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Evaluating The Effectiveness Of Administrative Mechanisms In Resolving Inter-Departmental Disputes In India

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ABSTRACT
Present research analyzes the efficiency of administrative procedures in solving inter-departmental and inter-ministerial conflicts in the Government of India. Although the State can be represented as a single entity in terms of legal inquiry, in practice, the internal disputes have often initiated the long-term litigation processes because of the complexity of the procedures, the hierarchical obstinacy, and the lack of accountability, which translates into a significant number of unresolved cases among government departments. The paper follows the development of dispute-resolution frameworks between the aspirational National Litigation Policy, 2010, and the more structured 2025 Directive for Efficient and Effective Management of Litigation, examining how it will be designed, implemented, and will have an impact on an institution. The study recognizes barrier systems like knowledge gaps, risk-averse decision-making, and the bureaucratic culture as some systemic barriers that reinforce a trend of'compulsive litigation' using qualitative analysis of administrative practices, policy instruments, and LIMBS, which is a dispute-resolution system. It claims that the success of the recent reforms is conditioned by the structural capacity-building, better-defined accountability mechanisms, and institutional coordination, though the shifted tendencies toward proactive legal management and internal settlement are observed. The research, finally, suggests a useful administration dispute resolution structure to meet the goals of governance efficiency, ease of doing business, and other development goal Viksit Bharat 2047.
Keywords: Viksit Bharat, Good Governance, Ease of Doing Business, Public Policy, Inter-Governmental Conflict, Alternate Dispute Mechanism

INTRODUCTION:

The Constitution of India has not categorically provided the classification regarding "inter-departmental dispute". The term usually refers to administrative misunderstandings within the government division. The government being the single legal entity, "family feuds" are settled through internal panels rather than courts to save public show and time, including cost. In legal and executive parlance, inter-departmental controversies are resolved through internal executive mechanisms rather than through courts, as they're considered internal government matters. Inter-departmental controversies are dissensions between two or more government departments or ministries, or public agencies, over liabilities, authority, finances, policy interpretation, or governance. These controversies frequently arise when laws are unclear, or multiple bodies try to apply rules regulation and processes as per their own understanding. These kinds of disputes can delay decisions, add to the slow development work, create more confusion for citizens and businesses, and lead to a "no action zone". As known, the government is a single legal entity; recently it's seen that the departments are discouraged for "inter-governmental departments disputes" to sue each other in court. Advanced courts have also emphasised that conflicts between government departments should be resolved within the designed frame rather than burdening the court, prompting the government to evolve robust in-house agreement systems. For example, a conflict between the Ministry of Environment and the Ministry of Road and Transport, or between state and central agencies.

The Status of Government Litigation (as of February 2023), based on the data sourced from the Legal Information Management and Briefing System (LIMBS)—a web-based portal used to track and monitor government litigation—revealed that the Central Government was a party to approximately 6.36 lakh pending cases across various levels of the Indian judiciary.[1] Wherein the Supreme Court has approx. 2333 cases, and the High Court has been the vast majority, pending are 6.33 lakhs, bringing the total to 6.36 lakhs government litigation pending.

RESEARCH METHOD:

This study utilizes a qualitative case analysis approach to probe formal and informal processes to resolve conflicts between inter government departments disputes in India. The primary idea under this approach is to explore the functional dynamics of the Indian administrative system by addressing the research question. This research explores the question of deep-rooted habits in the Indian administration system, like risk-aversion and rigid hierarchies, that have paused the shift from a culture of "compulsive litigation" to the standards set by the Directive. By identifying these barriers, the study seeks to design a practical resolution framework balancing departmental accountability and decision-making. The study reviews current alternative dispute resolution (ADR) arrangements in the Indian Administration structure and draws data from the LIMBS.

LITERATURE REVIEW:

In the present study, the researcher has reviewed several books, articles, cases, and international deliberations that are significant and pivotal for the aim of this research. The websites of various departments and organizations have been used for this research. All these sources have been cited at appropriate places wherever their content has been primarily mentioned in this research work.

(a). Articles

Aashna Bansal in "Alternative Dispute Resolution in India. Effectiveness, Challenges, and the Road Ahead" highlights ADR's promise in India but laments barriers: low awareness leaves citizens wary, untrained arbitrators falter, court meddling drags cases on, and sparse institutional hubs force ad hoc fixes. Picture a district officer dodging mediation due to no local venue—potential lost, disputes fester.[ii]

Anil Chaturvedi, in his article titled "Inter-Departmental Dynamics: Relations between Four State Government Departments at the District Level," studies turf wars among four state departments at district levels, dissecting clashing priorities—from revenue raids to welfare delays—that spawn litigation instead of teamwork. It reveals avoidance as the norm, where rivalry trumps resolution.[iii]

Debroy (2025), in his article, critiques inter-departmental silos undermining COS oversight, advocating LIMBS integration, though he hails the 2025 Directives as steps forward, yet spots gaps toward collaboration over compromise.[iv]

Hazra (2023) argues in his article, argues that lax nodal checks favouring appeals over ADR, eroding equal justice, and calls for crisp policies before schemes like Vivad se Vishwas II patch symptoms. [v]

(b) Office Orders/Office Memorandum/Guidelines, etc.

Existing literature from NLP 2010[vi] to the 2025 Directive[vii] and Vivad se Vishwas II[viii] maps India's halting shift from court-clogging litigation to internal negotiation, aiming to treat government as a unified entity rather than feuding fiefdoms. NLP 2010 envisioned time-bound resolutions by "responsible litigants," yet scholars decry its hollow rollout, with nodal lapses fuelling persistent ministry clashes that overload courts.

Building upon the historical context of India's litigation policies, it reveals the conflict between administrative speed and legal merit. The following discussion identifies why the current 'policing' model may inadvertently stall the very resolutions it seeks to fast-track.

DISCUSSION:

Seeing the interdepartmental disagreements, the Department of Legal Affairs vide Office Memorandum dated 31st March 2020 introduced the Administrative Mechanism for Resolution of Disputes (AMRD) to resolve controversies other than taxation matters between government departments outside the court system. The idea was to give an institutionalized and binding system for settling controversies between government Ministries, Departments, and related bodies, aiming to reduce litigation action. It operates through a two-tier structure originally involving a committee of secretaries who will decide the matter within a reasonable time of three months, and an appeal stage where unresolved disputes can be taken to the Cabinet Secretary, whose decision is final. The O.M. requires Ministries and Departments to ensure compliance by realities under their control and to include an AMRD clause in contracts.

In Rajya Sabha Unstarred Question No. 1878, answered on March 16, 2023, Shri Sushil Kumar Modi sought details regarding the pendency of cases involving Central Ministries and Departments.[ix] The response provided by the then Minister of Law and Justice detailed the statistical status of government litigation and the evolution of the National Litigation Policy (NLP).

The query also focused on the impact of the Evolution of the National Litigation Policy (NLP) on reducing case pendency. The Department of Legal Affairs initially formulated the NLP in 2010. Later, the Committee of Secretaries (CoS) recommended that a formal NLP was unnecessary. In the absence, the government decided to curb frivolous or unnecessary litigation and focus more on alternative measures, empowering Ministries and Departments to issue their own specific instructions and guidelines tailored to their unique legal requirements, and encouraged to resolve inter-departmental disputes through administrative mechanisms.

India resolves internal disputes through inter-ministerial committees and Cabinet Secretariat consultations only when necessary. The difference between the internal mechanism and judicial stage is summarized in Table 1.

Table 1: Comparative Analysis of the Administrative Internal Mechanism (AMRD/AMRCD) and Judicial Resolution Frameworks

Feature	Internal Mechanism (AMRD/AMRCD)	Judicial Resolution (Courts)
Parties	Department vs. Department	Individual/Private vs. Govt
Final	Cabinet Secretary /	Supreme Court /

Authority	Committee	High Courts
Primary Goal	Administrative Harmony	Legal Justice / Rights
Speed	Relatively Fast (3–6 months)	Can take several years

On 4th April 2025, the Department of Legal Affairs issued the "Directive for the Efficient and Effective Management of Litigation by the Government of India". The Directive introduced effective measures simplifying legal processes, preventing unnecessary litigation, inconsistencies, minimizing unwarranted appeals, streamlining inter-departmental coordination, ensuring greater public accountability in arbitration matters, and establishing a strong Knowledge Management System (KMS).

Findings:

Challenges and Reforms in Interdepartmental Dispute Management.

(a). 2025 Directive: Reform

On 4 April 2025, the Department of Legal Affairs, Ministry of Law and Justice, issued a landmark Office Memorandum (OM No. J-18/5/2016-Judl) titled *"Directive for the Efficient and Effective Management of Litigation by the Government of India."* [x]This directive represents a change in basic assumptions in Indian legal history, moving from the aspirational National Litigation Policy of 2010 toward a concrete, enforceable Standard Operating Procedure (SOP).[xi] The Government of India is the single largest litigant in the country, involved in 700,000 pending cases. This "litigation explosion" not only drains the government but also clogs the judicial system.

(i). The major objectives of the 2025 Directive to transform identity consist of the transition of the Government from a compulsive litigant to a Responsible Litigant and to the Judicial Load Reduction. The intention behind this was that Administrative Efficiency should be boosted and the handling of the law within Ministries should be streamlined proactively.

(ii) The 2025 Directive has a broad scope, as attached bodies, Central Ministries, and cases, including those of arbitration bearing, give in to the pull of litigation reins. It addresses systemic malfunctions of the law on legal blindness. In order to address this, even the government has ordered the capacity additions through the customised modules of igot Karmayogi. It was centered on avoiding the situation of the cases being brought to court in the first place, which can be simply described as a strategic approach to avoid internal conflicts and the development of pre-litigation management.

(iii). Some of the points that the directive brings out include the fact that when any new policy or other changes in legislation are involved, Departments are now required to carry out an LRA to determine areas that may cause litigation trouble spot to the policy before it becomes incumbent. The OM acknowledges that a significant number of new situations are a result of a disagreement between service employees, hence it directs quarterly reviews of the mechanisms of internal disputes in the organization. To avoid the chances of the various orders being interpreted differently, every Department should prepare its assortment of various orders into a single publicly accessible Master Circular, which is periodically revised.

(iv). To ensure that "big" cases get the attention they deserve, the Directive introduces a tri-tier classification system as provided in Table 2.

Table 2: Categorization of Legal Matters by Sensitivity and Oversight Authority.

Category	Description	Oversight Level
Highly Sensitive	Matters of national security, constitutional validity, or high financial stakes.	Secretary of the Department
Sensitive	Cases involving significant policy implications or large groups of people.	Nodal Officer / Joint Secretary
Regular	Routine service matters or individual disputes.	Legal Cell / Under Secretary

The LIMBS is to be used as the main tracking tool. The Directive coordinates the incorporation of LIMBS and e-Courts to have an up-to-the-minute update on the state of a case and minimise the error of manual data input.[xii]

(v). The 2025 Directive puts practical guardrails on the habit of the government of making knee-jerk appeals. In non-tax disputes under ₹10 crore, skip court unless a pivotal legal principle hangs in the balance. Any appeal will require an outspoken memo of risks and rewards that are viable. The Supreme Court should only grant special leave petitions on the extreme unfairness of the case. There is a two-adjournment carryover per case to ministries, which requires signature by the Nodal Officer, who holds them accountable in the case of procrastination.

(vi). The Directive focuses on ensuring that commercial disputes are not taken to court. In the instances and government contracts, Arbitration & Mediation will be preferable as the default.[xiii]

(vii). The 2025 Directive increases responsibility through co-regulation by the Cabinet Secretary, through considering the annual panel counsel report, underperformers are eliminated. Personal stakes rise wherein the court fines from official negligence trigger salary recovery post-inquiry, learning from past lax resolutions. Considering the challenges faced by the past internal resolution technique and method, this OM has fixed the Personal Responsibility.

(b). Based on this, even the Ministry of Finance has introduced aggressive measures to reduce the massive

volume of tax-related cases, which historically account for a large portion of government litigation. Some of the Important reforms noticed in the recent period are highlighted below:

The CBDT (Direct Taxes) and CBIC (Indirect Taxes) significantly increased the limits below which the Department will not file appeals. Under the new directive, the revenue department is restricted from filing appeals unless the tax effect exceeds ₹60 Lakhs for Tribunals (ITAT/CESTAT), ₹2 Crores for High Courts, and ₹5 Crores for the Supreme Court, marking a decisive shift toward merit-based litigation over routine tax pursuit[xiv]. Various Initiative like the e-Dispute Resolution Scheme Guidelines and the Amnesty & Settlement has been introduced.

(c) Ministry of Railways: Administrative Decentralization

As one of the largest litigants, the Ministry of Railways has focused on resolving disputes through structural changes rather than just court procedures.

Railways (Amendment) Act, 2025: This Act consolidated the Indian Railway Board Act, 1905, into the Railways Act, 1989. By unifying the legal framework, the Ministry has reduced the "interpretational ambiguities" that previously led to constant litigation between the Board, the Ministry, and third parties.[xv] A 2024 circular empowered General Managers to independently sanction projects up to ₹50 crores, providing financial empowerment. This reduces the need for administrative "reference" cases that often end up in court due to delays.[xvi]

These mechanisms represent efforts to standardize procedures, improve efficiency, and ensure effective resolution of issues within the vast administration, such as Indian Railways, the Port Sector, transport, the environment, and others. While the government has provided an uncomplicated way for the resolution of the dispute, it has its own set of challenges. The challenges that can be part of the process and have been dealt with by the departments are on the higher side, impacting the regular frame of the structured working and hierarchy:

(a). Lack of knowledge: The lack of deep understanding of legal frameworks, procedural requirements, and principles of natural justice leads to flawed inquiries and decisions. This knowledge gap exposes departments to legal risks, including procedural lapses and non-compliance with statutory timelines.

(b) Lack of training: Lack of knowledge, most of the time, is linked with the lack of proper training. Inadequate or minimal training for the employees results in poor handling of evidence, witness assessments, and report preparation, compromising inquiry fairness. Regular capacity-building programs are essential but often absent, hindering effective dispute management.

(c) Unclear roles and responsibilities: Most of the organization, though on paper the role and responsibilities to deal with the matter are not dealt with high standards, and the "passing the parcel" concept plays a major role, as most of the time employees responsible or unqualified to deal with the matter "try to dodge" the ball.

(d) Hierarchical structure and cultural resistance: Entrenched hierarchies foster power imbalances, communication gaps, and reluctance to compromise, delaying resolutions within departments. Structural rigidities prioritize authority over collaboration, exacerbating conflicts instead of resolving them. The preference for litigation over collaborative methods prolongs conflicts and increases costs.

(e). Inadequate documentation: Poor record-keeping of disputes hinders evidence-based resolution and follow-up on recurring problems.

(f). Bureaucratic delays: Excessive paperwork and approvals create backlogs, eroding trust in the resolution system's effectiveness. The delay owing to the reason of the administrative channel may add to the uncertainty and lessen the importance of the matter under discussion.

The OM dated 4 April 2025 is a transition from reactive legal defence to initiative-taking legal management. By institutionalising Legal Cells and imposing financial thresholds for appeals, the Government aims to shed its image as a "litigation bully." The National Litigation Policy (NLP) 2010 was widely criticised as a "paper tiger." The directives issued by the Ministry have introduced the concept of the Government as a "Responsible Litigant," and have highlighted the administrative machinery to enforce that vision. The 2025 OM has been enforceable by transforming guidelines into a Standard Operating Procedure (SOP). The comparative position of the NLP and Directive 2025 is brought below:

Table 3: Key Distinctions Between Traditional and Digitally Integrated Litigation SOPs in Departments.

Feature	National Litigation Policy (2010)	2025 Directive (OM)
Nature	Aspirational / Statement of Intent	Mandatory / Binding SOP
Structure	Suggested "Nodal Officers" with no staff.	Mandates Legal Cells with lawyers & paralegals.
Monitoring	Ad-hoc committees; manual tracking.	Real-time tracking via LIMBS 2.0 and e-Courts API.
Appeal Logic	General discouragement of appeals.	Strict ₹10 Cr pecuniary threshold & risk-reward analysis.
Enforcement	No penalties for non-compliance.	Recovery of costs from negligent officials.

The Directive seeks to align India's litigation management with Viksit Bharat 2047, aiming for a boost to "Make in India" and "ease of doing business" and free from court backlogs. Yet some hurdles remain. Conflicting hierarchies and cultural resistance often add to commercial and administrative dispute leading to biased processes, particularly in quasi-judicial roles.

The National Litigation Policy (NLP) of 2010 was a similar attempt, but it failed as it lacked structural flaws, a clear implementation mechanism, and defined accountability or measurable outcomes. Empowered Committees were created, but had no real authority.Without an impact assessment or monitoring system, the policy turned into a theoretical document.

Conclusion and Future Scope:

Safe Harbor incentives are meant to curb frivolous fights. Simply to meet "litigation reduction" targets, officials will avoid litigation even when the government has a strong legal standing." This could be misused to settle cases that *should* have been fought, potentially leading to collusion or loss of public funds under the guise of 'efficiency" adds to the behaviour to avoid rather than resolution. The most important takeaway from this OM is the "Avoidance of litigation" = "No Litigation against Self".

While the 2025 Directive aims to curb frivolous litigation through personal financial liability, it risks inducing "defensive paralysis" among officials. This self-cautious approach leads to the "parking" of disputes to bypass internal accountability and audit scrutiny. This behaviour may backfire as, instead of reducing the court's burden may inadvertently increase it by turning the courts into a mandatory clearinghouse even for basic administrative matters. This could lead to the government giving up valid claims prematurely and avoiding costly settlements.

Being more than a database, LIMBS syncs e-Courts to provide real-time feeds and automated alerts for contempt risks and deadlines. Although such digital supervision generates responsibility, it also causes overwhelming accountability pressures, as the delays associated with flagging also lead to internal appeals that increase the workload of already understaffed departments. Clerks are frantically chasing down trackers to zero them out, at the expense of prioritizing merits on settlements to pursue justice. The excessively high screening has the danger of suppressing meritless cases, which are weak but vital to the research of legal theories and jurisprudence, during their early stages. Frivolous litigation is the waste of resources, yet not all failed cases produce no benefits in the form of precedents or deterrence.

Without any doubt, the 2025 Directive is associated with Accountability Measures, which bind performance and pay. The policy allows Secretaries to investigate gross negligence or so-called wilful delays by providing them with the authority to prosecute such cases. In this way, the bottomless pit of using public funds to hide bureaucratic errors is closed. This transition, together with the formalisation of the Administrative Mechanism of Resolution of Disputes (AMRD), eventually shifts the government to stop wasting time in lawsuits and walk directly into resolving the dispute. However, on top of this, the additional policing strategy may be economically sound in the short term, yet the department may develop into a strict chain of command where avoidance of an error is a better choice than an imaginative or equitable solution to a difficult situation.

The financial bars serve as the so-called gatekeeper that discourages meritorious claims. Although the system was created to discourage flimsy suits, it may result in thousands of smaller cases being decided in accordance with bad law since it favors the financial barriers over the rule of law. The reason it is a conflict of interest is that the request that the internal officers can make judgments regarding the differences that exist in the department is a negation of the fundamental, unquestionable concept of nobody judging in his own case (nemo judex). This ambiguity compromises the accuracy of jurisprudence by postponing justice to the whistleblowers embroiled in bureaucratic crossfiring. The scene where the departments fight like brothers over the policy they are making, but which they fail to harmonize with each other, results in overloading the welfare of the masses until such time as orderliness is achieved.

These efficiency-based reforms do not compromise the quality of justice; the following structural changes are advanced in order to reconcile the possibility of personal responsibility and the protection of the institutions.

The government should adopt a review mechanism where an independent body can observe the efficiency, i.e. Comptroller and Auditor General (CAG) or a special audit cell in litigation.

The best remedy that will be effective in substituting individual liability will be the introduction of the Multi-Member Litigation Review Committee (LRC). The responsibility of risk can be reduced by decentralizing decision-making authority and handing it over to a group of professional legal and financial executives.

To avoid a strict psychic culture of fear, the government can put forward an Institutional Review Board that safeguards the actions that have been taken by working together in consultation. The settlement or litigation decision must be concurred upon by a Litigation Review Committee of legal, financial, and technical experts. The aspect of policing pressure can be relieved by distributing a person accountable to a collective board where the officials can achieve equitable results without the usual fear of losing their lives in financial terms.

LIMBS ought to provide the Legal Complexity tab along with deadline flags to ensure that the officials obtain more time or specialist advice on cases with emergent jurisprudence or high-stakes precedent. In such a way, authorities are able to offer rational legal approaches to the issue and not hasty solutions.

The government ought to create an Independent Dispute Supervisory body in the internal administrative cases that incorporates the administrative, financial, and legal experts to bring back a sense of fairness, protect the legal clarity, and prevent the case of a judge in his own cause. This will make sure that those who may have small yet significant claims or those who are the whistleblowers

will not be silenced due to financial constraints or biased cases by bureaucrats.

Therefore, having read the findings, conclusions, and recommendations, one will realize that the 2025 Directive reduces costs on a downstream scale, yet poor laws create conflict. Valid small claims can be blocked by any financial barrier, and this favors financial claim flexibility at the expense of constitutional fairness. Courts have to differentiate between the claims that have absolutely no basis and those that promote the development of the law.

Effective litigation management proves to be a support base of responsible management, which is unexploited in bureaucratic silos. In the last case, the idea is to convert an inter-ministerial feud to concerted resolutions to it, directly in line with the "Viksit Bharat 2047" vision of a leaner and more business-friendly government. So, it is possible to do it with Real reform, clear legislation, and not only a cleanup

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