



Government of Jammu and Kashmir
Department of Law, Justice and Parliamentary Affairs.
(Judicial Administration Section) Civil Secretariat,
Jammu/Srinagar

Subject:- Constitution of Committee to review the litigation pending before
different fora of the State.

GOVERNMENT ORDER NO: 1970 - LD (A) of 2017.
D A T E D: 06 - 06 - 2017.

Whereas, the Hon'ble Minister for Law and Justice has taken series of meetings with the Administrative Secretaries, Law Officers representing the State before the Hon'ble High Court and Law Officers posted in various Administrative Departments;

Whereas, it has been observed that the State litigation is to be taken seriously and it should be a constant endeavour that good government cases are to be won and bad cases are not to be unnecessarily pursued;

Whereas, for achieving the said objective, it is imperative to examine with full transparency the cases both at the stage of filing and also at the stage of being contested/defended so that Government does not become a compulsive litigant;

Whereas, there are matters which can be decided administratively without intervention of the Court, and such cases need not be pursued in the Court;

Whereas, in order to take first step to avoid unnecessary litigation against the State, the Department of Law, Justice and Parliamentary Affairs, Government Counsels and concerned departments have to be proactive and such cases pending in the Courts which are found without merits are required to be withdrawn; and

In order to achieve the said objectives, sanction is hereby accorded to the constitution of a Committee consisting of following officers to review the litigation pending before different fora /courts of the State:-

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| 1. Special Secretary to Govt.,
Department of Law, Justice & Parliamentary Affairs. | Chairman |
| 2. Senior Officer to be nominated by the concerned
Administrative Department. | Member |
| 3. Law Officers representing the department before the
Court where the case is pending. | Member |
| 4. Law Officer posted in the concerned Department. | Member |

It is further ordered that :-

- a) The cases before the Committee may be placed by any of the following for taking decision thereon, namely:-
 - (i) Administrative Department concerned; or
 - (ii) Department of Law, Justice and Parliamentary Affairs; or
 - (iii) Any member of the Committee; or
 - (iv) Law Officer posted in the concerned department
- b) The Committee shall meet once in a month and shall decide as to whether such cases can be administratively disposed of and accordingly recommend the withdrawal of such case from the Court;
- c) The report of the Committee shall be placed before the Competent Authority for approval and necessary action.

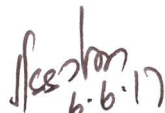
By Order of the Government of Jammu and Kashmir.

Sd/-
(Abdul Majid Bhat)
Secretary to Government,
Department of Law, Justice and P. A
Dated: 06 - 06 - 2017.

No: LD (A) 2017/24

Copy to the:-

1. Ld. Advocate General, J&K, Srinagar.
2. Financial Commissioner / Principal Secretary / Commissioner / Secretary Government, _____ Department. He is requested to review court cases on regular basis for identification of cases to be placed before the Committee.
3. Director Information, J&K, Srinagar.
4. Director Litigation, Jammu/Kashmir.
5. Director, Archives, Archaeology and Museums, J&K, Srinagar.
6. All officers of the Department of L, J&PA.
7. All Law Officers posted in various Departments
8. All Law officers of High Court Wing Jammu/Kashmir.
9. Private Secretary to Hon'ble Minister for Law and Justice for information of the Hon'ble Minister.
10. Special Assistant to Hon'ble Minister of State for Law Justice and Parliamentary Affairs for information of the Hon'ble MoS.
11. In charge Website, Department of Law Justice and Parliamentary Affairs.
12. Private Secretary to Secretary to Government, Department of L, J&PA for information of the Secretary.
13. Concerned file.


(Ashish Gupta)
Assistant Legal Remembrancer,
Department of Law, J & PA


6.6.2017