

Most Immediate
SACD for review of pending Court Cases
By E-mail/Fax

No.A-49012/12/2017-Estt.IV | 217
Government of India
Central Water Commission
(Estt.IV Section)

Room No.303(S), Sewa Bhawan,
R.K. Puram, New Delhi-110 066.

Dated the 23rd May, 2017

Sub: **Special Arrears Clearance Drives for review of pending court cases-reg.**

I am directed to enclosed herewith MoWR, RD & GR letter No. A-50013/5/2017-E.I, dated 11.05.2017 along with its enclosures on the subject mentioned above and to request that a Special Arrears Clearance Drives may be initiated to review the pendency of Court Cases.

2. It is, therefore, requested that a **quarterly report** in the enclosed prescribed proforma about the reduction in pending Court Cases may be sent to Estt.IV Section, CWC on regular basis.

3. The first quarterly report (for quarter ending 30.06.2017) may be furnished latest by **01st July, 2017.**

4. This may be treated as **'MOST URGENT'**.

Yours faithfully,

Encls.: As above
(Available at CWC Web Portal(Circular).


(RAHUL RANBIR SINGH)
Under Secretary

To:

1. US/SO, Estt.I, II, III, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, O&M, CM&V, APAR Sections, CWC.
2. Director(D&R(Coord.)), CWC.
3. Director(WP&P(Coord.)), CWC.
4. Director(RMCD), CWC.
5. Director(PCP), CWC.
6. Director, RD Dte., CWC, W.B.I, 2nd Floor, R.K. Puram, New Delhi.
7. S.E., Planning Circle, CWC, Faridabad.

Copy for informaton to: PS to Chief Engineer(HRM), CWC.


(RAHUL RANBIR SINGH)
Under Secretary

S No. 1 (R)

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Secretary
Dy. No. ... 1.4.6.2
Date ...
C.W.C. 16/5/17

VIP REFERENCE
COURT MATTER
BY SPEED-POST

F.No.A.50013/5/2017-E.I
Government of India
Ministry of Water Resources, River Development
& Ganga Rejuvenation

12/5/17
Chh
CR (M/RM)

Shram Shakti Bhawan, Rafi Marg,
New Delhi, dated the 11th May, 2017

To

1. The Chairman, CWC, Sewa Bhawan, R.K. Puram, New Delhi-110066
2. The Chairman, Brahmaputra Board, Basistha, Guwahati-781029
3. The Chairman, Ganga Flood Control Commission, Sinchai Bhawan, Patna-800015
4. The General Manager, FBP, P.O-Farakka Barrage, Distt-Murshidabad, West Bengal-742212
5. The Director, National Institute of Hydrology, Jalvigyan Bhawan, Roorkee-247667
6. The CMD, WAPCOS Ltd. 26 Kailash, 5th Floor, Kasturba Gandhi Marg, N.D-110001
7. The Director, CWPRS, Khadakwasla, Pune-411024
8. The Chairman, Upper Yamuna River Board, Wing-4, West Block-1, Ground Floor, R.K. Puram, New Delhi-110066
9. The Chairman, Tungabhadra Board, P.O Tungabhadra Dam, Taluk Hospet, District Bellary, Karnataka-583225
10. The Director General, NWDA, 18-20 Community Centre, Saket, New Delhi-110017
11. The Chairman, Narmada Control Authority, Narmada Sadan, Sector-B, Scheme No.74, Vijay Nagar, Indore-452010 (MP)
12. The Chairman & Managing Director, NPCC Ltd., Plot No-148, Sec.-44, Gurugram-122022 (Haryana)
13. The Secretary, Sardar Sarovar Construction Advisory Committee, A-Block, 4th Floor, Narmada Bhawan, Indira Avenue, Vadodara-390001
14. The Director, CSMRS, olof palme Marg, Hauz Khas, New Dehi-110016
15. The Chairman, CGWB, Jamnagar House, Man Singh Raod, N.D-110011
16. The Secretary, Betwa River Board, Nandanpura, Jhansi-284003
17. Director General, National Mission for Clean Ganga, 1st Floor, Major Dhyan Chand National Stadium, India Gate, New Delhi-110002

Subject: Special Arrears Clearance Drives for review of pending court cases-regarding.

Sir,

I am directed to forward a copy of the D.O letter No.N-17/13/2017-NM dated 12.4.2017 received from the Hon'ble Minister of Law & Justice on the subject mentioned above and to request that a Special Arrears Clearance Drives may be initiated to review the pendency of court cases.

डा. स. / Dy. No. 11/27
दिनांक / Date 18/5/17

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US-E-IV

PL give copy to US (E-I/II/III)
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673/US (E-IV)
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केन्द्रीय जल आयोग
CENTRAL WATER COMMISSION

2. In this regard, a proforma has been circulated along with the D.O letter of the Hon'ble Minister for monitoring of pending court cases. A copy of the proforma is enclosed herewith. It is requested that a quarterly report in the enclosed proforma about the reduction in pending court cases may be sent to the Ministry on regular basis. The first quarterly report (for quarter ending 30.06.2016) may be furnished to the Ministry latest by 2nd July, 2017.

Enclosure: (i) D.O letter No.N-17/13/2017-NM dated 12.4.2017

(ii) Proforma of 'details in reduction of court cases'

Yours faithfully,



(Narendra Singh)

Under Secretary to the Govt. of India

Tel: 011-23716928

Email: use1-mowr@nic.in

Copy with enclosures forwarded for taking similar action to:-

1. Secretary, CWC, Sewa Bhawan, R.K. Puram, New Delhi-110066
2. Chief Engineer (Level-II), Brahmaputra Board, Basistha, Guwahati-781029
3. Deputy Director (Admn), GFCC, Sinchai Bhawan, Patna-800015
4. Senior Administrative Officer, FBP, P.O-Farakka Barrage, Distt-Murshidabad, W.B-742212
5. Senior Administrative Officer, NIH, Jalvigyan Bhawan, Roorkee-247667
6. Director (HRD), WAPCOS Ltd. 26 Kailash, 5th Floor, Kasturba Gandhi Marg, N.D-110001
7. Chief Administrative Officer, CWPRS, Khadakwasla, Pune-411024
8. Member Secretary, UYRB, Wing-4, West Block-1, G- Floor, R.K. Puram, New Delhi-110066
9. Chief Engineer, Tungabhadra Board, P.O Tungabhadra Dam, Taluk Hospet, District Bellary, Karnataka-583225
10. Chief Engineer (HQ), NWDA, 18-20 Community Centre, Saket, New Delhi-110017
11. Secretary, Narmada Control Authority, Narmada Sadan, Sector-B, Scheme No.74, Vijay Nagar, Indore-452010 (MP)
12. General Manager (L&A), NPCC Ltd., 30-31, Raja House, Nehru Place, New Delhi-110019
13. Deputy Secretary, Sardar Sarovar Construction Advisory Committee, A-Block, 4th Floor, Narmada Bhawan, Indira Avenue, Vadodara-390001
14. Under Secretary (Administration), CSMRS, olof palme Marg, Hauz Khas, New Dehi-110016
15. Director (Admn), CGWB, Jamnagar House, Man Singh Raod, N.D-110011
16. Chief Engineer, Betwa River Board, Nandanpura, Jhansi-284003
17. Member Secretary, CGWA, West Block-2, Sector-1, R.K. Puram, New Delhi-110066.
18. All Wing Heads & Divisional Heads of MoWR, RD & GR
19. Deputy Secretary (Vig) & Nodal Officer, LIMBS, MoWR, RD & GR



(Narendra Singh)

Under Secretary to the Govt. of India

Copy for information to:- PPS to Secretary(WR)/PPS to JS&FA/PPS to JS(PP)/PPS to JS(A)

रविशंकर प्रसाद
RAVI SHANKAR PRASAD

12/5/17



सत्यमेव जयते

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मंत्री
विधि एवं न्याय
और
इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी
भारत सरकार
MINISTER OF
LAW & JUSTICE
and
ELECTRONICS & IT
GOVERNMENT OF INDIA

D.O.No.N-17/13/2017-NM

श्री. अशोक कुमार शर्मा

Hon'ble Prime Minister while addressing the function to mark the 50th Anniversary of the establishment of the High Court of Delhi highlighted the emerging challenges before the Judiciary especially exponential increase in the pendency of court cases and called for preparation of a roadmap for the future. Though disposal of cases is within the domain of the judiciary, the Government has been taking various steps to help reducing arrears and backlog of cases in courts. However, there is no significant impact on pendency and arrears.

2. As you are aware that government is a major litigant and it is a party to about 46% of the 3.14 crore cases pending in various courts in the country, ranging from service matters to indirect taxes. The Judiciary has to spend its maximum time in tackling cases where the Government is a party, and the burden on Judiciary can only be reduced if the cases are filed after taking a careful and considered view. There is a crucial need to take transformative measures to reduce pendency of court cases. It is imperative to give top priority by all concerned Ministries/Departments to review all pending court cases and take up Special Arrears Clearance Drives. They should identify frivolous and vexatious matters and separate them with the matters with merit and take quick steps to either withdraw or dispose of them speedily. Therefore, while reviewing the pendency of court cases, all Ministries/Departments have to examine the cost of fighting the case by incurring expenditure under the Consolidated Fund of India and time taken to dispose of the case vis-à-vis relief given to parties who are petitioners.

3. I understand that every Government Department has in place its own mechanism to handle various kinds of disputes and monitoring of cases pending before various courts/authorities/tribunals, etc. as per the requirement. Now, we need to make these mechanisms more effective and efficient, so that pendency of cases in all courts is reduced. Every matter needs to be looked into in depth in consultation with experts and concerned before going to litigation. The government must cease to be a compulsive litigant, and executive power should be made use to reduce the grievance of the future litigant. Before initiating any litigation, the matter must be placed before the competent authority. It will be his responsibility to endeavor to see whether the litigation can be avoided. If litigation cannot be avoided, then alternative dispute resolution methods like mediation must be

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considered. Filing of new cases against state governments or its bodies or government staff may be discouraged, and recourse to litigation may be adopted only as a last resort. As frequent adjournments are resorted to by Government Counsels, unnecessary and frequent adjournments should be frowned upon, and infractions dealt with seriously.

4. Each Ministry/Department should chalk out an 'Action Plan for Special Arrears Clearance Drives' to reduce the number of court cases by following various methods mentioned in the above and implement the plan on Mission Mode. All these efforts should yield in a significant reduction in a total number of court cases in each Ministry/Department. Each Ministry/Department should also send a Quarterly Report on reduction in total number of court cases withdrawn/settled/disposed as per the Annexure enclosed. This report should contain details of reduction in court cases in your Ministry/Department including Autonomous Bodies, Subordinate or Attached Offices as per the enclosed format. I am directing Secretary, Department of Justice to hold meetings with all Ministries/Departments to review this matter regularly.

5. I shall be grateful if you kindly send action taken in this regard at the earliest.

1741

Yours sincerely

(Ravi Shankar Prasad)

Encl.: As above

Sushri Uma Bharati,
Minister of Water Resources, River Development &
Ganga Rejuvenation,
Shram Shakti Bhawan,
New Delhi - 110 001.

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DETAILS OF REDUCTION IN PENDING COURT CASES

Name of the Central/State Ministry /Department: _____

- | | |
|---|--|
| 1. Total existing Number of Courts cases as on 31-3-2017 | Supreme Court/High Court/CAT/ District or Subordinate Courts |
| 2. How many court cases have been reduced after review during the last quarter ending (March, June, September, December) | Supreme Court/High Court/CAT/ District or Subordinate Courts |
| 3. How many cases have been withdrawn after Executive Order or following ADR methods such as mediation etc./ reduction in cost of fighting case / relief given to employees or private individual/ agencies | Supreme Court/High Court/CAT/ District or Subordinate Courts |

[Note:- Separate information on Autonomous Bodies/Subordinate Offices/ Attached Offices etc. may be sent in the similar format]