

Admn. I(LA) Section and Vigilance Unit

FUNCTIONS OF THE SECTION

1. All establishment matters like recruitment, appointments/ clearance of the probation in respect of officers and staff dealt with by the section, confirmation/extension/verification of character and antecedents, medical examination, postings, transfers; declaration of Home Town etc. in respect of officers gazetted and non -gazetted establishment of the Department of Legal Affairs including Branch Secretariats, Bombay/Calcutta/Madras/Bangalore (other than CSS/CSSS/CSCS).
2. Cadre management of I.L.S. and other services (other than CSS/CSSS/CSCS) dealt with by the Section.
3. Framing/Review of Recruitment Rules for various posts (other than CSS/CSSS/CSCS) dealt with by the Section in the Department of Legal Affairs.
4. Nomination of I.L.S. officers on various committees/ groups etc. constituted by different Ministries/ Departments.
5. Nomination of I.L.S. officers as Arbitrators/ Members of the interview Boards.
6. All matters relating to the work pertaining to deputation of I.L.S. officers to Legal Officers Course in London under the Colombo Plan.
7. All matters relating to assignment of officers to foreign countries/organizations under different programmes.
8. All matters relating to the Indian Legal Service.
9. All Parliament Question relating to the subjects dealt with by the Section.
10. Budgetary matters relating to Admn. I(LA) Section.
11. Miscellaneous establishment matters.
12. Coordinating the work relating to the materials to be supplied to Pay Commission when required.
13. Matter relating to DFPR
14. Grant of personal pay on account of sterilization operation.
15. Recording of Confidential Reports (Department of Legal Affairs) in respect of all officers except Group D staff.

VIGILANCE UNIT

1. All Vigilance work relating to Department of Legal Affairs and Legislative Department.
2. Maintenance of Property returns.

Admn. II (LA) Section

Functions of the Section

1. General Administration - All matters regarding appointment/promotion/MACP/Pay fixation of Class IV (now MTS) Staff of the Department of Legal Affairs including Branch Secretariats, Mumbai, Kolkata, Chennai and Bangalore, Central Agency Section and Legislative Department. Engagement of Casual Worker and contract labour in Department of Legal Affairs. Liveries to Group C & D employees.
2. All matters regarding G.P. Fund, Government Employees Insurance Scheme, HBA, Motor Car/Scooter Advance and Festival Advance.
3. All matters regarding maintenance/running of office i.e. Stationery, Computer/Photocopy Machine/Fax, Key Telephone System, TV etc.
4. Entertainment charges, Furniture, Electric Work, AC purchase and repair, renovation of rooms etc.
5. Security arrangement, I/Car, Car Label etc.
6. CGHS cards, medical permission and claim, all kinds of work for Directorate of Estates, NOC, Central Sectt., Library Cards etc.
7. Travel of Officers and staff by air and rail.
8. Deployment and Maintenance of Staff Car.
9. All work relating to Biometric Attendance Monitoring System.

Admn. III (LA) Section

Function of the Section

1. Income Tax Appellate Tribunal (ITAT), a subordinate office under the Department.
2. Appellate Tribunal for Foreign Exchange (ATFE).
3. Appointments of Executive Chairman, Members and Member Secretary of the National Legal Services Authority.
4. Constitution of Law Commission of India and appointments of its Chairperson and Members.
5. Implementation of Legal Aid Programme to the poor through the National Legal Services Authority (NALSA).
6. Grant-in-aid to :-
 - (i) National Legal Services Authority (NALSA)
 - (ii) Bar Council of India (BCI)
 - (iii) International Centre for Alternative Dispute Resolution (ICADRA)
 - (iv) Institute of Constitutional and Parliamentary Studies (ICPS)
 - (v) Indian Law Institute.
7. Foreign visits of officers.

Admn. IV (LA) Section

Function of the Section

1. Cadre Controlling Authority for the three services of Central Secretariat Service viz. CSS, CSSS and CSCS for Ministry of Law and Justice (Department of Legal Affairs and Legislative Department).
2.
 - (a) Establishment matters viz. Appointment/Promotion/Transfers on the basis of nominations received from Department of Personnel & Training (for CSS/CSSS/CSCS cadres) and Ministry of Home Affairs for GCS cadre. Besides this, the Section also deals with clearing of Probation/Confirmation/verification of character and antecedents, medical examination, declaration of home town, counting of past service
 - (b) Grant of leave/increment to all the Gazetted and non-gazetted officers & staff members.
 - (c) Maintenance of service books of all Gazetted & non-gazetted officers & staff (both ILS and GCS)(excluding class IV staff).
 - (d) Pay fixation of ILS officers and officers of GCS (both Gazetted and Non-Gazetted)
3. Cases relating to, retirement, pension, Leave encashment, DCRG of all officers & staff (ILS, feeder cadre to ILS, GCS, CSS, CSSS, CSCS) (excluding Class IV staff) in the Department of Legal Affairs.
4. Appointments in personal staff of Hon'ble Minister for Law & Justice and their service matters.
5. Appointments to the ex-cadre posts of Cash Officer/Accountant.
6. Proposals relating to creation of posts, continuance of temporary posts, conversion of temporary posts into permanent one in the Department of Legal Affairs.
7. Furnishing of material to the B&A Section for preparation of Budget Estimates and Revised Estimates, answering of audit objections, Annual Report for the Ministry.
8. Forwarding of applications for Examinations, Deputation, Training in respect of CSS/CSSS/CSCS cadres.
9. Grant for permission for pursuing higher studies.

10.Reports and Returns.

11.Court Cases/Parliament Questions/RTI matters relating to the section.

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Cash (LA)Section

Functions of the Section

1. Preparation of Pay bills and supplementary bills of gazetted and non-gazetted staff.
2. Preparation of miscellaneous bills of non-gazetted staff viz. O.T.A. , G.P.F., Tuition Fee, H.R.A., House Building, Medical reimbursement, Night duty allowance, Pension, gratuity, commutation of pension, Scooter advance applications, etc.
3. Preparation of miscellaneous bills of gazetted officers viz. Motor car. Medical reimbursement, G.P.F. , Leave salary, House building etc.
4. Preparation of T.A., T.A. advance, LTC, LTC advance, transfer T.A. advance bill, etc. in respect of non-gazetted and gazette staff.
5. Preparation of air passage bills and settlement of ac count with IAC in respect of all invoices issued for the journeys booked for and performed by the Ministers, Officers in Department of LA, LD, Law Commission CAS and Legal Aid.
6. Preparation of all contingent bills viz. office expenses, other charges, wages, grant in aid, hospitality and publications etc, under the control of Administration of Department of L.A.
7. Disbursement of money drawn in respect of the above bills to the persons entitled to receive it.
8. Preparation of requisition for Bank drafts, challans etc.
9. Maintenance of cash book.
- 10.Maintenance and preparation of acquittance rolls authority register, bills register, undisbursed amount register, recovery register, contingent register etc.

11. Maintenance of G.P.F. accounts of class IV Govt. servants and all allied matter connected with this viz. calculation of interest on G.P.F., supply of annual GPF statements for each class IV Govt. servant quarterly statement of debits/ credits of GPF etc.
12. Preparation of last Pay Certificates in respect of officers & staff transferred to other Ministries/ Departments.
13. Recovery of Water, Electricity, STD and LIC premiums from Govt. servants and payment to them.

14. Furnishing of periodical statements of CGHS beneficiaries.
15. Recovery of house rent from the allottees of Govt. accommodation and all allied matters pertaining there to viz. checking of previous records regarding recovery of arrears of house rent etc. and intimation to Estate office.
16. Preparation of periodical statements regarding officers and staff of different pay range and amount of house rent paid to them.
17. Correspondence with the P&AO regarding missing credits of GPF audit objections on pay and allowance and advances etc.
18. Correspondence with postal authorities etc. regarding recovery of PLI.
19. Forwarding of stamped receipts of more than Rs. 100/- to P&AO.
20. Forwarding of cheques, Demand Draft to the parties concerned and retainers.
21. Correspondence regarding pay and allowances, contingencies, recoveries made from the Govt. servants with the persons concerned and different Departments/Ministries of the Government.
22. Preparation of monthly expenditure statement.
23. Parliament question on the above matters.
24. Maintenance of compulsory Deposit (Addl. D.A.) Accounts in respect of officers and Staff of the Department of Legal Affairs (Proper); Reconciliation with the Pay and Accounts Office of C.D. Accounts; Transfer of C.D. Accounts to other Ministries/ Deptts. In respect of staff transferred and C.D. Repayment etc.
25. Calculation of Income Tax and recovery thereof from the Ministers, Officers and staff liable to pay the tax at source; Issue of monthly and annual income certificate to the members of staff.
26. Reconciliation of interest bearing Advances sanctioned to the staff of the Department with Pay and Accounts Office & the AGCR.
27. Preparation of bills in respect of Advocates retained by the Government in High Court & Supreme Court.
28. Preparation of Retainer's Bills in respect of Govt. Counsels all over India.
29. Reconciliation of monthly Departmental expenditure.
30. Preparation of due drawn statement of all officers in respect of their salary.

31. Submission of annual Income Tax return statement to Income Tax Office in respect of all Income Tax Payers.
32. Preparation of Pay Bills & T.A Bills of Ministers and Law Officers.
33. Verification of GPF credits of all Officers & members of the staff who apply for GPF loan.

Implementation Cell

Functions of the Cell

Implementation Cell is dealing with the following :-

I. LAW COMMISSION REPORTS - Publication

The Implementation Cell is responsible for processing of reports of the Law Commission, laying them before the Parliament and also forward reports to the Ministries/Departments concerned for their examination/implementation as well as pursue them for expeditious action. As per the terms of reference of the 20th Law Commission of India, the Commission submits its reports in Hindi and English with sufficient number of copies for being placed on Tables of both Houses of Parliament. The Commission makes also its reports available through website or otherwise as soon as reports are submitted to the Government. Therefore, the reports of the Law Commission are not published.

II. LEGAL EDUCATION

The Cell is responsible for further improvement in legal education.

The Cell is also concerned with the administration of the following Acts :-

A. THE ADVOCATES ACT, 1961

The Advocates Act, 1961 ("Act") which was enacted to amend and consolidate the law relating to legal practitioners and to provide for the constitution of Bar Councils at State level and an All India Bar. The Act recognizes only one class of persons who are entitled to practise the profession of law in India, namely, advocates, vide its section 29. Section 30 of the Act, which was not in force, has been brought into force w.e.f. 15th June, 2011 (vide Notification No. S.O. 1349(E) dated 09.06.2011)

B. THE NATIONAL TAX TRIBUNAL ACT, 2005

The National Tax Tribunal Act, 2005 (49 of 2005), enacted by the Parliament provides for adjudication by the National Tax Tribunal of Disputes with respect to levy, assessment, collection and enforcement of Direct Taxes. It also provides for adjudication by that Tribunal of disputes with respect to determination of the rates of duties of customs and Central Excise on goods and the valuation of goods for the purpose of assessment of such duties as well as in matters relating to levy of tax on services. The said Act was enacted in pursuance of Article 323-B of the Constitution. The Act was brought into force by the notification of the Government of India S.O. 1826(E) on 28.12.2005. The Act was however challenged by various Writ Petitions filed in High Courts throughout the country. In order to consolidate all the Writ Petitions, a transfer petition No.92/2006 was filed on 2nd February, 2006 in the Hon'ble Supreme Court. The Supreme Court, after hearing the arguments, passed an Order on 9th January, 2007 observing that certain amendments may be

considered by the Government. A liberty was given to the Government to mention the matter for listing after the amendments in the provisions of the Act are made.

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The Transferred case (C) No.116 of 2006 - Sandeep Goyal Vs. Union of India & Ors. challenging the constitutional validity of National Tax Tribunal, which has been tagged by the Hon'ble Supreme Court with the Transfer Case (C) No.3067/ 2004 - R. Gandhi Vs. Union of India, and is pending before the Supreme Court, came up for hearing on 28.01.2009 before the Constitutional Bench of the Hon'ble Supreme Court. The Hon'ble Supreme Court has reserved its decision.

C. THE ADVOCATES WELFARE FUND ACT, 2001

Social security in the form of financial assistance to junior lawyers and welfare schemes for indigent or disabled advocates has always been a matter of concern for the legal fraternity. Certain States enacted their own legislation on the subject. The Parliament enacted "Advocates Welfare Fund Act, 2001" applicable to the Union Territories and the States which do not have their own enactments on the subject, for creation of "Advocates Welfare Fund" by the appropriate Government. This Act makes it compulsory for every advocate to affix stamps of the requisite value on every Vakalatnama filed in any court, tribunal or other authority. Sums collected by the way of sale of "Advocates' Welfare Funds Stamps" constitute an important source of the Advocates' Welfare Fund.

Any practicing Advocate may become member of the Advocates' Welfare Fund on payment of an application fee and annual subscription. The Fund shall vest in and be held and applied by the Trustee Committee established by the appropriate Government. The Fund shall, inter alia, be used for making ex-gratia grant to a member of the fund in case of a serious health problem, payment of a fixed amount on cessation of practice and in case of death of a member, to his nominee or legal heir, medical and educational facilities for the members and their dependants, purchase of books and for common facilities for advocates.

This Cell is also the nodal section in respect of Right to Information Act, 2005 for the Main Secretariat, Department of Legal Affairs.

Judicial Section

Functions of the Section

1. Appointment of Law Officers- Attorney General/Solicitor General/Additional Solicitor General.
2. Appointment of Central Govt. Standing Counsel and Government Pleaders in Delhi and elsewhere.
3. Scheme for conduct of Central Govt. cases in Calcutta and Bombay and Appointment of Panel Lawyers.
4. Litigation Expenses Economy.
5. Engagement of Lawyers their fees etc. reference from other Departments of Govt. Of India, in all Courts and Tribunals in India.
6. Appointment of Standing Counsel by Income-tax Department and other Departments.
7. Exorbitant fees paid to lawyers in Government cases regulation of.
8. Government Pleaders in relation to suits by or against the Central Government.
9. Suits by or against the Central Government signing and verification of pleadings.
10. Appointment of Arbitrators and Umpires and settlement of their fees.
11. Miscellaneous receipts of routine nature.
12. Residuary matters not covered by the above.
13. Maintenance orders enlargement Act, 1921.
14. Annual statement of services rendered by Law Officers of the State Government.
15. Maintenance Orders- Reciprocal Arrangement enforcement.
16. Summons and other processes in Civil suits- Reciprocal arrangements reg-
17. Letters of Request and Commissions.

18. Execution of decrees under Section 44-A of C.P.C. Reciprocal arrangements regarding.

19. Treaties and agreements with foreign countries in matter of civil Law.
20. Estates of foreigners dying in India Reciprocal arrangements with foreign countries under section 57 of the Administrator General's Act.
21. Admiralty jurisdiction.
22. Law Ministers Conference - Implementation of the recommendations:-
 - (a) Enforcement by the States of Central laws in the Union Field, e.g. The companies Act,
 - (b) Reduction of litigation expenses of Government.
 - (c) Arrangements for the State Governments litigation in the Supreme Court.
23. Sanctions for release of foreign exchange in connection with purchase of law books etc. by the State Governments.
24. Decisions of Cabinet- Implementation of.
25. The Supreme Court and conferring thereon of supplement powers, persons entitled to practice before the Supreme Court. All references, to the Supreme Court under Article 143 of the Constitution of India, The Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Amendment Act, 1972 etc.
26. Agreements and Assurances of property Authorization under Article 299(1) of the Constitution.
27. Welfare Activities.
28. Security.

Notary Cell

Functions of the Section

The administration of the Notaries Act, 1952 and the Notaries Rules, 1956 are within the purview of the Notary Cell. The Notary Cell deals with examination/scrutiny of the Memorials/applications received from different States/Union Territories in the country and processing of these memorials for appointment of Notaries. This Cell conducts inquiries into the allegations of professional or other misconduct on the part of the Notaries. The Notary Cell also renews certificates of practice of notaries, issued by the Central Government. For sufficient reasons, also grant extension of area of practices to the notary public, on receipt of an application for the purpose.

2. In pursuance of Rule 7A(2) of the Notaries rules, 1956 and Notaries (Amendment) Rules, 2009, Interview Boards have been constituted. Interviews for appointment of Notary Public were held at various parts of the country. So far, 9564 Notaries have been appointed by the Central Government in various parts of the country as on date.

Hindi Section

1. This Section in the Department has been created to ensure implementation of Official Language Policy of the Government. An Officer of the rank of Additional Secretary has been made In-charge of Hindi Section. For this purpose the Cell organizes meetings from time to time to review and monitor the policy on Official Language.
2. All the material which is required to be issued/published bilingually is translated in the Hindi Section.
3. A Hindi Advisory Committee has been set up in the Legislative Department. The Hindi Cell of this Department provides the relevant material to the Committee in respect of Department of Legal Affairs.

Receipts & Issue Section

Functions of the Section

1. Receipt and Issue work of the Department of Legal Affairs & Legislative Department.
2. Preparation of night duty roster.
3. Maintenance of register showing names of officials available for duty on Sunday/Holidays and issuing orders in this respect.

Advice 'A' Section

Functions of the Section

Advice work pertaining to various Ministries and Departments as stated below.

1. Ministry of Home Affairs.
2. Ministry of External Affairs.
3. Department of Personnel & Admin Reforms.
4. Parliamentary work.
5. Ministry of Defence.
6. Ministry of Shipping & Transport.
7. Ministry of Tourism and Civil Aviation.
8. Ministry of Labour.
9. Department of Petroleum, Chemicals & Fertilizers.
10. Department of Steel.
11. Department of Mines.
12. Department of Rehabilitation.
13. Department of Justice.
14. Ministry Social Welfare.
15. Department of Coal.
16. Ministry of Communications including Directorates General of Posts & Telegraphs.
17. Conveyancing matters including house building advance cases of all the Ministries and Departments.
18. Miscellaneous work, that is, all notices from courts, Attorney General, representative petitions, letters, from Central Government Standing Counsel etc. pertaining to the above Ministries.
19. Forty- Second Constitution Amendment -Challenge in courts - correspondences relating to the subject.
20. RTI applications and Third Party notices under Section 11 of the RTI Act, 2005 received from various ministries in respect of legal advices tendered by this Ministry.

Advice 'B' Section

Functions of the Section

The Section is dealing with the advice work of following Ministries:-

1. Ministry of Finance (Department of Revenue, Economic Affairs, Expenditure)
2. Ministry of Corporate Affairs
3. Ministry of Heavy Industry & Public Enterprises
4. Ministry of Small Scale Industry & Rural Agro
5. Ministry of Railways
6. Ministry of Urban Development
7. Ministry of Commerce & Industry
8. Ministry of Parliamentary Affairs
9. Lok Sabha Secretariat
10. Rajya Sabha Secretariat
11. President Secretariat
12. Prime Minister Office
13. Cabinet Secretariat
14. COD Meetings
15. Ministry of Disinvestments
16. Ministry of Science & Technology
17. Ministry of Water Resources,
18. Ministry of Textiles
19. Ministry of Health and Family Welfare.
20. Ministry of Information & Technology
21. Ministry of Non-Conventional Energy Sources
22. Ministry of Atomic Energy
23. Ministry of Power

24. Ministry of Ocean Development
25. Comptroller and Auditor General for India
26. Planning Commission
27. Ministry of Information & Broadcasting
28. DGS&D
29. Ministry of Environment & Forests
30. Ministry of Agriculture
31. Ministry of Rural Development
32. Ministry of Consumer Affairs
33. Ministry of Food & Public Distribution
34. Ministry of Human Resource Development
35. Ministry of Culture
36. Ministry of Youth Affairs & Sports
37. Ministry of Food Processing Industries
38. Ministry of Statistics & Programme Implementation
39. Ministry of Space
40. Ministry of Panchayati R Raj,
41. Ministry of Women & Child Development
42. Ministry of Earth Sciences
43. Miscellaneous work, that is, Diary, Despatch, marking of files, tracing precedents, keeping record of Cabinet Notes, Cabinet Meetings, State Bill Register, Movement Register, Index Register and arranging numerous opinion tendered by different officers of the Department etc. and yearly indexing of the opinions in the Section given proper title, short subjects and typed ministries-wise, and also prepared State Bill/Private Bill/Cabinet Note and Parliament Assurances Register with index which required detailed and minute reading of each precedent before making short title.

Advice 'C' Section

Functions of the Section

1. Review and weeding out of old opinions and precedents.
2. Coordination and maintenance of Law Officers opinions.
3. Coordination and maintenance of Central Index Slips in respect of opinions.
4. Obtaining opinions of Law Officers on the statement of cases prepared by the Officers.
5. Printing of Law Officers opinions.
6. Index of Law Officers opinions and Index of opinions in the Advice Branch.
7. Undertaking research on any Legal problem entrusted by the senior Officers.
8. Maintenance of documents and records relating to the International / Conferences/Meeting attended by the Officers.
9. RTI applications and Third Party notices under Section 11 of the RTI Act, 2005 received from various ministries in respect of legal advices tendered by this Ministry.

Library & Research Section

Functions of the Section

1. Book Purchase-order work, Accessioning, classification and cataloguing.
2. Periodicals- Subscription, Registration, Circulation etc.
3. Issue & Return of Books.
4. Documentation of Legal materials.
5. Legal Research work.
6. Legal Reference work.
7. Secretariat work etc.
8. Circulation/Head notes of the Supreme Court judgements of to the officers of the Department of legal Affairs and legislative Department.

Litigation (High Court) Section 'A'
Located in Lawyers Chambers, Delhi
High Court of Delhi

Functions of the Section

1. Dealing with Writ Petitions under Article 226 of the Constitution, Letter patent Appeals, S.C. A's under Article 134-A of the Constitution, arising therefrom.
2. Liaison work between various Ministries/Departments of the Government of India and Panel Counsels
3. Furnishing advice to various Department etc. on procedural aspects including limitation and form of appeals generally.
4. Engagement of ASG/Sr. Counsel/CGSC and Panel Counsel.
5. Arranging conference of Senior Counsel on Panel of High Court for settling pleadings, lines of arguments to be adopted etc.
6. Close liaison with various Departments/Counsel on receipt of Cause list received from the High Court.
7. Attendance in courts in connection with important matters and keeping watch on progress of such cases.
8. Scrutiny of bills received from the Counsel with reference to term of engagement before they are submitted to the Branch officers for certification.

Litigation (High Court) Section 'B'

Functions of the Section

1. Dealing with suits, Appeals and all other litigation work except Writ Petitions under Article 226 of the Constitution, LPA and SCA's there from.
2. Liaison work between various Ministries/ Departments of the Government of India and Panel Counsels.
3. Furnishing advice to various Departments etc, on procedural aspects including limitation and form of appeals generally.
4. Engagement of ASG/Sr. Counsel/CGSC and Panel Counsel.
5. Arranging conferences of Senior Counsel on panel of High Court, Supreme Court for settling pleadings, lines of arguments to be adopted etc.
6. Close liaison with various Departments/Counsel on receipt of cause list received from the High Court.
7. Attendance in courts in connection with important matters and keeping watch on progress of such cases.
8. Scrutiny of bills received from the Counsel with reference to term of engagement before they are submitted to the Branch Officer for certification.

Accounts work pertaining to Litigation (HC) Section.

1. Preparation of Budgetary Estimates, Revised Estimates of expenditure.
2. Furnishing of various Expenditure Returns to the Budget & Accounts and IF Section of the D/o Legal Affairs.
3. Maintenance of PAN data records of the Panel Counsel.
4. Issue and receipt of Mandate Form to the Panel Counsel and compilation of ECS related data thereof.
5. Processing & submission of bills to PAO(LA) for e-payments/issue of cheques.
6. Online verification-cum-reconciliation of e-payment records of the Panel Counsel.
7. Receipt and recording of e-payment details/cheques received from PAO(LA). Issue of cheques to respective Panel Counsel after obtaining proper receipt.

8. Reconciliation of monthly expenditure figures with the expenditure statements received by PAO(LA).
9. Maintenance of following registers:-
 - i. Fee Bill Register
 - ii. Cheques Register
 - iii. TDS Register
 - iv. Paid Fee Bills
 - v. Budget Re-appropriation records
 - vi. Audit records
10. Filing of quarterly e-TDS returns and online verification & reconciliation of quarterly e-TDS returns data with Unit records
11. Filing of correction statements, as per requirements.
12. Issue of TDS certificates to the Panel Counsel
13. Arranging auditing and furnishing of accounting records and financial statements to the Audit Authorities.
14. Compilation of External and Internal Audit objections and furnishing requisite replies and records to obtain settlement thereof.

Litigation (CAT-PB) Section

Functions of the Section

1. Dealing with service matters filed before the CAT (PB).
2. Liaison work between various Ministries/ Departments of the Government of India and Panel Counsels.
3. Engagement of ASG/Sr. Counsel/CGSC and Panel Counsel.
4. Furnishing advice to various Departments etc, on procedural aspects including limitation and form of appeals generally.
5. Arranging conferences of Senior Counsel on panel of CAT (PB Cell) for settling pleadings, lines of arguments to be adopted etc.
6. Close liaison with various Departments/Counsel on receipt of cause list received from the CAT (PB).
7. Attendance in courts in connection with important matters and keeping watch on progress of such cases.

Litigation (LC) Section

Function of the Section

(i) The Litigation work in District Courts/Consumer Forums/Tribunals in Delhi / New Delhi on behalf of all Ministries / Departments of Government of India except Railways and Income-tax Department is handled by Litigation (Lower Court) Section. The Litigation work, in the above said Courts / Tribunals are looked after by an Assistant Legal Adviser & In-charge assisted by a Superintendent. (Legal) / Assistant (Legal).

(ii) There is a panel of Additional Standing Government Counsels from whom the counsels are nominated for contesting the cases. On receipt of request from the Ministry / Department, action is taken to engage a suitable counsel to appear on their behalf in the Courts. Close liaison is maintained with various Departments / Counsels at all times to safeguard the interest of the Government (Union of India) in the District Courts / Consumer Forums / Tribunals.

(iii) Fee bill received from the counsel are scrutinized having regard to the terms and conditions of their appointment before certifying and making payments at the prescribed rates.

(iv) The Assistant Legal Adviser, who is also the Branch Officer of this Section has been designated as Central Public Information Officer under the Right to Information Act, 2005. The Superintendent (Legal) who supervises the Litigation (LC) Section also designated as Central Assistant Public Information Officer.

Central Agency Section, Section 'A'

Functions of the Section

1. Supervision , Scrutiny and co-ordination of the work of Assistants(Legal) dealing with
 - (i) Union matters including Income-tax and Railway matters.
 - (ii) Union Writ Petitions.
 - (iii) Matters of Union Territories.
 - (iv) Matters of Participating States.
 - (v) Conducting of matters of other States; work assigned from time to time.
 - (vi) Matters of C.B.I.
2. Checking of the Registers of Bills of costs, scrutiny etc.
3. Daily proceedings Register, Defect Register.
4. Counsel Fee Register etc.
5. Supervision of court clerks on court duty.
6. Record room and preparation of briefs.
7. Matters in the register of the Supreme Court.

Central Agency Section, Section 'B'

Functions of the Section

1. Supervision and co-ordination of the work of the Assistants (Legal) dealing with the matters of the participating states.
2. All Administrative work including accounts and budget.
3. Typing pool.
4. Library.
5. Receipt and dispatch including dispatch of briefs etc.
6. Duties of the drawing and Disbursing Officer including maintenance of Personal Ledge Accounts.
7. Payment of fee bills of Counsels pertaining to Central Government and other participating states, excepting the Railways.

BRANCH SECRETARIAT, MUMBAI

Main Functions

- I. Administration & Accounts Section:
 - (i) To carry out administrative functions relating to recruitment, leave, deputations, resignations, retirement, termination, etc. , and obtaining sanctions to the grant of G.P.F. and other advances, etc.
 - (ii) To draw pay, T.A., L.T.C., O.T.A., Medical re-imbusement and other bills.
 - (iii) To apply detailed checks on Counsel Fee memos and obtain sanction of JS & LA/Sr. Government Advocate & In-charge for payment.
 - (iv) To draw cheques and to arrange for payment of disbursement of bills and claims.
 - (v) To prepare Budget proposals and maintain Books of Accounts of expenditure and receipts to watch that the expenditure does not exceed the grants.
 - (vi) To attend to Memos of Internal Audit Section.
 - (vii) To prepare Weekly, Monthly, Quarterly accounts for submission to the P.A.O. and Main Secretariat and reconcile the expenditure with the P.A.O. and Bank.
- II. Advice Section:
 - (i) The references received from various Ministries/Departments of Central Government seeking legal advice are examined at the first instance by the Superintendent (Legal) and thereafter put up to the In-charge who in turn mark the cases to the Additional Legal Adviser/Assistant Legal Adviser/Additional Govt. Counsel as per the distribution/allotment of work. If required the advice matters are also referred to the Ld. Additional Solicitor General of India for his expert opinion. Accordingly, this Branch Secretariat render advice to all the Central Government Departments and Ministries of entire Western Region which includes State of Maharashtra, Goa, Gujarat, Rajasthan, Madhya Pradesh, Chattisgarh, Diu, Daman and Dadra & Nagar Haveli etc.

- (ii) To attend to Conveyancing work.

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III. Litigation Sections:

- (i) To look after the litigation work in the Bombay High Court pertaining to the Central Government Departments.
- (ii) To deal with the arbitration cases on behalf of the Central Government before Arbitrators.
- (iii) To draft the documents relating to immovable properties situated in Maharashtra, Gujarat, etc., to be acquired or transferred by the Central Government as also to handle agreements and contracts and other documents to which the Central Government is a party.
- (iv) Scrutiny and certification of payments of fees to Standing and Panel Counsel engaged to appear on behalf of the Central Govt. in the Bombay High Court.
- (v) To exercise general supervision over litigation in subordinate Courts, such as, Metropolitan Magistrate Courts, Small Causes Courts, City Civil Courts and Industrial Courts in Bombay in which Central Government is either a party or otherwise interested.
- (vi) To supervise the litigation work in (i) Gujarat High Court, (ii) Nagpur and Aurangabad Benches of the Bombay High Court and (iii) in Judicial Commissioner's Court in the Centrally Administered Area of Goa, Daman & Diu and Nagar Haveli,

BRANCH SECRETARIAT , KOLKATA

FUNCTIONS:

1. To render legal advice to all Central Government Offices in West Bengal and Eastern Region (Bihar, Orissa, Assam, Meghalaya, Sikkim, Nagaland etc.)
2.
 - i) To conduct litigations in the Calcutta High Court by the Senior Govt. Advocate/Additional Govt. Advocate/Junior Govt. Advocate who are notified to act as Government Pleader within the meaning of Order XXVII, Rule 8B(a) of the Code of Civil Procedure, 1908.
 - ii) To act as Office of Advocate-on-Record in Original Side of the Calcutta High Court.
 - iii) To engage Additional Solicitor General of India and/or counsel in different cases as per requirement in the Calcutta High Court matters.
 - iv) To engage counsel in the Central Administrative Tribunal, Calcutta Bench, other Tribunals in Calcutta, Consumer Redress Forum at State level and other Forums of alternative remedy.
 - v) To look after the litigation work in the Calcutta High Court on Original Side and Appellate Side and Arbitration Case on behalf of the Central Govt.
 - vi) In addition to the litigation work of the Calcutta High Court this Branch Sectt. exercises general supervision and engagement of counsel over the litigation of the Central Govt. in Subordinate Courts in West Bengal such as City Civil Court, Small Causes Court, Metropolitan Magistrate's Courts as well as different District Courts in West Bengal in which the Central Government is either a party or otherwise interested.
3. To exercise general supervision over litigation of the Central Government in various High Courts in the Eastern Region like Patna High Court, Orissa High Court, Sikkim High Court and Assam High Court.
4. To do drafting and vetting of instruments of conveyance, agreements, contracts and other different types of documents, to which the Central Government is a party.
5. To scrutinize fee bills received from the Panel Counsel. To obtain sanction for engagement of Special Counsel at Special rate to appear on behalf of Government Department in the Calcutta High Court or in the other High Courts and subordinate courts in West Bengal.

6. To prepare Paper Book for appeals of Original Side matters and to do all ancillary works related to litigation like issuance of back sheets, making correspondences, having conferences etc. and also to do establishment and other alternative works in connection with the personnel of this Branch Secretariat.

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BRANCH SECRETARIAT, CHENNAI

FUNCTIONS

1. Administration

(i) General Administration:-

All matters connected with organization on all matters establishment of this Branch Sectt. Also functions as DDO of the Branch Secretariat, Service matters.

(ii) Cash Section

(a) Budget and preparation of bills.

Preparation of Budget both Budget Estimates and Revised Estimates, indicating requirements of this Branch Secretariat and submission of the same to the Main Secretariat. Preparation of Pay Bills of officers and staff of this office and disbursement of salary to the staff. Preparation of medical reimbursement bills, leave travel Concession bills of officers and staff. Scrutiny and payment of rent bills and electricity bills of office. Scrutiny of vouchers, preparation and submission of contingent bills. With the scheme of Departmentalization of accounts coming into force in April- October 1976, the Section Officer, and is attached to the PAO, Department of Legal Affairs, New Delhi. As Drawing and Disbursing Officer, he has been placed with account in the Dena Bank, Mount Road Branch and is authorized to draw funds directly from the bank by means of cheques for payment of pay and allowance including T.A. and medical claims advances and final bills, Counsel Fees and office contingencies. In respect of certain other claims like Advances from the Provident Funds, withdrawals from G.P. Fund and Final withdrawals of accumulations in the Fund for Group 'D' and all short term loans and advances are also paid by him after sanction of the competent authority is obtained. In the discharge of these functions the D.D.O. has to subject all these vouchers to the treasury checks enumerated in the various Rules in the C.T.R, Vol. I, before passing the bill for payment and issuing the cheque. The D.D.O. is also authorized to receive receipts on behalf of Govt. and issue receipts therefore. Those are then remitted by him in the bank in which he holds the account.

(b) Accounting.

The Section Officer acting as DDO is responsible for the maintenance of Cash Book and for the preparation of the List of payments of all vouchers paid by him weekly and should transmit it to the PAO alongwith the Vouchers. The payments made by him are reconciled with the bank payment scrolls and a reconciliation statement is also sent to PAO. He also reconciles the expenditure figures as compiled by him with those booked by the PAO. Similar procedure is followed for departmental receipts also. Further he maintains detailed accounts of all short term loans and advances as well as Group 'D' Provident Fund Accounts.

(iii) House keeping section

Maintenance of office furniture and furnishings. Attending to installation and shifting of Telephones of officers both at office and residence. Preparation of indents for and receipts of stationery from the Chief Controller of Printing and Stationery. Dealing with all matters relating to preparation of Hindi Reports, checking and maintaining Trunk call Bills and connected registers Office amenities.

(iv) Receipt and Issue and Fair Copying Section:-

Receipting of incoming dak both postal and hand delivery by messengers and diarizing them. Despatch of outgoing dak. Maintenance of service stamp account in the proper register. Maintenance and checking of telegram registers and bills. Preparation of register showing abstract of Receipts marked t various dealing hands. Typing, Fair Copying, comparing and issue of letters relating to litigation matters and miscellaneous letters copying notes etc, from files of other Departments for indexing purposes.

(v) O&M and Judicial matters:

Matters relating to appointments of Counsel for Central Government cases. Statistics And Returns:- Preparation of monthly returns of disposals of cases by officers, returns of officers, returns of office work, monthly , quarterly etc.

(vi) Library, Research and Correction Section:-

Maintenance and upkeep of the Library of this office. Attending to correspondence Relating to the above. Renewal of subscriptions of various Law Journals, Gazettes, News Paper and High Court cause list etc. Maintenance of approval, sanction and accession registers. Scrutiny of bills for books purchased. Research, collection of Court decision, papercuttings, articles etc. Maintenance of GSRO, SROs Acts and ordinances, Maintenance of India Code Volumes, Acts of Parliament, SRO's GSROs etc. and carrying out correction to all acts and Regulations.

(II) **Advice Section**

Rendering legal Advice on all matters referred to this Branch Secretariat by the various Central Government Department Departments located in Madras city and mofussil stations in the State of Tamilnadu, Kerala and the Union Territory of Pudhucherry only. Scrutiny of fee bills of the Central Government Standing Counsel,. Additional Central Government Standing Counsels and Senior Counsel appointed in individual cases. Conveyancing work emanating from Central Govt. Deptt. In the four Southern States and advice references from the Central

Leprosy Research & Training Institute, Chingleput, Department of Space, Bangalore and the Handloom Export Promotion Council Are also being attended to by this branch Secretariat.

Vetting of Draft Counter Affidavits, Petitions, Memorandum of Grounds of Appeal, Written Statements, other pleadings etc.

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III.(a) **Litigation Section**

Scrutiny of daily cause list of Madras High Court, conduct of Central Government litigation work in the four Madras Court (except the work relating to Income-tax and Railway Departments). Functions Include attending to cases in the High Court at Madras and attending to correspondence with Counsel and the various Department of the Central Government and briefing Counsel in those cases.

Scrutiny of Fee Bills of the Additional Solicitor General, Assistant Solicitor General, Central Govt. Standing Counsel, Additional Central Govt. Standing Counsel and Senior Panel Counsel appointed in the individual cases.

III.(b) **Litigation Cell in the High Court Building.**

Since June 1978, a separate Litigation Cell has started functioning within the High Court premises. It is headed by an Assistant Legal Adviser who is empowered under GSR 1412 to appear on behalf of the Central Government. He is assisted by supporting staff. The Assistant Legal Adviser in the Litigation Cell attends to the Courts and follows up the Central Government cases personally with the Counsel both in the High Court and Subordinate Courts.

The Litigation Cell in the High Court Building deals with the lower court litigation and advice work exclusively apart from the above work.

BRANCH SECRETARIAT, BANGALORE

Functions

ORGANISATION: Deputy Legal Adviser heads the Branch Secretariat, Bangalore. The Branch Secretariat, Bangalore has jurisdiction over the States of Karnataka and Andhra Pradesh handling the litigation and advice of various Central Government Department/Ministries.

ADVICE: 1) The Branch Secretariat renders legal advice to all the Central Government Departments and offices located in the States of Karnataka and Andhra Pradesh. The advice work includes scrutiny and vetting of pleadings i.e. statement of objections, counter affidavits to be filed before the High Courts i.e. High court of Karnataka, Bangalore, Circuit Benches of High Court of Karnataka at Dharwad and Gulbarga and High court of Andhra Pradesh respectively, reply statement to be filed before Central Administrative Tribunal, written statement, counter affidavits, counter statements, versions filed before District Courts, Subordinate Courts and various other Tribunals.

2) Examining the feasibility of filing SLP, Appeals, review etc. interpretation of laws guiding Departments on legal sustainability of their action and holding discussions with officers of the administrative Departments, whenever necessary.

LITIGATION : The Branch Secretariat, Bangalore supervises the entire litigation of the Central Government Departments and offices in the High court of Karnataka, Bangalore, Circuit Benches of High Court of Karnataka at Dharwad & Gulbarga and High Court of Andhra Pradesh, Subordinate Courts located at Bangalore City and twin cities of Hyderabad and Secunderabad and CAT in both the States. This Branch Secretariat also looks after the work of Government litigation in the District Consumer Dispute Redressal Fora, the State Consumer Redressal Commissions of both the States Central Govt. Industrial Tribunal and Debt Recovery Tribunal. The function of the Branch Secretariat in this regard includes engagement/ nomination of the Counsel and distribution of cases among the Central Government Counsel for the High Court of Karnataka, Principal Bench, Bangalore, CAT Bangalore and Lower Court, Bangalore.

COUNSEL'S FEE BILLS : This Branch Secretariat itself processes counsel fee bills and pays the fees directly from its centralized funds to the Central Government Counsel in the High Court of Karnataka, Bangalore. So far as Circuit Benches of High Court of Karnataka at Dharwad and Gulbarga are concerned, the counsel fee bill is borne by the concerned Department on whose behalf the Counsel conducts

the cases and not by the Branch Secretariat, Bangalore. The concerned Departments pay the fee for Central Government panel Counsel in CAT, District and subordinate Courts. Hence this Branch Secretariat is not certifying counsel fee bills. However, clarifying the various provisions of the scheme to the Department in case of any doubt and maintaining the liaison between the Government Departments and the Central Government Counsel are undertaken by this Branch Secretariat.

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Law Commission

I. Functions of the Law Commission

A. Review/Repeal of obsolete laws:

- i. Identify laws which are no longer needed or relevant and can be immediately repealed.
- ii. Identify laws which are not in harmony with the existing climate of economic liberalization and need change.
- iii. Identify laws which otherwise require changes or amendments and to make suggestions for their amendment.
- iv. Consider in a wider perspective the suggestions for revision/amendment given by Expert Groups in various Ministries/Department with a view to coordinating and harmonizing them.
- v. Consider reference made to it by Ministries/Departments in respect of legislation having bearing on the working of more than one Ministry/department.
- vi. Suggest suitable measures for quick redressal of citizens grievances, in the field of Law.

B. Law and Poverty:

- i. Examine the Law which affect the poor and carry out post-audit for socio-economic legislations.
- ii. Take all such measures as may be necessary to harness law and the legal process in the service of the poor.

C. Keep under review the system of judicial administration to ensure that it is responsive to the reasonable demands of the times and in particular to secure:

- i. Elimination of delays, speedy clearance of arrears and reduction in costs so as to secure quick and economical disposal of cases without affecting the cardinal principle that decision should be just and fair.
 - ii. Simplification of procedure to reduce and eliminate technicalities and devices for delay so that it operates not as an end in itself but as a means of achieving justice.
 - iii. Improvement of standards of all concerned with the administration of justice.
- D. Examine the existing laws in the light of Directive Principles of State Policy and to suggest ways of improvement and reform and also to suggest such legislations as might be necessary to implement the directive Principles and to attain objectives set out in the Preamble to the Constitution.
- E. Examine the existing laws with a view for promoting gender equality and suggesting amendments thereto.

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- F. Revise the Central Acts of general importance so as to simplify them and to remove anomalies, ambiguities and inequities.
 - G. Recommend to the Government measures for bringing the statute book up to date by repealing obsolete laws and enactments or parts thereof which have outlived their utility.
 - H. Consider and convey to the government its views on any subject relating to law and judicial administration that may be specifically referred to it by the Government through Ministry of Law and Justice (Department of Legal Affairs).
 - I. Consider the requests for providing research to any foreign countries as may be referred to it by the Government through Ministry of Law and Justice (Department of Legal Affairs).
 - J. Examine the impact of globalization on food security, unemployment and recommend measures for the protection of the interests of the marginalized.
- II. The works relating to Administrative Section are as follows :-
- (i) Work relating to Establishment
 - (ii) Maintenance of officers, office telephone
 - (iii) Allotment of residential accommodation of Chairman /member officers/ Staff.
 - (iv) Central Government Health Scheme
 - (v) Arrangements of hot and cold weather appliances
 - (vi) Cash
 - (vii) Accounts
 - (viii) Budget
 - (ix) Maintenance of class IV G.P. Fund Account
 - (x) Maintenance of Compulsory Deposit Account of Officers and Staff.
 - (xi) Other miscellaneous and general matters not mentioned.

