

अनिल कुमार लाहोटी
ANIL KUMAR LAHOTI



अध्यक्ष एवं मुख्य कार्यकारी अधिकारी,
रेलवे बोर्ड
पदेन प्रमुख सचिव, भारत सरकार
रेल मंत्रालय
CHAIRMAN & CHIEF EXECUTIVE OFFICER,
RAILWAY BOARD
EX OFFICIO PRINCIPAL SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS

D.O.No.2019/E(LL)/AT/CNR/19

1st June, 2023

My dear General Manager,

Railway Board has been issuing instructions from time to time regarding proper handling of court cases at all levels especially the cases/contempt cases involving Railway Board as a Party. In spite of that, an instance of improper handling of court case by a Railway has come to notice involving contempt in an SLP against Railway Board. In that particular case, keeping in view the seriousness of the issue involved, ASG was appointed to defend the Railway's case; however, Zonal Railway deputed only a Law Assistant to brief ASG. Subsequently also, when Hon'ble Apex Court expressed its displeasure for not complying with the Court's judgement, only an APO was deputed to brief ASG for the next hearing. This resulted in a difficult situation for Railway Board to defend the contempt case. Had the above court case been dealt properly at senior level in time, it would have been possible for the Railway to present the factual position before the Hon'ble Court in a much better way. Improper handling of the court case resulted in a situation of *fait accompli* for the Railways.

2. It is, therefore, imperative that court cases need to be dealt with due care at appropriate level. Counsels should be briefed at officers' level and in case need arises, senior officers should be deputed to brief the Counsels to defend the court cases effectively and safeguard Railways interests. Further, all the contempt cases against Railway administration, especially those against Railway Board, must be monitored personally by PHODs and DRM and should be regularly (fortnightly) reviewed at the level of GM/AGM.

3. I request you to ensure compliance of the above.

With best wishes,

Yours sincerely,

(Anil Kumar Lahoti)

General Managers
All Zonal Railways and PUs