



# HUNTING THE HUNTERS - II

## CAPACITY BUILDING PROGRAM FOR LEGAL TRAINING OF FOREST STAFF

Report on 3<sup>rd</sup> Workshop Conducted

AT

DON BOSCO INSTITUTE GUWAHATI

8<sup>TH</sup> – 10<sup>TH</sup> MARCH, 2013



*Balendu Singh*

BALENDU SINGH

## CKNOWLEDGEMENT

Tiger Trust acknowledges the cooperation of the Assam State Forest Department and the funding support by the US Fish and Wildlife Services.

Special thanks are due to **Sh. Suresh Chand**, Principal Chief Conservator of Forest (Wildlife), **Sh. Hirdesh Mishra**, Conservator Forests (Wildlife), **Sh. D.D.Gogoi**, DFO, Gauhati Wildlife Division. We are grateful to our esteemed faculty members, **Ms. Anjana Gosain**, **Mr. Manjit Ahluwalia** and also all trainees from the wildlife and territorial divisions of Assam State Forest Department. We are grateful for the sustained efforts of our coordinator **Kamal Deep Kour** in Assam.

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## EXECUTIVE SUMMARY

The third and final training under Phase-II of the Capacity Building Program was held from 8<sup>th</sup>-10<sup>th</sup> March 2013 at Don Bosco Institute, Guwahati. This detailed report of the proceedings from the final training concludes the reports submitted to the US Fish and Wildlife Service for the grant provided to Tiger Trust. The backdrop of the training was the rising incidence of poaching which has assumed alarming proportions. A spate of rhino killings had established beyond doubt the organized nature and intensity of the crime. In this context, this training was exclusively focused on informing the mid-level forest officers of the necessity of intelligence networking as an effective means of thwarting the menace of poachers. Poaching is not only about killing; it is about an organized network and systematic trade involving huge sums of money. Illegal trading of wildlife animals to cater to the increasing demand for animal parts in countries of East Asia is a matter of concern and this was discussed in detail while enunciating all the relevant acts.

As a group, it was decided to focus on the divisions where the rate and frequency of wildlife crime was highest. Tiger Trust had insisted on a homogenous group of middle level officers, who are responsible for the actual implementation of mechanisms for prevention and control of wildlife crime in the Court. There has been stringent enforcement of preventive and precautionary measures, to control the hunting of wild animals within the precincts of the Kaziranga National Park and other wildlife sanctuaries of Assam. This vulnerability posts a greater motivation for the state forest department to prevent any more incidents in the Park. The state forest department has initiated several serious steps towards enhancing the security of the wildlife sanctuaries in Assam. In many instances, the forest staff has thwarted many attempts of the hunters, as well as successfully capturing the culprits.

Due to inadequate exposure to legal knowledge, court procedures and practices, the investigating officers of the State Forest Department cannot confidently pursue a case and this many a times is a boon in disguise for the offenders. It is not surprising then, that conviction rate in wildlife offences continue to be dismal, around 2% despite the number of laws involving stringent penal clauses. When the offender can secure his release, it impacts the morale of the forest staff, which in the case of Assam is beset, with lack of logistics and human resources.

While the first training was open ended and basic which invited participation from all levels of forest officers, the second and the third training was exclusive and focused on the training of mid-level officers, who as empowered by the provisions of the Wildlife Protection Act 1972, can discharge duties in the position of the Investigating Officer (IO) and also being involved in the various stages of preparation of a case. The imperative for such a training resulted from a preliminary interaction with the forest staff including a review of the pending cases from the various divisions. It was apparent that the reason for low rate of convictions was lack of proper preparation of a case. In many instances, it was found that a court had dismissed the case because of lack of proper documentation and improper recording of the facts, apart from many minor errors which could however impact negatively when the case came up for hearing in a court of law.

It was for this reason that the expert faculty of Tiger Trust, under the guidance of **Ms. Anjana Gosain** held extensive consultations with the senior level forest officers of the state including the PCCF (Principal Chief Conservator Forests), **Sh. Suresh Chand**, the CF (Conservator of Forests), **Sh. Hirdesh Mishra** and DFO(Divisional Forest Officer), Guwahati Wildlife Division, **Sh. D. D. Gogoi**, who offered insights on the myriad issues confronting the forest staff when dealing with cases of poaching and wildlife crime. Continuing the 'corrective approach,' the experts at Tiger Trust

including **Ms. Gosain** and **Mr. Manjit Singh Ahluwalia**, decided that an entire day be devoted as one session where pending cases would be taken up for discussion. This was to be interspersed with comments from the other members of the team, which included **Sh. B. Gogoi**, Public Prosecutor, Gauhati High Court, **Sh. B.B.Chettri**, **SP Karbi-Anglong** and **Sh.K.N. Barman**, CF (Legal), State Forest Department. The valuable experiences shared by the various experts were much appreciated by the participants. Separately, the incorporation of a session for discussion on the Biodiversity Act and the Money Laundering Act received wholehearted appreciation.

Looking back at all three trainings, it was obvious that the most popular exercise for participants was the mock case exercise, in particular preparation of a seizure memo.

The participants were unanimous on the need of frequent trainings like these, which were very empowering. Not only had they gained in knowledge but also in confidence. This is in fact, one of the goals of Tiger Trust to develop an empowered and motivated forest staff.



## INTRODUCTION TO THE WORKSHOP

Originally, the proposal outlined a two-day workshop. However, the final training deviated by having a three-day workshop in order to give more opportunities for practical training. Hence, on the first day on 8<sup>th</sup> March this idea was introduced and was welcomed by the trainees.

Aimed at imparting legal/technical training to the officials of the Forest Department, Assam, the primary focus of the training program was to enhance the efficiency of the officials. The capacity-building program was intended to empower the officials to perform their duty without fear or inhibition. This, as expected, would go a long way in ensuring control of wildlife violations and crimes, which was a prime objective of the training program.

Also the trainees were exposed to various faculty members who introduced them to different subjects and procedures. This was appreciated by the trainees according to their feedback.



## RESOURCE PERSONS



### **Ms. Anjana Gosain**

Ms. Anjana Gosain is a practicing advocate in Supreme Court and High Court with specialization in environmental law. She has authored compilation of cases under Wildlife Protection Act (1972) and Ready Reckoner for successful prosecution of wildlife criminals. She is the main backbone in planning the modules that are largely designed on practical aspects of prosecution and emphasis on acts related to wildlife crime.



### **Mr. Manjit Singh Ahluwalia**

Mr. Manjit Singh Ahluwalia has an exclusive background in handling criminal matters mainly the Wildlife crimes under Wildlife Protection Act (1972). He has been involved in active prosecution cases in Bandhavgarh and Kanha National Park and have been imparting training at Indira Gandhi Forest Academy, Dehradun. He is responsible for organizing mock courts, detailed court procedure recording evidence to depose as witness and also in teaching the ancillary acts.

## **GUEST SPEAKERS**



**Mr. B.B. Chettri**

Mr. B. B. Chettri is presently the Superintendent of Police, Karbi Anglong district of Assam. An Assam Police Service (APS) cadre officer of 1984, He is a seasoned police officer who has to his distinction –the arrest of more than a hundred suspected poachers.



**Mr. K.N. Barman**

Shri. K.N. Barman, Conservator of Forests (Legal) is chiefly involved in assisting the department with preparing cases. He has years of experience in handling and briefing the prosecutors on behalf of the department in district as well as High Court of Assam.



**Mr. B. B. Gogoi**

As Additional Prosecutor of Gauhati High Court, Mr. B. B. Gogoi has been appearing for many cases related to wildlife.



**Mr. Manas Das**

A Forensic Scientist in the Directorate of Forensic Science, Guwahati (Assam), Mr. Manas Das has a degree in M.Sc(Zoology) from Gauhati University with specialization in Biochemistry and Physiology. Currently, he is pursuing his doctorate degree in the field of Molecular Biology and Biochemistry from North Eastern Hill University, Shillong.

## PROGRAM OBJECTIVES

The Training Program was designed to:

- Highlight problem areas that result in low convictions; typically in the basic procedures and identify significant legal provisions for wildlife protection. Emphasize on the need for proper comprehension and accurate interpretation of various legislative provisions aimed at effective enforcement practice.
- Outline the technical aspects of the important legislative provisions, and the interpretations of the various provisions and clauses. Focus on generating awareness for effective implementation of wildlife protection laws through accurate and systematic investigation procedure, in case of violations.
- Stress the importance of using every tool available such as forensic science for investigation of crimes and ensuring the effective prosecution of the offenders.
- Reinforce commitment of the officials to restrain from hesitation in exercising their special powers in protecting wildlife while being aware of their corresponding responsibilities.
- To enhance the practice of court procedures, with the help of specialist faculty.



## PARTICIPANTS

The three-day Training Program, aimed at capacity building of the officials of the Assam Forest Department; (see Annex III) ranging from the rank of Range officers (RO) to the Divisional Forest Officers (DFO's).

### ATTENDANCE SHEET

Sl. No.	FACILITY MEMBERS
1.	Mrs. Anjana Gosain
2.	Mr. M.S. Alhuwalia
3.	Dr. Manas Dass
4.	Mr. Barman
5.	Mr. Gagoi
6.	Mr. Chetri
7.	Ms. Kawal Deep Kaur

### CHIEF GUEST AND GUEST OF HONOURS

Sl. No.	GUEST
1.	Mr. R.P. Aggarwal, P.C.C.F.
2.	Sh. D.D. Mathur, Additional P.C.C.F.
3.	Mr. Dhar, Legal C.C.F.
4.	Mr. Hiten Mishra C.F.
5.	Mr. R.K. Singh C.F.

## ATTENDANCE SHEET

Date- 8<sup>th</sup>, 9<sup>th</sup> & 10<sup>th</sup> March, 2013 (ASSAM)

Sl. No.	Name/ Designation	Mob	Sign.
1.	Prashant Sarma	9401185866	
2.	Kailash Kumar Saikia	9435478675	
3.	Prameswar	9435564183	
4.	Sapan Saikia Asif	9435053674	
5.	Ashok Kr. Dev Chaudhury, ACF	9435103061	
6.	Robin Baishya, R.O.	9707083721	
7.	M.H. Choudhury, R.O.	9854575260	
8.	Sunil Kumar Nath A.C.F.	9435137655	
9.	Sushendra Das R.O.	9435127035	
10.	Jiban Ch. Swargiary R.O.	9401321568	
11.	M.R. Sarma A.C.F.	9957571584	
12.	Satya Ram Bain, R.O.	9401222720	
13.	Rajan Kalik A.C.F. B/o DFC S.W. Divn. O/o DFO S.W. Divt.	9435125831	
14.	Akhil Ch. Aazarita – F.R.	8761903905	
15.	Sri Bitu Singh Kakati R.O.	9954360624	
16.	Safiquddin Hazarika	9435394481	
17.	Sri Abhay Kr. Baishya FR	9435101305	
18.	Debakar Medhi R.O.	9864064353	

19.	Nurur Islam F.R.	9435046694	
20.	Krishna Patgiri, ACI	9957177714	
21	Ramesh Kumar Gogoi, ACF	9435137926	
22.	Sudarsan Gohari F.R.	9854928431	
23.	Pranab Teranv, F.R.	9859892852	
24.	BibisoN Tokbi, F.R.	9435315759	
25.	Bhabash Ch. Das A.C.F.	9854037441	
26.	Subodh Saluhdav A.C.F.	9864184894	
27.	Jeetu Kr. Das A.C.F.	8401255904	
28.	Ramani Mohan Sutkodhar A.C.F. O/o Kamrup West Division, Bamuni gaon.	9435193233	
29.	Ramesh Chandra Das, ACF KE DIV	9864029367	
30.	M.D. Noor Islam, A.C.F. O/o D.F.O. Dlinbi Dingin	9435707299	
31.	Abdul Gari A.C.F. O/o The DFO, Rhusi	9864735604	
32.	Anup Kr. Kalita R.F.O. Lumdoing Forest Ranse N/S Divn- Hogaï	9435136430	
33.	Biren Ch. Kalita A.C.F. O/o The D.F.O. K.W. Div.	9954994003	
34.	Dilip Ch. Deka F.R. O/o The DFO Ail Vallay Division	9435328017	
35.	Mam Singh Tivso F.R. Hamten Div K/A	9859080770	
36.	Rajan Riasti F.R. East Distt. K/A	9435316272	
37.	Naba CW. Inspector of Police	9613862692	
38.	Jayanta Kr. Goswami, Forest Range Officer Guwahati Wildlife Division	9864262771	
39.	Mahavir Ratnar, A.C.F.	9435023981	

ATTENDANCE SHEET  
09<sup>TH</sup> MARCH 2013

Sl. No.	Name/ Designation	Mob	Sign.
1.	Md. Nurul Islam. F.R.	9435046694	
2.	Krishna Patgiri, A.C.F.	9957177714	
3.	Sudarson Johari F.R.	9854928431	
4.	Kailash Kr. Saikia, A.C.F.	9435478675	
5.	Sapan Saikia ACF Sivasign	9435053674	
6.	Prameswar Das F.R.	9435564183	
7.	J.K. Das, ACF	9401255904	
8.	R.K. Gogoi ACF	9435137926	
9.	Anup Kr. Kalita F.R.	9435136430	
10.	Sunil Kr. Nath A.C.F.	9435137655	
11.	Monly Tisso F.R.	9859080770	
12.	Rajiv Rongpi F.R.	9435316212	
13.	Pranab Jerow, F.R. K/A West	9859892852	
14.	Bibison Jokbi, F.R. K/A East Division	9435015759	
15.	Bir Singh Kakata Golaghat Division	9954360624	
16.	Sofiquddin Hazarika, Golaghat Divin.	9435394481	
17.	Akhilesh Hazarika, F.R.	8761903905	
18.	Susheredru Das F.R.	9435127035	
19.	Jiban Swargiary F.R.	9401321568	
20.	Biren Ch. Kalita A.C.F.	9954994003	

21.	Sri Abhay Kr. Baishya F.R.	9435101305	
22.	Prabhat Sarma F.R.	9401185866	
23.	Satya Ram Bara, F.R.	9401222740	
24.	Kuldeep Dass, F.R.	9435313402	
25.	Debakar Medh. A.F.S	986406435	
26.	Subodh Daluhd A.C.F.	9864184894	
27.	Md. Noor Islam, A.C.F. O/o The DFO Dhubi Division	9435107299	
28.	Abdul Gani A.C.F. O/o The DFO, Drusi Divin.	9864735604	
29.	BC Das ACF	9854037441	
30.	Raghabandra Barman A.C.F.	9859912516	
31.	Ramani Mohan Sutradhar A.S.F. O/o Kamkep West Division, Bamungan	9435193233	
32.	Mr. Bidght Bikash Gogoi Advocate Gauhati High Court	9435104219	
33.	Mahavir Rahnam A.C.F.	9435023981	
34.	Ashok Kr. Dev Chaudhury, A.C.F.	9435103061	
35.	Sri Robin Kr. Mairhya AVS. Range Officer, Morignon Range Nagaon Divin.	9707083921	

## ATTENDANCE SHEET

Dated: 10.03.2013

Sl. No.	Name/ Designation	Mob	Sign.
1.	Md. Noor Islam, A.C.F. O/o The DFO, Shnbn	9435187299	
2.	B.C. Das A.C.F. Digboi	9854037441	
3.	Sri Robin Kr. Baishya, AFS Range Officer, Marigaon Nagar	9707083921	
4.	Abdul Gani, A.C.F. O/o The D.F.O. Division	9864735604	
5.	Abhay Kr. Bovishya F.R. Range Officer, Gita Nagar W/L Range, Guwahati – 2	9435101305	
6.	Sri Jayanta Kr. Goswami, F.R.	9864262771	
7.	Range Forest Officer, Khamapana Wild Life Range, Jorabat, G		
8.	Dilbarar Medhi APS	986406435	
9.	Mon Ring Tisso F.R. Hamren Division K/A	9859080750	
10.	Rajan Rongri Diph East Divn. Dipha	9435316272	
11.	Pranab Tekeu, F.R. K/A (W)	9859892852	
12.	Bibison Tokbi F.R. W/A East Divin Diphu	9435315759	
13.	Ber Singh Kakate F.R. Divisn.	9959360624	
14.	Sofiquddin Hazarika, F.R. Golhghat Dvn.	9435394481	
15.	Akhil Ch. Hazarika F.R. Kasti Anglea West Trim	8761903905	

16.	Sushindm Das R.O.	9435127035	
17.	Prashant Sarma F.R.	940485866	
18.	Vailash Kr. Saikie A.C.F.	9435478675	
19.	Rajaini Kalita, O/o DFO S.W., Divn. Tripur.	9435125831	
20.	Sunil Kumar Nath ACF	9435137855	
21.	Satya Ram Baro, F.R.	9401222740	
22.	Sapan Saikia ACF	94350533674	
23.	Raghabendra Barman ACF, Goalpara	9859912516	
24.	Ramani Mohan Sakradhar ACF O/o Kamsurp West Division, Bamurigar	9935193233	
25.	Dilip Ch. Dekar, F.R.	9435328007	
26.	M.M. Sarai A.C.F.	9957571584	
27.	Masharraf Hussain Choudhary, R.O.	9854575260	
28.	Mahiwr Rahman ACF	9435023981	
29.	Jeeten Kr. Das ACF	9401255904	
30.	Ramesh Kumar Gogoi ACF	9435137926	
31.	Sudarsan Gahari F.R.	9854928431	
32.	Md. Nurul Islam F.R.	9435046694 7399539611	
33.	Praneswar DW F.R.	9435564183	
34.	Anup Kr. Kalita F.R.	9435136430	
35.	Krishna Patgiri, A.S.F.	9957177714	

## METHODOLOGY

The focus of the training was that the trainees understand the various technicalities including mode and conduct of effective investigations including preparing a proper forms i.e. seizure memo, scene of crime, statement of accused etc. so that it can positively affect the conduct of a case when put up at the Court of Law. The entire training was an exercise in participatory learning through discussions of the Sita Judgment and the Kaziranga National Park poaching case. Active participation of every participant was sought. This was effectively coupled with explanations of judicial decisions and applicability of the provisions after each legal provision was explained in detail.

The following methods were used:

- (1)Explanation of various acts by faculty
- (2)Use of Power Points
- (3)Distribution of resource materials
- (4)Interactive sessions
- (5)Black Board for practicing proper procedures for filling up of forms, formation of a complaint and prosecution documentation.



## RESOURCE MATERIAL

Each participant was provided:

1. Legal Guide
2. Criminal Procedure Code
3. Wildlife Protection Act
4. Bio-Diversity Act
5. Money Laundering Act
6. Case Studies
7. Register copy and Pen
8. Forest Kits consisting of surgical gloves, plastic pouches, vials, syringe, scalpel, forceps, scissors, slides, silica gel, filter paper, measuring tape, tape and marker pen (as designed by WII and WWF)
9. Stationary including Note Pad & Pens
10. Commemorative bags to hold materials
11. Participation Certificate
12. Feedback Forms following each training to improve upon the training modules



# PROGRAM PROCEEDINGS

## 1. DAY 1-INAUGURAL SESSION 8<sup>th</sup>March 2013- TIME - 4.15 p.m. to 7.00 p.m.

- (i) FORMAL INAUGURATION BY
- (ii) THE CHIEF GUEST  
**SHRI.R.P AGARWALLA**

- (iii) HIGH TEA

### (iv) **SESSION 1:**

OVERVIEW OF THE SESSIONS AND BRIEF EXPOSITION OF MAINACTS RELATED TO WILDLIFE OFFENCES.



## 2. DAY 2<sup>nd</sup>- 9<sup>th</sup>March, 2013- 9.30 am- 5.30 pm

**Faculty:** Ms Anjana Gosain,  
Mr. Manjit Ahluwalia,  
Mr. B. B. Gogoi,  
Dr. Manas Das  
Mr. K. N. Barman and  
Mr. B. B. Chettri

### (i) **SESSION 1:**

RECAPITULATION OF THE PROVISIONS OF WILDLIFE PROTECTION ACT. – 9:30 am to 12:00 a.m.

### (ii) **SESSION 2:**

REAPPLICABILITY OF CRIMINAL PROCEDURE CODE, INDIAN EVIDENCE ACT, BIODIVERSITY ACT AND MONEY LAUNDERING ACT – 12:30 p.m. to 1:30 p.m. 2:30 p.m. to 3:00 p.m.

**(iii) SESSION 3:**  
PERSPECTIVE OF A PROSECUTOR ON WILD LIFE CRIMES , - 3:00 p.m. to 3:45 p.m.

**(iv) SESSION 4:**  
**Sh. B.B. Chettri, Sh. S.P. Karbi anglion** - 4:p.m. to 5:30 p.m.

3. **DAY 3- 10 March, 2013 – Time: 9.30 a.m. to 3.15 pm.**

**Faculty:** Ms. Anjana Gosain,  
Mr. Manjit Ahluwalia,  
Mr. Manas Das and  
Mr.K.N.Barman



- (i) **SESSION 1:** DISCUSSION ON PENDING CASES FROM THE DIVISION OF KAZIRANGA
- (ii) **SESSION 2:** FORENSIC SCIENCE IN WILDLIFE CRIME
- (iii) **SESSION 3:** INTERACTIVE SESSION

**Note:** No time limit was fixed for the session



## PROCEEDINGS ON 8<sup>TH</sup> March, 2013

8<sup>th</sup> March, 2013

Total Time: 16 :00 hrs.

### INAUGURAL SESSION:

The Chief Guest and Guest of honour arrived at 3:45 p.m. the registration of all the trainees commenced at 3:30 p.m. All the trainees were given the conference kit. The guests were seated at 4:00 p.m.

**Ms. Anjana Gosain**, Honorary Secretary, Tiger Trust, welcomed all the participants to the third and final phase of the legal orientation program of the officers of the Forest Department, Assam supported by the US Fish and Wildlife Service. Reflecting on the aims of the program, she



reminded the participants of how the changing paradigms and challenges that we face in the area of the wildlife conservation. She exhorted the participants to make the utmost of the training program where the focus would be on empowering the enforcement officers of the Forest Department with adequate information of the wildlife protection laws. This, as she highlighted, would assist the officials to ensure a better understanding of the issues and effective emphasis on court procedure and practices.

Delivering the keynote address, **Shri D. Mathur**, Addl. PCCF (Vigilance and Administration) briefly explained the workshop, which had become imperative as he stressed considering the realities of the day, when the menace of

incessant poaching had again endangered the famed one-horned rhinoceros of Assam. The legal training workshop was the need of the hour. Expressing his surprise and dissatisfaction with the curriculum of training for the forest staff and officials of different cadres, he expressed the hope that it was important that the staff be adequately trained. Due to lack of training, most of the staff is not confident to handle a crisis, as they are most of the time not aware of the legal provisions and this often results in commission of errors. The state, he informed, has taken steps to give the wildlife laws a strong teeth by making wildlife offences as non-bailable offences. It is the duty of the officials of the forest department investigating and also those preparing the cases to ensure that every trial should end in conviction of the accused.

Speaking at the occasion, the Chief Guest, **Sh. R. P. Aggarwala**, Addl. PCCF and Mission Director, National Bamboo Mission, Assam, applauded the initiative undertaken by Tiger Trust, of that of imparting legal/technical training for the officers and the frontline staff of the Forest Department. He informed the participants that proper implementation of the laws is an utmost necessity. With this aim, he called upon the officers to extend their full faith and cooperation towards understanding the legal aspects of wildlife conservation mechanism and ensure that they communicate their knowledge to the frontline staff, which would greatly strengthen the efforts of the Forest Department in their fight against poachers and wildlife violators. He assured of follow-up training programmes, which would greatly enhance the efficiency of the enforcement officers.

**Sh. P.P.Dhar**, Addl. PCCF(HR and Vigilance) Forest Department, Assam, acknowledged the efforts of the Tiger Trust, which as he argued, had fulfilled a long-standing need of the Forest Department in Assam. Stressing on the need of an empowered and vigilant forest department staff, he appreciated

the highly relevant curriculum of the training program conducted by Tiger Trust. This, he remarked would serve a dual purpose- 1. That of imparting relevant information on various legal/technical aspects and 2. It would also be a great moral boost to the staff and officials participating in the training program.

The program was concluded by vote of thanks by **Sh. M.S. Alhuwalia**, on behalf of Tiger Trust who thanked the Forest Department for extending the support and attending the function by Senior Officers. He however, made a special thanks to **Sh. Suresh Chand** for having made the entire program possible with his co-operation and support. He requested all the trainees to be attentive and interactive during the sessions to appreciate the training.

This was followed by High Tea and interaction between trainees and faculty.



**DAY 2: SESSION 1– 9<sup>th</sup> March, 2013**  
**Time 9:30 a.m. to 11:00 a.m.**

**PROVISIONS AND APPLICABILITY OF THE WILDLIFE PROTECTION ACT–**

**Ms. Anjana Gosain**

**Ms. Anjana Gosain** facilitated this session. Introducing the participants to a brief on the historical background of the various phases and outline of the enactment of legislative provisions for protection of wildlife, she proceeded on to discuss the salutary provisions of the Wildlife Protection Act 1972. Her presentation was an interesting exposition of the various provisions and gradually progressing from definition/provisions of the act to subsequent rules and regulations. Hailing it as a remarkable piece of legislation, she informed the participants of how vividly the act has been adopted in the wildlife provisions of various countries, including Malaysia, Nepal, Thailand, Bangladesh, Bhutan and Russia, which is a matter of great commendation and equally of a great responsibility. The officials of the forest department have a formidable task to perform as wardens of the forest, being bestowed with immense powers and great responsibilities in carrying out their duties as protectors of wildlife. Emphasizing it as imperative on the part of the enforcement officers to understand the application of the law when dealing with wildlife offences, a thorough working knowledge of the clauses in the Acts meant to ensure protection of wildlife, as she pointed out, becomes crucial.

Lamenting on the poor conviction rate of 1.2%, as compared to the extensive nature and intensity of the wildlife crime, is appalling considering stringent penalties imposed on the violators. An important facet of such a situation is

the lack of awareness among the forest staff as regards the legal aspects of the offence; hence, the legal orientation of the forest officials becomes vital. She informed the officials that successful convictions are decided upon a complete trial, therefore it is imperative to conduct professional investigation along with other measures. Explaining each important provision in detail, of particular relevance, as she stressed was awareness of the laws, their applicability and proper enforcement. This she informed, is necessary, to ensure that the Court takes note of the application and puts it up for hearing. She offered suggestions to the forest officers on effective techniques of on the spot investigation, which is the most crucial part of the entire exercise of seeking convictions for criminal offences, including seizure of documents, tools etc., receiving and recording evidence, cross-examination of the poachers, statement of confessions and on many other relevant aspects of investigations.

The session began with a question to the participants as to how many of them had attended the trainings earlier. It appeared more than only 40% had been in the earlier training program. Hence, in order to bring at participants with the said trainees the remaining 60% were given a review of the relevant provisions of the following acts:

1. Wild Life Protection Act, 1972
2. Evidence Act, 1973

The trainees were explained that in order to appreciate the Act they had to read the objects and reasons to understand the intent of each act.

The purpose of these acts are to provide for the protection of wild animals, birds and plants and for matters connected therewith or ancillary or incidental

thereto with a view to ensuring the ecological and environmental security of the country.

The other fact which needs to be looked into is the definitions under the Act, as that explains the legal meaning of the words which are necessary for proving the crime. e.g.

**'animal'** includes mammals, birds, reptiles, amphibians, fish, other chordates and invertebrates and also include their young and egg;

**'animal article'** means an article made from any captive animal or wild animal, other than vermin, and includes an article or object in which the whole or any part of such animal <sup>3</sup>[has been used any ivory imported into India and an article made there from];

**'Government property'** means any property referred to in Section 39 <sup>4</sup>[or Section 16H];

**'hunting'**, with its grammatical variations and cognate expressions, includes;

**'meat'** includes blood, bones, sinew, eggs, shell or carapace, fat and flesh with or without skin, whether raw or cooked, of any wild animal or captive animal, other than a vermin;

**'weapon'** includes ammunition, bows and arrows, explosives, firearms, hooks, knives, nets, poisons snares and traps and any instrument or apparatus capable of anaesthetizing, decoying, destroying injuring or killing an animal;

**'wild animal'** means any animal specified in Schedule I to IV and found wild in nature;

That after the definitions are understood it is important to know under what provisions the crime is to be registered in the First Information Report. It was explained that all the provisions have penal consequences and are punishable. The basic provision which prohibits hunting is Section 9 which has to be inserted in the report. The said provision talked about several schedules in which the animals are listed. Hence, when the crime is to be registered it is important that Section 9 along with the name of the animal in the Schedule be mentioned.

### **LOCATION OF CRIME**

Section 27 deals with restriction on entry in sanctuary, meaning thereby if any offence occurs in the National Park then the entry of the person has to be checked as only under few circumstances the persons is allow to enter the sanctuary and those are:

#### **Restriction on entry in sanctuary. (1) No person other than:**

- (a) a public servant on duty.
- (b) a person who has been permitted by the chief Wild Life Warden or the authorised officer to reside within the limits of the sanctuary.
- (c) a person who has any right over immovable property within the limits of the sanctuary.
- (d) a person passing through the sanctuary along a public highway, and
- (e) the dependants of the person referred to in Clause (a), Clause (b) or Clause(c).

shall enter or reside in the sanctuary, except under and in accordance with the conditions of a permit granted under Section 28.

That one the entry is illegal then it becomes necessary to investigate the crime for which the powers are given in Section 50. In terms of this Section the powers are divided in various classes.

1. Power of Entry
2. Search
3. Arrest and Detention

However, Forest Officer is a Special Officer and if he decides to investigate then he has the power which he believes on reasonable grounds that any person has committed an offence against the act can call upon him to produce for inspection any article, animal article etc. and stop any vehicle or vessel in order to conduct search or enquiry, seize any article as mentioned hereinabove. In view of this powers search person would have to appear and answer any charge issued to him or show any proof about his innocence.

If he is called upon for inquiry or production of documents etc. and the suspect fails to do so then the powers under Section 50 Sub Section 8 and 8 would be exercised by the designated officer.

These powers are vested with Assistant Conservator of Forest which is as follows:-

(8) Notwithstanding anything contained in any other law for the time being in force, any officer not below the rank of an Assistant Director of Wild Life Preservation or <sup>2</sup>["an officer not below the rank of Assistant Conservator of Forests authorized by the State Government in this behalf"] shall have the

powers, for purposes of making investigation into any offence against any provision of this Act—

- (a) to issue a search warrant;
- (b) to enforce the attendance of witnesses;
- (c) to compel, the discovery and production of documents and material objects; and
- (d) to receive and record evidence.

(9) Any evidence recorded under Clause(d) of sub-section (8) shall be admissible in any subsequent trial before a Magistrate provided that it has been taken in the presence of the accused person.

The trainees were informed that these powers is use correctly are immense and a very effective for successful prosecution. However, despite such powers the rate of conviction is very low due to poor skills and investigations. They were informed that emphasis of training would be based upon the documentation and solving of actual registered cases in certain areas in the workshop.

It was also explained that the power of confession in terms of the above provision was very effective, if the accused is explained and handled properly at the time of confession.

If the confession is recorded without coercion and force then the same is admitted in evidence in terms of Section 27 of the Indian Evidence Act, 1973.

Section 27 of Indian Evidence Act, which is as follows:-

### **Confession to Police Officer not to be proved. ---**

No confession made to a police officer shall be proved as against a person accused of any offence.

In view of the above provision if any confession is made before a Forest Officer then the same can be proved against him unlike the police officer because he has to powers as a Special Officer under the Wild Life Protection Act, 1972.



Hence, it is very important to seek a confession from the detained accused at the time of interrogation, investigation and or implementation.

The above said provisions were recapitulated and were informed at the level of remaining 40% who had attended the trainees earlier.

The session was well received and lot of quires were raised which were encouraged to be asked at the time of interactive session.

During the interactive session, Mrs. Gosain addressed the participants' questions.



## DAY 2: SESSION 2

### PROVISIONS AND APPLICABILITY OF THE CRIMINAL PROCEDURE CODE AND THE INDIAN EVIDENCE ACT

#### Mr. Manjit Singh Ahluwalia.

Co-facilitating the session, **Sh. Manjit Ahluwlia** focused on the relevant provisions of the Indian Criminal Procedure Act and the Indian Evidence Act as regards its applicability to various aspects of crime related to wildlife offences. His session was an in depth analysis of Sec 51 (A) of the WPA in consonance with the various provisions that were outlined in the Indian Evidence Act. Lamenting that nearly 70 % of the cases which come up for hearing are dismissed by the Court as 'not proved', solely because of lack of proper presentation of the evidence at hand. It is this context as Mr. Ahluwalia highlighted, arises a pressing need of removing this serious loophole in the implementation of wildlife laws. Aimed at acquainting the participants with legal terminology, he defined and explained specific clauses to be adhered to while filing a complaint and framing charges. His session was aimed at accustoming the participants to various sections of the IPC (Indian Penal Code) and with various legal nomenclatures as apprising the participants of the legal meaning of terms as: **Mr. Ahluwalia** also emphasized on the definition clauses, which are extremely important under the Act. He stressed on the following terms:

- i) Court
- ii) Fact
- iii) Relevant
- iv) Facts in issue
- v) Document
- vi) Evidence
- vii) Proved
- viii) Disproved /Not Proved



He mentioned the important stages in the preparation of a case by the Prosecution. This, as he notified made it extremely important for the forest officers to be aware and updated on legal terminologies and their application, as there are various types of complaint cases that deal with either pre-charged or post charged evidence. Explaining the relevant provisions of the Indian Evidence Act in consonance with the various provisions of the Wildlife Protection Act as Section 50 of WPA; Article 39;39(A);Article 50(3)(A); Section 50 of CrPC; Section 154 of CrPC; Section 49 of CrPC; Section 57 of CrPC; Section 362 of CrPC; Section 190 of CrPC; Section 250 of CrPC etc. Explaining the role of the officer on duty, of the investigating officer, his responsibilities and powers, appreciation of the evidence and the techniques of collecting evidence, seizing documents, vehicle etc. and most important of all presenting the evidence formed important components of his session. The accurate and proper presentation of evidence and arming the case with relevant facts is a must, he reiterated and proceeded on to elaborate certain relevant sections of the Cr.PC (Criminal Procedure Code). The forest officers are required to be aware of laws and the action to be pursued within the ambit of the powers

granted to the forest officers by the law for framing charges against the accused, ensuring that he pleads guilty and the violator is properly booked under the relevant sections and can be effectively prosecuted in a Court of Law, he explained.

**Manjit** also focused on the importance of understanding the psychology of the offender. The finer details of confessions and their procedures were explained to be recorded by the designated officer, in terms of the various legal pronouncements laid down. The other provisions which were explained in detail were with regard to documentary evidence and secondary evidence. The requirement of documentary evidence and how it is to be proved was also explained. He stressed on the relevance of proper documentation, which would ensure protection to the enforcement officers while securing significant terms of imprisonment and fines for the violators. The entire deficiency in securing effective convictions could be handled with ease as he pointed out, by following the procedures and guidelines as prescribed by the Court of Law.



## **INTRODUCTION TO THE BIODIVERSITYACT (2002) AND THE MONEY LAUNDERING ACT**

**Mr. Manjit Singh Ahluwalia**

In view of the need for mainstreaming biodiversity concerns and sensitization of the mid-level forest officers towards the various provisions of the Biodiversity Act, Tiger Trust introduced a module on the Biodiversity Act. This module entailed introducing the various provisions of the Act, so as to develop a better understanding of the various facets of biodiversity conservation.

Ever mounting human population, rapid expansion of agriculture, industry, urbanization and large scale developmental projects such as dams, highways, mining have led to habitat destruction, fragmentation, degradation and over exploitation of biological resources. Coupled with these factors unsustainable resource use practices and illegal trade of high value wildlife products have severely threatened many species of flora and fauna.

**Mr. Ahluwalia** briefly explained the role and provisions of the Biodiversity Act, 2002. The BD Act (2002) primarily addresses the issues concerning access to genetic resources and associated knowledge by foreign nationals, institutions or companies, and equitable sharing of benefits arising out of the use of these resources and associated knowledge by the country and its

people. The Act stipulates norms for access to biological resources and traditional knowledge. It is imperative for the forest officers to possess adequate information on the Biodiversity Act, 2002 which is crucial component of conservation of wild flora.

The threat to biodiversity emerges from criminal activities as illegally logging, harvesting and poaching. Wildlife crimes have risen at an unprecedented scale that poses an immediate risk to species and ecosystems as well as causing intense harm to people whose livelihood practices are inextricably linked with the forest. These activities cause irreparable damage to our forests and place-endangered species at further risk of extinction. They also fuel widespread corruption, money laundering, fraud and violence, and impact on sustainable livelihoods.

To tackle with the burgeoning incidences of wildlife crime, particularly money laundering, India has its own Money-laundering Act and as an act of strengthening the forest officers, an introductory to the various provisions of the Act was imparted to the officers.

## **CHAPTER III**

### **ATTACHMENT, ADJUDICATION AND CONFISCATION**

3. **Offence of money-laundering** - Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected with the [proceeds of crime including its concealment, possession, acquisition or use and projecting or claiming] it as untainted property shall be guilty of offence of money –laundering.

4. **Punishment for money-laundering** – Whoever commits the offence of money-laundering shall be punishable with rigorous imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine].

5. **Attachment of property involved in money-laundering** : [(1) Where the Director or any other officer not below the rank of Deputy Director authorized by the Director for the purposes of this section, has reason to believe (the reason for such belief to be recorded in writing), on the basis of material in his possession, that-

(a) any person is in possession of any proceeds of crime; and

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1. Substituted by the Prevention of Money –laundering (Amendment) Act, 2012 (2 of 2013), S.3, for “proceeds of crime and projecting”

2. the words “ which may extend to five lakh rupees” omitted by the Prevention of Money Laundering (Amendment) Act, 29012 (2 of 2013 ), S.4.

3. Substituted by the Prevision of Money-laundering (Amendment) Act, 2012 (2 of 2013), S.5, for sub-S.(1). Prior to its substitution, Sub-S.(1) read as under:=” (1) Where the Director, or any other officer not below the rank of Deputy Director authorized by him for the purposes of this section, has reason to believe (the reason for such belief to be recorded in writing), on the basis of material in his possession, that –

(a) any person is in possession of any proceeds of crime;

(b) such person has been charged of having committed a scheduled offence; and

(c) such proceeds of crime are likely to be concealed, transferred or dealt with in any manner which may result in frustrating any proceedings relating to confiscation of such proceeds of crime under this Chapter.

He may, by order in writing provisionally attach such property for a period not exceeding [one hundred and fifty days] from the date of the order, in the manner provided in the Second Schedule to the Income Tax Act, 1961 (43 of 1961) and the Director or the other officer so authorized by him, as the case may be, shall be deemed to be an officer under sub rule (e) of rule 1 of that Schedule:

[Provided that no such order of attachment shall be made unless, in relation to the scheduled offence, a report has been forwarded to a Magistrate under section 173 of the Code of Criminal Procedure, 1973 (2 of 1974), or a complaint has been filed by a person, authorized to investigate the offence mentioned in the Schedule, before a Magistrate or court for taking cognizance of the scheduled offence, as the case may be:

(b) such proceeds of crime are likely to be concealed, transferred or dealt with in any manner which may result in frustrating any proceedings relating to confiscation of such proceeds of crime under this Chapter, he may, by order in writing provisionally attach such property for a period not exceeding one hundred and eighty days from the date of the order in such manner as may be prescribed:

Provided that no such order or attachment shall be made unless, in relation to the scheduled offence, a report has been forwarded to a Magistrate under section 173 of the Code of Criminal Procedure 1973 (2 of 1974), or a complaint has been filed by a person authorized to investigate the offence mentioned in that Schedule, before a Magistrate or court for taking cognizance of the scheduled offence, as the case may be, or a similar report or complaint has been made or filed under the corresponding law of any other country:

Provided further that, notwithstanding anything contained in clause (b), any property of any person may be attached under this section if the Director or any other officer not below the rank of Deputy Director authorized by him for the purposes of this section has reason to believe (the reason for such belief to be recorded in writing), on the basis of material in his possession, that if such property involved in money laundering is not attached

immediately under this Chapter, the non-attachment of the property is likely to frustrate any proceeding under this Act”.]

(2) The Director, or any other officer not below the rank of Deputy Director, shall, immediately after attachment under sub section (1), forward a copy of the order, along with the material in his possession, referred to in that sub section, to the Adjudicating Authority in a sealed envelope, in the manner as may be prescribed and such Adjudicating Authority shall keep such order and material for such period as may be prescribed.

(3) Every order of attachment made under sub-section (1) shall cease to have effect after the expiry of the period specified in that sub section or on the date of an order made under sub section (2) of section 8, whichever is earlier.

(4) Nothing in this section shall prevent the person interested in the enjoyment of the immovable property attached under sub section (1) from such enjoyment.

**Explanation:** - For the purposes of this sub section , “ person interested”, in relation to any immovable property, includes all persons claiming or entitled to claim any interest in the property.

(5) The Director or any other officer who provisionally attaches any property under sub section (1) shall, within a period of thirty days from such attachment, file a complaint stating the facts of such attachment before the Adjudicating Authority.



## **THE PREVENTION OF MONEY –LAUNDERING ACT, 2002**

### **46. Application of the Code of Criminal Procedure, 1973 to proceedings before Special Court:-**

- (1)** Save as otherwise provided in this Act, the provisions of the Code of Criminal Procedure, 1973 (2 of 1974) (including the provisions as to bails or bonds), shall apply to the proceedings before a Special Court and for the purposes of the said provisions, the Special Court shall be deemed to be a Court of Session and the persons conducting the prosecution before the Special Court, shall be deemed to be a Public Prosecutor:-

Provided that the Central Government may also appoint for any case or class or ground of cases a Special Public Prosecutor.

- (2)** A person shall not be qualified to be appointed as a Public Prosecutor or a Special Public Prosecutor under this section unless he has been practice as an Advocate for not less than seven years, under the Union or a State, requiring special knowledge of law.
- (3)** Every person appointed as a Public Prosecutor or a Special Public prosecutor under this section shall be deemed to be a Public Prosecutor within the meaning of clause (u) of section 2 of the Code of Criminal Procedure, 1973 (2 of 1974) and the provisions of that code shall have effect accordingly.

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## **BIOLOGICAL DIVERSITY ACT, 2002**

- 2. Definitions:-** In this Act, unless the context otherwise requires-
- (a) **'benefit claimers'** means the conservers of biological resources, their by-products, creators and holders of knowledge and information relating to the use of such biological resources, innovations and practices associated with such use and application;
  - (b) **'biological diversity'** means the variability among living organisms from all sources and the ecological complexes of which they are part and includes diversity within species or between species and of ecosystems;
  - (c) **"biological resources"** means plants, animals and micro-organisms or parts thereof, their genetic material and by-products (excluding value added products) with actual or potential use or value, but does not include human genetic material;
  - (d) **"bio-survey and bio-utilization "** means survey or collection of species, sub –species, genes, components and extracts of biological resource for any purpose and includes characterization, inventorization and bio-assay;
  - (e) **"Chairperson"** means the Chairperson of the National resources for commercial utilization such as drugs, industrial enzymes, food flavor, fragrance, cosmetics, emulsifiers, oleoresins , extracts and genes used for improving crops and livestock through genetic intervention, but does not include conventional breeding or traditional practices in use in any agriculture, horticulture, poultry, dairy farming, animal husbandry or bee keeping;
  - (g) **"fair and equitable benefit sharing"** means sharing of benefits as determined by the National biodiversity Authority under Section 21; \
  - (h) **"local bodies"** means Panchayats and Municipalities by whatever name called , within the meaning of clause (1) of article 243-B and clause (1) of article 243-Q of the Constitution and in the absence of

any Panchayats or Municipalities, institutions of self –Government constituted under any other provision of the Constitution or any Central Act or State Act.

- (i) **“member”** means a member of the National Biodiversity Authority or a State biodiversity Board and includes the Chairperson;
- (j) **“National biodiversity Authority”** means the National Biodiversity Authority established under Section 8;
- (k) **“prescribed”** means prescribed by rules made under this Act,
- (l) **“regulations”** means regulations made under this Act;
- (m) **“research”** means study or systematic investigation of any biological resource or technological application, that uses biological systems, living organisms or derivatives thereof to make or modify products or processes for any use;
- (n) **“State Biodiversity Board”** means the State Biodiversity Board established under Section 22;
- (o) **“sustainable use”** means the use of components of biological diversity in such manner and at such rate that does not lead to the long-term decline of the biological diversity thereby maintaining its potential to meet the needs and aspirations of present and future generations;
- (p) **“value added products”** means products which may contain portions or extracts of plants and animals in unrecognizable and physically inseparable form ;

**58. Offences to be cognizable and non bailable-** The offence under this Act shall be cognizable and non-bailable.

This clause stipulates that the Central Government may give directions to the State Government for execution any of the provisions of this act (notes on Clauses)

**59. Act to have effect in addition to other Acts-** The provisions of this Act shall be in addition to, and not in derogation of, the provisions in any other law, for the time being in force, relating to forests or wildlife.

This clause provides that no court shall take cognizance of any offence under this Act or rules/ regulations made there under except for complaints made by national biodiversity Authority or State biodiversity Boards (Note on Clauses);

**61. Cognizance of offences-** No Court shall take cognizance of any offence under this Act except on a complaint made by –

(a) The Central Government or any authority or officer authorized in this behalf by the Government; or

(b) any benefit claimer who had given notice of not less than thirty days in the prescribed manner, of such offence and of his intention to make a complaint, to the Central Government or the authority or officer authorized as aforesaid

This Clause empowers the State Government to make rules to carry out the provisions of the proposed legislation, enumerates the various matters in respect of which such rules may be made and seeks to provided that every rule made shall be laid before the State Legislature.(Note on Clauses).

The above said clauses and provision were explained in view of the fact that poaching has become and International Trade and for that the source of money into the market has to be investigated. In view to disregard and discourage the said chain of transaction it was necessary to learn about the said act. The biodiversity act was explained to enhance the knowledge of the trainees and was given the acts to acquaint himself with main provisions.



## DAY 2: SESSION 3

### **Legal Issues in Investigation and Trial of Wildlife Crimes: Perspectives of a Prosecution lawyer .**

#### **Mr. B.B. GOGOI**

Facilitating a lively session in collaboration with **Ms. Gosain**, prosecutor, **B.B. Gogoi**, from the Gauhati High Court, provided the participants with a nuanced analysis of



the very special powers conferred to forest officers under the provisions of the Wildlife Protection Act 1972. Elucidating every aspect and procedure of investigation, he highlighted the significance of coordination between the custodians of wildlife and the administrators of justice with the ultimate objective of protecting and preserving wildlife. Elaborating on the conduct of the procedures of the investigation, the recording of evidence and statements, he explained the various stages of confession and the techniques of eliciting information and confession from the witness and the offender respectively. He also stressed on the obligation of the enforcement officers to secure voluntary confession from an accused. He also enjoined the enforcement officers that the recording of statements of witnesses to be conducted as required and permissible under the law, so that it sustains its evidentiary value.

Exhorting the officers of the forest department to exercise their powers with confidence and integrity, he offered practical suggestions to the forest officers on ensuring dignity of any woman offender or involvement of women by search and seizure to be conducted by woman police. He interacted with the forest officials to know the manner in which they conduct their investigations suggesting them to adhere to the hierarchy of functioning in the department.



## DAY 3: SESSION 1

### **Role of Forensic in Conservation and Management of Wildlife**

#### **Dr. Manas Das**

**Dr. Manas Das** from the Forensic Research Facility at Kahilipara, Assam, shared his knowledge and experience of the latest scientific tools and techniques deployed for support towards managing wildlife crime. He stressed on Collaboration and Cooperation between the forensic infrastructure and enforcement agencies that would facilitate in combating wildlife crime. Although use of forensic science is resorted to by the wildlife department, its expertise and potential yet remains to be fully explored. Dr. Das elaborated on the various divisions and activities of the Forensics and discussed the methodologies of scientific analysis of the samples received. His presentation informed the participants of how the latest scientific tools of investigation, such as ballistics, DNA profiling including morphology and pathology including anatomical scrutiny can be employed for scientific identification of suspected samples and ensure proper scientific analysis of visible exhibits. Elaborating on the utility of such scientific investigations, Dr. Das enlightened the participants on how examination of evidence in a forensic lab of a suspected document and any part of an animal (including blood and tissue samples, carcass, teeth, bones, skin, tusks, hides, fur, feathers or viscera) can reveal conclusive evidence. Such scientific validation of the crime scene evidence would accelerate the rate of convictions and prove as a deterrent to wildlife crimes. However, to ensure proper scientific analysis Dr. Das stressed on exercising great caution and care in proper collection of sufficient material sample and proper packaging and forwarding so as to enable the forensic lab to conduct appropriate scientific investigations and generate authentic report.

**Moreover he explained the nature of wildlife crime and gave a brief description of crime scene analysis and told to all trainees what to do and what not do in a crime scene. Search, Collection, Preservation and Packing of Evidence**

1. **Blood:** The blood evidence may be found at the scene in the form of stain, smears, streaks, splashes, spray, prints, cloths, and liquid blood even on disintegrated blood on spot plant leave, bark etc.

In indoor scene the floor walls doors windows furniture and fans are likely places. The position, size and pattern of stain be carefully noted sketched and photographed. Reconstruction of scene afterwards is sometimes needed in the court room.

#### **DISPOSAL SITE:**

The culprit may have thrown, hidden or buried the body or incriminating evidence at a particular place. It is important to find the most likely places where blood, fragments of skin, flesh or bones or blood stains may be traceable to the culprits.

- A. **The Suspect:** The suspect may carry blood on his hands, nails, hairs, feet and other exposed parts of his body.
- B. **The Victim:** the victim ordinarily carries his own blood but in some cases they may find the blood of the accused mixed in.
- C. **The weapon of offence:** If the animal has been hit when he was bleeding or if the weapon being a cutting device has caused a cut in the body of the animal, it can be traced. The weapon is likely to carry blood

evidence. The weapon however needs to carry sufficient blood quantities to permit identification. Even if the weapon has been cleaned after the offence some blood is still retained in the joints, crevices and cracks of the weapon. The weapon should invariably be sent to the lab for a blood test. If a firearm is discharged while it is in contact or near contact range it may get splattered with blood, flesh and skin pieces of the animal. These traces can permit identification of the blood.

D. **Vehicle:** If the culprit has used a vehicle in the commission of a crime or for the disposal of the body, blood stains are likely to be retained at the spot where the body was placed. Even if the spot is cleaned some traces of blood are likely to be found at the site.

E. **Route:** The route followed by the culprit should be checked for blood:

- blood-smearred objects on the way
- blood trails left behind by the culprit himself
- Blood trails left by the injured or dead animal

blood-smearred objects which may transfer stone, tree leaves, earth etc.

## **COLLECTION**

When collecting blood evidence the investigating officer should

A. Establish the location of the evidence and the position of the article with respect to other stationery objects at the scene through notes, sketches and photographs.

B. Note the direction, size, and number of stains

- C. Note the condition of the stains, whether they are dry, sticky, wet, cracking, puckering, contracting or brittle.
- D. Note whether the stains are contaminated or exposed to natural elements or heat.
- E. Write the method of collection whether the stain was scraped, cut, lifted, or collected and the form in which it is being sent.
- F. Pack the blood stains from various sources separately in suitable bottles or cellophane envelope of appropriate size.
- G. Preserve the purity of the stains
- H. Preserve the continuity of the chain of possession and distinct identity of the evidence through proper packing, labeling, sealing and observing other legal formalities.

## **METHODS OF COLLECTION OF BLOOD**

### **A. LIQUID BLOOD:**

1. Liquid blood is found at the scene in the form of blood pools. Two samples each about five ml should be collected in clear vials in one sodium/fluoride oxalate or citrate is added and in another vial should be kept without any preservative.

2. It is preferable to collect and send the liquid blood in sealed EDTA vials/tubes without preservatives.
3. The third sample is collected on a piece of clean cotton cloth. The stain is dried at room temp and packed in a clean envelope or bottle.

## **B. WET STAINS**

1. A clean piece of filter paper is taken and pressed against the stain which will transfer to the filter paper.
2. If the stain is on anon-absorbent surface, it is allowed to dry and collected.
3. If the stain is on an absorbent surface and has penetrated the surface it is allowed to dry and the article is collected. If it is not possible to collect the article, as in the case of stains on earth or unpaved floor. The stained material is collected in glass jar.

## **C. DRY STAIN**

1. **ON CLOTHES:** Dry stain on clothes is collected by taking the possession of the cloth. If blood found on the cloth is not yet dry, leave the blood at room temperature.
2. **On ABSORBENT SURFACES:** Absorbent surfaces absorb the serum, therefore for correct sampling, stained and unstained material are separately collected.

### **3. ON NON-ABSORBENT SURFACE:**

- a)** Collect the article wherever possible.
- b)** Moisten the piece of filter paper with saline water and press it against the stain. The same is transferred to the piece.
- c)** If there is no alternative possible, scrape off as much blood as possible with a clean razor blade on paper from the stain and pack it in a clear enveloped vial. Ordinarily scraping of bloodstains is not recommended, as the same is likely to result in the loss of blood.

### **Important precaution in collecting and storing blood samples:**

- 1.** If fresh blood is available, soak it with dry cotton or clean piece of paper and then sundry them. Do not wrap the dried blood specimen in polythene bags or sealed bottles, moisture due to evaporation will degenerate the blood. Put them in paper bags.
- 2.** If you have a facility of cold storage then put them in bottle then carry to the nearest forensic lab. Do not add any preservative.

## **MEAT/ TISSUE SAMPLE**

### **COLLECTION**

- 1. Wear disposable rubber or plastic gloves and face mask to avoid transmission of Zoonotic diseases e.g. Tuberculosis.
- 2. Use a sterile sharp knife or razor blade or scissor for collecting the tissue samples. Sterilization can be done by cleaning the instrument with either 70% alcohol or absolute alcohol or liquor and then allow it to dry out completely.

3. Collect the samples from carcass, if available, either from the thigh or breast muscle and as early as possible before decomposition sets in. Otherwise sample can be collected from remaining meat/tissue found in the field. Keep the tissue as clean as possible.

### **PRESERVATION**

1. Clean the sample pack with 70% alcohol or absolute alcohol or liquor and then allow it to dry completely before collection.
2. Take 3 to 5 gm of the meat/tissue sample and remove the adhered particles and fascia by using the forceps.
3. Fill the vial approximately halfway with the silica gel over which, place 2 or 3 layers of filter paper commonly available blotting paper. Fill the rest of the space with the sample and make it air tight. Prepare atleast 2-4 tubes of such kind.

### **PACKAGING**

1. Mark the sample, packed properly with indelible marker, writing directly on the pack indicating the type of animal species, kind of tissue, collection site and the date the sample was taken.
2. Write the name and address of the submitter.
3. Avoid cross-contamination of the packaging.
4. Prevent leakage of fluids from the sample pack.

### **PRECAUTION**

1. The primary consideration while collecting the tissue samples should be personal safety.
2. Once the tube is tightly screw capped, it should not be responded if possible use cello tape to make it air tight.

## **HAIR**

Transfer of hairs due to contact is a classic example of Locard' Principle of mutual exchanges of traces. Hair of properly scratched are found in a large number of criminal cases. It is one of the earliest types of physical evidence, which was considered, collected and utilized in forensic work. The hairs are ordinarily available in poaching, snaring, trapping, carrying and smuggling of furs of the animal and of live animals too.

## **SCENE OF OCCURRENCE**

The whole scene of occurrence should be thoroughly checked for hairs. Particular attention is paid where the criminal might have rested. The culprit might have abandoned some articles at the scene such as weapons of offence, shoe, clothing etc. They should therefore be examined for the hair evidence.

## **COLLECTION:**

Collection of hairs include collection of incriminating hairs and sample hairs.

## **INCRIMINATING HAIRS:**

1. The hair found attached to immovable articles are picked up with tweezers and placed in clean cellophane envelopes. Hair from different places is put in separate envelopes.
2. If an article like clothing or weapon of offence is suspected to bear invisible hairs, the article itself is placed in a clean envelope
3. The use of adhesive tape to lift hair from suspected articles is often convenient.
4. When large areas, like inside of a car, is to be checked for hairs, a vacuum cleaning apparatus can also be used.

**SAMPLE HAIRS:**

Sample hairs are collected by combing or brushing.

**PULLING OUT:**

Pulled out hairs are the best sample hairs. Samples from the animal should invariably be pulled out.

**PRECATUION:**

1. The I.O should not clean the collected hairs. They should be forwarded in the original condition. If they are wet, smeared with blood or other fluid, it should be dried at room temperature before packaging to avoid fungus infection.
2. The investigating Officer should send all the collected incriminating hairs.
3. The site of origin of the hairs samples collected from various parts should be specified.
4. About one hundred hairs should be collected whenever possible.

**POISONING:**

Poisoning is the most common wildlife crime to kill the animal since the animals inhabit the dense forest and are sensitive to human presence, hence killing by other means is rather difficult as well as dangerous while poisoning is the safest and easiest.

Poisons which are commonly used in INDIA for killing are:

1. Aresenic
2. Oleander
3. Abrusprecatorius, Gomehi or Ratti etc.
4. Nux vomica
5. Aconite

6. Madar
7. Cotton seed
8. Copper Sulphate
9. Snake venom
10. Mercury Compound
11. Lead
12. Organophosphorus/Aldrinetc
13. Fishing
14. Zinc phosphoid (Rat poison)

### **SOURCES OF POISONS:**

Pharmacies, Groceries, printing press, godsmith, tanneries paint factories, local agro shops, depots for agriculture insecticides.

### **WAY OF APPLICATION**

In the rural areas poachers selectively bait and poison the deer do apply the poison in most delicious foodstuff of the animal specially herbivores because poachers know which food, grains, leaf, or crop. Most liked by which species. The organophosphorus poisons especially chlorine/aldrine are the safest to kill big animals, like the tiger.

### **INVESTIGATION:**

In the investigation the case of criminal poisoning the following main points are to be proven

1. Did the animal died of the poison in question?
2. What was the motive in killing the animal?
3. How to connect the accused with the crime?

The I.O should take the following action in case of suspected poisoning.

1. The carcass should be first carefully examined, especially about the genitals and soft skin of the thigh and neck. If any puncture is found, it is possible that Sutari poisoning has occurred. The spike or sutari should be then searched for and if one is found, it should be wrapped in paper, and be sealed and labeled.
2. The mouth of the animal be examined and anything found in it should be preserved and labeled.
3. The carcass of animal, credibly suspected of having been poisoned should be sent for examination when any persons are charged or suspected and such a course is possible and necessary.

### **PROCEDURE IN CASE OF POISONING OF ANIMALS**

1. If the animal appears to have been poisoned in the ordinary way and there are no signs of puncture on the carcass, the mouth should be examined and anything abnormal found in it secured and placed in a clean glass jar or bottle.
2. The carcass will be made available to the veterinary surgeon for postmortem examination and the investigating officer should see that the following action is taken up. The carcass should be opened and the stomach removed. The stomach should be cut open and its appearance observed, as to whether it is congested or not what type of food its digestion and what condition it is in. Condition of mucosa either with hemorrhage or not.

A piece of the stomach, the most congested part about a pound in weight, the reticulum and a portion of the liver about two pounds in weight shall be cut off and placed in a clean glass jar or bottle. Ratified spirit shall be poured in sufficient quantity to cover the contents completely in whatever position the vessel may be held.

3. Water shall be gently poured over the remaining portion of the stomach and any white or yellow particles found shall be carefully collected.
4. If the animal appears to have been poisoned by means of needles the carcass shall be flayed and the flesh near the puncture examined.
5. If the animal has been poisoned by being caused to inhale fumes (arsenic) a portion of the lining membranes of the nostrils and windpipes and in addition the animals lung shall be secured.
6. Jar or bottles shall be carefully corked or stopped and the cork or stoppers tied down with a bladder, leather or cloth and the knots of the cord shall be sealed with the seal of the forensic expert making the investigation.

### **DIFFERENTIATING INJURIES IN CARCASS**

It is important to note that unlike human suicidal injuries, in animals there will always be either accidental or human inflicted deaths.

The six most common types of injuries caused by humans are arrow, gun, run over by a vehicle, injuries of snaring or by trapping and blunt injuries by Lathi Danda. If the injury is cause by a projection otsharp weapon like farsa, axe, spear and arrow etcthen the wound can be examined to determine the weapon.

<b>OBJECT</b>	<b>INJURIES</b>
Blunt object, force vehicle	Bruise, contusion, abrasion external crushed lacerated wound
Sharp weapon	Incised wound, stab, and perforating, or penetrating wounds.

Trapping/snaring	Ligature, friction cut deep mark
Gun shot	Fire arm injuries
Electrocution and burn	Charring

Here it is important to note that wounds may occur before death (anti-mortem) and after death (Post-mortem)

Anti-mortem	Post-mortem
Ecchymosis	Ecchymosis absent
Hemorrhagespurting (jelly like)	Hamorrhage in drops
Edges of the wounds are swollen, red, averted with gaping	Absent
Clot-jelly like threads seen	Absent

### **ARROW WOUND**

1. Typical puncture wound slightly triangular in shape.
2. Wound has extensive hemorrhage and clotted blood.

### **TRAUMA WOUND**

Road accident bruising, broken bones, tears on the body, viscera protruding out and large area of missing.

### **TRAPPING WOUND**

Look for these wound on chest, waist, feet on neck.

### **BRUISE**

These are the injuries which are always caused by blunt force which causes extra vessation of the blood, in to tissue space while skin is

intact. If the amount of blood accumulating is large below the skin than there is obvious swelling and known as hematoma. The fracture of the ribs if they in one plain again it is indicating the lathi like object had been inflicted in such area which caused fracture.

## **ABARSION**

It is the destruction of the superficial layer of the skin or loss of hairs due to pressure/movement of skin against hard object. The superficial layer peel off and material heap or hang at the end. They may scratch, graze, pressure, impact are patterned abrasion.

Oozing	Three hours
Red scab	One day
Brown scab	Two days
Black scab	three to five days
Cicatrization	seven days
Scab fallen	Seven to ten days

## **IMPRINT ABARSION**

They give the print of the object even the tire marks, radiator mark, may be present on the skin.

## **ELECTROCUTION**

Throughout the length and width of India the poaching of the animal small or big the easiest and safest method is electrocution because electricity is available in any corner of forest and animal is decapitate or killed very soon without much effort and it is the safest method. In such case we should try to see the contact injuries which are in form of burn where hairs are burnt and skin are burnt. Sometimes burns are so deep and the intensity is so high the skin burn may appear like corn flakes

and the appearance of the muscle is charred. Skin is hardened, the burned or partially burnt hair should be preserved and skin piece should be preserved.

**LABELLING**

All samples must be labeled and sealed properly. Label must show the case Number, Date, Section of Law, Name of the forest range/District, village and the signature of investigating Officer

**FORWARDING NOTE**

In all cases where the examination of any material is required at the -----  
-- Forensic Laboratory, a copy of this form duly filled in should accompany the exhibits.

Case POR No.-----

Range Case No.-----

Range-----

Division/National Park/Sanctuary-----

Section of Law-----

## I.NATURE OF CRIME

(This should cover nature of charge, brief story and any relevant details)

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## II. LIST OF EXHIBITS SENT FOR EXAMINATION



**Dr. Manas Das at his session on use of forensic in wildlife session.**



## DAY 3: SESSION 2

### Investigation of Wildlife Crimes and Interrogation of Offenders

#### Mr. B.B. Chettri Superintendent of Police Assam

**Shri B. B. Chettri**, the Superintendent of Police, Karbi Anglong, had kindly agreed to be the resource person for the said training and was the resource speaker on the said date.



**Mr. Chettri** has the distinction of arresting more than a hundred suspected poachers in his area. The Forest Department had also conducted the investigations on sporadic killings of rhinos in the area as well. However, the police had been successful in getting lot more information due to their investigation skills. In view of the police having more experienced in investigations, it was felt necessary that a senior police officer be invited to share his experience and guide the forest trainees as to how the basics of investigations have to be carried out. He pointed out at the outset that if an information is received, then before moving the facts should be verified and then instructions should be given to the raiding party because before one enforces the team, it is necessary to decide-

- Mode and Method of conducting investigations
- Briefing of the staff to proceed on search, location of crime, precautionary and preventive steps to be followed.
- Meticulous planning
- Familiarize the staff with the location of crime

- If the crime is related to forest offence, carry the forest kit, which should contain white paper, pen, cloth, camera, scissor, inch tape, official seal, marker, few empty bottles etc.
- Make an announcement if necessary or otherwise let one or two officers entered the premises quietly
- After the entry is secured and it appears that there are ladies, the person police should also be allowed in the premise in order to avoid allegations of harassment
- The Sub-Inspector demonstrated the search and accordingly one of the trainees was called to join the demonstration
- In any event, all the persons inside the house should be asked to raise their hands and arms should be behind his back. The lady police should over power the women because they generally and resist and interfere. Every officer must carry the arms, if the need be.
- The investigation has to be because of the facts that have to be defended in the trial and no new things can be added afterwards. In case, nothing is found and the informer insists that the information given is correct, then further investigations should be carried out e.g., if the informer says that something is hidden in the house and one does not find it, then search should also be carried out on the ceiling and at all probable areas without fear and with swiftness.
- In terms of Section 197 of Cr.P.C. and Section 60 of The Wildlife Protection Act, any work done in the official capacity is in discharge of duty and there cannot be any punishment to the officer even if in self-defense you have to use the weapon.
- If the premises are locked, then, the police can break open in terms of the Forest Officer being a special officer, you can still enter but if there is time, then warrant should be procured to do the search.

- In terms of Section 47 (2) of Cr.P.C., if there is a need to break open the lock it can be done, but in the presence of the witnesses.
- After the search is over and something incriminating is found, then seizure memo has to be prepared which should mention proper facts, place, time, name of the owner and other details.
- The seizure memo should be signed in presence of the witnesses and with clarity.
- The scene crime has to be prepared with outline, landmarks, boundaries, distance, articles recovered and pictures should be taken so that if there is any discrepancy, the same can be taken in the statement. If two independent witnesses are not available, departmental witness should be used by stating the reasons.
- One copy of the seizure memo should be given to the accused.
- The seizure memo has to be made at site as the same has been recovered from the spot. If there is use of GPS, then it has to be stated in the memo and also that all the articles along with description should be mentioned.
- In case there is recovery of arms, then that has to be mentioned along with the number whether the same is licensed or unlicensed. If there is any ammunition/ grenades/ bullets, the same has to be sealed with the sign of the accused and other witnesses along with the pictures.
- In case there is ammunition found in the field and bullets are having blood on it, then it should be immediately seen and sent to the forensic lab so that it can match the gun or the blood can be matched from any other article to have sequence of facts. The sampling has to be done in a manner that it does not lose the character and does not become difficult for the laboratory to ascertain the details.

## **INTERROGATION OF ACCUSED**

- Take the accused in a separate spot and ask his name and other details, in the meantime, the other officer should quietly go and cross-check the name etc. from the other persons in the house eg.,  
what is your name – my name is Mohan Lal.

Q. Your brother has informed us that your name is Sohan Lal.

In this way, the truth would come out and emphasis should be, to find out person details so that the accused can be confused and that helps in confession of the crime.

- The accused can always be threatened with the charge of giving false information under Section 42 of Cr.P.C., in case he is changing statements.
- If he is making confession, the same has to be systematic and in the language, he is familiar with. The confession has to be signed by the accused along with two witnesses on every page so that if it has to be relied upon in the forest offences, reliance can be placed by the court.
- The custody of the accused should be changed before showing his formal arrest.
- It is important to verify the address and also the correct address of independent witnesses had to be obtained so that at the time of trial, they can be traced.
- The witnesses had to be bound for which daily diary has to be maintained mentioning the investigations and details of the case.

**Mr. Chettri** concluded by saying that the main emphasis has to be on correctly completing the seizure memos and all other accompanying documents with the complaint. The forest offences have to be investigated

with swiftness, dedication and alertness. His session was very engrossing and all the trainees appreciated his words of wisdom.



## DAY 3: SESSION 4

### K.N. BARMAN CHIEF LEGAL ADVISOR OF FOREST DEPARTMENT

**Sh. Barman** was nominated by the Forest Department give a presentation on the status of cases pending in the Forest Department and share the difficulties and solutions with the trainees. **Mr. Barman**



was very candid about the difficulties in the department. He acknowledged that this training program was very helpful for the department as the forest staff was well informed and were more confident in handling the Wild Life Crimes.

He also appreciated that the present training was a good step towards achieving higher knowledge for the senior as well as the Junior Staff.

According to him the biggest challenge is investigation and meeting the requirement of accurately filling out the forms. Even if the offence is recorded properly, the problem is to get the independent witnesses. He stated that most of the cases he was attending were before the High Court and not in the Trial Court. However, he had to defend appeals arising out of the trial court because of erroneous orders.



The court often rejected the pleas of Forest Department in relation to custody and bail on the grounds that not enough information had been collected against the accused. In absence of appropriate information, the

cases could not be filed, and that led to acquittal of the accused. However, he appreciated the judgments provided by the Tiger Trust and requested the trainees to concentrate on small issues like timing, location and identity of the accused, the circumstances in which the preliminary investigation were done

and use of power for the said purposes. He agreed that confession was a powerful provision provided it was exercised properly and with due diligence.

**Sh. K.N. Barman** is a man of few words and extended lot of moral support to the other faculty members.

### **Discussion on pending case in Kaziranga National Park in Bokakhat divisions of Assam**

#### **Title of the Case: State Vs Golap Patgiri and Anil Doley.**



Presented below is an analysis of the investigations carried out by the Forest Department and the solutions suggested by the panel consisting of **Mrs. Anjana Gosain, Mr. Manjit Singh Ahluwalia.**

#### **Brief Facts of the Case were discussed by Ms. Gosain**

- On 20/09/2011, accused No.1 Anil Doley and accused No.2 Babla Barua along with accused No.3 Golap Patgiri accompanied a Naga shooter within approximately 50 meters near the boundary of Kaziranga National Park, sensing danger they retreated. An ambush was placed to capture the poachers along with their weapon .303 rifle.
- Information with regard to infiltration from Dimapur into Kaziranga National Park (KNP) by Accused No. 1, Accused No. 2 and the Naga sharp shooter from eastern boundary at night. The forest party followed them to the residence of PadmeshwarPegu of Bokakhat district.
- The Accused No. 1, Golap Patgiri was found hiding in the said premises and was nabbed.

- He took the forest party for the recovery of the rifle buried in the backyard of the said premises along with one silencer and 10 rounds of live bullets, two axes and one dao.
- However, in the entire process, Accused No. 2 Barua and the Naga person managed to escape.
- During cross-questioning, Accused No. 1 confessed to have conspired to enter KNP and kill Rhino for its horn along with Accused No. 2 and the Naga person under the guidance and direction of Accused No. 3. He also admitted that the rifle, ammunitions and silencer belonged to Accused No. 3.
- Preliminary investigations revealed that the Entire conspiracy hatched by Accused No. 3, GolapPatgiri, and the king pin and leader of the gang. Accused No. 3 was nabbed from his residence and cross examined.
- Accused No. 3 confessed to have being in possession of illegally procured .303 rifle for a long time. Further, he confessed to his involvement in the conspiracy and crime.
- Accused No. 2, Barua (Doley) is absconding and evading arrest.



The participants were provided a copy of the case to point out the deficiencies in the preparation of the case. **Sh.K.N. Barman**, Conservator of Forests (legal), who is responsible for helping in proper preparation of the case was invited as a resource person so that this would enable the forest officers to interact and discuss their difficulties in preparing the case. He also translated the contents of the case, most of which were in the local language and explained it to the trainees.

The following were provided to the participants. Each participant was then asked to point out the major deficiencies that they found in the case. Many officers posed queries, which were answered satisfactorily by **Mrs. Gosain, Mr. Manjit Ahluwalia** and **Mr. Barman**.

**Sapan Saikia ACF (Sibsagar), pointed out two major deficiencies as:**

- The provisions indicated in the cases are Sections 9, 27, 31, 49(a), 49(b), 50(C). Section 50(C) is relates to the powers of the forest officer and cannot be indicated in the FIR for the offence.
- When the accused was arrested with arms, there should be a separate case registered under the Arms Act.

**Subodh Talukdar, ACF(BiswanathChariali) sought a clarification on whether:**

- The time factor should have been considered - as to when the accused Shri Anil Doley was arrested. This would give enough questioning by the defense counsel while cross-examining the IO at the time of evidence. Unanimously, the participants agreed when the faculty also pointed out that this is a fatal mistake.

**Further, Mrs. Gosain discussed further relevant issues associated with the case along with highlighting some points which should have been considered:**

- With regard to the confession statement made by accused No.1 i.e. Anil Doley who mentioned the name of accused No2. Babla Barua. The said confession can only be made applicable to accused No.1 and cannot be treated as a confession of Accused No.2
- Along with complaint no time was entered in the FIR and the scene of the crime or site plan was also not filed. This is a serious lacuna

because the scene of crime or the site plan is a must to show from where the recovery or the accused were arrested.

- The point of tip-off was frequently used in all the cases without referring to the source of information. The details with regard to the time of interrogation and recording the statement were not only vague but unreliable. Hence, the prosecution case does stand any chance of conviction.



### **Recommendations:**

It was recommended that the Investigation conducted and the case prepared is weak considering that the Forest department chose to ignore and sidelined many significant facets that should have been considered before registering a case. It revealed distrust between the forest and police personnel, though as DFO, Guwahati Wildlife Division, and **Shri D. D. Gogoi** clarified that since the police are heavily involved in counter-insurgency operations, and they cannot be blamed for their reluctance.

- It was recommended that the department must file an application in the Court for cancellation of the bail of the accused.
- Since the department had acted on a tip-off from an 'erstwhile offender', they should have enquired if there was any offence report against him. It was suggested that the department should find out any case ever registered against him and declare him to be a 'reformed witness'.

## FEEDBACK & EVALUATION

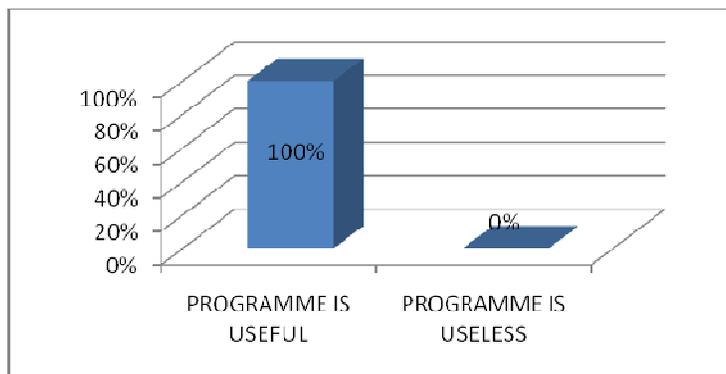
The participants were enthusiastic about participation in the workshop- the benefits of which they shared during the sessions. While a sizeable chunk of those participating was first timers, they were equally positive and appreciative of the modules, which were regarded as being practical and relevant. They also benefited from interactions with their colleagues and senior officers, which was a very positive outcome of the workshop. The participants stressed the need for such training programs at regular intervals and acknowledged the sessions by the public prosecutor and police official were especially helpful.

The mock case session was rated the best followed by interactions with **Mr. Chettri** on investigative skills. The session by **Mr. Ahluwalia** was voted the most relevant as well as **Mrs. Gosains**'s session on applicability of the wildlife protection laws.

### Participant response to the Training Program

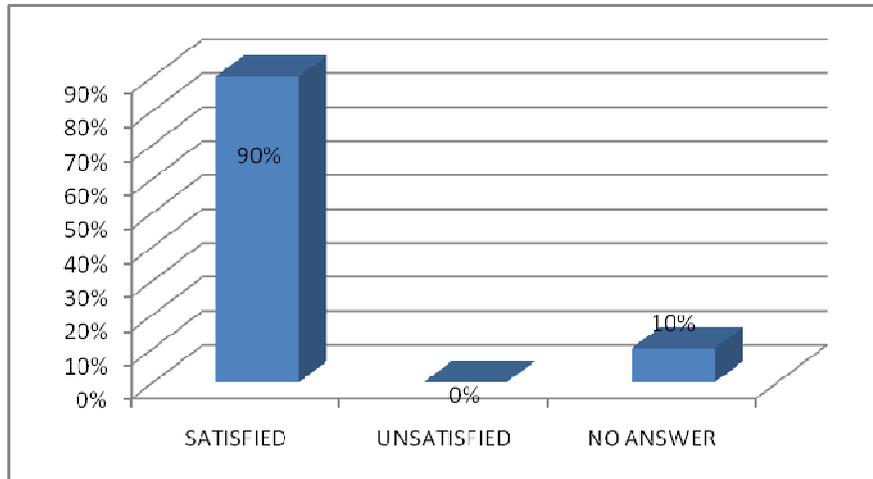
- **Have you found this "Hunting of Hunters program" useful?**

All the participants i.e. 100% were appreciative of the benefits and outcomes of the training. They regarded this as a fruitful initiative.



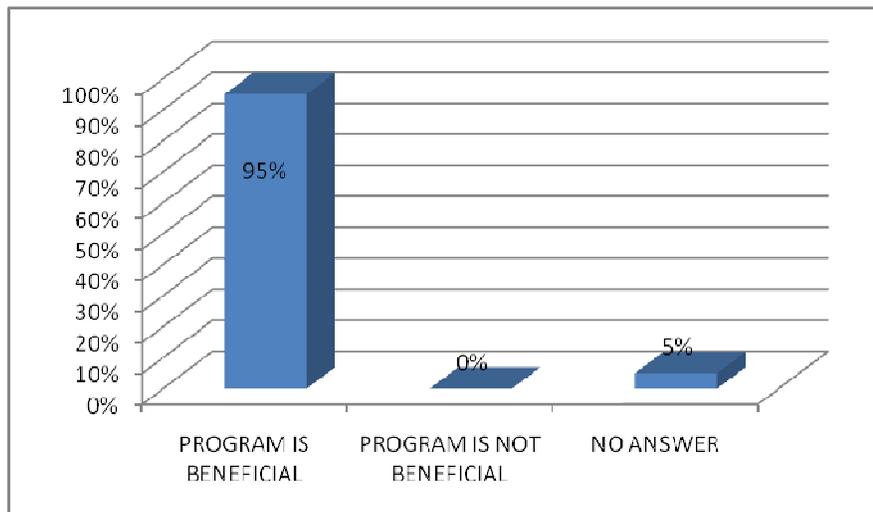
- **Were the topics adequately addressed by the trainers?**

The majority of the participants i.e. 90% participants expressed their satisfaction with the trainers exposition of the various topics while a few of the participants chose not to answer.



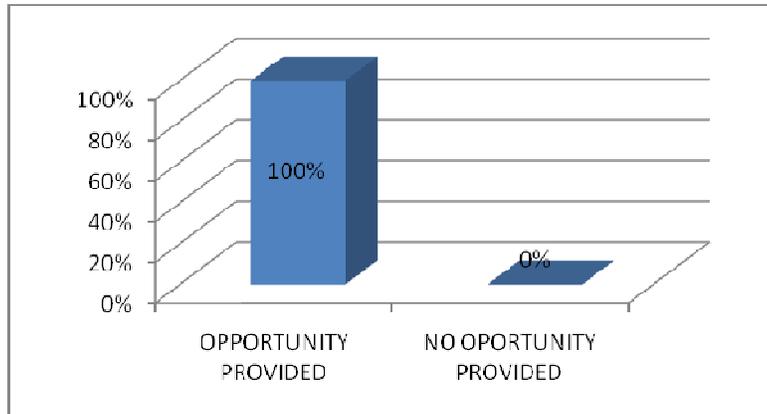
- **Was this training program useful and beneficial towards better law implementation to combat wildlife crimes?**

Almost all the participants i.e. 95% participants acknowledged that the modules had been very beneficial and practical. 5% participants did not answer.



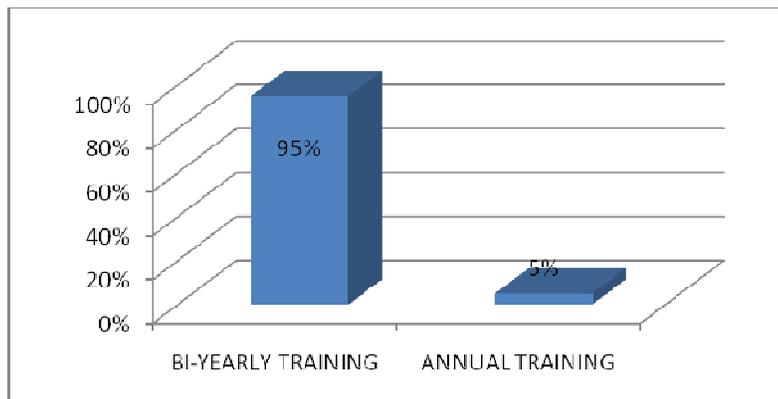
- **Did the training program provide an opportunity to network with other forest officers?**

The 100% participants confessed that the training had provided an enriching learning experience with the other forest officers. They also had an opportunity to interact with many of their senior level officers which was a great morale boost.



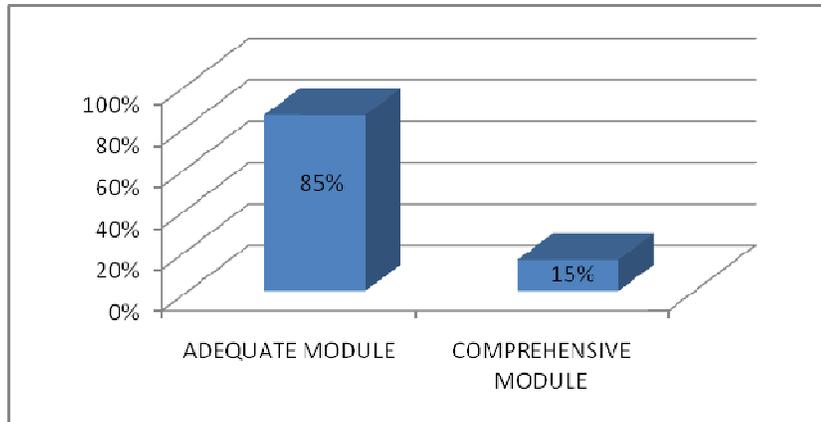
- **What is the reasonable interval during which the trainings should be held?**

Most of the participants i.e. 95% showed interest in having bi-yearly trainings followed by a handful of participants who desired to have trainings that are more intermittent. Only 5 participants desired to have annual training programs.



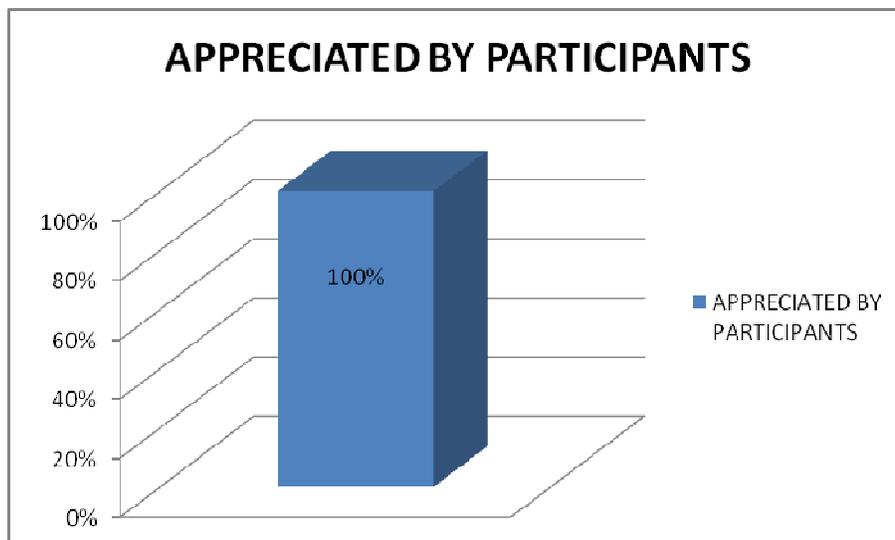
- **Was the module adequate for classroom studies?**

A few of them i.e. 15% noted that the modules were very comprehensive. 85% participants said it is adequate.



- **How did you find the quality of the resource persons?**

The resource persons were appreciated for their focus, dedication and articulate presentations and addressing to most of the queries that were posed to them by the participants. The faculty from different fields was appreciated by all the participants i.e. 100%.



# Schedule For The Workshop

## Offences. Phase-II

8<sup>th</sup>, 9<sup>th</sup>&10<sup>th</sup>March, 2013 at Don Bosco Institute, Kharguli, Guwahati.

Tiger Trust in collaboration with USFWS

### SCHEDULE FOR THE WORKSHOP

#### DAY I (March 8, Friday)

3.30-4.00	Registration of participants for the training.
4.15-4.30	Inaugural of the workshop by Honourable Chief Guest for the occasion, <b>Shri. Suresh Chand</b> , PCCF(Wildlife)
4.30-4.45	Introductory address and brief overview of the Workshop- <b>Anjana Gosain</b>
4.45-5.00	Address by Guests of Honour
5.00-5.15	Address by the Chief Guest , <b>Shri Suresh Chand</b> , PCCF(Wildlife)
	High Tea

## DAY-II -09 March 2013

9.30-10.15 am	Introduction to the workshop and recapitulation of the provisions of the various acts related to detection and investigation of wildlife offences-
10.30-11.15 am	Introduction to the Indian Evidence Act and the Bio-Diversity Act by Manjit S. Ahluwalia
11.15-11.30 am	TEA
11.30-12.30 pm	Introduction to Money laundering Act by Manjit S. Ahluwalia
12.30-1.30 pm	Role of Forensic Sciences in detection and effective prosecution – Manas Das
1.30-2.30 pm	LUNCH
2.30-4.00pm	Discussion on the Sita case judgment, prosecution by the police and the forest department. Presentation by SP Diphu, B.B.Chettri.
4.00 pm	TEA
4.15-5.30 pm	Open House Discussion

## DAY III-10 March 2013

9.30-10.30 am	Presentation by <b>N.K.Barman</b> , CF and <b>D.D. Gogoi</b> DFO (Guwahati Wildlife Division)
10.30-11.15 am	Panel Discussion
11.15-11.30 am	TEA
11.30-1.15 pm	Panel Discussion
1.15-2.15 pm	LUNCH
2.15-3.30 pm	Open House Discussion
3.30-3.45 pm	Vote of Thanks

# ANNEXURES

## I: Official intimation letter from the PCCF(Wildlife)office to all the wildlife divisions regarding the workshop.

GOVERNMENT OF ASSAM  
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILDLIFE)  
BASISTHA, GUWAHATI-29

Letter No.WL/FE/Workshop/Pt dt.24.01.2013.

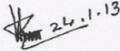
1. All Divisional Forest Officers (Territorial) under Eastern Assam Circle,
2. All Divisional Forest Officers (Territorial) under Northern Assam Circle,
3. All Divisional Forest Officers (Territorial) under Central Assam Circle,
4. All Divisional Forest Officers (Territorial) under Karbi-Anglong Autonomous Council,
5. All Divisional Forest Officers (Territorial) under Bodoland Territorial Council, Kokrajhar,
6. All Divisional Forest Officers under Wildlife Wing,
7. FDTP, Manas and Director Kaziranga National Park

Sub:- Legal Training Workshop for forest officers.

It is to inform you that Tiger Trust, Non-Government Organisation, New Delhi is organising training workshop on 8.03.2013 to 10.03.2013 at Don Bosco Institute, Kharghuli (Guwahati) under the 2<sup>nd</sup> phase of "Capacity Building Training Programme Hunting the Hunter Part-II," supported by USFWS. The detail schedule programme will be sent to you in due course.

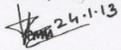
You are requested to kindly nominate two persons from each division, preferably who are engaged with the work of forest and wildlife offences in the rank of DFO/ACF/FR. The age and qualification of the nominated person may also kindly be furnished by 15<sup>th</sup> February'2013 positively. The nominations should also be sent on email at [pccfwlassam@gmail.com](mailto:pccfwlassam@gmail.com), with a copy to [kawaldkour@gmail.com](mailto:kawaldkour@gmail.com).

Further, it is to inform that the programme is residential and boarding and lodging arrangement will be done by Tiger Trust. You are however, requested to indicate whether the nominated officers will need accommodation during the training period or not.

  
Conservator of Forests,  
Wildlife, Assam

Copy to :

- (1) Principal Chief Conservator of Forests & Head of Forest Force, Assam, Rehabari, Guwahati-8 for information and necessary action.
- (2) The Chief Conservator of Forests (Territorial), Assam, Guwahati-1 for information and necessary action.
- (3) Ms. Anjana Gosain, Tiger Trust, 206, Rakesdeep, 11, Commercial Complex, Gulmohar Enclave, New Delhi-110049.

  
Conservator of Forests,  
Wildlife, Assam

## II. Letter to the Director General of Police Assam for release of Superintendent of Police as faculty for the workshop.

To,

Sh. J.N. Choudhury, IPS  
DGP, Assam  
Police Headquarters,  
Ulubari, Guwahati Assam

22<sup>nd</sup> February, 2013

**TIGER TRUST**  
FOUNDER KAILASH SANKHALA

206, Rakeshdeep, 11 Commercial Complex  
Gulmohar Enclave, New Delhi - 110 049, India  
**Secretariat Office :**  
442, Lawyers Chambers, Delhi High Court, New Delhi  
Phone : 91-11-23385773, Fax : 91-11-23389742  
Email : tigertrust\_india@yahoo.com  
Website : www.tigertrustindia.com

**Sub:-** Request Permission to allow Mr. B.B.Chettri, S.P. of Karbi-Anglong-Diphu to attend the capacity building training Programme from 8<sup>th</sup> March to 10<sup>th</sup> March, 2013 at- Don Bosco Kharguli in Guwahati on Wildlife Crimes and Offences for the benefit of the forest staff.

Sir,

Tiger Trust jointly with the Forest Department of Assam is organising a two day workshop on Wildlife Crimes at Don Bosco Kharguli in Guwahati. This is for the benefit of the forest staff of Assam. The rampant poaching of rhinos is a serious issue and needs attention from all quarters. I am informed that Mr. Chettri, the S.P. of Karbi-Anglon-Diphu has made a major contribution in arresting several poachers responsible for this offence.

His contribution in arresting poachers in Golaghat, Tinsukia and many other areas is commendable. We would like to invite him as a resource person to share his experience in investigations and deduction of crimes with forest officials. The knowledge of investigations would be extremely important for the participants.

We would be obliged, if he can be permitted to give a session on 09.03.2013 at 9:30 a.m. to 5:30 p.m. on the topic "Detection and investigation of Wildlife Crimes" on the basis of his experience. Tiger Trust shall undertake the travel and boarding and lodging expenses as per the rules.

Sir, we would humbly request to depute Sh. Chettri for the aforesaid workshop and have the benefit of his experience in the training.

Kind regards,

*Anjana Gosain*  
(ANJANA GOSAIN)  
Honorary Secretary  
Tiger Trust

*26.02.13*  
*At to DGP Assam*

Assam Police Headquarters  
26 FEB 2013  
Ulubari, Guwahati

### **III. Specimen Invitation Letters to the forest officers .**

**Shri.V. K. Vishnoi, IFS.**

PCCF &HoFF (Head of Forest Force),  
A.K.Azad Road,  
Rehabari, Guwahati

Date: 12.02.2013

**Sub: Invitation as Chief Guest for the Capacity Building Program on Forest Offences- HUNTING THE HUNTERS -II to be held on 8,9 and 10 March, 2013 at Guwahati.**

Sir,

Greetings from Tiger Trust, India.

We are pleased to inform you that Tiger Trust is organising a capacity building program on forest offences for the benefit of forest staff on 8, 9 and 10<sup>th</sup> March, 2013 at Don Bosco Institute, Kharguli, Guwahati.

We would be pleased if you kindly accept our invite to grace the occasion as Chief Guest for the inaugural program, which is to be held on 8<sup>th</sup> of March at 3.45 pm.

We would be happy if you kindly share your expertise and experiences on issues related to forest offences.

We hope to receive a favourable response and confirmation.

Thanking you,

Yours Sincerely,

(Kawal Deep Kour)  
Project Coordinator for North-east,  
Tiger Trust.

Shri. Suresh Chand, IFS.  
PCCF(Wildlife)  
Basistha  
Guwahati-781029

05.03.2013

**Sub: Invitation as Guest of Honour for the Capacity Building Program on Forest Offences- HUNTING THE HUNTERS -II to be held on 8,9 and 10 March, 2013 at Guwahati.**

Sir,

Greetings from Tiger Trust, India.

We are pleased to inform you that Tiger Trust is organising a capacity building program on forest offences for the benefit of forest staff on 8, 9 and 10<sup>th</sup> March, 2013 at Don Bosco Institute, Kharguli, Guwahati.

We would be pleased if you kindly accept our invite to grace the occasion as Guest of Honour for the inaugural program, which is to be held on 8<sup>th</sup> of March at 3.45 pm.

We would be happy if you kindly share your expertise and experiences on issues related to forest offences.

We hope to receive a favourable response and confirmation.

Thanking you,

Yours Sincerely,

(Kawal Deep Kour)  
Project Coordinator for North-east,  
Tiger Trust.

<p>Shri. R.P. Agarwala, IFS. Addl.PCCF., P&amp;D O/o. PCCF &amp;HoFF (Head of Forest Force), A.K.Azad Road, Rehabari, Guwahati</p>	<p>Shri. D. Mathur, IFS Addl.PCCF., Administration and Vigilance  O/o. PCCF &amp;HoFF (Head of Forest Force), A.K.Azad Road, Rehabari, Guwahati</p>
<p>Shri. O.P. Pandey, IFS Addl.PCCF., Project,  O/o. PCCF &amp;HoFF (Head of Forest Force), A.K.Azad Road, Rehabari, Guwahati</p>	<p>Shri. B.B. Dhar, IFS Addl.PCCF., Legal.  O/o. PCCF &amp;HoFF (Head of Forest Force), A.K.Azad Road, Rehabari, Guwahati</p>
<p>Shri. Sanjib Bora, IFS Director, KazirangaNational Park, Bokakhat</p>	<p>Shri. A.Swargowari, IFS Director, FDTP, ManasNational Park, Barpeta</p>
<p>Shri. Satyendra Singh, IFS CF, Legal,  O/o. PCCF &amp;HoFF (Head of Forest Force), A.K.Azad Road, Rehabari, Guwahati</p>	<p>Shri. Hridesh Mishra, IFS CF, (WL) O/o. PCCF (Wildlife), Basistha, Guwahati-29</p>
<p>Shri. D.D.Gogoi, AFS DFO, Guwahati (Wildlife) Guwahati</p>	<p>Dr.AlkaBhargav, IFS CCF (R E &amp; WP) Assam Forest School Campus Jalukbari</p>

GOVT. OF ASSAM  
OFFICE OF THE RANGE FOREST OFFICER :: EASTERN RANGE :: AGORATOLI.  
KAZIRANGA NATIONAL PARK

Date :- 22/09/2011

Letter No. ER/5/Offence/2011/ 453-54

To,  
The Chief Judicial Magistrate  
Golaghat

Sub - Remand of accused persons to Judicial Custody

Sir,

I have the honour to request you kindly to keep the following persons, accused for an attempt to poach Rhino inside the Kaziranga National Park on 21/09/2011. The accused persons whose names mentioned below was apprehended on 21/09/2011 and brought to Range Office custody for cross questioning while conspiring to poach Rhino for its horn. The accused was nabbed after getting information's from reliable sources and their involvement in connection with several earlier poachings. The accused persons as mentioned had been cross questioned and they confessed of their involvement and guilt for possessing illegal arm (.303 rifle) and ammunitions which they had conspired for killing Rhino for its horn inside KNP. The accused were arrested on 21/09/2011 at 10:30 AM for violation u/s 9, 27, 31, 49(a), 49(b), 50(c), 51, 51(b) of Wildlife Protection (Assam amendment) Act, 2009 and punishable u/s 51 and 51(b) of the same act.

In this regard your Honour is prayed not to grant bail to the accused for at least 90(ninety) days so that they cannot purpurb the process of investigation. Hence, your Honour is requested to keep the accused in Judicial Custody until the detail OR, which will be submitted subsequently in due course along with application for issue of process, through the Authorized Officer cum Divisional Forest Officer, Eastern Assam Wild Life Division, Bokakhat for trial of the case.

NAME AND ADDRESS OF ACCUSED PERSONS:

- 1 Sri Golap Patgiri, 40 yrs  
S/o Late Mehenga Patgiri  
Vill Dhubaati, Beloguri  
PO & PS Bokakhat  
Dist Golaghat
- 2 Sri Anil Doley, 28 yrs  
S/o Sri Budei Doley  
Vill Dhubaati, Beloguri  
PO & PS Bokakhat  
Dist Golaghat

Yours faithfully,

(K.K. Deori) AFS  
Range Forest Officer,  
Eastern Range, Agoratoli

Copy to - The Divisional Forest Officer, Eastern Assam Wild Life Division Bokakhat, for favour of his kind information and necessary action.

(K.K. Deori) AFS  
Range Forest Officer  
Eastern Range, Agoratoli

ER/11/9/06  
Rhino (P)

POST MORTEM EXAMINATION REPORT.

POST MORTEM REPORT OF RHINO DEATH SL. NO. ER/11 OF 2006  
NAME OF THE RANGE/OWNERS AND ADDRESS FERRIST, RANDEE  
OFFICER, EASTERN RANDEE, AGARTAL

DESCRIPTION:  
1. Place of death Eastern side of Pathal Kathoni & Saktin on side of Dhanki  
2. Date of detection 03.11.06 C. Date of P.M. 03.11.06  
D. Species Rhinoceros Unicornis E. Breed Great Indian One Horned  
F. Sex Male G. Age Maternal  
H. Brandh..... I. Nail Missing  
J. How decomposed ..... K. Ear Missing  
L. Tail Missing M. Horn SI.No. Missing  
N. Mark..... P. Height.....

A. HISTORY OF DEATH/OUT BREAK.  
1. Clinical signs before death.....  
2. Surrounding of the carcass The carcass was lying inside the enclosure & Tavan area on eastern side of Pathal Kathoni & Saktin on side of Dhanki River.

B. EXTERNAL EXAMINATION:  
1. General appearance/body condition Mangled & decomposed  
2. How long death about 21 days  
3. Natural orifices.....  
4. Rigor mortis.....  
5. Mucous membrane.....  
6. Superficial lymph gland.....  
7. External injuries/wounds Nasal bone cut much above nostril in the base of the horn by sharp weapons. Bullet injury mark observed on temporal bone of the forehead & contusion in

C. INTERNAL EXAMINATION: brain  
1. SUBCUTANEOUS TISSUES.....  
2. BODY CAVITIES a) Position of visceral organ.....  
b) Peritoneal cavity.....  
c) Pleural cavity & pleur.....  
3. DIGESTIVE TRACT a) Pharynx.....  
b) Esophagus.....  
4. STOMACH a) Rumen.....  
b) Reticulum.....  
c) Omasum.....  
d) Abomasum.....  
5. SMALL INTESTINE a) Duodenum.....  
b) Jejunum.....  
c) Ileum.....  
6. LARGE INTESTINE a) Colon.....  
b) Caecum.....  
c) Rectum.....  
7. RESPIRATORY SYSTEM a) Larynx.....  
b) Bronchi & Bronchioles.....  
c) Lungs.....  
d) Lymph Glands.....  
e) Diaphragm.....  
8. HEPATIC SYSTEM a) Liver.....  
b) Gall bladder.....  
9. CIRCULATORY & LYMPHATIC SYSTEMS a) Pericardial sac.....  
b) Heart muscles.....

This or hole carcass are a...  
covered by maggots.

DEPARTMENT OF ENVIRONMENT AND FOREST, ASSAM

SEIZURE LIST

Today dated 21/09/2011 at about 10:30 AM I Sri Dhanani Bora, Forester grade-1 O/o Range Forest Officer Eastern Range, Agoratoli Kaziranga National Park as I/O of the case have seized the following articles of illegal possession from the following persons.

- 1 Shri Golap Patgiri, 40yrs  
S/o: Late Mehenga Patgiri  
Vill: Dhobaati, Beloguri  
PO & P S Bokakhat  
Dist. Golaghat
- 2 Shri Anil Doley, 28yrs  
S/o: Sri Budei Doley  
Vill: Dhobaaati, Beloguri  
PO & P S Bokakhat  
Dist. Golaghat

For an Offence committed w/s 9, 27, 31, 49(a), 49(b), 50(c), 51, 51(b) of Wildlife Protection (Assam Amendment) Act. 2009

I have reported the matter to the Divisional Forest Officer, Eastern Assam Wildlife Division, Bokakhat

List of seized properties/materials

- 1 One 303 rifle
- 2 Live bullet of .303 rifle ten (10) rounds.
- 3 Silencer one (1) no.
- 4 Axe two (2) nos.
- 5 Dao one (1) no.

Sri Dhanani Bora - Forester - 1  
Signature of the Seizing Officer

Date... 21/9/11

Witnesses:

1 Shri Padmeswar Pegu

2 [Handwritten signature]

3 Sri Nabin Kumar Mosdaloi DFO  
[Handwritten signature]

1 [Handwritten signature]

2 [Handwritten signature]

Signature of the accused persons

Date .....

নাম :- শ্ৰী অজীব প্ৰেষ্ঠ

বয়স :- ২০ বছৰ

পিতা :- শ্ৰী গুণা প্ৰেষ্ঠ

গাওঁ :- অগৰাতলি

জানা :- বোকাপাত

জিলা :- জোলাপাৰ্চ (জেমছ)

ওপৰত উল্লেখিত মোৰ নাম ও চিকনা অছে । অই অটা কমা  
 কণ্ড মে শ্ৰী জোলাপ পাৰ্চিগিৰি ১। শ্ৰী মেনিল দলে, ২। শ্ৰী  
 বাবলা বৰুৱা আৰু নমা চিকাৰী এজন লৈ কাৰিৰাধা স্বাধীনা  
 উদানৰ দিওৰত স্ৰেৰাংকৈ গড় চিকাৰ কৰাৰ পৰিকল্পনা কৰা  
 মোক চিকাৰী দলটোৰ লগত গড় চিকাৰ কৰিবলৈ যাব লাগিব আৰু তাৰ  
 মোক অম্ম পাচু জোলাপ জিলা শ্ৰী জোলাপ পাৰ্চিগিৰি কয় । প্ৰমাৰ জোলাপ  
 এয়াৰ অই শ্ৰী জোলাপ পাৰ্চিগিৰি চিকাৰী দলৰ লগত গড় চিকাৰ  
 কৰিবলৈ কাৰিৰাধা স্বাধীনা উদানত মোক আৰু দিলে । পুনৰাৰ মোক গড়  
 চিকাৰ কৰিবলৈ লগ কৰাত মোৰ মনত সেই ওপৰত মোৰ অই গড়  
 চিকাৰ কৰিবলৈ নাযত্ব বুলি কৰ্ত্ত তেতিয়া জোলাপ পাৰ্চিগিৰি মোক  
 অই কৰি মোৰ পালত প্ৰাণত চৰ মাৰা আৰু দাবি-বয়াক দি চিকাৰী  
 দলটোৰ লগত অহোৱা কৰিবলৈ নিৰ্দেশ দিলে । তেতিয়া অই  
 উপায়ত্বত মোৰ মনত এনে গৰ্জিত বগত লিখ্ত বৰলৈ বৃদ্ধা-নন্দিনী কাৰ  
 মোৰ দে-লাগে । সেয়েহে এজন অই নাগৰিক হোৱাৰ প্ৰমাৰ  
 অই অগৰাতলি আঞ্চলিক বন বিষয়া মহোদয়ৰ ওচৰত শ্ৰী জোলাপ  
 পাৰ্চিগিৰি অই গড় পৰা পৰিকল্পনা অল্পকৈ অট হোৱাৰ মোৰ  
 লগত কৰে । এনে মোৰ কৰলগীয়া

পৰিকল্পনা অট :- ২০/০৮/২০ তাৰিখত মোৰ শ্ৰীমতী কৰিৰাধা  
 জোলাপ চিকাৰ কৰা খিলা, জোলাপ পৰি কৰাৰী অই আঞ্চলিক বন বিষয়া  
 আঞ্চলিক উদানত । সেই দিনা নমা চিকাৰীজন কৰিৰাধাৰ দৰে বোকাপাৰ্চ  
 আঞ্চলিক আই পাম । তেতিয়া মোক মোৰ ওচৰত মোৰ নমা উদানত অগৰাতলি  
 আৰু শ্ৰী বাবলা বৰুৱাৰ পৰাও অট । তাৰ পিছত মোৰ বাবলা বৰুৱাৰ দৰে  
 মুক্তি কৰাৰ বাবে অম্ম কৰাও । অই কৰি পাচু শ্ৰী বাবলা বৰুৱাৰ নিৰ  
 বানৰ উদানত পৰিৰাধা মোৰ শ্ৰী জোলাপ পাৰ্চিগিৰি কাৰিৰাধা পালি আৰু  
 চাইনেপাৰ অই উদানত মোৰ শ্ৰী মেনিল দলে ২। বাবলা বৰুৱা উদান চিকাৰীজন  
 চিকাৰী কৰিৰাধা স্বাধীনা উদানৰ দিওৰত গড় চিকাৰ কৰিবলৈ ওলাই গৈছে ।  
 অই কৰিৰাধা মোৰ উদানত উদানত অম্ম পৰিৰাধা মোৰে নমা দিৰিৰাধা বন  
 বিষয়া কৰিবলৈ অম্মি অম্মি মোক জোলাপকৈ গড় অম্ম পৰিকল্পনা বতিন  
 কৰি-অট আৰু । তেতিয়া মোৰ মেনিল দলে অই অম্মি শ্ৰী পদ্মেশ্বৰ  
 শেওৰ অৰ-পদ্মেশ্বৰ বাৰিচ পাচ অম্মি পুষ্টি অম্ম পালি আৰু  
 চাইনেপাৰ শ্ৰী পদ্মেশ্বৰ শেওৰ অৰ-পদ্মেশ্বৰ হাট পুষ্টি মো  
 শ্ৰী পদ্মেশ্বৰ শেওৰ অৰ-পদ্মেশ্বৰ মোক । নমা চিকাৰী জনক  
 শ্ৰী বাবলা বৰুৱাৰ কৰিৰাধাৰ নৈশ-বগত উদানত মোৰ জিলা  
 উদানত মোৰ মোৰ ওচৰত পৰা-পুষ্টি মোৰ মোৰ শ্ৰী বাবলা বৰুৱা  
 বাৰিৰে বাৰিৰে নিৰ-বৰলৈ মোৰ । এয়েত যন বিদ্যেৰ মোক  
 অম্মি জোলাপকৈ শ্ৰী পদ্মেশ্বৰ শেওৰ অৰ মোৰ মোৰ মোৰ মোৰ

শ্ৰীমতি :-



206, Rakeshdeep, 11 Commercial Complex  
Gulmohar Enclave, New Delhi - 110 049, India  
Secretariat Office :  
442, Lawyers Chambers, Delhi High Court, New Delhi  
Phone : 91-11-23385773, Fax : 91-11-23389742  
Email : tigertrust\_india@yahoo.com  
Website : www.tigertrustindia.com

Dear Mr. Fred Bagley;

As recommended by the program officers, I am writing to request advance payment of the full amount of the grant payment for the grant FWS Assistance Award number 96200-1-G046.

I request an electronic payment made to:

TIGER TRUST

206, Rakeshdeep Building, 11, Commercial Complex,

Gulmohar Enclave, New Delhi 110049 India

Amount Requested: **\$36,690USD**

Start date: 8 April 2011

End date: 31 August 2013

Sincerely,

  
Anjana Gosain

  
& Manjit Singh Ahluwalia (Project Officer)

## Application of section 195 & 197 CrPC



**Ramesh Gogoi** <gogoiramesh@gmail.com>  
to me

Apr 18

Sir,

We are going to draw an offence against deputy commissioner under section 55 of WLP 1972 for illegal entry inside a Sanctuary, holding meetings with the encroachers, instigating them to encroach upon forest land, setting up of polling booths and schools etc. Whether we need to obtain prior sanctions from the government to lodge complaint case against the offender. If so how to proceed ! As discussed i have gone through the sections 195 and 197 of CrPc. Kindly refer the section under which complaint may be lodged without arrest of the offenders.

Regards  
Ramesh Kr Gogoi, ACF  
Trainee Officer  
Legal training ,DBI, Guwahati



**tiger trust** <tigertrustindia@gmail.com>  
to msahluwalia2003

Apr 19

please attend to this on urgent basis and guide them



**tiger trust** <tigertrustindia@gmail.com>  
to Ramesh,

Apr 19

this is a situation where you need to have investigation and record statements of offenders and then you can report the matter to the senior of the Dy. Commissioner and also file complaint under section 27 ,51 and 55 you need to see the following 1does he have official permit does he have any official work in the forest statements of the villagers whom he has investigated you need to inform his superior officer with some evidence so that for sanction there is some material to shoe that he has committed offence by illegal entry I am in us you may call up MR AHLUWALIA 9811040827

## PHOTO GALLERY



**Faculty members interactive session**



**Mr. Ahluwalia explaining criminal procedure code**



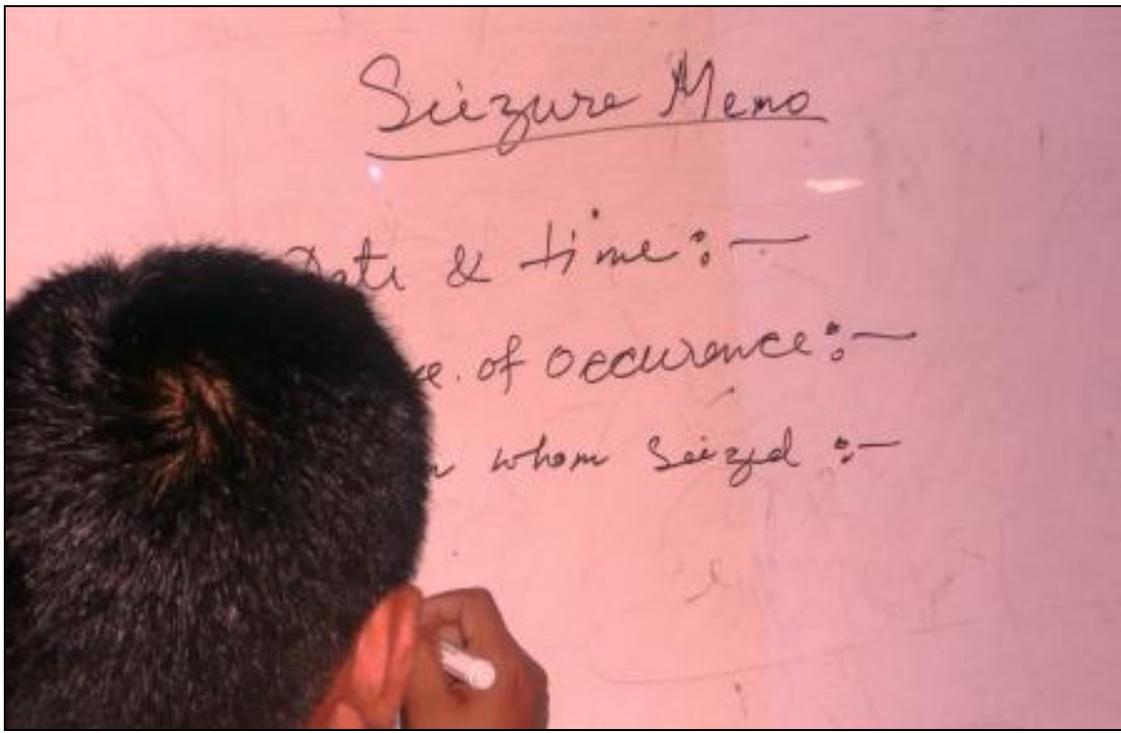
**Anjana Gosain in her first session**



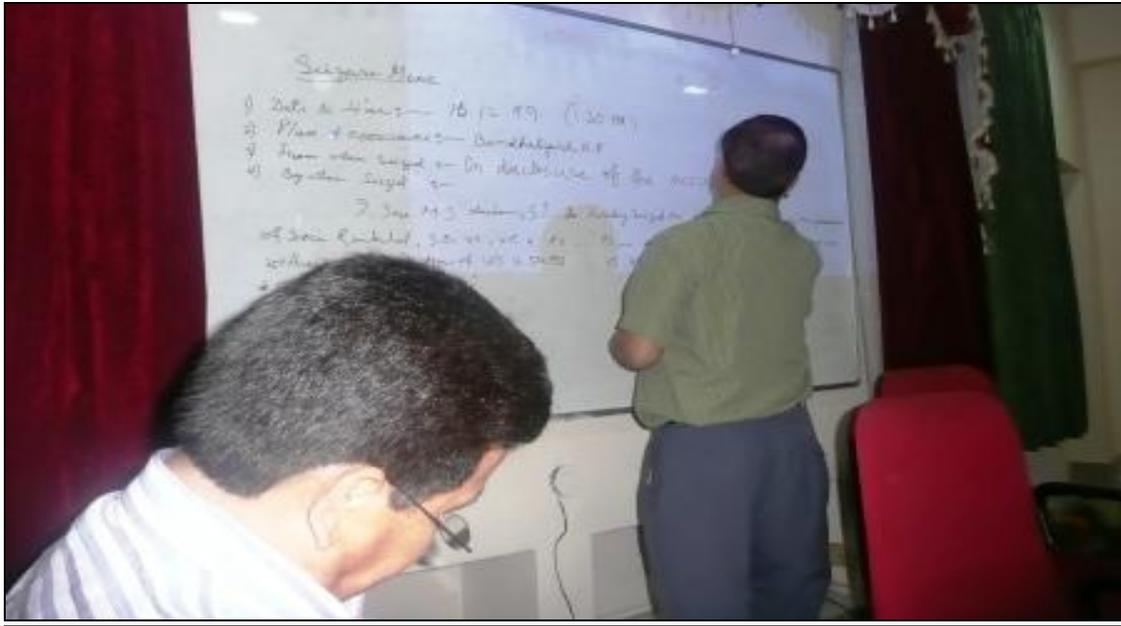
**Participants in rapt attention listening to the faculty members**



**Cross examination by prosecutor Mr. Gagoi**



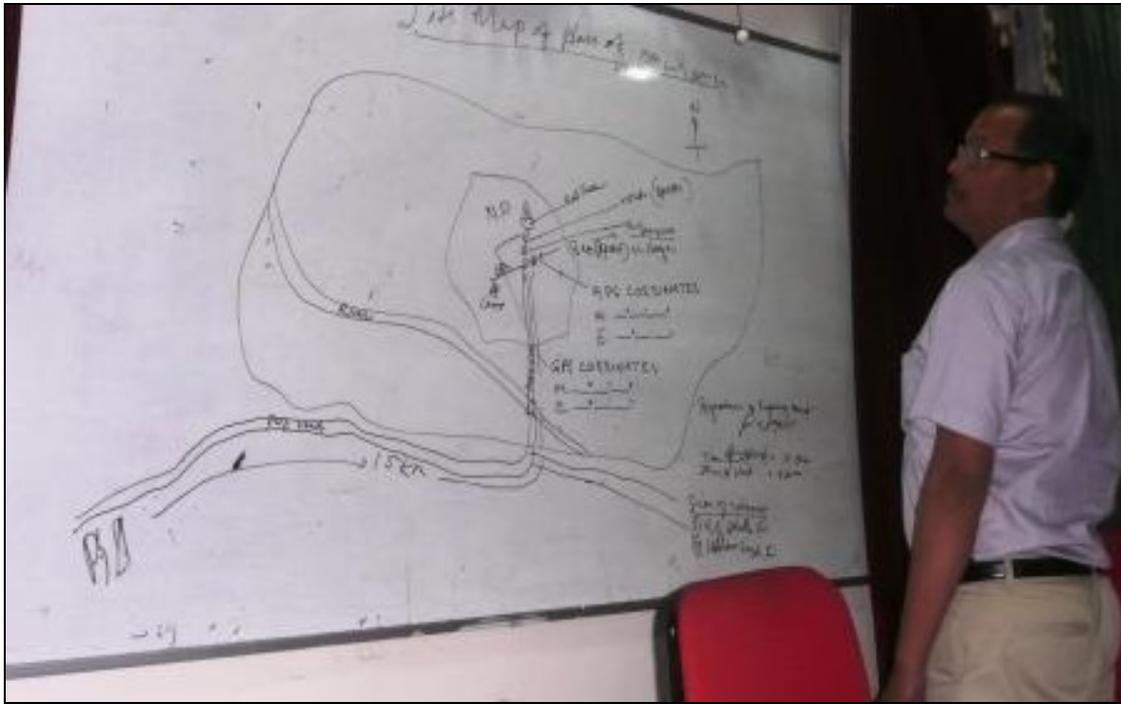
**Practicing to fill up the seizure memo**



**Correction being made by other participant**



**Use of films in explaining scene of crime**



**Preparation of final form**



**Group photograph**



**Senior Forest Officers present at the inaugural session of the workshop.**



**Addl.PCCF(Vigilance and Administration) Shri. D. Mathur delivering the keynote address.**



**Addl.PCCF(Legal)Shri. B.B. Dhar addressing the participants**

