



**Most Important**

**OFFICE OF DIRECTOR SECONDARY EDUCATION HARYANA  
PANCHKULA**

**Order No. 10/1-2021 Admn(4)**

**Dated, Panchkula the 14/10/2024**

A copy of D.O. No. 28/62/2024-4B&C dated 01.10.2024 received from Sh. Anurag Rastogi, IAS, Addl. Chief Secretary to Govt. Haryana, Finance Department and Planning Department regarding follow the timelines to implement the Court Orders is forwarded to the following for information & strict compliance:-

1. Director SCERT Haryana, Gurgram.
2. All the District Education Officers in the State.
3. District Attorney (HQ).
4. All Officers/Superintendents Secondary (HQ).
5. Superintendent Coordination Branch (S).
6. Superintendent Admn. (Elementary).
7. PA/DSE.
8. PA/Additional Director (MSS).
9. PA/ Additional Director Administration.
10. PA/ Joint Director Admn.
11. PA/ Additional Director Academic.
12. All the Assistants Admn. Branch (Sec.)
13. IT Cell (HQ) for website.

*[Handwritten Signature]*  
14/10/24

**SUPERINTENDENT ADMN.  
for DIRECTOR SECONDARY EDUCATION  
HARYANA PANCHKULA**

3264 Ad (4)  
10/10/2024

D.O. No.....28/62/2024-4B+C

Addl. Chief Secretary to Govt. Haryana  
Finance and Planning Department

Dated.....01-10-2024

Anurag Rastogi, IAS



Dear Vineet,

It has been observed that in recent past Hon'ble Punjab & Haryana High Court has issued directions to Administrative Secretary of Finance Department by name in Contempt cases, CWPs and even for consideration of Legal Notices of Petitioners, even though it is actually the Line Departments which are responsible for implementation of Orders of the Hon'ble Courts. The establishment matters of employees are being handled by the Line Departments as their Service Books are being maintained by them. For implementation of Hon'ble Court Orders, if any, relaxation or clarification in Policy/Rules of FD is required, then Line Departments are supposed to get the necessary clarification / relaxation from FD.

2. Besides, it is also observed that the Administrative Departments are submitting the cases for relaxation or clarification in rules at the eleventh hour, just before the hearing in Contempt petitions sometimes without full facts / papers of the case and sometimes make statements in Hon'ble High Court that file is pending with Finance Department. In that situation, Hon'ble Court is issuing Contempt Notice by Name to Administrative Secretary of FD. The task of handling contempt petitions is therefore becoming difficult. It is the sole responsibility of the AD to get the necessary approval of FD, if required, in a time bound manner before hearing in COCP / CWP cases.

3. In view of the above, AD should follow the following timelines to implement the Court Orders:

- (i) Follow the instructions in letter and spirit issued by FD vide its instruction number 6/783/2020-3PR (FD) / 12459 dated 3.06.2024 regarding filing of reply / written statements / affidavits in Hon'ble Court with stipulated time frame
- (ii) AD should obtain opinion of Learned Advocate General, Haryana and Legal Remembrance, Haryana on the Court's order within two weeks from the date of judgement by the Hon'ble Court. In case Hon'ble Court prescribed the time limit for implementation of its Order, then AD should take the opinion of AG and LR within that time period.
- (iii) AD should take necessary action as per opinion of Learned Advocate General, Haryana and Legal Remembrance, Haryana to file LPA / SLP / RSA as the case may be, in next two weeks at its own level and make best efforts to get Stay Order

ACSE  
4.10.2024

DGEE  
DCA  
SPD

AD Admin  
2/10/24

ACSE  
No. 52436/2  
Date 4/10/24

AD Admin  
10/10/2024

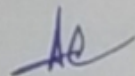


in the case. In the meantime, in Contempt cases, AD should apprise the Hon'ble Contempt Court about filing of LPA / SLP.

- (iv) If Learned Advocate General, Haryana and Legal Remembrance, Haryana are of the opinion that case is not fit for filing LPA/SLP, in that case it is the responsibility of the AD to implement the Court Orders by following the due process in a time bound manner with the approval of the competent authority.
- (v) In case, any approval / relaxation in Policy / Rules of FD is required, then AD is duty bound to take necessary approval / clarification from it in a time bound to avoid Contempt proceedings in the case. Proposal of AD for Ex-post facto approval will not be entertained under any circumstances by the FD.
- (vi) Nodal Officers for Court Cases in AD should monitor the status of Court cases on the website of Hon'ble High Court on daily basis to ensure filing of reply / implementation of Court's Orders in time.
- (vii) Head of Department shall also monitor the progress of Court cases particularly COCP cases on a weekly basis to avoid any adverse Order by the Court.
- (viii) Head of Department shall ascertain the reason(s) for not taking appropriate action within stipulated time prescribed by the Hon'ble High Court in CWP resulting in filing of COCP by petitioner and shall take disciplinary action against the erring officer / official of the Department as per rules, under intimation to FD.
- (ix) In case, AD fails to get stay in LPA/SLP, the orders should be implemented subject to decision in LPA/SLP.

4. It is requested to follow aforementioned guidelines along with timelines scrupulously.

*With regards*



(Anurag Rastogi)

**Sh. Vineet Garg, IAS**  
Additional Chief Secretary to Government, Haryana,  
School Education Department