



File No.36-3(89)/EA-Law- Vol. IV

Dated: 6.5.2016

To,
The Directors/Heads of all Labs/Institutes.

Sub.: Steps to ensure proper representation of CSIR in all legal cases/Court cases- reg.

Sir/Madam,

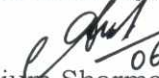
In one of the cases filed against CSIR in one of the CSIR Laboratories/Institutes, the CSIR Counsel conducting the case was not in a position to rebut the allegations of the opposite party. Hence in the absence of any rebuttal from the Counsel of CSIR-Lab/Institute, CSIR was placed with a "*fait- accompli*" of having to accept the Order of the Court. Consequently, the impugned Office Memorandum of the said CSIR-Laboratory/Institute was quashed and the matter was remitted back to the Laboratory/Institute by the Court with a direction to consider the case of the Applicant/Petitioner within the stipulated period of time.

2. In this matter the Controller of Administration/Administrative Officer were found wanting in performance of their duty, in not properly briefing/giving inputs to the CSIR Counsel, which led to the absence of rebuttal by the Counsel of CSIR-Lab/Institute before the Hon'ble Court.

3. In view of the above, the Competent Authority, CSIR has issued directions that henceforth, the Sr. Controller of Administration/Controller of Administration/Administrative Officer shall take personal interest in pursuing the interest of CSIR in all legal/Court cases. They must regularly be in touch with the Counsels; take stock of the Court cases pending before different forums/Courts from time-to-time; brief them about the facts/background of the cases, Rule position etc.; continuously monitor status of the cases, filing of pleadings on behalf of CSIR/Laboratory/Institute including the contents of the pleadings etc. so as to avoid any unpleasant Orders by the Courts/Forums. As far as practicable, they should also visit the Court and know the outcome of a Court Case after every hearing.

4. The above instructions may be strictly complied with by all concerned.

Yours faithfully,


(Anjum Sharma)
Deputy Secretary (Legal)

Copy for information to:

- (i) Sr. COAs/COAs/AOs of all Labs/Institutes of CSIR
- (ii) US, Office of DG, CSIR
- (iii) PS to JS (Admn.)
- (iv) PS to FA
- (v) PS to CVO
- (vi) Head, HRDG
- (vii) Sr. DS, CSIR Complex
- (viii) Sr. DS (PD/HR), CSIR Hqrs.
- (ix) DS (CO), CSIR Hqrs.
- (x) Head IT Division- With a request to display this Circular on the CSIR web-site.
- (xi) DS- RAB
- (xii) Office Copy.