

Ministry of Jal Shakti/जल शक्ति मंत्रालय
Department of Water Resources, RD & GR
जल संसाधन, नदी विकास एवं गंगा कायाकल्प विभाग
Central Ground Water Board/केन्द्रीय भूमि जल बोर्ड
NH-IV, Faridabad/एन एच-4, फरीदाबाद

Dated/दिनांक

09 NOV 2021

OFFICE MEMORANDUM

Sub: Handling of Court Cases by Nodal Officer in CGWB-Observation & guideline regarding.

It has been observed that some Nodal Officers of the Central Ground Water Board are not paying proper attention towards court cases. It may be due to no proper guideline-training /interest/importance for handling of court cases. In this regard several guidelines have been issued in past vide letters referred as under:

1. Office Memorandum dated 25.01.2016: Policy to avoid conflict of interest situation while appointing/Deputing Nodal Officer in court cases dealing in service matters.
2. Letter dated 16.02.2016 - Instructions to Nodal Officers to attend the court cases hearing regularly and sent the status report to CHQ, CGWB, Faridabad. Other direction for sending of certified copy of judgment and Legal fee bills were included in said letter.
3. Letter dated 15.7.2016 - Instructions of Ministry of Law & Justice regarding proper monitoring of Court Cases & replies/counter affidavit were sent to All CGWB offices for necessary compliance.
4. Letter dated 08.12.2017 - In said OM attention of all Regional Director/Executive Engineer/Head of Office were invited regarding not paying attention of Nodal Officers in court cases.
5. Letter dated 17.06.2019- Regarding adequate/proper attention towards court cases by RDs/HOOs/Nodal officer.
6. Letter dated 02.07.2019 - Regarding attending hearing of Contempt Case by respective RD/HOO.
7. Office Memorandum dated 18.11.2020: Handling of Court cases by Nodal Officer-Observation & guideline regarding.

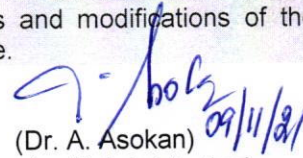
It is the duty of the Nodal Officer to liaise with the Government Counsel from time to time and get the latest status of the case and keep the CHQ informed. Due importance is not being given to this aspect by some of Nodal officer shows lackadaisical approach towards the court cases on part of CGWB offices. It has also come to the notice that sometimes the Draft reply of the case is being forwarded to CHQ office in last hours for vetting, whereas Ministry has issued direction to submit the Draft reply for vetting at least one month before the date of necessary filing of Counter Reply.

This has been viewed seriously by the Competent Authority and needs immediate remedial actions.

In view of above and to avoid the delay in filing Counter Reply/Affidavit, all the Head of Office of Regional/Divisional/SUO Offices are requested to adhere to the Guideline being issues through this Memorandum.

This Guideline/Handling of Court Cases by Nodal officers has been compiled on the basis of earlier several memorandum/letter issued from time to time and after went through the difficulties felt in past for handling of court cases by Ministry/Litigation cell-CHQ Faridabad as well as Nodal officer of field offices. Any other query the Nodal Officer may rise for future corrections and modifications of the guidelines so that court cases can be disposed of effectively without any lapse.

This issues with the approval of Competent Authority.


(Dr. A. Asokan)
Director (Administration)

All Regional Offices/Divisional Offices/SUO Offices/CGWA/RGI

Distribution:--

1. The Under Secretary (GWE), Min of Jal Shakti, DoWR, RD & GR for information with the copies of CGWB correspondence referred above are also attached herewith.
2. PA to Chairman, CGWB, CHQ, Faridabad for information through email.
3. Programmer, CGWB, CHQ, Faridabad with request to kindly upload this OM in CGWB Website under "important circulars."