Rc.No.72544/77-L1,
Dated:5-4-1981.

Office of the Chief Conservator of Forests, Andhra Pradesh, Hyderabad.

Sri A. Ramakrishna, I.F.S.,
Chief Conservator of Forests.

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Circular No. 12/81

Sub:- Suits - A.P. Administrative Tribunal - Action to be taken on the judgements issued by the A.P.Administrative Tribunal - Instructions issued.

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It is observed that the Conservators of Forests, Divl.Forest Officers are initiating action on the judgements delivered by the A.P.Administrative Tribunal without awaiting instructions from the Government or the Chief Conservator of Forests and also without verifying whether there is any possibility to appeal in Supreme Court.

2. In this connection it is informed that para 9 of the A.P.Administrative Tribunal orders 1975 reads as follows:

"When the Tribunal pasess orders finally disposing of any case under the provisions of this order the proceedings thereof shall be forwarded to the State Government".

3. Clause (5) of Article 371 D of the constitution of India reads as follows:

"The order of the Administrative Tribunal finally disposing of any case shall become affective upon i its confirmation by the State Government or on the expiry of (3) months from the date of which the order is made which ever is earlier".

Provided that the State Government may by special order made in writting and for reasons to be specified therein modify or amend any order of the Administrative Tribunal before it becomes effective and in such a case, the order of the Administrative Tribunal shall have effect only in such modified form or be of no effect, as the case may be. Every special order made by the State Government under the provision with clause (5) shall be laid, as soon as may be after it is made, before both hou ses of State Legislature".

Article 136 of constitution of India reads as follows:

1. Not with standing any thing in this chapter, the Supreme Court may, in its direction, grant special leave to appeal from any judgement, decree, determination, sentence or ordered of any cuase or matter passed or made by any court of Tribunal in Territory of India.

p.t.o.

It has come to the notice of the Chief Conservator of Forests that certain orders of A.P. Administrative Tribunal were implemented without seeking instructions from the Government or the Chief Conservator [illegible] by the Conservators of Forests Divl. Forest Officers. In some such cases Government decided to go in appeal against the orders of A.P. Administrative Tribunal, Government also adversely commented on the action of the officers and directed to take suitable action against the officers who implemented the orders of A.P. Administrative Tribunal without waiting for Government Orders.

5. In view of the above, the Conservators of Forests, Divl. Forest Officers are requested approach the Chief Conservator of Forests and Government Pleader A.P. High Court for advise whether there is a case to file an appeal on such orders of A.P. Administrative Tribunal passed against the Government or seek further instructions before implementing the orders of A.P. Administrative Tribunal. The Conservators of Forests, Divl. Forest Officers are requested to take action accordingly keeping in view the above rules position.

The receipt of these circular instructions may be acknowledted.

Sd/- A. Ramakrishna,
Chief Conservator of Forests.

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DEPARTMENTAL TEST- OFFICE PROCEEDURE & ACCOUNTS
SHORT NOTES

SUBSISTANCE GRANT:-

It is a monthly grant made to a Govt. Servant who is not in receipt of pay or leave salary.

(Vide FR 9 - (27))

LEAVE NOT DUE:-

It is granted to a Permanent Govt. Servant as advance leave when no other leave either EL or half pay leave is not at credit. It will be adjusted to Govt. Servants leave account which he earns subsequently.

STANDARD BAG:-

"Standard Bag" means a quantity of 1000 standard bundles of Abnus leaves whether bagged or not.

(Rule 2-14 of A.P.M.F.P. Regulation of Trade in Abnus leaves Rules 1970)