

GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS
(Establishment Section) Civil Secretariat
Srinagar/Jammu.

Subject:- Filing of replies/response in various Courts/ Tribunals(s)/ Forums by the Government and Government Organization.

Reference:- General Administration Department's Government Order No. 777-JK(GAD) of 2021 dated 24-08-2021.

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Circular No: 09 - JK(LD) of 2021.
Dated : 27 - 08 - 2021.
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In Order to implement Government Order No. 777-JK(GAD) of 2021 dated 24-08-2021 issued by the General Administration Department where under it has been directed that all objections are to be vetted by the Department of Law, Justice and Parliamentary Affairs, it is necessary that a uniform mechanism be followed by all the Law Officers posted in different Departments so as to avoid any delay in vetting of objections and effectively projecting the stand of the Government before different Courts/Forums.

Accordingly, the following mechanism is circulated for compliance of all:-

- i. Immediately after receiving the copy of any petition/suit/application filed against the Government or Government Organizations etc., the Law Officers posted in the Department/ Government Organizations etc. shall, in light of the relevant records, draft the objections in consultation with the OIC Litigation concerned.
- ii. The said draft shall immediately be placed before the Competent Authority for its approval, so as to get it vetted from the Department of Law, Justice and Parliamentary Affairs.
- iii. It shall be the duty of Law Officer and OIC Litigation to pursue the matter in the Department of Law, Justice and Parliamentary Affairs for proper vetting of the objections and they shall also provide all the requisite assistance in vetting

- of the draft reply/response, as may be required, by the Department of Law, Justice and Parliamentary Affairs.
- iv. The Law Officer shall ensure draft objections are sent for vetting at an earliest but, in any case, not later than two weeks before the scheduled date of hearing in the Hon'ble Court/Tribunal etc. The Law Officer shall prioritize the cases for filing of objections. The urgent and sensitive cases involving policy decisions shall be taken up in the first instance.
- v. The draft objections both hard and soft copy (editable) sent to the Department of Law, Justice and Parliamentary Affairs shall also be supported and accompanied by the relevant records, copy of the writ petition/application/suit etc. and legible annexures pertaining to the case.
- vi. The Law Officer shall ensure that the draft objections/reply are prepared well within the statutory time limits, without waiting for the hearing date.
- vii. In order to have a centralized mechanism within the Department of Law, Justice and Parliamentary Affairs, the following officers have been appointed as Nodal Officer(s) vide Order No. 179-JK(LD) of 2021 dated 26.08.2021 so as to ensure timely vetting of objections/replies etc and to overcome any difficulty faced by any Department or Law Officer:-
- (a) Reyaz Ali Bhat, Assistant Legal Remembrancer (8492000955) for Kashmir Province; and
- (b) Mr. Nawdeep Singh Sen, Assistant Law Officer (9419246222) for Jammu Province.

All the Law Officers are impressed upon to comply with the above instructions in letter and spirit forthwith.

fahm

sd/-
(Achal Sethi)
Secretary to Government.

No: - LAW-Estt/209/2021-10.

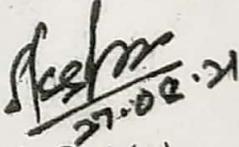
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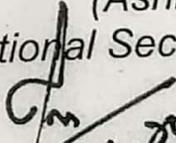
Copy to the:-

1. Learned Advocate General, J&K Srinagar.
2. Director General of Police, J&K Srinagar.
3. All Financial Commissioners.
4. All Principal Secretary to Government.
5. Principal Secretary to the Hon'ble Lieutenant Governor, Raj Bhavan.
6. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.

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7. Commissioner/Secretary to Government, General Administration Department.
8. All Commissioner/Secretary to Government.
9. Divisional Commissioners, Kashmir/Jammu.
10. All Deputy Commissioners.
11. All Head of Departments/Corporations.
12. Secretary, J&K Public Service Commission, Jammu.
13. Secretary, Service Selection Board, J&K Jammu.
14. Director Finance, Department of Law, Justice and Parliamentary Affairs.
15. Director Information, J&K Jammu.
16. Director Litigation, Jammu/Kashmir.
17. All officers of the Department of Law, Justice and Parliamentary Affairs for information.
18. Additional Secretary to Chief Secretary for information of the Chief Secretary.
19. All the Special/Additional Secretaries/Senior Law Officers/Public Law Officers/Associate Law Officers/ Assistant Law Officers for compliance.
20. All Law Officers representing the Union Territory of Jammu and Kashmir before the Hon'ble High Court at Jammu/Kashmir.
21. Private Secretary to the Secretary to Government, Department of Law, Justice and Parliamentary Affairs for information of the Secretary.
22. Website of the Department of Law, Justice and Parliamentary Affairs.
23. Government order file.
24. File concerned.


(Ashish Gupta)
Additional Secretary to Government.


K-02-80-21