

**INTERIM REPORT ON
HUNTING THE HUNTERS: CAPACITY BUILDING LEGAL TRAINING
PROGRAMME ON WILDLIFE CRIME FOR THE FOREST DEPARTMENT
GOVERNMENT OF ASSAM-TRAINING No. 3**

**ORGANISED BY: TIGER TRUST & ATREE- IN ASSOCIATION WITH: FOREST
DEPARTMENT, ASSAM**

SPONSORED BY: US FISH AND WILDLIFE SERVICE.

**SUBMITTED BY:
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22ND – 23RD OCTOBER 2010

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INTRODUCTORY SESSION

A two-day Legal Training Programme on Wildlife Crime for the Forest Department of the Government of Assam was conducted by Tiger Trust, India in collaboration with Ashoka Trust for Research in Ecology and the Environment (ATREE) and supported by US Fish and Wildlife Service. This report summarizes the programme background, objectives, participants, proceedings, discussions and outcomes.

The workshop was organised against the backdrop of a realization that wildlife crimes pose a serious challenge alongside other major threats to the structural framework that sustains human life. Despite the acknowledged rampant nature of wildlife crimes in the protected areas and preserved forests, the rate of convictions is abysmally low. This has not only hazarded the cause of preservation of wild flora and fauna but has also proved detrimental to the morale of the forest staff. This 'Hunting the Hunters' (HTH) was the third phase of and the culmination of a series of training programmes structured at the legal orientation of the participating officials of the forest department. It was focussed at an awareness generation of the legislative provisions, their accurate interpretation for effective enforcement and the institutional framework in place to ensure effectual monitoring, detection and prevention of wildlife crimes. It was deemed imperative at enhancing the enforcement capacity of the forest department officials through information dissemination on the various legislations empowering them to arrest crime and protect wildlife.

Highlighting the relevance of an empowered forest staff, the workshop focused on some key issues: (i) Specialised training as to familiarize the officials with laws aimed at protection of wildlife (ii) Focused capacity building activities aimed at inspiring knowledge of legislation (iii) Motivation and investigation of crucial action to ensure effective prosecution (iv) Encourage use of professional and scientific methods of investigation for successful convictions. As custodians of wildlife, the forest department officials can play a catalytic role in ensuring conformity and collaboration aimed at effective management of wildlife.

Evaluation of the training programme revealed a marked shift in the attitude and perceptions of the forest department officials, who confessed that the workshop had been a revelation. Lauding this initiative of Tiger Trust, India and ATREE, the participants stressed on the need of such training programs and follow-up activities to be organized frequently so as to ensure constant motivation and up gradation of information to the forest officials in their role as 'custodians and protectors' of wild flora and fauna.

INTRODUCTION TO THE WORKSHOP

Aimed at imparting legal/technical training to the officials of the Forest Department, Assam, the primary focus of the Training Programme was to enhance the productive efficiency of the officials. Focused on capacity building, the stress on legal awareness was intended at empowering the officials on performance of their duties 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 programme, apart from others which ranged as,

1.1: PROGRAMME OBJECTIVES-

The Training Programme attempted to:

- Identify significant flaws in conforming to the accurate procedural aspects of legal provisions for wildlife protection, which results in low convictions.
- Emphasize on the need for proper comprehension and accurate interpretation of various legislative provisions aimed at effective enforcement practice.
- Outline the various technical aspects of the important legislative provisions including methodology of interpreting the various provisions and clauses.
- Focus on awareness generation for effective implementation of wildlife protection laws through accurate and systematic investigation procedure, in case of violations.
- Accentuate the necessity of adopting various tools of forensic science for scientific investigation of crime and ensuring effective prosecutions of 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.

1.2: PARTICIPANTS-

The two-day Training Programme, aimed at capacity building of the officials of the Forest Department; Assam, was attended by around thirty-six officials of the Forest Department, Assam (see Annex III) ranging from the rank of Forester-I to the Divisional Forest Officers.

1.3: METHODOLOGY-

The facilitators used participatory learning methods as visual presentations, discussions, brainstorming and question and answer sessions to reinforce the necessity.

PROGRAMME PROCEEDINGS ON 22.10.2010

2.1: INAUGURAL SESSION-

Ms. Anjana Gosain, Honorary Secretary, Tiger Trust, welcomed all the participants to the third and final phase of the legal orientation programme of the officers of the Forest Department, Assam, organised in collaboration with ATREE and supported by the US Fish and Wildlife Service. Reflecting on the aims of the programme, she reminded the participants of the how the changing paradigms of wildlife conservation provisions have opened up spaces for debates and discussions as regards the viability of its application and implications thereof. She exhorted the participants to make the utmost of the training programme where the focus would be on empowering the enforcement officers of the Forest Department with adequate information of wildlife protection laws. This, as she highlighted, would assist the officials to ensure better understanding of issues and effective enforcement of laws relating to wildlife conservation programme.

Delivering the keynote address, Justice A.B.Sahariya (Retd.), briefly explained the significance of the officers of the Forest Department to acquire an understanding of the code of conduct and responsibilities along with an awareness of the various powers entrusted upon them as guardians of the forest. He welcomed the participants to an open discussion on any aspect of their functions as enforcement officers and develop clarity of concepts regarding the various legal provisions to ensure its effective implementation. He enjoined the participating officers to focus on conducting systematic and accurate investigation with the aid of improvised scientific facilities available, which formed another highlight of the training programme. This, as he believed would greatly support wildlife and wildlife crime detection.

Speaking at the occasion, the Chief Guest, Sh.R.P.Aggarwala, CCF. Territorial Division, 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.

P.P.Dhar, CCF (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 programme conducted by Tiger Trust. This, he remarked would serve a dual purpose- that of imparting relevant information on various legal/technical aspects and would also be a great moral boost to the staff and officials participating in the training programme.

2.2: OPENING SESSION : BRIEF REVISION OF IMPORTANT PROVISIONS OF WILDLIFE PROTECTION ACT, CRIMINAL PROCEDURE CODE AND INDIAN EVIDENCE ACT BY 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 and challenging 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.

Manjit Ahluwalia co-facilitated and 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. 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. Also deemed important was understanding the psychology of the offender. 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.

2.3: ROLE OF FORENSIC IN CONSERVATION AND MANAGEMENT OF WILDLIFE- BY 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 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 collection of proper and sufficient material sample and proper packaging and forwarding so as to enable the forensic lab to conduct appropriate scientific investigations and generate authentic report.

2.4: LEGAL ISSUES IN INVESTIGATION AND TRIAL OF WILDLIFE CRIMES: ADDRESS BY JUSTICE (RETD.) A.B.SAHARAYA-

Facilitating a lively session interspersed with wit and humour, Justice A.B. Sahariya (retired) 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.

2.5: MOCK TRIAL BASED ON CASE STUDIES- DAY II - 23.10.2010

Setting the agenda of the session, Anjana Gosain facilitated the mock trial session based on a selected case study. She introduced the participants to a few facts of a case following which the participants were to be enlightened on various facets of building up a proper case by accurate reporting, proper documentation for it (case) to be admissible in a Court of Law.

The case study involved an authorised tour guide of the National Park (Mr.Muralilal), a vehicle, the driver of the vehicle (Akhilesh) and two American tourists (John and Jenny). Being allotted Route No.1, the vehicle was spotted at the intersection by the officer on duty. On interrogation and scrutiny of the route ticket allotted, it was revealed that the vehicle had trespassed.

A highly interactive session, it was an 'eye opener' as many participants later confessed. As part of the exercise, all the participants were asked to prepare their own seizure memos. A major limitation, which was revealed in course of the trial session, was the lack of a standard seizure memo. This emerged as one of the factors inhibiting the cause of a proper trial in favour of the forest department. It provided an opportunity to the participating officers of the forest department to realize their shortcomings in investigation and documentation. The participants thoroughly enjoyed the lively demonstration and enactment of the trial. While the participants offered different approaches to the crisis that was presented, Anjana and Manjit teamed up to equip the participants with tips on conducting professional investigations. The outcome of the session was ample realization that the officers are inadequately trained to handle the legal aspects due to lack of information and in most cases are completely unaware of their powers and responsibilities. As various facets of the case were taken up for discussion by Justice Saharaya (Retd.), he offered valuable inputs on following a standard format for seizure memo, as he rightly pointed out, to the participants that a sound knowledge of the law is a prerequisite for its effective application. He stressed on the enforcement officers adopting a practical approach to any crisis to ensure proper enforcement of law along with protecting wildlife. It is in this context that he illustrated the importance of developing communication skills to manage a crisis such that it ensures proper enforcement of the law along with sanctity of the park and also of the tourists involved. Justice Saharaya also enjoined upon the officers to realize the significance of proper packing and seal that is indispensable to authenticate the seizure. It serves as a symbol of authority as well as a safeguard, which is important for conducting of forensic examination, as otherwise the laboratory, would not deem it admissible for laboratory examination.

An important recommendations which emerged out of the trial session was the need of a standard format for a seizure report. The trial session revealed the difficulties that were faced by the forest officers because of the unavailability of standardized formats.

2.6: OBSERVATIONS BY JUSTICE A.B. SAHARAYA (RETD.) WITH SPECIAL EMPHASIS ON COMMUNICATION SKILL AND HOW TO REDRESS THE LEGAL DEFICIENCIES FOR SUCCESSFUL PROSECUTIONS

Applauding the forest officers contribution to protection and preservation of the wildlife enclaves, Justice Saharaya spoke at length on a range of issues on very crucial and sensitive aspects concerning wildlife. He apprised the participants on carrying a very professional attitude in the conduct of interrogations- lawful, courteous yet firm. In many cases, he observed, 'warning' could be the most appropriate option in case of minor offences. He emphasized on trying to reform a wrong until it involves a serious violation of the law. The use of coercive or abusive language often leads to serious violations and many times, it is counterproductive and certainly does not serve the purpose of wildlife protection. He cautioned against humiliating and putting tourists to inconvenience. He emphasized on the officers developing strong communication skills. To be polite, calm and act practically as per the demands of the situation would serve as the perfect antidote to any crisis. He also stressed the importance of 'circumstantial evidence' as incriminating circumstances are vital to carry forward the conviction of the accused. 'Man may lie but circumstances will not' was a point, which, as Justice Saharaya pointed out, is well known in the realm of law and is recognised in the administration of justice. He asked the participants to develop the instincts of observation with a keen eye for minute details when looking for evidence as the local area, the vegetation of the surrounding area where the crime has been committed. Emphasizing on scientific investigation of circumstantial evidence, he suggested necessary follow-up for it is imperative to pin down the 'big fish' to arrest the burgeoning statistics of wildlife crime. As forest officers, they would need to cultivate is honesty and respect for law including developing a keenness to understand the technicalities of the law and also its applicability. While he enjoined upon the officers to exercise their power with caution, he assured them that as long as their act is 'bonafide,' it would be accepted and admissible in the Court. He sought the officers to be confident and honest in the exercise of the special powers that had been conferred on them by the provisions of the Wildlife Protection Act 1972 and act 'firmly, calmly and perfectly,' as Justice Saharaya put it. It was reiterated that ecology and environment are vital factors in ensuring the protection and preservation of wildlife. Forest officers thus have a crucial responsibility thrust on them and they can by knowledge, application and adherence to law, successfully thwart any attempts at transgress or violations of the wildlife reserves, which form the natural wealth of any country and needs to be preserved and protected.

The redressal of queries by Justice A.B.Saharaya and the panel of resource persons is annexed as **ANNEXURE -I**

ANNEXURE I: REDRESSAL OF QUERIES BY JUSTICE A.B.SAHARAYA AND THE PANEL OF RESOURCE PERSONS

A GIST OF THE SESSION HEADED BY JUSTICE A.B.SAHARAYA ALONG WITH MS. ANJANA GOSAIN & MR.MANJIT AHLUWALIA HAS BEEN RECORDED

Investigation & Prosecution of Wildlife Crime – peculiar aspects / deficiencies:

1. The ecology and environment of the country is heavily dependent upon its wildlife, birds and plants etc. You, my dear friends are the custodian and protector of this rapidly diminishing wealth of the country.
2. The Indian Forest Act, 1927 (the Forest Act) was passed to consolidate the law relating to “forests, the transit of forest-produce and the duty leviable on timber and other forest-produce”. The Wildlife (Protection) Act, 1972 (the Wildlife Act) was enacted by the Parliament with a different object “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 Wildlife Act passed by the Parliament in the year 1972, was made applicable to different States from time to time during the period from 1973 to 1974; but, in the State of Assam the Act was made applicable only in January 1977.
3. The very statement of objects and the subject-matter of these two special laws via-a-vis IPC offences under Cr.P.C show the enormous difference in the basic and fundamental approach in dealing with the peculiar circumstances, manner and place of investigation into offences against the Wildlife Act.
4. The Forest Act and the Wildlife Act also contain provisions for rules to be made by the Central Government and by the State Government.
5. The Code of Criminal Procedure, 1973 (Cr.P.C.) Section 4 postulates that all offences under the Indian Penal Code shall be investigated, enquired into, tried, and otherwise dealt with according to the provisions contained in the Cr.P.C ; whereas, all

offences under any other law shall be investigated, enquired into, tried, and otherwise dealt with according to the same provisions, but subject to any enactment for the time being in force regulating the manner and place of investigating, enquiring into, trying or otherwise dealing with such offences.

6. Powers of police officers and the manner and place for arrest, detention and investigation of offences under the Indian Penal Code are substantially different from those prescribed under the Forest Act and the Wildlife Act. Indeed, the powers and procedure regulating the manner and place of investigating, enquiring into, trying or otherwise dealing with under the Forest Act also are substantially different from those enacted under the Wildlife Act.

7. The law of evidence also is different in many respects in its application to trial of offences under the Indian Penal Code, the Forest Act, and the Wildlife Act.

8. The perception of the law is substantially different in its applicability to the investigation and prosecution of offences under the Indian Penal Code, the Forest Act and the Wildlife Act.

9. **The word "investigate"**, in ordinary English dictionary, means to search or inquire into with care and accuracy. Investigation must reach the root of the crime.

10. Investigation must be taken up immediately on reasonable ground for believing that any person has committed an offence. The place of occurrence should be identified and thoroughly surveyed. It would reveal basic information about the commission of the crime. All circumstances that may appear to indicate the commission of the offence should be identified and properly secured.

11. Accurate site plan should be prepared. It should clearly indicate the place of occurrence with reference to the direction, distance and description of salient landmarks in the locality. Everything found and circumstances noticed that may appear to be connected with the crime should also be described and depicted in a diagram. Every

thing relating to the event should be carefully inspected, searched and properly secured. Photographs of the site and the objects depicting their location etc. should also be taken.

12. Immediate steps should be taken to find out eyewitnesses, if any, of the occurrence or of the circumstances relating to the occurrence; and their statements should be accurately recorded. Effort should be made to search and find all the other evidence and the accused connected with the crime.

13. Every clue should be carefully picked up and pursued for ascertainment of the facts and circumstances for establishing the commission of the crime and the identity of the persons involved in it.

14. All steps taken in investigation of the case and all the information gathered must be contemporaneously and properly recorded; everything recovered or seized should be properly packed and sealed for production and proof of the same at the time of trial for conviction of the person (s) involved in commission of the crime.

15. The Wildlife Act, inter alia, prohibits hunting of wild animals, trade or commerce in wild animals, animal articles and trophies etc., besides protection of specified plants. Penalties and punishment have been prescribed for violation of these provisions. Power and the procedure for prevention and detection of offences have also been prescribed; besides miscellaneous provisions have been made ancillary or incidental thereto. The provisions made in the Act have to be read along with the rules made under the Act.

16. Investigation, punishment and cognizance of offences are essential parts of Chapter-VI for prevention and detection of offences under the Wildlife Act.

17. Section 50 Sub-section (1) enacts, notwithstanding anything contained in any other law for the time being in force, the powers of entry, search, seizure, arrest and

detention etc. given to the Director or the Chief Wildlife Warden or any other officer authorised by them in this behalf, or Forest Officer etc. "if he has reasonable grounds for believing that any person has committed an offence against this Act".

18. "Forest Officer" means the Forest Officer appointed under Clause (2) of Section 2 of the Forest Act or under any other Act for the time being in force in the State. The Assam Wildlife Protection Rules include various levels of officers right down up to the Forest Guard in the definition of "Forest Officer". It must be borne in mind that the manner and method of exercise of the powers by the Forest Officer under the Wildlife Act are substantially different from those exercised by the Forest Officer under the Forest Act. It may well be said that a Forest Officer wears a different hat, one for purposes of the exercise of his powers under the Forest Act and the other for the exercise of his powers under the Wildlife Act.

19. Section 50 Sub-section (8) also enacts, notwithstanding anything contained in any other law for the time being in force, that any officer not below the rank of an Assistant Director Wildlife Preservation or an officer not below the rank of Assistant Conservator of Forests authorised 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.

20. Section 50 Sub-section (9) envisages that 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 spirit of Evidence Act Section 33 has been adapted, in different terms, in the Wildlife Act.

21. Similarly, provision is made for presumption to be made in certain cases under Section 57 of the Wildlife Act, which is at variance from the provisions for presumptions under the Evidence Act.

22. Section 50 Sub-section (1) and Sub-section (8) enact non-obstante clause “Notwithstanding anything contained in any other law for the time being in force” for the purposes of investigation into offences under the Wildlife Act. In other words, the non-obstante clause excludes applicability of the general provisions made in Cr.P.C. as well as the special provisions made in the Forest Act for regulating the powers, manner and place of investigation enacted under the Wildlife Act.

23. The deficiencies in following the provisions made for investigation and prosecution of offences under the Cr.P.C. and under the Forest Act should be distinguished from the deficiencies in investigation of offences and the prosecution of accused under the Wildlife Act.

24. Nevertheless, the exercise of power and the manner for conducting investigation must be justified; and the forms prescribed for investigation under Cr.P.C. and under the Forest Act may be used subject to suitable modifications that may be adopted; consistently with the peculiar facts, circumstances and the place where any person has committed an offence under the Forest Act.

25. The forms for preparation of Site Plan, Seizure Memo, Arrest and Statement under Section 50 of the Wildlife Act, in the absence of Rules made in this regard under this Act, may be adopted with suitable variations particularly in respect of the presence of the accused and the number of persons present as witnesses given in the “Legal Guide”.

26. An employee or officer of the Forest Department may be a witness, in the absence of any other person, keeping in view the place of investigation and the provisions for restriction on entry and grant to any person a permit to enter the sanctuary especially for “investigation” and “purposes ancillary or incidental thereto”

under Section 27 and Sec 28 of the Wildlife Act. It is unnecessary to involve more than one person as witness, unless the number of witnesses is prescribed under the relevant rules. It is not necessary to have the same person as witness, although care should be taken to involve minimum number of persons as witnesses in respect of several things which may be done at different time or at different places during the course of investigation; but, where outside witness may not be readily available, care should be taken to ensure that the officer(s) carrying out any part of investigation should not be taken as witness and vice-versa in any given case. Any instance of this kind may adversely affect the concerned person's credibility as a witness and also the probative value of his evidence in court.

27. Any person may be approached by any of the officers referred to Sub-section (1) for assistance in the prevention or detection of an offence or in apprehending persons charged with the violation of the Act, or for seizure etc.; and in such a case, it shall be the duty of such person or persons to render such assistance under Sub-section (7) of Section 50 of the Wildlife Act.

28. Under Section 59, every officer shall be deemed to be public servant within the meaning of Section 21 of the Indian Penal Code. Section 60 provides for protection and no suit, prosecution or other legal proceeding shall lie against any officer or any other employee of the Department for anything which is in good faith done or intended to be done under the Act.

29. Any person who renders assistance in the detection of the offence or the apprehension of the offender may be paid reward by order of the Court under Section 60A as well as by the Department under Section 60B of the Act. These provisions for payment of reward would encourage a person to render assistance in terms of Section 50(7) and Section 60B of the Wildlife Act.

ANNEXURE- II**HUNTING THE HUNTERS-CAPACITY BUILDING PROGRAMME****HELD ON 23-24TH OCTOBER,2010 AT IIBM, GUWAHATI****ON WILDLIFE CRIMES FOR THE BENEFIT OF FOREST STAFF****LIST OF PARTICIPANTS**

SL.No.	NAME	DESIGNATION	DIVISION
1	RANJAN KUMAR DAS	DFO	SIBSAGAR DIVISION
2	HAREN KONWAR	ACF	SIBSAGAR DIVISION
3	SAIDUL ISLAM	ACF	SONITPUR EAST DIVISION
4	BOKUL CHANDRA HAZARIKA	FR	DIBRUGARH DIVISION
5	M.R.TERON	ACF	EAST DIVISION DIPHU, KARBI- ANGLONG
6	DILIP CHANDRA BAIDYA	DR	NAGAON
7	P.TERONG	FR	EAST DIVISION, KARBI ANGLONG
8	MAJAIL SIGNAR	DR	EAST DIVISION,KARBI ANGLONG
9	B.R.KAKATY	FR	NORTHERN RANGE, KNP BISWANATH GHAT
10	N.C.THAKURIA	FR	
11	KHAGESWAR BORDOLOI	FORESTER-I	NAGAON.
12	SANJIB BORDOLOI	FR	GOLAGHAT DIVISION
13	NAZRUL ISLAM	FORESTER-I	KNP, EAWL DIVISION.
14	BIBHA SONOWAL	FORESTER-I	BAGORI RANGE,EAWL DIVISION

15	BHUPEN PATHAK		BHUYANPARA RANGE, MANAS NATIONAL PARK
16	GOLAP KUMAR BANIA	FR	
17	ATUL PHETOWAL	FR	DIBRUGARH DIVISION
18	AKBAR HUSSAIN	ACF	
19	K.S.DEKARAJA	FR	
20	VIJAYANANDA BHOBORA	DEPUTY RANGER	MANAS NATIONAL PARK
21	PHANI DHAR HAZARIKA	FR	SONITPUR EAST DIVISION
22	INDRESWAR DEORI	DEPUTY RANGER	SONITPUR EAST DIVISION
23	PRABHAT SARMA	FR	SONITPUR EAST DIVISION
24	BIREN BARUAH		EAWL DIVISION
25	BIPUL SARMA	FR	SONAI RPAI W/L SANCTUARY
26	C.R.BHOBORA	DY.DIRECTOR	MANAS TIGER RESERVE
27	PADUM BARPATRA GOHAIN	FRO	DIGBOI DIVISION
28	MUSTAFA ALI AHMED	FRO	
29	MD. FARIDULLA ALI	ACF	EAWL, BOKAKHAT
30	H.K.BORTHAKUR		
31	BASANTA KUMAR GAYAN	DY.RANGER	HOJAI AFFORESTATION DIVISION
32	D.D.GOGOI	DFO	EAWL
33	B.BASUMATARY		

ANNEXURE III:**MODULE FOR THE HUNTING THE HUNTERS: LEGAL TRAINING PROGRAMME ON
WILDLIFE CRIME****FOREST DEPARTMENT, GOVERNMENT OF ASSAM-TRAINING No.3**

DATE	TIME	PROGRAMME
DAY 1: 23/10/2010	9:00-9:30 AM	REGISTRATION OF PARTICIPANTS FOR THE TRAINING
	9:30-10:00 AM	WELCOME AND INAUGURAL SESSION. WELCOME OF THE CHIEF GUEST (SH.R.P.AGGARWALA,CCF TERRITORIAL DIVISION) AND THE MEMBERS OF TIGER TRUST-JUSTICE A.B.SAHARAYA(RETD.), Ms. ANJANA GOSAIN AND MR.M.S.AHLUWALIA INTRODUCTION TO THE WORKSHOP BY Ms.ANJANA GOSAIN INAUGURAL ADDRESS BY THE CHIEF GUEST
	10:00-10:30 AM	TEA BREAK
	10:30-11:30 AM	BRIEF REVISION OF ALL IMPORTANT PROVISIONS OF WILDLIFE PROTECTION ACT, CRIMINAL PROCEDURE CODE AND INDIAN EVIDENCE ACT.
	11:30-12:45 PM	PRESENTATION BY DIVISIONS BY THE RESPECTIVE DFO'S OF KAZIRANGA AND MANA
	12:45-1:30 PM	ADDRESS BY JUSTICE (RETD.)A.B.SAHARAYA ON THE ISSUE OF LEGAL DEFICIENCIES IN INVESTIGATION AND TRIAL OF THE CASES WHICH RESULTS IN ACQUITAL
	1:30-2:15PM	LUNCH
	2:30-3:30 PM	PRESENTATION BY THE TEAMS ON THE PREPARED CASE STUDIES-CASES PREPARED BY THE TEAMS IN KAZIRANGA IN THE

		PREVIOUS TRAINING WITH EMPHASIS ON DIFFICULTIES
	3:30-4:15 PM	QUESTION-ANSWERS BY THE PARTICIPANTS TO BE ANSWERED BY THE PANEL

DATE	TIME	PROGRAMME
DAY 2: 24/10/2010	9:00-10:00 AM	RECAPITULATION OF DAY-1 BY MS.ANJANA GOSAIN
	10:00-11:00 AM	ORAL/WRITTEN TEST
	11:00-11:30 AM	TEA
	11:30-1:00 PM	MOCK TRIAL OF TWO WITNESSES BASED ON CASE STUDIES. THE PROSECUTION TEAM WILL BE LEAD BY THE TRAINEE PRESENTING THE CASE STUDY AND MR.M.S. AHLUWALIA WILL BE SUPPORTING THE DEFENCE TEAM.
	1:00-2:15 PM	LUNCH
	2:30-3:30 PM	OBSERVATIONS BY JUSTICE A.B.SAHARIYA(RETD.) WITH SPECIAL EMPHASIS ON COMMUNICATION SKILL AND HOW TO REDRESS THE LEGAL DEFICIENCIES IN ORDER TO HAVE SUCCESSFUL PROSECUTION.
	3:30-4:15 PM	OPEN HOUSE
	4:15-5:45 PM	VOTE OF THANKS AND CONCLUSION CEREMONY

ANNEXURE IV:

HUNTING THE HUNTERS-CAPACITY BUILDING PROGRAMME

HELD ON 23-24TH OCTOBER, 2010 AT IIBM, GUWAHATI

ON WILDLIFE CRIMES FOR THE BENEFIT OF FOREST STAFF, ASSAM

QUESTIONNAIRE / FEEDBACK FORM

DATE:

A. BASIC INFORMATION:			
1	NAME		
2	DESIGNATION		
3	AGE		
4	NATIONAL PARK		
5	CONTACT NUMBER		
6	E-MAIL		
7	SINCE HOW MANY YEARS YOU HAVE BEEN IN THIS PROTECTED AREA (PA)?		
8	HAVE YOU ATTENDED ANY WILDLIFE FIELD-TRAINING PROGRAMME EARLIER?	YES	NO
B. ABOUT THE WORKSHOP:			

1	HAVE YOU FOUND THIS 'TRAINING-OF TRAINERS PROGRAMME' USEFUL?	
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2.	IN WHICH AREA OF PROSECUTION DID YOU FEEL DIFFICULTIES?	<input type="radio"/> INVESTIGATION <input type="radio"/> PREPARATION OF DOCUMENTS <input type="radio"/> COLLECTION OF EVIDENCE	
3.	WHETHER THESE DIFFICULTIES WERE SUFFICIENTLY ADDRESSED BY THE TRAINERS?		
4	WHETHER THE MODULE WAS ADEQUATE IN FIELD TRAINING SCHEDULE AND CLASSROOM?		
5	WHETHER THIS TRAINING PROGRAM IS USEFUL AND BENEFICIAL TOWARDS BETTER LAW IMPLEMENTATION TO COMBAT ILLEGAL WILDLIFE CRIME?		
6	WHETHER YOU WOULD LIKE TO HAVE POLICE JUDICIAL TRAINERS ALONG WITH OUTSIDE FACULTY?	YES	NO
7	IF YES, HOW OFTEN SHOULD SUCH PROGRAM BE HELD?	QUARTERLY/SIX MONTHLY/ANNUALLY	
8	RESOURCE PERSONS GOOD/GOOD/FAIR	EXCELLENT/VERY	
9	MODULE GOOD/GOOD/FAIR	EXCELLENT/VERY	

10	ARRANGEMENTS OF BORADING AND LODGING EXCELLENT/VERY GOOD/GOOD/FAIR
11	WHICH LOCATION DO YOU PREFER FOR THE INSTITUTION/BOTH TRAINING PROGRAM? FIELD/ACADEMIC
12	ANY OTHER SUGGESTION OR RECOMMENDATION?











