



GOVERNMENT OF PUDUCHERRY
LAW DEPARTMENT
RTI MANUAL

ADDRESS:

LAW DEPARTMENT, GOUBERT AVENUE,
CHIEF SECRETARIAT, PUDUCHERRY-1.

Website ID: <https://law.py.gov.in>

GOVERNMENT OF PUDUCHERRY LAW DEPARTMENT

MANUALS ON RIGHT TO INFORMATION ACT

(i) the particulars of its organisation, functions and duties :

VISION:

Law Department is committed to deliver standard and quality legal framework in the Union territory of Puducherry for effective implementation of Government policies in conformity with the provisions of the Constitution of India and other laws in force in the country. It is also committed to promote administration of justice that ensures easy access and timely delivery of justice to all the Union Territory of Puducherry.

MISSION:

The Mission of the Department is to function as a vibrant institution of the Union territory of Puducherry to render high quality legal services (legislative as well as advisory) to the Secretariat Departments for their proper and effective functioning and ensure effective services to the public through its line agencies. Hence, it is the endeavor of the Department to provide a just, transparent, accountable and humane system of governance.

Ensuring adequacy of Courts and Judges. Modernization of Courts and procedure, policy for judicial reforms and legal aid to the poor for improved justice delivery system.

Law Department- General Duties and Responsibilities

- i. Drafting and scrutiny of bills and statutory Rules, Notifications, Orders and Bye-Laws.
- ii. Administration of justice including courts
- iii. Appeals against acquittals and applications for enhancements of sentences
- iv. Advice on all legal matters
- v. Supervision of Government litigation, including appointment and remuneration of Government Pleaders, Public Prosecutors, Special Counsels ,etc
- vi. Legacies and Inter-State properties
- vii. Ex-French Laws and Rules and their interpretation
- viii. Legal Practitioner and Bar Council
- ix. Civil Law Procedures
- x. Official receivers
- xi. Notary Public
- xii. Judicial Reforms
- xiii. Legal Aid to Weaker sections
- xiv. Scrutiny of Agreements
- xv. Writing off of any decretal dues
- xvi. Arbitrators
- xvii. Translation of State Acts and Rules, Regulation etc. into Tamil and other languages
- xviii. Recruitment / posting / promotion and transfer of all posts exclusive to this department
- xix. Arrangements of accommodation and receiving the visiting dignitaries

LITIGATIVE:

The Law Department is exercising control over the prosecuting machinery and also the machinery employed by the Government for civil litigations and exercising administrative control over all the prosecutors and Government Pleaders in all the courts in the Union Territory and also in the High Court, Madras. Every police charge-sheet in a warrant case, before it is laid in the court is scrutinized by the Officers of the Law Department. The officers of the Law Departments are advising the police Department and other Government Departments on the legal aspects of a case at each and every Criminal and Civil proceedings including the stage of investigation. The Law Department engages advocates as Special Public Prosecutors and Special Government Pleaders or Special Counsels in all the Courts in the Union Territory and in the High

Court. Scrutiny of the case in which police Department and other Departments of the Government decides not to initiate prosecution, examining all cases of acquittal and cases where there is a conviction only for a minor offence, the accused having been acquitted of more serious offences and advising the police and other Departments about the further course of action in order to avoid miscarriage of Justice and advising the Departments on question relating to appeal, compromise, etc. are some of the vital aspect of the duties and responsibilities attached to the Law Department.

The officers are required to deal with all personal Laws e.g. Law of Marriage, Law of Succession, Criminal Law And Procedure etc. in their application to the Union Territory of Puducherry.

Besides, the officers of the Law Department have to do the following function as required under the Rules of the Government of Pondicherry, 1963.

LEGISLATIVE:

The function of the Law Department is to put into technical shape the projects of legislation on which the policy has been approved.

Scrutiny of the legislative proposals of the Department about,-

- i. The need for the proposed legislation from the legal point of views;
- ii. The competence of the legislature of the Union Territory to enact the measure proposed;
- iii. The requirement of the Constitution, the Act or any other Law for the time being in force as to the obtaining of the previous sanction of the President thereto; and
- iv. Consistence of the proposed measures with the provisions of the constitution and in particular those relating to the fundamental rights.

Drafting of bills on which the policy has been approved;

All references to the Government of India for obtaining prior approval of the Central Government wherever necessary, in respect of legislations which are proposed by the departments of the Puducherry Administration.

Obtaining the assent to the Bills passed by the Legislative Assembly from the Lieutenant- Governor and the President of India and publication of the Bill as an Act of the Legislative Assembly after obtaining assent to the Bills.

ADVISORY:

Tendering opinion as to,-

- i. Issue of a statutory rule, notification or order;
- ii. Sanction under a statutory power, the issue of any rule, bye-law, notification or order by a Subordinate Authority; and
- iii. Submission of proposals of the Department to the Central Government in respect of any draft statutory rule, notification or order to be issued by them.

Scrutiny of the proposals of all departments on-

- a. The construction of statutes, Acts, Regulations and statutory rules, orders and notifications;
- b. Any general legal principle arising out of any case;
- c. The institution or withdrawal of any prosecution at the instance of the Administrative Departments; and
- d. The preparation of important contract to be entered into by the Government.

(ii) the powers and duties of its officers and employees :

Assistant Law Officer/Legal Assistant:

The assistant law officer/legal assistant in the law department and the directorate of prosecution, Puducherry are required to perform the special duties attached with the Law Department as enumerated in The Rules of Business of the Government of Pondicherry, 1963. In addition, they are performing the duties of assistants in other secretariat departments. In the sense, the duties and responsibilities are more onerous than the assistants in the Secretariat Departments.

The conditions of service of all persons appointed to the central civil service and post under the administrative control of the administrator of Puducherry shall be the same as the conditions of service of persons appointed to other corresponding Central Civil Service and posts as per rule 2 of the Pondicherry Administration (Conditions of Services of Employees) Rules, 1966.

Deputy Law Officer/Superintendent in the Law Department:

The solitary post of deputy law officer in the law department was originally a pre-merger permanent post of redacteur under the French Administration was

transferred along with the incumbent to the Law Department in the year, 1963. This post was subsequently converted into a permanent post of superintendent with the post-merger scale in the year, 1967. It was further re-designated as Deputy Law Officer in the year, 1992 in the scale of Rs. 1640-2900. The post is Group 'B' Gazetted. The qualifications required for appointment to the post of Deputy Law Officer is a degree in law of a recognized University and the post is filled by promotion from the grade of Assistant Law Officer/ Legal Assistants of the Law Department and the Directorate of Prosecution with 5 years' regular service in the grade.

The Superintendent/Deputy Law Officer, Law Department, Puducherry is required to perform the special nature of duties attached with the Law Department, in litigation, legislation and legal advice matters of the Whole Union Territory Of Puducherry Administration and in addition he is required to perform the duties and responsibilities of Superintendent Gr. I in the chief Secretariat in his capacity as the head of the section.

Law Officer in the Law Department, Puducherry:

The post of law officer in the law department is a Group 'B' Gazetted post. The qualifications required for appointment to the post as per the draft Recruitment Rules is a degree in law of a recognized University and the post is filled by promotion from the grade of Superintendent/Deputy Law Officer (Rs.1640-2900 pre-revised) in the Law Department, puducherry.

The post of Law Officer in the Law Department is a promotional post from the post of Superintendent / Deputy Law Officer and apart from exercising control over the duties performed by the Legal Assistants and the Deputy Law Officer, the law Officer is also required to attend files relating to advice, legislation and litigation.

Under Secretary (Law):

The post of Under Secretary (Law) which is a Group 'B' Gazetted post in the Law Department, Puducherry. This scale of pay was revised as per the IV Central Pay Commission recommendations and the Government has prescribed the scale of pay of Rs.2375-3500. The Post of under Secretary (Law) is a promotional post from the level of law officer in the Law Department and the educational qualifications required is a degree in law of a recognized university.

The whole functions of the Law Department, as enumerated under the Rules of Business of the government of Pondicherry, 1963 apart from other administrative

function as Head of Office and statutory function entrusted with the Officer, are scrutinized and processed at the level of the Under Secretary (law). The post of Under Secretary (Law) is attached with the Secretariat functions and the under Secretary (Law) is required to attend other administrative and allied service Authority as Administrative Secretariat.

Deputy Secretary (Law) In the Department:

The post of Deputy Secretary (Law) is a Group 'A' Gazetted post in Law Department. The post is filled by way of promotion from the post of Under Secretary (Law) with 7 years regular service.

Secretary (Law):

The Union Territory of Puducherry is the only Union territory with legislature. The Law Department in Puducherry which is the backbone of this union territory Administration, is more importantly engaged in the function such as tendering legal advice on a variety of issues referred to by various departments of this Union territory and also performing consultative role in regard to proposals for legislation, framing of statutory rules, regulation, notifications, bye laws and finalizations of important contractual matters. This department is also vested with the responsibility of appointment of advocates or Government counsels and oversees cases conducted in the various hierarchy of courts including the Supreme Court of India, New Delhi, High Court, Madras, CAT, Madras Bench And Local Courts, Besides Other High Court And Other Judicial Fora.

The above apart, the Law Department being the Secretariat in respect of the Judicial Department, Legal Services Authority is also required to monitor the execution of various plan/non plan schemes in respect of Judicial Department, which includes construction of District Court Buildings at different places. This department is also mandated with the exercise of appointment of Notaries.

The nature of duties and responsibilities attached to the post of Law Secretary are enumerated under the Rules of Business of the Government of Pondicherry, 1963 apart from other administrative and financial function as head of the department and as secretary to government. Further, the degree of skill, experience involved, training required, responsibilities undertaken, mental and physical requirements, disagreeableness of the tasks, hazard attendant on work and fatigue involved are some of the relevant factors which go into the process of fixing the pay scale.

As already said above, the Law Department exercising secretarial function in respect of the Judicial Department, Legal Services Authority the Law Secretary will be required to be in close co-ordination with the District Judges in the Judicial Department, the Legal Services Authority whose pay scales are enumerated hereunder:

The Business of the Government Allocated to the Law Department as detailed below are attended by the officers:

Law Department- General Duties and Responsibilities

- i. Drafting and scrutiny of bills and statutory Rules, Notifications, Orders and Bye-Laws.
- ii. Administration of justice including courts
- iii. Appeals against acquittals and applications for enhancements of sentences
- iv. Advice on all legal matters
- v. Supervision of Government litigation, including appointment and remuneration of Government Pleaders, Public Prosecutors, Special Counsels ,etc
- vi. Legacies and Inter-State properties
- vii. Ex-French Laws and Rules and their interpretation
- viii. Legal Practitioner and Bar Council
- ix. Civil Law Procedures
- x. Official receivers
- xi. Notary Public
- xii. Judicial Reforms
- xiii. Legal Aid to Weaker sections
- xiv. Scrutiny of Agreements
- xv. Writing off of any decretal dues
- xvi. Arbitrators
- xvii. Translation of State Acts and Rules, Regulation etc. into Tamil and other languages
- xviii. Recruitment / posting / promotion and transfer of all posts exclusive to this department
- xix. Arrangements of accommodation and receiving the visiting dignitaries

(iii) the procedure followed in the decision making process, including channels of supervision and accountability :

All the Legal Assistants have to submit the Legal files to the concerned Law Officers and then after scrutiny by the Law Officers, it has to be submitted to the Secretary (Law) through the Deputy Secretary / Under Secretary (Law) for approval.

(iv) the norms set by it for the discharge of its functions :

Not applicable

(v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions :

Please refer the Puducherry Code Volume I, II, III, IV and V, as detailed in the link :

<https://law.py.gov.in/Code1.pdf>

<https://law.py.gov.in/Code2.pdf>

<https://law.py.gov.in/Code3.pdf>

<https://law.py.gov.in/Code4.pdf>

<https://law.py.gov.in/Code5.pdf>

(vi) a statement of the categories of documents that are held by it or under its control :

- 1) Puducherry Code Volume I
- 2) Puducherry Code Volume II
- 3) Puducherry Code Volume III
- 4) Puducherry Code Volume IV
- 5) Puducherry Code Volume V

(vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof :

Not applicable

(viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public :

Not applicable

(ix) a directory of its officers and employees :

Staff Particulars of Law Department, Puducherry

Sl. No.	Name Thiru. / Tmt.	Designation	Remarks
1	JULIET PUSHPA J	SECRETARY (LAW)	
2	MURUGAVEL N	UNDER SECRETARY(LAW)	
3	SYED SHAFFY K	LAW OFFICER	
4	MANIMEGALAI GOVINDARADJOU	LAW OFFICER	
5	VENKATESAN. I	PRIVATE SECRETARY	
6	MURUGAN S	TRANSLATOR GRI	
7	KANIMOJY. R	LEGAL ASSISTANT	
8	LOKKESVARAN.S	LEGAL ASSISTANT	
9	SELLAPERUMAL. P	LEGAL ASSISTANT	
10	NADARAJAN. J	ASSISTANT	
11	ARUNKUMAR R	UPPER DIVISION CLERK	
12	PRABAKARAN.	UPPER DIVISION CLERK	
13	THIRUVARASAN .R	DRIVER	
14	ANIL KUMAR K	DRIVER	Attached to Sub Court, Mahe.
15	K.SYAMALA RAO	DRIVER	Attached to Sub Court, Yanam
16	SOUPRAMANIEN G	MTS GENERAL	
17	MAHESH D.	MTS GENERAL	
18	GOUNASEGARAN. E	MTS GENERAL	
19	LAKSHMI R	MTS GENERAL	Attached to the O/o. the Govt. Pleader for Puducherry, High Court, Madras
20	PARASURAMAN B	MTS GENERAL	

Staff Particulars of Directorate of Prosecution, Puducherry

Sl. No.	Name Thiru. / Tmt.	Designation	Remarks
1	P. SRINIVASAPERUMAL	LAW OFFICER	
2	ARUN R	LEGAL ASSISTANT	
3	K RAVINDRAKUMAR	STENO GRI	
4	S. MEERA	STENO. GR.II	
5	RAGINI P	LOWER DIVISION CLERK	Attached to the O/o. the Govt. Pleader for Puducherry, High Court, Madras
6	TIROUNAVOUCARASSOU.S	MTS GENERAL	
7	KRISHNAN.V	MTS GENERAL	

Consultant

Thiru. K. OUMABADY, Asst. Library Information Officer (Retired)

(x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations :

LAW DEPARTMENT, PUDUCHERRY

<u>Sl.No.</u>	<u>Name of Post</u>	<u>Pay Matrix</u> <u>Level in 7th CPC</u>
1	Secretary (Law)	13
2	Deputy Secretary (Law)	11
3	Under Secretary (Law)	7
4	Law Officer	7
5	Dy. Law Officer	7
6	Assistant Library Information Officer	7
7	Legal Assistants	6
8	Translator Grade-I	7
9	English / Tamil Translator	6
10	Private Secretary	7
11	Assistant	6
12	Stenographer Grade-II	5
13	Upper Division Clerk	4
14	Driver Grade-I (Law Department)	6
15	Driver Grade-II (Services placed at Judicial Dept., Mahe)	4
16	Driver Grade-II (Services placed at Judicial Dept., Yanam)	4
17	MTS (General)	1
18	Part-time Sanitary Assistant	--
Total posts:-		26

DIRECTORATE OF PROSECUTION, PUDUCHERRY

<u>Sl.No.</u>	<u>Name of Post</u>	<u>Pay Matrix</u> <u>Level in 7th CPC</u>
1	Director of Prosecution	11
2	Deputy Director of Prosecution	7
3	Assistant Public Prosecutor	6
4	Legal Assistants	6
5	Stenographer Grade-I	6
6	Stenographer Grade-II	5
7	Lower Division Clerk (Attached to the O/o the Govt. Pleader at Hon'ble High Court Madras)	2
8	MTS (General) - 01 Post attached to the O/O the Govt. Pleader at Chennai.	1
Total Posts:		11

(xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

Budget Provisions 2020-2021

Law Department - Rs.3,38,31,000/-

Directorate of Prosecution - Rs.1,73,82,000/-

(xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes :

Not applicable.

(xiii) particulars of recipients of concessions, permits or authorisations granted by it :

Not applicable.

(xiv) details in respect of the information, available to or held by it, reduced in an electronic form :

<https://law.py.gov.in/Code1.pdf>

<https://law.py.gov.in/Code2.pdf>

<https://law.py.gov.in/Code3.pdf>

<https://law.py.gov.in/Code4.pdf>

<https://law.py.gov.in/Code5.pdf>

(xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use :

Information can be obtained under the provision of the Right Information Act on payment of requisite fee of Rs.10/-.

(xvi) the names, designations and other particulars of the Public Information Officers :

LAW DEPARTMENT :

Thiru K. Syed Shaffy,

Public Information Officer-cum-Law Officer

Law Department, Puducherry – 605001.

Phone : 0413 2233322

Thiru N. Murugavel,

First Appellate Authority-cum-Under Secretary (Law)

Law Department, Puducherry – 605001.

Phone : 0413 2233256

DIRECTORATE OF PROSECUTION :

Tmt. Manimegalai Govindaradjou,

Public Information Officer-cum-Law Officer

Law Department, Puducherry – 605001.

Phone : 0413 2233256

Thiru N. Murugavel,

First Appellate Authority-cum-Under Secretary (Law)

Law Department, Puducherry – 605001.

Phone : 0413 2233256

(xvii) such other information as may be prescribed; and thereafter update these publications every year :

Puducherry Code Volume I, II and III are published in tamil version and the same is available in the Directorate of Stationery and Printing on payment of cost.

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