



भारतीय कृषि अनुसंधान परिषद
INDIAN COUNCIL OF AGRICULTURAL RESEARCH

कृषि भवन, डॉ० राजेन्द्र प्रसाद मार्ग, नई दिल्ली-११०००१
Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi 110001

F.No.(Admn.)18-1/2023-R&P

Dated: 21st February, 2023

OFFICE MEMORANDUM

Subject: Restructuring and Streamlining of Legal Affairs & Litigation Management System in ICAR – reg.

In continuation of Council's O.M. No.Admn.14-1/2019-R&P dated 18th June, 2021 and notification of RRs of posts of Legal Cadre vide OM No. Admn.11-2/2021-R&P dated 11th July, 2022, the Competent Authority of the Council has been pleased to approve restructuring and streamlining of Legal Affairs & Litigation Management System in ICAR. The same is attached herewith (Annexure) for information, guidance and for immediate necessary action by all concerned.

Encls: As above

(Rajeev Lal)
Joint Secretary (Admn.)

Distributions:

1. Directors of all the ICAR Institutes/NRCs/Bureaux/ATARIs.
2. LA, ICAR/LOs, ICAR/DS, Legal Cell, ICAR.
3. Joint Secretary/Directors/Deputy Secretaries/Deputy Directors (Finance)/ Under Secretaries, ICAR at ICAR Hqrs./ASRB.
4. PSO to DG, ICAR/ Sr. PPS to Secretary, ICAR/ PPS to FA, ICAR.
5. All DDGs/Subject Matter Divisions (SMDs), ICAR.
6. Media Unit, ICAR with the request to upload this OM on the ICAR website.

Note: Please download the copies of this O.M. as per requirement, as it is not being distributed separately.

(Hindi Version will follow)

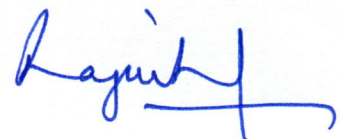
Restructuring and Streamlining of Legal Affairs & Litigation Management System in ICAR

(A) Zones & their Locations:

The ICAR Institutes/units have been divided into following four Zones for dealing with the legal affairs and litigation management:

Name of the Post	Institutes/Units
Legal Adviser (Pay Level-13)	Zone-1: J&K, Ladakh, HP, Punjab, Haryana, Chandigarh, Delhi, UK and Western UP (i.e. Institutes/Units located upto Meerut, Bareilly, Agra & Jhansi). Location: ICAR Hqrs.
Asistant Legal Adviser (Pay Level-12)	Zone-2: AP, TG, Karnataka, TN, Kerala, Puducherry and Lakshadweep. Location : NAARM, Hyderabad
Law Officer (Pay Level-11)	Zone-3: Goa, Maharashtra, DNH&DD, Gujarat, Rajasthan, MP and CG. Location : CIFE, Mumbai
Law Officer (Pay Level-11)	Zone-4: NE States, WB, A&N Islands, Odisha, Bihar, Jharkhand and Rest of UP. Location : CRIJAF, Kolkata

- (i) In each zone, a legal cadre officer will be posted at the Institutes as specified above and as Zonal Legal Officer (ZLO) they will be directly responsible for legal matters related to the ICAR Institutes/Units located in the respective zone.
- (ii) Institute will include their Regional Stations/Centres/Campus/KVKs etc. located in other zones as well.
- (iii) Office, staff and all other facilities will be provided to respective legal cadre officer by the Institute where they are posted. The host Institute will deal with all service matters of respective legal cadre officers as done in case of officers of other centralized cadres (viz. Combined cadre of AOs/FAOs/OL) of ICAR.
- (iv) Legal cadre officers of other three zones will report to LA, ICAR.



(B) Accountability at every level in legal matters:

- a. **Zonal Legal Officers (ZLO):** All the responsibilities related to any legal matter, court cases and their monitoring (including coordination with ICAR Legal Cell/LA, ICAR) w.r.t. the institutes assigned to them will be upon the concerned ZLO.
- b. **Institutes:** The senior most officer of the administration {Head of Administration (HoA)} posted in the institute shall be responsible for dealing with all the legal matters and court cases of the institute. It will be responsibility of HoA of the Institute to coordinate with the ZLO, SMD/ other Divisions of ICAR HQ in the matter and to monitor the progress of cases/timely action in litigation process.
- c. **LA, ICAR:** Besides handling the legal matters related to Zone-1, LA, ICAR will also guide, supervise and monitor other legal cadre officers of other three zones as well.
- d. A Joint Secretary/Director-level officer at ICAR HQ will be nominated to act as nodal officer/single window for LA, ICAR for coordinating with HoA handling legal matters at Institutes and SMDs at ICAR HQ.

(C) Role of Legal Cell:

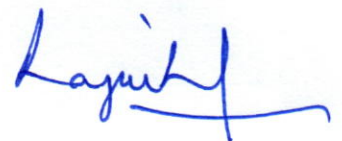
Under overall control of LA, ICAR, the Legal Cell at ICAR HQ will work as nerve centre of legal affairs with broadly following basic functions:

- a. Repository of all-important court orders, notifications, rules, regulations, etc. related to or relevant for ICAR.
- b. Real-time monitoring of progress of court cases.
- c. Coordination with all ZLOs and advocates in respect of all legal matters and court cases.
- d. Empanelment and annual performance evaluation of advocates.
- e. Any other work related to legal matters as assigned from time to time.

(D) Monitoring Mechanism for Court Cases

LA, ICAR will get developed a well-defined On-line Litigation Monitoring System for ensuring real time monitoring of legal cases at all levels.

- (i) At **Institute level**, the top-most officer in administrative category (HoA) will monitor the case on monthly basis to ensure that there is no delay in any case on the part of Institute/ICAR and send a monthly progress report through email to respective ZLO, SMD and nodal Joint Secretary/Director



at ICAR HQ. SMDs will monitor the progress of legal cases of respective Institute and coordinate with the HoA of the Institutes.

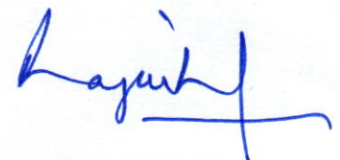
- (ii) At **Zonal level**, the ZLO will also monitor the progress of all the cases of his Zone and take the necessary actions including corrective actions as and when required for safeguarding the legal interests of ICAR.
- (iii) At **ICAR HQ**, LA, ICAR will monitor all the cases across ICAR and submit a brief summary report on important cases to nodal Joint Secretary/Director at ICAR HQ.
- (iv) There will be a provision for generating various types of reports related to on-going legal cases in On-line Litigation Monitoring System ensuring that Secretary, ICAR or any other Authority of ICAR can take out a report as and when required.

(E) Major Responsibilities of ZLOs

- (i) Providing Legal Opinion/Interpretations: In consultation with LA, ICAR, the ZLOs will act as single window for providing interpretation/clarification to Institutes within his zone, related to a legal matter or any orders of the court or statute etc.
- (ii) Zonal Legal Officers will also be responsible for proper drafting of petitions/applications/notices/replies/appeals etc. and timely filling of the same in the various courts/tribunals/bodies/authorities etc.
- (iii) The performance of empanelled advocates within their zones will also be assessed by them and sent to LA, ICAR.
- (iv) Zonal Legal Officers will also take proactive steps for spreading legal awareness on important issues.
- (v) Any other work as assigned by the Secretary, ICAR from time to time.

(F) Procedure to be followed if there is any adverse order passed by the court

- (i) Adverse order will be properly analysed by the concerned ZLO and a report has to be submitted within 02 weeks to ICAR HQ containing reasons for adverse outcome in the case, including comments on the performance of the Advocate/Institute/SMD and findings of ZLO.
- (ii) Where order directs ICAR to examine and dispose of the representation with speaking order, the Institute/HQ would dispose of the same after careful examination, within the timeframe given by the Court. If required, matter may be consulted with ZLO. In case of Institute, the HoA of the Institute will be responsible for taking timely action in the matter. In case of ICAR HQ, the HoA of the concerned Subject Matter Division/Unit of HQ will be responsible for taking timely action in the matter.



- (iii) In other cases, where there is any adverse order passed by the court, the Institute, as a rule, will file an appeal immediately.
- (iv) In case, the Institute is of the opinion to not to file appeal, the case would be referred to the concerned ZLO within 07 days of passing of judgement/order/award and ZLO will take a decision within 03 working days of receipt of the reference.
- (v) If ZLO is of the opinion to file an appeal, then Institute will have to file the appeal immediately.
- (vi) If ZLO is also of the opinion that appeal should not be filed, then he will refer the case to ICAR HQ with his opinion and suggestion for further course of action.
- (vii) The LA, ICAR with his considered opinion in the matter will submit the case for final decision of the Secretary, ICAR.

(G) Strengthening of Legal Cell

- (i) An officer of the level of Deputy Secretary/Under Secretary will be posted for overall day to day management of Legal Cell of ICAR HQ. Besides assisting the LA, ICAR in litigation and legal affairs, the Deputy Secretary/Under Secretary posted at Legal Cell will handle other administrative works, like, passing of bills, monitoring of legal cases through on-line system, record management, coordination with various Units of ICAR HQ/Zones and legal counsels etc. in various legal/litigation matters etc.
- (ii) Depending upon the workload, two to three Young Professionals (Legal) may be engaged as per functional requirement at ICAR Hqrs. to assist the Legal Adviser.

(H) Provisions related to Transition Period and interim arrangement

- (i) If in initial phase, a legal cadre officer could not be posted in any zone, the LA, ICAR will continue to look after the work of ZLO of that zone.
- (ii) If a legal cadre post in any zone falls vacant, as interim arrangement the charge of the said post automatically will be upon the LA, ICAR, till the interim charge of that zone is assigned to any other officer by the Secretary, ICAR.
- (iii) If the post of LA, ICAR falls vacant, the interim arrangement will be made by the Secretary, ICAR.

- (I) If any clarification is required on any point of the above guidelines and/or if any issue arises, which is not covered in above guidelines, the same will be decided/finalized by the Secretary, ICAR.

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