

Forest Health Session -2

Raid

Dr.Sivabala.S

Associate Professor

25/8/2021

1500-1555 hrs

Outline of presentation

- Legal provisions
- Intelligence Gathering
- Planning for Raid
- Precautions & Preparedness
- Offence registration
- Rewarding the informers

Recollect...

- Whether powers to enter premises for search and seizure provided under IFA 1927?
- Provisions in CrPC for searching stolen property ?
- Whether powers to enter premises for search and seizure provided under WPA 1972?

Legal powers for conducting Raid

under IFA 1927

u/s 72 (1) c- power to issue search warrant under the Code of Criminal Procedure, 1898

u/s 52 –seizure of property liable to confiscation

Provisions in CrPC-

u/s 94(1): Search of place suspected to contain stolen property, forged documents, etc.

Receipt of seized articles –notice (Section- 51 CrPc)

Legal powers contd....

- under WPA 1972:

u/s 50(1)(b): power of entry, search (authorised/ any Forest officer)

u/s 50(1)(c): seize & arrest without warrant

u/s 50(8): issue search warrant- not below rank of ACF

Intelligence gathering

- Reliable source
- Using secret service fund
- Offence database of division
- Inter division coordination and Inter department coordination especially with Police
- Goodwill with forest fringe villagers
- Tiger cell meetings
- Mobile squads/flying squads/vigilance team – regular meetings

Staff in action



Seizure and measurement



Drone footage



Sawmill raid -photos



Planning contd:

- Vehicles & labourers to recover the seized materials
- Closing off check posts
- Leakage prevention- switching off mobile phones ?/using different vehicles/ surprise routes
- Interstate coordination- border divisions
- Use of Cybercells - Tracing

Precaution & Preparedness

- Keeping search warrant

(Form no 10 –warrant to search after information of a particular offence {sec-93 CrPC},
Form no 11- warrant to search suspected place of deposit {sec-94 CrPC},)

- Preventing entry {sec-186 IPC : Obstructing public servant in discharge of public functions}
- Polite language
- Handling mob of villagers
- Entering house – sufficient time since female members (section- 47(2) Cr.Pc)
- Lady staff in team
- Allegations of Harassment and Atrocities

Precaution & preparedness

- Attack on staff/vehicles
- Backup force
- Deterrent measures
- Alternate video recordings
- Aware of routes (Entry and exit)
- Interference in carrying out raids
- Dealing with life threats and staff safety

Offence registration

- Seizure of forest produce/wildlife articles
- Booking of Prosecution offence report
- Sealing of sawmills – no valid license/requisite registers
- Panchanama (witness statement)
- Seizure memo/seizure panchnama
- videography/photography
- Seizing mobile phones

Offence registration contd..

- Measuring and recording of seized materials
- Time consuming process
- Transfer to Depot
- Field Situations not always favorable to carryout above
- Source of forest produce- further leads during interrogation
- Press note

Tour Dairy entry

| | | | |
|------------|--|--------|--|
| 18/05/2014 | Office work followed by patrolling and compounded a person for unauthorised entry into BN-7 .Joint Night raid along with staff of <u>pundibari range and jaldapara south @ Tollitola sawmill ,pundibari</u> from 10:30 pm to 5: 30 am. | 269 km | |
| 19/05/2014 | Office work followed by Patrolling. Visit to assess house damage by elephant in <u>nepali basti</u> . Vehicle patrolling along with AWLW in evening. Went for night raid at <u>kumarapara village & seized 5 no cycles along with sawn timber and returned back around 3:30 A.M the following day.</u> | 97 km | |
| 20/05/2014 | Office work followed by morning patrolling. Proceeded to DFO office, <u>Cooch behar</u> .went on night patrolling and seized 3 no. of cycles with sawn timber from <u>kumarapara village</u> . | 137 km | |
| 21/05/2014 | Office work and morning patrolling. Went along with AWLW for inspection of 13 th FC works in various beats under the range. Office work followed by night patrolling. | 90 km | |

Rewarding the informers

- u/s 76 IFA Additional power to make rules:

76 (b) regulate the rewards to be paid to officers and informers out of the proceeds of fines and confiscation under this act

- u/s 60 WLPA :

60 A Reward to Persons

60-B Reward by State Govt (CWLW may empowered not exceeding Rs 10,000)

Queries