

Ranthambhore 2015

Interim Report
HUNTING THE HUNTERS - III
WOMEN FOREST GUARDS EMPOWERMENT TRAINING VI
Capacity Building Program in Rajasthan
State of Rajasthan in North-West India



Venue: Hotel Siddhi Vinayak, Sawai Madhopur, Rajasthan
(From May 1 to 3, 2015)

Supported by

Mr. Patrik Tigerschild from Sweden

Tiger Trust

206, Rakeshdeep, 11, Commercial Complex, Gulmohar Enclave,
New Delhi – 110049, India

Telephones: +91 11 23385773; +91 11 6516770; Fax: +91 11 23071281

E-mail: tigertrustindia@gmail.com

Website: www.tigertrustindia.org



Tiger trust

Patrik Tigerschiold



Patrik Tigerschiold
Chairman, Bure Equity, Sweden

BIOGRAPHY

Born in 1964, in Stockholm, Sweden, M.Sc in Business Administration (1989)

Primarily worked in financial industry for 10 years at SEB, Skandinaviska Enskilda Banken, with asset management

From 1999 onwards worked as CEO at Bure Equity, Chairman since 2013 (Bure Equity - Group of Companies, primarily in high-tech industries i.e. Electronics and Medical Technology)

Also works pro-bono for the Swedish Governance organization for private Sector.



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Letter of Appreciation

Office of the Chief Conservator of Forests and Field Director
Sariska Tiger Reserve, Alwar, Rajasthan

Sr. No. F/C.C.F. & F.D./2015 1622

Dated: 6.7.15

To,
Ms. Anjana Gosain,
C.F.O Tiger Trust India, New Delhi

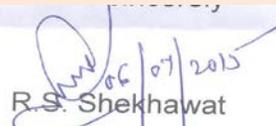
Subject: Regarding wildlife law enforcement training to women forest guards.

Dear Madam,

Tiger Trust has been organizing legal training to force of women forest guards. The team of experienced trainers did a remarkable task of giving knowledge of wildlife laws, framing cases, ensuring follow-up of cases in courts and better conviction rate in wildlife offence cases thus making the entire process of the training fruitful. Both, the classroom sessions and the field trainings helped the trainees to increase their knowledge about the various facets of the legal and practical aspects of wildlife conservation which will be an asset and support to the wildlife law enforcement. The field training has been highly appreciated by the participants.

I look forward to more of such interactions that build up the confidence of the forest guards frontline staff.

Thanking You
Your's sincerely,


R.S. Shekhawat
Chief Conservator of Forests & Field Director
(आर० एस० शेखवत)
Sariska Tiger Reserve, Alwar, Rajasthan
बाघ परियोजना सरिस्का, अलवर

ACKNOWLEDGMENTS

The Inter-division Women Forest Guards Empowerment Training—Capacity Building Training program was organized with the active support of Mr. Patrik Tigerschiold and the Forest Department of Rajasthan.

Tiger Trust acknowledges the contribution and support extended by Ms. Savita Anand, HOFF, PCCF; Mr. Y.K. Sahu, Chief Conservator of Forest and Field Director; and Mr. Sudarshan Sharma, Divisional Forest Officer.

Tiger Trust would also like to extend special acknowledgement to Mr. Arun Sharma, Assistant Conservator of Forest and Mr. Himmat Singh, Public Prosecutor.

Tiger Trust also appreciates the support extended by the resource persons Mr. Manjit Singh Ahluwalia, Mr. Pradeep Desodya, and Mr. Arbind Jha.

Tiger Trust also acknowledges the support and cooperation extended by the staff members, Ms. Priyanka Arya, Project Coordinator; Ms. Seema Soni, Report Coordinator; and Mr. Baldev Singh Mahar, and all the participants.



EXECUTIVE SUMMARY

The sixth Inter-divisional Capacity Building Training Program on forest offences—Women Forest Guards Empowerment Training—was organized by Tiger Trust and supported by Mr. Patrik Tigerschiold and the Rajasthan Forest Department. This workshop specifically aimed at creating a proactive team of women forest guards in wildlife conservation. The Program was held at Sawai Madhopur from May 1 to May 3, 2015. A total of 49 participants attended the 3-day workshop, which aimed at improving their skills in relation to the detection and the investigation of crimes associated with the laws governing wildlife and forest conservation. The participants were invited from different forest divisions of Rajasthan—Kota, Sariska Tiger Reserve, Rajsamand, Udaipur, Sawai Madhopur, Karauli, Jodhpur, Mount Abu, and Mukundra National Park at Ranthambhore.

In preparation for the training, Ms. Priyanka Arya visited Ranthambhore to meet Mr. Arun Sharma, the nominated nodal officer on April 23, 2015. Both of them jointly invited Mr. Ajay Kumar Ojha—District and Session Judge, Ms. Poonam—Collector, Mr. Rajinder Sharma—Chief Judicial Magistrate, and Mr. Sawai Singh Godara—Superintendent of Police for the Valedictory session. However, Mr. Himmat Singh—Public Prosecutor was invited as the resource person. Ms. Arya then also arranged for the food and lodging of the participants and resource persons.



During this workshop, sessions consisted of theory and field training. The theoretical sessions were conducted by senior faculty members Ms. Anjana Gosain and Mr. Manjeet Singh Ahluwalia on the following Acts:

- **The Indian Evidence Act 1860**
- **The Indian Forest Act 1927**
- **The Rajasthan Forest Act 1953**
- **Wildlife Protection Act 1972**
- **The Criminal Procedure Code 1973**

A session on crime investigation, sample collection, and wildlife forensics was conducted by Mr. Pradeep Desodhya, Mr. Arbind Jha, and Mr. Himmat Singh. The purpose of this program is to help successfully monitor the schedule I animals, critically endangered species, and support wildlife conservation. This was done by initializing a strategic information module system for the successful prosecution.



PROJECT GOALS AND OBJECTIVES

The primary goals and objectives of the Capacity Building Program include a creation of a replicable model of an empowered workforce of women forest guards through a legal training in creating an awareness regarding the handling of pre- and post-wildlife crimes investigations and reducing the cases of man-animal conflict in and around tiger reserves for an efficient conservation of the habitat; training women forest staff in the areas concerning intelligence networking, and developing clear communication skills for working with the community on behalf of the Forest Department.

The main emphasis of this program was also to equip the officials with preparation for the identification of crimes in order to avoid deficiencies/errors in the detecting process, preparation for court proceedings, collection of evidence, and filing of proper case in the court of law.



Guests on the dice during the valedictory session



To attain the previously mentioned objectives, the recipients were supposed to:

- Study existing laws and capacities;
- Understand and appreciate judicial decisions on relevant provisions of the acts;
- Establish and implement an effective enforcement system for detection, investigation, and implementation of the program; and
- Support the implementation of effective and efficient anti-poaching operations strengthened by appropriate legal knowledge.

Tiger Trust has been successful in the implementation of legal, theoretical, and practical knowledge to all the participants. However, the highlight of the workshop was an interactive field training (mock cases enactment) which was extended to each and every participant conducted by the field training faculties of Tiger Trust.

Valedictory session was presided on May 3, 2015 by the following: -

- **Mrs. Savita Anand,HOFF,PCCF**
- **Ms. Sonika Purohit, Additional District and Session Judge**
- **Mr. Y. K. Sahu, Chief Conservator of Forest and Field Director**
- **Mr. Dashrath Singh, Additional Superintendent of Police**
- **Ms. Smeeksha Gautam, Additional Civil Judge and Judicial Magistrate**
- **Mr. Sudarshan Sharma, Divisional Forest Officer**
- **Mr. Himmat Singh, Public Prosecutor**
- **Mr. Balendu Singh, Former Chief Wildlife Warden**



METHODOLOGY

The main purpose of the training was to ensure that the trainees (forest officials) understand the various procedures covering effective on-the-spot investigations. The faculty employed teaching methods including cogent visual presentations, discussions, case studies, and training manuals and books. The program provided information regarding a detailed analysis of the possible situations that are likely to develop, along with the outcomes which could result in conviction or acquittal by the court of law. Mock case exercises were conducted which facilitated the use of participant's skills for effective detection, investigation, implementation, and documentation. Such exercises instilled confidence amongst the trainees to effectively handle tough situations in filing cases. Instruction was conducted in Hindi and the resource materials provided were available in both Hindi and English. Instructors sought active participation from each participant and made efforts to render the sessions as interactive as possible.



RESOURCE MATERIALS

Each trainee was given the following resource materials:

1. A custom designed handbag for carrying the resource material
2. Legal Guide for successful prosecution of wildlife crimes
3. Program Schedule
4. A case study for field training
5. Stationary including note pad and pens
6. Important provisions of the Rajasthan Forest Act 1953
7. Screening Form
8. Feedback Form/Program Evaluation Sheet



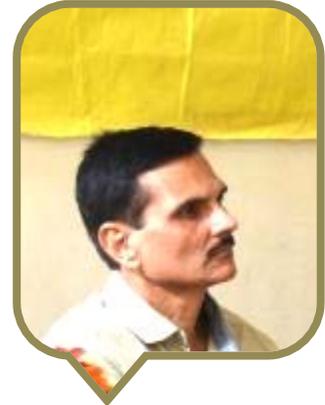
GUESTS OF HONOR



Mrs. Savita Anand
HOFF, PCCF



Mrs. Sonika Purohit
Addl. District Judge (SWM)



Mr. Y.K. Sahu
CFFD, RTR



Ms. Smeeksha Gautam
Addl. Civil Judge (SWM)



Mr. Dashrath Singh
Addl. S.P (SWM)



Mr. Sudarshan Sharma
DFO, RTR





Mr. Balendu Singh, the Former Chief Wildlife Warden, RTR attended the event as a guest of honor at valedictory session on May 3, 2015.



Mr. Himmat Singh, Public Prosecutor, Sawai Madhopur Court attended the workshop as a resource person and was present during the entire course of the workshop.



Mr. Arbind Jha from the Wildlife Crime Bureau attended the workshop as a resource person and actively designed and monitored the field training session of the event.



RESOURCE PERSONS



Ms. Anjana Gosain, an eminent environmentalist, is also a Senior Attorney at the Hon'ble Supreme Court of India. At Tiger Trust, she is designated as the chief functionary officer, and is both an active resource person, and an efficient faculty. Ms. Gosain has been associated with the Trust for over two decades. Having an inclination for environmentalism, she passionately organizes all the training programs of the Trust. Influenced by her experience, in organizing such programs she aspires to attain her goals. Ms. Anjana leads the team members and the participants. She guides, coordinates, and develops various tasks associated with the training program like training and module planning, preparing training manuals, motivating the trainees/participants, organizing faculties for the training, etc. She has authored *Compilation of Cases under the Wildlife Protection Act (1972)* and *Ready Reckoner for Successful Prosecution of Wildlife Criminals*.



Mr. Manjit Singh Ahluwalia is a senior advocate and specializes in criminal cases under the Wildlife Protection Act (1972). He possesses a detailed knowledge of provisions of the Criminal Procedure Code, the Indian Evidence Act, the Wildlife Protection Act, etc. His passion for protecting the species of tigers in India led him to be a part of the Tiger Trust. He organizes mock courts sessions, field trainings, in addition to preparing modules for field trainings, etc, and teaches ancillary acts. Mr. Singh is methodical in court procedures which involve recording evidences to depose as witness.





Mr. Pradeep Desodhya is a practicing advocate. He has a Masters in Law and has been in practice for the last 7 years. He is familiar with the complexities of law procedures. Being associated with the Trust for almost 2 years, he prepares training modules, organizes field trainings, etc.



Ms. Seema Soni, the report coordinator, has been working as a freelance editor for more than two decades. She is a law graduate and has been associated with Tiger Trust for more than a year.



Ms. Priyanka Arya is the project coordinator at the Tiger Trust. She did graduation in Zoology honors from Delhi University and is currently pursuing her post graduation in Biodiversity and Conservation from Guru Gobind Singh University, Delhi.



ORIENTATION AND REGISTRATION SESSION

May 1, 2015 from 5:00 PM to 6:00 PM

On May 1, 49 participants registered themselves as trainees before the orientation session. The inaugural session was commenced by Mr. Pradeep Desodya, Faculty (Tiger Trust, New Delhi) and Ms. Seema Soni (report coordinator). Participants from 10 wildlife divisions attended the legal empowerment training held in Ranthambhore.

Mr. Pradeep welcomed the participants and the attendees to the Inter-division Women Forest Guards Empowerment Training. He presented a brief assessment of the training program, by discussing its basic objectives and explained the need for the Program. He informed the participants about the nature of the training modules which were based on the earlier feedbacks and suggestions made by the senior forest officers from the forest department. Special efforts were made by the module committee of Tiger Trust to design the program. It consisted of PowerPoint presentations, case studies, handouts, a training manual, acts, and books.

Mr. Desodya thanked the participants for attending the training workshop and wished them luck for the training. Mr. Himmat Singh, Public Prosecutor addressed the participants, and appreciated the cause driving the programs organized by Tiger Trust. According to him, such trainings provided a platform for the participants that not only allowed them to learn but also to share their practical experiences. Mr. Singh added that the main purpose of this workshop “is to teach about wildlife cases,” and how to register a case under the various provisions of the law. He thanked Ms. Gosain for organizing such a training program.

Mr. Arun Sharma, ACF, addressed the participants and members of Tiger Trust. Following this, Mr. Sharma, appreciated the efforts of the Tiger Trust for organizing legal empowerment workshops. While sharing his experiences on the occasion, he mentioned that mostly cases are dismissed due to weak strands of lawful assertions that are not correctly woven or presented before the court of law. He stated that this training would benefit the department in better law enforcement. Ms. Seema Soni ended the session by providing a brief on community bonding and health. The participants interacted with each other and played a game where they had to identify different items in the box. This gave an idea to the participants for the next day’s session and made them comfortable for the next sessions.



INAUGURAL SESSION

May 2 from 9:00 AM to 1:00 PM

Ms. Anjana Gosain welcomed the chief guest Mr. Y.K. Sahu, the Chief Conservator of Forest and Field Director and the participants. She encouraged the participants to introduce themselves by name, designation, and division which made the participants to incur some familiarity with each other. Some of the participants had earlier attended such training programs. Ms. Gosain invited Mr. Y.K. Sahu who welcomed the participants and members of the Trust. He focused on the importance and usefulness of this program. He appreciated the efforts of Ms. Anjana for organizing such programs which is further providing knowledge to officers and is making them competent.



Guests during the inaugural session

Mr. Manjit Singh expressed his gratitude to everyone and briefed the participants about the training. He stated this training program contributes to the last phase of the various training programs which were organized in Rajasthan, Assam, etc. He thanked Mr. Sharma, Mr. Sahu, and concluded his speech by saying that such training would facilitate the rectification of loopholes found in the procedure of filing a case.





Women forest guard welcoming Mr. Sudarshan Sharma

Continuing further, Ms. Anjana explained the vision of Padma Shri and Tiger Man Late Shri Kailash Sankhla for the protection of tigers and their habitats in India. Late Shri Kailash Sankhla, the founder of Tiger Trust, could see that the species of tigers were facing a threat of extinction and; hence, worked tirelessly for their conservation. He founded the Trust in 1989, for the conservation of the wild flora and fauna. Ms. Gosain stated that the session would cover important provisions from the Constitution of India, the Indian Forests Act 1927, the Wildlife Protection Act 1972, and the Rajasthan Forest Act 1953.



CLASSROOM SESSIONS ON RELEVANT ACTS

Wildlife Protection Act, 1972 and Rajasthan Forest Act, 1953 by Ms. Anjana Gosain

Ms. Gosain started the session by giving a brief background on the history of legislature on wildlife laws commencing from the history of independent India. She mentioned the issuance of the first *Farman* (1613) that prohibited hunting by the Mughal Emperor Jahangir and stated that the Indian Forest Act, 1927 was the first Act enacted that continues to be in process. The Wildlife Protection Act, 1972 was enacted after the foregrounding of the famous Project Tiger.



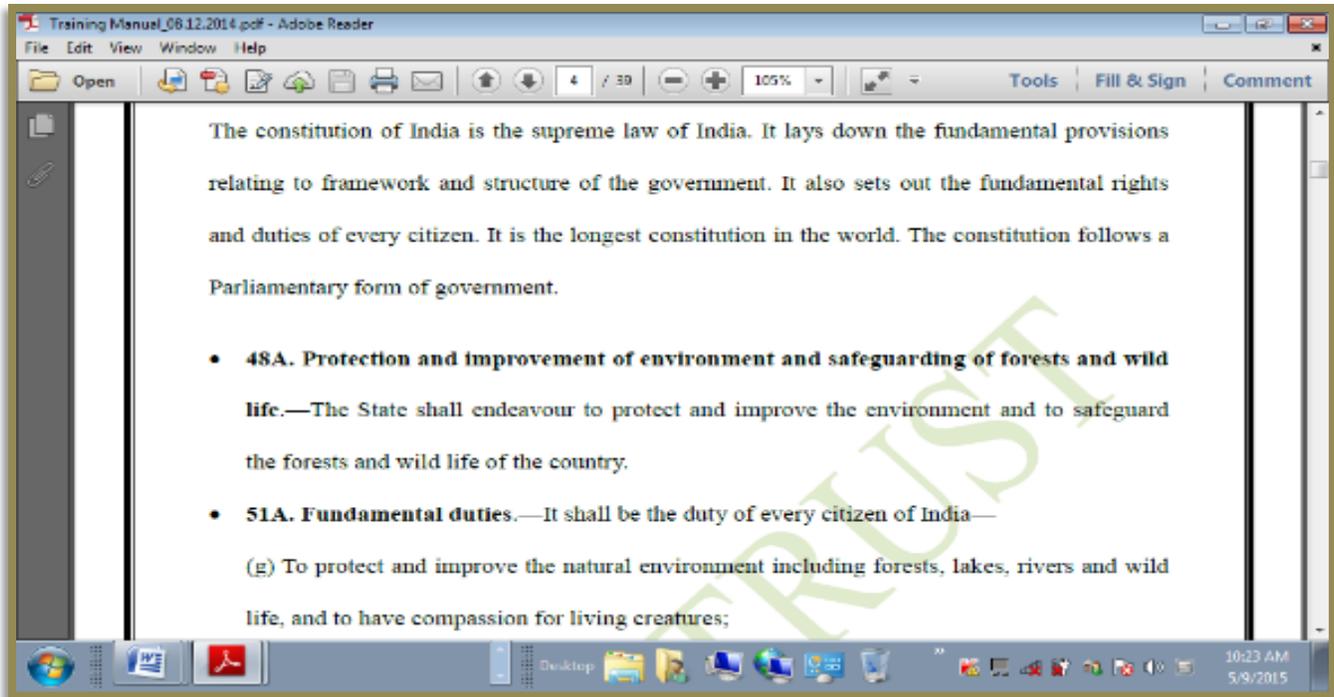
Ms. Anjana addressing the audience

Ms. Gosain asked when did India get its independence and participants answered 1947, with a follow up explanation of why we celebrate 26 January, as the day India celebrated the establishment of the Republic of India whereby the Constitution of India came into effect.

She further explained the directive principles and fundamental rights which are provided in the Constitution of India. The directive principles form the foundation of duties to be performed by the citizens of India and fundamental rights are the privileges granted to Indian citizens which are enshrined in the Constitution of India.

She explained that the State gives citizens “the right to do work and duty to perform.” She also informed the participants that India has the longest Constitution in the world. She referred to the training manual and stated that in the Constitution of India there are two articles that enshrine the duties to protect the environment, nature, and biodiversity of the country. The mentioned articles are 48A and 51A provided in chapters IV and IVA.





Screen shot of the Articles

Under Article 51A, “duty of a citizen” means *kartavya* to protect the “natural environment including forests, lakes, rivers, and wildlife and to have compassion for living creatures.” She further explained that in the Article 48A of the Constitution of India, “the state has a duty to protect its environment, forests, and wildlife of the country.” “State means the government (*sarkar*).” She stressed that it’s the responsibility of all forest officials to safeguard wildlife, forests, etc. The Rajasthan Forest Department comes under the jurisdiction of Rajasthan State government. Hence, the Rajasthan Forest Act 1953 was enacted by the State government under the auspices of the Indian Forest Act. She discussed sections 3, 26, 29, 32, 33, and 79 in brief of the Rajasthan Forest Act.

She then covered the definition of crime with the help from the participants who defined it as any illegal work done or committed. Crime is what we do against the law and it can be further appropriated as “crime against the wildlife” that would infer a forest offence. However, any violation against any provision of law involving wildlife would be termed as “wildlife crime.” Ms. Gosain stated that the first wildlife legislation was the Indian Forest Act of 1927. This Act defines the term “forest officer,” different types of protected forests, etc. Under the provisions of the Indian Forest Act of 1927, the forests have been classified as reserved (*arakshit*), protected (*surakshit*), and village (*gaon*).

However, there is an absence of any provision in the said act that can prohibit hunting. Hence, hunting was not considered as a crime under the said act. The term “hunting” was first introduced in the year 1972 under the Wildlife Protection Act.

The Wildlife Protection Act was enacted on September 9, 1972. She further explained the important provisions of the Indian Forest Act like sections 3, 26, 29, 33, etc. She enquired the participants about how the Wildlife Protection Act, 1972 came into existence. She then explained



that in the year 1971, the then Prime Minister, Mrs. Indira Gandhi started the Project Tiger for the preservation of tigers and the said Act was introduced. She further clarified that an Act is divided into three parts: definitions (*paribhasha*), sections (*pravadhan*), and rules (*niyam*). She elaborated that the term “definition” means terms used in the Act. To comprehend the meaning of an expression in the act one needs to refer to its definitions. Rules are ancillary to the Act and are for the furtherance of the provisions of the Act. Ms. Anjana Gosain stated that the animals are classified in schedules on the basis of the rate of their survival and presence in natural habitat.

The names of animals are given in schedules 1 to 4. Different penalties are charged in case of any violation of the provisions of the Act.

She focused on the important provisions mentioned in the Wildlife Protection Act 1972 and initiated the discussion by mentioning Section 2—definitions like *ayudh* (armunation) and tried to establish a connection between these terms and investigations (*jaanch*). She explained that the investigation process utilize the weapons used for committing wildlife crimes.

Next, came the question where the animals live? The answer was in the Forest. She explained this by the term “habitat” under Section 2(15) of the Wildlife Protection Act, 1972. She stated that the term means *prakratic nivas*. Ms. Gosain queried what if an animal is kept in residential premises. She clarified that wild animals are not allowed to be kept in residential premises. *Prakratic nivas* is so considered when the same is suitable habitat for wildlife.

With three tiger reserves in the state of Rajasthan, Sariska, Ranthambhore, and now Mukundra, how do these laws apply to these habitats? Ms. Gosain continued with her explanation that in the unamended version of the Wildlife Protection Act 1972, keeping an animal in residential premises was not a crime although the animal was not in the habitat as nothing was mentioned for such situations under any schedule or section. The Act was then amended as the accused would plead that the animal was in the home of the accused, or in the farm, or in circus. The accused in such circumstances was protected under the unamended Act. So the law was amended and the definition of a “captive animal” was also included. She explained further that if an animal is captured in a basket (*tokri*) it is considered as a captive animal (*bandi praney*).

Ms. Anjana then explained Section 2(16) which defines “hunting.” The definition has two important and different aspects, for example if any attempt is made to kill or poison, the word “and” would conjoin it. Since killing or poisoning and every attempt to do so has to be read together, hence these two words are very important to be understood in the said situation.

She then referred to Section 2(20) and 2(33) of the Wildlife Protection Act, 1972—meat and vehicle. She explained that the flesh of goat and chicken (being domestic) do not come under the definition of “meat” since there would be no violation if both are killed. She also explained the term “vermin.”





Women forest guard reading section 9 during the session

Ms. Gosain requested the participant to read Section 9 and connected it to the basket case. She asked the participants to consider a hypothetical situation where two animals are dead and three are still alive in the basket. She stated that in such a situation the officer is supposed to write the number of dead and alive along with Schedule Number. If the number is not mentioned, the case fails. She further explained that if the officer locates a piece of meat, then during the investigation process it is mandatory to mention it as “it appears to be the flesh of ...animal.”

She then explained Section 11 of the Wildlife Protection Act, 1972. She stated that under certain situations killing or hunting of wild animals is permitted by law. These include situations like when a leopard or tiger become a man-eater. In such situations, the said animal can be killed by the forest department with the prior permission of the chief wildlife warden of the forest department. Similarly, if an animal reproduces rapidly and destroys the fields of the villagers, then the animal can be hunted and killed; however, it is mandatory to take permission from the competent authority. Ms. Gosain read Section 12(1) and explained the term “notwithstanding,” which means that despite the presence of other acts this is the best provision. Generally, hunting is prohibited; however, under section 12, hunting can be allowed under certain circumstances. Ms. Anjana informed the participants that at present there are 103 national parks (*rashtriya udhyan*) and 526 wildlife sanctuaries in India.

Ms. Gosain correlated Sections 2(3), 9, and 11 to clarify things further.

SECTION 2(3)	SECTION 9	SECTION 11
Hunting Defined	Prohibition of Hunting	Hunting of wild animals to be permitted in certain cases



Ms. Gosain again raised a question to the participants and inquired about the process of declaring a forest as a national park.

The participants stated: A notification is issued and rights are summoned to the government of India.

Ms. Gosain clarified that the government defines the area which it intends or “wants” to protect. Since human activities are not permitted inside a national park, therefore human settlements from these areas need to be relocated. To avoid conflicting situations, the government notifies the protected areas as a sanctuary (Sections 25 to 32). She explained the difference between a sanctuary (Section 18) and a national park (Section 35). She referred to Sections 26 (sanctuary) and 35 (national park) for the declaration of the same. She then explained that under Section 35, no activity is allowed in a national park, but the same is not true about a sanctuary (activities like grazing can be allowed in sanctuary). She further stated that in Rajasthan there are three national parks and asked the participants about them.



Women forest guards during the classroom session

Participants: Ranthambhore, Sariska, and Darrah National Park.

Ms. Gosain asked whether a State government is empowered to designate a notified sanctuary.

She explained that there is no provision under the Rajasthan Forest Act to designate the notified sanctuary and the power lies with the central government under the Wildlife Protection Act, 1972. She further explained that under Section 27 of the Wildlife Protection Act, one needs a permit to enter the park in the capacity of a tourist, resident, official, or any other category defined under the Act.

Ms. Gosain further queried from the participants— who issues permit and the participants replied the Chief Wildlife Officer. Here Mr. Sharma (the Deputy Forest Officer) clarified that in Ranthambhore; permits are issued by the deputy forest officers.

She then asked—Do the forest officers need a permit to enter the park?

The reply came, “NO” as they are officers who are empowered to enter the forest area in pursuance to their duties.



Ms. Gosain asked: How will the officer interrogate them in case he/she finds any villager carrying fresh wood in the forest?

She invited one of the participants and enacted the scene.

Ms. Gosain: What is your name?

The participant: Phoolwa.

Ms. Gosain: Where have you come from?

Phoolwa: Jhumar Bawari.

Ms. Gosain explained that if a village is situated in core of the forest then the villagers, who stay there, can get the permit.

Ms. Gosain: Where have you taken the wood from?

Ms. Gosain stated that this case can be registered under the Rajasthan Act and the Wildlife Protection Act.

She explained further that the villager might say she picked the wood. In such circumstances, it is difficult to prove the case. In some cases, the accused runs away from the scene of crime.

Ms. Gosain: How will you arrest them?



**Ms. Gosain addressing the participants about
the facts during the arrest of offender**

She stated that all forest officers are empowered to arrest the suspicious offender.

Mr. Sharma: An on duty officer does not need the permit but if the officer is not on duty then they too require the permit to enter the core areas.

The participant queried: What is the procedure to tackle a case where the officer is not on duty and he/she finds the accused?

Mr. Sharma: The officer can inform the higher officials. He further clarified that if an officer is sent for work in the core areas, then no written permission is required.

Ms. Gosain correlated Sections 2 (3), 27, 28.



Ms. Gosain: When an animal is seized, it becomes a government property under section 39. She further clarified this by stating that if an officer finds any scheduled animal dead, then the dead animal becomes government property.

Mr. Sharma: If an animal is seized it is kept in a *kazi* house.

Ms. Gosain: Similarly, if the officer finds weapons, then these will be seized.

Mr. Himmat Singh added that if a case is to be filed then these weapons should be seized.

Ms. Gosain queried: What duties do you need to perform as a forest officer?

The participants: Stop *shikar* (hunting), cutting of wood, seize items.

Ms. Gosain requested two participants to enact a case, for the interrogation of suspect.



Women forest guards enacting the situation during investigation

Sonali: What is your name?

Priyanka: No reply.(Tried to avoid)

Sonali: Where are you from?

Priyanka: No reply.

Sonali: Why have you entered the forest?

Priyanka: I have come to the *jungle*.

Sonali: Why?

Priyanka: No reply.

Ms. Anjana: The participant is not answering. How will you make her reply?

Ms. Gosain enacted the scene.



Ms. Gosain and Mr. Arbind Jha during the classroom session enacting the situation at the time of investigation from the offender

Mr. Arbind Jha: Why have you collected the woods?

Ms. Gosain: It was lying on floor.

Mr. Arbind Jha: Do you sell wood? Don't you know you cannot enter the *jungle*? Take her to the police *chowki*.

Ms. Gosain: Why should I come? I will not come. I have not committed any crime.

Mr. Jha: You tell me your name.

Ms. Gosain: My name is Jaywanti. I came from my house.

Ms. Gosain changed the scenario and stated that suppose the villagers have the permit to pick dry leaves and the villager is cutting leaves but she (villager) is not willing to admit the same.

Mr. Jha: You came to pluck leaves?

Ms. Gosain: No. I have picked dried leaves only.

Mr. Jha: What is this? (Snatches leaves from her hand.) You are cutting wood also. Do you have a permit to do so? Don't you know this is illegal? Where is the permit? Show me.

Ms. Gosain: I am not carrying any *kuladhi*. Where is the *kuladhi*? How can you say that I have cut leaves and wood?

Mr. Jha: Do you have the permit to enter the premises?

Ms. Gosain: I have the permit at home. I will show you the permit. I can go to my house to bring the permit.

Mr. Jha: You should have brought the permit. (The officer tries to arrest her.)

Ms. Gosain: Stay away.

Mr. Jha: You have committed a crime. Who allowed you to pick wood?

Ms. Gosain: Dhano told me.

Ms. Gosain stated that the officer can arrest her without a warrant. It is advisable to keep a notebook and pencil while patrolling. Photographs can be clicked and used as evidences. Best practice is to arrest them without warrant. Take 3-5 minutes to ask questions. Don't prolong the interrogating procedure as this will create problems.

Ms. Anjana: There are specified ranges where permits are required. In Sariska, a foreigner's resort was near the forest. She entered the forest while jogging. It was held that the entry was made unintentionally.

If the villager is unable to produce the permit, then the entry is illegal and crime is committed.

Ms. Gosain further explained that while taking the women to police station, the officer will have to call the staff and senior officers and is supposed to keep the women in cordon with women force only. She then referred to the case of dead Neel gai.

She queried: What evidences will you collect?

Participants: Find blood, hair, bones, cloth piece, etc.

Ms. Gosain: How will you reach the accused and continue your investigation?

Participant: We will collect all the evidences and try to relate these evidences. Suppose if a torn paper is collected then that can be used as an evidence to trace the accused.

Ms. Anjana: In an investigation process, time is the most important factor.

Mr. Arbind Jha explained the importance of *mauka panchnama* and site plan to the participants. He stated that the FIR number need not be mentioned when an item is detected. These documents can be completed after they are sent to the Range Officer.

Participant: Who can write the FIR number?



Mr. Jha: FIR can be written by the forester. However, in compliance cases there is no need for the FIR number.

Participant: How many witnesses do you normally need?

Mr. Jha: There should be notified number, but it is advised not to have many witnesses. All the witnesses should sign all the documents and reiterated that it is preferred to use less number of witnesses.

Mr. Himmat explained the importance of time. He stated that the officer should mention the approximate time taken in all the forms.

He explained that the officer will have to give the number and names of every person including the seniors in the investigation report.

Mr. Himmat added that when the pre-investigation procedure is completed, the file is presented before the court. Court serves the summons. There after the charges are framed against the offenders.

He stated that when the officer visits the site to enquire about the offence, he/she should inform the senior officers. A maximum of five guards should visit the site.

Ms. Gosain read sections 50 and 64. She stated that the officer will have to meet the prosecutor, before presenting the evidence, in order to depose as a witness.

Mr. Himmat then asked the participant: Do you understand the *nazri naksha*?

He advised the participants to mark the place/site in *nazri naksha* and show the site.

Ms. Gosain again emphasized that the guard present at the site should prepare the *nazri naksha*. Witnesses shouldn't be more than two or three and their signatures should be documented along with their names and addresses.

Ms. Anjana stated that under Section 50, the term "notwithstanding" is used as a non-obstante clause, inferring that the Wildlife Protection Act is functional despite other acts and laws. She clarified that under Section 50, the director or any other officer authorized by him/her, or the chief wildlife warden or any forest officer or police officer not below the rank of a sub-inspector, can ask the accused to produce any captive animal, animal article, meat, or any license, permit, document, or any vehicle or vessel, trap, tool, etc, in his/her custody, control, or possession. Following this the designated officer can arrest the accused without a warrant and can detain him/her. Thus, the forest department conducts an investigation based on any information regarding a dead deer given by any random person to a forest official. During the investigation the witness may be called to record a statement. If the witness fails to appear during the investigation process despite several reminders, then the forest officer is allowed to arrest such a witness in order to close the interrogating process.

The range officer will approach the Assistant Conservator of Forest who will issue a notice/summon and serve it twice; and if the accused still doesn't appear then the officer follows the procedure of arresting. Similarly, under Section 50, the range officer has the power to arrest an offender who threatens the complainant. Hence, according to the provisions of Section 50 of the Wildlife Protection Act 1972, a range officer (or above mentioned designated officers) can be an investigating officer in the process.



Ms. Anjana Gosain addressing the trainees

Ms. Gosain made the participants realize their powers and stated that a police officer can raid only after a warrant is issued; however, the forest officials can raid in the absence of a warrant. She further mentioned that if an accused misleads the investigation process then the investigating officer can ask the offender to appear again, but if the accused fails to appear then the investigating officer can use force to elicit an answer [Section 50(5)]. Under Section 50(8) any officer not below the rank of assistant conservator of forests is allowed to issue warrants, and is entitled for several enforcements including the attendance of witnesses, discovery and production of documents and material objects. He can receive and record evidence for the purpose of conducting an investigation. Ms. Gosain explained that when a case is filed, the provisions of Section 9 are applied. She stated that prior to the enactment of the Wildlife Protection Act, 1972 the provisions of the Indian Penal Code, 1960 were applied (sections 428 and 429) to the crime associated with the hunting of lions, tigers, elephants, etc., and a fine of Rs. 50 and punishment of 2 years was prescribed.

Concluding the above provisions, Ms. Anjana stated that forest guards are entitled to the power of conducting a raid, arrest, etc., but under the act they are not authorized to investigate. Under the Wildlife Protection Act, 1972, fine associated with wildlife offences ranges between Rs. 10,000 and 50 lakh (Section 51).



She concluded the session by focusing on the art of successful protection which is based on the following factors:

- Identification of the crime;
- Investigation of crime;
- Suitably filing up the forms required for the submissions of filing of the case;
- Recording of proper statements as witness; and
- Lastly and most importantly, being honest and alert in duties while performing the earlier mentioned acts for an effective implementation of law for successful prosecution.

She recapitulated that powers related to the Sections 1-7 are provided to the women forest guards and in sections 8 and 9 powers lies with the authorities higher than the range officers.



▪ **The Indian Evidence Act 1860 and The Criminal Procedure Code 1973 by Mr. Manjeet Singh Ahluwalia**



Mr. Manjeet Ahluwalia addressing the guards

Mr. Manjit Singh Ahluwalia started the session by stating that the Code of Criminal Procedure was enacted in 1973 and was implemented on April 1st, 1974; however, the law was not applicable in the states of Jammu and Kashmir.

Mr. Ahluwalia enquired from the participants about the importance of the Code of Criminal Procedure. The participants answered that it provides the procedure for the implementation of court process. He then stated that the Code of Criminal Procedure is an important enactment as it deals with trials' and investigation procedures. It provides information on various issues like, jurisdiction of different courts along with the procedure for trial before court, the procedure of arrest of a person, investigation of a crime, search and seizure of a place or documents, and so on.

Next, he asked the participants: What is an offence?

The participants responded that an offence is an act against the law that is framed by the Parliament of the country.

Mr. Ahluwalia stated that Section 2(n) of the Code of Criminal Procedure defines an offence. He said that an offence can further be categorized into the following categories: cognizable (*sangaye appradh*) and non-cognizable (*asangaye appradh*), as well as bailable and non-bailable offences. Schedules I-IV cover cognizable offences, under which the accused can be arrested without a warrant.

Mr. Ahluwalia explained the definition of a cognizable offence under Section 2(c). Non-cognizable offence is defined in Section 2(1).

He said that an offence can also be bailable or non-bailable. He described the two in the following manner: A bailable offence is an offence of relatively less gravity/severity, wherein the accused has a right to be released on a bail.

A non-bailable offence, on the other hand, is a serious offence and in this case, the accused cannot demand a release on a bail as a matter of right.

Section 2(a) of the Code of Criminal Procedure defines bailable, as well as non-bailable offences. He further went on to explain the difference between a summon case [Section 2 (w)] and a warrant case [Section 2 (x)]. He said that the Code of Criminal Procedure prescribes only one procedure for all the summon cases, whether instituted on a police report or otherwise. All cases which are not punishable by death, or by an imprisonment for life, or for more than 2 years, are summon cases. However, there are two procedures adopted by a magistrate for the trial of a warrant case—one for a case instituted on a police report, and another for a case instituted other than on a police report. All cases that are punishable by death, imprisonment for life, or for more than 2 years and up to 7 years are warrant cases. He simplified that a warrant has more weightage in comparison to summon.

Mr. Ahluwalia explained that when information of a crime is received, the officer will go to the site and collect evidence—blood marks, weapons, statements of people, etc. If dead animal is found, the officer would check the injury marks. The officer would have to prepare a *nazri naksha* and *mauka panchnama*. If there is a suspicious person around the site then the officer has the power to arrest him/her. He explained the procedure of arrest by saying that if an accused is apprehended in a criminal case then under Section 46 of the Code of Criminal Procedure. If the accused tries to run away, then limited amount of force should be used to stop him/her. He explained the same with a hypothetical example where the accused tries to injure him/her with a blade. If the accused gets injured then the arrest report will be prepared accordingly. He further stated that if the accused runs and hides in a house, then Section 47 of the Code of Criminal Procedure can be referred to. If the accused locks himself/herself then a male/female officer can break the door and enter. At this point, Ms. Anjana Gosain added that if a raid is conducted then a lady officer would accompany the team of male officers in the raid procedure. Mr. Ahluwalia simplified the earlier mentioned procedure of arrest by stating that the Hon'ble Supreme Court in the case of *Arnesh Kumar vs State of Bihar* has given guidelines for the arrest procedure. These guidelines are provided in section 41A and B.

Mr. Jha added to the guidelines further and stated that the private individuals can also arrest the accused, but will have to present him/her before the police officer.

Mr. Ahluwalia further explained the difference between the concepts of an arrest and a detention. He stated that an accused can be detained for 24 hours only, but if the accused is arrested then he/she should be presented before the Magistrate within 48 hours. He explained that in detention people or relatives can file a complaint (against the detaining officer) that the person detained has been kidnapped.

Ms. Anjana added that it is advisable not to pick an individual from the public. If it is done then the detention should be changed to an arrest.

At this point Mr. Jha further clarified that it is not easy to detain a person now-a-days due to the installment of CCTV cameras at public spaces. Thus, it is advisable to deal with the individual at a place where cameras are absent.

Ms. Gosain enacted a detention scene.

Mr. Jha: What is your name?

Ms. Gosain: My name is Anjana.

Mr. Jha: What is your husband's name?

Ms. Gosain: He is Ram Prakash.

Mr. Jha: Where are you from?

Ms. Gosain: Sawai Madhopur.

Mr. Jha: Can I check your bag?

Ms. Gosain: Why?

Mr. Jha: You came here for hunting. Isn't it?

Ms. Gosain: No.

Mr. Jha: Why are you carrying this *kuladhi*?

Ms. Gosain: My father-in-law gave it to me.

Mr. Jha: Why are you carrying this in jungle?

Ms. Gosain: I was roaming around the jungle. Your officers picked me from there.

Mr. Jha: They picked you from the jungle because you were cutting wood.

Ms. Gosain: No. I wasn't doing anything. I have not done anything wrong or committed any offence. Your officers were fighting with me.

Mr. Jha: We will arrest you.

Ms. Gosain: How can you do that? Leave me.

Mr. Jha: We are taking you in custody.

Ms. Gosain: No, I am not coming.

Mr. Jha: We will arrest you.

The person cannot be arrested merely if he/she fails to reply. If there is enough suspicion felt by the officer only then the arrest can be made.

After briefing the arrest procedure to the participants Mr. Ahluwalia queried: What do you do after arrest?

He stated that the accused and his/her relatives are informed as to why the accused is being arrested. In case the accused is detained then there is no need to inform the family of the accused; but if the accused is arrested then the family should be informed. If there are two offenders then the investigating officer will have to give a notice and reason for arresting both the accused for all the offences punishable up to 7 years. He stated that search (*talashi*) is



performed following the procedures mentioned in section 50 and 50A. Adding to Mr. Ahluwalia's statement Ms. Gosain mentioned that a search is performed to avoid any hazard, like a woman can use her *dupatta* or the accused may intake cyanide capsule to commit suicide. It is better to take such things in custody. Once the accused is released the seized items are returned.

Further, Ms. Gosain added that if the accused does not answer then the police can use force by pulling hair or hitting on ankles, etc. This is third degree torture.

Mr. Singh stated that after the accused is searched and taken in custody, he/she is sent for a medical examination as per the provisions under Section 53. Under sections 56 and 57 the accused is required to be present before the magistrate within 24 hours of arrest. If the accused is unable to reach the court within 24 hours, then the investigating officer will have to give a valid explanation as to why the accused wasn't presented within the prescribed time limit. He stated that under Section 55 of the Wildlife Act, few officers can file a complaint. If an individual files a complaint then a notice of 60 days needs to be issued. Once the complaint is accepted, the court will issue the bailable or non-bailable warrant to arrest the accused in case the accused doesn't appear on the date of hearing. But if the accused appears then bail is granted. A charge sheet is prepared and the accused is examined by the prosecution.

Mr. Ahluwalia stated that under Section 313 of the Criminal Procedure Code, the statement of the accused is recorded, but the same is not on oath.

Mr. Himmat, continuing from Mr. Ahluwalia's statement, added that if there are more than two accused then the court can summon both. Once they appear, the court will question whether they plead guilty or not. If the accused answers affirmatively then the court will either punish or penalize the accused, but if the answer is negative then the procedure of the court will be followed.

Mr. Ahluwalia explained further that if a complaint is to be filed, the same should be within the limitation period provided in the Limitation Act. If the limitation period is ignored the complaint becomes barred by the Law. He continued and explained the relevance of the Limitation Act which provides limitation of time for initiating a case, review, appeal, etc. A convincing explanation is required in case there is any delay. In poaching cases the offence committed is punishable by an imprisonment of 1 year. The limitation period for filing the case is 3 years. Similarly, if an animal was killed 7 years before then a case can be filed from the date of knowledge. He also informed that under Section 473 of the Limitation Act, time can be extended if proper reasons are provided.

Continuing further, he stated that once a complaint is filed, a summon is issued by the court under Section 61. He stated that a police officer will go to serve the summons. The court can also send a summon through a process server under Section 64.

Ms. Gosain clarified at this juncture that the guards can assist the court and serve summons by visiting the address of the accused (Section 61 of the Criminal Procedure Code).

Mr. Ahluwalia informed the participants that a summon is considered as validly served in the following two cases: if it is served to any of the offender's adult male family member or if it is accepted by a woman who hands it over to her husband, who in turn appears before the court on the date of hearing. He suggested to the participants that if a summon is refused repeatedly, it can be pasted on the front door of the house. The last option is to get the summon published in a



newspaper. If the accused doesn't appear even then, a *kurki* (attachment of accused's property) (Section 83) can be ordered. If the offender is not a landowner then he/she can be declared a proclaimed offender (*bhagorra*). Mr. Ahluwalia stated that if an accused refuses to accept the summon then the court can issue a warrant. If a warrant is issued and the person doesn't appear before the court, then sections 82 and 83 are implemented. In a case where an accused appears before the court, precharge evidence is recorded. If the charge is proved then the accused will have to either plead guilty, or not accept the crime (Section 190). He told the participants that if an offence is reported then the investigating officer (forest officer) will go to the scene of the crime. It is quite possible that the investigating team may have to encounter the crowd. In such circumstances, it is necessary to cordon off the area.

Mr. Ahluwalia stated that "time" is essential in all these investigation procedures and that mentioning the approximate time helps in the court. A *farhad nama* and *nazari naksha* (site plan) should be prepared. He then enquired from the participants as to how they will find the direction for mentioning the same in the site plan? Participants stated that this can be done by reading the direction of the Sun. At night GPRS can be used to identify the direction. Mr. Ahluwalia stated that the distance from the carcass can be measured in footsteps and an approximate idea should be given. The witness present should sign the document prepared. Ms. Gosain, adding to Mr. Ahluwalia's instructions, suggested that the range officers should keep important things handy, like a measuring tape, cell phone, seal, blades, etc., with them in the car.

Mr. Ahluwalia then further explained the procedure of recording the statement. He stated that under Section 164 of the Code of Criminal Procedure and Section 50(8) (9) of the Wildlife Protection Act 1972, the statement of the accused and the witness should be recorded. He continued his explanation by saying that confessional statement of the accused may be used against him/her (the accused). After the statement is recorded (in the end), the procedure of recording the statement is explained and is written down. It is also mentioned that no force can be applied to elicit the statement while it was recorded. In case the person is illiterate, the contents of the statement should be explained to him/her in the vernacular language. The name of the translator should also be mentioned in the statement. These days' mobile and video recordings can be used to record the statement. Though these evidences are not conclusive, they can be treated as relevant evidences. If during the trial the witness refuses to identify his/her signatures before the court, then the witness is declared as a hostile witness.

Ms. Anjana took over the session and added that if evidence is given without administering an oath, then it will be inadmissible before the court. If an order is passed under the provisions of the Code of Criminal Procedure then no court can change the order. Only a higher court can review the order/judgment under Section 362. The chief judicial magistrate will try the case and then the case is tackled by the session court. The decision by the Trial Court appeal is given preference prior to the High Court. In case the decision by the High Court still remains unacceptable, the final decision is taken by the Supreme Court. Apart from that, a review can be filed in the Supreme Court which is known as a curative petition.

Ms. Gosain enquired: How is a case proved under the Indian Evidence Act? She stated that to prove the charge the investigating officer should be presented as the last witness.

This is generally done so that if any of the witnesses are unable to answer properly during his/her cross-examination then the investigating officer can fill in the gaps. She stated that the Evidence



Act is important for answering all the questions related to the appraisal and recovery of facts. She then said that in order to determine the species of the dead animal, expert opinion needs to be sought. Hence, whenever there is recovery of any dead animal from the accused, a veterinarian is called to verify the dead animal. Sometimes the court agrees to the explanation of the veterinary doctor, but the sample should always be sent to the forensic laboratory as well. Explaining further, she stated that in most of the cases the prosecution witness (forest guard) will be there and the witness should be examined in a manner portrayed in the following mock enactment:

Mr. Himmat: What is your name?

Nirmala: My name is Nirmala.

Mr. Himmat: Have you signed the seizure memo?

Nirmala: Yes.

Mr. Himmat: What is your husband's name?

Nirmala: Ramlal.

Mr. Himmat: What is the name of your division? Is it the wildlife or territorial division?

Nirmala: Wildlife.

Mr. Himmat: Have you prepared this *mauka panchnama*?

Nirmala: Yes.

Mr. Himmat: When did you receive the information?

Nirmala: Around 4.30 PM.

Mr. Himmat: When did you reach this place?

Nirmala: At 5.00 PM.

Mr. Himmat: How did you come?

Nirmala: On my brother's bike.

Mr. Himmat: How far is your house from this place?

Nirmala: About 3 kilometers.

Mr. Himmat: How did you receive the information? On phone, wireless, etc.?

Nirmala: By wireless.

Mr. Himmat: You said you came from your house. So how come you received information on wireless?

Nirmala: I had wireless at my home.



Mr. Himmat: Do you have *pucca* or *kuchcha* roads?

Nirmala: *Pucca*.

Mr. Himmat: Is this your signature (show the document)?

Nirmala: Yes.

Ms. Gosain then explained what primary evidence is. Nirmala signed the recorded statement in the year 2010, but she doesn't have a copy of the same. Nirmala can request the court to show her the statement to refresh her memory. It is always advisable to read the statement before answering.

Ms. Gosain (now enacting the prosecution lawyer): What is your name?

Nirmala: Nirmala.

Ms. Gosain: When you had signed the statement, were you present physically?

Nirmala: I signed the statement on the site of crime.

Ms. Gosain: When did you come to Sawai Madhopur?

Nirmala: Last year.

Ms. Gosain: In 2010 you were in Barmer. Correct?

Nirmala: Yes.

Ms. Gosain: Were you in Barmer when the seizure memo was prepared?

Nirmala: Yes, I was at Barmer.

Ms. Gosain: Where is Barmer?

Nirmala: The crime was committed in Barmer.

Ms. Gosain: Which area?

Nirmala: Barmer.

Ms. Gosain: Which site?

Nirmala: I don't remember.

Ms. Gosain to the judge: Sir, please note that she doesn't remember the site. Ms. Gosain: When was the case filed?

Nirmala: When the said incident happened?

Ms. Gosain: Who asked you to sign this? The investigating officer?

Nirmala: All the villagers were signing the papers so I also signed the document.

Ms. Gosain: That means your senior asked you to sign it and you did it.

Ms. Gosain explained that a case can be dismissed on this statement. At this point Ms. Anjana emphasized never to argue with the defense lawyer. If there is any confusion just say "I don't remember." or "I can tell you after looking at the record."



Ms. Anjana elaborated further and stated that the defense lawyer can suggest that the accused was known personally to the complainant and that the complainant wants him/her to be punished. In such circumstances, it is better to say that it is incorrect and it is advisable to keep quite. Sometimes, a witness may speak more than what is required. This is called as “volunteer” statement that has no meaning. Such witnesses are weak as they give more information to the defense counsel.

Ms. Gosain elaborated further and stated that the time is mentioned in the record. The defense counsel may say that the time required to reach the village is 30 minutes, so how can you write that it took 15 minutes to reach the village. So, the witness should always be prepared for such questions. There can be leading questions also. For example, your name is Mary Rose? Or did you find these items at home when the raid was conducted? The court will disallow such leading questions. The best way to avoid such leading questions is to keep quiet and not answer. She wanted to recapitulate the provisions mentioned earlier.

Ms. Gosain stated that sometimes the witness can say that he/she has given evidence in many cases. In such cases the witness can be considered as a habitual witness. Ms. Gosain concluded the session by stating that it is very important to be alert while answering for evidence and in cross examination. It is advisable to provide less information than speak endlessly while recording a statement.

In order to support this theoretical exercise, it was decided to organize field training for the participants the next day (May 3rd, 2015) to put this procedure in action.



FIELD TRAINING

TRAINING SESSION ON MAY 3, 2015



Field Training session at Jhumar Bawari

With the review of the knowledge acquired by participants in the classroom sessions, field training was organized on the last day of the workshop (May 3rd, 2015). To test the skills of woman Forest Guards. Two mock cases were combined and provided to the participants, who were divided into three groups. Trainees from Karauli, Jodhpur, and Mount Abu were in **Team A** that was headed by Mr. Pradeep Desodya. **Team B** comprised woman forest guards from Mukundra National Park, Sariska and Rajsamand, team and was headed by Mr. Arbind Jha. The participants from Kota, Sawai Madhopur and Udaipur were grouped as **Team C** headed by Mr. Himmat Singh. The facts of the mock cases were as follows:



Place: Ranthambhore Tiger Reserve

Village: Sherpur

Location: Chowki

Situation: A group of four women forest guards were patrolling in the forest when they saw a group of women and children (from a village) wandering inside the core area of the forest. They saw three women carrying *kataris* and that two had head loads (grass). In the mean time the women forest guards started the interrogation with the alleged offenders. The women forest guards immediately called their Range Officer on wireless. There after the women forest guards took them into custody, and while approaching the *chowki* they noticed a smell of decomposed body of some animal. All team members were unanimous that the said smell was definitely from a dead wild animal and started an intensive search operation of the area to find the carcass, which they successfully found. The detected carcass was consequently taken in custody for further investigation.



ENACTMENT OF MOCK CASE

The field session began in Jhumar Bawari forest area at about 5.30 AM with a brief introduction about the case studies provided by Mr. Pradeep Desodya, Mr. Arbind Jha and Mr. Himmat Singh. Mr. Desodya and Mr. Jha briefed the participants about the previous day's sessions and insisted the participants/trainees to be cautious in filling up the various forms. Mr. Pradeep gave a brief note of the theoretical session and elaborated field training session by emphasizing on Rajasthan Forest Act. Mr. Himmat added that in the trials of criminal cases, prosecution is supposed to prove its case beyond reasonable doubts which makes the work of the forest department far more difficult and challenging, since there are rare chances of any eye witnesses present at the crime scene. Mr. Himmat Singh informed the trainees that most of the cases related to wildlife crime are based on circumstantial evidence. Therefore, even the smallest of mistake, like mentioning of wrong time in site plan, or *mauka panchnama* or *loopholes* may result in giving benefit of doubt to the accused. The field training was structured in such a manner to help the participants face the practical difficulties that are faced by them during the evidence collection, investigation, and filling the forms correctly. Mr. Jha explained that the judge would read whatever is presented before him/her in the form of a complaint, an arrest form, a seizure memo, etc. The clarity about the fact of the case on paper would further help in proving the offence against the accused, as the judge appreciates facts which are available before him/her. Therefore, it is important to review all facts presented to ensure the conviction of the accused. Mr. Pradeep Desodya further clarified that in criminal law the burden of proof is on the prosecution to prove its case, but in the cases related to wildlife crimes the legislature has shifted the burden of proof on the accused. Hence, the accused has to prove that he/she has not committed the alleged crime. Therefore, in the cases related to wildlife crimes, the past character of the accused in pending/decided cases plays an important role. The department/prosecution in



most of the cases has to rely on circumstantial evidence, since in wildlife crimes there are rare chances any eye witness being present at crime scene.

Mr. Pradeep briefed the participants about the case study. The mock case enactment and initiated with the dissemination of information gathered while patrolling. At 10.00 AM, Sonali (one of the forest guards) informed the wireless control room about the said incident.

Sonali: Control Room calling Control Room! Patrolling team has noticed three women and children (from a village) wandering inside the core area of the forest. One of them have *kataris* and two have head loads (grass). We have taken them in our custody.

Bhawar Singh (Range Officer): Where in Jhumar Bawari?

Sonali: Near Compartment Number 2. We have also noticed the smell of the decomposed body of some animal.

Bhawar Singh (Range Officer): Where?

Sonali: Sherpur.

Bhawar Singh (Range Officer): OK. Any other information?

Sonali: We searched for the carcass and have taken the same in custody.

Bhawar Singh (Range Officer): OK. This information is entered in the *gasht* register.

Mr. Bhawar Singh (Range Officer) briefed the incident to his forest guards and foresters (team) thereafter. A team of forest officials was led by Mr. Bhawar Singh (Range Officer). The suspected area was thoroughly searched by the team members.

The participants enthusiastically traced the following items:

1. Flower
2. Bone 1
3. Bone 2
4. Bone 3
5. Bone 4
6. Spoon
7. Fork
8. Pieces of torn ticket
9. Address chit
10. Cloth piece





Field Training Session: collection of sample, seizing, etc.





Mr. Jha demonstrating sealing of the sample

Mr. Jha also explained the trainees about the precautions to be taken while collecting the evidence, like wearing gloves and proper preservation of biological samples by using silica gel or alcohol. Mr. Jha further elaborated that the seized articles are collected by using the forest kit. The kit includes collected gloves, polythene to pack recovered items, a measuring tape, magnifying lens to identify small objects, etc. The participants then send these samples to laboratory. For example, if it is a biological sample, it has to be sent to the Wildlife Forensic Facility at the Wildlife Institute of India, Dehradun, for expert opinion. Mr. Jha further added that if the participants don't have cloth to pick items then a handkerchief can be used and the evidence can be taken to the place where the cloth and the forest seal is available. Candle and lac is used to seal the seized item. The sample is sealed at 4 to 5 points. The date, place, and time are also to be mentioned on the sealed item. Thereafter search team prepared the site plan, seized articles, and samples (with department seal and signature of witnesses), and filled the relevant forms (*mauka panchnama*, site plan, etc) on site.

Adding further, Mr. Himmat told the trainees that while preparing the site plan always mention the date, time, FIR number, relevant sections under which the accused has been charged, etc. He also told the participants to mark the direction and the landmarks (like tree, bushes, etc.) in the site plan. Mr. Jha further clarified that the FIR number can be added in the *chowki*. Mr. Himmat told the trainees to take signatures of the investigating officers and witnesses (at least two and preferably from the forest department) on the seized articles and also on the site plan (*nazri naksha*).

After the seizure process was completed there was a Question-Answer session conducted by the faculty members – Ms. Anjana Gosain, Mr. Manjit Singh Ahluwalia, Mr. Arbind Jha, Mr. Himmat Singh, and Mr. Pradeep Desodya. The entire field training witnessed participation with great enthusiasm from the trainees.



FINAL INTERACTIVE SESSION BETWEEN PARTICIPANTS AND FACULTY MEMBERS (2.30 PM and 4.00 PM)

• QUESTIONS ON THE WILDLIFE PROTECTION ACT 1972

Ms. Gosain: **Which section of the Act defines the term “Hunting?”**

Laxmi: Section 2 (16).

Mr. Jha: **Is Wildlife Protection Act 1972 applicable to the whole of India or not?**

Priyanka: No.

Mr. Jha. **Name the only Indian state where the Wildlife Protection Act is not applicable.**

Sonali: It is not applicable to the State of Jammu and Kashmir.

Ms. Gosain: **Give the name of the Act which protects the wildlife of the state of the J &K.**

Sheela: The Jammu and Kashmir Wildlife Protection Act 1978. Ms Gosain clarified that under Article 370 Jammu and Kashmir has a ‘special autonomous status’ and so the Act and law is different.

Mr. Jha. **Which section of this Act deals with the definitions of the various terms?**

Sarita: Section 2.

Ms. Gosain. **As per the provisions of this Act, who are the forest officers?**

Anjana: Section 2(12A) defines the term Forest Officer. Forest Officer is the officer appointed under clause 2 of Section 2 of the Indian Forest Act 1927.

Mr. Jha. **What do you mean by the forest produce?**

Rajesh: Section 2 (12)B defines this term as the Forest Produce defined under Section 2(4)(b) of the Indian Forest Act, 1927.

Ms. Gosain. **As per the provisions of this Act, what is the Reserve Forest?**

Radha: Section 2(25)(B) states that the Reserve Forest is the forest declared to be reserved by the state government under Section 20 of the Indian Forest Act 1927 or declared as such under any state Act.

Ms. Gosain: **What is the meaning of National Park?**

Chetna: Section 35 defines National Park as the area declared under Section 35 or Section 38, or deemed under subsection (3) of Section 66.

Mr. Jha: **What is the meaning of “Protected Area (PA)?”**

Seema: Section 24 A states that the protected area is a national park or sanctuary or conservation reserve or a community reserve notified under Sections 18, 35, 36 (A), and 36 (C) of the Act.



Ms. Gosain: Does the word Protected Area also includes National Park, Conservation Reserve, Community Reserve and Sanctuary?

Jirma: Yes, it includes all the definitions.

Ms. Gosain: What is the meaning of government property in context with investigation under Section 39 of the Wildlife Protection Act?

Sneha: According to the definition under Section 2(14) government property means any property referred to in Section 39 or Section 17H of the Wildlife Protection Act.

Mr. Jha: What does Section 39 say?

Anu: Every wild animal other than vermin which is hunted, animal article, trophy, or uncured trophy or meat derived from any wild animal, mode of transportation used in commission of crime would be the government property.

Mr. Jha: Which section of this Act empowers you to initiate action?

Amba: Under Section 50 of the Wildlife Protection Act 1972, the forest officers are empowered to detect, investigate, and implement the provisions of the Act for the prosecution.

Mr. Jha: Does this section also empower all police officers to initiate action?

Babita: No.

Mr. Jha: If a police officer initiates action under this Act what should be his minimum rank?

Veenu: He has to be of Assistant Sub-inspector rank.

Ms. Gosain: Which section is the penal section of this Act?

Sunita: Section 51 of the Wildlife Protection Act.

Ms. Gosain: How many schedules are there in this Act?

Manohar: There are VI schedules; however for consideration of the prosecution only schedules I to IV are relevant.

Mr. Jha: What is the difference between “wild animal and wildlife?”

Mukta: Wild animal means any animal specified in Schedules I to IV and found wild in nature whereas wildlife means any animal, aquatic or land vegetation which forms part of any habitat.

Ms. Gosain: Under which Section the punishment for hunting the animals mentioned between Schedules I and IV is provided?

Sanju: The punishment for hunting of Schedule I, Schedule II/Part II, animals is provided in Section 51.

The punishment for the hunting of Schedule III, Schedule IV, Schedule II/Part I animal outside the Protected Area is imprisonment for a term which shall not be less than 3 years but may extend to 7 years and also with fine which shall not be less than Rs. 10,000.



Mr. Himmat: **Which section of the Act empowers to compound certain type of wildlife offences?**

Vijaylaxmi: Section 54 empowers the Central Government which may by notification empower the Chief Wildlife Warden or any authorized person could compound any offence which does not have any imprisonment under the Act.

Mr. Himmat: **Which section of this Act empowers to take cognizance under this Act?**

Sanjana: The cognizance of the offence is taken under Section 55.

• **QUESTIONS ON THE CRIMINAL PROCEDURE CODE**

Mr. Ahluwalia: **How many types of offences are there?**

Suman: Offences can be categorized as cognizable and non-cognizable offences, summon case and warrant case, and bailable and non-bailable.

Mr. Ahluwalia: **Under what provision the Magistrate takes cognizance of the offence?**

Chitra: Magistrate can take cognizance under Section 190 of the Criminal Procedure Code.

Mr. Ahluwalia: **The complaint is filed under which section of the Criminal Procedure Code?**

Pinki: The complaint is filed under Section 200 of the Criminal Procedure Code.

Mr. Ahluwalia: **What are the documents which are filed with the complaint?**

Sarita: The following documents are filed with the complaint:

1. Name of the Court.
2. Designation of complaint.
3. Offender's name, Father's name, Caste, Age, Occupation, and residential address.
4. FIR, Number and Date.
5. Sections under which offence committed.
6. Serial-wise detailed description of events relating to commission of offence and those taking place during investigation.
7. Statement of facts, omission or commission of which had led to violation of different Sections of the Act and description of such Sections of the Act which provide details of the punishment.
8. Value in rupees for the loss caused to forest.
9. Other relevant points to be brought to notice of the Court.
10. Prayer for punishment to the accused.
11. List of witnesses along with the statements.
12. List of documents.

13. Documents include, all the forms, certified copy of boundaries of National Park along with the declaration, statements, if the accused has confessed the crime then his confessional statement.

Mr. Ahluwalia: **What is the difference between detention and arrest?**

Sushila: An accused can be detained for 24 hours only, but if the accused is arrested then he/she should be presented before the Magistrate within 48 hours.

Mr. Singh: **How do you arrest a person?**

Deepika: It has to be intimated to the person that you are being arrested and by holding the hand with assistance from other officers the person is taken up for the arrest process.

Mr. Ahluwalia: **How do you prove a case in the court of law?**

Priyanka: By going through the trial.

Mr. Manjit: **What is a trial?**

Krishna: Trial is when the facts of the case are to be proved.

Mr. Singh: **Under what Act the evidence is produced to prove the case.**

Manju: The Indian Evidence Act 1872.

Mr. Singh: **How are the witness produced for trial?**

Priyanka: By summoning them to the competent court.

Mr. Singh: **What do you do when the witness is called to the court?**

Sabita: The witness is examined in chief.

Mr. Singh: **What do mean by the examination in chief?**

Rinki: Examination in Chief is the questioning of a witness by the party which has called that witness to give evidence, in support of the case being made.

Mr. Singh: **What is cross examination?**

Parvati: Cross examination is to ask questions on the facts deposed by the witness in his examination in chief.

Ms. Gosain: **Would you produce the original notification of tiger reserve in the evidence?**

Sonam: No, the original can't be produced in all cases hence certified copy of the original can be shared.

Mr. Singh: **What is confession and how is it different from the statement?**

Sharda: Statement is narration of facts and confession is admitting the commission of crime committed with full knowledge that the same can be used against the confessor.

Mr. Singh: **Can the confession made before forest officer be admitted in evidence and why?**

Inki: The confession made before the forest officer is admitted because he is a special officer under the special act.

Mr. Singh: **Why the confession before the police officer is not admitted in evidence?**

Chetan: Police officer is not a special officer under Section 25. So the confession cannot be admitted without proving with the additional evidence.



• **QUESTIONS ON FIELD TRAINING**

Mr. Pradeep: **How do you collect the evidence?**

Suman: The evidence is collected using gloves.

Mr. Pradeep: **What documents do you prepare at the site of crime?**

Anita: The officers have to prepare *mauka panchnama*, site plan, etc.

Mr. Pradeep: **The forest kit consists of what articles?**

Ramshiya: The kit has gloves, polythene to pack recovered items, a measuring tape, magnifying lens to identify small objects, etc.

Mr. Himmat: **What do you use to seal a seized article?**

Gayatri: Candle and lac is used to seal the seized article.

Mr. Himmat: **How do you mark a seal?**

Anita: Preferably the seal is marked at 4 or 5 places. The date, place, and time are also to be mentioned on the sealed article.

Mr. Pradeep: **Where do you place the signatures of investigating officers on the sealed article?**

Hemlata: Signatures of the investigating officers and witnesses (at least two and preferably from the forest department) on the seized/sealed articles should be marked.

Mr. Pradeep: **Do you send the samples to laboratory for testing?**

Arti: The collected samples are sent to the laboratory for testing.

Mr. Himmat: **Where do you send the seized article?**

Kaddu: The seized article has to be sent to the Wildlife Forensic Facility at the Wildlife Institute of India, Dehradun, for expert opinion.

Mr. Pradeep: **The burden of proof is on which party—the accused or the prosecution?**

Rasal: In criminal law the burden of proof is on the prosecution to prove its case, but in the cases related to wildlife crimes the legislature has shifted the burden of proof on the accused.

Mr. Himmat: **How do you prepare a site plan?**

Priyanka: In the site plan always mention the date, time, FIR number, relevant sections under which the accused has been charged, the direction and the landmarks (like tree, bushes, etc.). The FIR number can be added in the *chowki*.



FEEDBACK

IMPRESSIONS AND FEEDBACK

In this Program an open feedback was organized by Ms. Anjana Gosain, who asked the participants about the feedback.

The trainees were unanimous that they had been much benefited by the case discussions and exposure to the field training. The participants received lessons on wildlife crime enforcement and prevention, including those relating to forensics, good qualities of an investigating officer, proper paperwork procedures, and mock case drills. In fact, Ms. Gosain was much appreciative of the proactivity of the participants present and acknowledged that it had been a great learning experience for the faculty as well. The feedback received from the participants is always an indicator of the level of confidence that the programs conducted by Tiger Trust have been successful in allaying apprehensions and empowering the staff with requisite knowledge and skills. The participants, on their part, indicated that such skill upgradation training workshops are a must if the department is keen on an effective forest force for combating crime and preservation of wildlife.

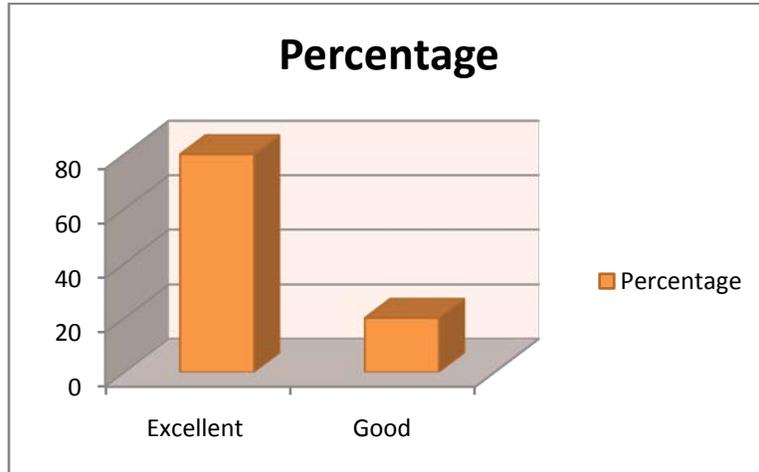
PARTICIPANT RESPONSES TO THE TRAINING PROGRAM

The feedback forms designed by the faculty provide a complete unbiased and uninfluenced response of the trainees to the training attended by them. The method is by judging the performance on the basis of questions, interaction, and their participation in the module. The trainees were very attentive, patient and inquisitive, and wanted to learn all the aspects of a trial. The faculty of the Tiger Trust made it a point to have as many interactive sessions which were based on questions and answers. After having gone through the feedback and attending the training, it was apparent that they had not been exposed to such intricate details on crucial Acts, like the Criminal Procedure Code, Indian Evidence Act, and above all the tips for field investigation, analysis of evidence, and preparation of cases. The most important impact was the feel good factor about their own powers of investigations and even detention. However, it dawned gradually on them that the powers are not only reproduced on paper, but are effectively enforceable. They appreciated the minute mistakes that could lead to disastrous results. One-to-one interaction with the participants enabled the trainees to put questions to the faculty. The training had a tremendous impact on them that the forest department was taking care to update their skills and knowledge for which they are mainly employed. The overall impact has been of gaining knowledge, clarifications, interest in prosecution, and expecting more such exercise of training in future, which is very encouraging. Presented below are few questions answered by the participants.



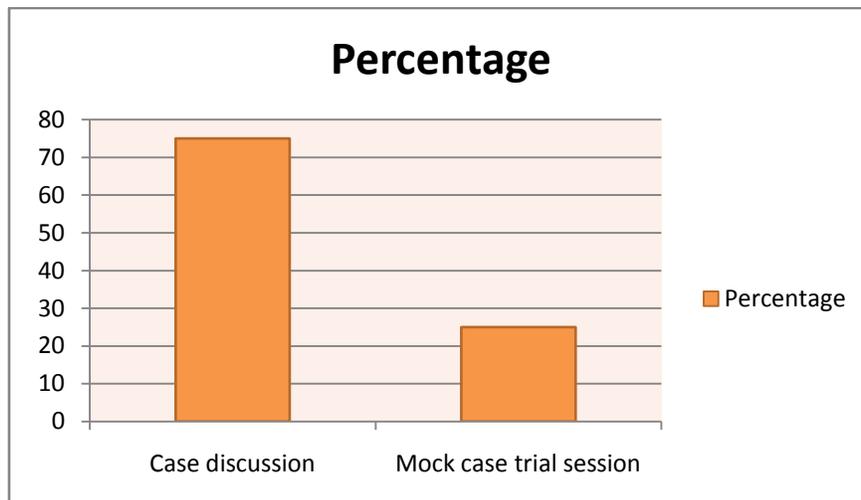
1. Have you found this “Hunting the Hunters Program” useful?

Around 80 percent of the participants found the program useful and excellent. Twenty percent admitted that it was good. According to most of the participants lodging, food, attitude of the trainers/faculty members was excellent/good.



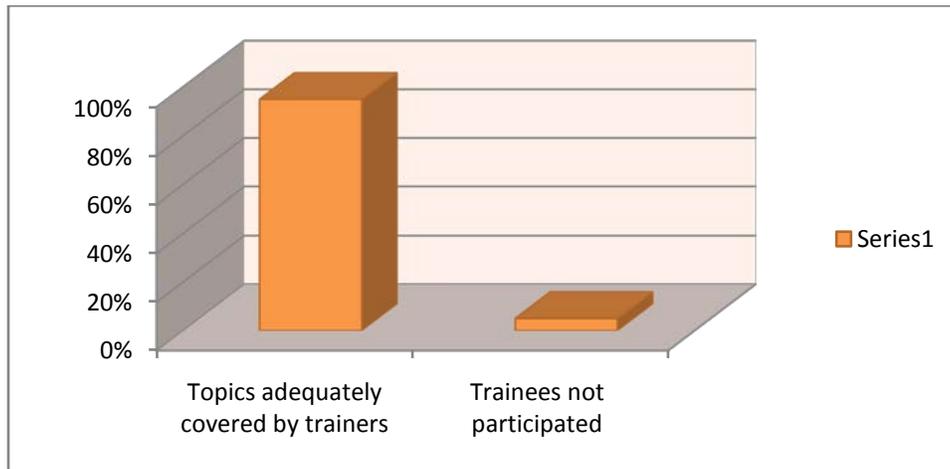
2. Which was the most interesting and least interesting session? Why?

The feedback revealed that 75 percent of the participants expressed that they benefited from the case discussions, and 25 percent of the participants found the mock case trial sessions to be fruitful.



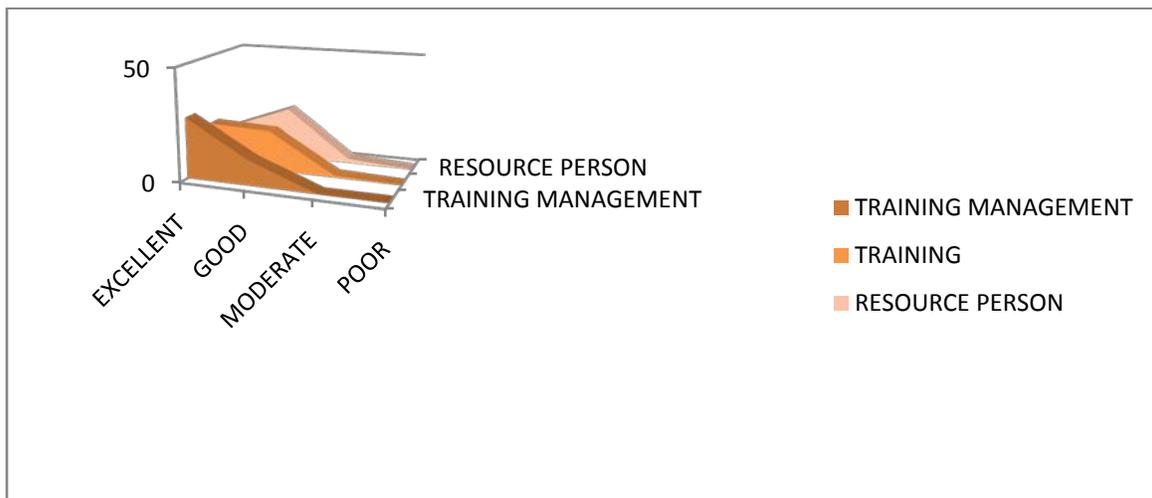
3. Whether the topics were adequately addressed by the trainers?

In all, 95 percent of the participants expressed their satisfaction with the trainer’s exposition of the various topics, while around 5 percent of the participants did not participate in the questionnaire. Most of the trainees addressed the resource persons to be of excellent interactive attitude, whereas, their communication skills, training methodology used, and bringing clarity to topics was rated above 90 percent on an average.



4. Whether this training program is useful and beneficial toward better law implementation to combat wildlife crime?

Almost all the participants acknowledged that the modules had been very beneficial and practice oriented.



According to the verbal feedback from the trainees, the representative (Ms. Seema Soni) of Tiger Trust found the same findings as in the feedback forms. The participants reported that they enjoyed the sessions and learned many new things. They hoped to learn more in future through similar training programs and acknowledged the efforts made by the Trust team. The trainees did give a couple of suggestions for the training program in the feedback form, like such workshops should be organized regularly and that the duration of the workshop was less and it should be increased.

However, feedback was given by Mr. Arbind Jha (Faculty) who stated that during the training the participants (Forest Guards) were not exactly aware of their duties in their respective fields. Close interaction with the trainees revealed further that none of them had much idea about how to prepare case documents like *Panchnama*, *Nazri Naksha*, *Fard Japti*, Arrest Memo, Personal Search Memo, etc, at the scene of crime. Mock exercise at the fictitious crime scene, revealed that the participants were unable to differentiate between a complaint case and a state case. Since the participants are fresh recruits with no context of why and how to do things, their motivation to do a good job was sometimes lacking. Nevertheless, learning is a continuous process and once responsibilities are assigned they will be able to learn it, though it would be at their own pace.

Mr. Jha recommended that as forest guards form the cutting edge force of the forests and wildlife protection, so most of them should be posted in the field. That way, when the opportunity comes they will be able to fulfill their duty. He added that regular trainings should be organized, for them, as resources allow.

Tiger Trust will keep these suggestions in mind while planning other workshops in the future.



VALEDICTORY SESSION

The valedictory session was started by Ms. Anjana, who gave details of the first training conducted at Alwar. She explained the process of the program: how modules are planned with the department, during and after the training is conducted, and the feedback process and reporting. There are three to four levels in the entire program that included the class room sessions followed by field trainings. Ms. Gosain continued with this background, letting them know that the state of Rajasthan has paved the way for them by employing 30% women in the forest department, and the fact that most crimes are first reported by the forest guard. The Trust has received complete support from the department in this regard. It has successfully trained and assessed the level of duties of these women guards, receiving feedback and recommendations in the process and trying to advance with them accordingly. The participants are explained the Wildlife Protection Act, Evidence Act, the Criminal Procedure Code and earlier trainings were conducted in Jaipur, Udaipur, Sariska, etc., and 44 participants from different departments were trained. With each training, a marked improvement has been seen amongst the participants. She stated that further trainings would definitely see further improvements. Ms. Anjana thanked the officials, the faculty, and the participants for making the program a success.



Ms. Gosain invited Ms. Sonika Purohit, Additional District and Session Judge, Sawai Madhopur, who expressed her appreciation of the large number of ladies coming to attend the program and taking part enthusiastically. She asked the participants to introduce themselves. Ms. Sonika then briefed everyone about the work Tiger Trust has been doing in this area for many years, conducting capacity building programs. She pointed out that as women were not entrusted with many responsibilities, the Trust undertook training of the women in the concerned areas with high hopes for them to help create a change in the forest department.

Ms. Gosain then invited Mr. Sharma, who informed the participants that the Trust was registered as a society and that the participants have been selected through the departments.



Ms. Anjana then welcomed Mr. Dashrath Singh, the additional SP who applauded

Tiger Trust and its members.

After this Ms. Anjana requested Ms. Savita Anand, PCCF, HOFF, to introduce herself. Ms. Savita thanked the Tiger Trust team for their efforts. She stated that this is a unique approach to encourage women to participate in responsibility sharing. It is a fact that women worship their work and will do their jobs truthfully. Ms. Savita reiterated that such workshops bring coordination between the department and the female forest guards. She looks forward to seeing the women forest guards being able to take on more responsibility in the field.

Ms. Gosain invited Ms. Anita, who welcomed everybody and expressed her happiness and satisfaction with the program. She hoped that the women guards have benefitted from the sessions and wished for more capacity building programs to be organized accordingly in the future.



Trainees during the valedictory session

Ms. Savita Anand stated that women forest guards are the most important link in the department. She asked them of their experience during the workshop and field session. Training, she said, is a learning process and gives the confidence and motivation that drives one toward the success. She requested that when the women guards go to the field they should never shy away from applying what they learned and learning more good tips from the seniors. Doing this will raise the level of their performance. In case there is any query, feel free to go to the senior officer and look for suggestions to solve the problem. She encouraged them to remove the term **PROBLEM** and replace it with **CHALLENGE**; only then can they feel motivated to meet the challenges of the job. “Can” means success and “can’t” means unsuccessful/failure. By being very alert and working in teams one can gain more success and confidence. Although the participants still have a long way to go, hopefully the confidence level has increased. Keeping a positive attitude and positive thinking will automatically affect the activities, habits and even the personality of the participants. If the attitude is positive, all actions will be positive. This creates a positive aura, which will remove all the negative thoughts and energies that come in the way. She then concluded her talk by thanking everyone.

Here after, Ms. Anjana distributed the certificates of participation.\





The valedictory session ended with a note of thanks by Ms. Anjana Gosain and Ms Rinki (forest guard).



ANNEXURES

- ✚ 1. Module of the training program
- ✚ 2. A. List of Participants
- ✚ 2. B. List of Trainees
- ✚ 3. Press Release
- ✚ 4. A. Letter to Mr. Y.K. Sahu, CCFFD, RTR
- ✚ 4. B. Letter to Ms. Sonika Purohit, Addl. District Judge
- ✚ 4. C. Letter to Mr. Himmat Singh, Public Prosecutor, Sawai Madhopur
- ✚ 5. Emails
- ✚ 6. Order of the training program from Mr. S.N. Singh, Chief Wildlife Warden, Jaipur, Rajasthan
- ✚ 7. Letter of confirmation from Karauli
- ✚ 8. Letter of confirmation form Jodhpur
- ✚ 9. Letter to Mr. Arbind Jha (Faculty member)
- ✚ 10. Screening Form
- ✚ 11. Program Evaluation Sheet
- ✚ 12. Mock Case Study
- ✚ 13. Participation Certificate
- ✚ 14. Site Plan Form
- ✚ 15. Seizure Memo
- ✚ 16. Arrest Form
- ✚ 17. Appreciation Letter to CCFFD, RTR
- ✚ 18. Photo Gallery



1. MODULE OF THE TRAINING PROGRAM

ADVANCED CAPACITY BUILDING TRAINING ON FOREST OFFENCES UNDER THE PROJECT HUNTING THE HUNTERS VI

1ST AND 3RD MAY 2015

Sawai Madhopur, Rajasthan

ORGANIZED BY TIGER TRUST

SCHEDULE FOR THE WORKSHOP

1st May, 2015	
Lunch	12:30 PM- ONWARDS
Registration of Participants	5:00 PM – 5:30 PM
Orientation Session by Mr. Pradeep Desodya and Ms. Seema Soni	5:30 PM – 6:00 PM
Interaction among the women forest guards	6:00 PM – 6:30 PM
Dinner	8:00 PM
2nd May, 2015	
Inaugural Session by the chief guest Mr. Y.K Sahu and Mr. Sudarshan Sharma	9:30 AM – 10:15 am
Tea	10:15 to 10:30 am
Session by Ms. Anjana Gosain on Wildlife Protection Act, 1972 and Indian Evidence Act along with case study	10:30 AM – 1:30 PM
Lunch	1:30 PM – 2:15 PM
Criminal code and court procedure by Mr. Manjeet Singh Ahluwalia	2:15 PM – 3:15 PM
Case Study and formation of team by Mr. Pradeep Desodya	3:15 PM – 4:15 PM
Park Visit	4:30 PM – 6:30 PM
3rd May, 2015	
Field Training	6:00 AM
Break Fast (Packed)	9:30 AM – 10:00 AM
Field Training Discussion	10:30 AM – 1:00 PM
Lunch	1:00 PM – 2:00 PM
Open Session / Question Answers and correction of forms. Clarification of doubts of participants by Resource Faculty Panel	2:00 PM – 3:30 PM
Distribution of certificates Valedictory Session	4:00 PM – 5:00 PM
High Tea	5:00



2. A. LIST OF PARTICIPANTS

S.No	Names	Post/Designation
	FACULTY	
1.	Ms. Anjana Gosain	CFO, Tiger Trust
2.	Mr. Manjeet Singh Ahluwalia	Senior Advocate
3.	Mr. Arbind Jha	Wildlife Crime Bureau
4.	Mr. Pradeep Desodya	Advocate
5.	Mr. Himmat Singh	Public Prosecutor, SWM
	GUESTS	
6.	Ms. Savita Anand	PCCF, HOFF
7.	Ms. Sonika Purohit	Addl. District Judge, SWM
8.	Mr. Y.K. Sahu	CFFD, RTR
9.	Ms. Smeeksha Gautam	Addl. Civil Judge, SWM
10.	Mr. Dashrath Singh	Addl. SP, SWM
11.	Mr. Sudarshan Sharma	DFO, RTR
	TEAM MEMBERS	
12.	Ms. Seema Soni	Report Coordinator, Tiger Trust
13.	Ms. Priyanka Arya	Project Coordinator, Tiger Trust
14.	Mr. Baldev Singh	Office Assistant, Tiger Trust
	OTHER GUEST	
15.	Mr. Balendu Singh	Former CWLW, RTR
16.	Mr. Arun Sharma	ACF, RTR



2. B .LIST OF TRAINEES

	TRAINEES	
	NAME	DIVISION NAME
1.	Smt. Laxmi Solanki	Karauli
2.	Ms. Sheela Kanwar	Karauli
3.	Ms. Anjana Chaturvedy	Karauli
4.	Ms. Radha Kumari Chaturvedy	Karauli
5.	Ms. Seema Kumari	Karauli
6.	Ms. Babita Kushwah	Karauli
7.	Ms. Veenu Kumari	Karauli
8.	Ms. Sarita Chaudhary	Jodhpur
9.	Ms. Rajesh Yadav	Jodhpur
10.	Smt. Chetna Parmar	Mount Abu
11.	Ms. Jirma Grasia	Mount Abu
12.	Ms. Amba Devi	Mount Abu
13.	Ms. Sneha Lata	Mukundra NP
14.	Ms. Manohar Kanwar	Mukundra NP
15.	Ms. Sunita Yadav	Sariska TR
16.	Ms. Mukta Ganagwat	Sariska TR
17.	Ms. Sanju Saini	Sariska TR
18.	Ms. Sanjana Samariya	Sariska TR
19.	Ms. Suman Kumari	Sariska TR
20.	Ms. Anu Panwar	Rajsamand
21.	Ms. Vijaylaxmi Tepda	Rajsamand
22.	Ms. Sarita Devi	Rajsamand
23.	Ms. Chitra	Rajsamand
24.	Ms. Sarita Riwda	Rajsamand
25.	Ms. Sonali Sharma	Udaipur
26.	Ms. Pinki Khateek	Udaipur
27.	Ms. Susheela Meena	Udaipur
28.	Ms. Krishna Ranawat	Udaipur
29.	Ms. Manju Sharma	Udaipur
30.	Priyanka Aggarwal	Kota
31.	Ms. Priyanka Dudhwal	Kota
32.	Ms. Sabita Kumari	Kota
33.	Ms. Rinky Kumari	SWM
34.	Ms. Parvati Khinchi	Sawai Madhopur

35.	Ms. Sonam Rajput	Sawai Madhopur
36.	Ms. Sharda Ala	Sawai Madhopur
37.	Ms. Chetan Sharma	Sawai Madhopur
38.	Ms. Inki Kothari	Sawai Madhopur
39.	Ms. Deepika Singh	Sawai Madhopur
40.	Ms. Suman Gurjar	Sawai Madhopur
41.	Ms. Arti Sharma	Sawai Madhopur
42.	Ms. Anita Rajora	Sawai Madhopur
43.	Ms. Ramshiya Bairwa	Sawai Madhopur
44.	Ms. Anita Gurjar	Sawai Madhopur
45.	Ms. Gayatri Gurjar	Sawai Madhopur
46.	Ms. Hemlata	Sawai Madhopur
47.	Ms. Kaddu Chaudhary	Sawai Madhopur
48.	Ms. Rasal Bai Bairwa	Sawai Madhopur
49.	Ms. Priyanka Mirotha	Sawai Madhopur



3. PRESS RELEASE



TRANSLATION

Newspaper: Sawai Madhopur Patrika, 2nd May 2015

Women Forest Guards received Law Enforcement Training

Tiger Trust commenced 3 days workshop for women forest guards from Saturday onwards. The inaugural function of the workshop was held in the morning at Hotel Siddhi Vinayak, Ranthambhore. Women forest guards were trained with Wildlife Protection Act, Criminal Procedure Court, etc. related to wildlife crime cases. Ms. Anjana Gosain, Chief Functionary Officer briefed the trainees with various sections of Wildlife Protection Act. Total 50 women forest guards from various division viz. Sawai Madhopur, Karauli, Mount Abu, Udaipur, Kota, etc. attended the workshop. During the course of workshop, trainees were instructed to fill up the site plan form, arrest form, seizure form, etc. based upon the fictitious crime site.



4. A. LETTER TO MR. Y.K. SAHU, CCFD, RTR

To,

Sh. Y.K. Sahu
Chief Conservator of Forest and Field Director
Ranthambhore Tiger Reserve, Sawai Madhopur
Rajasthan

Dated: 17TH APRIL, 2015

SUBJECT: INVITATION FOR THE CAPACITY BUILDING PROGRAM AND LEGAL TRAINING UNDER THE PROJECT HUNTING THE HUNTERS TO BE HELD FROM MAY 1ST TO 3RD 2015 AT SAWAI MADHOPUR, RAJASTHAN AS A GUEST OF HONOUR.

Dear Sir,

Tiger Trust is organizing a Capacity Building Program and legal training under the project "HUNTING THE HUNTERS" for the women forest guards from various divisions to be held from May 1 to 3, 2015 at Hotel Siddhi Vinayak, Sawai Madhopur Rajasthan. The workshop is to train the women forest guards with knowledge of legal skills for pre and post crime investigation intelligence networking and developing clear communication skills for working with the community on behalf of the forest department.

We would request you to attend the Inauguration Program as a Guest of Honor on May 2, 2015 at 9:30 AM.

We are thankful to you for extending your support and providing an opportunity for holding said training. We would appreciate if you could grace the occasion with your presence.

We appreciate your cooperation extended for the said program and look forward to meet you on May 3rd, 2015 at 4:00 PM in Hotel Siddhi Vinayak for valedictory session as per the schedule.

We would appreciate if you could send your confirmation.

Kind Regards,
Priyanka Arya
Tiger Trust
Project Coordinator

**4. B. LETTER TO MS. SONIKA PUROHIT, ADDL. DISTRICT
JUDGE**

To,

Sh. Sonika Purohit
Additional District & Sessions Judge
Sawai Madhopur, Rajasthan

Dated: 17th April, 2015

**SUBJECT: INVITATION FOR THE CAPACITY BUILDING PROGRAM AND
LEGAL TRAINING UNDER THE PROJECT HUNTING THE
HUNTERS TO BE HELD FROM MAY 1ST TO 3RD 2015 AT SAWAI
MADHOPUR, RAJASTHAN AS A GUEST OF HONOUR.**

Respected Mam,

Greetings from Tiger Trust.

Tiger Trust is organizing a Capacity Building Program for the women forest guards from various divisions to be held from May 1 to May 3, 2015 at Hotel Siddhi Vinayak, Sawai Madhopur, Rajasthan. We would request you to attend the valedictory session on May 3, 2015 at 4:00 PM in the Conference Hall of the hotel and grace the occasion by your presence.

We appreciate your support and cooperation extended for the said event.

Acknowledgment and confirmation for the same is appreciated by the Tiger Trust.

Kind Regards,
Priyanka Arya
Project Coordinator
Tiger Trust

**4. C. LETTER TO MR. HIMMAT SINGH, PUBLIC
PROSECUTOR, SAWAI MADHOPUR**

To,

Sh. Himmat Singh
Prosecutor
Sawai Madhopur, Rajasthan

Dated: 17TH APRIL, 2015

**SUBJECT: INVITATION FOR THE CAPACITY BUILDING PROGRAM AND
LEGAL TRAINING UNDER THE PROJECT HUNTING THE
HUNTERS TO BE HELD FROM MAY 1ST TO 3RD 2015 AT SAWAI
MADHOPUR, RAJASTHAN AS A RESOURCE PERSON.**

Mr. Himmat Singh,

Greetings from Tiger Trust.

Tiger Trust is organizing a Capacity Building Program for the women forest guards from various divisions to be held from May 1 to May 3, 2015 at Hotel Siddhi Vinayak, Sawai Madhopur, Rajasthan. We would request you to attend the event as a resource person as per the schedule and grace the occasion by your presence.

We appreciate your support and cooperation extended for the said event and would like to have case studies from you.

Acknowledgment and confirmation for the same is appreciated by the Tiger Trust.

Kind Regards,

Priyanka Arya

Project Coordinator

Tiger Trust



5. EMAILS



priyankatigertrust@gmail.com

Nomination of four Women Forest Guards from Wildlife Divisions to attend the Capacity Building Program on Wildlife Crimes being organized from 1st May - 3rd May, 2015 at Hotel Siddhi Vinayak, Sawai Madhopur, Rajasthan.

Priyanka Arya <priyankatigertrust@gmail.com>

To: dcffti.alw.forest@rajasthan.gov.in

Fri, Apr 10, 2015 at 1:57 PM

Sir,

This is to inform you that the above training is being organized by Tiger Trust under the program HUNTING THE HUNTERS – VI is rescheduled to be held from 1st may to 3rd may, 2015. We have also received in principle approval from the office of Chief Wildlife Warden. We request you to nominate 4 women forest guards from your division, in case they are not available; nominate it from other divisions under your jurisdiction to have adequate representation. Tiger Trust would take care of the women forest guards and their boarding & lodging at Sawai Madhopur. The participants who have attended the training earlier would be given preference. We also request that these participants should bring the resource material, etc. which was provided in the earlier training program.

They are all requested to report for training on 1st May, 2015 at Hotel Siddhi Vinayak, Rajasthan latest by 12.30 pm.

We would have orientation and Inaugural Function on 1st may at 5 pm till 6.30 pm. The Training shall take place from 2nd till 3rd to be concluded by 3.30 pm so that all the participants can leave

We would not be responsible for any boarding and lodging of husband /father or allow children in the workshop.

We would encourage those participants who have interest and dedication to the subject and their services can be utilized later for redressal of doubts

All the participants would be given certificates of participation

Please inform us the exact numbers of participants as we need to book accommodation. Latest by 15th April.

Please acknowledge for the same and send your confirmation via e-mail and also the names of nominated women forest guards.

Thanks

Regards

Priyanka Arya

Program Officer

Tiger Trust





priyankatigertrust@gmail.com

Subject: Nominate Mr. Arun Sharma as Nodal Officer for the upcoming event – Capacity building program under the project to be held from May 1- 3, 2015 at Sawai Madhopur, Rajasthan.

Priyanka Arya <priyankatigertrust@gmail.com>

To: yksahu@yahoo.com

Mon, Apr 13, 2015 at 6:33 PM

To,

**Mr. Y.K. Sahu
Conservator of Forest and Field Director
Ranthambhore Tiger Reserve, Rajasthan**

Respected Sir,

Thanks for your support for the forthcoming Capacity Building Program for the inter-divisional women forest guards to be held from May 1 to 3, 2015 at Hotel Siddhi Vinayak, Sawai Madhopur Rajasthan. We would be obliged if you can nominate Mr. Arun Sharma, Nodal Officer to coordinate with Tiger Trust's Project Coordinator, Ms Priyanka Arya, for the following purposes:

1. Visit Sawai Madhopur and the discuss the modalities;
2. Provide the names and addresses of the following invitees:
 - A. Collector
 - B. Superintendent of Police
 - C. Chief Judicial Magistrate
 - D. Prosecutor (Sawai Madhopur Court)
3. Nominate the women participants from Ranthambhore division;

She would jointly invite the Collector, Superintendent of Police, Chief Judicial Magistrate, and Prosecutor with Mr. Arun Sharma.

I would be obliged if the above mentioned activities are coordinated in the coming next week.

Thank You
Regards

Priyanka Arya
Project Coordinator
Tiger Trust



6. ORDER OF THE TRAINING PROGRAM FROM MR. S.N. SINGH, CHIEF WILDLIFE WARDEN, JAIPUR, RAJASTHAN

From the office of Chief Wildlife Warden, Rajasthan, Jaipur

Date: 30-01-2014

Plea,

Tiger Trust
206, Rakeshdeep,
11, Commercial Complex,
Gulmohar Enclave,
Delhi- 110049

Subject: Proposed women forest guards legal empowerment training dated from May 1, 2015 to May 3, 2015.

Context: Response to your email dated March 9, 2015.

Sir,

With reference to above mentioned subject, this email proposed women forest guards legal empowerment from May 1, 2015 to May 3, 2015.

In this regard, the permission for the women forest guards training is being granted. Also, it is suggested that prior to conducting proposed training program, you should conduct along with the other forest staff, the “Training Need Access” with CFFD, Ranthambhore.

Yours faithfully

S.N. Singh

CCFFD, Rajasthan, Jaipur



7. LETTER OF CONFIRMATION FROM KARAULI

**From the office of Deputy Field Director Karauli
List of Women Forest Guards**

S. No.	Name	Post	Posting location
1.	Ms. Laxmi Solanki	Forest Guard	Mandrayal
2.	Ms. Sheela Kanwar	Forest Guard	Karanpur
3.	Ms. Anjana Chaturvedy	Forest Guard	Keladevi
4.	Ms. Radha Kumari Chaturvedy	Forest Guard	Mandal Office
5.	Ms. Seema Kumari	Forest Guard	Mandal Office
6.	Ms. Babeeta Kushwaha	Forest Guard	Udandasta
7.	Ms. Ekta Kumari	Forest Guard	Keladevi
8.	Ms. Seema Bairwa	Forest Guard	Udandasta
9.	Ms. Veenu Kumari	Forest Guard	Mandrayal

(Rajender Singh Chauhan)
Deputy Forest Guard and Field Director
Ranthambhore Tiger Project Karauli



8. LETTER OF CONFIRMATION FROM JODHPUR

Office of Chief Conservator of Forest, Wildlife, Jodhpur

S. No. F1 Gradual/Training/2015/2068

Dated: 22.4.15

Plea,

Tiger Trust
206, Rakeshdeep,
11, Commercial Complex,
Gulmohar Enclave,
Delhi- 110049

Subject: Nomination of Four Women forest guards from Wildlife Divisions to attend the Capacity Building Program on Wildlife Crimes being organized from May 1, 2015 to May 3, 2015 at Hotel Siddhi Vinayak, Sawai Madhopur, Rajasthan.

Reference: In order of yours email id priyankatigertrust@gmail.com dated 03.04.15.

Sir,

Under the above subject request you notice, the division sought by position as follows:

S.No	Office Name	Name of Women Forest Guard	Post
1.	Deputy Conservator of Forest, Wildlife, Jodhpur	Ms. Sarita Chaudhary Ms. Rajesh Yadav	Forest Guard Forest Guard
2.	Deputy Conservator of Forest, Wildlife, Bikaner	Ms. Umesh	Forest Guard
3.	Deputy Conservator of Forest, Wildlife, Mount Abu	Ms. Jirma Grasia Ms. Chetna Parmar Ms. Amba Devi	Forest Guard Forest Guard Forest Guard
4.	Deputy Conservator of Forest, Wildlife, Jaisalmer	Ms. Manju Meghwal Ms. Sarita Bheel Ms. Asha Singh Ms. Leela Ms. Pushta Kumari	Forest Guard Forest Guard Forest Guard Forest Guard Forest Guard

Yours Faithfully
Chief Conservator of Forest
Wildlife, Jodhpur

9. LETTER TO MR. ARBIND JHA (FACULTY MEMBER)

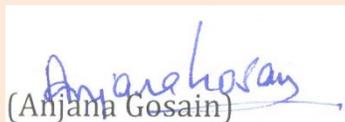
Dear Mr. Jha,

Tiger Trust is organizing a Capacity Building Program for the women forest guards from various divisions to be held from May 1st to May 3rd, 2015 at Hotel Siddhi Vinayak, Sawai Madhopur, Rajasthan.

We would to invite you as resource person to organize the field training program. Tiger Trust would take care of your transportation boarding and lodging. We have booked your ticket for 02.05.2015 by Kota Express which departs at 5:00 am morning. You would be required to reach Hotel Siddhi Vinayak. Your return is along with rest of the team members by vehicle on 03.05.2015.

We would appreciate your conformation by return mail. We appreciate your support and co-operation in the event.

Kind regards,


(Anjana Gosain)

Chief Functionary Officer

Tiger Trust.

New Delhi

Email: tigertrustindia@gmail.com



10. SCREENING FORM

Screening Form

1. Name

2. Age / Date of Birth

3. Designation/Post

4. Division

Married/Unmarried

5. Where are you posted presently? (In the field, control room, *naaka* etc.?)

6. Are you posted in the same place since you were hired? Yes () No ()

7. List the divisions you were posted before this since the time of your joining. Write the time period (e.g. from January to June 2011). Also write the areas of postings (e.g. field, control room, *naaka*).

8. Did you ever get posted in field? Yes () No ()

9. If yes, write about the challenges you faced while patrolling

10. How many cases for illegal activities did you encounter during your field work/on duty? What were your actions taken? Write any one of them in detail.



11. PROGRAM EVALUATION SHEET



Evaluation Form
PROGRAM EVALUATION SHEET

Name of the Program:

Date:

Location:

General Feedback (please tick)

Evaluation of	Excellent	Good	Moderate	Poor
Lodging				
Food				
Training Logistics				
Training Hall Facility				
Attitude of Staff				

Training Feedback (please tick)

Evaluation of	Excellent	Good	Moderate	Poor
Content of the course				
Group Participation				
Coverage of the topics				
Training Tools used				
Training Manual				
Relevance in your work				

Most interesting Session/Least Interesting Session (Which and Why?)

Feedback on Resource Persons (please tick)

Name of the Resource	Excellent	Good	Moderate	Poor
Communication Skills of the Facilitator				
Training Methodology used				
Clarity in Topics				
Interaction with participants				
Quality of the slides				
Attitude/Behavior				



Please sum up your Feedback

	Excellent	Good	Moderate	Poor
Training Management				
Training				
Resource Person				

Remarks:

Where and how did you come to know of this training?

Contact details:

Name of the participants:

Name of the organization:

Contact no.

Email id:



12. MOCK CASE STUDY

CASE STUDY

Place: Ranthambhore National Tiger Reserve

Village: Sherpur

Location: Chowki

Situation: A group of 4 Women Forest Guards were patrolling in the forest when they saw a group of women and children (from a village) wandering inside the core area of the forest. They saw 3 women were having katari in their hands and 2 were having head loads (grass). In the mean time women forest guards started interrogations with the alleged offenders. That the Women Forest Guards immediately call their Range Officers on wireless. That after that Women Forest Guards took them into custody and while approaching the chowki they notice/smell of some de-composed body of some animal. All team members were unanimous that the said smell is definitely from a dead wild animal and started intensive search operation of the area to find out the carcass, which they successfully found. Suppose the carcass has been detected and consequently it has been taken in custody for further investigation. Keeping in mind all the possibilities such as natural and poaching aspect of the wild animal in question:

FIELD EXERCISE:-

1. Write down the name of authorities to whom you will inform immediately. Will you inform police authorities also?
2. How will you protect the scene of crime?
3. From the place of recovery of carcass, how can you establish that the crime has been affected at the same place from where carcass has been recovered?
4. List the name of papers/documents to be prepared at the crime scene itself?
5. Prepare
 - (a) Seizure Memo
 - (b) Site Map of Crime Scene
 - (c) Statement of witness & (d) accused, if any.
 - (d) Arrest Memo
 - (e) Remand Form etc.



13. PARTICIPATION CERTIFICATE



14. SITE PLAN FORM

FORM 'A'

SITE PLAN

Under Section 50 (8) of Wildlife Protection Act 1972 Details

F.I.R. No.Date

- 1) **Place**
- 2) **Date**
- 3) **Time**
- 4) **Forest Officer (Name & Address)**
- 5) **Person present as witness (name & address)**

Situation of site

Witness



15. SEIZURE MEMO

FORM 'B'

SEIZURE MEMO

Under Section 50 of Wildlife Protection Act 1972 Details

F.I.R. No.Date

- 1) Place**
- 2) Date**
- 3) Time**
- 4) Confiscating Officer (Name & Address)**
- 5) Person present as witness (Name & address)**
- 6) Accused (Name & address)**
- 7) Details of crime**
- 8) Seized forest produce or any other government property**
- 9) Witness**

+



16. ARREST FORM

FORM 'C'

ARREST FORM

Under Section 50 of Wildlife Protection Act 1972

Details

F.I.R. no. Date

Crime under Section or/and

Section of Wildlife Protection Act

..... At place

Date Time By Forest Officer

..... staff present (1)

.....

(2)

(3)

(4)

Reliable persons (1)

Witness (2)

(3)

+



Under this F.I.R accused Sh.

S/o Sh. Caste Age

Resident

Police Station.....

District Under Section

Physical Description:-

1) Dress –

2) Color –

3) Description of body –

4) Specific identification –

5) Height –

The accused is arrested

Sd/- witness

sd/- officer

sd/- accused

+



17. APPRECIATION LETTER TO CCFD, RTR

Dated: May 9, 2015

Dear Mr. Sahu,
Chief Conservator of Forest and Field Director
Ranthambhore Tiger Reserve, Rajasthan

Greetings from Tiger Trust!

Tiger Trust acknowledges and appreciates the support and co-operation extended by you. The women guard trainees at the conclusion of the training workshop were much more confident in their performances in theory as well as field training.

We recommend that they should be involved in field work and be given periodic trainings.

We hope to continue to work for these kinds of trainings for the forest staff in future.

Kind Regards,


(Anjana Gosain)

Chief Functionary Officer
Tiger Trust.
New Delhi
Email: tigertrustindia@gmail.com



18. PHOTOS OF THE WORKSHOP



Guests and Faculty member during the valedictory session

Inaugural Session



Ms. Anjana Gosain, CFO, Tiger Trust addressing the trainee



Mr. Pradeep Desodya, Mr. Arun Sharma with the trainees during Classroom session



Ms. Anjana's discussion with Mr. Y.K. Sahu

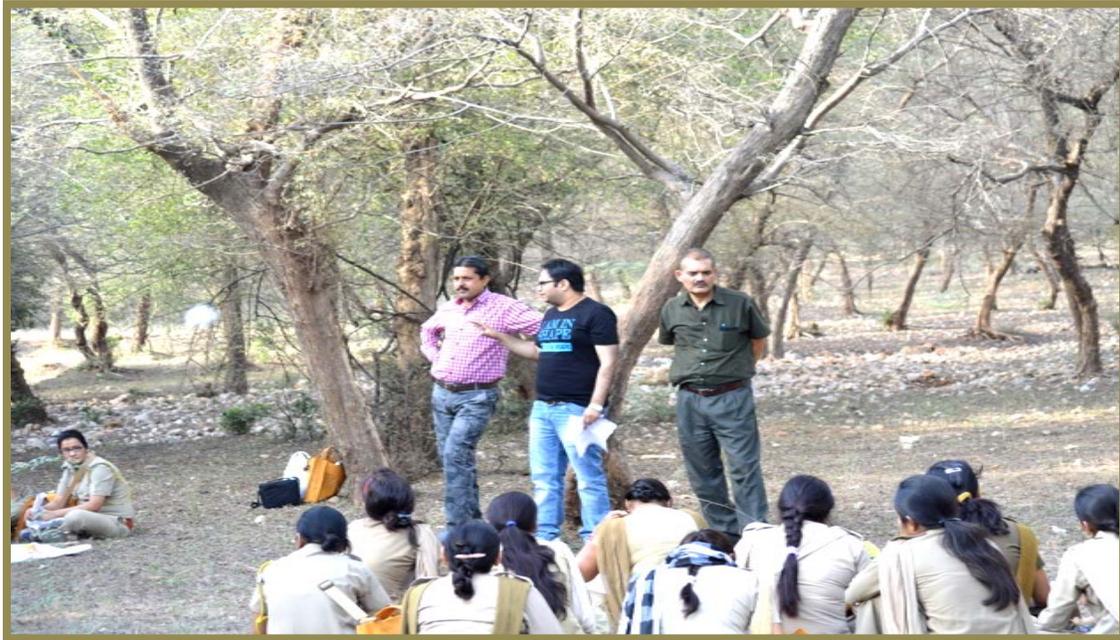




Mr. Sudarshan Sharma, Mr. Himmat Singh during Inaugural Session



Mr. Arbind Jha and Ms. Anjana during the Classroom Session



Faculty Member during the field training session addressing the trainees

Field Training Session



=





Women forest Guards in the field session



Mr. Arbind Jha and Mr. Himmat Singh demonstrating the procedure for collection of sample and sealing of the evidence collected from the crime site





Field Training Session: collection of sample, sealing, etc.



Mr. Jha demonstrating sealing of the sample





Valedictory Session

