

No. IPH-A-B(2)6-3/2014  
Government of Himachal Pradesh  
Irrigation & Public Health Department

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From

The Principal Secretary (IPH) to the  
Government of Himachal Pradesh

To

The Engineer-in-Chief,  
Irrigation & Public Health,  
US Club, SHIMLA-171001

Dated Shimla-171002, the 2<sup>nd</sup> March, 2017

**Subject:** Deployment of staff in Legal Cells.

Sir,

I am directed to invite your attention to this Department's letter of even number dated 30<sup>th</sup> January, 2017 wherein a decision was conveyed that the employees who were granted study leave to acquire Degree in Law, they may immediately be posted/ deployed in the Legal Cells of the Department so that their expertise in legal matters could be utilized in the interest of Department. As a sequel to the above decision, some employees of the Department, who have acquired the said Degree, were posted in the different Legal Cells keeping in view of large number of court cases pending in various Courts. A period of two months is over but no action appears to have been taken. Therefore, action taken report may be furnished to the Government within three days positively.

2. It is further added that study leave is granted for prosecuting higher studies enabling its employees to undergo a special course of study in professional or technical course subject to having a direct and close connection with the sphere of their duties bearing in the mind that such study leave shall be a definite advantage in the larger interest of Department. Keeping in view these provisions, if any of the employee, whose services were earlier deployed in Legal Cells, refuses to perform duties on some or other pretext, leave salary disbursed to him during the period of study leave may be recovered and appropriate disciplinary action for disobeying Government orders may be taken under CCS (Conduct) Rules, 1964.

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4. Apart from above, it has been observed that a large number of court cases are pending in various Courts. The litigations in the Department has increased manifolds and it has been observed that while defending the case, in similar type of cases, different verdicts are given by the Courts which may be due to the reasons that the principles/ law / policies laid down/ farmed by the Government from time to time are not kept in view. Now the Government feels that there is a dire need that all similar nature of cases are dealt on one set of principles. Therefore, it is proposed that before filing replies to petitions, appeals etc. the comments/ advice/ opinion of Deputy Director (Legal) O/o E-in-C may be obtained as this first step will be advantageous for the Department to reduce the burden of litigations.

5. The above instructions may be disseminated to all the concerned.

Yours faithfully,



(MAN MOHAN JASSAL)

Deputy Secretary (I&PH) to the  
Government of Himachal Pradesh  
Phone: 0177-2628482

Endst No. As above

Dated Shimla-171002, the March, 2017

Copy to :-

1. All Chief Engineers, I&PH Department, HP.
2. All Superintending Engineer, I&PH Department, HP.
3. The Deputy Director (Legal) O/o Engineer-in-Chief, HP I&PH, US Club, Shimla-171001.
4. Guard File.



(MAN MOHAN JASSAL)

Deputy Secretary (I&PH) to the  
Government of Himachal Pradesh  
Phone: 0177-2628482