

DEPARTMENT OF LEGAL AFFAIRS
(VIDHI KARYA VIBHAG)

FUNCTIONS OF JUDICIAL SECTION

The Judicial Section is responsible for the organization of litigation of the Government of India and Union Territories before the Supreme Court, various High Courts, the Central Administrative Tribunal and District and Subordinate Courts. Its functions include processing the appointments of the Attorney General of India, the Solicitor General and the Additional Solicitor General of India, Central Government Counsel in the Supreme Court, High Courts, the Central Administrative Tribunal, District and Subordinate Courts and Consumer Forums in some of the states for conducting litigation work on behalf of the Central Government, engagement of Law Officers and other Counsel on behalf of Ministries/Departments for the conduct of cases before the Supreme Court, High Courts, Tribunals, Commission of Inquiry, District and Subordinate Courts, Quasi-Judicial Authorities etc. Its functions also include formulation and settlement of their terms and conditions for conducting cases. The Judicial Section is also responsible for nomination of Arbitrators in disputes between the various Departments of the Government of India and private parties.

2. The Section is responsible for issuing statutory orders e.g. orders under GSR 167, authorizing various officers to sign and verify plaints and written statements in suits in any court of civil jurisdiction or in writ proceedings by or against Central Government under Rule 1 of Order XXVII of Schedule I to the Code of Civil Procedure, 1908. This Section also authorizes officers to sign contracts and agreements on behalf of President of India under Clause 1 of Article 299.

3. The Section is also dealing with the work of Reciprocal arrangements with foreign countries for the service of summons in civil suits, the execution of decrees of Civil Courts, the enforcement of maintenance orders, and the administration of the estates of foreigners dying in India inte-state.

4. India has acceded to The Hague Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters and also Hague Convention on Taking of Evidence Abroad in Civil and Commercial Matters in the year 2007. Ministry of Law and Justice is the Central Authority for both the Conventions. Judicial Section is dealing with the work of service of summons/notices to Indian nationals through Judicial Authorities, received from the foreign countries under the said Conventions. Judicial Section also deals with forwarding of service of summons/notices originated from Judicial Authorities of the country to the Central Authorities of foreign countries.