

D.D. No. 897

D.D. 23-3-18

Director (Personnel)

जय हिन्द (सं.)-1

कॉपी सं०

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दिनांक

23/3/18

संख्या

1380

दिनांक 22/3/18

DELHI DEVELOPMENT AUTHORITY  
LAW DEPARTMENT

PS/CLA/DDA/2018/D-305

Dt. 07.03.2018

INSTRUCTIONS FOR PROCESSING LEGAL MATTERS

22/3/18

During the course of review of the state of affairs of DDA's litigation on 07.03.2018 with the Chief Legal Advisor and other officers of the Law Department, the Vice Chairman expressed concern over the lackadaisical manner in which the litigation is being handled by different departments of the DDA. The discussions held and the decisions taken in the meeting are as follows:-

1. The departments, should be prompt and proactive in responding to the legal notice/ notice/ court notices received at pre-litigation stage to avoid culmination of the same in full-fledged litigation. A measured and meaningful response needs to be given by the Departments at the outset itself.
2. Non-compliance of the court orders is also a matter of concern as long delay in compliance on the part of different department gives the impression of non compliance.
3. Similarly, delay in filing appeals etc. despite clear office orders issued by the Vice Chairman, DDA from time to time; is a common features and it should be avoided as these days courts do not condone the delay and tend to fix responsibility of the erring officials in addition to imposing costs.
4. The cases which are being contested by the department without any substantial defence have the potential to bring bad name. Such cases should be reviewed for proper recommendations to the competent authority.
5. Delay in filing response to the court cases is another aspect which needs to be looked into to avoid cost and closure of DDA's opportunity to defend the case besides avoiding strictures and summoning of Senior Officers.
6. The Vice Chairman, DDA further observed that the nodal officers of the DDA who have been delegated the powers to defend the court cases in consultation with the Senior Law Officers should give their focused attention and be more sincere and sensitive towards the DDA's litigation. After deliberations, the Vice Chairman, DDA directed as follows:-
  - i. All the Nodal Officers (including Directors/ Deputy Directors) shall attend the meeting/discussion with complete records of case in the office of the Chief Legal Advisor as per his convenience as and when required by him.
  - ii. In the meeting, the Nodal Officer shall give details regarding compliance of court orders including passing of speaking orders, filing of response in court cases, response to the pre-litigation stage notice/ court notices/ legal notice with a view to avoid litigation due to non-response.

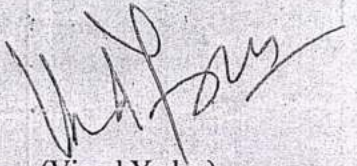
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- iii. In case the concerned Director is unable to attend the meeting, he shall depute his representative with proper instructions and details of the actions taken by the Department on the Agenda of the Meeting.
- iv. In case of the Engineering Department, the meeting shall be attended by the concerned Chief Engineer with all details as stated above.
- v. The Agenda of the meeting shall be prepared by the concerned Senior Law Officer outlining those cases where compliance, decision on filing appeal, filing of response in court case is pending or any other direction of the court which requires immediate attention of the Senior Officers.
- vi. The discussion in the meeting in the Chief Legal Advisor's Office shall be recorded in the form of Minutes of Meeting which will be circulated for compliance and in case any approval is required, the same shall be taken by the concerned Chief Engineers and the Directors from the competent authority.
- vii. The Head of Department concerned shall prepare a monthly report on the action or inaction as the case may be for discussions with the Vice Chairman, DDA.

7. Non-compliance of these directions will be viewed seriously and will be brought to the notice of the Vice Chairman by the Chief Legal Advisor.

This issues with the approval of the Vice Chairman, DDA.

  
(Vinod Yadav)  
Chief Legal Advisor

1. Commr. & OSD to VC for information of the Vice Chairman
2. FM, DDA.
3. EM, DDA.
4. PC (Coordination/LD/LM).
5. PC (Housing PMAY/Systems).
6. PC (Personnel/Landscape/Horticulture)
7. CVO, DDA.
8. CLA, DDA.
9. Commr. LD/Personal/Commissioner Cum Secretary/Sports/PR. *Commr (P)*
10. Commr. (Plg.)
11. Chief Architect.
12. All Chief Engineers.
13. Addl. CLA/Addl. Commr. (Land Scope)/Addl. Chief Architect/Addl. Commr. (Plg.)
14. All Directors LD/LM/Housing/Planning/Land Scope/Personnel/Nazarat/RTI/WC/PR. *Dir (Hort) SE/NW*
15. All Supdtg. Engineers. (Civil/Elect.)
16. All Dy. CLAs.
17. All Senior Law Officers.
18. All Dy. Directors.

*NS*