

ਦਫਤਰ ਡਾਇਰੈਕਟਰ ਸਿੱਖਿਆ ਵਿਭਾਗ(ਸੈਸਿ) ਪੰਜਾਬ।  
(ਕੋਆਰਡੀਨੇਸ਼ਨ ਸ਼ਾਖਾ)

ਸੇਵਾ ਵਿਖੇ,

- 1.0 ਸਮੂਹ ਜਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ(ਸੈਸਿ/ਐਸਿ),ਪੰਜਾਬ।
- 2.0 ਸਮੂਹ ਬੀ.ਪੀ.ਈ.ਓ, ਪੰਜਾਬ।
- 3.0 ਸਮੂਹ ਸਕੂਲ ਮੁੱਖੀ, ਪੰਜਾਬ।  
(ਵੈਬਸਾਇਟ ਰਾਹੀਂ)

ਮੀਮੇ ਨੰ. DPISE-CORD0CIRC/4/2021-RECORD-DPISE/2021 24348-50  
ਮਿਤੀ. 22-01-2021

ਵਿਸ਼ਾ: Defending Court Cases in which Finance Department is impleaded  
as a party.

ਹਵਾਲਾ:- FD-FPPCOCORD/16/2020-5FPPC DT. 04.12.2020 ਦੇ ਸਬੰਧ ਵਿੱਚ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲਾ ਅਧੀਨ ਪੱਤਰ ਰਾਹੀਂ ਪ੍ਰਾਪਤ ਹਦਾਇਤਾਂ ਦੀ ਕਾਪੀ  
ਆਪ ਨੂੰ ਅਗਲੇਰੀ ਯੋਗ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।

ਨੱਥੀ. ਉਕਤ ਅਨੁਸਾਰ

ਸਹਾਇਕ ਡਾਇਰੈਕਟਰ(ਕੋਆਰਡੀਨੇਸ਼ਨ)

ਪਿ.ਅੰ.ਨੰਬਰ ਉਕਤ/202124348-354 ਮਿਤੀ 22-01-21

1. ਪੀ.ਆਰ.ਓ/ਸਕੱਤਰ ਸਕੂਲ ਸਿੱਖਿਆ, ਪੰਜਾਬ।
2. ਸਮੂਹ ਅਧਿਕਾਰੀ/ਸ਼ਾਖਾ ਮੁੱਖੀ, ਦਫਤਰ ਡੀ.ਜੀ.ਐਸ.ਈ.ਪੰਜਾਬ।
3. ਸਮੂਹ ਅਧਿਕਾਰੀ/ਸ਼ਾਖਾ ਮੁੱਖੀ, ਦ.ਡੀ.ਪੀ.ਆਈ(ਸੈ.ਸਿ/ਐ.ਸਿ),ਪੰਜਾਬ।
4. ਸਮੂਹ ਅਧਿਕਾਰੀ/ਸ਼ਾਖਾ ਮੁੱਖੀ, ਦ.ਡਾਰ.ਐਸ.ਸੀ.ਈ.ਆਰ.ਟੀ,ਪੰਜਾਬ।

ਸਹਾਇਕ ਡਾਇਰੈਕਟਰ(ਕੋਆਰਡੀਨੇਸ਼ਨ)

1/113070/2020

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*For strict compliance*  
*DGSE*  
*23/11/2020*  
*Dan-Legal*

Government of Punjab  
Department of Finance  
(Finance Pension Policy & Co-ordination Branch)

Dated, Chandigarh 04.12.2020

To

All the Special/Additional Chief Secretaries, Financial Commissioners  
Principal Secretary and Administrative Secretaries to  
Government of Punjab

Subject: Defending Court Cases in which Finance Department is impleaded as a party.Sir/Madam

In continuation of the Letter No. 39/29/85-2FP1/4525, dated 14.10.1985, No.9/64/89-2FP1/8897, dated 04.10.1989, No. 1/3/96-FP1/4940-80, dated 05.08.1996 and NO.7/68/2016-3FP1/811043/1, dated 03.08.2016 (enclosed) vide which instructions have already been issued for filing replies intime in cases where Department of Finance has been impleaded as a party. It has been notices that court cases from the Administrative Departments are received in the Finance Department at a belated stage i.e. only 3 or 4 days prior to the date of hearing which cause embarrassment for the Finance Department before the Hon'ble Court and sometimes Hon'ble Court summons the senior officers in the court or impose penalty or pass adverse remarks. To avoid such incidents in future, all the Administrative Department are advised as under:-


1. Draft replies/proposals in Court cases may be sent at least 15 working days prior to the date of hearing for proper examination in the Finance Department and in case, the case is not received within a stipulated period, the same shall be responsible for any adverse orders regarding delay in the Hon'ble Court.
2. The instructions issued by the Finance Department are implemented by the Administrative Department in their respective Departments as such, whenever a file pertaining to court cases is sent to the Finance Department, for approval/clarification etc, it must be examined in light of the Departmental Rules of the concerned Department as well as instructions issued by the Finance Department from time to time Copies of all relevant documents relied

1/113070/2020

upon must be sent to Finance Department alongwith the proposal.

3. In court cases the opinion of the Advocate General/Director Prosecution and Litigation, Punjab may be obtained by providing detailed facts of the case in writing to the office of Advocate General Punjab/Director, Prosecution and Litigation, Punjab and thereafter a self explanatory proposal may be sent to Finance Department.

It is requested that the above instructions may please be brought to the notice of all the concerned Officers/Officials for strict compliance.


  
(Jaswinder Singh)

Under Secretary

04/12/2020

A copy of the above is forwarded for information to:-

1. The Advocate General, Punjab, Chandigarh
2. The Advocate on record for the State of Punjab
3. OSD (Legal) to Chief Secretary
4. All Head of Departments

  
(Jaswinder Singh)

Under Secretary

04/12/2020

No. 7/68/2016-3FP1/ 8/1043/1

Government of Punjab  
Department of Finance  
(Finance Personnel - 1 Branch)

Dated, Chandigarh: 03/08/2016

To

All Head of Departments,  
Commissioners of Divisions,  
Registrar, Punjab and Haryana High Court,  
District and Sessions Judges,  
Deputy Commissioners in the State.

Subject: Defending Court cases in which Finance Department is  
impleaded as a party.

Sir,

In continuation of the Letter No. 39/29/85-2FP1/4525 dated 14.10.1985, No. 9/64/89-2FP1/8897 dated 4-10-1989 and No. 1/3/96-FP1/4940-80 dated 5.8.1996, vide which instructions have already been issued for filing replies inline in cases where Department of Finance has been impleaded as a party. It has been noticed that court cases from the Administrative Departments are received in the Finance Department at a belated stage i.e. only 3 or 4 days prior to the date of hearing which cause embarrassment for the Finance Department before the Hon'ble Court and sometimes Hon'ble Court summons the senior officers in the court or impose penalty or pass adverse remarks. To avoid such incidents in future, all the Administrative Departments are advised as under:-

1. Draft replies/proposals in Court cases may be sent at least 15 working days prior to the date of hearing for proper examination in the Finance Department and, in case, the case is not received within a stipulated period, the same shall be sent back and the concerned Administrative Department shall be responsible for any adverse orders regarding delay in the Hon'ble Court.
2. The instructions issued by the Finance Department are implemented by the Administrative Department in their respective Departments; as such, whenever a file pertaining to court cases is sent to the Finance Department, for approval/clarification etc., it must be examined in light of the Departmental Rules of the concerned Department as well as

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instructions issued by the Finance Department from time to time.

Copies of all relevant documents relied upon must be sent to Finance Department alongwith the proposal.

3. In court cases, the opinion of the Advocate General/Director Prosecution and Litigation, Punjab may be obtained by providing detailed facts of the case in writing to the office of Advocate General Punjab/Director, Prosecution and Litigation, Punjab and thereafter a self explanatory proposal may be sent to Finance Department.

It is requested that the above instructions may please be brought to the notice of all the concerned Officers/Officials for strict compliance.

Yours faithfully,

*Bhagat Singh*  
(Bhagat Singh) 3/8/16  
Under Secretary Finance

L.D. No. 7/68/2016-3FP/ 8/1043/2 Dated: 03/08/2016

A copy of the above is forwarded for information to:-

The Chief Secretary,  
The Financial Commissioners and  
The Administrative Secretaries to Government of Punjab.

*Bhagat Singh*  
(Under Secretary Finance) 3/8/16

Encl No. 7/68/2016-3FP/ 8/1043/3 Dated: 03/08/2016

A copy of the above is forwarded, for information and necessary action to:-

1. The Advocate General, Punjab, Chandigarh
2. The Advocate on record for the State of Punjab  
Supreme Court of India, New Delhi.

*Bhagat Singh*  
(Under Secretary Finance) 3/8/16