

Court Cases Matter
Immediate

No.A-49012/7/2018-Estt.IV/102
Government of India
Central Water Commission
(Estt.IV Section)

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

Dated the, 18 April, 2018

OFFICE MEMORANDUM

Sub: **Actions to be taken for reducing Government Litigations involving Central Ministries/Departments- regarding.**

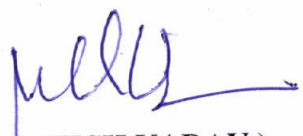
The undersigned is directed to forward herewith a copy of email, dt. 16.4.18 of Estt.I Section, MoWR, RD & GR alongwith Estt.IV Section of MoWR, RD & GR No. A-42017/8/2018-E.IV Section/590, dt. 6.4.18 and O.M. No.17/13/2017-NM, dt. 20.3.18 of Department of Justice, National Mission on the above mentioned subject.

2. It is requested to furnish the updated status of Court Cases in the enclosed prescribed proforma **latest by 20.4.2018** for sending consolidated information to MoWR, RD & GR in time. **'Nil' information may also be furnished.**

3. The same may please be treated as **'Most Urgent'**.

4. Enclosures are available at CWC Web Portal(Employee Corners-Circulars).

Encls: As above(Proforma).


(**MAHESH YADAV**)
Under Secretary

To:

1. All the Chief Engineers of CWC in field formation (as per enclosed list).
2. US/S.O. Estt.I, II, III, V, VI, VII, VIII, IX, X, XI, XIII, XIV, O&M, CM&V, APAR Sections, CWC.
3. Director, RMCD, WP&P(C) & D&R(C), CWC.
4. Director, RMCD, CWC. It is requested to pursue the matter in r/o field offices of Chief Engineers of CWC.
5. Director, RD Dte., CWC.(Fax No.011-26181267).
6. S.E., Planning Circle, CWC, Faridabad.(Fax No.0129-2412956/2412576)

DETAILS OF REDUCTION IN PENDING COURT CASES

Name of the Central/State Ministry/Department: _____

S.No.	Name of Offices	Total Existing Number of Courts Cases as on 31.3.2018				How many court cases have been reduced after review during the last quarter ending(March/June/September/December)				How many cases have been withdrawn after Executive Order or following ADR methods such as mediation etc./reduction in cost of fighting case/relief given to employees or private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 Sub. Courts	Supreme Court	High Court	CAT	District or Sub. Courts	Supreme Court	High Court	CAT	District or Sub. Courts
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.													
TOTAL:													

Subject: **Furnishing of updated status of Court cases in r/o CWC regarding-**

Date: 16/04/18 09:47 AM

To: secretary <secy-cwc@nic.in>

From: eone-mowr <eone-mowr@nic.in>

Rahul Ranbir Singh <usestt4-cwc@gov.in>

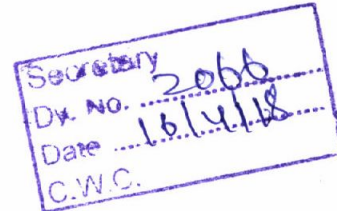
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document(40).pdf (56kB)

Sir,

Please find attached herewith Ministry's letter dated 12.4.2018 requesting CWC to furnish the updated status of Court Cases as per the format furnished by E.IV Section of the Ministry for providing the requisite information directly to the E.IV Section under intimation to this Ministry. The format is also attached herewith.

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Establishment-I Section
MoWR, RD & GR
Shram Shakti Bhawan,
Rafi Marg, New Delhi
Ph.No.23708365



3P10A
16/04/2018
US(E-IV)
Consultant(EIV)
17/4/18
SA-ARV

498/US(C-IV)
17/4/18

23716928

F.No. A-42017/8/2018-E-IV Section /590

Government of India
Ministry of Water Resources, River Development
& Ganga Rejuvenation

Shram Shakti Bhawan, Rafi Marg,
New Delhi, dated the 6th April, 2018

To,

1. The Chairman, Central Water Commission, Sewa Bhawan, R.K. Puram, New Delhi-110066
2. The Vice Chairman, Brahmaputra Board, Basistha, Guwahati-781029
3. The Chairman, Ganga Flood Control Commission, Sinchai Bhawan, Patna-800015
4. The General Manager, Farakka Barrage Project, 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, Central Water & Power Research Station, 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 Chief Engineer (HQ), National Water Development Agency, 18-20 Community Centre, Saket, New Delhi-110017
11. The Executive Member, Narmada Control Authority, Narmada Sadan, Sector-B, Scheme No.74, Vijay Nagar, Indore-452010 (MP)
12. The Manager (C&A), 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, Central Soil & Materials Research Station, Olof Palme Marg, Hauz Khas, New Dehi-110016
15. The Chairman, Central Ground Water Board, Bhujal Bhawan, NH-IV, Faridabad, 121001
16. The Secretary, Betwa River Board, Nandanpura, Jhansi-284003
17. The Director General, National Mission for Clean Ganga, 1st Floor, Major Dhyan Chand National Stadium, India Gate, New Delhi-110002.
18. The Director, North Eastern Regional Institute of Water and Land Management (NERIWALM) P.O. Kaliabhomora – 784027, Dolabari, Tezpur, Assam.
19. The CEO, Polavaram Project Authority, KG Bhawan, A. C. Guards, Hyderabad.
20. The Chairman, Krishna River Management Board, Jalasoudha, Hyderabad.
21. The Chairman, Godavari River Management Board, Jalasoudha, Hyderabad.
22. The Secretary, Bansagar Control Board, Bansagar Colony, Rewa, M.P. 486005.

Subject: Actions to be taken for reducing Government Litigations involving Central Ministries/Departments – regarding.

Sir,

I am directed to forward herewith a copy of OM No.N-17/13/2017-NM dated 20.03.2018 received from Department of Justice, Ministry of Law & Justice alongwith a copy of D.O letter No.N-17/13/2017-NM from Hon'ble Minister of Law & Justice on the above mentioned subject

and to request to furnish the updated status on pending court cases involving Central Ministries/Departments in the prescribed proforma within 2 weeks time from receipt of this letter for sending a consolidated information to Department of Justice.

Encl. As above

Yours faithfully

Arun Kumar
(Arun Kumar)

Under Secretary to the Government of India

PH : 23716894

Copy with enclosures forwarded for taking similar action to:-

1. Administration Section for furnishing information in respect of Ministry.
2. All Wing and Divisional Heads of MoWR, RD & GR.

Deputy Secretary (E-I & E-III), MoWR
Room No. 623

PA

Copy to: ① us (E-I) ✓
② us (E-III) ✓
Amir
11/04

n
11/4

Dr. R. K.



File No. 17/13/2017-NM
Government of India
Department of Justice
National mission



Jaisalmer House, 26, Mansingh Road,
New Delhi- 110011
Dated: 20th March, 2018

OFFICE MEMORANDUM

Subject: Actions to be taken for reducing Government Litigations involving Central Ministries/Departments.

The undersigned is directed to forward herewith a copy of D O letter No. N-17/13/2017-NM from Hon'ble Minister of Law & Justice addressed to Hon'ble Minister of your Ministry/Department on the above mentioned subject.

It is requested that updated status on data on pending court cases involving Central Ministries/Departments may be furnished to this Department in the enclosed format to enable this Department to proceed further in the matter.

(Giridhar G Pai)
Director

Tel./Fax.011-23072145

Encl: As above.

The Secretary
Ministry of Water Resources, River Development and Ganga Rejuvenation
Shram Shakti Bhawan,
Rafi Marg, New Delhi – 110001

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SO

(E-IV)

रविशंकर प्रसाद

RAVI SHANKAR PRASAD



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

१/६/१७-३५५ ५/११/३१

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

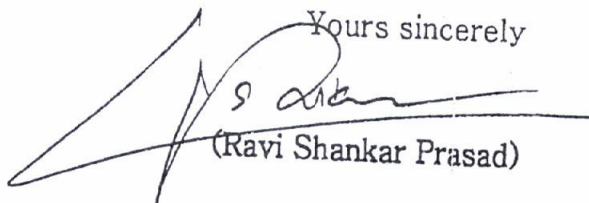
considered. Filing of new cases against state governments or its bodies or government staff may be discouraged, and recourse to litigation may be adopted only as a last resort. As frequent adjournments are resorted to by Government Counsels, unnecessary and frequent adjournments should be frowned upon,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

1241

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.

(2)

DETAILS OF REDUCTION IN PENDING COURT CASES

Name of the Central/State Ministry /Department: _____

1. Total existing Number of
Courts cases as on **31-3-2018**

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]

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F.No.C-18018/3/2017-E-I
Government of India
Ministry of Water Resources, River Development
& Ganga Rejuvenation

Shram Shakti Bhawan, Rafi Marg,
New Delhi, 12/04/2018

To
The Secretary
Central Water Commission
Sewa Bhawan, R.K. Puram,
New Delhi-110066

Subject:- Action to be taken for reducing Government Litigation involving Central
Ministries-furnishing of status of pending court cases-regarding.

Sir,

I am directed to refer to this Ministry's letter No.A-42017/8/2018-E.IV/590 dated
06.04.2018 (copy enclosed) on the subject mentioned above and to request you to furnish the
updated information of pending court cases of CWC, in the enclosed format, directly to E.IV
Section of the Ministry under intimation to this Section.

Encl: As stated above

Yours faithfully,

Handwritten signature
(Narendra Singh)

Under Secretary to the Government of India

Tel: 23716928

Email: use1-mowr@nic.in

Handwritten notes:
Recd. Encl. off
13/4/18

Handwritten initials: DV