

No.ACM-31777/97

Office of the
Chief Conservator of Forests,
Thiruvananthapuram
Dated 2-9-1997.

From

The Chief Conservator of Forests
(Protection)

To

The Divisional Forest Officer,
Nilambur North/South Division.

Sir,

Sub:- Criminal Justice – Forest Offences unnecessary pendency of old ORS –
Disposal – explanation called for – reg.,.

Ref:- Letter No.A.273/97 dt.15-7-97 of the Hon. Judicial First Class Magistrate,
Manjeri.

Copy of the letter referred to above is enclosed herewith for which suitable action is to be taken immediately. You are directed to charge/Dispose of the pending offences in a time bound programme. Every week a minimum of ten cases are to be charged per Range. The Divisional Forest Officers should review the progress every fortnight and send fortnightly reports to this office. The Divisional Forest Officers while on visits to Ranges also must look into the disposal of cases. The instructions given above should strictly be followed.

You are directed to submit your explanation for not arranging to charge the cases, for your failure to accord prosecution sanction in time, failure to review the situation in monthly meetings and causing several cases to become time barred, even after repeated directions from the Honourable Court. Your explanation in the matter should be submitted within a week positively.

Yours faithfully,
Sd/-

Chief Conservator of Forests (Protection)

Copy with copy of the letter of the Hon. Court to the Conservator of Forests, Olavakod Circle. The Conservator should review the progress made in the disposal/charging of the pending cases every month and send monthly reports to this office. The Conservator while on visits to the Ranges will also look into the disposal of the cases and issue appropriate directions.

Copy with copy of enclosure to all Territorial Divl. Forest Officers and the Wild life Conservators for information and necessary action.

Copy of letter No.A273/97 dated 15-7-1997 from the Judicial I class Magistrate addressed to the Chief Conservator of Forests, Thiruvananthapuram.

Sir,

I invite your kind attention to the following facts. There are about 6000 ORS which are pending before this court in respect of North and South Divisional Nilambur in which final reports (form II) have not been filed.

To curb the delay repeated directions were issued to the concerned DFOs and other concerned forest officials requesting them to the final reports in those cases. But effective steps were not seen to have been taken all date. This includes cases in which the accused were arrested and produced before the court. I have applied section 468 Cr.P.C. in case (ORS) which we held before 21-11-1992 and in which cases Reports were not filed till the above date for being barred by imputation. Still a large number of old cases are pending in various Ranges and Forests Stations without taking further action. On a comparison of Ors Register it is seen that a large number of Ors are pending with the concerned DFOs (especially in North Division) which have been sent by the Range Offices for withdrawal attention etc.

This court started function or exclusively for the final of forest offences. Only about hundred final reports were filed during current year even though more than 6000 ORS were held before this court. This is an alarming situation which required immediate attention.

In the circumstances I request you to be slow your attention in this matter and further request that strict and appropriate directions may be given to the concerned D.F.O.s and Forded officials to expedite the submission of final reports. If no progress is seen in this matter. I will be constrained to bring the matter before the Honourable High Court of Kerala for further action.

Yours faithfully,

Sd/-
Judicial I Class Magistrate II,
Manjeri.