

DELHI STATE INDUSTRIAL & INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED
N-36, BOMBAY LIFE BUILDING, CONNAUGHT CIRCUS, NEW DELHI-110 001
OFFICE OF THE CHIEF ACCOUNTS OFFICER

No. DSIIDC\Finalization of Accounts\24-25\03\05

Dated: 03.03.2025

CIRCULAR

Sub: Finalization of Annual Accounts for the year 2024-25 regarding.

In Compliance of the Office Memorandum Dated 01.02.2022, All Superintendent Engineers, Chief Managers and Chief Accounts Officers are requested to provide the status of the Court\Arbitration cases related to their division. This information is required for contingent liabilities provisions in the annual accounts for the financial year 2024-25. The Divisional Head of Legal Department is requested to please provide the following information as on 31.03.2025 through mail ID "dsidc.commercial@gmail.com" & "dsiidc.audit@gmail.com" for achieving the target of finalization of Annual Accounts for the year 2024-25 on the scheduled date.

1. List of pending legal\Arbitration cases filed in different courts\forums against the Corporation indicating the amount and interest involved.
2. List of pending Legal\Arbitration cases indicating the amount and interest recoverable from various dates.
3. Last year list of the cases is to be updated and Liabilities\cases crystallized during the year is to be marked. Further new cases, if any added during the year is to be updated in the list.

Copy of the cases along with amount provided in the previous year and the above said office Memorandum are also enclosed for your reference.


(Sunil Kumar)
Chief Accounts Officer

To,

1. Chief Manager (Legal)

Copy to:-

2. PS to Director (Finance) for kind information please.
3. Manager (IT) for uploading on website.

Delhi State Industrial & Infrastructure Development Corporation
N-36, Bombay Life Building, Connaught Circus, New Delhi-110001

No. DSIIDC/LC/Court cases/2021/5

Dated: 01/02/2022

Office Memorandum

Subject: - Management of court cases – regd.

The undersigned is directed to state that at present the following Standard Operating Procedure (SOP) issued vide communication No. DSIIDC/SOP//2017 dated 16.10.20217 is followed in DSIIDC for management of Court cases:

- (i) Soon after the receipt of cases in the Division, the concerned Division requests to the Legal Division to appoint an Advocate to defend the case
- (ii) After the appointment of an Advocate, the concerned Divisional Manager shall liaise with the Advocate so appointed and get himself familiarised with his telephone no, office address etc.
- (iii) The Divisional head shall ensure that a Nodal Officer is appointed by him on the very same day so as to liaise with the advocate as well as the Legal Division.
- (iv) The concerned Divisional Manager shall prepare para-wise comments within 5 days or even before, wherever necessary.
- (v) The para-wise comments so prepared shall be sent to the Advocate concerned, alongwith a copy of the same to the Legal Division.
- (vi) The concerned Division shall maintain a case file for each and every case and monitor the cases till their disposal. A copy of the petition, affidavit, counter affidavit and order shall be kept in the case files and updated regularly.
- (vii) The Divisional Heads must ensure that the nodal officer appointed by them for the purpose, are making new entries and updating the existing entries pertaining to the court cases such as date of hearing, present status of the case, action on the part of the division etc.
- (viii) In case the advocate assigned with the court case does not appear before the court on the date of hearing, the concerned divisional head/Nodal officer must inform the Legal Division immediately in person.
- (ix) The Divisional Heads/Nodal Officer shall immediately inform the Legal Division if there is any issue with the Advocate so that the interest of DSIIDC are protected.

2. It may be noted that as per the extent SOP, the Nodal Officers in the concerned divisions dealing with court matters are required to liaise with the Advocates appointed by the Legal Cell for preparation of Counter-Affidavits/ Replies/Written Statements etc. for filing of the same before the Hon'ble Courts. However, it has been observed that the counter affidavits etc. are not timely prepared and filed by the concerned Divisions before the concerned Courts. This happens due to non-furnishing of para-wise comments timely by the concerned Divisions. Further, the files seeking approvals are brought before the Competent Authority at the last moment leaving no time or very less time for perusal of the arguments or modifications thereof by the Competent Authority. At some times, the approved counter affidavits etc. are not filed by the concerned Advocates timely. In such cases, the concerned Division Heads should ensure that pare-wise comments are prepared by the concerned divisions within five days or earlier and the same be forwarded to the concerned advocates for preparation of counter affidavits etc. The finalised Counter Affidavits may be brought before the competent authority at least 15 days before the date of filing. The Nodal Officers may pursue with the Advocates for filing of the same within the stipulated time of 30 days before the

6. In most of the Arbitration cases, it has been observed that the Arbitrators are being appointed by the Hon'ble High Courts on filing of arbitration petition by the opposite party due to non-appointment of Arbitrators from the panel of DSIIDC within the time period as stipulated in the Notice. This happens due to delay in processing of the Notices by the concerned Divisions. Further, the DSIIDC has to bear the extra litigation cost to appoint an advocate to attend the arbitration petition before the Hon'ble Court. Hence, all divisional heads may ensure that the arbitrators are appointed within the time stipulated in the Notice. As the concerned division has all the records of the arbitration proceedings, it may also ensure to provide the same to the audit and account division for booking the contingent liability, as and when required.

7. It has been noted that some advocates/counsels are claiming exorbitant fee on the name of miscellaneous expenditure. Such expenditure is also verified by concerned divisions without going into the depth of genuineness of the claim. Hence, the Concerned divisional head may ensure that the nodal officers may keep a record of all expenditure made by the Advocates for photocopying and preparation of the counter affidavits/appeals etc. Only genuine bills should be verified by the concerned divisions for further processing by Legal Cell.

8. In view of above, all divisional heads are requested to strictly follow the SOP and instructions issued from time to time for management and monitoring of court cases. The divisional heads may review all pending court cases pertaining to their divisions and take necessary steps for expeditious disposal of the same by timely filing of counter affidavits/appeals, filing of early hearing applications in delayed cases etc. A prompt follow up action should be taken for compliance of all decided cases and directions issued by the Courts.

This issues with approval of the MD, DSIIDC.

Yours faithfully,


(Shobhit Gupta)
Chief Manager

To,

1. All Chief Engineers/Chief Managers of DSIIDC with the request to bring these instructions to the notice of all officers/officials under their jurisdiction for compliance.
2. Company Secretary/CAOs/DAOs
3. All DMs/Sr. Managers/Managers/OSDs
4. All SEs/EEs/AEEs/JEs
5. Manager (IT) for uploading on DSIIDC's website

Copy for information to: -

- (i) PS to MD, DSIIDC
- (ii) PS to ED, DSIIDC
- (iii) PS to CVO
- (iv) PS to Engineer-in-Chief