



Phone : 23710519

Fax : (91-11) 23730937, 23730682

E-mail : cvo@csir.res.in

## वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्

अनुसंधान भवन, 2, रफी मार्ग, नई दिल्ली - 110001

## COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

Anusandhan Bhawan, 2, Rafi Marg, New Delhi - 110001

संख्या

No. 15-6(82)/98-O&M-II(Vig.)

दिनांक : 31 दिसम्बर, 2020

प्रेषक

From

मुख्य सतर्कता अधिकारी

Chief Vigilance Officer

To

सीएसआईआर के सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के निदेशक  
The Directors/Heads of all National Labs./Instts. of CSIR

विषय : Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Supreme Court of India- reg.

महोदया/ महोदय,

उपरोक्त विषय पर केन्द्रीय सतर्कता आयोग द्वारा प्रेषित परिपत्र स. 19/12/2020 (संख्या 020/एमएससी/028) दिनांक 22.12.2020 की एक प्रति सूचना, आवश्यक कार्यवाही एवं सख्त अनुपालन हेतु अग्रेषित कर रहा हूँ। कृपया सभी संबन्धित अधिकारियों/कर्मचारियों के संज्ञान में लाया जाए।

I am to forward herewith a copy of Circular No. 19/12/20 dated 22.12.2020 (Letter No. 020/MS/028) of the Central Vigilance Commission, Govt. of India, on the subject cited above for information, necessary action and strict compliance. Please bring it to the notice of all concerned.

भवदीय,

(ले. कर्नल विक्रम सिंह राणा)  
मुख्य सतर्कता अधिकारी

प्रतिलिपि :

1. महानिदेशक, सीएसआईआर का कार्यालय
2. संयुक्तसचिव(प्रशा.), सीएसआईआर का कार्यालय
3. वित्तीय सलाहकार, सीएसआईआर का कार्यालय
4. विधि सलाहकार, सीएसआईआर का कार्यालय
5. सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों के प्रशासन नियन्त्रक/प्रशा. अधिकारी
6. सीएसआईआर मुख्यालय/कॉम्प्लेक्स के /वरिष्ठ-उप-सचिव/ उप-सचिव/अवर सचिव
7. प्रमुख आईटी विभाग इस पत्र को सीएसआईआर वेबसाइट पर उपलब्ध करने हेतु।
8. वरिष्ठ भंडार एवम क्रय अधिकारी
9. सतर्कता अनुभाग में कार्यरत सभी अनुभाग अधिकारी
10. कार्यालय प्रति

Telegraphic Address :  
"SATARKTA: New Delhi

E-Mail Address  
cenvigil@nic.in

Website  
www.cvc.nic.in

EPABX  
011-24600200

फैक्स / Fax :  
011-24651186



सत्यमेव जयते

केन्द्रीय सतर्कता आयोग  
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
Block A, INA, New Delhi-110023  
020/MSC/028

सं./No.....

दिनांक / Dated 22.12.2020

Circular No. 19/12/20

Subject: Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013  
passed by Supreme Court of India.

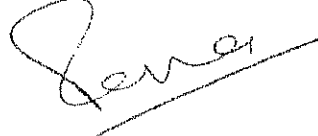
Ministry of Law and Justice, vide their Office Memorandum No. N-17/10/2018-NM dated 13.06.2018 have brought to notice, the judgement dated 28.03.2018 of the Hon'ble Supreme Court in the above cited Criminal Appeal. Copy of O.M. dated 13.06.18 of Ministry of Law and Justice is enclosed.

2. As pointed out by Ministry of Law and Justice, in the judgement dated 28.03.2018, Hon'ble Supreme Court had ordered for limiting the period of stay granted by a court of law to six months, except in exceptional circumstances. The Commission has desired that the orders dated 28.03.2018 may be kept in view, while handling/examining court matters in the organisations. In respect of those court cases, where stay was granted by a trial court more than six months ago and also in cases based on CBI's investigation, which have been kept in abeyance due to court's orders, the issues may be examined in the light of the aforementioned judgement of the Hon'ble Supreme Court. Appropriate and immediate steps may also be taken, in consultation with the organization's counsels/Legal Branch to ensure that the stay, if granted by a court of law, is vacated within six months' period and court proceedings are commenced.

3. The above position may also be brought to the notice of the Chief Executive and Legal Branches of the organisations concerned for keeping the Supreme Court's orders in view, while handling Legal/ Court matters.

4. Complete judgement of the Hon'ble Supreme Court may be accessed from the Supreme Court's website through the link <https://sci.gov.in/supremecourt/2011/27580/27580 Judgement 28-Mar-2018.pdf>.

5. It may be noted for compliance with immediate effect.

  
(Rajiv Verma)  
Officer on Special Duty

All Chief Vigilance Officers

Encls: As above.

File No. N-17/10/2018-NM  
Government of India  
Ministry of Law and Justice  
Department of Justice

Jaisalmer House  
26, Mansingh Road, New Delhi-110011  
Dated the 13<sup>th</sup> June, 2018

OFFICE MEMORANDUM

Subject: Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon'ble Supreme Court of India.

Sir,

This Department has received a copy of Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon'ble Supreme Court of India, through the Office of Hon'ble Prime Minister for forwarding to all concerned.

The implication of the aforesaid judgment is that where any action by a development agency or an enforcement agency, as the case may be, was stayed by a court of law, the same shall stand vacated automatically at the expiry of 6 months from the date of the order i.e. 28.03.2018, unless the same is extended by a speaking order. Further, the judgment casts a responsibility on the court granting stay that the speaking order must show that the case was of such exceptional nature that continuing the stay was more important than having the trial finalized. Also, in such cases where the stay is extended, the trial court has been directed to fix a date not beyond six months of the order of stay so that on expiry of period of stay, proceedings can commence.

The judgment of Hon'ble Supreme Court can be accessed at [https://sci.gov.in/supremecourt/2011/27580/27580\\_Judgement\\_28-Mar-2018.pdf](https://sci.gov.in/supremecourt/2011/27580/27580_Judgement_28-Mar-2018.pdf).

(Giridhar G Pai)  
Director  
Ph 23072145

Secretary  
Department of Atomic Energy  
Anushakti Bhavan, Chatrapathi Shivaji  
Maharaj Marg, Mumbai - 400001

Copy to. - Under Secretary (JI), Department of Justice for uploading on portal w.r.t.  
PMO ID No. 4827311/PMO/2018-Pol dated 24.04.2018

मु०स०अ०/CVO

उपसचिव (स०)/DS (Vig.)

अवर सचिव (स०)/US (Vig.)

अनु०अधि०(स०)/SO (Vig.)  
(I/II/III/IV)

