

**Government of Himachal Pradesh  
Jal Shakti Vibhag**

No. JSV-A-B(15)-8/2020

Dated, Shimla-2

25<sup>th</sup> March, 2023

**NOTIFICATION**

The Governor, Himachal Pradesh is pleased to notify the Standard Operating Procedures (SOPs) as appended at Annexure-"A" to deal with Court Cases in Jal Shakti Vibhag, with immediate effect, in the public interest.

**By Order**

**Amitabh Avasthi  
Secretary (Jal Shakti) to the  
Government of Himachal Pradesh**

Endst. No. JSV-A-B(15)-8/2020

Dated, Shimla-2, the

25<sup>th</sup> March, 2023

Copy forwarded for information to:-

1. The Chief Secretary to the Government of Himachal Pradesh.
2. The Ld. Advocate General, Himachal Pradesh, Shimla-1.
3. The Engineer-in-Chief, Jal Shakti Bhawan, Tutikandi, Shimla-5 for strict compliance.
4. All the Chief Engineer in Jal Shakti Vibhag for strict compliance.
5. All the Superintending Engineer, Jal Shakti Vibhag for strict compliance.
6. All the Executive Engineer in Jal Shakti Vibhag for strict compliance.
7. The Controller, Printing & Stationery, HP Government Press, Shimla-5 with request to publish above notification in the Rajpatra.
8. The Nodal Officer, IT, O/O Engineer –in-Chief, Jal Shakti Vibhag, Shimla-5 to upload in official website of Jal Shakti Vibhag.
9. Guard file.

*Mahipal*  
(Mahi Pal Verma)

Deputy Secretary(Jal Shakti) to the  
Government of Himachal Pradesh  
Phone No.0177-2880484



**Standard Operation Procedures (SOPs) for dealing of Court Cases in Jal Shakti Vibhag.**

The Executive Engineer of the concerned Division(s) is the appointing authority in respect of the Class-IV employees and also the DDO authority of the employees working under the jurisdiction of concerned Division(s). The facts regarding service matters are required to be verified from the Executive Engineer concerned being custodian of the records. The Executive Engineer concerned is also the executive agency of the works and hence the Court Matters regarding Establishment matters, Arbitration, Tender, Works, Mining, supply orders etc. are required to be verified at Division(s) level. Besides, the DPCs/seniority of Division level cadre post(s) are maintained at their level. The Superintending Engineer is the appointing/disciplinary authority in respect of Class-III employees. The concerned Superintending Engineer has been authorized to file reply on behalf of State Government. The DPCs/Seniority of Circle cadre posts are convened/maintained at the Circle level. Further, more than 90% service matters of JSV pertains to Divisions/Circles levels like the cases regarding wrong pay fixation, demand of higher Pay Scales/ACPS in the ratio of 20:30:50, conferment of work charge status/regularization/ re-engagement of daily waged workers (retrenchment cases), payment of gratuity cases for the daily waged/regular service/ Land acquisition cases, Workmen Compensation cases/ Labour cases/ Arbitration cases/ MSME case for award of interest, payment of pension cases, promotion/seniority cases/transfer of employees etc.

The Engineer-in-Chief (JSV) is the controlling authority of the department, as such, the liasioning agency between the Government and the organs of the Department. Besides, the DPCs/seniority of officers/officials of the department are maintained at Head Office level. Further, the establishment matter in respect of Gazetted Officers are dealt at Government level.



For dealing with all Court Matters, prompt action is required to be taken at each level. Attention of all concerned on various aspects is required to protect the interest of the State and follow the standard protocol even by all field offices. The concerned field offices are directed for preparing concise notes, supplying inputs for preparation of para-wise comments on the writ petitions, filing affidavits on behalf of Respondents concerned.

The following SOPs has been prepared in order to supplement/strengthen the Standard Procedures as in practice of Jal Shakti Vibhag and are issued to enable the officers to avoid any lapses/delays which can affect the Govt. interest for dealing with Court Matters in time bound manner.

**(I) Implementation of Integrated Management Information System (IMIS) at all level in Jal Shakti Vibhag.**

All Court Cases invariable have to be entered on IMIS and status of it shall be regularly updated. Nodal Officers of IMIS for each Division/Circle/ Zonal /Head Office shall be responsible for online entry/ updating the information.

**Nodal officers are designated as under:**

Sr. No.	Office	Designated officer.
1.	Divisional Office	Supdt Gr-II
2.	Circle Office	E.E.(D) if the post is vacant. Supdt. Gr-I (Estt.) will monitor the cases.
3.	Zonal Office	E.E (D), if the post is vacant. L.O. will be Nodal Officer.
4.	E-in-C Office	DD(L) for Head office cases.

**II). Timelines fixed for dealing the court matters/judgment.**

Sr. No.	Office	Designated officer.
1.	SE/EE	Competent authority SE/EE shall move the case within 3 days after the judgment uploaded/receipt. The case for seeking legal opinion must be processed on hand to hand basis after deputing well conversant officer/official to the case.



2.	(Legal Cell) Zonal Office.	Within 5 days' opinion be referred to higher office subject to unavoidable circumstances.
3.	Head Office (E-in-C)	Within 3 days on receipt of case from zonal office ,opinion will be referred to the Govt.

In case of inevitable delay beyond stipulated timelines, it will be the duty of the dealing hand to bring the matter to the notice of Head of Office, on file, immediately after expiry of provided time.

**III. Inputs for reply /parawise comments.**

Concerned Division/Circle would prepare para-wise comments and will get the same examined from Law Officer/Dy. Director (Legal) concerned. It would be the responsibility of the concerned Executive Engineer/Superintending Engineer to get the reply prepared within the stipulated time frame and briefing of the same to competent authority for seeking his approval. Previous affidavit, as relevant shall kept in view to ensure consistency.

**IV.** Concerned officers/competent authority would ensure the filing of the duly approved reply to CWP/COPC/Ex. Petitions etc. and file Appeals before the competent Court of law within stipulated period in association/consultation with the Advocate General Office within stipulated time.

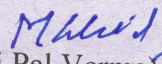
**V. Monitoring the progress of case.**

Concerned Division/Circle would monitor the progress of court cases on each of its date of hearing and note down/download/document the progress and the order/direction as given by the Hon'ble Court in consultation/association with Law Officer/Dy. Director/Advocate General. The Status should be updated on IMIS regularly. They have to further monitor the progress of the case proactively so as to avoid any complications such as ex-parte decisions, contempt of court etc.



**VI. Fortnightly status report to Zonal Office/Head Office.**

A proforma stands devised for monitoring the important pending court cases/action pending after direction of Court(s) (copy enclosed). All concerned Division office/Circle/Zonal/ Head Office would update it regularly on fortnightly basis and also in between, when the case is listed for hearing. The same is to be sent to the Zonal Office/ Head Office by every 16<sup>th</sup> day of month for close monitoring for all such cases and its reporting to the Zonal Office/ Head Office.

  
(Mahi Pal Verma)  
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