

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
REVENUE DEPARTMENT
(LEGAL BRANCH)
5, SHAM NATH MARG, DELHI

F.1 (24)/Legal Branch/Revenue HQ/2024/ 35

Dated: 04/06/2025

OFFICE ORDER


This is in reference to a letter No. F.5 (562)/Lit/LI&LA/2020/2733-2784 dated 19.03.2025 of Department of Law, Justice & Legislative affairs GNCTD (Copy enclosed) regarding nomination of Nodal Officer and Pairvi Officer.

In compliance with the above, All ADMs and SDMs are hereby designated as "Nodal Officer" in Revenue Department, Govt. of NCT of Delhi for monitoring/defending departmental cases for their respective Branches at HQ level / District HQ and Sub Divisions, before the Hon'ble Courts, Tribunal and other adjudicating authorities. The Nodal Officer will be responsible for filling replies / affidavits on the cases of the department well before the case is listed for hearing.

Further, all the Section Officers / Branch In-charges / Tehsildars and Sub Registrars are hereby designated as "Pairvi Officer" in Revenue Department, Govt. of NCT of Delhi for their respective Branches (Section Officers / Branch In-charges at HQ level and District level) / Tehsils and SR Offices. The Pairvi Officer will be responsible for making all entries and updation of all litigation matters on a daily basis on the existing e-litigation portal which can be accessed by all stakeholders.

The Nodal Officer and Pairvi Officer are requested to adhere instructions contained in Circular No. F.5 (562)/Lit/LI&LA/2020/2681-2732 dated 19.03.2025 of Department of Law, Justice & Legislative affairs GNCTD and a monthly report on compliance with the circular's instruction must be submitted to the office of the Chief Secretary and to the Law Department by the 5th working day of every month under intimation to Legal Branch, Revenue HQ.

This issues with the prior approval of Secretary (Revenue) – cum – Divisional Commissioner, Revenue Department, Govt. of NCT of Delhi.

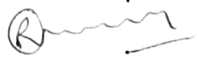

SDM-I (HQ) / Link Officer
Revenue HQ

Dated: 04/06/2025

F.1 (24)/Legal Branch/Revenue HQ/2024/ 35

Copy to:

1. All Deputy Commissioners (HQ), Revenue Department, GNCTD.
2. All District Magistrates, Revenue Department, GNCTD.
3. Staff Officer to Chief Secretary, Delhi.
4. Special CEO, Disaster Management, Revenue Department, GNCTD.
5. ADM (HQ) / All SDMs (HQ), Revenue Department (HQ) with the request to serve upon the copy of this order to all Section Officers / Branch Incharges working under their control.
6. All ADMs / SDMs, Revenue Department, GNCTD with the request to serve upon the copy of this order to all Section Officers / Branch Incharges working under their control.
7. Deputy Secretary (Litigation), Deptt. of L J & LA, GNCTD.
8. All Tehsildars, Revenue Department, GNCTD.
9. All Sub Registrars, Revenue Department.
- ✓ 10. System Analyst, Revenue HQ with the request to upload the copy of this order on website of Revenue Department.
11. PA to Secretary (Revenue)-cum-Divisional Commissioner, Revenue Department, GNCTD.
12. Guard File.


SDM-I (HQ) / Link Officer
Revenue HQ

495/LT
05/06/2025

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI

DEPARTMENT OF LAW, JUSTICE & LEGISLATIVE AFFAIRS

8th LEVEL, C-WING, DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI

No. F.5(562)/Lit/ LJ&LA/2020/2733 - 2784

Dated: 19/03/25

To,

All Additional Chief Secretaries/ Pr. Secretaries/
Secretaries/HODs, / Heads of Autonomous Bodies of Government of NCT of Delhi.

Sub: Compliance of Circular regarding Nodal Officer and Pairvi Officer.

Sir/Madam,

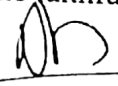
Please find enclosed herewith a Circular dated 19.03.2025 issued by Pr. Secretary, Law, Justice & L.A., Govt. of NCT of Delhi, issued with the approval of Worthy Chief Secretary, Delhi. As directed in the Circular, at (A)1, all departments / autonomous bodies must communicate the name and designation of their Nodal Officer and Pairvi Officer to the office of the Chief Secretary and the Law Department within 7 days. Also, all departments / autonomous bodies must comply with the instructions outlined in (D) of the circular, within the stipulated time frame provided in the circular.

Further, I am directed to convey that worthy Chief Secretary, Delhi has emphasized that all departments and autonomous bodies shall ensure strict adherence to the instructions. Thus, All Additional Chief Secretaries/ Pr. Secretaries/Secretaries/HODs, may kindly sensitize the all concerned officers to ensure due compliance of the circular failing which the responsibility shall be fixed and appropriate departmental action shall be initiated.

A monthly report on compliance with the Circular's instructions must be submitted to the office of the Chief Secretary and to the Law Department by the 5th working day of every month.

This issue with prior approval of Pr. Secretary (Law, Justice & LA).

Yours faithfully,



(RAVINDRA SINGH)

Deputy Secretary (Litigation)

Copy to:

1. The Secretary to Hon'ble Minister (Law), Govt. of NCT of Delhi
2. The Staff Officer to Chief Secretary, Delhi
3. All Standing Counsels / ASCs/Panel Counsels of NCT of Delhi

GOVERNMENT OF NCT OF DELHI
DEPARTMENT OF LAW, JUSTICE AND LEGISLATIVE AFFAIRS
8TH LEVEL, C-WING, DELHI SECRETARIAT
NEW DELHI-110002

F. No. 5(562)/LJ&LA/Lit./2020/2681-2732

Dated: 19/03/25

CIRCULAR

It has been observed that the administrative departments are not properly monitoring/defending their cases before the Courts, Tribunals, Commissions and other adjudicating authorities. On several instances, the officers of the Govt. of NCT of Delhi have not processed the cases in time or have not attended the hearing through the counsel, resulting in personal appearance of the Chief Secretary and /or in imposition of cost. Sometimes appropriate instructions are not conveyed to the counsels by the Administrative Secretaries/Head of Departments/ Head of Autonomous Bodies, resulting in orders prejudicial to the interests of the GNCTD. It has been further brought into the notice of Law Department that the tendency of unnecessary shifting of responsibilities to other departments/ organizations has embarrassed the Govt. of NCT of Delhi and has caused non-submission or non-filing of the affidavits/replies before the Hon'ble Courts and other adjudicating authorities.

The above lapses are detrimental to the reputation of the Government and have been viewed seriously by Worthy Chief Secretary, Delhi. It has thus been desired that necessary instructions may be issued to all departments and the Heads of Autonomous Bodies to streamline the monitoring of litigation to avoid such lapses in future. Accordingly, the Delhi Litigation Policy is being framed by Law Department. Till the time the Delhi Litigation Policy is enforced, all the administrative Departments and autonomous bodies shall ensure the following actions:-

(A) DESIGNATION OF NODAL OFFICER/PAIRVI OFFICER AND DUTIES

1. An Officer of the level of Deputy Secretary shall be nominated as Nodal Officer and of the level of Section Officer shall be nominated as Pairvi Officer immediately. The name and designation of such nominated officers be communicated to the Office of the Chief Secretary and Law Department.
2. The Pairvi Officer will be responsible for making all entries and updation of all litigation matters on a daily basis on the existing e-litigation portal which can be accessed by all stakeholders.

For the perusal of the Administrative Secretary and the Head of the Department, the Nodal Officer will prepare a fortnightly report of all court cases of the department specifying case wise actionable points including the following: -

- (i) directions issued by courts for compliance
- (ii) default committed in compliance of courts orders with reasons
- (iii) filing of replies
- (iv) filing of status reports
- (v) providing information to Advocates
- (vi) engagement of Advocates
- (vii) if a case stands decided, whether the court order has been brought to the notice of the Administrative Secretary
- (viii) if the department has decided to file an appeal, whether the appeal has been filed within the period of limitation
- (ix) processing fee bills of advocates

4. The concerned Nodal Officer will be responsible for filing replies/affidavits on the cases of the department well before the case is listed for hearing. The tendency of filing replies on the last hour should be discouraged as the Registry of Courts/Tribunal/other Adjudicating Authorities needs time for placing the same on record.
5. In case of failure of any department/autonomous bodies to file response before the Courts/Tribunals/other Adjudicating Authorities on time, concerned HOD/Nodal Officer and Pairvi Officer shall be held responsible and stern action shall be initiated against them in accordance with the CCS (Conduct) Rules.
6. In case the Govt. Counsel either does not present the facts before the Hon'ble Court during the hearing or does not file the affidavit approved by the Department within 02 working days, then it shall be the duty of concerned Pairvi Officer to inform the same (in writing) to the Head of Department on the date of hearing or on expiry of such period of two working days in case of non-filing of affidavits, so that necessary action for removal of such Govt. Counsel from panel of GNCTD besides, other actions as per law, may be initiated by the concerned HOD, against such Counsel after considering the version of the concerned Govt. Counsel in this regard.

(B) DEPARTMENTAL REPRESENTATIVE AND FOLLOWING UP OF MATTERS LISTED FOR HEARING ON DAILY BASIS

1. The Administrative Secretary of the department will nominate an official conversant with the matter as the Departmental Representative whose duties will include appearing in the Court, assisting the Counsel and informing the Nodal Officer/Pairvi Officer about the day's proceedings in writing.
2. In case any advocate does not appear before any court on the date of hearing, the Departmental Representative bring this fact to the knowledge of the Nodal Officer/Pairvi Officer and the Law Department for their performance evaluation.

(C) GENERAL INSTRUCTIONS FOR THE DEPARTMENTS / AUTONOMOUS ORGANIZATIONS

1. It must be ensured that no Govt. Counsel represent the Department before any Court/Tribunal, who has been engaged in violation of Proviso to Section 44(2) of the Government of National Capital Territory of Delhi Act, 1991 read with clause (1) of Order dated 28/04/2021 issued by Principal Secretary to Hon'ble Lt. Governor read with section 2(7) of Civil Procedure Code, 1908 and Section 18(1) of Bharatiya Nagarik Suraksha Sanhita, 2023.
2. It must be ensured that true and correct facts are presented before Hon'ble Courts by the Govt. Counsels engaged by the Department in accordance with law.
3. It must be ensured by all HODs that the written and verbal submissions made before Hon'ble Court by the Govt. Counsels shall have to be strictly in consonance with the written instructions of the concerned Department.
4. While forwarding the request for issuance of BTF, department shall ensure that next date of hearing of that particular case are invariably mentioned on the portal so that the cases can be prioritized.
5. The administrative department shall send their request for issuance of BTF in respect of new cases, through the online e-litigation portal only. In cases, where administrative department feels there is a need for change of Govt. Counsel, the file shall be sent to LJ&LA, GNCTD, with sufficient justification for seeking change of Counsel. In cases, where the administrative department has engaged Govt. Counsel on its own under emergent circumstances, without issue of BTF, LJ&LA, Govt. of NCT of Delhi, the administrative department shall send all such proposals in the respective files with specific reasons for the same. However, this practice is not desirable and shall be discouraged.

Vide OM dated 18.4.2023 issued by Department of Law, GNCTD, all Standing Counsel/ Additional Standing Counsel and empanelled Counsel were directed to ensure that the written and verbal submissions made by them shall have to be strictly in consonance with the written instruction given to them with the approval of administrative Secretary of the concerned Department. However, administrative Secretaries may authorize in writing the HODs in a case of class of cases to approve the filing of affidavit and other written or verbal instructions to be made in the court, if so required in the interest of work.

7. In several communications received from the O/o Counsels on Govt. Panel, it has been noticed that the same are sent to Law Department seeking instructions in the impugned court case or filing of documents etc. but the same does not mention the name of the concerned department(s). Standing Counsels are directed to ensure that e-mails for necessary action is made to the concerned department and if it made to the Law Department, It should have the complete requisite details.
8. Further, the matters involving Policy decision and high stakes are required to be brought into the notice of Hon'ble Minister-in-charge before filing of appropriate affidavit in the court of law in such matters.

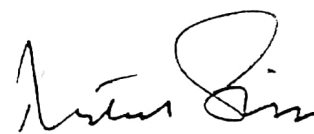
(D) CONTEMPT OF COURT CASES / COURT ORDERS DIRECTING PERSONAL APPEARANCE OF CHIEF SECRETARY / ADMINISTRATIVE SECRETARY / OFFICERS

1. At the first instance, the nodal officer/pairvi officer of each department shall draw up a list of Contempt of Court petitions pending in any court pertaining to the department. This exercise shall be completed within 02 weeks of issuance of this circular.
2. The list of contempt of court cases shall be accompanied with a report specifying the particular direction of the court which forms the subject matter of the contempt of court petition, reason for non-compliance, status of any appeal filed in the superior court challenging the order, stay orders if any of the superior court.
3. The report alongwith list of Contempt of Court cases shall be put up within 04 weeks of this circular before the Administrative Secretary of the Department who shall take appropriate decision.
4. In case any court has been constrained to direct the personal appearance of the Chief Secretary, the concerned department must forthwith get an affidavit prepared with the assistance of the Counsel explaining therein the

causes of delay in compliance of the orders of the court, action taken already and further steps being contemplated. The affidavit for seeking exemption from personal appearance of the Chief Secretary may be filed only with the approval of Chief Secretary.

5. Further, in all such cases, wherein the personal appearance of Chief Secretary is called or cost is imposed by any Court/Tribunals/Commissions/Any other Adjudicating Authority, the concerned HOD through the Administrative Secretary is required to submit a detailed report to Worthy Chief Secretary explaining the reasons/constraints resulting in personal appearance of Chief Secretary.

This issues with the approval of the Chief Secretary,

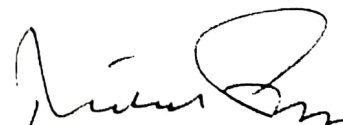


(REETESH SINGH)

Pr. Secretary (Law, Justice and LA)

Copy to :

1. All the ACS'/Pr. Secretaries/Secretaries/HODs/, Govt. of NCT of Delhi
2. Heads of Autonomous Bodies, Delhi
3. All Standing Counsel/Additional Standing Counsel and Panel Counsels of NCT of Delhi
4. Staff Officer to Chief Secretary, Delhi
5. Secretary to Hon'ble Minister (Law), Govt. of NCT of Delhi.



(REETESH SINGH)

Pr. Secretary (Law, Justice and LA)