

Appendix  
GOVERNMENT OF KERALA

NO.2984/ Adm.1(1)/93/law  
Law(Adm.1) Department,  
Dated, Trivandrum,2/3/1993

CIRCULAR

Sub:- Law Dept: - Estt. – Law efficient working in various Departments- Further  
Instructions Issued- regarding.

As per the guidelines issued from it Law Department in June,1987 (copy enclosed) The law Officers who are working in various departments of the State have to keep a register containing details of all aligations pending against Government and to submit the said registers to the Law Secretary once in every three months for inspection and verification by Law Secretary. The Comptrolle and auditor Central of India has, in his report for the year ended on 31<sup>st</sup> March,1989, pointed out that during the test check, it was noticed that the registers has not been submittedto the Law Secretary by the Law Officers attached to the P W Department and Registrar of Co-Operative Societies,and that the commission was attributed by the two Law Officers to inadequacy of staff. The Comptroller . Auditor General has also pointed out that details regarding maintenance and submission of the register to the Law Secretary by the other Law Officers called for in August. 1989 had not been received. The public Accounts Committee which examined the audit Report has observed that strict compliance of the guidelines shall be ensured by the law department. In the circumstanced the following further instructions are issuedat the law Officers.

Guidelines for the working of the Law Officers attached to various Departments of  
Government of Kerala

## GUIDE LINES

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- (1) All Head of Departments will afford all facilities including necessary staff and stationary for the effective functioning of the Law Officer.
- (2) The Law officer will be responsible to watch the litigations against the Government that concern the particular department and he will have to suggest measures to the Head of department so as to safeguard the interests of the Government.
- (3) As soon as the judgment of the court or Tribunal is received by the concerned department the same will be forth with forwarded to the concerned Law Officer who be forthwith forwarded toe the concerned Law Officer whoshall expeditiously advise the department as to whether appeal is to be preferred and also advise as to the implementation of the directions in the concerned judgement.
- (4) The Law Officer will keep a register which shall among other things contain columns for serial number,the case number. The court in which the case is pending. The position of the Government in the case,the relief sought in the case, If the case, If the judgment is pronounced the nature of relief granted, the date of receipt of the judgment , the substance of the advice given by tie law Officer, the date of such advice etc, as in the appendix.
- (5) the law officers will submit the register
- (6) The Law Officer is bound to give advice in all legal matters referred to the by the Head of Department.
- (7) If, on any matter the Head of Department is not satisfied with the advice given by the law or refer the said question to the Law Department. Through the concerned administration Department.
- (8) The Law Officer will peruse statement of facts and give necessary suggestion. For that purpose he can call for the necessary file from the concerned department and the department shall make available the concerned file for the verification of the statement of facts.

(9) If the Head of the department seeks any advice or direction with respect to a pending legal proceeding, the Law Officer is bound to give suitable necessary legal advice to the department.

The above guidelines are in addition to the existing instructions and precedents which are not inconsistent with the above guidelines.

- 1 The Registers shall be submitted to law Secretary on or before 10<sup>th</sup> of January. April ,July and October every year.
- 2 The registers shall be submitted to the Law Secretary through if section in the Law Department.

The above instructions are in addition to the existing guidelines. Non-compliance of these instructions will be viewed very seriously

A P . SIVADA  
LAW SECRETARY

To  
The Law Officers,  
Law (H) Department  
Stock File.

Forwarded By Order,  
Sd  
Section Officer.