

GOVERNMENT OF ODISHA
WORKS DEPARTMENT

No. 9251 /W, Dt. 13-7-2022
075096000132022

From

Shri Muktikanta Patra,
Under Secretary to Government.

To

The Engineer-in-Chief (Civil), Odisha,
The Chief Engineer (NH), Odisha,
The Chief Architect, Odisha.
The Managing Director, OB & CC

Sub:- Timely submission of P.W.C./Counter in the Hon'ble High Court of Orissa to protect the interest of the Government - issues regarding

Sir,

With reference to the subject cited above, I am directed to send herewith a copy of Letter No. 18773 dated 07.07.2022 of GA & PG Department for kind information and necessary action thereon on priority basis.

Encl: As above

Yours faithfully,

MPal
13.07.22

Under Secretary to Government

Memo No. 9252 /W, Dated. 13-7-2022

Copy alongwith the copy of its enclosure forwarded to all Chief Construction Engineers of the Department for information and necessary action.

MPal
13.07.22

Under Secretary to Government

Memo No. 9253 /W, Dated. 13-7-2022

Copy alongwith the copy of its enclosure forwarded to all Field Superintending Engineers/ all Field Executive Engineers/ OSWAS Control Room of Works Department for information and necessary action.

MPal
13.07.22

Under Secretary to Government

GOVERNMENT OF ODISHA
WORKS DEPARTMENT

No. 9254 /W, Dt. 13-7-2022
075096000132022

From

Shri Muktikanta Patra,
Under Secretary to Government.

To

All Divisional Heads

Sub:- Timely submission of P.W.C./Counter in the Hon'ble High Court of Orissa to protect the interest of the Government - issues regarding

Sir,

With reference to the subject cited above, I am directed to send herewith a copy of Letter No. 18773 dated 07.07.2022 of GA & PG Department for kind information and necessary action thereon on priority basis.

Encl: As above

Yours faithfully,

M.Pal
13.07.22

Under Secretary to Government

Memo No. 9255 /W, Dated. 13-7-2022

Copy alongwith the copy of its enclosure forwarded to all Sections/Officers of the Department/OSWAS Control Room/Office Notice Board for information and necessary action.

M.Pal
13.07.22

Under Secretary to Government

582520
11.7.22



Government of Odisha
General Administration & Public Grievance Department

No. GAD-SER2-MISC-0031-2022-18773/SCS. Bhubaneswar, dated the 7th July, 2022

From

Shri Surendra Kumar, IAS,
Principal Secretary to Government.

To

The Additional Chief Secretaries / The Principal Secretaries / Commissioner-cum-Secretaries of all Departments of the Government.

Sub: Timely submission of P.W.C. / Counter in the Hon'ble High Court of Orissa to protect the interest of the Government – issues regarding.

Madam / Sir,

As you are aware, State Government and the Office of Advocate General have been making all efforts to ensure that Court cases filed against the State are defended in right earnest. All Departments have been requested repeatedly to ensure that the notices relating to Court Cases sent by the office of AG are attended to on priority and the Para-wise Comments are submitted well in time so that the counter-affidavits can be sworn. To meet these objectives, every department was request to appoint a Nodal Officer for the purpose.

However, it has come to the notice of the Government that in many cases some departments are failing to reply/respond to notices/ in submission of PWC within the timeline stipulated in the notice. In many cases this has gone adversely against the State and Hon'ble Courts have taken strong exception to non-submission of PWC/ filing of Affidavit and granted interim stay, thereby adversely affecting the interest of the State. Government is extremely concerned where Departments have failed to successfully defend the stance of the Government largely due to the delay in filing of Counter Affidavit.

As stated above, instructions had been issued earlier for appointment of a Nodal Officer in each Department of the Government who shall act as a contact point for monitoring progress of the cases by acting as a link between the Office of the Advocate General and the different Sections / Branches of the Department. In-fact, most departments have indeed declared Nodal Officer for their respective departments, but it seems the above instructions have not been acted upon in all seriousness by some of the departments.

It is, therefore, reiterated that all the Departments of the Government, who have not appointed the Nodal Officer, may immediately appoint a Nodal Officer of appropriate rank. The Nodal Officer should be made responsible, in their appointment order in writing, that they shall be responsible for the following:

1. For collecting the information on pending cases (including new cases filed) in the Hon'ble High Court of Orissa, mark the same to the concerned Section / Branch of the Department and ensure that Counter Affidavit is prepared in due consultation with the O/o the Advocate General and filed in the Hon'ble Court well within the specified timeline in the notice;
2. To follow up with the concerned branch/ section for submission of PWC and in case of any non-response by the concerned section/ branch/ officer, report such non-response forthwith to the Head of the Office so that the PWC can be furnished well in time.
3. To ensure proper liaising with the Office of the Advocate General and necessary follow-up action to ensure that the matter is not lost sight of.

In case the Nodal Officer or any other officer is facing problem in getting requisite support in the office of the Advocate General, the Nodal Officer/ the officer concerned may seek an appointment of the Advocate General and apprise him the issues so that the Advocate General can intervene and resolve the issue.

This may kindly be treated as extremely urgent.

Yours faithfully,


Principal Secretary to Government