

GOVERNMENT OF KERALA
ABSTRACT

FOREST OFFICERS – Supply of the fire arms to the trained forest Offices – Using fire arms for self protection and protection of Forest Wealth – Orders issued.

FORESTS AND WILD LIFE (F) DEPARTMENT

G.O.(MS) No.80/95 F& WLD.

Dated, Thiruvananthapuram, 18-10-1995.

Read:- Chief Conservator of Forests D.O. Lr. No.P2-38828/87 dated 19-7-1995.

ORDER

Government have been considering various measures to curtail the growing number of forest offences, including illicitly cutting and transportation of valuable Timber, smuggling of Sandal Wood, Teak etc. to the neighboring states and also poaching of wild life. In order to protect the forest wealth from the forest offenders it becomes necessary to equip forest officials with fire arms. Many of the smugglers carry fire arms. Therefore, for self protection forest officials need fire arms. In the circumstances Government are pleased to order for supply of fire arms to forest official and for its use by then with the following directions.

2.(i) the fire arms will be used by the Forest Officers of the rank of Forest Guard And above to protect forest property as well as the life from the forest offenders. They could use minimum possible force in due discharge of their duties, exercising the right of private defense as conferred under the Indian Penal Code (Central Act XLV of 1860).

(ii) the power to use fire arms for dispersal of unlawful assembly need not be Conferred on the Forest Officials.

(iii) While in the discharge of their duties, any firing is resorted to, a magisterial enquiry by the Executive I Class Magistrate of the concerned are should be ordered in all such cases, and as a consequence of such enquiry, if it is held after such enquiry that there was unnecessary, unwarranted or excessive use of force, a criminal case should be instituted against the delinquent officers after examination by the Government. Till the recommendation of the magisterial enquiry is known, police should not arrest or proceed against the officers who had opened fire.

3. Instruction regarding use of fire arms by the Forest Officials are appended to this order.

By Order of the Governor,
JOHN MATHAI,
Secretary to Government,
Forest & Wildlife Department.

To

All Chief Conservator of Forests