Challenges for Forest policing in India

Why in news?

Poachers gunned down a forester who was part of a six-member patrolling team in Orissa's Simlipal tiger reserve.

What is the Duty of foresters?

- Forest officers are public servants who administrates and govern the forests across the territory of India based on the respective States' laws.
- The duties and responsibilities of forest officers are provided under the *Indian Forest Act, 1927*.
- Forest staff's job is to protect scarce and lucrative resources like endangered animals, trees, sand and boulders, minerals, and forest land.
- India's frontline forest staff like contract labourers, guards, foresters and rangers fight against poachers, illegal miners, and tree-fellers.
- They also exercise the powers bestowed upon them under the following acts -
    1. Indian Forest Act of 1927
    2. Forest Conservation Act of 1980
    3. Wildlife Protection Act of 1972

Can forest frontline staffs be armed?

- **Arms -** In India, some state forest departments issue firearms to field staff.
- They may be issued weapons from basic .303s to INSAS rifles and SLRs, a range that includes 12-bore shotguns, 0.32- and 0.22-calibre revolvers, etc. depending on the state the serve.
- **Power to use -** Forest officials have no power to proactively use their weapons.
- They can only exercise their right of private defence under *Sections 96 to 106 of the Indian Penal Code*, like any other citizen.
- the 1994 Rajasthan order mentions that the main objective of arming the officials is
    - Self-defence
    - To provide psychological deterrent to poachers and other offenders.
- The onus to justify the use of firearms would be on the forest official in an inquiry.

According to the International Rangers' Federation (IRF), 162 foresters lost their life in India while on duty which is the highest in the world and accounts for as high as 31% of the total ranger deaths across the world.

What are the issues faced by forest staffs?

- Frontline forest staff fight against varied issues such as illegal timber transit, illegal mining and quarrying, illegal sawmills, hunting, etc.
- They have also been targeted by mass encroachers and insurgents.
- **Prohibition of arms -** Uncertain law and order situations often prevent forest guards from carrying these weapons, particularly in insurgency-hit areas.
- The weapons are stolen and snatched by Naxalites, Maoists, etc. in vulnerable areas.
- Thus the forest staffs in the *Red Corridor* from Chhattisgarh's Indravati to Bihar's Valmiki tiger reserves stopped carrying guns.
- In 1994, Rajasthan issued weapons to forest staff with the instruction that if they were carried to forests, there must be at least two persons with firearms in case they were snatched.
- **Consequence of arms usage -** Foresters do not have the same legal protections as police officers for using their weapons in the line of duty.
- **Flipside of arms -** there is potential for abuse of such powers (legal protection same as police).
- Despite the success of the Assam forest department in wildlife conservation via firearms, it has often been accused of human rights violations and extra-judicial killings.
- Arming foresters would leave forest-dwellers more vulnerable as foresters operate deep in the jungle away from spot-light.
- **Bad optics -** The frontline forest staff are the most visible arm of the state to the forest-living communities.
- Under various circumstances, foresters are often booked under legal provisions that are supposed to protect the welfare of forest dwellers.
- **Lack of training -** Forest staffs sometimes lose their life not because they did not have guns but they do not know how to fire their weapons.

What needs to be done for the protection of forest staffs?

- The State Forest Service Officers Association (SFSOA) of Telangana in representation submitted listed few demands to protect foresters.
- **Arms -** The provision of pistols to Forest Range Officers (FRO) rank and above and rifles to field-staff for self-protection.
- India's frontline forest staff need professional training in arms and weapons.
- Issuing weapons that have prohibited calibres to reduce the risk of weapon misuse.
- **Legal protection -** While guns and legal protection may be useful in self-defence, what foresters need is to be empowered to do their job.
- **Forest Stations -** Establishment of forest stations at the Division Level with required staff and infrastructure especially in vulnerable areas (Kerala Forest Department is having such stations)
- Each station should be headed by a FRO rank officer and supported by sufficient personnel.
- **Appointments -** Too many vacancies of frontline workers across India needs to be filled.
- Allocation of more vehicles for effective patrolling in the core areas.

- They should be given adequate compensation and field incentives for working in some of the world’s most hostile conditions.

References

1. IE - Guns alone can’t protect forest guards in India
2. India Today - Should forest guards be armed with lethal weapons?
3. Telangana Today - Telangana government yet to decide on arms for Forest staff

