

COURT CASE
LIMBS VER.2

No. M-75075/182/2020-Estt.IV
Government of India
Ministry of Jal Shakti
Department of Water Resources, River Development & Ganga Rejuvenation
Central Water Commission

03rd Floor (S), Sewa Bhawan
R. K. Puram, New Delhi-110066
Dated the, 21th July, 2020

Subject: **Monitoring of court cases on LIMBS Ver.2-reg.**

The undersigned is to forward herewith a copy of email dated 17.07.2020 received from E-IV Section, Department of Water Resources, RD & GR, Ministry of Jal Shakti and a copy of letter No. A-42017/9/2020-E-IV Section-MOWR dated July, 2020 along with a copy of self explanatory D.O. No.A-60011 (IT)/5/2018-Admn.IV(LA) dated 09.07.2020 received from Department of Legal Affairs, Ministry of Law & Justice and a copy of Department of Public Enterprise's O.M. No. 4(1)/2013-DPE(GM)/FTS-1835 dated 22th May, 2018 on the subject cited above for **information and necessary action**.

2. It is therefore, requested that the details of arbitration cases (as per the new format available in LIMBS Ver.2) as well as of AMRCD cases may be entered on LIMBS. It should also be ensured that the action on AMRCD cases is taken within the given timelines prescribed in the O.M. No. 4(1)/2013-DPE(GM)/FTS-1835 dated 22.05.2018 of Department of Public Enterprise and status of cases may be regularly updated on LIMBS Ver.2.

Enclosures: **As above**

(R. K. Balamurugan)
Under Secretary (E-IV)
Tel: 011 29583302
Email:estt4@nic.in

To

1. U.S./S.O.-E-I, II, III, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, O&M, APAR, CM&V Section, CWC
2. Chief Engineers, B & BBO Shillong/ C & SRO, Coimbatore/NWA Pune/ IBO, Chandigarh/ KGB0, Hyderabad/ LGB0, Patna/ M& ERO, Bhubaneshwar/ M(C) O, Nagpur/ M(S) O, Bangalore/NBO, Bhopal/ N & TBO, Gandhinagar/TBO, Kolkata/UGBO, Lucknow/YBO, New Delhi

3. Director, RMCD Directorate, CWC **(It is requested to pursue the matter in respect of all the Chief Engineers of field offices of CWC)**
4. Director, WP & P/D & R(C), CWC
5. Director, RD Directorate, CWC
6. Director, PCP Directorate, CWC
7. Accounts Officer, CWC
8. S.E. Planning Circle, CWC, Faridabad

Copy for information to:

1. P.S. to the Chief Engineer (HRM), CWC
2. P.S. to the Secretary, CWC

Signature Not Verified

Digitally signed by
R.K.BALAMURUGAN
Date: 2020.07.24 11:06:39 IST



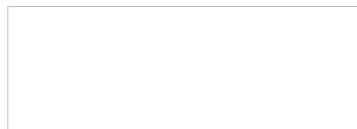
From: "E-IV Section, MoWR,RD&GR" <soe4-mowr@gov.in>
To: "mowr-orgnheads" <mowr-orgnheads@lsmgr.nic.in>, "mowr-divisionheads" <mowr-divisionheads@lsmgr.nic.in>
Cc: "mowr-branchheads" <mowr-branchheads@lsmgr.nic.in>, "mowr-sections" <mowr-sections@lsmgr.nic.in>
Sent: Friday, July 17, 2020 10:33:30 AM
Subject: [Mowr-orgnheads] Monitoring of court cases on LIMBS Ver.2

Sir,

Please find attached herewith an OM on the above subject for information and necessary action.

Regards,

Establishment - IV Section,
DoWR,RD&GR



Mowr-orgnheads mailing list -- mowr-orgnheads@lsmgr.nic.in
To unsubscribe send an email to mowr-orgnheads-leave@lsmgr.nic.in



~~53729020000~~ O/o CHAIRMAN

No. A-42017/9/2020-E-IV Section-MOWR
Government of India
Ministry of Jal Shakti
Department of Water Resources, River Development
& Ganga Rejuvenation

Shram Shakti Bhawan, Rafi Marg,
New Delhi, dated the July, 2020

Subject: Monitoring of court cases on LIMBS Ver.2 – reg.

The undersigned is directed to forward herewith a self explanatory D.O. letter No. A-60011(IT)/5/2018-Admn.W(LA) dated 09.07.2020 received from Secretary, Department of Legal Affairs.

2. It is requested that the details of arbitration cases (as per the new format available in LIMBS Ver.2) as well as of AMRCD cases may be entered on LIMBS. It should also be ensured that the action on AMRCD cases is taken within the given timelines prescribed in the O.M. No. 4(1)/2013-DPE(GM)/FTS-1835 dated 22.05.2018 of Department of Public Enterprise and status of cases may be regularly updated on LIMBS Ver.2.

Encl. As above.

(Shalini Juneja)
Under Secretary to the Government of India
PH : 23711946

To :-

1. Heads of all Organisations under DoWR, RD & GR.
2. All Division/Branch Heads and Sections of DoWR, RD & GR.

542897/2020/20/SHARMA Office

Anoop Kumar Mendiratta



सचिव
विधि और न्याय मंत्रालय
भारत सरकार
SECRETARY
DEPARTMENT OF LEGAL AFFAIRS
MINISTRY OF LAW & JUSTICE
GOVERNMENT OF INDIA
July 9, 2020

D.O. No. A-60011(IT)/5/2018-Admn.IV(LA)

Dear Secretary,

As you are aware during the past years the Department of Legal Affairs, Ministry of Law & Justice has implemented the Legal Information Management and Briefing System (LIMBS) in 71 Ministries/Departments with a single and unified database of more than 13536 Ministry officials/users, 200 plus Departments/ attached offices/PSUs, 1900 courts (including all States and cities) and 18395 advocates, on board, as informed by NIC.

2. Presently, LIMBS Ver.2 (an upgraded version of LIMBS), is online and available to all the user Ministries/Departments. It is a dashboard based system on which Ministries/Departments can monitor their court cases and arbitration cases including AMRCD cases through user friendly MIS reports. Further, advocates can raise their bills online.

3. It is further to inform that the format for entering arbitration cases has also been revamped with additional details in order to have updated status including post award litigation fields for effective monitoring.

4. As per the O.M. No. 4(1)/2013-DPE(GM)/FTS-1835 dated 22nd May, 2018 by Department of Public Enterprises, Ministry of Heavy Industries & Public Enterprises (attached as Annexure-I), in the event of any dispute/difference relating to the interpretation and application of the provisions of commercial contracts between Central Public Sector Enterprises (CPSEs)/Port Trusts *inter-se* and also between CPSEs and Government Departments/Organizations (excluding disputes concerning Railways, Income Tax, Customs & Excise Department), a new mechanism 'Administrative Mechanism for Resolution of CPSEs Disputes (AMRCD)' has been evolved. In order to effectively monitor AMRCD cases, a dedicated module has been developed in LIMBS Ver.2.

5. I request you to kindly impress upon and instruct users in your Ministry/Department to enter the details of arbitration cases (as per the new format available in LIMBS Ver.2) as well as in respect of AMRCD cases. The users should also ensure that the action on AMRCD cases is taken within the given timelines in the above mentioned O.M. and regularly update the status on LIMBS Ver.2.

Warm regards,

Yours sincerely,

Encl. : As above.

(Anoop Kumar Mendiratta)

To,

All Secretaries to the Government of India

Copy to:-
(i) Cabinet Secretary, Cabinet Secretariat, New Delhi.
(ii) PS to Hon'ble Minister for Law & Justice, New Delhi
(iii) Incharge, Central Agency Section, Supreme Court of India, New Delhi.
(iv) Technical Director, NIC, New Delhi.

F. No. 4(1)/2013-DPE(GM)/FTS-1835
 Government of India
 Ministry of Heavy Industries & Public Enterprises
 Department of Public Enterprises

Public Enterprises Bhawan,
 Block No. 14, CGO Complex,
 Lodhi Road, New Delhi-110003.
 Dated: 22nd May, 2018

OFFICE MEMORANDUM

Subject: Settlement of commercial disputes between Central Public Sector Enterprises (CPSEs) *inter se* and CPSE(s) and Government Department(s)/Organization(s) - Administrative Mechanism for Resolution of CPSEs Disputes (AMRCD).

The undersigned is directed to refer to Department of Public Enterprises guidelines issued vide OM No. 4(1)/2011-DPE (PMA)-GL dated 12.06.2013, No.4(1)2011-DPE(PMA) dated 24.03.2014, No. 4(1)/2011-DPE (PMA) dated 26.03.2014 and No. 4(1)/2013-DPE(PMA)/FTS-1835 dated 11-04-2017 regarding the resolution of commercial disputes between Central Public Sector Enterprises (CPSEs) *inter se* and also between CPSEs and Government Departments/Organizations (excluding disputes concerning Railways, Income Tax, Customs & Excise Departments) through PMA (Permanent Machinery of Arbitration) mechanism.

2. To make the mechanism more effective and binding on the disputing parties, a new mechanism namely Administrative Mechanism for Resolution of CPSEs Disputes (AMRCD) having two level (tier) structure has been evolved in consultation with various stakeholders to replace the existing PMA mechanism which stands wound up from the date of issue of this OM.

3. Applicability

In the event of any dispute or difference relating to the interpretation and application of the provisions of commercial contract(s) between Central Public Sector Enterprises (CPSEs)/ Port Trusts *inter se* and also between CPSEs and Government Departments/Organizations (excluding disputes concerning Railways,

B. Procedure:

- i. At the First level(tier), the claiming party(Claimant) will approach the FA of it's administrative Ministry/Department for representing the dispute before the Secretary of it's administrative Ministry/Department. The Secretary of administrative Ministry/Department of claiming party will intimate the same to the Secretary of administrative Ministry/Department of responding party (Respondent) and Secretary-D/o Legal Affairs and thereafter meetings will take place in the administrative Ministry/Department of the claiming party to examine the facts and resolve the dispute on merit. The FAs of the concerned administrative Ministries/Departments will represent the issues related to the dispute in question before the above Committee. After arriving at a decision by the Committee, the Secretary of the administrative Ministry/Department of the claiming party will write down the decision and it will be signed jointly by both the Secretaries and Secretary- D/o Legal Affairs. A copy of the decision will be communicated by the Secretary of the administrative Ministry/Department of the claiming party to each party to the dispute for implementation.

In case where one party (1st party) to the dispute is a Department/Organization of a State Government, the procedure for admitting the dispute will be same as above, however, all meetings in connection with resolution of the dispute will be held in the administrative Ministry/Department (Union) of other party(2nd Party) irrespective of the position of the 1st Party whether as a Claimant or Respondent. The presentation of the issues before the above Committee in this case will be done by the FA of the concerned Administrative Ministry/Department and concerned Principal Secretary of the State Government Department/Organization.

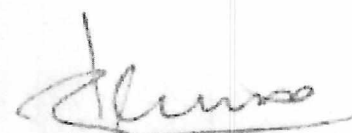
-2-

4. Accordingly no appeals are to be made to Cabinet Secretary in such matters, including those in which Sole Arbitrator has passed order before the date of notification of AMRCD, unless the resolution of the disputes has been considered at the level of Administrative Ministry / Department as per AMRCD.

5. Further, an appeal to Cabinet Secretary by the Administrative Ministry / Department of the aggrieved Party should be in the form of a concise self-contained Note which should invariably include the comments / views of the Opposite Party (Respondent) through its Administrative Ministry / Department.

6. All the administrative Ministries/Departments concerned with Central Public Sector Enterprises/ Port Trusts etc. are requested to advice CPSEs under their administrative control accordingly.

7. This issue with the approval of the Competent Authority.

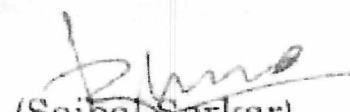

(Saibal Sarkar)
Director
Tel. 24360841

To.

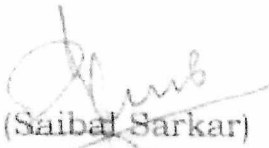
1. Secretary of all Ministries/Departments of the Government of India.
2. Chief Secretary of all the States and Union Territories.

Copy to:

- (i) The Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.
- (ii) Secretary (DPE), CGO Complex, New Delhi
- (iii) Secretary (Law), D/o Legal Affairs, Shastri Bhawan, New Delhi.
- (iv) Chief Executive of all CPSEs for information and necessary compliance.
- ✓ (v) CMD, NTPC and CMD, The Shipping Corporation of India along with concern references received.


(Saibal Sarkar)
Director
Tel: 24360841

- (i) The Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.
- (ii) Secretary (Law), D/o Legal Affairs, Shastri Bhawan, New Delhi.
- (iii) Chief Executive of all CPSEs for information and necessary compliance.


(Saibal Sarkar)
Director