

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

LOK S A B H A

UNSTARRED QUESTION No. 431

TO BE ANSWERED ON THURSDAY, THE 25TH FEBRUARY, 2016.

Filing of false cases

431. SHRIALOK SANJAR:

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

- (a) whether the Government proposes to bring any legislation to curb the instances of filing of false/frivolous cases and minimise the burden of pending cases in courts in the country;
- (b) if so, details thereof; and
- (c) the other steps taken/being taken by the Government in this regard?

A N S W E R

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

- (a) to (c) The 20th Law Commission of India in its 240th Report titled “Costs in Civil Litigation” on May, 2012 had, *inter alia*, recommended for amendments to various provisions of the Code of Civil Procedure, 1908 (5 of 1908) including section 35A (Compensatory costs in respect of false or vexatious claims or defences) to curb false and frivolous litigation. Since the subject matter of the report is relatable to a concurrent field subject, namely, Entry 13 of the Concurrent List of the Seventh Schedule to the Constitution, comments/views of the State Governments and Union territory Administrations have been solicited in the matter.