

GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS
(Establishment Section) Civil Secretariat
Srinagar/Jammu.

Subject:- Litigation Reforms and effective monitoring of Litigation in Union Territory of Jammu and Kashmir – Assignment of Role and Responsibilities Advocate on Record/ Standing Counsel (s) for Handling Government Litigation.

Reference:- Administrative Council Decision No. 35/4/2021 dated 10-03-2021.

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Government Order No: **1677** -JK(LD) of 2021.
Dated : 24 - 03 - 2021.

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In pursuance to the above referred Administrative Council Decision, sanction is hereby accorded to the assignment of role and responsibilities to the Advocate on Record /Standing Counsels for handling Government litigation before Hon'ble Supreme Court and such other Courts/Legal forums at New Delhi, as may be assigned to them by the Department of Law, Justice and Parliamentary Affairs from time to time. They shall have the following duties and responsibilities:-

- (i) to take step, on instructions of Government, to brief the Advocate General or the Senior Advocate, as the case may be, in any matter of the Union Territory of Jammu and Kashmir.
- (ii) to represent/appear in all the cases of the Union Territory of Jammu and Kashmir before the Supreme Court/ Such other legal foras as may be assigned to them by the Government from time to time.
- (iii) to inform about the advance list /daily proceedings of the cases to the Law Department and the Advocate General in an enclosed proforma SC-I and II with specific comments regarding any assistance required in any particular case. They shall also furnish the performance report on monthly basis in an enclosed proforma SC-III to the Law Department and to the Advocate General.
- (iv) to obtain "vakalatnama" from all the concerned departments and file the same before Hon'ble Supreme Court, as and when required.
- (v) In case requirement of engaging any Senior Advocate in any matter, the AOR/Standing Counsel, as the case may be, shall take up the matter with the concerned administrative department alongwith reasons for such engagement and fee structure, who shall upon receipt

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of such request take up the matter alongwith their comments with the Law Department for its concurrence to the engagement of Senior Advocate in the matter. However in case the engagement of the Senior Counsel is urgently required, the Law Department shall engage the Senior Advocate in the matter with an intimation to the concerned administrative Department.

- (vi) They shall also perform such other duties as may be specified from time to time by the Department of Law, Justice and Parliamentary Affairs.

The Standing Counsels /Additional Standing Counsel shall conduct all the litigation of Union Territory of Jammu and Kashmir as per allocation to be made by Department of Law, Justice and Parliamentary Affairs under overall supervision and guidance of Advocate-on-Record appointed by the Government of Jammu and Kashmir or as may be specified by the Government from time to time.

By order of Government of Jammu and Kashmir.

Sd/-

(Achal Sethi)

Secretary to Government.

Dated:- 24 -03- 2021.

No: - PS/LS/2021/40.

Copy to the:-

1. Learned Advocate General, J&K Jammu.
2. Director General of Police, J&K Jammu.
3. All Financial Commissioners.
4. All Principal Secretary to Government.
5. Principal Resident Commissioner, New Delhi.
6. Principal Accountant General, J&K Srinagar.
7. Principal Secretary to the Hon'ble Lieutenant Governor, Raj Bhavan.
8. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
9. Commissioner/Secretary to Government, General Administration Department.
10. All Commissioner/Secretary to Government.
11. Divisional Commissioners, Kashmir/Jammu.
12. All Deputy Commissioners.
13. Register General, J&K High Court, Jammu.
14. Principal Secretary to the Hon'ble Chief Justice, J&K High Court.
15. All Head of Departments/Corporations.
16. Secretary, J&K Public Service Commission, Jammu.
17. Secretary, Service Selection Board, J&K Jammu.
18. Director Finance, Department of Law, Justice and Parliamentary Affairs.
19. Director Information, J&K Jammu.
20. Director Litigation, Jammu/Kashmir.
21. All the Special/Additional Secretaries/Senior Law Officers/Public Law Officers/Legal Assistants/Junior Legal Assistants for compliance.
22. Private Secretary to the Chief Secretary for information of the Chief Secretary.
23. All Law Officers representing the Union Territory of Jammu and Kashmir before the Hon'ble High Court at Jammu/Kashmir.

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24. Private Secretary to the Secretary to Government, Department of Law, Justice and Parliamentary Affairs for information of the Secretary.
25. Website of the Department of Law, Justice and Parliamentary Affairs.
26. Government order file.
27. File concerned.

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24.03.21

(Ashish Gupta)

Additional Secretary to Government.

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24.03.21

Proforma SC-II

To be provided by AOR/Standing Counsel
(advance cause list on weekly basis)

Name of the Counsel _____

Name of the Department _____

Supreme Court of India

Date:-

(1) S. No.	(2) Case No. with Title.	(3) Court No. and Serial No. in the Cause List.	(4) Whether pleadings are complete.	(5) Whether there is apprehension of passing of adverse orders against Department in the case.	(6) Steps /remedial measures required to be taken by the department	Remarks

Performance Report
 to be submitted to Department of Law, Justice and P.A.
 (on monthly basis)

Proforma SC-III

 Name of the Counsel

 Name of the Department assigned

Supreme Court of India

(1) Name of the Department	(2) Date of Sanction-cum-engagement letter received	(3) Date on which the assistance from the concerned department received	(4) Date of filing of SLP	(5) Whether Department provided proper and timely assistance/file in the case, if not, identify the Officer/Official responsible.	(6) Details of SLPs/Appals defended before the Honble Court.	(7) Remarks