

M-75075/361/2020-ESTT-IV  
Government of India  
Ministry of Jal Shakti  
Department of Water Resources, River Development & Ganga Rejuvenation  
Central Water Commission

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03<sup>rd</sup> Floor(S), Sewa Bhawan,  
R. K. Puram, New Delhi-110066  
Dated the, 16<sup>th</sup> December, 2020

**OFFICE MEMORANDUM**

Subject: **Referring the file opinion of the Department of Legal Affairs for filling of SLPs/CAs - reg.**

The undersigned is directed to forward herewith a copy of an e-mail dated 19.11.2020 received from E-IV Section, DoWR, RD & GR forwarding therewith a copy of O.M No. A-42017/17/2018-E-IV Section dated 19.11.2020 enclosing therewith D.O. No. A-12012/5/2016-Judl.(Part) dated 13.11.2020 from Secretary, Department of Legal Affairs on the subject mentioned above.

2. It is requested that the instructions contained in the above said D.O Letter may be complied scrupulously.

Enclosures: **As above**

**(R. K. Balamurugan)**  
Under Secretary (E-IV)  
Tel:011 29583302  
Email: estt4@nic.in

To

- 1.U.S./S.O/-E-I, II, III, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, O&M, CM&V, APAR Sections, CWC
- 2.Chief Engineers, B&BBO, Shillong / C&SRO, Coimbatore / NWA, Pune / IBO, Chandigarh /KGB0, Hyderabad / LGBO, Patna / M&ERO, Bhubaneshwar / M(C)O, Nagpur / M(S)O, Bangalore / NBO, Bhopal / N&TBO, Gandhinagar / TBO, Silliguri /UGBO, Lucknow / YBO,New Delhi (by email).
- 3.Director, RMCD, CWC (**with request to pursue the matter in respect of all the Chief Engineers of Field offices of CWC**).
- 4.Director, WP&P/D&R(C), CWC.
- 5.Director, RD Directorate, CWC.
- 6.Director, PCP Directorate, CWC.

7.Accounts Officer, A/Cs, CWC

8.S.E. Planning Circle, Faridabad, CWC (by email).

Copy for kind information to:

P.P.S. to Chief Engineer (HRM), CWC

Signature Not Verified

Digitally signed by  
R.K.BALAMURUGAN  
Date: 2020.12.18 15:14:19 IST



**From:** "Chairman cwc" <chairman-cwc@nic.in>

**To:** "S Rajalakshmi" <srajalakshmi-cwc@gov.in>, "S K Rajan" <tcodte@nic.in>

**Sent:** Thursday, December 3, 2020 12:12:35 PM

**Subject:** Fwd: [Mowr-orgnheads] Reterring the file opinion of the Department of Legal Affairs for filling of SLPs/CAs - reg.

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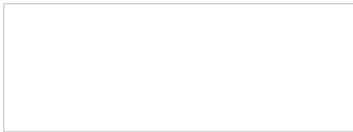
**From:** "E-IV Section, MoWR,RD&GR" <soe4-mowr@gov.in>

**To:** "mowr-orgnheads" <mowr-orgnheads@lsmgr.nic.in>, "mowr-branchheads" <mowr-branchheads@lsmgr.nic.in>, "mowr-divisionheads" <mowr-divisionheads@lsmgr.nic.in>, "mowr-sections" <mowr-sections@lsmgr.nic.in>, "mowr-wingheads" <mowr-wingheads@lsmgr.nic.in>

**Sent:** Thursday, December 3, 2020 12:09:43 PM

**Subject:** [Mowr-orgnheads] Reterring the file opinion of the Department of Legal Affairs for filling of SLPs/CAs - reg.

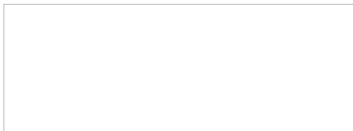
Establishment - IV Section,  
MoWR,RD&GR



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To unsubscribe send an email to [mowr-orgnheads-leave@lsmgr.nic.in](mailto:mowr-orgnheads-leave@lsmgr.nic.in)



No. A-42017/17/2018-E-IV Section  
Government of India  
Ministry of Jal Shakti  
Department of Water Resources,  
River Development & Ganga Rejuvenation

Shram Shakti Bhawan, Rafi Marg,  
New Delhi, dated the 19th

November, 2020

**OFFICE MEMORANDUM**

Subject: Referring the file for opinion of the Department of Legal Affairs for filing of SLPs/CAs – reg.

The undersigned is directed to forward herewith a copy of self explanatory DO letter No. A-12012/5/2016-Judl.(Part) dated 13.11.2020 received from Secretary, Department of Legal Affairs. It is requested that the instructions contained in the above said D.O. letter may be complied scrupulously.

**Encl. As above**

Validity unknown  
Digitally signed by SHALINI  
JUNEJA  
Date: 2020.11.19 10:57:13 IST

(Shalini Juneja)  
Under Secretary to the Government of India  
PH :

23711946

To ,

1. Heads of all Organisations under the DoWR, RD&GR.
2. All Division/ Branch Heads and Sections of DoWR, RD & GR.

अनूप कुमार मेंदीरत्ता  
Anoop Kumar Mendiratta



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

D.O.No. A-12012/5/2016-Judl.(Part)

Dated: 13.11.2020

Dear Secretary,

Kindly refer to this Department's O.M. of even number dated 4.7.2018 constituting a Committee in the Department of Legal Affairs, at the instance of Cabinet Secretariat, to identify/review all pending as well as fresh Civil Appeals/SLPs of Ministries/Departments in which the issues involved have already been settled by the courts.

2. Now, Cabinet Secretariat has requested vide I.D. No. 403/1/5/2019-TS dated 09.11.2020 to issue instructions for guidance of all the Ministries/Departments that while referring a proposal to the Department of Legal Affairs to examine the feasibility of filing SLPs/CAs before the Hon'ble Supreme Court, 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 this Department/law officer to keep in perspective such similar cases/issues, while rendering advice/opinion in the matter.

3. I am, therefore, to request you to direct all the concerned officers of your Ministry/Department/organization under your administrative control to highlight the similar cases/issues which have already been decided by the Hon'ble Supreme Court prior to referring the file for opinion of the Department of Legal Affairs for filing of SLPs/CAs. Also the time lines referred in Cabinet Secretariat's D.O. No. 403/1/5/2016-CA.V dated 25.11.2016 be scrupulously followed in a time bound manner, to avoid any delay in filing of SLP/Civil Appeal (copy enclosed).

With warm regards,

Yours sincerely,

(Anoop Kumar Mendiratta)

All Secretaries to the Government of India.

Copy to: Cabinet Secretariat, New Delhi w.r.t. their I.D. No. 403/1/5/2019-TS dated 09.11.2020.



संजय कुमार श्रीवास्तव  
भारत सरकार के सचिव  
Sanjay Kumar Srivastava  
Secretary to Government of India



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मंत्रिमण्डल सचिवालय 1  
राष्ट्रपति भवन, नई दिल्ली-110004  
CABINET SECRETARIAT  
RASHTRAPATI BHAWAN  
NEW DELHI - 110004  
November 25, 2016

D.O. No. 403/1/5/2016-CA.V

Dear Secretary,

It has come to notice that a number of Special Leave Petitions (SLPs), appeals, etc. are filed in the Supreme Court after expiry of the limitation period and in some cases after considerable delay. A meeting of the Committee of Secretaries (CoS) was held in this regard on 15.9.2016.

2. Amongst various issues discussed to streamline the process of filing SLP's, appeals etc. it was pointed out that the proposals to file SLP/Appeal before the Supreme Court are being received by the D/o Legal Affairs for advice from the concerned Ministry/Department when limitation period of 90 days is about to expire or sometimes even after expiry of limitation period. To address this issue, it has been decided to fix the following timelines for filing SLPs/appeal:

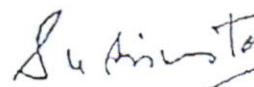
(i)	Examination and taking administrative decision by the Ministry/Department	15 days
(ii)	Examination and advice/opinion by the DoLA and Law Officers	15 days
(iii)	Drafting of SLPs and forwarding the same to the concerned Ministry/Department	15 days
(iv)	Approval of the draft SLP by the concerned Ministry/Departments and providing necessary documents	5 days
(v)	Preparing paper book and filing	10 days

3. For filing statutory appeals, reviews, etc. where limitation period is 60 days or 30 days, the above timelines may be reduced correspondingly. Proper coordination with D/o Legal Affairs (DoLA) and Central Agency Section (CAS) of the D/o Legal Affairs may be ensured to avoid such delays. The Nodal Officers in your Ministry/Department may be assigned the task of monitoring of these timelines and ensuring coordination in this regard.

4. You may instruct the concerned officers and PSUs/Boards/Authorities under the administrative control of your Ministry/Department to strictly follow the above timelines.

With regards,

Yours-sincerely,

  
(Sanjay Kumar Srivastava)

Secretaries of all the Ministries/Departments to the Government of India