

GOVERNMENT OF ODISHA

FOREST, ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT

NOTIFICATION

Bhubaneswar, Dated the 05.07.23

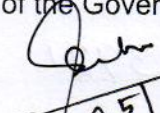
No. FE-WL-WLF-0015-2023/ 13915 / FE&CC, Whereas the Government of Odisha, being conscious of the vulnerability of Forest land and Forest based resources in forest area as well as wildlife in Protected and Reserved Forest areas of the state to mounting threats to their conservation, protection and existence have decided to arm forest personnel of the State with fire arms.

And whereas, the Government of Odisha 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 powers conferred by sub-section (3) of section 197 of the Code of Criminal Procedure, 1973 (2 of 1974) and all other powers enabling it in that behalf, the Governor of Odisha is hereby pleased to direct that :—

- (a) the provisions contained under sub-section-(2) of section-197 of CrPC shall apply to all the Forest Guards, Foresters, Deputy Forest Range Officers, Forest Range Officers, Assistant Conservators of Forests, Sub-Divisional Forest Officers, Deputy Conservators of Forests, Deputy Directors, Divisional Forest Officers, Regional Chief Conservators of Forests, Field Directors and any other Forest Officers in the State who are charged with maintenance of public order relating to forest and wildlife protection, conservation and management.
- (b) Whenever firing is resorted to by the forest personnel mentioned in the Clause (a) above, each such incident shall be enquired into by an Executive Magistrate of the locality; and any proceedings including institution of a criminal case of any nature and / or effecting an arrest shall be initiated by the Police, only if it is held, as a result of the Magisterial Enquiry that the use of firearms has been unnecessary, unwarranted and excessive and further that such Magisterial Enquiry report has been accepted by the State Government.

By order of the Governor


05/07/2023

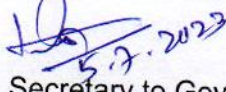
Additional Chief Secretary to Government,

Forest, Environment & Climate Change Department



Memo. No 13916 / FE&CC, Dated. 05.07.23

Copy forwarded to Director, Printing, Stationary and Publication, Odisha Cuttack with request to issue this Notification in the extraordinary issue of the Odisha Gazette and supply 200 (Two hundred) copies to the Department.


Additional Secretary to Government.

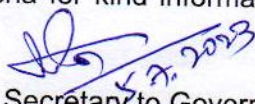
Memo. No 13917 / FE&CC, Dated. 05.07.23

Copy along with soft copy forwarded to Gazette Cell, Commerce & Transport Department, Odisha Secretariat, Bhubaneswar for information and necessary action.


Additional Secretary to Government.

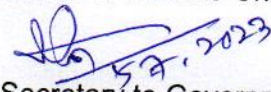
Memo. No 13918 / FE&CC, Dated. 05.07.23

Copy forwarded to P.S to Hon'ble Chief Minister of Odisha for kind information of Hon'ble Chief Minister.


Additional Secretary to Government.

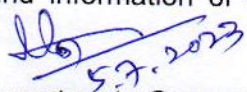
Memo. No 13919 / FE&CC, Dated. 05.07.23

Copy forwarded to P.S to Hon'ble Minister, Forest, Environment & Climate Change for kind information of Hon'ble Minister, FE & CC.


Additional Secretary to Government.

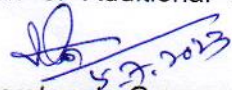
Memo. No 13920 / FE&CC, Dated. 05.07.23

Copy forwarded to PS to Chief Secretary, Odisha for kind information of Chief Secretary.


Additional Secretary to Government.

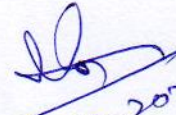
Memo. No 13921 / FE&CC, Dated. 05.07.23

Copy forwarded to P.S to Additional Chief Secretary to Government, Forest, Environment & Climate Change Department for kind information of Additional Chief Secretary.


Additional Secretary to Government.

Memo. No 13922 / FE&CC, Dated. 05.07.23

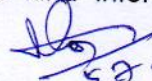
Copy forwarded to P.S to Additional Chief Secretary to Government, Home Department for kind information of Additional Chief Secretary.


5.7.2023

Additional Secretary to Government.

Memo. No 13923 / FE&CC, Dated. 05.07.23

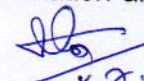
Copy forwarded to the Director General of Police, Odisha, for kind information and necessary action.


5.7.2023

Additional Secretary to Government.

Memo. No 13924 / FE&CC, Dated. 05.07.23

Copy forwarded to the PCCF & HoFF, Odisha, Bhubaneswar/ PCCF (WL) & CWLW, Odisha, Bhubaneswar/ PCCF (KL), Odisha/ PCCF-cum-PD, OFSDP/ PCCF(Nodal)-cum-CE, CDA / Managing Director, OFDC Ltd. / Director Environment-cum-Special Secretary, FE & CC Deptt./ All RCCFs/ All DFOs for information and necessary action.


5.7.2023

Additional Secretary to Government.

Memo. No 13925 / FE&CC, Dated. 05.07.23

Copy forwarded to All RDCs/ All Collectors / All Superintendent of Police, for information and necessary action.


5.7.2023

Additional Secretary to Government.

Memo. No 13926 / FE&CC, Dated. 05.07.23

Copy forwarded to All Departments of Government / All Heads of Department for information and necessary action.


5.7.2023

Additional Secretary to Government.

Memo. No 13927 / FE&CC, Dated. 05.07.23

Copy forwarded to the Head, State Portal, I.T. Centre, Odisha Secretariat, Bhubaneswar for information and necessary action.

He is requested to upload this Notification in the website of Forest, Environment & Climate Change Department immediately for information of all concerned.


5.7.2023

Additional Secretary to Government.