

GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS
Civil Secretariat, Jammu/Srinagar

Subject: Filling of consolidated replies/response in various Courts/Tribunals/Forums by Government and Government Organizations-reg.

Circular No: 09 -JK(LD) of 2025.
Dated. 05 - 06-2025.

Attention is invited towards Circular instructions No. 07-JK(LD) of 2024 dated 03-06-2024 and Circular No. LD(Estt) Misc dated 21-02-2019, whereby it has been impressed upon all the Special/Additional Secretaries (Legal)/ Senior Law Officers/Public Law Officers/Assistant Legal Remembrancers/ Associate Law Officers/Assistant Law Officers posted in various Departments/ Corporations/Boards/Commissions to adhere to directions/instructions mentioned in the above referred Circular instructions whereby it was inter-alia instructed that in cases involving more than one Departments, consolidated reply is to be filed on behalf of all the Departments, unless there are specific directions from the Hon'ble Courts for filling of separate replies by each Department. The same applies to a case in which more than one Officer of same Department has been arrayed as party Respondents.

It has been observed that these Circular instructions are being observed in breach and attempts are being made to file separate and sometimes contradictory and incongruous replies which is in clear violation of the aforesaid instructions and Administrative Council decision No. 35/4/2021 dated 10-03-2021.

At the risk of repetition, the circular instructions are hereby reiterated and it is hereby impressed upon all the Special/Additional Secretaries (Legal)/ Senior Law Officers/Public Law Officers/Assistant

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Legal Remembrancers/ Associate Law Officers/Assistant Law Officers posted in various Department and All Sr. Additional Advocates General/ Additional Advocates General/ Deputy Advocates General/ Government Advocates to strictly adhere to the circular instructions and ensure its implementation so that a proper defense is placed before various Courts/Tribunals/Forums.

Any lapse or laxity shall be viewed seriously

**Sd/-
(Achal Sethi)
Secretary to Government**

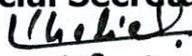
No. Law-Jud/153/2021-10.

Dated. 05 - 06-2025.

Copy to the:

1. All Administrative Secretaries.
2. Divisional Commissioner, Jammu/Kashmir.
3. Director Litigation, Jammu/Kashmir for information and similar necessary action.
4. All Special/Additional Secretaries (Legal)/ Senior Law Officers/Public Law Officers/Assistant Legal Remembrancers/ Associate Law Officers/Assistant Law Officers posted in various Departments/Corporations/Boards/Commissions for compliance.
5. All Sr. Additional Advocates General/ Additional Advocates General/ Deputy Advocates General/ Government Advocates for compliance.
6. Private Secretary to Secretary to Government, Department of Law, Justice and P.A.
7. I/C Website Section.
8. Concerned file.
9. Circular file.


**(Ashish Gupta)
Special Secretary to Government**


05.06.2025

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

Subject: Filing of replies/response in various Courts/Tribunals/Forums by Government and Government Organizations.

Reference: (i). Administrative Council Decision 35/4/2021 dated 10.03.2021
(ii). Government Order No.777 JK (GAD) of 2021 dated 24.08.2021.
(iii). Government Order No.1678 JK (LD) of 2021 dated 24.03.2021;&
(iv). Circular No. 07-JK (LD) of 2020 dated 28.10.2020

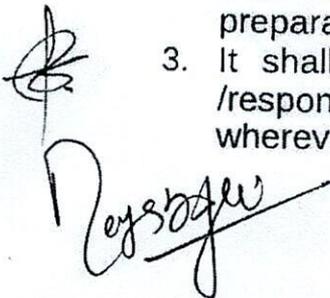
Circular No: 07-JK(LD) of 2024
Dated 03-06-2024.

Vide Government Order No 777-JK(GAD) of 2021 Dated 24.08.2021 issued by General Administration Department, it was impressed upon all the Departments HoD's/ Organizations / Bodies / Societies that all the objections are to be vetted by Law Department before filing in respective adjudicating forums.

It was inter-alia instructed that in cases involving more than one departments, a consolidated reply is to be filed on behalf of all the Departments, unless there are specific directions from the Hon'ble Court / Forum for filing of separate replies by each department.

While reviewing the task of filing of replies/responses in various courts, it has been observed that the consolidated reply on behalf of all the official respondents are not being filed before the Hon'ble Court, the said action on behalf of Department/Law Officer/OIC/Government Counsels is clear violation of Administrative Council Decision, Government orders, Circular instructions referred above. In order to ensure strict implementation of the instructions issued from time to time and in continuation to earlier orders/instructions, it is hereby ordered as under:-

1. All the Law Officers shall strictly implement and adhere to the above referred Administrative Council Decision, Government Orders and Circular Instructions issued from time to time in its letter and spirit.
2. The Law Officer posted in the department, immediately after receipt of the Writ Petition/Order, shall enquire about the engagement of Government Counsel from Directorate of Litigation Kashmir/Jammu, and shall immediately prepare the brief note and send the same to the engaged counsel for preparation of consolidated reply in the matter.
3. It shall be the responsibility of the contesting department /respondents to coordinate with all other official respondents, wherever required, in light of the averments of the petition and



- to ensure that the inputs from all the official respondents are furnished to the Government Counsel for preparation of consolidated reply in the matter. All Law Officers of the concerned departments shall be equally responsible for furnishing of the inputs to the engaged counsel in a time bound manner for preparation of consolidated reply.
4. The contesting department shall immediately recommend by name and designation an officer not below the rank of Under Secretary to the Department of Law, Justice and Parliamentary Affairs for appointment of OIC in the matter. There shall be only one OIC in the case, who along with concerned Law Officer shall be responsible for co-ordination with all other official respondents wherever required for preparation and finalization of consolidated reply in the matter. In case of any dispute/conflict between two or more departments who are sued jointly, the matter shall be referred to the Law Department, which shall issue necessary instructions in the matter.
 5. It shall be the responsibility of Law Officer at the administrative level to send the consolidated reply / objections to the Department of Law, Justice and Parliamentary Affairs for vetting. The Law Officer posted in the department shall ensure that the legal defense available to the Government is properly reflected in the reply/objections and shall return the same to the Government Counsel duly sealed and signed after it is vetted by the Law Department.
 6. The Government Counsels shall file the consolidated reply duly signed by the OIC/ competent authority. The reply shall be filed by the main contesting department on behalf of all the official respondents."

Accordingly. It is therefore, impressed/ enjoined upon all the Special/Additional Secretaries(Legal)/Senior Law Officers/ Public Law Officers/Assistant Legal Remembrancers/ Associate Law Officers/ Assistant Law Officers to adhere to directions/ instructions mentioned supra issued by Government in letter and spirit. Any laxity in this behalf shall be viewed seriously and action as warranted under law shall be taken in accordance with rules.

By Order of Government of Jammu and Kashmir.

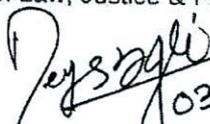
Sd/-
(Achal Sethi)
Secretary to Government
Dated: 03-06-2024

No. LAW-Estt/209/2021-10

Copy to for information and necessary action:

1. Financial Commissioner/Principal Secretary/ Commissioner Secretary/ Secretaries to Government _____ Department.

2. Principal Secretary to the Hon'ble Lieutenant Governor
3. Additional Secretary to Chief Secretary, J&K.
4. Private Secretary to the Ld. Advocate General for information of the Ld. Advocate General
5. All the Special/Additional Secretaries(Legal)/Senior Law Officers/ Public Law Officers / Assistant Legal Remembrancers/ Associate Law Officers/ Assistant Law Officers posted in different departments/corporations/ boards/ commissions.
6. Advocate on Record /Standing Counsels/Additional Standing Counsels.
7. Private Secretary to Secretary to Government, Department of Law, Justice & PA
8. File concerned
9. Circular file.


03.06.24
(Reyaz Ali Bhat)
Assistant Legal Remembrancer

03.06.24



Government of Jammu and Kashmir
Department of Law, Justice and Parliamentary Affairs
Civil Secretariat Jammu.

No: - LD(Estt)Misc

Dated: -21.02.2019.

Circular

In writ petitions filed against the State where more than one department has been arrayed as party respondent, there should be coordinated and synchronized effort to contest the cases. It has been observed that contradictory stand taken by the departments not only lead to decision of cases against the State but also create awkward situation before the Court also.

Accordingly, Directorate of Litigation shall ensure the engagement of counsel representing the contesting department with a copy endorsed to other departments. Only contesting department shall file reply on its behalf and on behalf of other departments arrayed as respondents. In case of any clarification, regarding main contesting departments, office of Id Advocate General or Department of Law, Justice and Parliamentary Affairs may be approached so that a joint, consolidated and synchronized response is filed before the Hon'ble Court. All departments which have been arrayed as party respondents (other than main contesting department) shall ensure providing all necessary support in contesting the case.

(Achal Sethi)

Secretary to Government

Copy to the :-

- 1.All Financial Commissioners.
- 2.All Principal Secretaries/Commissioners/Secretaries to Government _____ Department.
- 3.All HOD's.
- 4.OSDs to Advisors (K),(G),(S) and (KS).
- 5.Director Litigation, Kashmir/Jammu.
- 6.Private Secretary to Chief Secretary, J&K.
- 7.Incharge, Website Section,
- 8.Office Copy.