

**URGENT**  
**IMPORTANT**

**GOVERNMENT OF INDIA**  
**MINISTRY OF MINES**  
**INDIAN BUREAU OF MINES**  
**T S Section**

No. T-45014/CGBM/2014

Nagpur dated. 21 Feb 2019

**Office Instructions**

**Subject: Broad Standard Operating Procedures (SOPs) to be dealt with Court Cases/Matters related to IBM**

As a Regulatory Department under the Ministry of Mines, Indian Bureau of Mines (IBM) happens to be one of the respondents in number of Court cases filed in various Courts of India, by the Stakeholders/NGOs etc. At times when ministry is respondent, IBM needs to extend technical inputs and further follow up in that matter. Further, a number of Employee/Administrative related Court matters are also pending/filed by various petitioners. For dealing with all such Court Matters, prompt action is required. Attention of all concerns on various aspects for special care to protect the interest of the Government and to follow the standard protocol even by all field offices. These objectives necessitates to have an integrated mechanism in the form of broad **Standard Operating Procedures (SOPs)** for devising a flawless system drawing attention of all concerned to take special care and dealing with the various actions at different levels/Divisions of IBM like preparing concise notes, supplying inputs for preparation of para-wise comments on the writ petitions, filing affidavits on behalf of CG, IBM, deciding future line of action, monitoring the status/progress, etc.

Controller General IBM has therefore instructed to implement the following SOPs for dealing with the various Court Cases/Court Matters related to IBM. These SOPs are prepared in order to supplement and are in addition to the standard procedures as is in the practice of IBM and are

issued to enable the officers to avoid any lapses /delays which can affect the Government interest thus care has to be taken for prompt action.

### **1. Implementation of LIMBS at all level in IBM**

All court cases invariable have to be entered on LIMBS and status of it shall be regularly updated. Nodal officer of LIMBS for each Division/Zonal Office/Regional Office shall be responsible for online maintaining updating the information.

### **2. Watchfulness/In touch with ASG**

Each Division/ZO/RO has to be in regular touch with ASG at that place for getting immediate intimation of the case filed, where IBM/Ministry of Mines is one of the respondents. A nodal Officer, preferably the one dedicated for LIMBS, has to be declared in each Division/Zonal Office/Regional Office for the compliance of above action.

### **3. Concise Note on Writ Petition/Court Orders etc.**

After receipt of such intimation or copy of Writ Petition/Court orders etc. wherein IBM/Ministry is one of the Party, concerned Division/ZO/RO would prepare a concise note for perusal of CG, IBM including the reason for filing the Petition, legal points, prayer, IBM's role in the case. Similar type of cases (if any) filed earlier and the affidavit / reply submitted in such cases by IBM shall also be strictly examined. Any contradiction observed, if any, shall also be bring into the notice.

### **4. Policy**

Concerned Division/ZO/RO shall be duty bound to protect the interest of Government, in all such cases. It is reiterated that Government Interest shall be protected by all concerned officers and shall act as per statute/rules and task assigned to organization. Any lapse/negligence/neglect, willful or otherwise, would lead to serious actions.

## **5. Inputs for Reply/Para wise comments**

Concerned Division/ZO/RO/Respondent would prepare Reply/comments in association with ASG/Government Legal Officers/Counsels. It would be the responsibility of the concerned Divisional Head to get the reply prepared within the stipulated time frame and briefing of the same to Competent authority/CG, IBM, for seeking his approval or that from the Ministry of Mines. Previous affidavits, as relevant, shall be kept in view to ensure consistency.

## **6. Filing affidavits after vetting**

Concerned Division/ZO/RO would ensure the filing of the duly approved affidavit by the competent authority, in association with ASG within stipulated time.

## **7. Monitoring the progress of case**

Concerned Division/ZO/RO would monitor the progress of Court case 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 association with ASG/ Government Legal Officers/Counsels. The status should be updated on LIMBS 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.

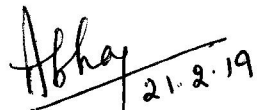
## **8. Fortnightly Report to TS for CG, IBM**

A proforma, devised for monitoring the important pending court cases/action pending after direction of Court, wherein the Secretary (Mines)/Joint Secretary (Mines)/ Controller General, IBM is one of the respondents, is attached herewith. All Concerned Division/ZO/RO 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 T.S.

office by every 16<sup>th</sup> day of month, for close monitoring of all such cases and its reporting to the CG, IBM, for his kind perusal.

Region wise updated list of Nodal officers shall be in place by 28 Feb 2019. Digitization of all court case related records, case wise in each region, Court wise viz. Supreme Court/High Court/NGT etc., shall be completed by 15 March 2019, to begin with at least for the period from 1 January 2017 onwards. Compliance details shall be submitted by 18 March 2019.

This issues with the approval of Controller General (I/c), IBM.

  
(Abhay Agrawal)  
Technical Secretary  
Indian Bureau of Mines

**To:**

CCOM/DDG(MMS)/Dir.(OD)/COM(TC&MR)/COM(P&C)/CMG/CME/HOO  
IBM, All ZO/RO/OIC IBM

