

150

F. NO: 9-3/AAJVS/2007/669
OFFICE OF THE EXECUTIVE SECRETARY
ANDAMAN ADIM JANJATI VIKAS SAMITI
Secretariat Complex, Port Blair

16 Feb 2012

Port Blair, Dated the

To,

The District Magistrate
South Andaman District
Port Blair

Sub:- Non-compliance of Order of the Court of Sub-Divisional Magistrate, South Andaman-reg.

Sir,

I am directed to state that a dead Gurjan tree standing behind the Middle School / Community Hall and Medical Sub Center, at Great Andamanese Primitive Tribal Settlement is dangerously positioned and it may fall at any time. To avoid any kind of mishap leading to fatal injuries / irreparable loss to human life and Govt. Property, this Office requested the Sub-Divisional Magistrate, South Andaman for necessary assistance in safe removal of the tree. The Sub-Divisional Magistrate had issued two orders dated 14th November 2011 and 12th January 2012 for the same. But no action has been taken so far (copies enclosed).

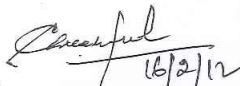
The Divisional Forest Officer, Middle Andaman, vide letter dated 8th February 2012 states that the above order is a conditional order and not an absolute order. Without giving reasonable opportunity an Order U/s 133 of Cr. P.C. cannot be made absolute. Hence, this Office is free to file any petition before the competent authority for non-compliance of the conditional order U/s 133 of Cr. PC (Copy enclosed).

In this regard, it is submitted here that the population of the Great Andamanese primitive tribe is just 55. The A&N Administration is making all efforts to safe guard their interest, well being, safety and security. AAJVS being the trustee of these Primitive Tribes is mandated with implementing all the welfare schemes. ***Any further delay in the safe removal of the dead Gurjan Tree may turn fatal leading to precious human life and Government property.***

It is, therefore, requested to extend necessary assistance for passing a suitable order in favour the executing agency i.e Divisional Forest Officer, Middle Andaman for safe removal of the dead Gurjan Tree.

Yours faithfully

Encl: a/a


16/2/12
Executive Secretary
AAJVS

Copy to:-

1. The Sub-Divisional Magistrate, South Andaman for information please;
2. The Director (TW), A&N Administration, for information please;
3. File concerned


Executive Secretary

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