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NOTIFICATION

Dated Aizawl, the 7th June, 2023

No. A. 45012/3/2021-LJE : In the interest of public service, the Governor of Mizoram is pleased to revoke Notification regarding the appointment of seniormost Govt. Advocate of each district to represent Competent Authority for Land Acquisition (CALA) issued vide No. A. 45012/3/2021-LJD dt. 20.12.2022.

Consequent upon the revocation, the contents of the OM No. F. No. J-12012/2/2017-Judicial dt. 29.6.2017 issued by the Ministry of Law & Justice, Department of Legal Affairs shall be complied by all CALAs/authorities under Govt. of Mizoram with immediate effect and until further order.

Sd/- HELEN DAWNGLIANI
Secretary to the Govt. of Mizoram

Memo No. A. 45012/3/2021-LJE

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Dated Aizawl, the 7th June, 2023

Copy to:-

1. P.S. to Governor, Govt. of Mizoram,
2. P.S. to the Chief Minister, Govt. of Mizoram.
3. P.S. to Minister, Law & Judicial Department.
4. Advocate General, Govt. of Mizoram.
5. The Registrar, Gauhati High Court (Aizawl Bench)
6. All Deputy Commissioners/CALAs, Govt. of Mizoram.
7. The District & Sessions Judge, Aizawl/Lunglei/Champhai.
8. All Administrative Departments, Govt. of Mizoram.
9. Govt. Advocate -cum- Public Prosecutor.
10. The General Manager (P), NHIDCL, RO, Aizawl for information.
11. The Controller, Printing & Stationery, Govt. of Mizoram with 3 (three) spare copies for publication in the Mizoram Gazette.
12. All Govt. Advocates/Addl. Govt. Advocates.
13. Guard file.



07/06/2023

(LALHLIMPUII HMAR)

Under Secretary to the Govt. of Mizoram

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F. No. J-12012/2/2017-Judicial
Government of India
Ministry of Law & Justice
Department of Legal Affairs
Judicial Section

Shastri Bhawan, New Delhi.
Date 29th June, 2017

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OFFICE MEMORANDUM

Sub: For engagement / appointment of Government counsel from the panel of Union of India for defending Court cases where Union of India is also a party alongwith an Autonomous Body.

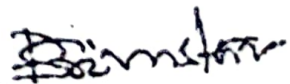
The undersigned is directed to state that it has come to notice of this Department that in a number of cases before Tribunals and Courts, where Union of India and autonomous bodies are the main contestant parties, the Counsel appearing on behalf of autonomous bodies are not defending the cases in true spirit. This has resulted in matters having been lost despite the fact that experienced panel Counsel (for UoI) were available to properly defend the case.

2. Apart from the above, Ministry of Law & Justice has received complaints against the Counsel representing autonomous bodies that many such Counsel are not assisting the panel Counsel of Union of India wherever they have been engaged, giving way to many legal complications / problems due to the vested interests of such Counsel.

3. It is also pertinent to mention here that most of the autonomous bodies are not only funded by Government of India but also governed by various rules and regulations of the Government of India. They are also cooperative with the Government of India in implementing various policy decisions. Any adverse decision of the courts impacts the policy framework of the Government as well as set principals and also imposes huge financial implications on the Government of India.

4. In light of the above, all the Ministries / Departments are advised to issue instructions to the autonomous bodies under their administrative control that the cases where Union of India is also a party along with an autonomous body, should be defended on behalf of both, the autonomous body as well as Union of India before any Court / Tribunal by the panel Counsel engaged by the Department of Legal Affairs only.

This issues with the approval of competent authority.


(R. K. Srivastava)
Deputy Legal Adviser

All the Ministries / Departments of Govt. of India.