

भारत सरकार, रक्षा मंत्रालय  
रक्षा सम्पदा महानिदेशालय  
रक्षा संपदा भवन,

उलानबाटर मार्ग, दिल्ली कैंट -110010

दूरभाष-011-25674986, ddgacq-dgde@nic.in

No: 14/MISC/Policy/ACQ-II/DE/Vol-IV/RMS-72859

Dated 29 Nov, 2023

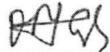
To

The Principal Directors, DE  
Ministry of Defence,  
Central/Southern/Eastern/Western/Northern/South Western Command  
Lucknow/Pune/Kolkata/Chandigarh/Jammu/Jaipur.

**SUB:- COMPLIANCE TO THE TIMELINE FOR FILING SLP/APPEAL-REG.**

Please find enclosed herewith MoD ID No.3643/2023-D(Q&C) dated 28.11.2023 alongwith D.O. letter dated 07.11.2023 from Secretary, In-Charge, Central Agency, Ministry of Law & Justice, Central Agency, Supreme Court Compound, New Delhi on the above mentioned subject **for strict compliance.**

2. It is requested that necessary instructions as per above mentioned D.O. letter may be disseminated to all field offices under your jurisdiction and timelines for seeking advice of Ministry of Law & Justice for filing SLPs/seeking leave to Appeals/Reply/Counter Affidavit etc. in the Hon'ble Supreme Court may be strictly adhered to.
3. For information and necessary action, please.

  
(Vijay Rajak)  
Dy. Dir. General(AR&H)  
For Director General  
Defence Estates

**Encl:** As mentioned above.

Immediate

Ministry of Defence  
D (Q&C)

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Sub: Compliance to the timeline for filling SLP/Appeal – reg.

Please find enclosed DO No. A-60011/5/2023- Admn.CA dated 07.11.2023 from Secretary, In-charge Central Agency, M/o Law & Justice addressed to Defence Secretary, on the above mentioned subject, **for strict compliance.**

(Rajesh Kumar Sah)  
Deputy Director (Q&C)

1/6/2023/63  
29/11

DG, DE  
DG (LW&E), AHQ

MoD ID. No. 3643/2023 - D(Q&C), dated 28.11.2023

~~SADG~~

h/m  
DO (A&C)

ADGs (L) & (A)  
pe. circulate to PAs etc.  
29/11/23

ADG  
PB  
29.11.23

Dr. REETA VASISHTA, JLS  
Secretary to the Government of India  
INCHARGE, CENTRAL AGENCY



भारत सरकार  
GOVERNMENT OF INDIA  
विधि और न्याय मंत्रालय  
MINISTRY OF LAW & JUSTICE  
केंद्रीय अधिकरण  
CENTRAL AGENCY  
सुप्रीम कोर्ट कंपाउन्ड  
Supreme Court Compound  
नई दिल्ली - 110001  
New Delhi-110001

D.O.No. A-60011/5/2023-Admn.CA

Office of Director (Lands)  
4004  
Dy. No. ....  
Date 24/11/23

दिनांक : .....  
Date 7<sup>th</sup> November, 2023

Dear Sir / Madam

The Central Agency is responsible for conducting litigation before Hon'ble Supreme Court of India on behalf of all Ministries/Departments of the Central Government, Union Territories and CAG. All SLPs/Appeals etc. on behalf of the Union of India are filed after obtaining the opinion of Ld. Law Officers on feasibility of filing SLPs/Appeals etc. in the Supreme Court of India through the Central Agency.

2. In order to avoid administrative delay in submitting such cases, where advice is required from the Ministry of Law & Justice for filing SLPs/seeking leave to Appeals/Reply/Counter Affidavit, etc., in the Supreme Court, you are requested to submit the matter directly to the Secretary, Central Agency, Supreme Court Compound, New Delhi.

3. In this regard, attention is invited to the orders passed by the Supreme Court of India, taking a serious view of the delay in filing appeals (viz. SLP (civil) Diary No(s).25547/2020, Union of India & Ors. Versus Radhey Shyam dated 28.01.2020, SLP (Civil) Diary No(s).28554/2020, Union of India & Ors. Versus R. Jayasankaran dated 01.02.2021, SLP (Criminal) Diary No. 24676/2020 Union of India Vs. Jitendra dated 08.01.2021, SLP (Criminal) Diary No.24723/2020, Narcotics Control Bureau Regional Bureau at Jodhpur Vs. Nepal Singh Meena & Anr. dated 08.01.2021). In all the cases, Hon'ble Supreme Court of India, while dismissing the SLPs on the ground of delay in filing SLPs has deprecated the casual manner in which the petitioners have approached the Hon'ble Court for condonation of delay without any cogent or plausible grounds, and has imposed cost to be recovered from the officers responsible for the delay in filing appeals/SLP.

Besides the instructions issued in this regard by the Department of Legal Affairs, Cabinet Secretariat had also issued guidelines in this regard vide DO letter No.1/50/3/2016-Cab. dated 16<sup>th</sup> June, 2016 and No.403/1/5/2016-CA.V dated 25<sup>th</sup> November, 2016.

5. Despite regular instructions issued by various entities in this regard, incidents of delay in filing SLPs, seeking leave to Appeals, Reply/Counter Affidavit, etc., have been observed, which could lead to adverse orders by the Hon'ble Supreme Court of India.

Secretary to Government  
Ld. (C) Section  
Dy. No. 3643  
28/11/23

11/11/23  
11/11/23

JS (Floor)  
Dy. No. 4004

pl. circulate to all concerned. JS (CMS) - 01/8/2023

17/11/23  
15.11.23

JS (R.K.)

Please circulate this to all Service HQs Contd. 2/-  
20/11  
strict compliance  
10750  
14-11-23

6. The following timeline for filing SLP/ Appeal may be adhered to, where limitation period is 90 days:

Sl. No.	Action to be taken	SLP/Appeals in Supreme Court
1	Examination and taking administrative decision by the Ministry/Department	10 days
2	Examination and advice/opinion by the Central Agency and the Law Officers	5 days
3	Drafting and forwarding the same to the concerned Ministry/ Departments	10 days
4	Approval of the draft by the concerned Ministry/ Departments and providing necessary documents	5 days
5	Preparing paper book and filing	5 days

7. In other matters, like filing Statutory Appeals, Review Petition and other Affidavits, where limitation period is 60 days or 30 days or any specified time given by the Court, the above timeline may be reduced correspondingly.

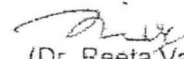
8. It may kindly be noted that the orders are available on the same day or by the next day in the matters on the website of Supreme Court i.e. <https://main.sci.gov.in/>. The same can be downloaded for compliance and necessary action by the concerned Ministries. Hence, the Department is required to keep track from the website of the developments in the matters and the orders passed therein to avoid delays in action being taken.

9. Similar cases/issues, if any, which have already been decided by the Supreme Court, shall clearly be highlighted by the Administrative Ministry / Department in their referring note. This shall enable the Law Officer to keep in perspective such similar cases/issues, while rendering the advice opinion in the matter.

10. This issues with the approval of Hon'ble Minister of State for Law and Justice (Independent Charge).

With regards,

Yours sincerely,

  
(Dr. Reeta Vasishta)

To

✓ The Secretaries of all Ministries/Departments.

Copy to:

1. PS to Hon'ble Minister of State for Law and Justice (Independent Charge).
2. All the Ld. Law Officers.