

CHAPTER 1

Powers of officers under the Indian Forest Act, 1927 and the Wildlife (Protection) Act, 1972

1. Powers of officers under the Indian Forest Act

No. 1922 T. R.—The 3rd October, 1912.— In exercise of the power conferred by the definition of “Forest Officer” in section 2 of the Indian Forest Act, 1878 (VII of 1878), the Governor in Council is pleased to appoint the officers of the Forest Department, Bengal, who are mentioned in column 1 of the following table, to discharge the functions of a “Forest Officer” under the sections of the said Act which are mentioned opposite their names in column 2 of the said table :—

Officers	Section of the Act	Brief description of function
1	2	3
I. The Conservator of Forest, Bengal	25	Powers to stop ways and water courses in reserved forests (N.B. — This power is exercisable only with the previous sanction of the Commissioner of the Division in which the reserved forest is situated.)
	25(c) ¹	Power to notify the seasons at which fire may be kindled, kept or carried in a reserved forest.
	All sections mentioned hereafter in this column	
II. All—		
(i) Deputy Conservators	20 ²	Publication of translation of notifications declaring forests to be reserved.
(ii) Assistant Conservators	25, penultimate paragraph ³	Power to permit prohibited acts in a reserved forest.
(iii) Extra Deputy Conservators, and	33 ⁴	Power to permit prohibited acts in Protected Forest.
(iv) Extra Assistant Conservators, in charge of Forest Divisions, when within the local limits of their respective divisions.	45, paragraph 2	Power to notify depots for the receptions of drift and other timber.
	46	Giving notice of timber collected under section 45.

¹ Section 26 of the Indian Forest Act, 1927 (16 of 1927).

² Section 34 of the Indian Forest Act, 1927 (16 of 1927).

³ Section 26(c) of the Indian Forest Act, 1927 (16 of 1927).

⁴ Section 21 of the Indian Forest Act, 1927 (16 of 1927).

	47, paragraphs 1 & 2	Powers for dealing with statements of claim to drift and other timber.
	50	Power to receive payments on account of drift and other timber.
	82, paragraph 2 ⁵ Government dues.	Power to sell forest produce for
III. All— (i) Deputy Conservators,		
(ii) Assistant Conservators,		
(iii) Extra Deputy Conservators, and		
(iv) Extra Assistant Conservators, and	25, penultimate paragraph ⁶ .	Power to permit prohibited acts in a Reserved Forest.
(v) Rangers in receipt of a salary of at least Rs. 100 per mensem, who are subordinate to any officer mentioned in clause II above, when specially authorized in this behalf by the Conservator of Forests.	33	Power to permit prohibited acts in a Protected Forest.
IV ⁷ . All— (i) Rangers in receipt of a salary of less than Rs. 100 per mensem.		
(ii) Deputy Rangers, and	25, penultimate paragraph. ⁸	Power to permit prohibited acts in a Reserved Forest.
(iii) Foresters, who are subordinate to any officer mentioned in clause II above, when specially authorised in this behalf by the Conservator of Forests.	33 ⁹	Power to permit prohibited acts in Protected Forest.
V ¹⁰ . (a) All— (i) Deputy Conservators,	45, paragraph 2	Power to collect drift and other timber.
(ii) Assistant Conservators,	52, paragraph 1	Power to seize property when a forest of fence has been committed.

⁵ Section 83(2) of the Indian Forest Act, 1927 (16 of 1927).

⁶ Section 26(2) of the Indian Forest Act, 1927 (16 of 1927)

⁷ Amended by notification No. 193-M.R., dated the 13th January 1913.

⁸ Section 26(2) of the Indian Forest Act, 1927 (16 of 1927)

⁹ Section 34 of the Indian Forest Act, 1927 (16 of 1927)

¹⁰ Amended by notification No. 193-M.R., dated the 9th January 1913.

(iii) Extra Deputy Conservators,		
(iv) Extra Assistant Conservators, (v) Rangers	55	Power to take charge of forest produce on the conclusion of a trial of forest offence.
(vi) Deputy Rangers	56	Power to accept charge of confiscated property when the offender is not known.
(vii) Foresters, and (viii) Forest Guards whether on permanent or temporary establishments.	69	Power to seize and impound cattle trespassing in a reserved or protected forest
(b) All Revenue Station Officers attached to the Sundarbans Forest Division.	82, paragraph 1	Power to take possession of forest produce until Government dues are paid.
VI. (a) All— (i) Deputy Conservators,	63, paragraph 1	Power to arrest without warrant in cases mentioned in the section.
(ii) Assistant Conservators, (iii) Extra Deputy Conservators, (iv) Extra Assistant Conservators, (v) Rangers, (vi) Deputy Rangers, and (vii) Foresters, in charge of a Range, whether on permanent or temporary establishments. (b) All Revenue Station Officers attached to the Sundarbans Forest Division.		
VII. All— a) Foresters not in charge of a Range, and b) Forest Guards, whether on permanent or temporary establishment.		

2. In exercise of the power conferred by section 24¹¹ of the said Act, the Governor in Council is further pleased to authorise all Commissioners of Divisions to sanction the stoppage of ways and water-courses, in reserved forests, under that section.
3. In exercise of the power conferred by section 60¹² of the said Act, the Governor in Council is further pleased to empower the Forest Officers mentioned in clauses I, II, III and IV in column 1 of the foregoing table to direct at any time the immediate release of any property seized under section 52 of the said Act.

¹¹ Section 25 of the Indian Forest Act, 1927

¹² Section 61 of the Indian Forest Act, 1927.

- ¹³4. In exercise of the power conferred by sub-section (1) of section 67 of the said Act, the Governor in Council is further pleased to empower—
- (a) the Forest Officers mentioned in clause I and II in column 1 of the foregoing table, and
 - (b) such of the Forest Officers mentioned in clause III in column 1 of that table as may be specially authorised in this behalf by the Conservator of Forests,
- to accept money by way of compensation for offences, and to release property seized as liable to confiscation.
5. In exercise of the power conferred by section 71¹⁴ of the said Act, the Governor in Council is further pleased to invest the Divisional Forest Officer, Sundarbans, with the powers mentioned in clauses (c) and (d) of that section.
6. In exercise of the power conferred by clause (a) of section 75¹⁵ of the said Act, the Governor in Council is further pleased to direct that the Forest Officers mentioned in clause VII of the foregoing table shall exercise the power to arrest without warrant under section 63 of the said Act in the following cases only—
- (a) when an offence is committed near the frontier or border of a Native State.
 - (b) incendiary forest fire, and
 - (c) when there is reason to belief that the accused has given a false name or address and is likely to abscond.

93T. For.— The 3rd May 1941.— In exercise of the powers conferred by sub-section (1) of section 72 of the Indian Forest Act, 1927 (Act XVI of 1927), the Governor is pleased to invest, *ex-officio*, all gazetted officers of the Forest Department,, with the powers mentioned in clauses (a), (b), (c)

¹³ Section 68 of the Indian Forest Act, 1927

¹⁴ Section 72 of the Indian Forest Act, 1927.

¹⁵ Section 76 of the Indian Forest Act, 1924.

No. 7456 For.— The 17th April 1944.— exercise of the power conferred by sub-section (1) of section 72 of the Indian Forest Act (Act XVI of 1927), the Governor is pleased to invest, *ex-officio*, all Rangers of the Forest Department,, with the powers mentioned in clause (a) of that sub-section.

No. 3450 For.— 29th May 1948.—In exercise of the power conferred by sub-section (2) of section 2 of the Indian Forest Act, 1927 (XVI of 1927), the Governor is pleased to appoint the officers of the Directorate of Forests, West Bengal, mentioned in column 1 of the following table, to discharge the functions of a “Forest Officer” briefly described in column 3 of the said table under the provisions of the said Act specified in column 2 thereof opposite such officers, in the areas to which the relevant provisions of the said Act have been, or may from time to time be applied—

Table

Officers		Provisions of the Act	Brief description of functions	
1		2	3	
I.	(i)	Director of Forests ¹⁶	(1) Section 65	(1) Power to release on bond a person arrested.
	(ii)	All Conservators of Forests		
	(iii)	All Deputy Conservators of Forests	(2) Section 66	(2) Power to prevent commission of offence.
	(iv)	All Assistant Conservators of Forests		
	(v)	All Senior Forest Rangers		
II.	Forest Rangers who are subordinate to any Forest Officer mentioned above when specially authorised in this behalf by Conservators of Forests		As in item (1) above	As in item (1) above.
III.	(i)	All Forest Rangers,	As in item (1) above	As in item (1) above.
	(ii)	All Deputy Rangers,		
	(iii)	All Foresters,		
	(iv)	All Head Forest Guards,	As in item (2) above	As in item (2) above
	(v)	All Forest Guards, whether on permanent or temporary establishment.		

¹⁶The post has since been designated as Chief Conservator of Forests