
अनुसंधान भवन, 2, रफी मार्ग, नई दिल्ली-110001  
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH  
Anusandhan Bhawan, 2, Rafi Marg, New Delhi-110001

36-2(230)2005-Law  
Dated, the 3<sup>rd</sup> May, 2017

**TOP PRIORITY**

Heads of all the National Labs./Instts.

Re: D.O. letter No. N-17/13/2017-NM received from Hon'ble Minister of Law, Justice, Electronics and IT to the Hon'ble Minister for Science & Technology and Earth Sciences

Sub:- Reduction in pending court cases

Sir,

Kind attention is invited to the above referred communication from the Hon'ble Minister of Law, Justice, Electronics and IT to the Hon'ble Minister of Science & Technology and Earth Science on reduction in pending court cases. A copy of said communication and reply dated 26.4.2017 given by Hon'ble Minister for S&T to the Hon'ble Minister of Law & Justice, which is self explanatory, is enclosed herewith.

In pursuance of the said communication, the DGCSIR has desired to review all pending legal cases and to submit a report within a week, on status and action planned for Special Arrears Clearance Drives".

It is not out of place to mention here that from time to time, Labs/Instts. have been requested to take all necessary steps for effective conduct of litigation in CSIR and to reduce/mitigate in litigation.

In view of the above, you are requested to send, the report/statement of present status of all pending court cases in your Lab./Instts., as per the Format attached herewith.

THIS MAY KINDLY BE TREATED ON TOP PRIORITY.

Yours faithfully

  
(Jayesh K. Unnikrishnan)  
Legal Adviser

Encls : as above

Cc: US to DG- for information of DGCSIR please.

डॉ. हर्ष वर्धन  
DR. HARSH VARDHAN



D.O. No. 17477 M (S&T&ES)2017

मंत्री  
विज्ञान और प्रौद्योगिकी एवं पृथ्वी विज्ञान  
भारत सरकार  
नई दिल्ली - 110001

MINISTER  
SCIENCE & TECHNOLOGY AND EARTH SCIENCES  
GOVERNMENT OF INDIA  
NEW DELHI - 110001

26 APR 2017

Dear Shri Prasad ji,

I am in receipt of your letter DO No.N-17/13/2017-NM regarding  
details of reduction in pending court cases.

I am forwarding this to our Departments for necessary action.

With regards,

Yours sincerely,

Sd/-

(Dr. Harsh Vardhan)

Shri Ravi Shankar Prasad  
Minister of Law & Justice and Electronics  
& IT, Govt. of India  
Room No.402, A Wing, Shastri Bhawan  
New Delhi - 110001.

Copy to Secretary, DST/DBT/MoES & DG, CSIR for necessary action.

V.S.M.P. URGENT

APS to Minister S&T & ES

1. JS(A)

2. LA

Please review all legal cases in various stages

& give me a report on status & action/s planned ASAP pref.  
within a week in any case.

G.Sahi  
1/5

DATE → 26/4 : follow up

1/5



रविशंकर प्रसाद

RAVI SHANKAR PRASAD



सत्यमेव जयते

१/५

मंत्री  
विधि एवं न्याय  
और

इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी  
भारत सरकार  
MINISTER OF  
LAW & JUSTICE  
and  
ELECTRONICS & IT  
GOVERNMENT OF INDIA

D.O.No.N-17/13/2017-NM



Dear Dr. Harsh Vardhan Ji,

*all*  
Hon'ble Prime Minister while addressing the function to mark the 50<sup>th</sup> Anniversary of the establishment of the High Court of Delhi highlighted the emerging challenges before the Judiciary especially exponential increase in the pendency of court cases and called for preparation of a roadmap for the future. Though disposal of cases is within the domain of the judiciary, the Government has been taking various steps to help reducing arrears and backlog of cases in courts. However, there is no significant impact on pendency and arrears.

*See by 08/1/2017*  
*2*  
As you are aware that government is a major litigant and it is a party to about 46% of the 3.14 crore cases pending in various courts in the country, ranging from service matters to indirect taxes. The Judiciary has to spend its maximum time in tackling cases where the Government is a party, and the burden on Judiciary can only be reduced if the cases are filed after taking a careful and considered view. There is a crucial need to take transformative measures to reduce pendency of court cases. It is imperative to give top priority by all concerned Ministries/Departments to review all pending court cases and take up Special Arrears Clearance Drives. They should identify frivolous and vexatious matters and separate them with the matters with merit and take quick steps to either withdraw or dispose of them speedily. Therefore, while reviewing the pendency of court cases, all Ministries/Departments have to examine the cost of fighting the case by incurring expenditure under the Consolidated Fund of India and time taken to dispose of the case vis-à-vis relief given to parties who are petitioners.

3. I understand that every Government Department has in place its own mechanism to handle various kinds of disputes and monitoring of cases pending before various courts/authorities/tribunals, etc. as per the requirement. Now, we need to make these mechanisms more effective and efficient, so that pendency of cases in all courts is reduced. Every matter needs to be looked into in depth in consultation with experts and concerned before going to litigation. The government must cease to be a compulsive litigant, and executive power should be made use to reduce the grievance of the future litigant. Before initiating any litigation, the matter must be placed before the competent authority. It will be his responsibility to endeavor to see whether the litigation can be avoided. If litigation cannot be avoided, then alternative dispute resolution methods like mediation must be

considered. Filing of new cases against state governments or its bodies or government staff may be discouraged, and recourse to litigation may be adopted only as a last resort. As frequent adjournments are resorted to by Government Counsels, unnecessary and frequent adjournments should be frowned upon, and infractions dealt with seriously.

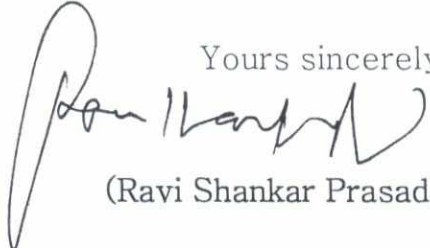
4. Each Ministry/Department should chalk out an 'Action Plan for Special Arrears Clearance Drives' to reduce the number of court cases by following various methods mentioned in the above and implement the plan on Mission Mode. All these efforts should yield in a significant reduction in a total number of court cases in each Ministry/Department. Each Ministry/Department should also send a Quarterly Report on reduction in total number of court cases withdrawn/settled/disposed as per the Annexure enclosed. This report should contain details of reduction in court cases in your Ministry/Department including Autonomous Bodies, Subordinate or Attached Offices as per the enclosed format. I am directing Secretary, Department of Justice to hold meetings with all Ministries/Departments to review this matter regularly.

5. I shall be grateful if you kindly send action taken in this regard at the earliest.

With regards

Encl.: As above

**Dr. Harsh Vardhan,**  
Minister of Science & Technology and  
Earth Sciences,  
Technology Bhawan,  
Mehrauli Road,  
New Delhi - 110 016.

Yours sincerely  
  
(Ravi Shankar Prasad)

DETAILS OF REDUCTION IN PENDING COURT CASES

Name of the Central/State Ministry /Department: \_\_\_\_\_

- |  |   |
|--|---|
| 1. Total existing Number of<br>Courts cases as on <del>31-3</del> 3-2017   | Supreme Court/High Court/CAT/ District or Subordinate<br>Courts |
| 2. How many court cases have been reduced<br>after review during the last quarter ending<br>(March, June, September, December)   | Supreme Court/High Court/CAT/ District or Subordinate<br>Courts |
| 3. How many cases have been withdrawn after<br>Executive Order or following ADR methods such<br>as mediation etc./ reduction in cost of fighting case /<br>relief given to employees or private individual/ agencies | Supreme Court/High Court/CAT/ District or Subordinate<br>Courts |

[Note:- Separate information on Autonomous Bodies/Subordinate Offices/ Attached Offices etc. may be sent in the similar format]