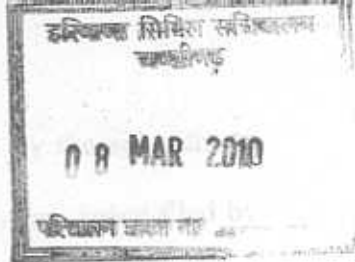


Government of Haryana
General Administration Department
General Services-I Branch
No. 62/ 26 /2002- 6GSI



Dated Chandigarh, the 8th March, 2010

To

1. All the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government of Haryana.
2. All the Heads of Departments and Divisional Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana State.
5. All the Managing Director of Boards/Corporations/ Public Undertaking of the State.
6. All the Registrars of the Universities of the State.

Subject: - COCP No 2127 of 2009- Kailash Kumari etc. Vs S.S. Randhawa etc.

Sir/Madam,

I am directed to invite your attention on the subject noted above and to say that the Hon'ble Punjab and Haryana High Court on 13.01.2010 passed the following order:-

"Counsel for the petitioners submits that the order in Civil Writ Petition No. 4382 of 2002, titled as Satbir Singh and another Vs. State of Haryana and others, decided on 21.03.2002, directed the States of Punjab, Haryana and U.T., Chandigarh, to implement judgments and orders that had attained finality. The Department of personnel, Government of Punjab issued instructions Annexure P-2 and Annexure P-4 to implement this order. It, however, appears that this judgement and these instructions are complied more in breach than in compliance. It would, therefore, be necessary that the States of Punjab, Haryana and the U.T., Chandigarh set a mechanism, in place, that would ensure compliance of the judgement in Civil Writ Petition No.. 4382 of 2002 and of all other judgements and orders.

In order to enable the States of Punjab, Haryana and U.T., Chandigarh to respond suitable, it would be appropriate that apart from serving a notice upon the respondents, the Chief Secretaries of the State of Punjab, Haryana and the Advisor to the Administrator, U.T., Chandigarh are granted an opportunity to file a response."

2. That after the receipt of the copy of the order dated 21.03.2002 passed in CWP No. 4382 of 2002-Satbir Singh Vs. State of Haryana and others, Govt. examined the matter and issued instructions dated 02.05.2002 to all the concerned departments for complying with the directions of the Hon'ble High Court in letter and spirit so that the undesirable litigation is avoided, thereby saving time and money of the Government. It was also instructed vide these instructions that immediate steps be taken to ensure that all such representations/ claims of employees are decided within the stipulated period in pursuance to the directions of the Hon'ble High Court by the competent authority by passing a speaking order giving cogent reasons, in support of his/her decision.

3. That the office of Chief Secretary to Government Haryana again issued instructions dated 22.03.2004 regarding attending to the legal notices/notices of demand promptly and also for implementing the orders of Courts which have attained finality for avoiding contempt notices from the Hon'ble Courts.

4. The Hon'ble High Court during the course of hearing of the aforesaid case orally observed that the instructions issued vide No.62/26/2002-6GSI dated 02.05.2002 and instructions

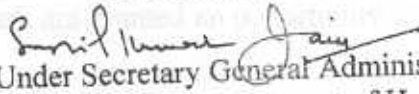
issued vide No.62/14/2004-6GSI dated 22.03.2004 are not being complied with by the subordinate officers on one pretext or the other and daily writ petitions and contempt petitions are being filed by the affected employees for non compliance of the orders passed by the Hon'ble High Court. The contempt petitions are coming in routine manner, thereby the Hon'ble High Court directed to decide the representations/legal notices sent by the affected employees.

5. The Hon'ble High Court further observed that the instructions dated 02.05.2002 and 22.03.2004 are not being complied with by the subordinate officers.

6. The matter has been re-considered by the Government and it has been decided that all written statements etc. be filed in the Hon'ble Courts by the senior most officer below the level of Head of the Department and he/she will head the monitoring Cell constituted in each and every department and will take timely steps to ensure that the directions issued by the Hon'ble Courts are being complied with meticulously in true letter and spirit. HOD would review the work of Monitoring Cell time to time. In case of any non-compliance of the Court orders the nodal officer of the Monitoring Cell should be held responsible and brought to book at the earliest so that any such recurrence may not take place in future. In the event of any non-compliance in addition to the Nodal Officer, the Head of Department would also be held responsible for any lapse on his part and strict disciplinary action will be initiated against him.

These instructions may please be brought to the notice of all concerned for strict compliance.

Yours faithfully,


Under Secretary General Administration
for Chief Secretary to Government of Haryana

INTERNAL CIRCULATION

(State Informatics Officer, NIC, Haryana for hosting on the Chief Secretary website and sending by e-mail to recipients.