

No.F.34(1)/2011-Judl.  
Government of India  
Ministry of Law and Justice  
Department of Legal Affairs  
Judicial Section  
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New Delhi, Dated: 25<sup>th</sup> August, 2011

**Office Memorandum**

**Sub: Review of existing set-up for conducting Central Govt. litigation –regarding.**

The undersigned is directed to inform that **Hon'ble MLJ has reviewed the existing set-up of conducting the Central Government Litigation before various courts of Law and has directed to set-up following Committees for the Supreme Court and High Courts:-**

- (i) **Supreme Court**
  - (a) Ld. Attorney General
  - (b) One Law Officer of Ld. AGI's choice
  - (c) Incharge, Central Agency Section
  - (d) Incharge, Judicial Section
- (ii) **High Court of Delhi, Mumbai, Kolkata, Chennai and Banglore**
  - (a) Ld. Additional Solicitor General of the concerned Unit/Branch Secretariat
  - (b) Incharge(litigation) of the concerned Unit/Branch Secretariat
  - (c) Assistant Solicitor General concerned or one suitable CGSC/Sr. Panel Counsel
  - (d) Incharge, Judicial Section
- (iii) **Other High Courts**
  - (a) Ld. ASG concerned under whose jurisdiction the High Court falls
  - (b) Assistant Solicitor General concerned
  - (c) One Sr. Panel Counsel to be nominated by Assistant Solicitor General
  - (d) Incharge, Judicial Section

2. The above Committees shall **review the performance of the existing panel** of counsels and recommend the list of panel counsel who may be retained in the panel and the list of those panel counsel whose performance are not up to the mark and send a report on the same.

3. Based on the requirement, the Committees will conduct interviews periodically on the basis of applications to be received by the Concerned Incharge(Litigation) from the aspiring advocates and submit its report to the Law Secretary, who alongwith with his recommendation will place it before Hon'ble MLJ.

4. The Committees will prepare and submit to Law Secretary a team of four-five very effective Senior Counsel from the panel to be placed as "**Senior Counsel-Special Engagement**", who will be responsible for conducting very important and sensitive matters of Government in the respective High Courts.

5. It has also been proposed to conduct periodical seminars inviting all the members of the Committees, Counsel from the "**Senior Counsel-Special Engagement**" and few Counsels from the panel for their interaction with each other, training, workshop and refresher course with a view to evolve more effective ways for the conduct of Government litigation.

6. The Incharge(Litigation) of the Supreme Court/ concerned High Courts will look after all Coordination work in the above matters.

-sd/-

(M.A. Khan Yusufi)  
Joint Secretary & Legal Adviser to the Government of India  
Ph:23385383

To

1. All Law Officers as per the list
2. Incharge, Central Agency Section, Lit(HC) Section, , Branch Secretariats, Mumbai, Kolkata, Chennai , Banglore
3. All Assistant Solicitor General as per the list.

No.F.34(1)/2011-Judl.  
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New Delhi, Dated: 17<sup>th</sup> October, 2011

**Office Memorandum**

**Sub: Review of existing panel counsel and inclusion of fresh names, if required, in the panel-regarding.**

The undersigned is directed to refer to this Department's OM of even no. dated 25.08.2011 on the subject cited above whereby all the Incharge of Units/Branch Secretariat and the Assistant Solicitors General of Supreme Court/High Courts were requested for the constitution of Committees comprising of Ld. ASG concerned, JS&LA(Judl) and other members and for holding of its meeting for reviewing the existing panel of counsels and inclusion of fresh advocates in the panel from the proposals sent by this Department or otherwise.

2. Till date except in Supreme Court, and few Branch Secretariats, no information has been received from any of the Incharge(litigation) regarding the holding of the meeting of the Committee. Hon'ble MLJ has taken this attitude of Incharge(litigation) of CAS/Lit(HC)/Branch Secretariat/Assistant Solicitors Generals of High Courts very seriously and desired that the following instruction may be issued to them for strict compliance within 15 days:-

- (i) Incharge(litigation) of CAS/Lit(HC)/Branch Secretariat/Assistant Solicitors Generals of High Courts will immediately constitute the proposed Committee and informed all its members accordingly the proposed date of holding a meeting after seeking convenience and availability of all its members.
- (ii) They will simultaneously prepare the requisite list for placing the same before the members of the Committee regarding the details of existing panel of counsels, cases assigned to them in 2010 and 2011 and their performance thereof.
- (iii) They will also prepare a list of aspiring good advocates from the applications received by them directly and the proposals sent by this Departments for calling them before the Committee on the said date for an interview for their inclusion or otherwise in the panel in case there is any such requirement in the opinion of the Committee for effective conduct of Govt. litigation.
- (iv) They will prepare a list few very dedicated, efficient and good counsel from the panel for their promotion in the panel for inclusion in the proposed " **Senior Counsel-Special Engagement**" category.
- (v) Concerned Incharge(lit) of High Courts will also include the applications of advocates received by them or by Sr. CGSC of concerned CAT Benches and the proposals sent by this Department in the proposed meeting of the Committee for reviewing the existing panel / inclusion of new names in respective CAT Benches. For this purpose concerned Sr. CGSC of the respective CAT Benches will also be a member in the Committee and he is responsible for preparation of the list as stated at point (ii)&(iv) above.

3. This issues with the approval of Hon'ble MLJ.

-sd/-

(M.A. Khan Yusufi)  
 Joint Secretary & Legal Adviser to the Government of India  
 Ph:23385383

To

1. Incharge(Litigation) of CAS/Lit(HC),Branch Secretariat, Mumbai, Kolkata, Chennai and Bangalore.
2. All Assistant Solicitors General of High Courts /Sr.CGSC of CAT Benches as per the list.

