

Through Post / Email

F. No. J-16/20/2024-Judicial
Government of India
Ministry of Law & Justice
Department of Legal Affairs
(Judicial Section)

Shastri Bhawan, New Delhi
Dated the 16th October, 2024

OFFICE MEMORANDUM

Subject: Fair and transparent allocation of cases by designated Litigation In-charge, concerned amongst Panel Counsel for Union of India before Hon'ble High Courts/ Tribunals/District and Subordinate Courts and Redressal Commission etc. – regarding.

This Department has designated some categories of Law Officers / Panel Counsel as Litigation In-charge for the High Court / Tribunal and District and Subordinate Courts concerned, vide this Department's OM No. J-12017/1/2019-Judicial dated 21.10.2019 (copy enclosed). The main purpose of designating these Litigation In-charges is supervision and fair allocation of cases amongst the Panel Counsel before the High Courts / Tribunals / District and Subordinate Courts concerned under direct intimation to this Department.

2. But, this Department is receiving complaints / reports from not only the Panel Counsels but also from the Ministries / Departments regarding unfair and opaque allocation of cases by the Litigation In-charges of the High Courts / Tribunals and District and Subordinate courts concerned. Such practices are not only detrimental to other panel counsel, but, also jeopardizes the interests of Union of India. Moreover, allocating ordinary / routine matters to senior category of counsels causes unnecessary burden.

3. To address the issue highlighted above, the undersigned is directed to circulate following guidelines to all the designated Litigation In-charges for Hon'ble High Courts/ Tribunals/District and Subordinate Courts and Redressal Commission etc. for strict compliance:

- (i) cases of ordinary / routine nature may be assigned to Panel Counsel (except Addl. SGI / Dy. SGI / Senior Panel Counsel) on turn basis;
- (ii) if the Ministry / Department recommends the name of a particular Panel Counsel in writing, it should have proper justification;
- (iii) important, sensitive, and high stake matters including those involving constitutional *vires* of the provision being under challenge may be assigned to Addl. SGI / Dy. SGI / Senior Panel Counsel and/or on the specific request in writing of the Ministry / Department concerned;
- (iv) two or more cases in which substantially identical questions of law or facts are involved and where the main difference is in the names, addresses of the parties concerned amount of money involved etc. irrespective of the fact whether all such cases are heard together or not, may be assigned to the same Panel Counsel and not different ones;


16.10.24

- (v) a Panel Counsel, except Addl. SGI / Dy. SGI / Sr. Panel Counsel, should at a given point have not more than 10% cases out of total pendency of Central Government litigation before the High Court / Tribunal / District & Subordinate Court concerned;
 - (vi) it may be ensured that all the Panel Counsel get their LIMBS ID activated and regularly update the status of the cases assigned to them;
 - (vii) the Departments are to monitor cases through LIMBS portal; and
 - (viii) a monthly report on allocation of cases to Panel Counsel may be furnished through email to this Department on regular basis.
4. These guidelines need to be adhered to with immediate effect.
 5. This is with the approval of Hon'ble Minister of State (I/C) for Law & Justice.

Encls: As above.



(M. C. Prusty)
Senior Government Advocate

To,

1. The Additional Solicitors General for India (as per list).
2. The Deputy Solicitors General of India (as per list).
3. The Senior Central Government Standing Counsels (as per list).
4. The Standing Government Counsels (as per list).

Copy (through email) to:

1. All the Ministries / Departments of Government of India (as per standard list).
2. PS to Hon'ble MoS (I/C) L&J.
3. PSO to Law Secretary / All Additional Secretaries and Joint Secretaries and Legal Advisers in the main secretariat of DoLA.
4. Ld. Attorney General for India / Ld. Solicitor General for India.
5. All the four Branch Secretariats of Department of Legal Affairs at Mumbai, Kolkata, Chennai and Bengaluru.
6. In-charge, Litigation (High Court / CAT / Lower Court) Sections.
7. To upload on website of this Department i.e. www.legalaffairs.gov.in under tab 'Judicial Section' in the link 'Circulars pertaining to litigation'.
8. Hindi Section for providing Hindi version of this order.
9. Office / spare copies.


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