

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

Subject:- Litigation Reforms and effective monitoring of Litigation in Union Territory of Jammu and Kashmir – Assignment of Role and Responsibilities to the Director Litigation Jammu /Kashmir for Handling Government Litigation.

Reference:- Administrative Council Decision No. 35/4/2021 dated 10-03-2021.

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Government Order No: **1676** -JK(LD) of 2021.
Dated : 24 - 03 - 2021.
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In pursuance to the above referred Administrative Council Decision, sanction is hereby accorded to the assignment of following role, duties responsibilities to the Director Litigation Jammu/Kashmir for monitoring Government litigation in courts/tribunals/legal foras falling under their respective jurisdictions/directorates:-

- (i) They shall, on receipt of copy of writ petitions and other connected papers etc immediately, forward and deliver the same against proper receipt to all the official respondent(s)/ departments.
- (ii) They shall engage Government Counsel for the main contesting department in the writ petition as per allocation made by the Department of Law, Justice and PA with an intimation to the concerned department against proper receipt.
- (iii) They shall on request from the department(s) obtain copies of Contempt petitions from the Hon'ble Court and shall forward the same to the concerned department for immediate filing of statement of fact(s)/compliance report(s).
- (iv) They shall monitor the litigation (both civil and criminal) at Divisional Level respectively. They shall maintain complete record of the cases pending in sub ordinate courts and in High court in a format devised by the Law Department.
- (v) They shall also send a report of cases and a report on performance of all Government counsels to the Department of Law Justice and Parliamentary Affairs on daily basis in a devised format.
- (vi) They shall also monitor and submit a report on filing of Criminal Acquittal Appeals/LPAs and in case of any delay on part of any Government Counsel or Law

Section

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Officer in filing of appeal or LPA same shall be communicated to the Department of Law, Justice and Parliamentary Affairs along with their recommendation for taking action against the said counsel or officer.

(vii) They shall perform such other duties/functions, as may be assigned to them by the Government from time to time for effective and better monitoring/management of litigation and for safeguarding the interest of the Government.

(viii) The *proforma* as set out in Annexure- DL-I and DL-II have been devised to monitor the performance of Directorates of Litigation Jammu/ Srinagar. They shall furnish information of cases of High Court on daily basis and for civil cases of subordinate courts on fortnightly basis on a devised *proforma* to the Department of Law, Justice and Parliamentary Affairs.

By order of Government of Jammu and Kashmir.

Sd/-

(Achal Sethi)

Secretary to Government.

Dated:- 24 -03- 2021.

No: - PS/LS/2021/40.

Copy to the:-

1. Learned Advocate General, J&K Jammu.
2. Director General of Police, J&K Jammu.
3. All Financial Commissioners.
4. All Principal Secretary to Government.
5. Principal Resident Commissioner, New Delhi.
6. Principal Accountant General, J&K Srinagar.
7. Principal Secretary to the Hon'ble Lieutenant Governor, Raj Bhavan.
8. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
9. Commissioner/Secretary to Government, General Administration Department.
10. All Commissioner/Secretary to Government.
11. Divisional Commissioners, Kashmir/Jammu.
12. All Deputy Commissioners.
13. Register General, J&K High Court, Jammu.
14. Principal Secretary to the Hon'ble Chief Justice, J&K High Court.
15. All Head of Departments/Corporations.
16. Secretary, J&K Public Service Commission, Jammu.
17. Secretary, Service Selection Board, J&K Jammu.
18. Director Finance, Department of Law, Justice and Parliamentary Affairs.
19. Director Information, J&K Jammu.
20. Director Litigation, Jammu/Kashmir.
21. All the Special/Additional Secretaries/Senior Law Officers/Public Law Officers/Legal Assistants/Junior Legal Assistants for compliance.
22. Private Secretary to the Chief Secretary for information of the Chief Secretary.
23. All Law Officers representing the Union Territory of Jammu and Kashmir before the Hon'ble High Court at Jammu/Kashmir.
24. Private Secretary to the Secretary to Government, Department of Law, Justice and Parliamentary Affairs for information of the Secretary.
25. Website of the Department of Law, Justice and Parliamentary Affairs.
26. Government order file.
27. File concerned.

(Ashish Gupta)

Additional Secretary to Government.

[Signature]
24-03-2021

Proforma DL-1

To be provided by Directorate of Litigation
to the Department of Law, Justice and P.A.
(on daily basis)

Directorate of Litigation Jammu/Kashmir

Report of cases listed on _____

Date _____

(1)	S. No.
(2)	Name of the Department (Alphabetical order)
(3)	Total No. of cases listed in Department
(4)	Total No. of cases where pleadings were not complete.
(5)	Total No. of judgments/Orders/coercive orders passed against the department.
(6)	Total No. of cases where assistance was not provided by the Department or AG office.
(7)	Total No. of cases that were adjourned or simply extension of time was sought.
(8)	Total No. of cases where counsel suggested to bring such cases to the notice of Law Department for sanction to agitate in the higher forum.
(9)	Whether the legal section in the Department concerned was informed of adverse orders, if yes, mode.
(10)	Total No. and Name of the Counsels who have not furnished information in Court and High Tribunals (department-wise detail)
(11)	No. of fresh cases received in the Directorate from High Tribunals (department-wise detail)
(12)	Remarks

