

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
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Anusandhan Bhawan, 2, Rafi Marg, New Delhi- 110 001



No. 36-2(80)-Law/96

Dated 31.03.2023

From

संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)

To,
The Directors/Heads of all CSIR Labs/Instts.,

Sub: Delay in filing of SLP/Civil Appeals etc. – SOP/Timelines-

Sir,

Secretary Department of Legal Affairs Ministry of Law and Justice, vide their DO Letter No. J-12012/2/2023-Judicial dated 02/02/2023 (copy enclosed) have observed that there is a number of occasion in which SLPs, Appeals, Reply/Counter Affidavit etc. are not filed in the court within the stipulated period resulting in adverse orders by the courts. While referring to the instructions issued in this regard from time to time, they have desired that in order to avoid delay in Central Government litigation, the timeline as given in the above said DO should be adhered to.

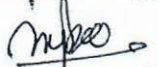
The Competent Authority, CSIR has accepted the instructions/timeline as mentioned in the DO letter (mutatis-mutandis) and accordingly approved that in order to avoid delay in litigation where limitation period is 90 days, following timeline may be adhered to:-

S.No.	Action to be taken	SLP/Appeals in SC	Appeal/Criminal Revision in HC
1	Examination by the Lab/Instt. concerned and forwarding the same alongwith their inputs/comments and recommendations for examination/consideration and approval of the Competent Authority, CSIR.	15 Days	15 Days
2	Examination and advice/opinion by LA, CSIR and forwarding the same together with the approval of the Competent Authority to the Lab/Instt. concerned.	15 Days	15 Days
3	Drafting by the Advocate based on the inputs/comments of all concerned.	10 Days	10 days
4	Approval of the drafts by the Lab/Instt. concerned and/or CSIR Hqrs.	10 Days	10 Days
5	Finalizing, Signing and filing by the Lab/Instt. concerned through the Advocate engaged to defend the matter on behalf of CSIR and Lab/Instt. concerned.	10 Days	10 Days

Where limitation period is 60 days or 30 days or any specified time given by the Court, the above time line shall have to be reduced correspondingly.

It is requested that the above may be brought to the kind notice of all concerned for information, guidance and compliance.

Yours faithfully,



(J.L Khongsai)

Deputy Secretary (Legal)

Encl:a/a

Copy to:-

- 1) Sr. DS, [CO], CSIR Hqrs.
- 2) Sr. DS, [HR], CSIR Hqrs.
- 3) Sr. DS, [PD], CSIR Hqrs.
- 4) Sr. DS, HRDG, CSIR
- 5) Sr. PPS to DG, CSIR
- 6) PS to JS (A), CSIR
- 7) PS to FA
- 8) PS to CVO
- 9) PS to LA
- 10) Head, IT- with the request to make this circular letter available on the CSIR website.

डा. नितेन चन्द्र, भा.प्र.से.

सचिव

Dr. Niten Chandra, IAS

Secretary



सत्यमेव जयते



भारत 2023 INDIA
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विधि और न्याय मंत्रालय

भारत सरकार

DEPARTMENT OF LEGAL AFFAIRS

MINISTRY OF LAW & JUSTICE

GOVERNMENT OF INDIA

DO No. J-12012/2/2023-Judicial

Dated the 02nd February, 2023

Dear Secretary,

It has been noticed by various field offices of Ministry of Law & Justice and by Law Officers / Panel Counsel who appear on behalf of Union of India before various courts / tribunals that there are a number of occasions in which SLPs, Appeals, the reply / counter-affidavits etc. are not filed in the court within the stipulated period resulting in adverse orders by the courts.

2. This Department has been issuing instructions in this regard from time to time. Two such instructions were issued in the year 2015 & 2016 vide DO letter No. 35(1)/2015-Judl. 27th August, 2015 and No. J-12/2/2016-Judl. dated 9th June, 2016. Besides, Cabinet Secretariat has also issued detailed guidelines in this regard vide DO letter No. 1/50/3/2016-Cab. dated 16th June, 2016 and No. 403/1/5/2016-CA.V dated 25th November, 2016. All these instructions are available on website of this Department i.e. www.legalaffairs.gov.in under tab 'Judicial Section' in the link 'Circulars pertaining to litigation'. Despite the instructions issued as above, incidents of delay in filing SLPs, Appeals, reply/counter-affidavits etc. occur.

3. In order to avoid delay in Central Government litigation, where limitation period is 90 days, following timeline may be adhered to :-

SN.	Action to be taken	SLP / Appeals in SC	Appeal / Criminal Revision in HC
1.	Examination and taking administrative decision by the Ministry / Departments	15 days	15 days
2.	Examination and advice / opinion by the DoLA and the Law Officers	15 days	15 days
3.	Drafting and forwarding the same to the concerned Ministry / Departments	15 days	15 days
4.	Approval of the draft by the concerned Ministry / Departments and providing necessary documents	5 days	5 days
5.	Preparing paper book and filing	10 days	10 days

4. In other matters, like filing statutory appeals, review and other affidavits, where limitation period is 60 days or 30 days or any specified time given by the court, the above time line may be reduced correspondingly.

- JS (DSIR)
- JS (A) ✓
- LA (LSIR)

LA/CSIR

DS/CL
LA/CL

pls circulate to all lats/units in 17/2/23

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: 2 :

5. You are requested to bring these time lines to the notice of all officers in your Ministry / Department including Public Sector Undertakings (PSUs) under your administrative control for strict compliance.

With regards,

yours sincerely,

N. Chandra

(Dr. Niten Chandra)

To

The Secretaries of all the Ministries / Department.

Copy to:

1. PS to ML&J / PPS to MoSL&J
2. Shri Rohit Singh, Additional Secretary, Cabinet Secretariat
3. Shri C. Sridhar, Joint Secretary, Prime Minister's Office
4. All the Law Officers.
5. All the Dy. Solicitor General of India in various High Courts.
6. The In-charge, Branch Secretariat at Mumbai, Kolkata, Chennai and Bengaluru.
7. The In-charge, Litigation (High Court/CAT/Lower Court).

