



COURSE GUIDE

Training of In- Service SFS Officers and Senior RFOs on

"Legal Issues in Forestry & Wildlife (LIFE)"

21st -26th September, 2020



**Central Academy for State Forest Service
Dehradun**

**Ministry of Environment, Forest & Climate Change,
Govt. of India**



CASFOS

Dehradun



Established in 1981, Central Academy for State Forest Service (CASFOS), Dehradun is a premier Institute under the aegis of Directorate of Forest Education, Ministry of Environment, Forest & Climate Change, Government of India, with a mandate of imparting training on forestry, wildlife and environment.



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Introduction

The ever- increasing population is bringing pressure on space and resources of mega cities. The smaller towns have also started feeling the heat. The forests, its resources and wildlife are no exception to this phenomenon. Often, violation of various provisions of Acts, Rules and Regulations governing forests, protected areas, wildlife, etc., are noticed and they are showing an increasing trend. Apart from prevention and early detection of various forest & wildlife offences it is also imperative to achieve the maximum penalty on the offenders. Ultimately, effective prosecution of offences in present & in past, is the biggest deterrent for future offenders. The judicial interpretation by the higher courts like the Hon'ble Supreme Court, National Green Tribunal and various High Courts have also redefined these sectors. This scenario is throwing open a challenge before the personnel manning the Forests and Wildlife to upgrade and update their legal knowledge and acumen. These aspects including knowledge, skills and right interpretation of extant Acts, Rules and Procedures have been kept in view while preparing this Course.

Aim

- To provide awareness and knowledge to participants about Acts, Rules, Notifications and Court Orders governing Forests and Wildlife.
- To enhance interpretation skills to enable them to follow the correct legal procedures.

Designed for

Forest Officers as regulation is one of their prime function (irrespective of their place of posting).

Facilitators

Both, in-house and guest faculty, academicians, lawyers and scientists who have specialization and experience in the topics concerned.

Course Style

- Six day workshop
- Trainee-centered
- Experience-sharing and problem-solving
- Emphasis on application of laws
- Peer-learning
- Case Studies & Case Laws

Objectives

1. Indian Forest Act (IFA), 1927 (Session-1)

At the end of the Session, participants will be able to –

- Describe the Penal Provisions under IFA, 1927 related to RF & PF
- State the measures for prevention of Forest Offences
- List the powers of Forest Officers under IFA, 1927
- Describe the provisions relating to ‘compounding’
- Confiscatory proceedings.

2. Indian Penal Code (IPC), 1860, Indian Evidence Act, 1872, & Code of Criminal Procedure (CrPC), 1973 (Sessions -2&3)

At the end of the Session, participants will be able to –

- Describe the ‘Legal Principles’ of punishment
- Explain the ‘power of arrest’
- Describe the steps involved in holding of inquiry
- List & describe the Sections of IPC and IEA as applicable to Forest Laws
- List & describe the Sections of CrPC as applicable to Forest Laws

- Describe the procedure of ‘receiving’, ‘recording’ and ‘producing’ evidence

3. Wildlife (Protection) Act (WPA), 1972 (Sessions - 4 to 7)

At the end of the Session, participants will be able to –

- Explain the relevant Sections of WPA
- List the penal provisions of WPA
- Identify the latest amendments to WPA
- Wildlife Crime Scenario and investigation under Wildlife (Protection) Act, 1972
- Important Wildlife Cases: Rajasthan
- Wildlife Forensics
- Successful Prosecution of Wildlife & Forest Offences

4. Forest Rights Act, 2006 (Sessions- 8&9)

At the end of the Session, participants will be able to –

- Describe the relevant Sections of the Forest Rights Act, 2006
- Explain the procedures laid down in Forest Rights Act, 2006
- State the current status of the Forest Rights Act, 2006
- State the difficulties encountered in implementation of the Forest Rights Act, 2006
- Case Studies on FRA, 2006

5. Biological Diversity Act, 2002 (Sessions- 10 & 11)

At the end of the Session, participants will be able to –

- State the relevant provisions of Biological Diversity Act, 2002
- Describe the structure, composition and functions of ‘authorities’ notified under the Biological Diversity Act, 2002
- Explain the ‘mode of operation’

- Explain the ‘implementation status’
- Case Studies on BDA, 2002

6. National Green Tribunal Act, 2010, Court Judgments on Environment and Forests (Sessions – 12 to 15)

At the end of the Session, participants will be able to –

- Natural Resources and Evolution of Statutory Provisions
- State the provisions of ‘Green Tribunal Act’
- Provide the ‘current status’
- Describe the mode of the functioning of the ‘Green Tribunal Act’
- NGT Court Orders
- Judgments related to Forests and Environment
- Environmental Governance
- Environmental Legislations

7. Environmental Protection Act, 1986 (Sessions 16 & 17)

At the end of the Session, participants will be able to –

- Implementation of Environmental Laws
- Current Status of Environmental Legislations

8. Forest (Conservation) Act, 1980 (Sessions – 18 & 19)

At the end of the Session, participants will be able to –

- Describe the scope of FCA, 1980 in the light of latest cases
- Explain the orders of Hon’ble Supreme Court in “Godavarman case vis- a-vis FCA”
- Describe the procedure for violations of FCA & penalties thereof
- IFA and FCA: Case Studies

- FCA- Current Status of Implementation

Assessment

The priority during the Course is to help participants to develop awareness, knowledge and skills about the legal and related provisions pertaining to –

- IFA and the Confiscatory proceedings
- CrPC for Forest Officers
- IPC & IEA for Forest Officers
- Wildlife Crime Scenario and Investigation under Wildlife Protection Act,1972
- Important Wildlife Cases: Rajasthan
- Wildlife Protection Act,1972
- Wildlife Forensics
- Forest Rights Act,2006
- Case Studies on Forest Rights Act,2006
- Biological Diversity Act,2002
- Biological Diversity Act: Case Studies
- Natural Resources and Evolution of Statutory Provisions
- National Green Tribunal Act,2010: Court Orders
- Judgements related to Forest and Environment
- Effectiveness of Environmental Governance in the country
- Implementation of Environmental Laws
- Current Status of Environmental Legislations
- IFA & FCA Case Studies
- FCA- Current Status of Implementation

Accordingly, the assessment will be with formal & informal feedback from the participants.

Time table

Given below is an indication of how the various learning activities are scheduled into six days of the Course.

Legal Issues in Forestry & Wildlife (LIFE) 21st to 26thSeptember, 2020 Tentative Programme Schedule							
Date	Session I 0930-1100	1100- 1130	Session II 1130-1300		Session III 1400-1530	1530- 1600	Session IV 1600-1730
21.09.20 (Mon)	Inaugural Session	Tea Break	IFA and the Confiscatory proceedings (Session-1)	Lunch Break	CrPC for Forest Officers (Session-2)	Tea Break	IPC & IEA for Forest Officers (Session-3)
22.09.20 (Tue)	Wildlife Crime Scenario and Investigation under Wildlife Protection Act, 1972 (Session-4)		Important Wildlife Cases: Rajasthan (Session-5)		Wildlife Protection Act, 1972 (Session-6)		Wildlife Forensics (Session-7)
23.09.20 (Wed)	Forest Rights Act, 2006 (Session-8)		Case Studies on Forest Rights Act, 2006 (Session-9)		Biological Diversity Act, 2002 (Session-10)		Biological Diversity Act: Case Studies (Session-11)
24.09.20 (Thu)	Natural Resources and Evolution of Statutory Provisions (Session-12)		National Green Tribunal Act, 2010: Court Orders (Session-13)		Judgements related to Forest and Environment (Session-14)		Effectiveness of Environmental Governance in the country (Session-15)
25.09.20 (Fri)	Implementation of Environmental Laws (Session-16)		Current Status of Environment al Legislations (Session-17)		IFA & FCA: Case Studies (Session-18)		FCA: Current Status of implementation (Session-19)
26.09.20 (Sat)	Presentation & experience sharing		Valedictory Session				



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New Delhi



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