

महानिदेशालय
केन्द्रीय औद्योगिक सुरक्षा बल
गृह मंत्रालय

ब्लाक सं. 13, के.स. का काम्पलेक्स,
लोधी रोड, नई दिल्ली-110003
दिनांक 06 जुलाई, 2016

सं. वी-14013/कोर्ट केश/2015/विवनि/ 2494
To

All Sector IsG
(including IG/TS Hyderabad).

Sub :- APPROVAL AND VETTING OF DCA : REG.

Of late this HQ is in receipt of Draft Counter Affidavits approved by the Sector IsG to be vetted by the Ministry of Law & Justice (MoL&J) prior to filing in the Court. In this regard, kind attention is drawn to the extract of Para-9.4 of Chapter-IX of Discipline and Appeal Manual which reads as follows-

"The Zonal/Plant DIG concerned, on receipt of DCA and relevant documents shall examine thoroughly the factual points in the Writ Petition and DCA to ensure that the averments are based on records/facts. The DCA so examined should be transmitted to the concerned Sector IG with copies of Writ Petition, Parawise comments and other relevant documents. The Inspector General should thoroughly examine the DCA and approve the same. The Inspector General of the Sector is competent to approve the DCA and if the case involves policy decision or substantial question of law or any important legal or administrative matter is involved, the DCA be forwarded to FHQs for further action. It is further clarified that in all Writ Petitions/suits filed by the Gazetted Officers of the Force, the DCA/Written Statement through proper channel be invariably forwarded to FHQs for necessary action.

After approval of DCA by the concerned IG/FHQs, the same is required to be vetted by the concerned Branch Secretariat, Ministry of Law & Justice. Therefore, the approved DCA alongwith copies of WP/PWC should be sent to Liaison Officer/Court cell nearest to the MOL by the approving authority for vetting. The Liaison Officer/Court cell should take steps for expeditious vetting of DCA by MOL & J concerned and forward the same to the concerned Commandant for preparation of fair counter affidavit."

2. In view of the above, it is reiterated that each and every Sector may get the Draft Counter Affidavit approved by the concerned Sector IG and directly send the same to respective Branch Secretariat/Ministry of Law & Justice (MoL&J) instead of routing them through FHQ for vetting as this exercise only results in avoidable delay. However, in those cases which involve policy decision or substantial question of law or any important legal or administrative matter is involved, the Draft Counter Affidavit be routed through FHQ for approval as well as for vetting by MoL&J.

3. All the Sector IsG are requested that the above instructions may be complied meticulously so as to avoid delay in filing Counter Affidavits.

4. This may please be accorded "PRIORITY".

उप-महानिरीक्षक/लीगल

Copy to :

All Zonal/Plant DIsG

- for kind information and necessary action.