

Circular No.21/2016

Sub :- Contempt of Court of cases – instructions issued – reg

It has come to notice that communication regarding even Contempt of Court cases is reaching to the Head Quarters at the last minute only. This creates huge administrative inconvenience. Under the above circumstances following instructions are issued for strict compliance.

1. In any litigation, if the Hon'ble Supreme Court/High Court or any Tribunal or Appellate Authority has passed orders there are only two options i.e either the orders should be implemented or should be challenged by filing appeal, petitions or revisions as the case may be. This should be done within the time stipulated. A register should be maintained for these cases invariably in all offices in the format appended (Proforma I). Details of each such cases and action to be taken/ report should be forwarded to the controlling officer in the format prescribed along with other particulars on monthly basis (Proforma II).
2. In case of any Contempt of Court Case the information should be given to the Head Quarters on the very next day itself. Deputy Commissioner (Law) should monitor this on daily basis.
3. If any judgment pronounced by the Hon'ble High Court is against the interest of revenue, Deputy Commissioner (Law) should obtain legal opinion from the Advocate General in this regard immediately and case shall be taken up to higher forum for further litigation.

4. If any order issued by the Tribunal is against the interest of revenue the Law Officer should communicate legal opinion to the assessing authority and the controlling officers immediately for initiating further litigation.

5. If any Appellate order issued by the Appellate Authorities is against the interest of revenue the Deputy Commissioner concerned and Law Officer shall forward remarks on the order immediately on receipt of order to the authorities concerned for further litigation without delay.

These instructions are to be strictly adhered to.


Commissioner

To

All Officers

