



The Kolkata Municipal Corporation
Central Municipal Office Building,
5, S.N. Banerjee Road, Kolkata - 700 013

Municipal Commissioner's Office

Dated: 06.09.2017

Municipal Commissioner's Circular No. 42 of 2017-18.

Sub:- Procedure to be followed to deal with Court cases.

Briefing of court matter to the concerned empanelled lawyer - Controlling Officers/HoDs of the concerned Deptt. along with Law Officers /Dy. CMLO/Addl. CMLO shall have to brief the concerned lawyer in court matters. The brief should be signed by the concerned officials of the parent Deptt. and the Law Deptt. before submission to the concerned empanelled lawyer. In case where specific direction is needed from Joint Municipal Commissioner or Municipal Commissioner or MMIC or Hon'ble Mayor, as may be applicable, the same may be obtained prior to the submission of the brief to the empanelled advocate.

Reviewing of all pending cases:- The status of the number of court cases are to be reviewed by the concerned Controlling Officers/HoDs along with the Officers of the Law Deptt. Report on the status of the Court cases shall have to be submitted as per the following format:-

Sl. No.	Details of Court Case	Present Status	Names of Monitoring Officer from the department concerned and Law Deptt.	Last date of hearing	Expected date of disposal

In this connection Controlling Officers/HoDs of the Department must review the status of Court cases and submit the status report every month to the Municipal Commissioner, concerned MMIC and Hon'ble Mayor. Controlling Officer of all Departments should nominate a Nodal Officer who will monitor the departmental court cases and furnish report to the respective Controlling Officer/HoD. The Controlling Officers must ensure that the Officer of the department who has sufficient knowledge in the subject matter must give the necessary inputs to the Nodal Officer.

Reviewing of the panel of the lawyers:- The panel of the advocates is to be reviewed on the basis of the cases allotted to each advocate in last five years and the success rate in respect of disposal of the cases. From now on Controlling Officers/HoDs will engage the lawyers in consultation with Law Department so that the concerned department has enough discretion in the matter which may in turn have a positive bearing on the outcome of the court cases. Such engagement of lawyers must be done taking into account all professional aspects including maintaining absolute transparency at the time of engagement of lawyers. All Controlling

Officers /HoDs must submit the report on the performance of the empanelled advocates to the respective Joint Municipal Commissioners within 15 days.

Joint Municipal Commissioner (Rev) and Joint Municipal Commissioner (Gen) are requested to review the existing panel of lawyers engaged by KMC and submit a report to the undersigned at the earliest.

This is issued as per approval of the Hon'ble Mayor vide dated 06.09.2017.


MUNICIPAL COMMISSIONER



Municipal Commissioner
The Kolkata Municipal Corporation

Distribution:

1. OSD to Hon'ble Mayor
2. All MMICs
3. Jt. Mpl. Commissioner (Rev. & Supply)
4. Jt. Mpl. Commissioner (Gen. & Dev.)
5. Municipal Secretary
6. All Controlling Officers and HoDs

MSD/HO/ET

P.L. s/pk


11/09/17
DG/ET