



“हर काम देश के नाम”



रक्षा लेखा महानियंत्रक

Controller General of Defence Accounts

उलान बटार रोड़, पालम, दिल्ली छावनी - 110010

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No.AN/Legal/Court Cases/Misc/Circular

Dated: 13/10/2020

(Through CGDA website only)

To,

The PCsDA/CsDA
The PCA (Fys)
All Nodal Offices

Subject: Nomination of Nodal offices for monitoring the CAT/Court Cases .

It is come to the notice that legal cell/section at some of the Controller offices is defending the Court cases directly, although the same should be defended through the concerned Nodal office. This has been viewed seriously by the Competent Authority.

2. The Competent Authority has therefore, directed that all Controller's offices to ensure that all Court cases should be defended through the concerned Nodal offices and not through the legal cell/section of the Controller office. Accordingly, cases on LIMBS portal should be updated by the nominated Nodal offices. It is also requested to adhere the HQrs office letter No AN/III/3024/CAT dated 04.08.1994(Copy enclosed) in this regard.


(Rajeev Ranjan Kumar)
Dy.CGDA (AN)

Copy to:

1. IT & S Wing (Local) : With the request to upload on CGDA Website.


(KSP Srivastava)
Accounts Officer (AN-Legal)

Annexure I

No.AN/III/3024/CAT
Office of the CGDA,
West Block V, R. K.
Puram, New Delhi - 110066
Dated: 4.8.1994

To

The Chief C of A(Fys) Calcutta
The Chief CDA(P) Allahabad
All CsDA/CsF&A(Fys)
The JCDA(F) Meerut

Subject: Nomination of Nodal Offices for monitoring the CAT/Court Cases

Ministry of Defence (Finance) has desired to institute a foolproof system for monitoring Court/CAT cases against DAD. In pursuance of the directions of the Ministry, it has been decided to nominate nodal office(s) for monitoring the progress of Court/CAT cases in which the DAD, irrespective of the organisation, has been impleaded as Respondent. Accordingly, the names of the officers indicated against each bench in the Annexure to the Circular hereafter will function as Nodal Offices for the purpose of monitoring Court/CAT cases pertaining to DAD filed/pending before that Bench. For this purpose, the concerned Controller would be required to nominate the Officer not below the rank of JCDA (DCDA where JCDA is not available) as Nodal Officer and also to form a cell exclusively for handling and monitoring Court/CAT cases. The name of the Nodal Officer so nominated including his residential address with telephone Nos. should be intimated to all CsDA and all Nodal Officers specified in Annexure under advise to HQrs. office. Besides, Controllers would be required to send the postal address of their office to the Registrars of each Bench.. In addition, Liaison Officer would be required to be nominated for regular interaction/liaison with Govt. counsel as well as Registrar of the concerned Bench. Such Officer may be provided telephone at his address as well as in the office, if possible.

The Charter of duties of Liaison officer will be as follows:

- (i) To ascertain from concerned Govt. counsel the details of the cases against DAD (irrespective of organisation) listed for hearing on the following dates and attend the Court/CAT with the Govt. counsel on the dates fixed for such hearing.
- (ii) To inform the Nodal JCDA/DCDA in the main office of the respondent Controller, outcome of the hearing by telex / telegram or on telephone.
- (iii) To maintain a Register of court/CAT cases, Controller-wise/Organisation-wise and submit the Register to Nodal JCDA in the case of Liaison Officers serving in main office and to the head of the office in case the Liaison officer is serving in sub office. In case he himself happens to be the head of the office, the Register will be submitted to Inspecting Officer.

- (iv) To procure the CTC of the judgement, as soon as the judgement is pronounced and obtain the opinion of the Govt. counsel to defend the case in writing in regard to the feasibility or otherwise of filing CWP/SLP or Review Petition and forward the same to the Nodal JCDA of the Respondent Controller and watch acknowledgment.
- (v) Where Govt. counsel desires discussions or production of documents, he would be required to obtain such requirement in writing from the Govt. counsel and forward the same to the Nodal JCDA of the respondent controller. It will also be his responsibility to pursue the case till the requirement of Govt. counsel is complied with.
- (vi) If the notices to the Controllers have been handed over to the Govt. counsel, it will be his responsibility to collect the notices together with letter of Govt. counsel and dispatch the same to the responding Controller.

2. As far as Nodal JCDA are concerned, they would be required to monitor the progress of each case irrespective of organisation personally with a view to ensure timely action and will be personally responsible for any lapses in the matter of Court/CAT cases. On transfer, proper handing/taking over of the Register will be made and the officer taking over will be briefed properly by the outgoing officer.

3. The above instructions may be noted for strict compliance. Controller(s) may also issue suitable instructions to all sections in their main office(s)/sub offices. Failure to bring any Court/CAT case to the Notice of Nodal JCDA will render all levels viz. dealing hand/supervisor and the AO/SAO I/c liable for disciplinary action.

Please acknowledge receipt.

(S. K. KOHLI)
Dy.CGDA (AN)