

COURT CASE
DATE BOUND

No. 62/42/2013-GGS1

From

The Chief Secretary to Government, Haryana.

To

1. All the Administrative Secretaries to Government of Haryana,
2. All the Heads of Departments, Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. All the Deputy Commissioners of the State of Haryana.
4. The Managing Directors/Chief Administrators of all the Boards/Corporations in Haryana State.
5. The Registrars of all the Universities in the State of Haryana.

Dated Chandigarh, the 17th January, 2014

Subject:

CWP No. 15988 of 2013 titled as Court on its own motion Vs State of Punjab and Haryana

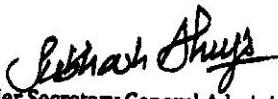
Sir/Madam,

I am directed to invite your attention to the subject noted above and to say that the Hon'ble High Court has observed that the Government instructions dated 18.9.2013 and 19.9.2013 are not being complied with in letter and spirit and affidavits/written statements/reports are not being filed in the Hon'ble Court three working days prior to the date fixed for hearing due to the reason costs are being imposed by the Hon'ble Court on the State Government.

2. The matter has been viewed seriously by the State Government. Despite the Court's directions instructions of the State Government referred to above are not being complied with in letter and spirit. The matter has been re-examined by the Government. After careful consideration and in the light of the directions of Hon'ble High Court it is observed that to avoid displeasure of the Hon'ble Court and to save valuable time and money of the Government, immediate steps needs to be taken at Administrative level to ensure that reply/written statements/affidavits are filed in the Hon'ble Court three working days prior to the date fixed.

3. For providing effective mechanism for filing affidavits/written statements in the Hon'ble Court three working days prior to the date fixed and to avoid costs imposed by the Hon'ble Court on account of delay in filing reply/affidavit, it has been decided that Nodal Officer will maintain a register as per proforma (over-leaf) which will be inspected by the competent authority i.e Head of the Department/Administrative Secretary every fortnight. The Nodal Officer will bring to the notice of the competent authority as soon as the legal notices/petitions are received in the Department. The nodal officer will also ensure that appropriate steps are taken to prepare replies/written statements within time under intimation to the competent authority. It will be responsibility of the competent authority that replies/affidavits/written statements are filed in the Hon'ble Court within time i.e. atleast three working days prior to date fixed for hearing to avoid the scope of adverse orders.

4. These instructions may please be brought to the notice of all concerned for strict compliance.


Under Secretary General Administration,
for Chief Secretary to Government Haryana.

44
21/01/14

DATE
20/1/14

H.S.BFE/HSTES/

JO (Legal)

Pi. put up.

21/1/14

By. Subhash Shrivastava

PERFORMA

Sr. No.	Case No. and title	Date of receipt of the case in the department.	Date by which reply is to be filed.	Whether the reply has been filed? If yes, on which date.	If not filed, reasons thereof.	Name of the officer /official responsible for not filing the reply .	Action taken against the responsible officer/official	Signature of Head of the Department.
1.	2.	3.	4.	5.	6.	7.	8.	9.

COURT CASE & DATE BOUND

Directorate of Technical Education Haryana, Panchkula

Endst. No. 5-16

/LD

Dated: 22/01/2014

A copy of the above is forwarded to the following:

1. JD Dev./Admn.-I/ Admn.-II/ University/ Colleges/ Pvt. Polytechnics / Scholarship & Planning/ SFC/ Sr. AO/ ADA for strict compliance of the above instructions. They are also requested to bring these instructions to the notice of all concerned Universities /Colleges/ Polytechnics under their respective section for strict compliance.
2. PS/DGTE
3. Ms. Aruna Goyal, Asst. Dir. to hoist the letter on the departmental website.


Joint Director (Legal)
for DGTE, Panchkula