HC Notice on Plea Challenging Haryana Cabinet Expansion

Why in News?

Recently, the Punjab and Haryana high court sought a response from the Centre and Haryana government on a **Public Interest Litigation (PIL)** challenging the cabinet expansion by the **Nayab Singh Saini government in Haryana.**

Key Points

- As per the plea, the **state has 90 members House**, and that **council of ministers can't exceed 13 (15%) of the total strength** as per **Article 164 of the Constitution of India.**
    - **Article 164** envisages that the Chief Minister shall be appointed by the governor.
- The PIL alleges Saini appointed five as ministers on 12th March, when he also took oath as chief minister and eight more on 19th March.
    - The addition of eight more in the council of ministers is illegal, void and unconstitutional under the **Representation of People Act, 1951.**

Public Interest Litigation (PIL)

- It is the **use of the law to advance human rights and equality**, or raise issues of broad public concern.
- The concept of "Public Interest Litigation" has been **borrowed from the American Jurisprudence.**
- In Indian law, PIL means **litigation for the protection of Public Interest**. It is Litigation introduced in a court of Law, not by the aggrieved party but by the court itself or **by any other private party.**
    - It is the power given to the public by courts **through Judicial activism.**
- It can be filed **only in the Supreme Court or the High Court.**
- It is **different from Writ Petition**, which is filed by individuals or institutions for their own benefit, whereas PIL is filed for the benefit of the general public.
- The concept of PIL is **suited to the Principles enshrined in Article 39 A of the Constitution of India** to protect and deliver prompt Social Justice with the help of Law.
- **Areas where PIL can be filed:** Pollution, Terrorism, Road safety, Constructional hazards etc.

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