



## Protecting India's Forest Frontline

**For Prelims:** [Indian Forest Act, 1927](#), [The Wild Life \(Protection\) Act, 1972](#), [The Forest Conservation Act, 1980](#), [Simlipal tiger reserve](#)

**For Mains:** Concerns Related to Forest Staff Security – Steps to Solve the Related Issues

### Why in News?

Recently, [poachers](#) killed a forester in [Odisha's Simlipal tiger reserve](#), marking the second such death in a span of a few weeks when another forest guard was shot dead.

- India's **frontline forest staff, including contract laborers, guards, foresters, and rangers**, have been engaged in a longstanding and uneven battle against poachers, illegal miners, tree-fellers, mass encroachers, and insurgents.

### Who are the Forest Officers?

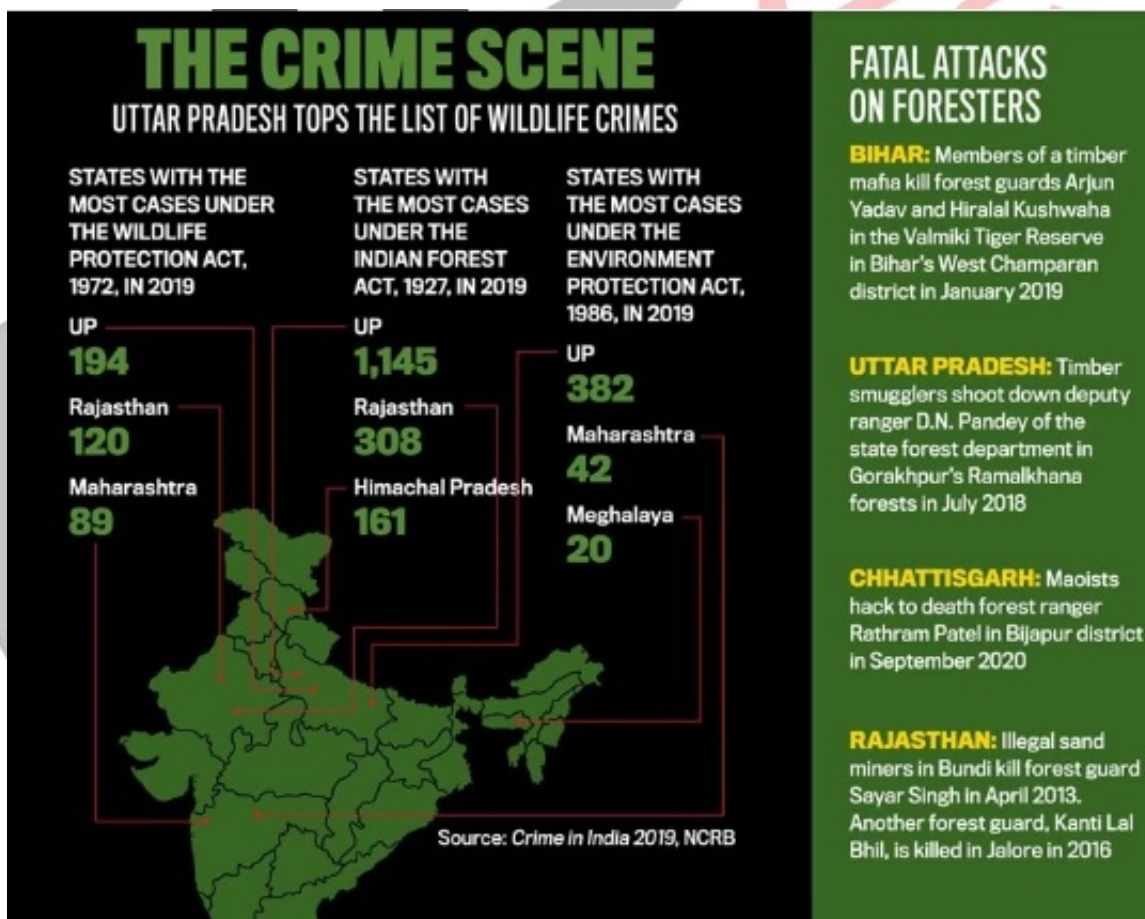
- Forest officers are **public servants employed by the Government for the administration and governance of forests** across the territory of India.
  - All the States in India have formulated their own legislation for governing forests in their territory, with the [Indian Forest Act, 1927](#) as the base (forests being a [concurrent list](#) subject under [7<sup>th</sup> Schedule](#)).
- The **three primary acts** which bestow power upon forest officers are:
  - Indian Forest Act, 1927.
  - [The Wild Life \(Protection\) Act, 1972.](#)
  - [The Forest Conservation Act, 1980](#) .
- Forest staff's **primary responsibility is to safeguard valuable and limited resources** such as endangered animals, trees, sand, boulders, [minerals](#), and forest land. **As a result, they face a constant and relentless onslaught.**

### What are the Concerns Associated with Foresters' Safety?

- Conditional Armed Status of Forest Guards:** Forest guards are not always unarmed. Depending on the state, they may be equipped with various weapons. However, **due to uncertain law and order situations, especially in [insurgency-affected regions](#), forest guards often face restrictions** on carrying these weapons.
  - In the case of Simlipal, which **falls within the [red corridor](#) stretching from Chhattisgarh's Indravati to Bihar's [Valmiki tiger reserves](#)**, forest staff had discontinued carrying guns for the same reason.
- Limited Authority for Proactive Use of Weapons:** Furthermore, forest officials do not possess the authority to proactively use their weapons. **Like any other citizens, they are only entitled**

to exercise their right of private defense as outlined in **Sections 96 to 106 of the [Indian Penal Code \(IPC\)](#)**.

- This means they can use force, including weapons, only **to protect themselves or others from imminent harm or danger**.
- **Risks and Considerations of Carrying Firearms:** Weapons can indeed pose a risk even in situations without the presence of insurgents as there are certain challenges (potential accidents or misuse of weapons) and considerations that arise when it comes to carrying and using firearms.
- **Wildlife-Human Conflict:** Foresters often encounter [conflicts between wildlife and human populations](#). This includes instances of crop raiding by animals, attacks on humans by wild animals, and encroachment of forest habitats by human settlements.
- **Lack of Manpower:** Forest establishments in India tend to **prioritise cumbersome bureaucratic processes and administrative matters over the welfare and support of the frontline workforce**.
  - This can be problematic as it **creates a situation where there are too many vacant positions** within forest departments across the country.
  - As a result, **there are insufficient numbers of personnel on the ground to effectively protect the forests** and ensure their own safety.
- **Lack of Effective Defense:** According to the International Ranger Federation, a total of 31 forest field staff members lost their lives while on duty in India in 2021. **Out of these cases, only 8 were classified as homicides** and the rest were attributed to factors like forest fires, elephant/rhino attacks and motor accidents.
  - In some instances, the casualties occurred not because they were unarmed, but because they did not know how to fire their weapons.



### Enhancing Legal Protection for Forest Officers:

- In July 2010, **Assam took a significant step by implementing the provisions of Section 197(2) of the [Criminal Procedure Code \(CrPC\)](#) for all forest officers**.
  - This provision **granted them protection from arrest and criminal proceedings**,

unless a magisterial investigation **determined that the use of firearms was deemed "unnecessary, unwarranted, and excessive."** The state had to review and accept the findings of the investigation.

- Following a series of tiger poaching cases in 2012, **Maharashtra also issued a similar order.**

## Why are Foresters not Provided with Excess Powers in Terms of Using Weapons?

- **Protection of Ecosystems and Wildlife:** Foresters have a critical role in safeguarding forests, wildlife, and their habitats. Excessive powers could lead to **unintended harm to ecosystems and wildlife** if firearms are used indiscriminately or without proper justification.
- **Potential for Misuse:** Excessive powers could increase the risk of misuse or misconduct by foresters. It is **important to maintain checks and balances** to prevent misuse of firearms and ensure that foresters act in accordance with the law.
- **Civilian Law Enforcement Perspective:** Foresters are **primarily tasked with conservation and environmental protection, rather than law enforcement.**
  - Providing them with excessive powers in using weaponry **could blur the line between their conservation roles and the responsibilities of law enforcement agencies,** potentially leading to confusion and conflicts in their duties.
- **Balancing Safety and Potential Risks:** Arming foresters with guns in remote jungle areas may **increase the vulnerability of the local population.**
  - The presence of firearms in the hands of foresters could potentially escalate conflicts and result in unintended consequences, **especially in areas where tensions already exist between foresters and local residents.**

## Way Forward

- **Professional Training:** Forest frontline staff in India require comprehensive training to effectively carry out their duties.
  - This training **should equip them with the necessary skills and knowledge** to handle the complexities and risks associated with their work.
  - Foresters need **adequate support, both in terms of resources and infrastructure,** to effectively carry out their duties.
- **Adequate Compensation:** Forest staff should be provided with fair and **sufficient compensation and incentives** for their services.
  - Considering the demanding nature of their job and the risks they face; it is **crucial to ensure they are adequately rewarded for their efforts.**
- **Strengthening Legal Framework:** Ensuring a strong legal framework that protects foresters and enables them to perform their duties without unnecessary interference or intimidation is essential.
  - However, the framework should be formed in such a way that besides ensuring foresters' security, it **also ensures that the officials are not exploiting their power and showing unnecessary force on forest communities.**

**[Source: IE](#)**