



Documentation & Filing of Complaint

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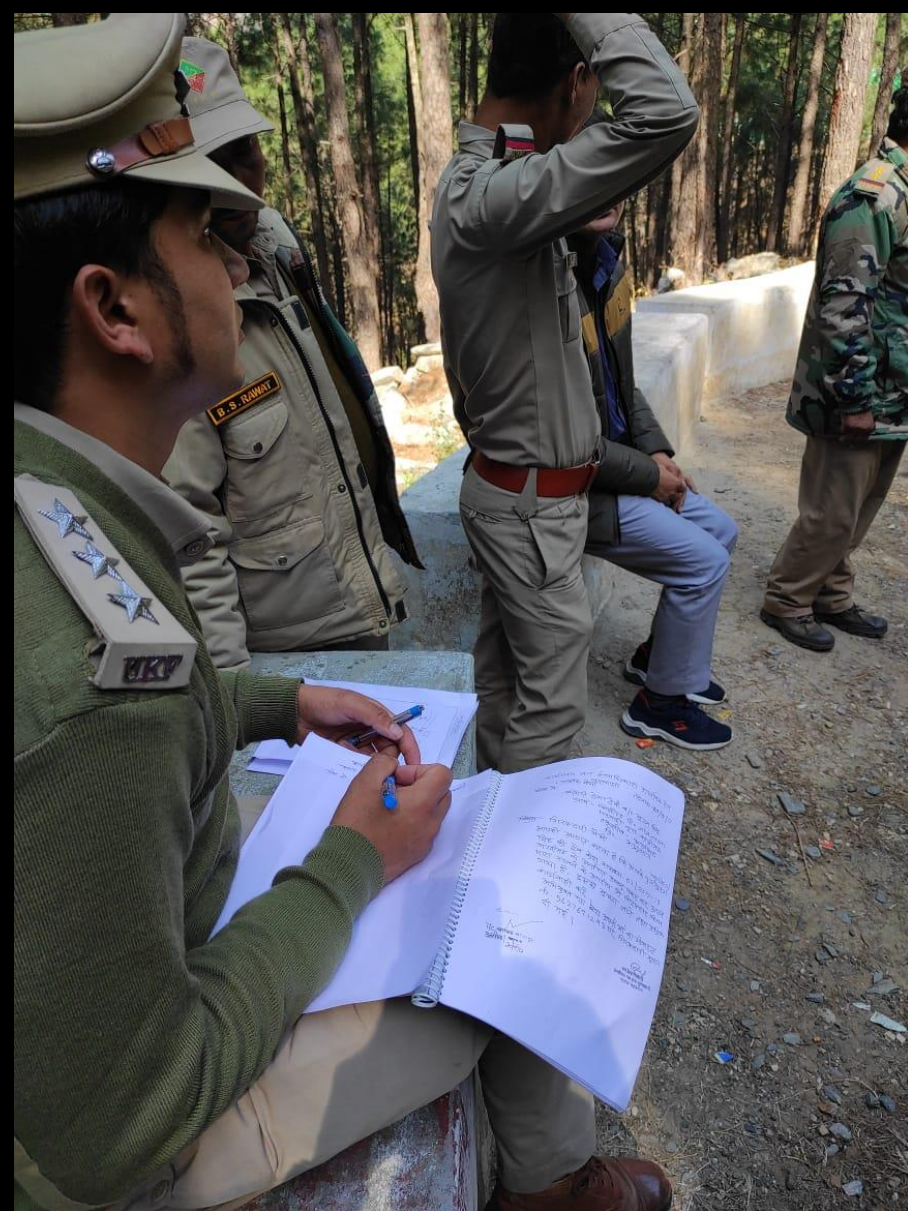


Wildlife Crime Control Bureau
Ministry of Environment, Forest & Climate Change
Government of India



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Documentation



Document – Material that provides official information or evidence or serves as record

Documentation – The process of classifying and annotating texts, photographs etc.

Importance – Used to establish that a crime was committed or that a particular person committed the crime

Documentation In Wildlife Cases

Classified On the Basis of Content

Letter or Forwarding

- Letter of assistance
- Summons issued
- Application to Ld. Court –
Production of accused, bail rejection prayer, seeking permission for investigation etc.

Record of Events

- Seizure Memo
- Case
Diary/Daily development etc.

Documentary Evidence

- Seizure List/Memo
- Arrest Memo
- Sketch map
- Statements recorded
- Photographs
- Videos
- CAFs & CDRs
- Financial statements
- Certificates etc.

Documentation In Wildlife Cases

Classified Based on Timeline

- Required/Prepared before operation
- Prepared at the spot/ time of seizure
- Prepared after operation
- During investigation
- Completion of investigation

Documentation In Wildlife Cases

Required/Prepared before operation

- Notification/Authorization
- Search Warrant [\(?\)](#)
- Letter of assistance.

Prepared at the spot/ time of seizure

- Seizure [Memo](#) / [List](#)
- Arrest [memo](#) (*beware of timing*)
- *Sketch* [Map](#)
- Photographs of case property and accused
 - ✓ [Word of caution](#)

Prepared after operation

- Offence Report
- Handing/Taking Over
- Safe Custody
- Medical examination.
- Application to Ld. Court [50\(4\)](#) WLPA 1972

Documentation In Wildlife Cases

During investigation

- Letter to Scientific Authority.
- Letter to Bank, Financial Statements & 65(b)
- Summons to be issued by ACF & above.
- Statements. (May be videographed as well)
- Case Diary / Development Report.
- Bail rejection prayer
- Vehicle release objection.
- Mobile and other release objections.
- CAFs & CDRs (65(b))
- Call for certificates and documents

Documentation In Wildlife Cases

Completion of investigation

➤ Complaint

- ✓ Authorized official by the CWLW and/or Govt.
- ✓ Different from POR
- ✓ Filed u/s 55 of WLPA, 1972
- ✓ File only after investigation is complete and the IO is satisfied
- ✓ Detailed events in chronological order
- ✓ Check and cross-check evidences before submission
- ✓ All documents required to establish the offence

Key Points:

- Burden of proof of possession lies with the accused – prove authenticity of Seizure List / Memo
- Charges to be framed separately for each accused concerned
- File with approval of the competent authority
- Supplementary complaints may be filed later

Recommendations for Filing of Complaint

- **To be filed by authorized officer. Supporting Gazette Notifications to be submitted.**
- **If the accused is in judicial custody - should be filed within 60 (sixty) days from the date of arrest of the first accused**
- **The complaint should preferably be typed without any over writings, alterations etc.**
- **Full details of all accused persons and role played by them individually accompanied with relevant sections of the Act.**
- **Present status of the accused like on bail, in judicial custody, absconding etc. to be mentioned.**
- **Complaint should be specific and without any ambiguity. Facts not supported by evidence should not be mentioned in the complaint.**

Recommendations for Filing of Complaint

- Facts and circumstances connected to the case should be narrated in simple language, sequentially.
- List of witnesses, documents and material objects should be submitted along with the complaint.
- Complainant should sign all the pages of the complaint and annexures, if any.
- Statements recorded should be filed along with the complaint. To be accompanied with video recordings.
- All documents in original or certified copy, as per the list of documents enclosed, should be submitted along with the [complaint](#).

*Documentation is the key to
SUCCESSFUL Conviction...*

Thank You

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