

GOVERNMENT OF INDIA  
MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
DEPARTMENT OF SCHOOL EDUCATION & LITERACY

**LOK SABHA**

**UNSTARRED QUESTION NO. 5689  
TO BE ANSWERED ON 02.04.2018**

**Litigation Policy of NCERT**

†5689. SHRI SUSHIL KUMAR SINGH:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether the national litigation policy is being followed by the Ministry especially by the NCERT in reducing litigations which are a drain on the resource of NCERT;
- (b) whether there is a reconciliation procedure in NCERT to solve Department's disputes amicably;
- (c) if so, the details of disputes that have been resolved in the last three years and the current year;
- (d) the number of litigation cases pending in courts in which NCERT and departments under control of the Ministry are involved ;
- (e) whether the legal councils so appointed by NCERT and Ministry are selected from the panel of Central Government's Panel or are being appointed on adhoc basis with adhoc remuneration to such a council; and
- (f) if so, the details thereof along with the existing criteria for appointment of the legal council and fixing his/her remuneration?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
(SHRI UPENDRA KUSHWAHA)**

- (a) The Ministry of Law & Justice has informed that presently there is no National Litigation Policy. The National Council of Educational Research & Training (NCERT) follows all the instructions issued by the Government of India from time to time in the matter of handling of Court Cases.
- (b) & (c) The NCERT has informed that there is a reconciliation procedure available in NCERT to solve Department's disputes amicably. However, no case has so far been resolved through the reconciliation procedure.

(d) There is no Court Case pending between the NCERT and the other Department/ organizations of the Ministry.

(e) The NCERT has its own panel of advocates to defend the cases pertaining to the Organization in various Courts/ Tribunal. However, the cases where both the Union of India and the NCERT are party are got defended by NCERT through a Counsel available in the Panel of Counsels engaged by the Department of Legal Affairs as per the extant instructions of the Ministry of Law & Justice on the subject.

(f) The Advocates are empanelled in NCERT with the approval of the Competent Authority in the Organization and they are paid as per the rates approved by Ministry of Law & Justice.

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