

**IMPORTANT
TIME BOUND**

No.2019/O&M/25/5

Dated: 08/08/2019

Sub: Filing of Civil Appeals or SLPs in the Supreme Court of India

Enclosed is a copy of Secretary, M/o Law & Justice, D/o Legal Affairs DO No.J-12012/5/2016-Judicial(Part) dated 27/07/2018 along with a copy of a Committee constituted as per directive of Cabinet Secretariat to **identify /review all pending as well as fresh Civil Appeals/SLPs of the Ministries/Department in which the issues involved has already been settled by the Courts.**

2. On 7th August, 2019, a meeting was called by Additional Secretary, D/o Legal Affairs with tabulated data in respect of M/o Railways. During the meeting, Additional Secretary, D/o Legal Affairs, directed **that in the first instance within a week i.e., by 14th August, 2019, a list of SLPs filed by M/o Railways concerning all offices working under its control i.e., cases filed by Zonal Railways/PUs/ other units and directly by Railway Board be furnished preferably with specific remarks of LA/RB or Railway Advocate/Counsel as to whether Supreme Court in the past had given any judgment or settled the case in a similar matter on which SLP has been filed.**

3. Accordingly, all concerned are requested to furnish the requisite data in the required proforma (concerning cases filed directly by Railway Board or by Zonal Railways/PUs or other units) with specific remarks of LA/RB or Railway Counsel/Advocate by 13th August, 2019 positively. While furnishing information concerned AM/PED/ED are to coordinate with concerned Railways/PU etc in respect of SLP details as sought for and the same be submitted positively by due date viz 13th August, 2019. The required information may also be **mailed at vibhuti.singh@gov.in**

4. Matter most urgent.

Encl: Two



(B.Majumdar)

Joint Secretary/Railway Board

DG/RPF, DG/RHS & DG/Personnel.

All Additional Members & PEDs

All Executive Directors/JSS

Name of Directorate:

Details of Department Covered (of Zonal Railways/PUs/RRBs)

Sub: Civil Appeals or SLPs in the Supreme Court of India

**Ref: D/o Legal Affairs Reference No. J-12012/5/2016-Judicial(Part)
dated 27/07/2018 & 24/07/2019**

S.No.	Date Number SLP/Civil Appeal	& of	Brief Details of issue involved therein	Remarks:- As to whether such or similar issue has already been settled by the Supreme Court in the past (Remarks preferably be of LA/RB or Railway Counsel/Advocate)

**Signature
(Name of AM/PED)**

Please Note the data should cover all SLPs filed by Railway Board directly or by ZR/PU or other Units- AM/PED/ED are to cross check the details of SLP in respect of their Departments with concerned Railway before furnishing the data.



भारत सरकार
विधि और न्याय मंत्रालय
विधि कार्य विभाग
GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

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DO NO. J-12012/5/2016-Judicial (Part)

Dated: 27.07.2018

Dear

Your attention is invited to an order of the Supreme Court dated 24th April, 2018 passed in Civil Appeal (dy.No.8754) of 2018 Uol & Ors. Vs. Pirthwi Singh & Ors., a matter pertaining to Ministry of Defence, has observed that the Union Government files frivolous appeals in spite of similar issues having been settled by it and imposed a cost of Rs.1,00,000/-.

2. To avoid such situation in future, Cabinet Secretariat vide ID Note No.403/1/1/2018 CA.V dated 15.06.2018 has advised that:-

"A Committee may be constituted in DoLA, to identify/review all pending as well as fresh Civil Appeals/SLPs of Ministries/Departments in which the issues involved may already have been settled by the Courts. The Committee may be chaired by Additional Secretary, DoLA and comprise of the concerned Government Advocate (CAS) and Joint Secretary of the Administrative Ministry/Department dealing with legal matters, as Members. The Additional Legal Advisor, DoLA may be the convener for the Committee.

The Committee may make suitable recommendations on the cases to be withdrawn/pursued and after obtaining the approval of Secretary, DoLA, advise the concerned Ministries/Departments accordingly, who may take further necessary action."

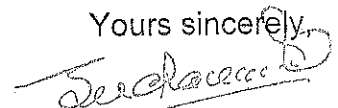
3. Accordingly, a Committee has been constituted in the Department of Legal Affairs vide OM dated 04.07.2018 (copy enclosed).

4. You are, therefore, requested to nominate a Joint Secretary dealing with the court cases/legal matters as a Member of the Committee for the cases pertaining to your Department at the earliest. Date and time of the meeting will be communicated on receipt of the nomination.

With regards,

Encl: as above

Yours sincerely,


(Suresh Chandra)

To

Secretary to all Ministries/Departments, Government of India (By name)

OK
cc
20/9/18

No.J-12012/5/2016-Judicial (Part)
Ministry of Law & Justice
Department of Legal Affairs
(Judicial Section)

4th Floor, Shastri Bhawan
New Delhi-110001
Dated: 24th July, 2019

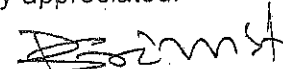
MEETING NOTICE

Subject:- Filing of Civil Appeals or SLPs in the Supreme Court of India by Ministries/Departments.

With reference to the Law Secretary's D.O. letter of even number dated 27.07.2018 and this Department's OM dated 04.07.2018 constituting the Committee to identify/review all pending as well as fresh Civil Appeals/SLPs of Ministries/Departments in which the issues involved has already been settled by the Courts, the meeting of the Committee will be held on **07.08.2019 at 4.00 PM in Room No.419-A, A-Wing, Shastri Bhawan, New Delhi under the chairmanship of Shri S.R. Mishra, Additional Secretary** to review all pending as well as fresh Civil Appeals/SLPs of Ministry of Railways, Department of Rural Development, Department of Land Resources, Ministry of Steel, Ministry of Textiles and Ministry of Tourism.

2. It is requested that the details in a tabulated form of the SLPs/Civil Appeals pending before the Supreme Court, issues involved therein and whether such issue has already been settled by the Supreme Court may be provided during the meeting to enable the Committee to take a decision and make its recommendations.

3. It is requested that the concerned Joint Secretary as a Member of Committee may be nominated to attend the meeting and a line of confirmation will be highly appreciated.



(R.K. Srivastava)

Additional Legal Adviser

Tel.No.23387543

Email id: rksrivastava.dla@nic.in

To

1. The Secretary, Ministry of Railways, Rail Bhawan, New Delhi
2. The Secretary, Department of Rural Development, 1st Floor, Krishi Bhawan, New Delhi
3. The Secretary, Department of Land Resources, Krishi Bhawan, New Delhi
4. The Secretary, Ministry of Steel, Udyog Bhawan, New Delhi
5. The Secretary, Ministry of Textiles, Udyog Bhawan, New Delhi
6. The Secretary, Ministry of Tourism, Udyog Bhawan, New Delhi.
7. In-charge, Central Agency Section, New Delhi.

No.J-12012/5/2016-Judicial (Part)
Ministry of Law & Justice
Department of Legal Affairs
(Judicial Section)

4th Floor, Shastri Bhawan
New Delhi-110001

424-A Wing

Dated: 4th July, 2018

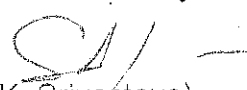
OFFICE MEMORANDUM

Subject:- Filing of Civil Appeals or SLPs in the Supreme Court of India by
Ministries/Departments.

At the instance of Cabinet Secretariat, competent authority has constituted the following Committee in the Department of Legal Affairs to identify/review all pending as well as fresh Civil Appeals/SLPs of Ministries/Departments in which the issues involved has already been settled by the Courts:-

- | | | |
|-------|--|----------|
| (i) | Additional Secretary, Department of Legal Affairs | Chairman |
| (ii) | Joint Secretary of the concerned Administrative
Ministry/Department | Member |
| (iii) | Government Advocate concerned, Central
Agency Section | Member |
| (iv) | Additional Legal Adviser (Judicial),
Department of Legal Affairs | Convener |

2. The Committee may make suitable recommendations on the cases to be withdrawn/pursued and after obtaining the approval of Law Secretary advise the concerned Ministries/Departments accordingly, who may take further necessary action.


(R.K. Srivastava)
Additional Legal Adviser
Tel.No.23387543

To

Secretary to all Ministries/Departments, Government of India

Copy to: In-charge, Central Agency Section.