

No. PER(AP)-C-E(3)-3/2020-Part-I
Government of Himachal Pradesh
Department of Personnel (AP-III)

From

Addl. Chief Secretary (Personnel) to the
Government of Himachal Pradesh

To

All Administrative Secretaries to the
Government of Himachal Pradesh.

Dated: Shimla-2, the 22th June, 2022

Subject: - LPAST No. 7314/2021 in CMP(M) No. 627 of 2021-titled as Executive Engineer, Baijnath Division, HPPWD vs. Sonki Ram - Instructions in compliance of Court Order dated 22.03.2022.

Madam/Sir,

I am directed to invite your attention to the Order passed on 22.03.2022 in the Civil Misc. Petition (M) No. 627 of 2021-titled as Executive Engineer, HPPWD vs. Sonki Ram, a copy is enclosed for ready reference.

2. It has come to the notice of the Government that in large number of Court cases, the concerned Department(s) are not taking care to file the replies including appeals for a sufficient long time by tossing the same unnecessarily. The tendency of tossing court cases without giving any suggestion(s), input or contribution at respective levels not only unwarranted but also consuming ample time resulting unnecessary delay in filing of reply/appeals, which is not a good practice in view of efficiency. The Hon'ble High Court has shown its concern about this laxity, lack of response and unnecessary tossing of the matter(s).



3. Further, it has also been noticed that the Administrative Department(s) are making several references with regard to court cases to this Department seeking interpretation of the guidelines without exercising due diligence. The Administrative Department(s) are advised not to make any references to this Departments unless there are difficulties relating to interpretation/application of the guidelines/rules or any relaxation in Rules/instructions is warranted to mitigate a genuine hardship faced by the Government servant.

4. In order to streamline the prevailing procedure and also to ensure the timely disposal of Court cases, it is emphasized that the departmental officers working your administrative control may be asked to deal with such cases on priority basis in a time bound manner without referring/tossing the matter unnecessarily. It is further emphasized that a common stand should be adopted instead of bringing out each advisory Department's point of view in the reply. It is primarily the responsibility of the Administrative Department/Department concerned, as the case may be, to ensure that timely action is taken at each stage, which should be barest minimum and files should be moved to Head of Department(s) straightway so that a unified stand is adopted at every such stage by taking the minimum time. In no case should the litigation be allowed to prolong to the extent that it results in delay in filing reply or in contempt proceedings etc. In case, Hon'ble Court(s) levy the cost(s)/penalty(s) for not filing the reply/appeals within stipulated period, the same may be recovered from the concerned officer(s)/official(s) after fixing the responsibility for slackness in his duties and not complying the instructions issued by the government from time to time. Besides, to



avoid the tendency of unnecessarily referring/tossing the court cases including appeals without any suggestion, input or contribution at their levels, a proper mechanism may be developed to ensure timely disposal of such cases and make the procedure simple to cut unnecessary delays and for the better work management.

5. These instructions may kindly be adhered to strictly and brought to the notice of all concerned for strict implementation. Any deviation of the above would be viewed seriously.

Yours faithfully,



(Balbir Singh)

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh
Phone No-0177-2880851

Ends.No. As above Dated: Shimla-2 the, 22nd June, 2022
Copy is forwarded to the following for information and
necessary action:-

1. The Secretary, Governor, Himachal Pradesh Shimla-02.
2. All the Heads of the Departments in Himachal Pradesh.
3. All the Divisional Commissioners in Himachal Pradesh
4. All the Deputy Commissioners in Himachal Pradesh.
5. The Registrar, H.P. High Court, Shimla-1.
6. The Secretary, HP Public Service Commission, Shimla-02.
7. The Secretary, HP Staff Selection Commissioner at Hamirpur.
8. All the Chairpersons / Managing Directors / Registrars / Secretaries of various Corporation/ Boards/ Universities etc. in Himachal Pradesh.



Deputy Secretary (Personnel) to the
Government of Himachal Pradesh