

No. 36-2/80-Law

7<sup>th</sup> April, .2025

Dated \_\_\_\_\_

To

Heads of all National Labs/Instts. of CSIR,

**Sub: Standard Operating Procedure to deal with the legal matters – reg**

Madam/Sir,

As you all are aware that in order to deal with the legal matters in an effective manner, Legal Division has issued various instructions / guidelines from time to time. The issue of proper monitoring of Court cases of CSIR and CSIR Labs/Instts. was discussed during the General Administration Annual Meet-2024 held at HRDG, Ghaziabad, wherein the need was felt to issue a Standard Operating Procedure to deal with the legal matters.

Accordingly, in addition to the instructions/guidelines issued by this Division from time to time for dealing with the Court Cases, the following SOP may kindly be followed to ensure consistency and improve efficiency in conducting / monitoring of the Court cases:

- Check Jurisdiction – Posting of the Applicant/Petitioner or the place where cause of action has arisen;
- In order to avoid the litigation, the representations/grievances of the employees/pensioners may be handled properly and disposed of in a timely manner by issuing a reasoned order.
- Mitigation – Whether the prayer can be addressed administratively within the ambit of standing rules and guidelines, if yes, take necessary administrative actions in time to mitigate the litigation;
- In case it is recommended that the case is to be contested, refer the matter to Legal Advisor along with all the facts, comments, clear recommendations to contest or otherwise along with the grounds for contesting, name of the advocate in the prescribed Proforma;
- Prior approval of the Competent Authority is mandatory as per Bye Law-5 of Rules & Regulations and Bye-Laws of CSIR for filing/contesting any court case. Seeking Ex-Post Facto approval for initiating any litigation is only an exception and cannot be treated as a general rule/practice. Hence seeking Ex-Post facto approval of the Competent Authority may be avoided except in extraordinary circumstances;
- The inputs comments of the concerned Section/Division of HQ should be obtained, wherever required;
- On receipt of approval to contest the matter and engagement of advocate, coordinate with the advocate and provide complete facts, para-wise comments on the plaint and the grounds to contest alongwith relevant documents for preparing the Counter Affidavit;
- Send the draft counter affidavit prepared by advocate to Legal Advisor for vetting from legal angle, if so warranted;
- File the counter affidavit in Hon'ble CAT/Court and also send a copy of the signed counter affidavit to Legal Division for records;

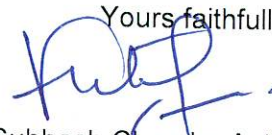
Contd....

- Ensure that no hearing in any legal case is left unattended by the advocate and a responsible officer/official of the Lab/Instt.;
- File all the pleadings in the court within the time limit granted for the same by the respective Court. It must be ensured that copies of all the pleadings are provided to Legal Advisor for records;
- Keep track of the daily orders issued by court in the matter and seek approval of Competent authority for implementing such orders as and when required;
- When the case is concluded and final order is passed by Hon'ble CAT/court the matter should be referred to Legal Advisor along with comments of the lab and clear recommendations to accept the same or otherwise to obtain approval of the Competent authority to avoid the contempt Proceedings. It must be ensured that the time limits given in respective orders are strictly adhered to and matter is referred to Legal Advisor well in time so that it may be processed within the given time limits at HQ;
- The orders are required to be implemented immediately on receipt of approval of the competent authority. The labs/Instt should take immediate necessary action in the litigation matters as per the approval of Competent authority- be it implementing an order or challenging it before a Court of appropriate jurisdiction.

No time limits have been prescribed for completing specific tasks outlined in the SOP, as in legal matters the action is required to be taken immediately, without referring to any fixed time frame.

All concerned are requested to adhere to this SOP while dealing with cases filed / pending at any Court including the specialized forums like Consumer Court and Tribunals.

Yours faithfully,



(Subhash Chander Antil)  
Deputy Secretary (Legal)

Copy to:-

1. All Heads of Sections/Divisions/Directorates/Units of CSIR H'qrs
2. Sr. COA/COA/AO of all CSIR Labs/Instts.
3. All Sr. DS/DS/US of CSIR H'qrs, HRDG, HRDC, URDIP, TKDL, IPU, SCDD, DGTC, IMD, TMD, CPD
4. PPS to DG, CSIR
5. PS. to JS(A)
6. IT Division, with the request to host the Circular on CSIR website.
7. Office Copy

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



36-2/80-Law /120

26<sup>th</sup> April, 2023

No. \_\_\_\_\_

Dated \_\_\_\_\_

From

संयुक्त सचिव (प्रशासन)  
Joint Secretary (Admn.)

To,

Sr. COA/COA/AO of National Labs/Instt. of CSIR

**Subject: - Format(s) for referring court cases etc. to CSIR Hqrs. -Reg.**

Madam/Sir,

It may be recalled that during the General Administration Annual meet held in NIO Goa on 20<sup>th</sup> & 21<sup>st</sup> February 2023, the matter pertaining to draft formats for seeking legal advice and referring legal(court) cases to CSIR Hqrs. Legal Section was discussed and the draft formats were also circulated for comments.

The Joint Secretary (Admin), CSIR has now been pleased to approve the draft formats. Accordingly, all Labs. /Instts. of CSIR are hereby requested to forward the court cases or request for legal advice/opinion in the enclosed format as given below:

1. Court cases (fresh case): Format as enclosed at Annexure-I
2. Court judgement in a case: Format as enclosed at Annexure-II
3. Legal advice/opinion: Format as enclosed at Annexure-III

All Sr.COA/COA/AOs are requested to ensure compliance in this regard.

Yours faithfully,

  
(J.L. Khongsai)

Deputy Secretary (Legal)

CC .

1. Sr.DS (CO)
2. Sr.PPS to DG CSIR
3. PS to JS(A)
4. PS to FA,CSIR
5. PS to CVO
6. PS to LA
7. Office Copy

**Format for referring Legal (Court)cases to CSIR Hqrs.**

1. Name of the Lab./Instt.:
2. Sub. matter of dispute (Viz. OA, WP (Petition/application):
3. Case No:
4. Name of the petitioner(s):
5. Name of the Respondent(s):
6. Name of the court/CAT Bench:
7. Category of the case:

Sub Category (Optional):

8. Subject matter / Brief Summary of the Case (Preferably in one para):

--

9. Comments of the concerned Division of the Instt.:
10. Examination / Analysis by the Administration of the Lab./Instt./Division(CSIR Hqrs):
11. If Proposal for contesting, then please mention cogent grounds for contesting:
12. Name and contact details of the proposed Advocate:
13. Recommendations /approval of the Director:
14. List of Annexures:

Signature of Sr. COA/COA/AO

**Format for referring Legal cases to CSIR Hqrs. after Court Judgement**

1. Name of the Lab/Instt.:
2. Sub (Viz. OA, WP (Petition/application):
3. Case No:
4. Name of the petitioner(s):
5. Name of the Respondent(s):
6. Name of the court/CAT Bench:
7. Category of the case:  
Sub Category (Optional):
8. Subject matter / Brief Summary of the Case:

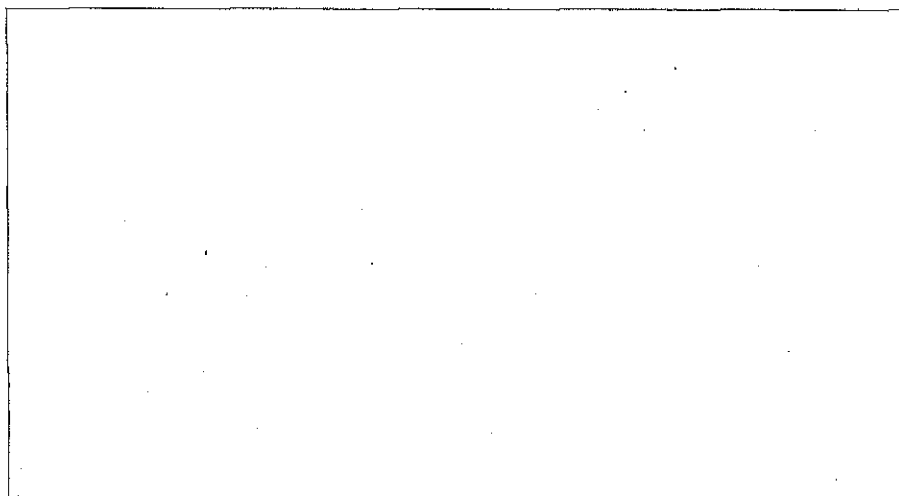
9. Judgment (Broad point together with operative part):

10. Comments of the concerned Division of the Instt.:
11. Examination / Analysis by the Administration of the concerned Lab/Instt./Division of  
CSIR Hqrs.:
12. Whether to accept or challenge the order. if proposal is for challenging the  
judgement/order, please mention cogent grounds for challenge:
13. Date of receipt the certified copy of the Judgement:  
(required for counting of limitation period to challenge the order  
to be complied with, to avoid contempt proceeding in the matter)
14. Name of the Advocate:
15. Recommendations /approval of the Director:
16. List of Annexures

17. Signature of Sr. COA/COA/AO

**Format for referring Matters/Issues to CSIR Hqrs. for Legal Advice/Opinion**

1. Legal Issue(s)/Legal Notice:
2. Subject matter / Brief Summary of the Case: -



3. Comments/proposal of the concerned Lab./Division of CSIR Hqrs.:
4. Examination / Analysis by the Administration of the Lab./Instt./Division (CSIR Hqrs).:
5. Specific Point on which legal Opinion is required:
6. Recommendations /approval of the Director:
7. List of Annexures:

Signature of Sr. COA/COA/AO