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भारतीय चिकित्सा अनुसंधान परिषद
स्वास्थ्य अनुसंधान विभाग, स्वास्थ्य एवं परिवार
कल्याण मंत्रालय, भारत सरकार

Indian Council of Medical Research
Department of Health Research, Ministry of Health
and Family Welfare, Government of India

क्रमांक.E16/48/2022-प्रशासन/E.Office No.139791

दिनांक:19/11/2024

सेवा में,

निदेशक/प्रभारी निदेशक
परिषद के सभी संस्थान/केन्द्र

महोदय/महोदया,

विभिन्न मंत्रालयों/विभागों से प्राप्त निम्नलिखित अर्द्ध सरकारी पत्र/कार्यालय ज्ञापन, सूचना एवं आवश्यक कार्यवाही के लिए संलग्न है।

Sl.No	Reference No. & Date	Name of Ministry	Subject
1.	D.O. No. 4-4/2022-KT Dated 08.10.2024	Minister of Education, Department of School Education & Literacy, New Delhi	Donation of Computers and Valuable Assets like furniture, cupboard, LCD Screen, etc. to govt. & govt. aided schools through Vidyanjali
2.	D.O. No. LA-24/2282/2024-ADVICE A Dated: 09.10.2024	Ministry of Law & Justice, Department of Legal Affairs, New Delhi	DO letter dt. 09.10.2024 from Mr. Sunita Anand, AS on revised procedure for obtainin Legal Opinion of Law Officers before Hon'ble Supreme Court of India
3.	O.M. No.1/41/2/2024-Cab Dated:16.10.2024	Government of India, Cabinet Secretariat, New Delhi	Office Memorandum on Application of model code of conduct and Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to State Legislative Assemblies of Jharkhand and Maharashtra 2024
4.	O.M. No.C.18017/17/2024- Legal Cell Dated:29.10.2024	Ministry of Health & F.W., Department of Health & F.W., New Delhi	Circulation of a Compendium of various important Circulars/OMs/Instructions issued by the Ministry of Law & Justice related to court cases-regarding

भवदीय,

Signed by

Jagdish Rajesh

Date: 20-11-2024 18:36:43

जगदीश राजेश

सहायक महानिदेशक (प्रशासन)

अनुलग्नक:यथोक्त

प्रतिलिपि:

1. महानिदेशक/अपर महानिदेशक/वरि.उपमहानिदेशक (प्रशा.)/वरि.वित्त सलाहकार के निजी सचिव
2. परिषद के सभी प्रभाग प्रमुख
3. उपमहानिदेशक (प्रशा.)/सहा. महानिदेशक (प्रशा.)/ सहायक महानिदेशक (वित्त)
4. प्रमुख बीएमआई - आईसीएमआर की वेबसाइट पर अपलोड करने के अनुरोध के साथ।

- It is a good initiative
Pl. Sec if we can
donate,
AD (E) RK
21/10/24

Secy. (DHR) Office
FTS No : 3898879
Date : 9.10.24

Fwd: Donation of Computers and Valuable Assets like furniture, cupboard...

https://mail.mgovcloud.in/zm/?fromService=wp&wpVersion=29a6c...

Fwd: Donation of Computers and Valuable Assets like furniture, cupboard, LCD Screen, etc. to govt. & govt. aided schools through Vidyanjali

ME Me <secy-dhr@gov.in>
Wed, 09 Oct 2024 11:14:36 AM +0530 •

To "Richa Khoda" <richa.khoda@gov.in>, "Manisha Saxena" <srddga.hq@icmr.gov.in>

Mr. Ujjawal
24/10/24

ADG(A)

JS(RK) Sr. DDG

RB

24/10/24

===== Forwarded message =====

From: <keytask20@gmail.com>

To: "Dr(Mr) Himanshu Pathak" <dg.icar@nic.in>, "Devesh Chaturvedi (SECY-Agri)" <Secy-agri@nic.in>, "Ms. Alka Upadhyaya" <secyahd@nic.in>, "Dr. Abhilaksh Likhi" <secy-fisheries@nic.in>, <chairman@dae.gov.in>, <head.icpd@dae.gov.in>, "RAJESH KOTECHA" <secy-ayush@nic.in>, "Office of Seceratrty CPC" <sec.cpc@nic.in>, "Dr. Arunish Chawla" <secy-pharma@nic.in>, "V. Mang" <mang@gov.in>, "Sh. V.L. Kantha Rao" <secy.moc@nic.in>, "Commerce Secretary Office" <csoffice@nic.in>, "secy-ipp" <secy-ipp@nic.in>, <csecretary-posts@indiapost.gov.in>, "Dr. Neeraj Mittal" <secy-dot@nic.in>, "Nidhi Khare" <secy-ca@nic.in>, "Shri Sanjeev Chopra" <secy-food@nic.in>, "Dr. Ashish Kumar Bhutani" <secy-coop@gov.in>, "Secretary MCA" <secy.mca@nic.in>, "Arunish Chawla" <secy-culture@nic.in>, "Shri Giridhar Aramane" <defsecy@nic.in>, "Secretary DP" <sdpns@nic.in>, "S.G. Dastidar" <fads1-mod@gov.in>, "CDS SECTT" <cds.sectt@gov.in>, "Dr. Niten Chandra IAS" <secyesw@nic.in>, "Chanchal Kumar" <secydoner@nic.in>, "Dr M Ravichandran" <secretary@moes.gov.in>, "K. Sanjay Murthy" <secy.dhe@nic.in>, "Sanjay Kumar" <secy.sel@nic.in>, "Secretary Meity" <secretary@meity.gov.in>, "Ms Leena Nandan" <secy-moef@nic.in>, "Vinay Kwatra" <psfs@mea.gov.in>, "Dean FSI" <dean.ssifs@mea.gov.in>, "SAURABH KUMAR" <secyeast@mea.gov.in>, "Dammu Ravi" <secyer@mea.gov.in>, "Dr. Ausaf Sayeed" <secycpv@mea.gov.in>, "Shri Ajay Seth" <secy-dea@nic.in>, "Dr. Manoj Govil" <secyexp@nic.in>, "Secretary DFS" <secy-fs@nic.in>, "Shri Tuhin Kanta Pandey" <secy-dpe@nic.in>, "Sanjay Malhotra" <rsecy@nic.in>, "Mr Tuhin Kanta Pandey" <secydivest@nic.in>, "Secretary MoFPI" <secy.mofpi@nic.in>, "Apurva Chandra" <secyhfw@nic.in>, "Office of Secretary DHR" <secy-dhr@gov.in>, "Shri Kamran Rizvi" <shioff@nic.in>, "Govind Mohan" <hshso@nic.in>, "Dr Rajendra Kumar" <secybm@nic.in>, "K. Moses Chalai" <secy-iscs@nic.in>, "SECRETARY, OL" <secy-ol@nic.in>, "Shri Srinivas Katikithala" <secyurban@nic.in>, "Sanjay Jaju" <secy.inb@nic.in>, "Debashree Mukherjee" <secy-mowr@nic.in>, "Ms. Vini Mahajan" <secydws@nic.in>, "Secy Labour Employment" <secy-labour@nic.in>, "Shri Raj Kumar Goyal" <secy-jus@gov.in>, "Dr. Rajiv Mani" <secylaw-dla@nic.in>, "Dr. Rajiv Mani" <secyoffice-ld@gov.in>, "Shri S. C. L. Das (Secy-MSME)" <secretary-msme@nic.in>, "V. L. Kantha Rao" <secy-mines@nic.in>, "Secretary, Minority Affairs" <secy-mma@nic.in>, "Prashant Kumar Singh" <secy-mnre@nic.in>, "Vivek Bharadwaj" <secy-mopr@nic.in>, "Umang Narula" <secympa@nic.in>, "Shri V. Srinivas" <secy-arpg@nic.in>, "Office of Secretary, Personnel" <secy_mop@nic.in>, "Secy PNG" <sec.png@nic.in>, "Shri T.K. Ramachandran" <secyship@nic.in>, "Pankaj Agarwal" <secy-power@nic.in>, "Secretary RlyBoard RailwayBoard" <secyrb@rb.railnet.gov.in>, "SECRETARY MORT&H" <secy-road@nic.in>, "Manoj Joshi" <secy-dolr@nic.in>, "Shailesh Kumar Singh" <secyrd@nic.in>, "Dr Rajesh S Gokhale" <secy@dbt.nic.in>, "SECRETARY DST" <dstsec@nic.in>, "Director General CSIR" <dgcsir@csir.res.in>, "Secretary DSIR" <secy-dsir@nic.in>, "Atul Kumar Tiwari" <secy-msde@nic.in>, "AMIT YADAV" <secywel@nic.in>, "Sh Rajesh Aggarwal" <secretaryda-msje@nic.in>, "Dr Saurabh Garg IAS" <secretary@mospi.gov.in>, "Secretary Steel" <secy-steel@nic.in>, "Rachna Shah" <secy-textiles@nic.in>, "Secretary Tourism" <sectour@nic.in>, "Secretary Tribal Affairs" <secy-tribal@nic.in>, "Anil Malik" <secy.wcd@nic.in>, "Sujata Chaturvedi" <secy-sports@nic.in>, "Secretary Youth Affairs" <secy-ya@nic.in>, <chairman@isro.gov.in>, "Pavan Kapoor" <secywest@mea.gov.in>
Cc: "A Srija" <srija.a@gov.in>, "Mahesh Pal Singh" <maheshp.singh@nic.in>, "Ram Singh" <singh.ram92@gov.in>, "Charanjot Singh" <charanjot.singh@gov.in>, <pmuvidyanjali@gmail.com>
Date: Wed, 09 Oct 2024 10:54:43 +0530

S.No. 17642
21/10/24

No. 985
28/10/24

Subject: Donation of Computers and Valuable Assets like furniture, cupboard, LCD Screen, etc. to govt. & govt. aided schools through Vidyanjali

===== Forwarded message =====

Respected Sir/Madam,

Please find enclosed herewith the D.O. letter from Dept. of SE&L, MoE dated 8th October 2024 on the above mentioned subject for your kind information and necessary action.

With Regards,
KT Section, EA Bureau,
Dept. of SE&L, Ministry of Education,
Shastri Bhawan, New Delhi

☺ ☐☐ **2 Attachment(s)** • Download as Zip • Add To >



D.O. letter dated 8th Oct 20....pdf
1.1 MB • 🔒



Secretarys (DoSEL) D.O. let....pdf
1.1 MB • 🔒

A. SRIJA, IES
Economic Adviser

Tel : 011-23383202
e-mail : srija.a@gov.in



भारत सरकार
शिक्षा मंत्रालय
स्कूल शिक्षा और साक्षरता विभाग
107, डी विंग, शास्त्री भवन
नई दिल्ली-110015

GOVERNMENT OF INDIA
MINISTRY OF EDUCATION
DEPARTMENT OF SCHOOL EDUCATION & LITERACY
107, 'D' WING, SHASTRI BHAVAN
NEW DELHI-110015

D.O. No. 4-4/2022-KT

Date: 8th October, 2024

Respected Sirs & Madams,

Please refer to OM No. Q-15012/2/2024-O&M-DARPG dt 22nd August, 2024 received from Ministry of Personnel, Public Grievances & Pensions which conveys about a special Campaign 4.0 being organized from 2nd October to 31st October, 2024 for Swachhata in the offices of all Central Ministries/Departments and to D.O of even No. dated 25th September, 2023 from Secretary, Department of School Education & Literacy to all Secretaries (copy enclosed).

2. As part of this special campaign, it is possible that some government departments/ministries will choose to upgrade their existing computer systems and other digital devices by replacing them with new systems. Such computers and digital devices that are disposed off could become valuable assets if the Ministries/Departments refurbish them and distribute them in a workable condition to children of government and government-aided schools, especially in the aspirational districts. This way, these items can find a second life and meaningful use by benefiting the students in digital literacy.

3. The distribution of these items can be facilitated through the Department of School Education & Literacy's school volunteer program known as 'Vidyanjali'. The Vidyanjali initiative was launched by the Hon'ble Prime Minister in September 2021, with the aim to strengthen schools through community participation, Corporate Social Responsibility (CSR) and private sector involvement across the country. This programme is being implemented online through a portal hosted on website of the Department. It allows any Indian citizen, Persons of Indian Origin (PIO), or organizations registered in India to directly connect with government and government-aided schools. They can contribute in various ways, whether it's providing services, engaging in teaching/instruction activities, donating assets, materials, or equipment, all through the Vidyanjali platform.

4. In the light of the above, Department of School Education & Literacy takes this opportunity to invite all Departments/Ministries to donate their used ICT devices that are in workable condition after refurbishing, through the Vidyanjali portal for the benefit of government and government-aided schools, for the use of the students in learning. The following technical specifications for used computers, is to be ensured for contribution in schools:

Contd....

- CPU processor-Intel i5/i7, AMD Ryzen 5 or equivalent
- RAM-4 GB minimum
- OS-Windows 10 minimum
- Storage- 500 GB HDD

5. Apart from that, Ministries/Department can also consider donating other valuable assets like furniture, cupboards, LCD screen etc. which are in good workable condition and of value to children in schools through the Vidyanjali Portal.

6. The Vidyanjali portal can be accessed at <https://vidyanjali.education.gov.in>. For any inquiries or for further details on how to proceed, representatives from departments and ministries can get in touch with Sh. Ram Singh, Deputy Director at singh.ram92@gov.in/ Tel: 011-23387342 or PMU Vidyanjali at pmuvidyanjali@gmail.com/ Tel: 011-23765602.

With warm regards,

Yours sincerely,



(A Srijja)

The Secretaries of all Ministries/Departments

संजय कुमार, मा.प्र.से
सचिव

Sanjay Kumar, IAS
Secretary



भारत सरकार
शिक्षा मंत्रालय
स्कूल शिक्षा और साक्षरता विभाग
Government of India
Ministry of Education
Department of School Education & Literacy



D.O. No. 4-4/2022-KT

Dated 25th September, 2023

Respected Secretary,

Please refer to DO letter of Cabinet Secretary dated 25th August 2023 conveying directions about a special Campaign from 2nd October to 31st October, 2023 for Swachhata in all the offices of all Ministries/Departments and reducing pendency.

2. As part of this special campaign, it is possible that some government departments and ministries will choose to upgrade their existing computer systems and other digital devices by replacing them with new systems. Such computers and digital devices that are disposed of could become valuable assets if the Ministries/Departments refurbish them and distribute them in a workable condition to children of government and government-aided schools, especially in the aspirational districts. This way, these items can find a second life and meaningful use by benefitting the students in digital literacy.

3. The distribution of these items can be facilitated through the Department of School Education & Literacy's school volunteer program known as 'Vidyanjali'. The Vidyanjali initiative was launched by the Hon'ble Prime Minister in September 2021, with the aim to strengthen schools through community participation, Corporate Social Responsibility (CSR) and private sector involvement across the country. This programme is being implemented online through a portal hosted on website of the Department. It allows any Indian citizen, Persons of Indian Origin (PIO), or organizations registered in India to directly connect with government and government-aided schools. They can contribute in various ways, whether it's providing services, engaging in teaching/instruction activities, donating assets, materials, or equipment, all through the Vidyanjali platform.

4. In the light of the above, I take this opportunity to invite all Departments/ Ministries, O/o Cabinet Secretariat to volunteer to donate the used ICT devices that are in workable condition after refurbishing through the Vidyanjali portal for the benefit of government and government-aided schools, where students in some schools maybe deprived of sufficient number of computers in their ICT labs. Apart from that Ministries/Department can also consider donating other valuable assets like furniture, cupboards, LCD screen etc which are in good workable condition and of value to children in schools through the Vidyanjali Portal.

5. The Vidyanjali portal can be accessed at <https://vidyanjali.education.gov.in>. The Brochure of the portal is enclosed for further reference. For any inquiries or for further details on how to proceed, representatives from departments and ministries may get in

Contd.2/-

touch with Ms. A. Srija, Economic Adviser, DoSEL at srija.a@gov.in/ Tel: 011-23383202 or Mr. Syed Ekram Rizvi, Joint Secretary, DHE at syed.rizwi@gov.in/ Tel: 011-23383872.

Kind regards

Yours sincerely,

25/9/2023
(Sanjay Kumar)

1. Secretaries of all Ministries/Departments
2. Shri. Ajay Yadav, Joint Secretary, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.

[Secy-goi] DO letter dt. 09.10.2024 from Ms. Sunita Anand, AS on revised procedure for obtainin Legal Opinion of Law Officers before Hon'ble Supreme Court of India

SA

Sunita Anand <anand.sunita@nic.in> •

Wed, 09 Oct 2024 4:18:42 PM +0530

To "secy-goi" <secy-goi@lsmgr.nic.in>

Cc "Arjun Ram Meghwal" <mljoffice@gov.in>, "vikramjit b" <vikramjit.b@gmail.com>, "officeofvikramjitbanerjee" <officeofvikramjitbanerjee@gmail.com>, "kmnasgsc" <kmnasgsc@gmail.com>, "svraajusenioradvocate" <svraajusenioradvocate@gmail.com>, "nv" <nv@nvenkat.com>, "aishwaryabhati" <aishwaryabhati@gmail.com>, "advdwarak" <advdwarak@gmail.com>, "archana p dave" <archana.p.dave@gmail.com>, "sdsanjayasg" <sdsanjayasg@gmail.com>, "chaharbs" <chaharbs@hotmail.com>, "raja thakare" <raja.thakare@gmail.com>, "raghav" <raghav@rshankar.net>

DG. ICMR OFFICE

Diary No. 915806

Date : 10/10/2024

Sir / Madam,

The above mentioned DO letter is attached herewith for your kind consideration.

Regards,

(Ms. Sunita Anand)
Additional Secretary
Department of Legal Affairs
Shastri Bhawan, New Delhi
Tel No. 011 23387543

JS(AN) / JS(RK)
L DDS (A)

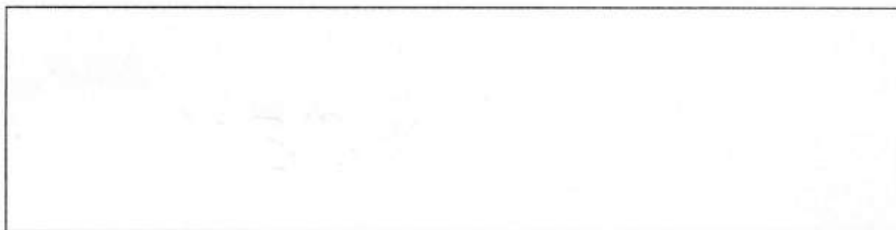
RB

DDP(A)

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Adm

Adm



Secy-goi mailing list -- secy-goi@lsmgr.nic.in

To unsubscribe send an email to secy-goi-leave@lsmgr.nic.in

📎 **1 Attachment(s)** • Download as Zip



All Secretaries_0001.pdf

1 MB • 🔒

सुनीता आनंद, आई. एल. एस.

Sunita Anand, I.L.S.

अपर सचिव एवं मुख्य सतर्कता अधिकारी
Additional Secretary & Chief Vigilance Officer



भारत सरकार
विधि और न्याय मंत्रालय
विधि कार्य विभाग
GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

D.O. No. LA-24/2282/2024-ADVICE A

Dated: 09.10.2024

Dear Sir/Madams

Please refer to D.O. letter No. A-60011/5/2023-Admn.CA dated 07.11.2023 (Annexure-I) regarding the revised procedure for obtaining Legal opinion of Ld. Law Officers (Ld. AGI, Ld. SGI & Ld. ASGs) on the feasibility of filing SLP/Appeals/Review Petitions etc. before the Hon'ble Supreme Court of India.

2. The revised procedure as above has been reviewed in the Department and it was felt that the earlier practice as per instructions of the O&M of 1987 for obtaining the opinion of the Ld. Law Officers on the feasibility of filing SLP/Appeals/Review etc. before Supreme Court of India may be restored. As per said instruction, a reference received for examining the feasibility of filing SLP/Appeals/Review etc. before Supreme Court of India from the administrative Ministry in the first instance would be dealt by the Legal Advisor(s) of the Department and thereafter the same may be forwarded for obtaining the opinion of the Ld. Law Officer.

3. Now, all references of Administrative Ministries/Departments relating to filing of SLP/Appeals/Review etc. before Supreme Court of India, where opinion of Ld. Law Officer(s) (Ld. AGI, Ld. SGI & Ld. ASGs) are required, be submitted to this Department for examination at first instance by the Legal Advisor(s) of the Department.

Regards,

Yours sincerely,

Sunita Anand
(Sunita Anand)

Enclosure: - as above

The Secretaries of all Ministries / Departments. (As per standard list)

Copy to:

1. PS to Hon'ble MoS(I/C) Law & Justice
2. All the Ld. Law Officers

e Annexure - I

Dr. REETA VASISHTA, ILS
Secretary to the Government of India
INCHARGE, CENTRAL AGENCY



भारत सरकार
GOVERNMENT OF INDIA
विधि और न्याय मंत्रालय
MINISTRY OF LAW & JUSTICE
केंद्रीय अभिकरण
CENTRAL AGENCY
सुप्रीम कोर्ट कंपाउन्ड
Supreme Court Compound
नई दिल्ली - 110001
New Delhi-110001

दिनांक :

Date : 7th November, 2023

D.O.No. A-60011/5/2023-Admn.CA

Dear Sir / Madam

The Central Agency is responsible for conducting litigation before Hon'ble Supreme Court of India on behalf of all Ministries/Departments of the Central Government, Union Territories and CAG. All SLPs/Appeals etc. on behalf of the Union of India are filed after obtaining the opinion of Ld. Law Officers on feasibility of filing SLPs/Appeals etc. in the Supreme Court of India through the Central Agency.

2. In order to avoid administrative delay in submitting such cases, where advice is required from the Ministry of Law & Justice for filing SLPs/seeking leave to Appeals/Reply/Counter Affidavit, etc., in the Supreme Court, you are requested to submit the matter directly to the Secretary, Central Agency, Supreme Court Compound, New Delhi.

3. In this regard, attention is invited to the orders passed by the Supreme Court of India, taking a serious view of the delay in filing appeals (viz. SLP (civil) Diary No(s).25547/2020, Union of India & Ors. Versus Radhey Shyam dated 28.01.2020, SLP (Civil) Diary No(s).28554/2020, Union of India & Ors. Versus R. Jayasankaran dated 01.02.2021, SLP (Criminal) Diary No. 24676/2020 Union of India Vs. Jitendra dated 08.01.2021, SLP (Criminal) Diary No.24723/2020, Narcotics Control Bureau Regional Bureau at Jodhpur Vs. Nepal Singh Meena & Anr. dated 08.01.2021). In all the cases, Hon'ble Supreme Court of India, while dismissing the SLPs on the ground of delay in filing SLPs has deprecated the casual manner in which the petitioners have approached the Hon'ble Court for condonation of delay without any cogent or plausible grounds, and has imposed cost to be recovered from the officers responsible for the delay in filing appeals/SLP.

4. Besides the instructions issued in this regard by the Department of Legal Affairs, Cabinet Secretariat had also issued 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.

5. Despite regular instructions issued by various entities in this regard, incidents of delay in filing SLPs, seeking leave to Appeals, Reply/Counter Affidavit, etc., have been observed, which could lead to adverse orders by the Hon'ble Supreme Court of India.

Contd...2/-

- 2 -

6. The following timeline for filing SLP/ Appeal may be adhered to, where limitation period is 90 days:

Sl. No.	Action to be taken	SLP/Appeals in Supreme Court
1	Examination and taking administrative decision by the Ministry/Department	10 days
2	Examination and advice/opinion by the Central Agency and the Law Officers	5 days
3	Drafting and forwarding the same to the concerned Ministry/ Departments	10 days
4	Approval of the draft by the concerned Ministry/ Departments and providing necessary documents	5 days
5	Preparing paper book and filing	5 days

7. In other matters, like filing Statutory Appeals, Review Petition and other Affidavits, where limitation period is 60 days or 30 days or any specified time given by the Court, the above timeline may be reduced correspondingly.

8. It may kindly be noted that the orders are available on the same day or by the next day in the matters on the website of Supreme Court i.e. <https://main.sci.gov.in/>. The same can be downloaded for compliance and necessary action by the concerned Ministries. Hence, the Department is required to keep track from the website of the developments in the matters and the orders passed therein to avoid delays in action being taken.

9. Similar cases/issues, if any, which have already been decided by the Supreme Court, shall clearly be highlighted by the Administrative Ministry / Department in their referring note. This shall enable the Law Officer to keep in perspective such similar cases/issues, while rendering the advice opinion in the matter.

10. This issues with the approval of Hon'ble Minister of State for Law and Justice (Independent Charge).

With regards,

Yours sincerely,


(Dr. Reeta Vasishta)

To

The Secretaries of all Ministries/Departments.

Copy to:

1. PS to Hon'ble Minister of State for Law and Justice (Independent Charge).
2. All the Ld. Law Officers.



ADMN-II ADMN <admn2355@gmail.com>

Fwd: [Secy-goi] DO letter dt. 09.10.2024 from Ms. Sunita Anand, AS on revised procedure for obtainin Legal Opinion of Law Officers before Hon'ble Supreme Court of India

Jagdish Rajesh <rajeshj.hq@icmr.gov.in>
To: cbaisya <cbaisya@gmail.com>
Cc: admn2355 <admn2355@gmail.com>

Wed, Oct 9, 2024 at 8:32 P

Dear Cintuji,

For your information please.

Admin2355 : to circulate.

===== Forwarded message =====

From: DG ICMR <secy-dg@icmr.gov.in>
To: "RICHA KHODA" <richa.khoda@gov.in>, "Manisha Saxena" <srddga.hq@icmr.gov.in>
Cc: "Jagdish Rajesh" <rajeshj.hq@icmr.gov.in>, "R Lakshminarayanan" <lakshminarayanan.r@icmr.gov.in>, "Office DHR" <secy-dhr@gov.in>
Date: Wed, 09 Oct 2024 17:02:13 +0530
Subject: [Secy-goi] DO letter dt. 09.10.2024 from Ms. Sunita Anand, AS on revised procedure for obtainin Legal Opinion of Law Officers before Hon'ble Supreme Court of India
===== Forwarded message =====

===== Forwarded message =====

From: Sunita Anand <anand.sunita@nic.in>
To: <secy-goi@ismgr.nic.in>
Cc: "Arjun Ram Meghwal" <mljoffice@gov.in>, "vikramjit b" <vikramjit.b@gmail.com>, <officeofvikramjitbanerjee@gmail.com>, <kmnasgsc@gmail.com>, <svrajuenioradvocate@gmail.com>, <nv@nvenkat.com>, <aishwaryabhati@gmail.com>, <advdwarak@gmail.com>, "archana p dave" <archana.p.dave@gmail.com>, <sdsanjayasg@gmail.com>, <chaharbs@hotmail.com>, "raja thakare" <raja.thakare@gmail.com>, <raghav@rshankar.net>
Date: Wed, 09 Oct 2024 15:34:02 +0530
Subject: [Secy-goi] DO letter dt. 09.10.2024 from Ms. Sunita Anand, AS on revised procedure for obtainin Legal Opinion of Law Officers before Hon'ble Supreme Court of India
===== Forwarded message =====


Sir / Madam,

The above mentioned DO letter is attached herewith for your kind consideration.

Regards,

(Ms. Sunita Anand)
Additional Secretary
Department of Legal Affairs
Shastri Bhawan, New Delhi
Tel No. 011 23387543

Secy-goi mailing list -- secy-goi@ismgr.nic.in
To unsubscribe send an email to secy-goi-leave@ismgr.nic.in

 **All Secretaries_0001.pdf**
1111K

सुनीता आनंद, आई. एल. एस.

Sunita Anand, I.L.S.

अपर सचिव एवं मुख्य सतर्कता अधिकारी

Additional Secretary & Chief Vigilance Officer



सत्यमेव जयते

भारत सरकार
विधि और न्याय मंत्रालय

विधि कार्य विभाग

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

D.O. No. LA-24/2282/2024-ADVICE A

Dated: 09.10.2024

Dear Sir/Madams

Please refer to D.O. letter No. A-60011/5/2023-Admn.CA dated 07.11.2023 (Annexure-I) regarding the revised procedure for obtaining Legal opinion of Ld. Law Officers (Ld. AGI, Ld. SGI & Ld. ASGs) on the feasibility of filing SLP/Appeals/ Review Petitions etc. before the Hon'ble Supreme Court of India.

2. The revised procedure as above has been reviewed in the Department and it was felt that the earlier practice as per instructions of the O&M of 1987 for obtaining the opinion of the Ld. Law Officers on the feasibility of filing SLP/Appeals/Review etc. before Supreme Court of India may be restored. As per said instruction, a reference received for examining the feasibility of filing SLP/Appeals/Review etc. before Supreme Court of India from the administrative Ministry in the first instance would be dealt by the Legal Advisor(s) of the Department and thereafter the same may be forwarded for obtaining the opinion of the Ld. Law Officer.

3. Now, all references of Administrative Ministries/Departments relating to filing of SLP/Appeals/Review etc. before Supreme Court of India, where opinion of Ld. Law Officer(s) (Ld. AGI, Ld. SGI & Ld. ASGs) are required, be submitted to this Department for examination at first instance by the Legal Advisor(s) of the Department.

Regards,

Yours sincerely,

Sunita Anand
(Sunita Anand)

Enclosure: - as above

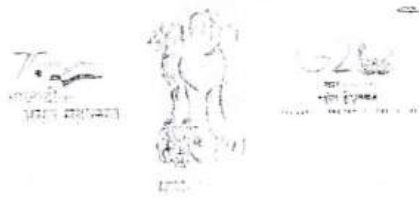
The Secretaries of all Ministries / Departments. (As per standard list)

Copy to:

1. PS to Hon'ble MoS(I/C) Law & Justice
2. All the Ld. Law Officers

Annexure - I

Dr. REETA VASISHTA, ILS
Secretary to the Government of India
INCHARGE, CENTRAL AGENCY



भारत सरकार
GOVERNMENT OF INDIA
विधि और न्याय मंत्रालय
MINISTRY OF LAW & JUSTICE
केंद्रीय अभिकरण
CENTRAL AGENCY
सुप्रीम कोर्ट कम्पाउंड
Supreme Court Compound
नई दिल्ली - 110001
New Delhi-110001

दिनांक :
Date: 7th November, 2023

D.O.No. A-60011/5/2023-Admn.CA

Dear Sir / Madam

The Central Agency is responsible for conducting litigation before Hon'ble Supreme Court of India on behalf of all Ministries/Departments of the Central Government, Union Territories and CAG. All SLPs/Appeals etc. on behalf of the Union of India are filed after obtaining the opinion of Ld. Law Officers on feasibility of filing SLPs/Appeals etc. in the Supreme Court of India through the Central Agency.

2. In order to avoid administrative delay in submitting such cases, where advice is required from the Ministry of Law & Justice for filing SLPs/seeking leave to Appeals/Reply/Counter Affidavit, etc., in the Supreme Court, you are requested to submit the matter directly to the Secretary, Central Agency, Supreme Court Compound, New Delhi.

3. In this regard, attention is invited to the orders passed by the Supreme Court of India, taking a serious view of the delay in filing appeals (viz. SLP (civil) Diary No(s).25547/2020, Union of India & Ors. Versus Radhey Shyam dated 28.01.2020, SLP (Civil) Diary No(s).28554/2020, Union of India & Ors. Versus R. Jayasankaran dated 01.02.2021, SLP (Criminal) Diary No. 24676/2020 Union of India Vs. Jitendra dated 08.01.2021, SLP (Criminal) Diary No.24723/2020, Narcotics Control Bureau Regional Bureau at Jodhpur Vs. Nepal Singh Meena & Anr. dated 08.01.2021). In all the cases, Hon'ble Supreme Court of India, while dismissing the SLPs on the ground of delay in filing SLPs has deprecated the casual manner in which the petitioners have approached the Hon'ble Court for condonation of delay without any cogent or plausible grounds, and has imposed cost to be recovered from the officers responsible for the delay in filing appeals/SLP.

4. Besides the instructions issued in this regard by the Department of Legal Affairs, Cabinet Secretariat had also issued 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.

5. Despite regular instructions issued by various entities in this regard, incidents of delay in filing SLPs, seeking leave to Appeals, Reply/Counter Affidavit, etc., have been observed, which could lead to adverse orders by the Hon'ble Supreme Court of India.

Contd...2/-

6. The following timeline for filing SLP/ Appeal may be adhered to, where limitation period is 90 days:

Sl. No.	Action to be taken	SLP/Appeals in Supreme Court
1	Examination and taking administrative decision by the Ministry/Department	10 days
2	Examination and advice/opinion by the Central Agency and the Law Officers	5 days
3	Drafting and forwarding the same to the concerned Ministry/ Departments	10 days
4	Approval of the draft by the concerned Ministry/ Departments and providing necessary documents	5 days
5	Preparing paper book and filing	5 days

7. In other matters, like filing Statutory Appeals, Review Petition and other Affidavits, where limitation period is 60 days or 30 days or any specified time given by the Court, the above timeline may be reduced correspondingly.

8. It may kindly be noted that the orders are available on the same day or by the next day in the matters on the website of Supreme Court i.e. <https://main.sci.gov.in/>. The same can be downloaded for compliance and necessary action by the concerned Ministries. Hence, the Department is required to keep track from the website of the developments in the matters and the orders passed therein to avoid delays in action being taken.

9. Similar cases/issues, if any, which have already been decided by the Supreme Court, shall clearly be highlighted by the Administrative Ministry / Department in their referring note. This shall enable the Law Officer to keep in perspective such similar cases/issues, while rendering the advice opinion in the matter.

10. This issues with the approval of Hon'ble Minister of State for Law and Justice (Independent Charge).

With regards,

Yours sincerely,


(Dr. Reeta Vasishta)

To

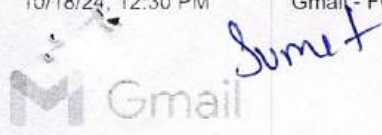
The Secretaries of all Ministries/Departments.

Copy to:

1. PS to Hon'ble Minister of State for Law and Justice (Independent Charge).
2. All the Ld. Law Officers.

10/18/24, 12:30 PM

Gmail - Fwd: Office Memorandum (OM) on Application of model code of conduct and Immediate action to be taken for enforcement.



ADMN-II ADMN <admn2355@gmail.com>

Fwd: Office Memorandum (OM) on Application of model code of conduct and Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to State Legislative Assemblies of Jharkhand and Maharashtra 2024

R Lakshminarayanan <lakshminarayanan.r@icmr.gov.in>

Wed, Oct 16, 2024 at 6:52 P

To: admn2355 <admn2355@gmail.com>

Cc: admn-hq <admn-hq@icmr.gov.in>, SAFAL CHETRI CHETRI <chetri.s@icmr.gov.in>, Jagdish Rajesh <rajeshj.hq@icmr.gov.in>, Manish Saxena <srddga.hq@icmr.gov.in>

Please circulate.

Thanks

Dr. R. Lakshminarayanan
Deputy Director General (A) &
Vigilance Officer, ICMR HQ, New Delhi.

===== Forwarded message =====

From: DG ICMR <secy-dg@icmr.gov.in>

To: "Anu Nagar" <anu.nagar1@gov.in>, "RICHA KHODA" <richa.khoda@gov.in>, "Manisha Saxena" <srddga.hq@icmr.gov.in>

Cc: "Jagdish Rajesh" <rajeshj.hq@icmr.gov.in>, "R Lakshminarayanan" <lakshminarayanan.r@icmr.gov.in>, "Office DHR" <secy-dhr@gov.in>

Date: Wed, 16 Oct 2024 18:50:15 +0530

Subject: Fwd: Office Memorandum (OM) on Application of model code of conduct and Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to State Legislative Assemblies of Jharkhand and Maharashtra 2024

===== Forwarded message =====

===== Forwarded message =====

From: Cabinet Secretariat <cabsec@gov.in>

To: <secy-dg@icmr.gov.in>

Cc: <cabsec@gov.in>

Date: Wed, 16 Oct 2024 18:45:57 +0530

Subject: Office Memorandum (OM) on Application of model code of conduct and Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to State Legislative Assemblies of Jharkhand and Maharashtra 2024

===== Forwarded message =====

Dear Sir,


Please find attached herewith a copy of the Office Memorandum (OM) of Miscellaneous.

With Regards,
eSamikSha Team
Cabinet Secretariat
Rashtrapati Bhawan
New Delhi - 110004

S.No - 948

10/18/24, 12:30 PM

Gmail - Fwd: Office Memorandum (OM) on Application of model code of conduct and Immediate action to be taken for enforce

 Cabsec OM dated 15102024_OfficeMemorandumOM_15-10-2024_2744.pdf

3743K

MOST IMMEDIATE

No. 1/41/2/2024-Cab
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 16th October, 2024

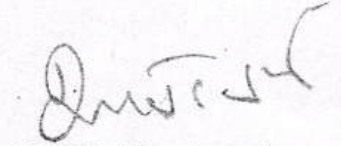
OFFICE MEMORANDUM

- Subject: 1. Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to State Legislative Assemblies of Jharkhand & Maharashtra, 2024.**
- 2. Application of Model Code of Conduct – General Elections to State Legislative Assemblies of Jharkhand & Maharashtra, 2024 and Bye-elections in Parliamentary/ Assembly Constituencies of various States.**

The undersigned is directed to enclose copies of the following letters from Election Commission of India, for information and necessary action:

- (i) Letter No. 437/6/1/INST/ECI/FUNCT/MCC/2024/3282 dated 15.10.2024 on subject (1) above.
- (ii) Letter No. 437/6/1/INST/ECI/FUNCT/MCC/2024/3278 dated 15.10.2024 on subject (2) above.

Encl.: as above



(S.G.P. Verghese)

Joint Secretary

Tele No. 2301 1791

Email: verghese.sgp@nic.in

To

All Secretaries to the Government of India

CS/8522/24
16/10

By Spl. Messenger/E-mail

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/INST/ECI/FUNCT/MCC/2024

Dated: 15th October, 2024

3282

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries of :-
(i) Jharkhand, Ranchi; and
(ii) Maharashtra, Mumbai.
3. The Chief Electoral Officers of :-
(i) Jharkhand, Ranchi; and
(ii) Maharashtra, Mumbai.

Subject: Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to State Legislative Assemblies of Jharkhand & Maharashtra, 2024 - regarding.

Sir/Madam,

I am directed to state that the Election Commission has announced the schedule for holding General Elections to State Legislative Assemblies of Jharkhand & Maharashtra. The operation of 'MODEL CODE OF CONDUCT' comes into effect with the announcement of elections by the Commission. In view of the elections, the Commission has given following directions for effective enforcement of provisions of MCC:-

1. **Defacement of Property-** ECI instructions contained in letter No. 3/7/2023-SDR, dated 12th October, 2023, provide for prevention of defacement of property. The Commission has directed to ensure strict compliance of its instruction and to take time bound action as prescribed below-
 - (a) **Defacement of Government property-** For this purpose a Government premise would include any Government office and the campus wherein the office building, compound and establishment are situated. All wall- writing, posters/papers or defacement in any other form, including cutout/hoardings, banners, flags etc, on Government property

shall be removed within 24 hours from the announcement of elections by the Election Commission.

(b) **Defacement of public property and misuse of public space-** All unauthorized political advertisement, in the form of wall writing/posters/papers or defacement in any other form, cutout/hoardings, banners flags etc. at public property and in public space like railway station, Bus stands, Airports, railway Bridges, Roadways, Government buses, Electric/Telephone poles , municipal/local bodies' buildings etc., shall be removed within 48 hours from the announcement of elections.

(c) **Defacement of private property-** Subject to any local law and Court's direction, all unauthorized political advertisement displayed at private property shall be removed within 72 hours from the announcement of elections by the Election Commission.

2. **Misuse of official vehicle-** The ECI's Consolidated instructions contained in letter No. 464/L&O/2023/EPS(Use of Veh.), dated 26th June, 2023, among other things, provides that **there shall be a total ban on use of official vehicle by any political party, candidate or any other person connected with election (except officials performing any election related official duty) for campaigning, electioneering or election related travel during elections (subject to certain exception mentioned therein).** The expression 'official vehicle' means and shall include, any vehicle used or capable of being used for the purpose of transport; whether propelled by mechanical power or otherwise and will include trucks, lorries, tempos, jeeps, cars, auto rickshaws, e-rickshaws, buses, belonging to Central Government, State Government/UT Administrations, public undertakings of Central/State Government, Joint sector undertakings of Central/State Government, local bodies, municipal corporations, marketing boards, cooperative societies or any other body in which public funds, however small a portion of the total, are invested. **The CEOs/DEOs shall take necessary action for compliance of ECI instructions within 24 hours of the announcement of the elections.**

3. **Advertisement at the cost of public exchequer-** ECI instructions contained in letter No. 437/6/INST/ECI/FUNCT/MCC/2024(ADVERTISEMENTS), dated 2nd January, 2024 provides that at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided. No advertisements shall be issued in electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on

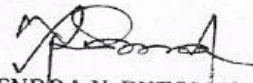
electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from the date of announcement and it should be immediately withdrawn. The CEOs/DEOs have to take immediate action to remove/stop any advertisement, in the print/electronic media, showing the achievements of the Government soon after the announcement of elections.

4. **Photograph of political functionary at official website-** ECI instruction contained in letter No. 437/6/INST/ECI/FUNCT/MCC/2024(MCC ENFORCEMENT) dated 2nd January, 2024 provides that all references of Ministers, Politicians or political parties available on central/state Government's official website shall be removed. The CEOs have to take immediate action to remove/hide the photographs of any political functionary from official websites of state department.
5. **Development/construction related activities- within 72 hours** of announcement of elections, the CEO/DEO shall obtain the following list of works for reference in case of validating any complaint on violation of MCC:
 - (i) List of work which has already been started on ground.
 - (ii) List of fresh work which has not started on ground.
6. **Activities for Expenditure Monitoring and enforcement of MCC-** Flying squad, FST, video team, intensive checking for liquor/Cash/Contra banned drugs, flying squads of excise department to check illicit trafficking of Drug/Narcotics to be immediately activated after announcement.
7. **Complaint Monitoring System-** The poll going states shall have a complaint redressal mechanism based on website and call center. The toll free number of call center is 1950. Complaints can be registered by making calls to the toll free call center numbers or on the website. Complainants will also be informed of the action taken by SMS and by the call center. Complainants can also see the details of the action taken on their complaints. This system should be operational within 24 hours of the announcement. All complaints should be dealt promptly and properly. The 24x7 control Room at the district level must be activated and sufficient deployment of manpower and other logistics be ensured in particular, round the clock personnel should be deployed in the control room and their duty roster must be issued to avoid any evasion or confusion.
8. **IT Application-** All IT applications including official website and social media shall be operational with the announcement.
9. **Dissemination of information for Awareness of Voters and political parties.** Publicity of major election activity would be given through CEO/DEO/RO. For this purpose, all

necessary information shall be disseminated through radio, TV, cinema, Government channel to display voter education material.

10. **Active cooperation from Educational Institutions and Civil Societies-** Cooperation can be sought from educational institutions and civil societies for giving wide publicity to the election related information to the general public and other stakeholders.
11. **Media Centre-**Efforts should be made for awareness among the voters, political parties and other stakeholder through media center about election system including use of EVM/VVPAT.
12. **MCMC/DEMC-** ECI instruction contained in letter no. 491/MCMC/5/2023/Communication dated 24th August, 2023 provides that all registered political parties will approach the Media Certification and Monitoring Committees (MCMC) at District and State level, as the case may be, for pre-certification of their political advertisements proposed to be issued on electronic media. The Commission has directed to ensure strict compliance of its instructions contained in above said letter.
13. **Control Room-** The 24x7 control room at district level must be activated immediately and sufficient deployment of manpower and other logistics be ensured by the DEO/CEO. A control room with complaint Monitoring Centre would also be set up at ECI Secretariat during the entire election process.
14. Hindi version will follow.

Yours faithfully


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY

CS/4523/24
16/10

By Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/INST/ECI//FUNCT/MCC/2024

3278

Dated: 15th October, 2024

To

1. **The Cabinet Secretary,**
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. **The Chief Secretaries to the Government of:-**
 - (i) Assam, Dispur;
 - (ii) Bihar, Patna;
 - (iii) Chhattisgarh, Raipur;
 - (iv) Gujarat, Gandhinagar;
 - (v) Jharkhand, Ranchi ;
 - (vi) Karnataka, Bengaluru;
 - (vii) Kerala, Thiruvananthapuram;
 - (viii) Madhya Pradesh, Bhopal ;
 - (ix) Maharashtra, Mumbai;
 - (x) Meghalaya, Shillong;
 - (xi) Punjab, Chandigarh;
 - (xii) Rajasthan, Jaipur;
 - (xiii) Sikkim, Gangtok;
 - (xiv) Uttar Pradesh, Lucknow;
 - (xv) Uttarakhand, Dehradun; and
 - (xvi) West Bengal, Kolkatta.

The Chief Electoral Officers of:-

- (i) Assam, Dispur;
- (ii) Bihar, Patna;
- (iii) Chhattisgarh, Raipur;
- (iv) Gujarat, Gandhinagar;
- (v) Jharkhand, Ranchi ;
- (vi) Karnataka, Bengaluru;
- (vii) Kerala, Thiruvananthapuram;
- (viii) Madhya Pradesh, Bhopal ;
- (ix) Maharashtra, Mumbai;
- (x) Meghalaya, Shillong;
- (xi) Punjab, Chandigarh;
- (xii) Rajasthan, Jaipur;
- (xiii) Sikkim, Gangtok;

- (xiv) Uttar Pradesh, Lucknow;
- (xv) Uttarakhand, Dehradun; and
- (xvi) West Bengal, Kolkatta.

Sub: Application of Model Code of Conduct – General Elections to State Legislative Assemblies of Jharkhand & Maharashtra, 2024 and Bye-elections in Parliamentary/ Assembly Constituencies of various States- reg.

Sir/Madam,

I am directed to state that the Election Commission has announced the schedule for holding **General Elections to State Legislative Assemblies of Jharkhand & Maharashtra, 2024 and Bye-elections in Parliamentary/ Assembly Constituencies of various States** (Press Notes No.ECI/PN/149/2024 and No.ECI/PN/150/2024, both dated 15th October, 2024, available at the Commission's website – www.eci.gov.in).

2. With this announcement, the provisions of the Model Code of Conduct for the guidance of the Political Parties and Candidates **have come into force with immediate effect and will be in force till the completion of the General Elections and bye-elections mentioned above.** This may be brought to the notice of the Central and State Governments, all Ministries/Departments/offices of the Union Government/the State Governments. A copy of instructions issued by you to this effect may be sent to the Commission for its information and record.

3. Your particular attention is drawn to the provisions of Model Code of Conduct for the guidance of Political Parties and Candidates and various instructions issued by the Commission, which, inter-alia, state that the party in power whether at the Centre or in the State or States/Union Territory concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purpose of its election campaign and in particular:-

- (i) (a) The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work;
- (b) Government transport including official air-crafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;
- (ii) Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolised by the party in power. Other parties and candidates shall be allowed the use of such places and facilities, on the same terms and conditions, on which they are used by the party in power;

(iii) Rest houses, dak bungalows or other Government accommodations in the States/Union Territories where elections have been announced or are taking place can be given to the political functionaries who are provided security by the State in 'Z' scale or above or equivalent by various State Governments or the Central Government under provisions of their laws, on equitable basis. This shall be subject to condition that such accommodation is not already allotted or occupied by election related officials or the Commission's Observers. Such political functionaries shall not carry out any political activity while staying in the Government Guest Houses/Rest Houses or other Government accommodation etc.;

(iv) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided;

(v) Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time, elections are announced by the Commission; and

(vi) From the time, elections are announced by Commission, Ministers and other authorities shall not –

(a) announce any financial grants, in any form or promises thereof; or

(b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or

(c) make any promise of construction of roads, provision of drinking water facilities etc.; or

(d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.

4. As will be observed from Para 3{Clause iv} above, no advertisement shall be issued in electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from today itself and it should be immediately withdrawn.

5. The instruction of the Commission contained in its letter No.437/6/INST/ECI/FUNCT/MCC/2024(MCC ENFORCEMENT) dated 2nd January, 2024 is available on the Commission's website at path – "<https://www.eci.gov.in/issue-details-page/instructions>" for your information and necessary action. The Commission's all other

relevant instructions, 'Manual on Model Code of Conduct' and 'Compendium of Instructions on Model Code of Conduct' are also available on the Commission's website for your guidance.


6. The Commission further directs that there shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to: -

- i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;
- ii) Divisional Commissioners;
- iii) The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the conduct of election;
- iv) Officers of the Police Department connected with the management of election, like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-Divisional Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;
- v) The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till date should not be given effect to without obtaining specific permission from the Commission in this regard;
- vi) This ban shall be effective till the completion of the election. The Commission further directs that the State Governments should refrain from making transfers of senior officers who have a role in the management of election in the State;
- vii) In those cases where transfer of an officer is necessary on account of administrative exigencies, the concerned State Government may with full justification approach the Commission for prior clearance.

7. The receipt of the letter may kindly be acknowledged.

8. Hindi version will follow.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY

**MOST IMPORTANT: -Circulation of a Compendium of various important Circulars/OMs/
Instructions issued by the Ministry of Law & Justice related to court cases--regarding**

LM

LEGALCELL MOHFW <legal-mohfw@gov.in>

Wed, 30 Oct 2024 4:48:53 PM +0530

To "L Sweetie Changsan" <lschangsan@nic.in>, "ROLI SINGH" <roli.singh@ias.nic.in>, "Ms. V Hekali Zhimomi" <zhimomiv@ias.nic.in>, "j_mishra" <j_mishra@gov.in>, "Jaideep Kumar Mishra" <asfa-mhfw@nic.in>, "Ms. Roli Singh" <ash-mohfw@nic.in>, "patnaika" <patnaika@ias.nic.in>, "Aradhana Patnaik" <asmd-mohfw@nic.in>, "Vandana Jain" <vandana.jain@nic.in>, "Elangbam Robert Singh" <robert.elangbam@gov.in>, "manashvikr" <manashvikr@ias.nic.in>, "Manashvi kumar" <jstraining-mohfw@gov.in>, "ANKITA MISHRA BUNDELA" <ankita.edu@nic.in>, "ANKITA MISHRA BUNDELA" <js-pmssy-mohfw@gov.in>, "Vijay Kumar Sinha" <sinha.vijay@nic.in>, "Pushpendra Rajput" <pushpendra.r@nic.in>, "JS ME" <js.me-mohfw@nic.in>, "Saurabh Jain" <jains7@ias.nic.in>, "Saurabh Jain" <js.policy-mohfw@gov.in>, "meera 159159 cbdt" <meera.159159.cbdt@nic.in>, "Shammi Chhabra" <jsrch-mohfw@gov.in>, "Madhukar Kumar Bhagat" <madhukar.k.bhagat@gov.in>, "Madhukar Bhagat" <jsehealth-mohfw@gov.in>, "RAJIV WADHAWAN" <r.wadhawan15@nic.in>, "Nikhil Gajraj" <nikhil.g@ias.nic.in>, "G Latha TN-0 IAS (Tmt)" <g.latha@nic.in>, "Indrani Kaushal" <indrani.k@nic.in>, "Indrani Kaushal" <ea-mohfw@nic.in>, "Dr. K. K. Tripathy" <kk.tripathy@nic.in>, "Prof Atul Goel (Dr)" <dghs@nic.in>, "Anoop Puri" <anoopk.puri@nic.in>, "Kiran Gopal" <addlceo@nha.gov.in>, "DG ICMR" <secy-dg@icmr.gov.in>, "Narendra K Oza" <nk.oza@gov.in>, "C K RAMASWAMY" <ck.rswamy@nic.in>, "KIRAN KARLAPU" <kiran.karlapu@gov.in>, "Nidhi Kesarwani" <nidhikesarwani@nic.in>, "ROLI KHARE" <roli.khare@gov.in>, "Harsh Mangla" <harsh.mangla@ias.nic.in>, "Dr. Neha Garg" <nehagarg.irs@gov.in>, "SAROJ KUMAR" <saroj.kumar@nic.in>, "Sachin Kumar" <sachin.k@nic.in>, "SUSHIL Gahlaut" <sp.gahlaut@nic.in>, "Kumar Rahul" <kumar.rahul@nic.in>, "G S Chitra" <gs.chitra@nic.in>, "Phool Chandra Prasad" <prasad-upsc@gov.in>, "Govind Kumar" <govind.bansal78@gov.in>, "REENA SHARMA" <reena.sharma80@gov.in>, "Rakesh Kumar" <rk.singh67@nic.in>, "Shri Raj Kumar Deputy Secretary" <raj.kumar28@nic.in>, "Zuver Khan" <zuver.khan65@gov.in>, "Rajender Kumar" <rajenderkr.1974@nic.in>, "Atul Kumar" <atul.singh25@gov.in>, "JITENDER SINGH" <jitender.singh28@nic.in>, "KAMAL ARORA DS" <kamal.arora@nic.in>, "kaustubh 172261 cbdt" <kaustubh.172261.cbdt@nic.in>, "NAVEEN AGGARWAL" <naveen.aggarwal@ias.nic.in>, "Anjan Sarkar" <sarkar.anjan@gov.in>, "Aashima Bhatnagar" <aashima.bhatnagar@gov.in>, "Indranil Das" <indranil.das@gov.in>, "PRIYADARSHIKA SRIVASTAVA" <priyadarshika.s@gov.in>, "Director CGHS" <director-cghs@cghs.nic.in>, "Noorin Bux Khan" <noorinbux@ord.gov.in>, "Samsul Haque" <samsul.haque@nic.in>, "dr pulkesh" <dr.pulkesh@gov.in>, "Manoj Kumar Sinha" <mk.sinha26@nic.in>, "Poonam Meena" <poonam.22@gov.in>, "Smt.RajaniMenon" <rajmenonj@dcmsme.gov.in>, "Manmohan Badola" <manmohan.badola@nic.in>, "Sarvajit Kumar" <kumar.sarvajit@nic.in>, "Gopal Aaditya Raghuvanshi" <gopal.aaditya@nic.in>, "Sarita Nair" <sarita.nair@gov.in>, "keshav Kapoor" <keshav.kapoor@gov.in>, "RAJ

DG. ICMR OFFICE

Diary No. 927593

Date: 01/11/2024

AD 6(A)

No 978
18/11/24S.No. 17982
Shukla

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Cc "PUNYA SALILA SRIVASTAVA" <secyhfw@nic.in>, "Vandana Jain" <vandana.jain@nic.in>, "M.K. Sinha" <mksinha.dad@gov.in>, "Yogender Kumar" <yogender.kr@nic.in>

Respected Sir/Madam,

Please find attached a Legal Cell OM dated 29th October 2024 regarding Circulation of a Compendium of various important Circulars/OMs/Instructions issued by the Ministry of Law & Justice related to court cases.. This is for your information and necessary action.

Regards
Umakant Mishra, SSO
Legal Cell, DoHFW
Ministry of Health & Family Welfare
Nirman Bhawan, New Delhi-110011

📎 **1 Attachment(s)** • Download as Zip



compendium new_1.pdf
10.1 MB • 🔒

No.C.18017/17/2024-Legal Cell
भारत सरकार / GOVERNMENT OF INDIA
स्वास्थ्य एवं परिवार कल्याण मंत्रालय / MINISTRY OF HEALTH & F.W.
स्वास्थ्य एवं परिवार कल्याण विभाग / DEPARTMENT OF HEALTH & F.W.
(लीगल सेल) / (Legal Cell)

Nirman Bhawan, New Delhi-110011

Dated 29th October, 2024

OFFICE MEMORANDUM

Subject:- Circulation of a Compendium of various important Circulars/OMs/Instructions issued by the Ministry of Law & Justice related to court cases.

The undersigned is directed to refer to Legal Cell's OM No. C.18017/15/2024-Legal Cell dated 27.09.2024 forwarding therewith the Minutes of the meeting held under the chairpersonship of Ms. L.S. Changsan, Additional Secretary(HFW) on 19.09.2024 to review the status of monitoring of court cases in the Department of Health and Family Welfare.

2. As decided in the meeting, a Compendium of various important Circulars/Instructions/OMs/ D.O. Letters issued by the Ministry of Law & Justice related to court cases and some important Court Judgements has been prepared and forwarded herewith to all the PDs/Organisations under DoHFW for their information and compliance. All the stakeholders are also requested to regularly explore the website of Ministry of Law & Justice to find further instructions issued by Department of Legal Affairs and Legislative Department in the court matters from time to time.

This issues with the approval of JS(Legal Cell).

Signed by

Yogender Kumar

Date: 29-10-2024 17:32:11

(Yogender Kumar)

Under Secretary (Legal Cell)

Encl: As stated above.

To,

1. All Directors/ DSs/ JDs under DoHFW
2. DGHS

Copy to: PSO to Secy.(HFW)/ Sr.PPS to all ASs/ PPS to all JSs/EAs/Advisor(Cost)/ PS to JS(VJ)/DS(MKS)

**Compendium
On
Various Important Circulars/ OMs/
Instructions/ DO letters issued by
Ministry of Law & Justice in court
matters and some important Court
Judgements.**

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No.A-60011(IT)/2/2020-Admn IV(LA)
Government of India
Ministry of Law & Justice
Department of Legal Affairs

1)

Shastri Bhawan, New Delhi
Dated : 3rd June, 2022

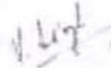
OFFICE MEMORANDUM

Subject: Forwarding of files to Department of Legal Affairs through e-Office only.

The Department of Legal Affairs has switched to electronic mode of processing of files using e-Office software of NIC. The Department receives large number of physical files from various Ministries/Departments and other organizations for advice on policy and litigation matters and engagement of counsels. With the adoption of e-Office, it will be difficult to process the physical files of other Departments. It is, therefore, requested that all files for inter-departmental consultations may be sent through e-Office on following address :

Prateek Kumar Tiwari, Supt-Lgl
prateekkr.tiwari@gov.in

This issue with the approval of Hon'ble Minister for Law & Justice.


(Varun Singh Chauhan)
Under Secretary to the Govt. of India
Tel. No.: 23383634

To

All Secretaries to the Govt. of India (as per standard list)

Copy to

1. PS to Hon'ble MLJ / Sr. PPS to Hon'ble MoSLJ
2. PPS to Ld. Attorney General of India
3. Sr. PPS to Law Secretary
4. PPS to Ld. Solicitor General of India / Ld. Additional Solicitor Generals of India
5. The President, ITAT, Mumbai.
6. The Incharge, Branch Secretariats at Kolkata / Mumbai / Chennai / Bengaluru.
7. The Director, Indian Law Institute, New Delhi.
8. The Sr. Technical Director, NIC, Department of Legal Affairs, New Delhi.
9. The Addl. Govt. Advocate & HOO, Central Agency Section, New Delhi.
10. The Under Secretary, Law Commission of India, New Delhi.
11. The Assistant Solicitor Generals of India

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No.34 (01)/2012-Judl
Government of India
Ministry of Law and Justice
Department of Legal Affairs
Judicial Section

Shastri Bhawan, New Delhi
Dated the 5th December, 2012.

OFFICE MEMORANDUM

Sub : Engagement of Counsel on behalf of Union of India- regarding

It has been noticed in the recent past that the Administrative Ministries instead of following standard practice have been insisting upon: engagement of Law Officers on special fees; engagement of Panel Counsel /Assistant Solicitors General as special Counsel; engagement of Law Officers with varied terms and conditions such as to be assisted by specific junior(s) who at times are not even on the panel of Union of India; engagement of Law Officers in courts/places other than their normal place/court of operation; transporting the ASGs/Counsel/ Asstt. SGs from one place to another; engagement of Counsel who are not even on the panel of Union of India; and engagement of Panel Counsel without consent of the concerned controlling authorities.

Such deviations violate procedure established by law and are thus against the spirit of the rule of law.

2. It may be recalled that as per the **Government of India (Allocation of Business) Rules, 1961** the Department of Legal Affairs has been assigned the task of engagement of counsel on behalf of the Union of India in various Courts/Tribunals including conduct of cases in the Supreme Court on behalf of the Central Government and on behalf of the Governments of States participating in the Central Agency Scheme.

3. In pursuance of the above mentioned Rules and with a view to smooth conduct of litigation on behalf of Union of India, this Department has appointed 20 Law Officers, comprising Attorney General for India, Solicitor General and Additional Solicitors General, 29 Assistant Solicitors General and a number of Counsel in various Courts / Tribunals on the laid down terms and conditions. In spite of the exhaustive list of Law Officers and Counsel, terms and conditions of their engagement etc., requests for special counsel, private counsel etc. are routinely being made to this Department. Also engagement of counsel are being made without the prior approval of this Ministry and files are routinely being routed for *ex post facto* approval which is contrary to the spirit of the Allocation of Business Rules.

Contd...

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4. In view of the above, it has been decided for the guidance of the administrative Ministries that except in extraordinary cases determined by this Ministry:-

- (i) no proposal for engagement of Law Officers/panel counsel as special counsel in Government litigation on special rates of fees shall be entertained;
- (ii) a counsel not on the panel will be engaged only in very exceptional case;
- (iii) no proposal for *ex post facto* approval in respect of the engagement of any counsel and payment of their fee shall be entertained unless the prior approval of this Ministry is not possible in exceptional circumstances; and
- (iv) all the Ministries/Departments are requested to engage the services of Law Officers/ panel counsel, in their litigation matters only through the Officer in charge, Central Agency Section for the cases before the Supreme Court/ Branch Secretariats at Bengaluru/Chennai/Mumbai/Kolkata or the concerned Assistant Solicitors General for the cases before various High Courts.

5. This issues with the approval of Hon'ble Minister for Law and Justice.

(Suresh Chandra)
Joint Secretary and Legal Adviser to the Government of India
Ph. 23381589

To

1. All Ministries/Departments as per the list.
2. All the Law Officers as per list.
3. All Assistant Solicitors General as per the list.
4. Incharge Branch Secretariats at Bengaluru/Chennai/Mumbai/ Kolkata.

(Dr. R. S. Shrinet)
Assistant Legal Adviser to the Government of India

F. No. J-12017/1/2019-Judicial
Government of India
Ministry of Law & Justice
Department of Legal Affairs
(Judicial Section)

Shastri Bhawan, New Delhi
Dated 21st October, 2019

OFFICE MEMORANDUM

Sub: Engagement of Counsel on behalf of Union of India – regarding.

As per the Government of India (Allocation of Business) Rules, 1961 the Department of Legal Affairs has, *inter-alia*, been entrusted with the following functions:

(i)**engagement of counsel to appear on behalf of the Union of India in the High Courts and subordinate courts where the Union of India is a party.**

(ii) **Conduct of cases in the Supreme Court and the High Courts on behalf of the Central Government and on behalf of the Governments of States participating in the Central Agency Scheme.**

2. To perform the above functions the Department of Legal Affairs has been empanelling suitable Advocates as Law Officers (i.e. Attorney General for India, Solicitor General of India and Additional Solicitors General of India (ASGIs)), Assistant Solicitors General of India (Asst. SGIs) and various categories of Panel Counsel for various courts / tribunals across the country. These panels are made for a particular tenure after which either their tenures are extended or new panels are formed. Besides this, some Ministries / Departments performing special / technical functions have been authorized to select panel of counsels as per their specific requirements and the said panel is finally approved by this Department. In addition to this, in some specific / sensitive / high stake cases, proposals are received from various Ministries / Departments of Central Government for the engagement of special counsel which are considered by the Department of Legal Affairs on case to case basis. All the engagements / appearances of Advocates for conducting Central Govt. litigation before any court / tribunal without approval of this Department or contrary to the procedure established are in violation of the provisions of the Govt. of India (Allocation of Business) Rules, 1961.

3. Earlier, from time to time instructions have been issued by this Department. Recently, OM Nos. 34(01)/2012-Judl. dated 05.12.2012 and OM No. 29(2)/2002-Judl. (Pt.) dated 16.01.2015 have been issued.

4. Despite this, It has come to notice of this Department that various Ministries / Departments of Govt. of India and their subordinate offices (especially at District level)

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are deviating from this procedure. Therefore, it has been decided to again issue a detailed OM re-iterating compliance / guidance of all the Ministries / Departments and their subordinate offices, described as under:

(A) Various Courts / Tribunals at Delhi

In Delhi, there are attached offices of this Department viz. Central Agency Section, Litigation (High Court/CAT) Section, Litigation (Lower Court) Section of this Department which are responsible for engaging suitable panel counsel from the panel of this Department for various courts / tribunals situated in Delhi as and when notices/requests, in this regard, are received by them. Similarly, In-charge Central Agency Section and In-charge Litigation (High Court) Section are responsible for engagement of Law Officers for conducting Central Govt. litigation before the Supreme Court of India and High Court of Delhi, respectively. Details in this regard are as under:

Sl. No.	Name of the subordinate office	Court/Tribunal before which engagements are made
1.	Incharge, Central Agency Section	Supreme Court of India
2.	Incharge, Litigation (High Court/CAT) Section	High Court of Delhi, Armed Forces Tribunal (PB), National Green Tribunal (PB) and CAT (PB), New Delhi and other Tribunals/ Commissions situated in Delhi.
3.	Incharge, Litigation (Lower Court) Section	District Courts, Dwarka, Rohini, Patiala House, Tis Hazari, Karkardooma and Saket and other subordinate courts in Delhi.

B). Various Courts / Tribunal at Mumbai, Kolkata, Chennai and Bengaluru:

There are four Branch Secretariats of this Department at Mumbai, Kolkata, Chennai and Bengaluru working as subordinate offices who engage counsel from the panel of this Department for respective court / tribunal (including High Court, CAT Bench, AFT Bench, NGT Bench and District & Subordinate Courts) within their jurisdiction.

C). Various High Courts / CATs / AFTs / NGTs in the country

In places except the stations mentioned under para (A) to (B) above, the engagement of counsel from the panel for respective court / tribunal is made by the concerned In-charge litigation for that court / tribunal. The present position in this regard is as under:

Sl. No.	Court / Tribunal	In-charge litigation (by Designation)
1.	High Courts	Additional Solicitor General of India (ASGI) OR Assistant Solicitor General of India (Asst. SGI) (ASGI will prevail if available)

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2.	CAT, AFT, NG Benches (outside Delhi)	Concerned Senior Central Government Standing Counsel (Sr. CGSC)
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D) District & Subordinate Courts in the country except at Delhi, Mumbai, Kolkata, Chennai & Bengaluru:

For District & Subordinate Courts in the country except at Delhi, Mumbai, Kolkata, Chennai & Bengaluru, the concerned Standing Government Counsel (SGC) is the In-charge litigation who is entrusted with the task of allocation of cases amongst the other panel counsel for the concerned District & Subordinate Courts, i.e. Additional Standing Govt. Counsel (including the SGC).

5. All the Departments / subordinate offices of the Central Government are required to directly contact the Litigation Incharge of the concerned court / tribunal as detailed in para 4 (A) to (C) above, for the engagement of counsel / change of counsel (if required) from the panel for that court / tribunal to represent Union of India in their cases. The contact details of the concerned ASGI / Asst. SGI / Sr. CGSC/ SGC / Incharge of Litigation Sections & Branch Secretariats are available on the official website of this Department. Departments / subordinate offices of Central Government are advised to ensure from time to time that the panel counsel who is representing them is still on the panel of this Ministry. If the tenure of representing panel counsel expires before disposal of the case, the concerned Litigation Incharge may be approached for the engagement of another counsel from the panel. All the Ministries / Departments are advised not to engage counsel who are not on the panel of this Ministry/Department without approval of this Department.

6. In addition to the above, in this context, Item No. 9 (i) of the Annexure to Schedule V of the Delegation of Financial Power Rules (DFPR), 1978 is also referred which clearly establishes the principle for the expenditure on account of Legal Charges which needs to be paid to all kinds of Barristers, Advocates, Arbitrators, Pleaders and Umpires representing Union of India before any court (including tribunals) in the country only with the prior consent of this Ministry, and, in case of Law Officers/panel counsel engaged by this Ministry, Legal Charges are to be paid as per the fee schedule prescribed by this Department for the purpose.

7. In light of the above, engagement of counsel to represent Union of India before any court / tribunal of the country, who are not on the panel of Ministry of Law & Justice with running tenure and / or whose engagement has not been approved by Ministry of Law & Justice, is violation of (i) the Government of India (Allocation of Business) Rules, 1961 and (ii) the Delegation of Financial Powers Rules, 1978.

8. All the OMs of this Department referred above, Details of concerned Litigation Incharges and details of Panel Counsel (in the form of orders of empanelment) are available on official website of this Department i.e. www.legalaffairs.gov.in.

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9. This is for information of all the Ministries / Departments of the Government of India and offices subordinate to them for strict compliance.

10. All the subordinate offices of this Department i.e. the Central Agency Section, Branch Secretariat at Mumbai, Kolkata, Chennai and Bengaluru, all Litigation Sections at New Delhi and all the Litigation In-charges before various courts / tribunals in the country are also requested to ensure strict compliance of instructions contained in this Circular and in case of any deviation this Department may be informed immediately.

11. This issues with the approval of Hon'ble Minister for Law & Justice.



(S. R. Mishra)

Additional Secretary

To

1. All the Ministries / Departments of Govt. of India (as per list enclosed) with request to give wide publicity of the contents of this circular amongst all their subordinate offices.
2. The Comptroller & Auditor General of India with request to give wide publicity of the contents of this circular amongst all of their Audit units.
3. The Controller General of Accounts with request to give wide publicity of the contents of this circular amongst all their PADOs/ZAOS/CDDOs across the country.
4. The Registrars of all the High Courts/CATs/AFTs/NGTs in the country and their Benches with request to give wide publicity of the contents of this Circular amongst all the District Judges under their jurisdiction.
5. The Incharge, Branch Secretariats at Mumbai, Kolkata, Chennai & Bengaluru.
6. The Incharge, Central Agency Section, Supreme Court of India.
7. The Incharge, Litigation (High Court/CAT/Lower Court) Section at New Delhi.
8. The Additional Solicitors General of India for the High Court of Punjab & Haryana, Allahabad, Patna and Rajasthan.
9. All the Senior Central Govt. Standing Counsel for various CAT Benches, AFT Benches, NGT Benches across the country.
10. All the Standing Govt. Counsel for various District & Subordinate Courts in the country.

8)

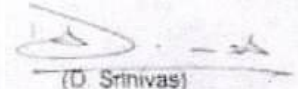
5

F. No. J-12017/1/2019-Judicial

Dated : 21.10.2019

Copy to:

- 1 PS to Hon'ble MLJ/PS to Law Secretary/PS to Legislative Secretary/ PS to all Additional Secretaries/PS to all Joint Secretaries of Department of Legal Affairs.
- 2 PS to Additional Legal Adviser (Judicial) of Department of Legal Affairs
- 3 The Assistant Legal Adviser (Judicial) of Department of Legal Affairs
- 4 To be uploaded on website of the Department of Legal Affairs i.e. www.legalaffairs.gov.in under tab 'Judicial Section' in the link 'Circulars pertaining to litigation'
- 5 Office/Spare Copies.



(D. Srinivas)

Section Officer (Judicial)

Tel: 011-23384945

Email: judicial-dla@nic.in