

DIRECTORATE OF INDUSTRIES AND COMMERCE, THIRUVANANTHAPURAM.

CIRCULAR

HC/C3/3020/12

Thiruvananthapuram,
Dated: -03. 04. 2012.

Sub:- Procedure for dealing with Court Cases – Instructions –Issued.

Ref:- 1. Complaint No.1186/2011 filed before the Kerala Lok Ayuktha.

2. Order of the Director dated:26.3.2012.

It has come to the notice of the Director, that many officers of this office and subordinate offices are not following the proper procedure while dealing with Court Cases and certain petitions filed before the Head of the Department. With a view to avoid such lapses all the officials should follow the instructions strictly to ensure the proper processing of Court Cases and petitions.

1. All files related to Court Cases and Petitions shall be routed through the Director.
2. It shall be the duty of the every official to monitor the conduct of all court cases in which Government/Director/District Authority is a party so as to safeguard the interest of Government.
3. All files of this office in respect of the legal matters should invariably routed through the Law Officer.
4. Legal question specifying the point/points on which advice of Law officer is required must be formulated before submitting files to the Law Officer.
5. Timely follow up action at each stage of the case is very essential. On receipt of copy of a case from the Office of the Advocate General or from the office of the Registrar, High Court or from the various Courts, urgent action should be taken to forward Statement of Facts/ Instructions required before the next posting date of the case or time limit stipulated therein. Any information in respect of court cases shall be communicated to the Office of Advocate General or office of the Government Pleaders in Subordinate Courts only after obtaining the approval of the Director, If the Director is arrayed as one of the respondents/ defendants.
6. The draft Statement of Facts received from the sub offices shall be examined by the officers concerned and revised for and for on behalf of the Director, Directorate of Industries and Commerce and details at this office level shall also be incorporated before submitting to the Law officer for vetting.
7. After furnishing Statement of Facts to the Office of the Advocate General/District Government Pleader shall be contacted to file Counter Affidavit/Written Statement without delay. Regular follow- up action may be taken in all pending cases and the stage of the case may be ascertained by contacting the office of the Advocate General or Government Pleader concerned, or Law Officer or Liaison Officer.
8. All Superior officers shall give direction to the concerned to maintain the files dealing with Court Cases properly with utmost care. Copies of all relevant records such as copy of Original Suit, Writ Petition , Appeal, Interim Order, Statement of Facts etc should be attached in the file concerned.

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