ABSTRACT


ENVIRONMENT AND FORESTS (FR.13) DEPARTMENT

G.O. (Ms) No. 117                                                                         Dated: 29.07.2013
Vijaya, Aadi - 13
ÂUtŸSt® M©L 2044

Read:
2. From the Principal Chief Conservator of Forests letter No. WR2/1924/2012, dated 06.02.2012 and 29.05.2013.

ORDER:-

In the Government order first read above, the Government have issued orders sanctioning one post of “Legal Officer” in the O/o. the Principal Chief Conservator of Forests, Chennai with a band of supporting staff consisting of one Superintendent, one Assistant, one Junior Assistant, one Steno-Typist and one Office Assistant to monitor the progress of all legal issues of the Forest Department in continuous basis.

2. In the letter second read above the Principal Chief Conservator of Forests has narrated the cases pending in various courts of Law from the cases of Forest encroacher. Regarding Forest settlement and other cases, he has stated that the present legal dispensation available in the O/o. the Principal Chief Conservator of Forests is inadequate to tackle them in a time bound manner. As a result, enormous number of Forest cases of different nature are pending for a considerable number of years in different courts from the District Court to Hon’ble Supreme Court of India, involving vast extent of valuable Forest land.

3. During the Budget session for the year 2013-14, the Hon’ble Minister (Forests) has made the following announcement :-

“3. In order to conduct the court cases relating to encroachment and Forest settlement in various courts and to monitor the progress vigilantly, appropriate action is felt necessary. Thus, as per the orders of the Hon’ble Chief Minister, in order to strengthen the Legal Cell of Forest Department, two posts of Civil Advocate and one post of Criminal Advocate will be sanctioned and the expenditure is Rs.0.15 crore”.

..2..
4. The Principal Chief Conservator of Forests has stated that in view of the reason stated in para 2 above and based on the announcement made by Hon'ble Minister (Forests) during the Budget session for the year 2013-14, the Legal Cell in the O/o. the Principal Chief Conservator of Forests may be strengthened by creating the following three new posts for effective monitoring of civil and criminal cases pending in Madras High Court and Supreme Court of India.

<table>
<thead>
<tr>
<th>No.</th>
<th>Post Description</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Advocate (Civil matter)</td>
<td>To be sanctioned in O/o. the Principal Chief Conservator of Forests, Chennai.</td>
</tr>
<tr>
<td>2.</td>
<td>Advocate (Criminal matter)</td>
<td>To be sanctioned in O/o. the Principal Chief Conservator of Forests, Chennai.</td>
</tr>
<tr>
<td>3.</td>
<td>Advocate (Civil matter)</td>
<td>To be sanctioned at Madurai in O/o. the Conservator of Forests, Madurai.</td>
</tr>
</tbody>
</table>

5. The Principal Chief Conservator of Forests has also stated that the above three posts may be filled up by Direct recruitment in the scale of pay of Rs.15600 – 39100 + G.P. 8700/- The person eligible to apply for the post shall have minimum period of practice of 5 years in the High Court. The advocate shall pursue the following action as per the instructions of the Principal Chief Conservator of Forests :-

1) Preparation and filing of counter
2) Appearing in High Court, Chennai and Madurai Bench and defending civil and criminal cases of Forest Department
3) Preparation of Affidavit and filing of counter in Hon'ble Supreme Court of India
4) Assisting the Principal Chief Conservator of Forests in legal matters
5) Any other legal works assigned by the Principal Chief Conservator of Forests

6. The Principal Chief Conservator of Forests has stated that the financial implication for the creation of three posts of Advocates is Rs.14,49,216/- per annum and requested to issue necessary orders for sanctioning 3 posts.

7. The Government after careful examination accept the proposal of Principal Chief Conservator of Forests and sanction the three posts of Advocates by direct recruitment in the scale of pay of Rs.15600-39100 + G.P.5400/- as applicable to the Legal Officers created earlier in Forest Department to strengthen the Legal Cell in the O/o. the Principal Chief Conservator of Forests and Forest Department for effective monitoring of civil and criminal cases pending in Madras High Court and Supreme Court of India, New Delhi.
8. The expenditure for the new post sanctioned in para (7) above shall be debited under the following head of account:-

(D.P. Code 2406 01 001 AA 0101)

9. Necessary funds will be provided in RE / FMA 2013-14. Pending provision of such funds, the Principal Chief Conservator of Forests is authorised to incur the expenditure required for sanction of new posts in para 7. Necessary funds will be provided in RE / FMA 2013-14 for this. The Principal Chief Conservator of Forests is requested to include the expenditure while sending proposals for RE / FMA 2013-14.

10. This order issues with the concurrence of Finance Department vide its U.O.No. 35357/AH&F/2013, dated 15.07.2013 with ASL No.737 (Seven hundred and thirty seven) and Finance (CMPC) U.O.No. 38468/CMPC/2013, dated 22.07.2013.

(BY ORDER OF THE GOVERNOR)

MOHAN VERGHESE CHUNKATH
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests, Chennai – 15.
The Conservator of Forests, Madurai.
The High Court, Chennai – 104.
The Madurai Bench of Madras High Court, Madurai.
The Legal Officer, O/o. the Principal Chief Conservator of Forests, Chennai – 15.
The Accountant General, Chennai-18/ Chennai- 18 (By Name)
The Accountant General (Audit), Chennai – 18.
The Pay and Accounts Officer, Chennai-35/9
The Finance (AH&F / BG.II) Department, Chennai-9.
The Senior P.A. to Hon’ble Minister (Forests), Chennai – 9.
The Senior P.A. / P.S. to Additional Chief Secretary, Environment and Forests Department, Chennai-9.
All Sections in Environment and Forests Department, Chennai – 9.
SF/SC.

/FORWARDED BY ORDER/

Section Officer