

**GOVERNMENT OF MANIPUR
OFFICE OF THE CHIEF SECRETARY**

OFFICE MEMORANDUM

Imphal, the 21st May, 2013

Subject: Review/monitoring of Court Cases-reg.

No. 1/CS/HC-2013: Hon'ble Chief Justice of the High Court of Manipur summoned the undersigned to the High Court today (21-05-2013) and conveyed serious concern at the failure of the Administrative Secretaries/Heads of Deptts to comply with the directions of the Hon'ble Court. As a consequence, numerous Contempt Cases have been filed against the AD Secretaries/HODs.

2. Further, it has been observed that the Administrative Secretaries/HODs do not have any system in place for monitoring the timely examination and compliance or filing of Appeal/Review Petition within the limitation period of 30 (thirty) days. In most cases, the aggrieved Petitioners, file Contempt Cases immediately after expiry of the 30 days period to compel the Govt. Officers to issue Orders even when the Rules do not permit such action. In some cases the Administrative Secretaries/HODs have issued Orders which have financial implications without the prior mandatory concurrence of the Finance Deptt. Such actions create financial liabilities and set wrong precedents.

3. Given the need to comply with Hon'ble High Court's orders/directions or file appeal/review petition within the mandatory 30 days' period to avoid contempt cases, all the Administrative Secretaries/HODs are advised to put into place **immediately** a system of monitoring compliance/filing of appeal in respect of High Court directions within the mandatory 30 days period. In case the compliance/appeal cannot be done within this period, it shall be the responsibility of the concerned Administrative Secretary to file a petition in the High Court seeking time with adequate justification. The mandatory consultation with Finance, Law, DP etc should be carried out in a time bound manner and, if necessary, meetings held to comply in time.

4. All Administrative Secretaries/HODs are further advised to review the status of all the pending Contempt/Writ Petitions and issue timely directions to their OSD (Legal) and coordinate with the Govt. Advocates effectively. Notices received by my Office from the Registry of the Supreme Court/High Court and Legal Notices received from Advocates of the Petitioners are immediately forwarded by my OSD (Legal) to the concerned Administrative Secretary for compliance/filing of appeal in time. Similarly, Deptt. of Personnel also advises the Administrative Secretaries to take appropriate action on such notices in time.

5. It may be noted that in case the Administrative Secretaries/HODs fail to monitor/comply/file appeal in time, they will have to face contempt proceedings and structures from the Hon'ble High Court. Hence, Supreme Court/High Court cases may receive due and timely attention of the Administrative Secretaries.

6. The Deptt of Information Technology is specifically advised to develop a user friendly software to enable Administrative Secretaries/HODs to monitor compliance of Hon'ble Supreme Court/High Court directions. Special personal attention should be given to respond to notices received under contempt cases. The Law Deptt. and the Ld Advocate General may be consulted during the process of developing the software. NIC may also be consulted for obtaining software which may have been developed for this purpose. After the software is in place, capacity building training of the Administrative Secretaries/HODs/Nodal Officers/OSD (Legal) may be taken up by the State Academy of Training, Takyelpat.



(D. S. Poonia) 21-05-2013
Chief Secretary, Manipur

Copy to:

1. DGP, Manipur
2. All ACS, Manipur
3. Pr. Chief Conservator of Forest, Govt. of Manipur
4. All Principal Secretaries, Govt. of Manipur
5. All Commissioners/Secretaries, Govt. of Manipur
6. Secretary (Law), Govt. of Manipur
7. All Head of Departments, Govt. of Manipur

Copy for information to:

1. Secretary to the Hon'ble Chief Minister, Manipur.
2. P.S. to the Hon'ble Dy. Chief Minister, Manipur.
3. P.S. to all Ministers, Manipur.
4. P.S. to Ld. Advocate General, Manipur
5. P.S. to all Parliamentary Secretaries, Manipur