

AJIT PAL SINGH MANDER
Addl. Advocate General, Pb.-cum-
Vetting Head.



ਐਡਵੋਕੇਟ ਜਨਰਲ, ਪੰਜਾਬ
Advocate-General, Punjab
D.O. No. 13402
20th December, 2024

Tel. : 0172-2740287

0172-6612280

0172-6612222

Subject: Implementation of Standard Operating Procedure for Timely Filing of Responses in Pending Cases.

Sir,

In light of recent judicial pronouncements by the Hon'ble Punjab and Haryana High Court, underscoring concerns regarding delays and deficiencies in filing timely responses in pending cases, a Standard Operating Procedure (SOP) for vetting reply/status report/affidavit etc. has been meticulously formulated. This initiative follows extensive deliberations and concurrence with the esteemed Advocate General, Punjab. A copy of the SOP is annexed herewith for your perusal and necessary action.

You are earnestly requested to disseminate the enclosed SOP among all Administrative Heads under your purview, ensuring its adherence to facilitate prompt and efficient compliance. The measures delineated within this SOP are imperative to address the procedural lacunae highlighted by the Hon'ble Court and to uphold the standards of administrative diligence.

Should you require any further clarification or wish to engage in a detailed discussion regarding the SOP, please feel at liberty to contact the undersigned at Mobile No. 98726-30138.

Your concerted efforts in effectuating the directives contained herein will greatly contribute to the enhancement of procedural efficiency and judicial propriety.

Treat it as most urgent.

With regards,

Yours Sincerely,


(Ajit Pal Singh Mander)

Sh. KAP Sinha, IAS,
Chief Secretary to Govt. of Punjab,
Punjab Civil Secretariat, Chandigarh.

Copy to the Director General of Police, Punjab, Punjab Police Headquarters,
Sector-9, Chandigarh.

Encl.:- Vetting - Standard Operating Procedure (Page Nos. 1 to 8).

OFFICE OF ADVOCATE GENERAL, PUNJAB

VETTING- STANDARD OPERATING PROCEDURE

Direction by Hon'ble Punjab and Haryana High Court

On 22.08.2024, Hon'ble Mr. Justice Sandeep Moudgil observed during the course of the proceeding that for every law officer appearing on behalf of the State of Punjab, the reply is presented to the law officer at the time when the case is called upon. Such a practice neither leaves any time for the State counsel to vet the same nor to check whether it has been made properly or is in the appropriate format. Also the copy of the said reply is not furnished to the counsel for the petitioner in advance which compels the Court to adjourn the case time and again for this minor issue, which the State Government has failed to take a note of.

The Hon'ble Court has directed State of Punjab to file reply/status report well in time i.e. 03 days prior to the date of hearing to save the time of the Court.

As such, vetted reply/status report should be filed in the office of Advocate General, Punjab atleast 7 working days prior to the date of hearing.


INSTRUCTIONS REGARDING SENDING DRAFT REPLY/STATUS REPORT

FOR VETTING

- In view of the orders passed by the Hon'ble Court, it is necessary to send reply/status report for vetting to the office of Advocate General, Punjab atleast two weeks prior to the next date of hearing only through email Id ag.vetting@punjab.gov.in. (except short date) in proper Vetting E-mail format. Vetting E-mail format is attached as **Annexure A-1**.
- The order passed by the Hon'ble Court (in which reply/status report/affidavit is sought) be also reproduced in the reply/status report/affidavit/compliance report.
- Only deponent can contact the concerned Law Officer before and after the Court timings (except odd hours).
- It is necessary to attach the defence sanction of the case, if the respondent, who is by name party in the case, is submitting reply.


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HEAD VETTING
Advocate General, Punjab

- If a case falls under a restricted category, it is important to mention the same in the body of the E-mail.
- A reply/affidavit must be submitted by the respondent who is party in a particular case.
- Ensure that the files/attachments in the E-mail are not shared via Google Drive links.
- Attach DO in the E-mails, if available as it is very important to know what is written in DO sent by the Law Officer for vetting.
- In circumstances where the Hon'ble High Court has issued explicit instructions to submit a reply/affidavit within a certain timeframe, it is important to mention a note in the body of the email in red color font.
- Attach previous vetted reply/status report pertaining to the same FIR, if any.
- Also attach FSL Report/MLR/PMR, if any.
- In case of quashing on merits, detailed para-wise reply is required to be filed (except demanded by the Hon'ble High Court)
- Status report is to be filed mentioning the latest status after the trial court's last proceedings and the copy of proceedings of the trial court be attached alongwith the status report.
- In case of bails/status report, clearly mention therein :-
 - Criminal Antecedents;
 - Role of the petitioner;
 - Recovery, if any;
 - Attribution;
 - Court cases history;
 - Whether charges framed or not?
 - Whether Challan filed or not?
 - Total number of Prosecution Witnesses;
 - How many PWs examined?
 - Complainant/victim examined or not;


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- Incriminating material collected during investigation against the accused;
- Petitioner nominated on the basis of :-
 - Whether named in the FIR?
 - On disclosure statement and on whose statement the name surfaced?

- The E-mail so received for vetting from the Department is forwarded by Vetting branch to the Vetting Head. Case is marked to some Law Officer by Vetting Head depending upon case type and Department will be intimated about the concerned Law Officer, to whom case is marked for vetting, on the e-mail from which the case is received by the office of Advocate General, Punjab.
- The deponent shall contact the concerned Law Officer (except odd hours) and get the vetting done and submit final reply, after making necessary corrections as suggested by the law officer at the earliest.

INSTRUCTIONS REGARDING SUBMISSION OF FINAL REPLY

1. Application/Forwarding Letter addressed to Ld. Advocate General, Punjab with the details of dealing official i.e. Name, Designation, Contact No. and also mention the next date of hearing.
2. Fair Reply (2 + 3 copies) with complete correspondence received over e-mail regarding vetting of the case i.e. all e-mail print, respondent number, deponent details with name of Law Officer who has vetted the case.
- 3 Every pleading including Reply/Status report shall be drafted and sent to the office of Advocate General, Punjab for vetting in the said format (as directed by the registry of the Hon'ble High Court):-

- *Every pleading(s) including application(s), annexure(s) etc. in the High Court shall be in English language duly typed in black ink on both side of superior quality legal size paper of 80 GSM and above. The font shall be Thorndale or Times New Roman in size 14 with double space. Margins on the top and bottom of the page shall be 1.25*


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inches and 0.75 inch, respectively. The left side and right side margins shall be 1.25 inches. The numbering shall be at the top middle of each page and will run through both sides of the page, in accordance with rule 2(a) Chapter-1, Part A (a) High Court Rules and Orders Volume-V.

- The certified copy(ies) on both sides of pages shall be permitted to be filed. However, the certified copy(ies)/photocopy(ies) dim printed/not legible shall also be filed with legible printed/ typed copy of Annexure(s)/Judgment(s)/Order(s).*
- Index/Application/Appeal/Revision/Petition should be fairly typed and should not be dim printed or illegible.*

Reply/status report, not in above said format, will not be accepted.

4 Annexures in Punjabi or any other language must be translated in English and attach typed copy with double spacing and **Font Size 14 in Times New Roman Font** with proper side margins and Vernaculars should be attached in original.

5 Index should be as per the documents attached therein.

6 Reply should be attested by Notary/Oath Commissioner or Executive Magistrate with full stamp, date and place at the station where the deponent signs the document.

7 Reply and Annexures must be typed at **Font Size 14 with double spacing.**

8 Complete Page Numbering should be done except Index.

9 Paragraph should be numbered in correct order.

10 Annexures must be mentioned in Index of Reply and all the Annexures mentioned in Index must be attached.

11 Annexures must be attested with signatures in English (Name and Designation) **with blue pen.**

12 Court Fee Stamps must be pasted at Court Fee page, which is Rs. 0.65 per page for each Annexure, Rs. 5.25 as per Hon'ble Supreme Court Judgment, Rs. 2.75 per

Hon'ble High Court Judgment and Rs. 0.65 per page of the order of District Court (Trial Court) or any other court.

13 Hard Copies of last 2-3 Interim Orders and Case Status from website of Hon'ble High Court be submitted.

14 E-mail of the final reply be forwarded to concerned branch of this Office and opposite counsel at their respective e-mail ID and attach 2 copies of the same.

15 Submit the final reply atleast 7 working days prior to the date fixed or otherwise ordered by Hon'ble Court/Concerned Law Officer.

16 Affidavit duly attested by Notary is valid for 6 months, so kindly ensure to file reply within time.

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The Law Officer shall conduct the vetting process as per the following steps: -

- I. **The Law Officer, to whom affidavit/reply/status report has been marked for vetting shall return the same within 3 days after vetting the same through same E-mail.**
- II. **In case any objections/amendments/corrections are suggested in the affidavit/reply/status report, the same shall be incorporated/intimated to the deponent/ concerned officer at the earliest i.e. not more than 2 days from receipt of affidavit/reply/status report through same E-Mail.**
- III. **Thereafter, the deponent/concerned law officer after making the required amendments/alterations shall resend the amended reply/status report to the concerned Law Officer immediately i.e. within 24 hours, for its final vetting.**
- IV. **No Law officer shall submit reply/affidavit/status report/Compliance report directly in the Hon'ble court without prior approval of the Ld. Advocate General or Vetting Head.**
- V. **In case of any change/amendment, the deponent/concerned officer shall make such changes/remarks in RED colour font directly into the MS WORD document and email the revised document. No amended document in any other format, without changes/amendments in red colour font will be entertained.**


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- VI. Any objections raised by the HC Registry on the finalized vetted replies shall be immediately informed to Head Vetting so that the same may be removed promptly and the reply may be filed in judicial record expediently, for which office of Ld. Advocate General, Punjab shall not be responsible.
- VII. All vetted affidavits/replies/status reports/compliance reports received from the Law Officers shall be forwarded by the Vetting Branch to the concerned dealing officials and Deponent at their respective E-mail Ids during office hours. The E-mail trail shall be maintained and preserved by the Law Officers, concerned dealing officials etc., in order to streamline tracking and movement of replies/affidavits/status reports/compliance reports.
- VIII. While sending E-mail i.e. vetted/not vetted to the Vetting Branch after office hours, Law officer shall add email ID of the concerned department into the CC field, such E-mail shall be sent in the same E-mail thread i.e. revert on the same mail regarding status.
- IX. For proper compliance of the order passed by the Hon'ble Court, the Law Officer may call the deponent, if required.
- X. It is advisable to not open/start separate E-mail correspondence for the same. This email should include:-


- a. **Subject :-** For continuity of mail, Subject shall not be changed.
- b. **In the Body :-** Vetted [Mentioning any other remark Eg.: subject to changes and verification of facts]
- Objection:-** [Mentioning nature of objection, query]
Name and Phone Number of the concerned Law Officer
- c. **Attachments :-** Soft Copy of the Reply with the changes marked in RED.
- (Note: That the office of Advocate General will not be responsible for any adverse order, for non-filing of the reply/affidavit/status-report/compliance report, if the same is sent to office of Advocate General, one day prior to date of hearings.


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 19/12/24
 Additional Advocate General, HEAD VETTING

VETTING E-MAIL FORMAT

The E-mail sent by the concerned Departments should mandatorily be in the following format:-

- a. Subject Line -** CASE NUMBER [i.e. W.P. No./ RSA/ COCP etc.] followed by TITLE OF THE CASE
- b. In the Body-**
- (i) Reply on behalf of which Respondent No.
 - (ii) Name of Department
 - (iii) Next Date of the Case
 - (iv) Name, Mobile Number & email id of the dealing Official
 - (v) Name, Mobile Number and E-mail Id of the Deponent
 - (vi) Note if any: in case of urgent/time bound affidavits (in red color font)
 - (vii) Restricted Category (Yes/No)
 - (viii) Previous vetted reply in the case
- c. Attachments-**
- (i) Soft Copy of the complete Reply only in MS WORD Document format (No images and No PDFs).
 - (ii) Copy of Annexures and any relevant documents, if any.
 - (iii) Copy of properly scanned petition. (in PDF format)
 - (iv) Scanned copy of reply signed by the deponent. (in PDF format)
 - (v) Copy of last interim order, if available. (in PDF format)
 - (vi) Scanned copy of DO letter sent by the Law Officer, if available. (in PDF format)
 - (vii) Previous vetted reply if any (in PDF Format)


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