

S. Bhandari
15.7.10

(126)

GOVERNMENT OF ASSAM
ENVIRONMENT AND FORESTS DEPARTMENT
DISPUR - GUWAHATI

ORDERS BY THE GOVERNOR
NOTIFICATION

14072
15/7/2010

Dated Dispur, the 14th July, 2010

No.FRW.22/2009/5

Whereas the Government of Assam, being conscious of the vulnerability of Forest land and Forest based resources in forest area as well as wildlife in Protected and Reserved Forest areas of the state to mounting threats to their conservation, protection and existence have decided to arm forest personnel of the State with fire arms. And whereas, the Government of Assam is aware that the use of fire arms in discharge of their mandated duty and responsibility, may expose forest personnel to vexatious criminal proceedings and that there is need to provide them immunity from prosecution without prior sanction

Now, therefore, in exercise of the power and conferred by sub-section (3) of section 197 of the Code of Criminal Procedure, 1973 (2 of 1974) and all other powers enabling him in that behalf, the Governor of Assam is hereby pleased to direct that :-

- (a) the provisions, as envisaged in sub-section (2) of Section 197 of said Code shall apply to all forest officers including Game Watchers, Forest Guards, Foresters, Forest Rangers, Assistant Conservator of Forests, Deputy Conservators of Forest, Divisional Forest Officers, Conservators of Forests, Chief Conservators of Forests, Principal Chief Conservators of Forests, Members and Supervisory Officers of Assam Forest Protection Force in the State of Assam and who are charged with maintenance of public order relating to forest and wildlife protection, conservation and management;
- (b) Wherever firing is resorted to by any personnel mentioned in Clause (a) above, each such incident shall be enquired into by an Executive Magistrate of the locality, and any proceeding including institution of a criminal case of any nature or effecting an arrest can be initiated by the Police, only if, it is held, as a result of the Magisterial Enquiry that use of firearms has been unnecessary, unwarranted and excessive and such report has been examined and accepted by the Government.

Sd/- B. B. Hager, IAS
Commissioner & Secretary to the Government of Assam
Environment and Forests Department.

Dated Dispur, the 14th July, 2010

Memo.No.FRW 22/2009/5-A
Copy to :-

- 1 The Principal Chief Conservator of Forest, Assam, Rehabari, Guwahati - 8. He is requested to circulate the above notification to all concerned accordingly.
- 2 The Principal Chief Conservator of Forest (Wildlife), Assam, Basistha, Guwahati - 29
- 3 The Chief Conservator of Forest, (T) / (SF) / (WL) / (RE & WP), Assam, Guwahati
- 4 P. S. to Principal Secretary to the Government of Assam, Home & Political Department, Dispur for information of Principal Secretary.
- 5 The Joint Secretary to the Government of Assam, Legislative Department Dispur, Guwahati - 6.
- 6 P. S to the Minister, Environment and Forest Department, Assam, Dispur, Guwahati - 6.
- 7 The Deputy Director, Assam Government Press, Bamunimaidam, Guwahati - 21 for necessary action.

By order etc.


Deputy Secretary to the Government of Assam
Environment and Forests Department.

~~P. S. W.~~
14/7/10