

GOVERNMENT OF KERALA

Law Department

No.12781/A1/68/Law

Trivandrum,  
16th December, 1968.

CIRCULAR

Instances of delay and/or dereliction of duty on the part of officers at various levels have come to the notice of Government in cases where further action by way of appeal ought to have been taken, within the prescribed period for filing appeals. In such cases the records for filing appeals sent to the Advocate General either on the expiry of the appeal time or just on the eve of its expiry. In some cases even if the records are sent, it is reported that they would not contain the certified copies of the relevant papers. In cases where the appeal time expired long before no explanation for such delays are also reported to have been offered to the Advocate General. Government consider this very seriously since the High Court do not condone any such delay on the part of the state. This is due to non adherence of the instructions contained in the Government Memorandum No.A1-3006/56/Law dated 29th December 1956 as modified in Memorandum No.1004/A1/64 dated 28th September 1964 and No.12467-A1/65/Law dated 25th January 1965. In a particular case it has been observed by Government that the District Collector sought further advice of the District Government Pleader in the District Court centre on the recommendations of the Additional Government Pleader in the Sub-court centre for filing appeal against the decision of the Assistant sessions court which also contributed for the expiry of the appeal period.

2. All those concerned are therefore requested to follow up the procedure contemplated in the Government Memorandum cited very scrupulously and see that any delay or latches would not occur in cases where it is desirable to prefer appeals against the decisions of the courts below.

(A.P. Mohammed Ali)  
Sd/- Law Secretary.

Endt. on G1-6125/69 (F.Dis) dated 19-4-69:

Copy forwarded to all Sub Officers for information and strict attention.  
Copy to all Section Supdt, G2, G3 and G5.

Sd/-  
for Chief Conservator of Forests

Endt. on G1-8557/69 dated 29-4-1969:

Copy to Sections TR, KT, ML, CH, E1, D1, A1, A2, Stock File and Senior Superintendent for information.

for Conservator of Forests

Trichur