

No.A-49011/1/2013-Estt-IV (Pt-I) -318

Government of India
Central Water Commission
(Estt. IV Section)

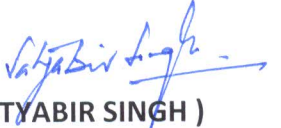
Room No.303(S), Sewa Bhawan,
R.K. Puram, New Delhi - 110 066.
Dated the, 22 August, 2016

OFFICE MEMORANDUM

The following Office Memoranda (Total 5 Nos.) forwarded by MoWR, RD & GR are circulated for information and guidance of all concerned:

S.No.	MoWR, RD & GR Letter Number & Date	Issued by Min./Deptt.	Subject
1	No. F - 12011/5/2016- Coord dated 10.02.2016	Cab. Sectt OM No. I 11011/147/2015-DBT dated 30.12.2015	Conversion of normal bank accounts of beneficiaries of welfare schemes under DBT, into PMJDY bank accounts – reg.
2	No. J 21011/1/2015 – E- Gov dated 04.03.2016	MoUD OM No. O- 17022/1/2015-PSP-I dated 25.02.2016	E-publishing of Government of India Gazetted Notification – Discontinuing of the practice of physical printing.
3	No. F- 12011/5/2016- Coord dated 13.04.2016	DOPT OM No. AB- 14017/35/2013-Estt.(RR)	Model Recruitment Rules for the past of Labour Officer – reg.
4	No. A- 50013/5/2016-E-I dated 23.06.2016	DOPT OM No. (D) 43011/4/2015-Estt dated 07.06.2016	References from Ministries / Departments seeking advice of the DoPT regarding further course of action to be taken on the order of Tribunal/Courts.
5	No. A- 50013/6/2016- Estt.I dated 24.06.2016	MOLJ D.O. letter No. J – 12/2/2016-Judl.	Instructions of M/o Law & Justice regarding proper monitoring of Court Cases & replies /counter- affidavits.

Encls: As above.


(SATYABIR SINGH)
Section Officer

To :

1. All Chief Engineers in CWC (HQ).
2. Secretary, CWC/Dir(Adm)/Dir(Estt.-I)/Dir(Estt.-II)/Dir(Trg.)/Dir(TC)
3. All Directors in CWC (HQ),
4. Account Officer (CWC)/Under Secretaries, CWC
5. All Section Officers/Sections/Directorates of CWC (H/Qtrs.)
6. PAO, CWC.
7. CWC Website.
8. All Chief Engineers (Field), Central Water Commission w.r.t. Serial No. 7.

एफ-12011/5/2016-समन्वय
No: F-12011/5/2016-Coord

भारत सरकार

Government of India

जल संसाधन , नदी विकास और गंगा संरक्षण मंत्रालय
Ministry of Water Resources, River Development & Ganga Rejuvenation
(समन्वय अनुभाग/Coordination Section)

नई दिल्ली, दिनांक:
New Delhi, Dated:

CB (A) 16.02.16
17.02.16
10 FEB 2016

विषय :

Subject: Conversion of normal bank accounts of beneficiaries of welfare schemes under DBT , into PMJDY bank accounts- reg.

निम्नलिखित कागजातों की प्रति सूचना हेतु इसके साथ संलग्न किया जा रहा है :

A copy of following papers is enclosed herewith for information and necessary

action:-

संख्या एवं तारीख

No. & date

किससे प्राप्त हुई

From whom received

पत्र का सार

Brief of letter

I-11011/147/2015-DBT Dated 30.12.2015	Cabinet Secretariat	Cabinet Secretariat requested to initiate action for conversion of normal bank accounts of beneficiaries used for DBT under Welfare schemes into bank account under PMJDY.
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Encl. As above.

EV
579
18.2.16

25/1/2016
(श्याम कुमार)

(Shyam Kumar)

अनुभाग अधिकारी (समन्वय)
Section Officer (Coord.)

सेवा में ,
To

1. All Wings Heads of MoWR, RD & GR .
2. Heads of all organizations under MoWR, RD & GR.
3. Guard file.

No. I-11011/147/2015-DBT
Government of India / भारत सरकार
Cabinet Secretariat / मंत्रिमंडल सचिवालय
DBT Mission / प्रत्यक्ष लाभ अंतरण मिशन



4th Floor, Shivaji Stadium Annexe,
Rajiv Chowk, New Delhi – 110001.

Dated: 30th December 2015.

OFFICE MEMORANDUM

Subject: Conversion of normal bank accounts of beneficiaries of welfare schemes, under DBT, into PMJDY bank accounts – Reg.

As you are aware, for bringing unbanked population under banking system, the Government is facilitating opening of accounts in Public Sector Banks under Pradhan Mantri Jan Dhan Yojna (PMJDY).

2. Under Direct Benefit Transfer (DBT) in social welfare schemes, the benefits are transferred to bank accounts of the beneficiaries' which may not be PMJDY accounts. There is a general consensus that for maintaining uniformity, the benefits available to the bank account holders under PMJDY should also be given to the beneficiaries' of welfare scheme having normal bank account.

3. Department of Rural Development made a reference to Department of Financial Services on conversion of normal bank accounts of beneficiaries of MGNREGS into PMJDY accounts. Department of Financial Services vide O.M No. 6/41/2012-FI (Vol.VI) (C-80077217) dated 26.11.2015 (Copy enclosed) clarified that the certain facilities available to the accounts opened under PMJDY would also be applicable to existing accounts under DBT subject to submission of an application by the account holder to the concerned bank branch. Further, in pursuance of decision taken in CoS meeting dated 9.12.2015, DFS has agreed to prescribe a standard format in which the application for conversion of DBT normal bank accounts to PMJDY account can be made to the banks.

4. In view of the above, the Ministries/Departments are requested to initiate action for conversion of normal bank accounts of beneficiaries used for DBT under welfare schemes into bank account under PMJDY, as per procedure prescribed in Para 2 of above cited DFS OM.

(Peeyush Kumar)

Joint Secretary (DBT)

Tel No. 23343860 Extn. 333

Encl. a/a

To,

1. Secretaries of all Ministries/Departments of Govt. of India
2. Administrator/Chief Secretaries of all States/UTs

F. No. 6/41/2012-FI (Vol.VI) (C-80077217)

Government of India
Ministry of Finance
Department of Financial Services

Jeevandeep Building, 3rd Floor, Sansad Marg,
New Delhi, Dated the 26th November, 2015

OFFICE MEMORANDUM

Subject: Implementation of DBT programme in scholarship and social welfare schemes- Meeting held on 28.10.2015- reg.

The undersigned is directed to refer to D.O. No. M-12014/2/2015-MGNREGA-V dated 13.11.2015 from Joint Secretary (MGNREGA, SAGY & Rurban), Deptt. of Rural Development, MoRD on the subject cited above and to inform as under :-

2. As regard conversion of the existing MGNREGA workers accounts in Banks into PMJDY accounts, it is clarified that the following facilities as available in the accounts opened under PMJDY would also be applicable to existing accounts subject to submission of an application by the account holder to the concerned bank branch:

(i) For issuance of RuPay Debit Card having inbuilt accident insurance cover of Rs. 1 lakh;

(ii) For an overdraft facility of Rs.5000/- after satisfactory operations in the account

However, the benefits of Rs.30,000/- life insurance cover are available only to those whose accounts are opened for the first time between 15.08.2014 to 26.01.2015.

3. The customers can enrol for Pradhan Mantri Suraksha Bima Yojana (PMSBY) @Rs.12/- annual premium to get one year personal accident insurance scheme, renewable from year to year, offering coverage for Rs. two lakh for death or permanent total disability and Rs. one lakh for permanent partial disability due to an accident and is available to people in the age group of 18 to 70 years having a bank account, who give their consent to join and enable auto-debit from their bank accounts. Similarly, Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) has a @Rs.330/-

annual premium, renewable from year to year, offering coverage of Rs. two lakh for death due to any reason and is available to people in the age group of 18 to 50 years (life cover up to age 55 on payment of premium after enrolment up to age 50 years) having a bank account, who give their consent to join and enable auto-debit from their bank accounts.



(Govind Ram)

Under Secretary to the Government of India (FI)

Tel: 23362134

e-mail: govind.r@nic.in

Joint Secretary (MGNREGA, SAGY & Rurban)
(Ms. Aparajita Sarangi)
Deptt. of Rural Development,
Ministry of Rural Development,
Krishi Bhawan, New Delhi

F.No.J.21011/1/2015-e-Gov.
Government of India
Ministry of Water Resources,
River Development & Ganga Rejuvenation,
(e-Governance Cell)



Shram Shakti Bhawan, Rafi Marg,
New Delhi dated the 04 March, 2016.

Handwritten signatures and dates:
Sale 08/03/16
CB (C/M)
14.03.16

Subject:- e-Publishing of Government of India Gazette Notification- Discontinuation of the practice of physical printing.

The undersigned is directed to forward herewith a copy of Ministry of Urban Development's O.M. No.O-17022/1/2015-PSP-I dated 25.02.2016 on the subject cited above for information and compliance.

2. It will be seen that all Gazette Notifications are henceforth to be e-Published on the website www.egazette.nic.in and Ministries submitting the request for publishing the Gazette Notification shall be solely responsible for submitting and circulating the Gazette Notification wherever required by Law or otherwise.

3. All SMDs in the Ministry are requested to take all necessary steps to initiate the e-Publishing of Gazette Notifications, if not already taken earlier. PSP Division of the Ministry of Urban Development may be contacted in case of any queries, in the matter.

Encl: - As above.

Handwritten notes:
EN 686
16-3-16

Handwritten signature:
Ashok
4/3/16

(Ashok Kumar Gupta),

Under Secretary to the Government of India,

Ph: - 011-23714350,

Email:-ashok.kgupta@nic.in

Handwritten signatures and dates:
16/3/16
Sh. Sushini
Ms. Kamshika

To:-

1. All Wing Heads/ SMDs in MoWR, RD & GR
2. All Heads of Attached Offices/ Subordinate Organizations under the Ministry.
3. Technical Director, NIC for uploading this on Intra-MoWR.

Copy for information to:-

1. Sh. S. K. Ram, Joint Secretary, Ministry of Urban Development, Nirman Bhawan, New Delhi.
2. PPS to Secretary (WR) / PS to SS (WR)
3. PPS to JS (A)/ PPS to JS (PP)/ PPS to JS & FA/ PPS to JS (RB)/ PS to JS (RKG)

Handwritten signature:
Chairman. CWC.

No. O-17022/1/2015-PSP-I
Government of India
Ministry of Urban Development
(PSP Division)

Nirman Bhawan, New Delhi
Dated : 25th February, 2016

OFFICE MEMORANDUM

**Subject : E-publishing of Government of India Gazette Notification –
Discontinuing of the practice of physical printing.**

The undersigned is directed to refer Ministry of Urban Development Gazette Notification no. G.S.R. 746(E) in Part II Section (3) (i) Extra Ordinary dated 30.09.2015, according to which all the Gazette notifications shall be henceforth only e-published by uploading on the official website and do away with physical printing and sale of hard copies. This was done in accordance with the provisions of Section 8 of Information Technology Act, 2000 and in consultation with Department of Legal Affairs.

2. It is brought to the notice of all concerned that there may be statutory or otherwise requirements mandating submission of the Government of India Gazette notifications to various authorities, etc. In particular attention is invited towards requirements of submission of such notifications to Committee on Subordinate Legislation, other requirements of laying such notifications on the Table of both the Houses of Parliament, making these Gazette notifications available for various record keeping purposes including Committee Branch Library, Lok Sabha for updation of principle rules, etc. Above mentioned requirements are only mentioned as an illustration and are not exhaustive.

3. It is clarified that the administrative Ministry/ Department submitting the request for publishing the Gazette notification shall be solely responsible for submitting and circulating the Gazette notification wherever required by Law or

Contd...-2-

otherwise. It is further clarified that published Gazette notification are instantly uploaded on the official website www.egazette.nic.in and the downloaded electronic version as well as the downloaded and printed version of these Gazette notifications are to be treated as electronic versions for all official purposes as per Section 4 and Section 8 of Information Technology Act, 2000.

4. Accordingly, the concerned administrative Ministry submitting the request for Gazette notification shall be solely responsible for submitting and circulating the copies of Gazette wherever required by Law or otherwise within the prescribed time frame.

5. This issues in consultation with Department of Legal Affairs.

S. K. Ram
25/2/14

(S. K. Ram)

Joint Secretary to the Govt. of India

To

The Secretary
All Ministries / Departments of Govt. of India

Copy to :

1. The Chief Secretary, all State Governments,
2. The Administrator, All Union Territories,
3. President's Secretariat, Rashtrapati Bhawan, New Delhi
4. Vice-President Secretariat, New Delhi
5. Prime Minister's Office, South Block, New Delhi.
6. Cabinet Secretariat, New Delhi
7. Comptroller and Auditor General of India, New Delhi
8. Central Vigilance Commissioner, New Delhi
9. Secretary, Union Public Service Commission, New Delhi.
10. Secretary, Staff Selection Commission, New Delhi
11. Director, Central Bureau of Investigation, New Delhi
12. Chief Secretary/ Chief Administrator of all Union Territories
13. Registrar, Supreme Court of India
14. Registrar, High Court.

कार्यालय ज्ञापन

विषय:- भारत सरकार राजपत्र अधिसूचना का ई-प्रकाशन— वास्तविक मुद्रण की प्रक्रिया को समाप्त करना।

अधोहस्ताक्षरी को दिनांक 30.09.2015 के असाधारण राजपत्र के भाग-11 खंड- (3) (i) में शहरी विकास मंत्रालय की राजपत्र अधिसूचना सं. जी.एस.आर.746 (ई) का सन्दर्भ लेने का निदेश हुआ है जिसके अनुसार अब से सभी राजपत्र अधिसूचनाएं सरकारी वेबसाइट पर अपलोड करते हुए ई-प्रकाशित होंगी तथा वास्तविक मुद्रण तथा हार्ड प्रतियों की बिक्री समाप्त हो जाएगी। यह निर्णय सूचना प्रौद्योगिकी अधिनियम, 2000 की धारा-8 के प्रावधानों तथा विधिक कार्य विभाग के परामर्श से लिया गया है।

2. सभी संबंधितों की जानकारी में लाया जाता है कि संविधिक या अन्यथा अपेक्षाओं से विभिन्न प्राधिकरणों आदि को भारत सरकार राजपत्र अधिसूचनाएं प्रदान करना अनिवार्य हो सकता है। विशेष रूप से इस प्रकार की अधिसूचनाओं को अधीनस्थ विधान समिति को प्रस्तुत करने की आवश्यकता, इस प्रकार की अधिसूचनाओं को संसद के दोनों सदनों पर रखने, इन राजपत्र अधिसूचनाओं को मुख्य नियमों आदि को अद्यतन करने के लिए कमेटी ब्रांच लाइब्रेरी, लोक सभा सहित विभिन्न रिकार्ड रखने के उद्देश्य से उपलब्ध कराने पर ध्यान आकर्षित किया जाता है। उपरोक्त उल्लिखित अपेक्षाओं का केवल उल्लेख किया गया है तथा से सर्वांगीण नहीं हैं।

3. यह स्पष्ट किया जाता है कि राजपत्र अधिसूचना के प्रकाशन के लिए अनुरोध करने वाले प्रशासनिक मंत्रालय/विभाग विधि या अन्यथा द्वारा जहाँ भी अपेक्षित है, राजपत्र अधिसूचना को प्रदान करने या परिचालित करने के लिए जिम्मेदार होंगे। आगे यह भी स्पष्ट किया जाता है कि प्रकाशित राजपत्र अधिसूचना सरकारी वेबसाइट www.egazette.nic.in पर तुरन्त अपलोड की जाती है तथा इन राजपत्र अधिसूचनाओं का डाउनलोड किया गया इलैक्ट्रानिक पाठान्तर तथा साथ ही डाउनलोड किया गया तथा मुद्रित पाठान्तर सूचना प्रौद्योगिकी अधिनियम, 2000 की धारा-4 तथा धारा-8 के अनुसार सभी सरकारी उद्देश्यों के लिए इलैक्ट्रानिक पाठान्तरों के रूप में माने जाएंगे।

4. तदनुसार, राजपत्र अधिसूचना हेतु अनुरोध भेजने वाले संबंधित प्रशासनिक मंत्रालय, निर्धारित समय सीमा के भीतर विधि या अन्यथा द्वारा अपेक्षितों को राजपत्र की प्रतियां भेजने और परिचालित करने के लिए अनन्य रूप से जिम्मेदार होंगे।

5. यह विधिक कार्य विभाग के परापर्श से जारी किया जाता है।

एस.के.राम
25/2/16
(एस.के.राम)

संयुक्त सचिव, भारत सरकार

सोवा में,

सचिव,
सभी मंत्रालय/विभाग,
भारत सरकार ।

प्रतिलिपि:-

1. मुख्य सचिव, सभी राज्य सरकारें।
2. प्रशासक, सभी संघ शासित क्षेत्र।
3. राष्ट्रपति सचिवालय, राष्ट्रपति भवन, नई दिल्ली।
4. उपराष्ट्रपति सचिवालय, नई दिल्ली।
5. प्रधानमंत्री का कार्यालय, साउथ ब्लॉक, नई दिल्ली।
6. मंत्रीमंडल सचिवालय, नई दिल्ली।
7. भारत के नियंत्रक तथा महालेखाकार, नई दिल्ली।
8. केन्द्रीय सतर्कता आयुक्त, नई दिल्ली।
9. सचिव, संघ लोक सेवा आयोग, नई दिल्ली।
10. सचिव, कर्मचारी चयन आयोग, नई दिल्ली।
11. निदेशक, केन्द्रीय जांच ब्यूरो, नई दिल्ली।
12. मुख्य सचिव/मुख्य प्रशासक, संघ शासित क्षेत्र।
13. रजिस्ट्रार, भारत का उच्चतम न्यायालय।
14. रजिस्ट्रार, उच्च न्यायालय।

भारत सरकार

Government of India

जल संसाधन , नदी विकास और गंगा संरक्षण मंत्रालय

Ministry of Water Resources, River Development & Ganga Rejuvenation

(समन्वय अनुभाग/Coordination Section)



614/D/HRM
22/4/16

नई दिल्ली, दिनांक:

New Delhi, Dated:

13 APR 2016

विषय :

Subject: Model Recruitment Rules for the Post of Labour Officer/ Labour Welfare Officer-reg.

निम्नलिखित कागजात की प्रति सूचना हेतु इसके साथ संलग्न किया जा रहा है :

A copy of following paper is enclosed herewith for information action :-

संख्या एवं तारीख

No. & date

किससे प्राप्त हुई

From whom received

पत्र का सार

Brief of letter

O.M . AB-14017/35/2013- Estt (RR) dated 09.03.2016	Department of Personnel & Training	The Model Recruitment Rules for the post of Labour Officer/ Labour Welfare Officer have been reviewed and the revised Model Recruitment Rules for the same are enclosed ,
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Encl. As above.

E-IV
1529
30/6/16

श्याम कुमार
(श्याम कुमार)

(Shyam Kumar)

अनुभाग अधिकारी (समन्वय)

Section Officer (Coord.)

सेवा में

To

1. US(A)/US(E-I)/US(E-II)/US(E-III)/US(E-IV)/US(PSU)/ US(GWE)/ S.O(BM)
2. Heads of all organizations under MoWR, RD & GR.
3. Guard file.

RR-3

No. AB-14017/35/2013-Estt. (RR)
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel & Training
New Delhi

Dated the 9th March, 2016

OFFICE MEMORANDUM

Subject: Model Recruitment Rules for the post of Labour Officer/Labour Welfare Officer- regarding.

The Model Recruitment Rules for the post of Labour Officer/Labour Welfare Officer have been reviewed and the revised Model Recruitment Rules for the same are enclosed as Annexure to this Office Memorandum.

2. Ministries / Departments may review the existing rules and notify the revised rules conforming to the Model Recruitment Rules. These may also be forwarded to all autonomous/statutory bodies for adoption. The Ministry of Home Affairs is also requested to forward these Model RRs to the UT Administrations for appropriate action.

3. Hindi version will follow.

G. Jayanthi

(G. Jayanthi)

Director (E-I)

Tel. 2309 2479

To

1. All Ministries/Departments of Government of India
2. The President's Secretariat, New Delhi.
3. The Vice-President's Secretariat, New Delhi.
4. The Prime Minister's Office, New Delhi.
5. The Cabinet Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Union Public Service Commission, New Delhi.
8. The Staff Selection Commission, New Delhi.

Copy to:-

1. The Rajya Sabha Secretariat, New Delhi.
2. The Lok Sabha Secretariat, New Delhi.
3. All Attached Offices under the Ministry of Personnel, Public Grievances and Pensions.
4. Establishment Officer and Secretary, ACC (10 copies).
5. All Officers and Sections in the Department of Personnel & Training.
6. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
7. All Staff Members of National Council (JCM)
8. All Staff Members of the Departmental Council (JCM), Ministry of Personnel, PG and Pensions
9. Establishment (RR Division) (20 copies)
10. NIC, DOP&T, North Block for placing the Recruitment Rules on the website.

G. Jayanthi

(G. Jayanthi)

Director (E-I)

Tel. 2309 2479

Recruitment Rules for the post of Labour Officer/Labour Welfare Officer in the Ministry of _____

Name of the post	Number of post	Classification	Scale of pay	Whether selection post or non-selection post
1	2	3	4	5
Labour Officer/Labour Welfare Officer	* Subject to variation dependant on workload. The year in which the indicated number exists should be given within brackets.	General Central Service Group 'B' Gazetted Ministerial	Pay Band-2, Rs. 9300-34800 plus Grade Pay of Rs. 4600/-	Not Applicable (If promotion is included as a method of recruitment, the entry under Col. 5 should be 'Selection').

* Subject to variation dependent on workload. The year in which the indicated number exists should be given within brackets.

Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any
6	7	8	9
<p>30 years (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government.)</p> <p>Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu & Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman Nicobar Islands</p>	<p>Essential Bachelor's Degree from a recognized University/Institute; i) Postgraduate Degree/ Diploma in Social Work or Labour Welfare or Industrial Relations or Personnel Management or Master of Business Administration in Personnel Management or Human Resource Management from a recognized University/Institute; Or Integrated Degree in Law (of five years duration) from a recognized University/Institute; Or (i) Bachelor's Degree from a recognized University/Institute;</p>	<p>Not applicable (If promotion is included as a method of recruitment, it may be provided that age limit and educational qualifications prescribed for direct recruits will not apply to promotees.)</p>	<p>2 years for Direct Recruits</p>

<p>or Lakshadweep)</p>	<p>(ii) Bachelor's Degree in Law from a recognized University/Institute.</p> <p>Note 1: Qualifications are relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in case of candidates otherwise well qualified.</p> <p>Note 2: Qualifications regarding experience is/are relaxable at the discretion of the competent authority, for reasons to be recorded in writing, in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes if, at any stage of selection the competent authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the posts reserved for them.</p> <p><u>Desirable</u></p> <p>(i) Two years of experience of Labour Welfare work/Industrial Relations/Personnel Management in an organization under Central/State Government/UTs or in any PSU/Autonomous or Statutory organization.</p> <p>(ii) Studied Hindi as a subject upto 10th Standard from a recognized Board/Institute.</p>		
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Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/absorption, grades from which promotion/deputation/absorption to be made
10	11
<p>Any one or combination of the following methods of recruitment as per the requirements in each case:</p> <p>By Direct Recruitment</p> <p>OR</p> <p>By Deputation (ISTC) failing which by Direct Recruitment</p> <p>OR</p> <p>_____ % By Deputation (ISTC) _____ % by Promotion _____ % by DR.</p> <p>If promotion is included as a method of recruitment appropriate field for the same shall be incorporated under Col. 11.</p>	<p>Deputation (ISTC)</p> <p>Officers under the Central/State Government/UTs/Universities/Recognized Research Institutions/PSUs/Autonomous or Statutory Organizations:</p> <p>(a)(i) holding analogous posts on regular basis in the parent cadre or department; or</p> <p>(ii) with 5 years' service in the grade rendered after appointment thereto on a regular basis in posts in Pay Band-2 Rs. 9300-34800/- with Grade Pay of Rs. 4200/- or equivalent in the parent cadre/department; and</p> <p>(b) possessing the educational qualifications and experience prescribed for Direct Recruits under Col. 7.</p> <p>Note 1: Period of deputation including period of deputation spent in any other ex cadre post held immediately preceding this appointment in the same or some other organization or department of the Central Government shall ordinarily not exceed 3 years.</p> <p>(The maximum age limit for appointment by deputation shall be not exceeding 56 years as on the closing date of receipt of applications.)</p> <p>Note 2: For the purpose of appointment on deputation or absorption basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 (the date from which the revised pay structure based on the Sixth Central Pay Commission recommendation has been extended) shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale and where this benefit will extend only for the post(s) for which that grade pay or pay scale is the normal replacement grade without any upgradation.</p>

If a Departmental Promotion Committee exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted
12	13
<p>Group 'B' Departmental Confirmation Committee (for confirmation)</p> <p>(The composition may be given if Direct Recruitment is one of the modes of recruitment) Otherwise "Not Applicable"</p> <p>If promotion is included as a method of recruitment, the composition of the Group 'B' DPC for promotion may also be specified under Col. 12.</p>	<p>Consultation with UPSC necessary while making appointment on Direct Recruitment basis.</p> <p>(Consultation with UPSC shall be governed by the guidelines of DOP&T as applicable).</p>

MODEL RECRUITMENT RULES FOR THE POST OF LABOUR OFFICER/LABOUR WELFARE OFFICER

Name of the post	Number of post	Classification	Scale of pay	Whether selection post or non-selection post
1	2	3	4	5
Labour Officer/Labour Welfare Officer	* *Subject to variation dependant on workload. The year in which the indicated number exists should be given within brackets.	General Central Service Group 'A' Gazetted Ministerial	Pay Band-3, Rs. 15600-39100 with Grade Pay of Rs. 5400/-	'Not applicable' If promotion is included as a method of recruitment, the entry under Col. 5 should be 'Selection'.
Age limit for direct recruitment		Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any
6		7	8	9
35 years (Relaxable for Government servants upto 5 years' in accordance with the instructions or orders issued by the Central Government.) Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu & Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal		Essential i) Bachelor's Degree of a recognized University/Institute ii) Postgraduate Degree/ Diploma in Social Work or Labour Welfare or Industrial Relations or Personnel Management or Human Resource Management from a recognized University/Institute; iii) One year experience of Labour Welfare work/ Industrial Relations/ Personnel Management in an organization	Not applicable If promotion is included as a method of recruitment, it may be provided that age limit and educational qualifications prescribed for direct recruits will not apply to promotees.	One year for Direct Recruits (If promotion is included as a method of recruitment, two years probation period may be prescribed for promotees.)

Pradesh, Andaman Nicobar Islands or Lakshadweep)	<p>under Central/State Government/ PSU/Autonomous Organization/Statutory Organization.</p> <p>Or</p> <p>(i) Integrated Degree in Law (of five years duration) from a recognized University/Institute;</p> <p>(ii) One year experience of Labour Welfare work/Industrial Relations/Personnel Management in an organization under Central/State Government/UTs or in any PSU/Autonomous or Statutory organization.</p> <p>Or</p> <p>(i) Bachelor's Degree from a recognized University/Institute;</p> <p>(ii) Bachelor's Degree in Law from a recognized University/Institute;</p> <p>(iii) One year experience of Labour Welfare work/Industrial Relations/Personnel Management in an organization under Central/State Government/UTs or in any PSU/Autonomous or Statutory organization.</p> <p>Note 1: Qualifications are relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in case of</p>		
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candidates otherwise well qualified.

Note 2: Qualifications regarding experience is/are relaxable at the discretion of the competent authority, for reasons to be recorded in writing, in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes if, at any stage of selection the competent authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the posts reserved for them.

Desirable: Studied Hindi as a subject upto 10th Standard from a recognized Board/Institute.

Method of recruitment whether by direct recruitment or by promotion or by deputation/ transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/absorption grades from which promotion/deputation/absorption to be made
10	11
<p>Any one or combination of the following methods of recruitment keeping in view the number of sanctioned posts/ regular officers in the feeder grade-</p> <p>(i) Deputation (ISTC) failing which by Direct Recruitment</p> <p>(ii) ____% by deputation (ISTC) ____% by Promotion ____ by Direct Recruitment</p> <p>(iii) Direct Recruitment</p> <p>If promotion is included as a method of</p>	<p><u>Deputation (ISTC)</u></p> <p>Officers under the Central/State Government/UTs/Universities/Recognized Research Institutions/PSUs/Autonomous or Statutory Organizations:</p> <p>a)(i) holding analogous posts on regular basis in the parent cadre or department; or</p> <p>(ii) with 3 years' service in the grade rendered after appointment thereto on a regular basis in posts in Pay Band-2 Rs. 9300-34800/- with Grade Pay of Rs. 4600/- or equivalent in the parent cadre/department; and</p>

recruitment appropriate field for the same shall be incorporated under Col. 11

(b) possessing the educational qualifications and experience prescribed for Direct Recruits under Col. 7.

Note 1: Period of deputation including period of deputation spent in any other ex cadre post held immediately preceding this appointment in the same or some other organization or department of the Central Government shall ordinarily not exceed 3 years.

(The maximum age limit for appointment by deputation shall be not exceeding 56 years as on the closing date of receipt of applications.)

Note 2: For the purpose of appointment on deputation or absorption basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 (the date from which the revised pay structure based on the Sixth Central Pay Commission recommendation has been extended) shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale and where this benefit will extend only for the post(s) for which that grade pay or pay scale is the normal replacement grade without any upgradation.

If a Departmental Promotion Committee exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
12	13
<p>Group 'A' Departmental Confirmation Committee (for confirmation)</p> <p>(The composition may be given if Direct Recruitment is one of the modes of recruitment)</p> <p>Otherwise "Not Applicable"</p> <p>If promotion is included as a method of recruitment, the composition of the Group 'A' DPC for promotion may also be specified under Col. 12.</p> <p>In this case, the UPSC will be associated with the DPC.</p>	<p>Consultation with UPSC necessary while making appointment on Direct Recruitment/Deputation (ISTC) and promotion.</p> <p>(Consultation with UPSC shall be governed by the guidelines of DOP&T as applicable).</p>

MODEL RECRUITMENT RULES FOR THE POST OF LABOUR OFFICER/LABOUR WELFARE OFFICER

Name of the post	Number of post	Classification	Scale of pay	Whether selection post or non-selection post
1	2	3	4	5
Labour Officer/Labour Welfare Officer	* *Subject to variation dependant on workload. The year in which the indicated number exists should be given within brackets.	General Central Service Group 'A' Gazetted Ministerial	Pay Band-3, Rs. 15600-39100- with Grade Pay of Rs. 6600/-	'Not applicable' If promotion is proposed as a method of recruitment, the entry should be 'Selection'.

Age limit for direct recruitment	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any
6	7	8	9
<p>40 years (Relaxable for Government servants upto 5 years' in accordance with the instructions or orders issued by the Central Government.)</p> <p>Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu & Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman Nicobar Islands</p>	<p>Essential</p> <p>i) Bachelor's Degree of a recognized University/Institute</p> <p>ii) Postgraduate Degree/ Diploma in Social Work or Labour Welfare or Industrial Relations or Personnel Management Master of Business Administration in Personnel Management from a recognized University/Institute;</p> <p>Or</p> <p>Integrated Degree in Law (of five years duration) from a recognized University/Institute;</p> <p>iii) Three years' experience</p>	<p>Not applicable</p> <p>If promotion is included as a method of recruitment, it may be provided that educational qualifications prescribed for direct recruits will apply to promotees.</p>	<p>One year for Direct Recruits</p> <p>(If promotion is included as a method of recruitment, no probation is required for promotees in case the feeder post is also a Group 'A' post).</p>

or Lakshadweep)

of Labour Welfare work/
Industrial Relations/ Personnel
Management in an organization
under Central/State
Government/ PSU/Autonomous
Organization/Statutory
Organization.

(ii) Three year experience of
Labour Welfare work/Industrial
Relations/Personnel
Management in an organization
under Central/State
Government/UTs or in any
PSU/Autonomous or Statutory
organization.

Or

(i) Bachelor's Degree from a
recognized University/Institute;

(ii) Bachelor's Degree in Law
from a recognized
University/Institute;

(iii) Two years' experience of
Labour Welfare work/Industrial
Relations/Personnel
Management in an organization
under Central/State
Government/UTs or in any
PSU/Autonomous or Statutory
organization.

Note 1: Qualifications are
relaxable at the discretion of the
Union Public Service
Commission, for reasons to be
recorded in writing, in case of
candidates otherwise well
qualified.

	<p>Note 2: Qualifications regarding experience is/are relaxable at the discretion of the competent authority, for reasons to be recorded in writing, in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes if, at any stage of selection the competent authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the posts reserved for them.</p> <p>Desirable: Studied Hindi as a subject upto 10th Standard from a recognized Board/Institute.</p>		
<p>Method of recruitment whether by direct recruitment or by promotion or by deputation/ transfer and percentage of the vacancies to be filled by various methods</p>	<p>In case of recruitment by promotion/deputation/absorption grades from which promotion/deputation/absorption to be made</p>		
<p style="text-align: center;">10</p>	<p style="text-align: center;">11</p>		
<p>Any one or combination of the following methods of recruitment keeping in view the number of sanctioned posts/ regular officers in the feeder grade-</p> <p>(i) Deputation (ISTC) failing which by Direct Recruitment</p> <p>(ii) _____% by deputation (ISTC) _____ by Promotion _____% by Direct Recruitment</p> <p>(iii) Direct Recruitment</p> <p>If promotion is included as a method of recruitment appropriate field for the same shall be incorporated under Col. 11.</p>	<p><u>Deputation (ISTC)</u></p> <p>Officers under the Central/State Government/UTs/Universities/Recognized Research Institutions/PSUs/Autonomous or Statutory Organizations:</p> <p>a)(i) holding analogous posts on regular basis in the parent cadre or department; or</p> <p>(ii) with 5 years' service in the grade rendered after appointment thereto on a regular basis in posts in Pay Band-2 Rs. 9300-34800/- with Grade Pay of Rs. 5400/- or equivalent in the parent cadre/department possessing the qualifications and experience prescribed of Direct Recruitment under Col. 7.</p> <p>(b) Possessing the educational qualifications and experience prescribed for Direct Recruits under Col. 7.</p> <p>Note 1: Period of deputation including period of deputation spent in any other ex cadre post held immediately preceding this appointment in the</p>		

	<p>same or some other organization or department of the Central Government shall ordinarily not exceed 4 years.</p> <p>(The maximum age limit for appointment by deputation shall be not exceeding 56 years as on the closing date of receipt of applications.)</p> <p>Note 2: For the purpose of appointment on deputation or absorption basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 (the date from which the revised pay structure based on the Sixth Central Pay Commission recommendation has been extended) shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale and where this benefit will extend only for the post(s) for which that grade pay or pay scale is the normal replacement grade without any upgradation.</p>
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If a Departmental Promotion Committee exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
12	13
<p>Group 'A' Departmental Confirmation Committee (for confirmation) (The composition may be given if Direct Recruitment is one of the modes of recruitment)</p> <p>Otherwise "Not Applicable"</p> <p>If promotion is proposed as a method of recruitment, the composition of the Group 'A' DPC for promotion may also be specified under Col. 12.</p> <p>In case the feeder post is a Group 'B' post, UPSC will be associated with the DPC.</p>	<p>Consultation with UPSC necessary for Direct Recruitment and Deputation (ISTC).</p> <p>(Consultation with UPSC shall be governed by the guidelines of DOP&T as applicable).</p>

No. A.50013/5/2016-E.I
Government of India
Ministry of Water Resources, RD & GR
(ISO 9001:2008 certified)

Shram Shakti Bhawan, Rafi Marg,
New Delhi, 3 June, 2016.

OFFICE MEMORANDUM

Sub: Reference from Ministries/Departments seeking advice of the DoP&T regarding further course of action to be taken on the order of Tribunal/Courts.

The undersigned is directed to forward herewith a copy of DoP&T's OM No. 43011/4/2015-Estt(D) dated 07th June, 2016 on the above mentioned subject for information and strict compliance.

Encl: As Above.

(A.K. Kaushik)
(A.K. Kaushik)
Under Secretary to the Govt. of India
Tel: 23716928

To:

- 1 All Sections/Units/ Desks of MoWR, RD & GR
- 2 Secretary, CWC, Sewa Bhawan, R.K. Puram, New Delhi-110066.
- 3 The Chairman, Brahmaputra Board, Basistha, Guwahati-781029.
- 4 The Chairman, Ganga Flood Control Commission, Sinchai Bhawan, Patna-800015.
- 5 The General Manager, Farakka Barrage Project, P.O.-Farakka Barrage, Distt-Murshidabad-742212(West Bengal)
- 6 The Director, National Institute of Hydrology, Jalvigyan Bhawan, Roorkee-247667(UK)
- 7 Adesh Kumar, General Manager(L&A), NPCC Ltd. 30-31, Raja House, Nehru Place, New Delhi-110019
- 8 The Director, North Eastern Regional Institute of Water and Land Management, Dolabari, Kaliabhomara, Tezpur, Sonitpur, Assam-784027.
- 9 The CMD, WAPCOS Ltd. 26 Kailash, 5th Floor, Kasturba Gandhi Marg, New Delhi-110001.
- 10 The Chief Administrative Officer, Liaison Officer (Legal Unit), Central Water and Power Research Station, Khadakwasla, Pune-411024
- 11 The Member Secretary, Upper Yamuna River Board, West Block-I, Ground Floor, Wing No.4, R.K. Puram, New Delhi-110066

- 12 The Chief Engineer & Chairman, Tungabhadra Board, P.O. Tungabhadra Dam, Taluk Hospet, District Bellary, Karnataka-583225.
- 13 The Secretary, Sardar Sarovar Construction Advisory Committee, A-Block, 4th Floor, Narmada Bhawan, Indira Avenue, Vadodara-390001
- 14 The Member, Narmada Control Authority, Narmada Sadan, Sector-B, Scheme No. 74, Vijay Nagar, Indore-452010(MP)
- 15 The Director General, National Water Development Agency, 18-20, Community Centre, Saket, New Delhi-110017.
- 16 The Member Secretary, Central Ground Water Authority, West Block-2, Sector-1, R.K. Puram, New Delhi-110066.
- 17 The Chairman, Central Ground Water Board, Jamnagar House, Man Singh Road, New Delhi-110011.
- 18 The Chief Engineer, Betwa River Board, Nandanpura, Jhansi-284003.
- 19 The Secretary, Bansagar Control Board, Bansagar Colony, Rewa (Madhya Pradesh)-486005.
- 20 The Director, Central Soil & Materials Research Station, Olof Palme Marg, Hauz Khas, New Delhi-110016.
- 21 The Chairman, GRMB, Jalasoudha Errum Manzil, Hyderabad - 50082.
- 22 The Chairman, KRMB, Jalasoudha Errum Manzil, Hyderabad - 50082.
- 23 NIC for uploading this OM on the Ministry's web site.

A.K. Kaushik
23/6/16

(A.K. Kaushik)

Under Secretary to the Govt. of India

Tel: 23716928

No. 43011/4/2015-Estt(D)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

North Block, New Delhi
Dated the 07th June, 2016

OFFICE MEMORANDUM

Subject:- References from Ministries/Departments seeking advice of the DoP&T regarding further course of action to be taken on the order of Tribunal / Courts.

17/6/2016

The Ministries/ Departments make references to this Department seeking advice regarding the course of action to be taken on the order of Tribunal / Courts. Generally, if the directions of the Tribunals / Court is not in consonance with the policy of DoP&T, the administrative Ministry / Department concerned is advised for filing an appeal / review in the High Court in consultation with the Department of Legal Affairs. In a few of these cases, the advice of the Department of Legal Affairs is contrary to the advice of the DoP&T. Under such circumstances, the administrative Ministries / Departments make a second reference to DoP&T and DoLA for resolving the matter. The matter has been considered in the DoP&T and it also discussed with DoLA and representatives of Department of Revenue, Ministry of Health & Family Welfare, who have in the recent past made a few references of this type. In order to avoid second reference and to effectively deal with Court Cases, it has been decided that the following course of action may be followed:-

- 1
- E-1
- 16/6/16
for. Yashwanth
- (a) Wherever the direction of the Tribunal or court is not in consonance with the policy of DoP&T, the DoP&T may not insist on the Administrative Ministry obtaining the advice of Department of Legal Affairs.
 - (b) In all the cases filed in Tribunals/Courts, the administrative Ministry shall defend the policy of DoP&T as laid in various OMs and instructions by filing an appeal or review in the appropriate court.
 - (c) The Ministry of Law and Justice to designate a counsel for each Ministry so that the court cases are defended well.
 - (d) The Administrative Ministry / Department must ensure that an officer of the level of Under Secretary or above is present in the court when important issues having policy issues or contempt petitions come up for hearing in the court.
 - (e) Where necessary, DOP&T while giving advice on the references pertaining to court cases, will indicate that an officer of DOP&T shall be co-opted for briefing ASG. In such cases, the administrative Ministry/Department shall fix an appointment with ASG and inform this Department in advance accordingly (i.e., venue, date and time).
 - (f) Wherever there is a case of delay, the Administrative Ministry may fix responsibility for the same.

...2/-

2. While defending court cases, as far as possible the DoP&T, Ministry of Law and line Ministry / Department should be on the same page and put up arguments on behalf of Union of India in a coherent manner and uphold the policy of the Government applicable in the relevant case.


(Rajesh Sharma)

Under Secretary to the Govt. of India
Tele. No. 23040340

All Ministries/Departments of the Government of India.

Copy to:-

1. The President's Secretariat, New Delhi.
2. The Vice-president's Sectt, New Delhi
3. The Prime Minister's Office, New Delhi.
4. The Cabinet Secretariat, New Delhi.
5. The Rajya Sabha Secretariat, New Delhi.
6. The Lok Sabha Secretariat, New Delhi.
7. The Comptroller and Audit General of India, New Delhi.
8. The Secy, Union Public Service Commission, New Delhi
9. The Staff Selection Commission, New Delhi.
- 10 All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
11. All Officers and Sections in the Department of Personnel and Training.
12. Establishment(D) Section, DoP&T (10 copies)
13. NIC for updation on the website.


(Rajesh Sharma)

Under Secretary to the Govt. of India
Tele. No. 23040340

No. A.50013/6/2016-Estt.I
Government of India
Ministry of Water Resources, RD & GR
Establishment-I Section
(ISO 9001:2008 certified)

Shram Shakti Bhawan, Rafi Marg,
New Delhi 24 June, 2016.

Secretary
Dv. No. 1791
Date 11/7/16
C.W.C.

OFFICE MEMORANDUM

Sub: Instructions of M/o Law & Justice regarding proper monitoring of Court Cases & replies / counter-affidavits.

The undersigned is directed to refer to DO letter NO. J-12/2/2016-Judl. dated 9th June, 2016 (copy enclosed) of Secretary, M/o Law & Justice on the above mentioned subject and to forward the same with request that the Nodal Officers of the SMDs/ Organization should remain in touch with the Government Counsel for proper handling of the court matters as directed in the above stated D.O letter. It may also be ensured that proper monitoring of court cases particularly in filing replies / counter-affidavits are done well within time to avoid any delay.

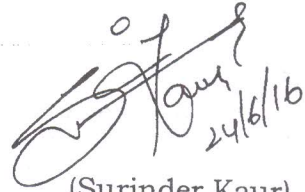
Encl: As Above.

(Surinder Kaur)
Deputy Secretary to the Govt. of India
Tel: 23711988

To:

- 1 All Sections/Units/ Desks of MoWR, RD & GR
- 2 Secretary, CWC, Sewa Bhawan, R.K. Puram, New Delhi-110066.
- 3 The Chairman, Brahmaputra Board, Basistha, Guwahati-781029.
- 4 The Chairman, Ganga Flood Control Commission, Sinchai Bhawan, Patna-800015.
- 5 The General Manager, Farakka Barrage Project, P.O.-Farakka Barrage, Distt-Murshidabad-742212(West Bengal)
- 6 The Director, National Institute of Hydrology, Jalvigyan Bhawan, Roorkee-247667(UK)
- 7 The CMD, NPCC Ltd. 30-31, Raja House, Nehru Place, New Delhi-110019
- 8 The Director, North Eastern Regional Institute of Water and Land Management, Dolabari, Kaliabhomara, Tezpur, Sonitpur, Assam-784027.
- 9 The CMD, WAPCOS Ltd. 26 Kailash, 5th Floor, Kasturba Gandhi Marg, New Delhi-110001.
- 10 The Director, Central Water and Power Research Station, Khadakwasla, Pune-411024
- 11 The Member Secretary, Upper Yamuna River Board, West Block-I, Ground Floor, Wing No.4, R.K. Puram, New Delhi-110066.
- 12 The Chief Engineer & Chairman, Tungabhadra Board, P.O. Tungabhadra Dam, Taluk Hospet, District Bellary, Karnataka-583225.

- 13 The Secretary, Sardar Sarovar Construction Advisory Committee, A-Block, 4th Floor, Narmada Bhawan, Indira Avenue, Vadodara-390001
- 14 The Member, Narmada Control Authority, Narmada Sadan, Sector-B, Scheme No. 74, Vijay Nagar, Indore-452010(MP)
- 15 The Director General, National Water Development Agency, 18-20, Community Centre, Saket, New Delhi-110017.
- 16 The Member Secretary, Central Ground Water Authority, West Block-2, Sector-1, R.K. Puram, New Delhi-110066.
- 17 The Chairman, Central Ground Water Board, Jamnagar House, Man Singh Road, New Delhi-110011.
- 18 The Chief Engineer, Betwa River Board, Nandanpura, Jhansi-284003.
- 19 The Secretary, Bansagar Control Board, Bansagar Colony, Rewa (Madhya Pradesh)-486005.
- 20 The Director, Central Soil & Materials Research Station, Olof Palme Marg, Hauz Khas, New Delhi-110016.
- 21 The Chairman, GRMB, Jalasoudha Errum Manzil, Hyderabad - 50082.
- 22 The Chairman, KRMB, Jalasoudha Errum Manzil, Hyderabad - 50082.
- 23 NIC for uploading this OM on the Ministry's web site.



(Surinder Kaur)
Deputy Secretary to the Govt. of India
Tel: 23711988

अभिलेख अभिलेख

जल बचत - जल संचय

डॉ० जी० नारायणा राजू
सचिव
Dr. G. Narayana Raju
Secretary

164/DS(E.2)/2016
17/6
सत्यमेव जयते

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

D. O. No. J-12/2/2016-Judl.

June 9th, 2016

Dear Secretary,

It may be recalled that this Department vide DO letter No. 35(1)/2015-Judl. dated 27.08.2015 apprised about the serious view taken by the court in respect of filing reply/counter affidavits & imposing heavy cost to be recovered from the officer concerned & has requested to sensitize your officers that court cases are properly monitored and replies are filed on time to avoid passing of such orders in future (copy enclosed).

2. Despite above, in one more case before the Bench of Hon'ble Mr. Justice Tripathi of the High Court of Patna has taken a serious view in the matter and passed the order as under:

"Let the matter be listed on 11th of March, 2016 as the Union of India has failed to file the counter affidavit on the ground that the counter affidavit has gone for vetting and it has not been returned. Such a plea or excuse is unacceptable. Cases cannot remain pending on the ground of vetting or drafting of counter affidavit."

Let a copy of this order be marked to the Secretary, Department of Law, Government of India, New Delhi.

It is further painful to note that statements are blatantly made that cases remain pending and there are backlogs. But nobody has bothered to even verify the reasons thereof. Most of the time the cases remain pending because the pleadings are not completed on behalf of the official respondents."

3. This Department has been issuing instructions from time to time that the Nodal Officers of the Ministry / Department should remain in touch with the Government Counsel for proper handling of the matter. Such coordination with the Government Counsel will surely help in reducing delay in filing of reply/counter-affidavits.

4. I shall be grateful if the instructions in this regard may once again be brought to the notice of all the Departments/PSUs under your administrative control with the direction for proper monitoring of court cases & replies / counter-affidavits be filed on time to avoid such orders in future.

With regards,

Encls: As above.

Yours sincerely,

G. Narayana Raju
(G. Narayana Raju)

All the Secretaries to the Govt. of India

प्र. कुमार मल्होत्रा
सचिव
P. K. Malhotra
Secretary



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

August 27, 2015

D.O. No.35(1)/2015-Judl.

Dear Secretary,

It has been brought to my notice by the field Offices of Ministry of Law and Justice and by Government Counsels appearing on behalf of Union of India in various Courts / Tribunals that many a time the reply / counter-affidavits are not filed in the court within the time granted by the Court causing inconvenience to the Court, delay in proceedings and unnecessary embarrassment to the Government. Of late, Courts have been taking serious view of delay in filing / counter-affidavits and imposing heavy cost to be recovered from the officer concerned.

One such case pertaining to Ministry of Environment and Forests came before the Bench of Hon'ble Chief Justice of Madras High Court in which the Hon'ble Court has taken a serious view in the matter and passed Order as under:-

"Learned Assistant Solicitor General seeks additional time to file the counter-affidavit. This is not the only matter where we are faced with this position i.e. counter-affidavits not being filed in time, despite time period being granted as requested by the Ld. Government Pleaders for the Central Government. Whether it is six weeks or eight weeks, whatever time we grant, in every case, there is second request made for filing the counter-affidavit, causing inconvenience to Court, delay in proceedings and unnecessary embarrassment even to the Law Officers. This issue needs to be set right.

2. *We are given to understand that once a matter pertains to a particular Ministry, Nodal officer of that Ministry is expected to coordinate the matter. Thus, it is stated that the Law Ministry really does not hold the matter once it is entrusted to the Ministry concerned.*

3. *We call upon the Law Secretary to look into the matter for the purpose of ensuring a better coordination and put the officers concerned to notice that this Court would have no other option, but to impose exemplary costs for the delay in filing the counter-affidavits and that costs would be recovered from the officer concerned for not ensuring the affidavits being filed in time. We want to emphasize that the date of filing of the affidavit must be complied with and not that it is produced on the date of hearing.*

Contd.2/-

4. As a last chance, we grant four weeks' time to file the counter-affidavit. Thereafter it will be taken on record only subject to the deposit of costs of Rs.10,000/- to be recovered from the officer concerned and the Recovery Certificate be also filed.

5. Re-joinder, if any, be filed within two weeks thereafter.

6. List on 18.8.2015"

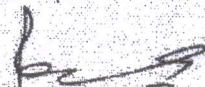
This Department has been issuing instructions from time to time that the Nodal Officers of the Ministry / Department should stay in touch with the Government Counsel for proper handling of the matter. Such coordination with the Government Counsel will surely help in reducing delay in filing of reply / counter-affidavits.

I shall be grateful if you can sensitize your officers that court cases are properly monitored and replies are filed on time to avoid passing of such orders in future. If any officer is found negligent in handling court matters, the administrative Ministry may consider taking appropriate action against him in accordance with the rules.

I shall be grateful if these instructions can be brought to the notice of all Departments / PSUs under your administrative control.

With regards,

Yours sincerely,


(P.K. Malhotra)

All Secretaries to the Government of India.