

CHAPTER 28

Rules And Guidelines For Fire Arms

1. The Government of Rajasthan have considered¹ various measures to contain the forest offences of grave nature such as, illicit cutting and transportation of valuable trees, smuggling of forest produce to the neighboring states and poaching of wildlife, attack on the forest officials with deadly weapons including fire arms and decided to arm the forest staff with a view to provide a psychological deterrent to forest offenders and Wild Life poachers. The forest personnel are expected to take preventive action against the forest offenders, with minimum possible force in due discharge of their duties, for the right of private defence, as conferred under IPC (Central Act XLV of 1860).
2. **General Instructions for use of Fire Arms by Forest Officials**
 - 2.1 The Government have decided to arm the forest officials with a view to provide psychological deterrent to forest offenders and Wild Life poachers. The main objective of arming the officials is self-defence and not any offensive operation of any kind.
 - 2.2 Type of Firearms to be used:
 - 2.2.1 It has been decided to provide following type of firearms to field staff:
 - 22 Revolver - A.C.F./Ranger/(In charge of Flying Squad)
 - DBBL Gun (12 Bore) - Forester/Forest Guards Single barrel & Topidar Guns.
3. **Power to use firearms:**
 - 3.1 There are no specific provisions of law in Indian penal code, Criminal Procedure Code, Rajasthan Forest Act, Wildlife Protection Act etc., giving powers to Forest officials to use firearms. Like other citizens, Forest officials can also exercise their right of private defense under Section 96 to 106 of the Indian Penal Code.

¹ G.O. No. 11 (81) Forest/87 dated 9-8-1994

- 3.2 It should be ensured that utmost restraint is exercised in using firearms. As far as possible, firing should be avoided during nighttime.
 - 3.3 The Forest officials should not use firearms to disperse on unlawful assembly even inside the reserved/protected forest areas. If there is resistance to recovery of stolen forest property etc. by villages within reserved and protected Forests, help of local police should be taken.
 - 3.4 A Forest official carrying fire-arm should use his discretion in using fire-arms and should be able to amply justify the circumstances in which he had to use fire arms as a last resort, which should not be to kill. During enquiry the onus will be on the Forest official to justify the use of firearms.
4. Action to be taken after opening fire:
- 4.1 In all cases, where firing has been reported, a message should be sent by telegram/telephone/ wireless/messenger without loss of time, to the following authorities-
 - 4.1.1. Nearest Police Station
 - 4.1.2. Deputy Conservator of Forests
 - 4.1.3. Conservator of Forests
 - 4.1.4. Principal Chief Conservator of Forests & Chief Wildlife Warden
(in case of Wild life offence)
 - 4.1.5. District Collector
 - 4.1.6. Superintendent of Police
 - 4.1.7. Sub-Divisional Magistrate of the area
 - 4.2 As soon as the Police gets the message, it will visit the scene and ensure that there is no law and order problem as a result of firing.
 - 4.3 The injured persons (culprits and forest officials) should be sent to hospital for treatment. The senior most forest officials must lodge complaint in writing at the nearest police station, out-lining the circumstances under which he had to open fire and giving all related details.
 - 4.4 The Forest officials should protect the scene from being disturbed and arrange for photographing the scene of incident. They will await the arrival of the Magistrate for an enquiry.
 - 4.5 Arms and ammunition including empty cartridges should be accounted for and the weapon used for firing should be preserved.
 - 4.6 The Forest officials should extend fullest co-operation in investigation by police.

- 4.7 The Forest Officials will register no case of forest offence when firearms are used, since the police officials have powers under the Forest Act and the Wildlife Protection Act, they will also look after the Forest offence as part of their investigation.
- 4.8 The Deputy Conservator of Forest will collect the details and send a detailed report to the Principal Chief Conservator of Forests/Chief Conservator of Forests/concerned Conservator of Forests.
- 4.9 The Magisterial report will be forwarded to the State Government in the Home Department through District Collector for consideration. The Police will await the instructions of the Government before proceeding further in the matter.

5. Instructions regarding safe use of weapons:

- 5.1. Whenever forest officials go into the Reserve/Protected forest area with firearms, there should be a minimum of 2 persons, with firearms. On no account a single weapon should be taken since his weapon may be snatched or he may not be able to use firearms.
- 5.2. Where there is time to get additional force, such course should be followed.
- 5.3. In the case of DBBL guns they should be linked to a chain attached to waist belt of the officials. The ammunition should be kept in a box under lock and key.
- 5.4. When .32 mm Revolver is taken out it should be linked to a long lanyard around the neck and shoulder so that it cannot be snatched easily. The ammunition for .32 mm Revolver should be kept ready for use but they should not be loaded in the weapon.
- 5.5. While marching .32 mm Revolver and DBBL Guns should not be loaded as there might be accidents. The ammunition should be kept separately and loaded on the specific orders of the Officer-in-charge when they are moving in a dangerous area or they expect an attack, weapons may be loaded but the safety catch should be on.
- 5.6. No untrained Forest official should be allowed to handle a firearm.

6. Safe Custody of Fire arms:

- 6.1. While not in use, firearms should be kept under lock and key in the office of In charge of Flying Squad. The lock should be sealed. The staff of the Flying squad should be deputed for round the clock vigil of firearms and ammunition at Headquarter.
- 6.2. The Officer-in charge of Flying Squad (not below the rank of Forest

Range Officer) will be personally responsible for safety of the arms and ammunition at Headquarters.

- 6.3. All arms and ammunition should be accounted for in the office of the concerned officer-in-charge in "Arms and Ammunition Register". The Form of Register is enclosed at Annexure- Form 'A' & 'B'.
- 6.4. The weapons should be issued to officials by name and their acknowledgement should be obtained in Arms Card. A weapon issued to an officer should not be used by another except in an emergency.
- 6.5. The particulars of each weapon i.e. its built and body numbers will be conveyed to local Police Station. In the event of loss of the weapon because of any reason, immediate intimation in this regard will be sent to Police Station along with the details of lost Fire Arms and case got registered.
- 6.6. The concerned Dy. Conservators will inspect the fire arms at least once in a year and record a certificate about the safe custody of arms and also to the effect that these are fit to be used in the Inspection Register (Annexure –Form 'C')
- 6.7. All empty cartridges will be accounted for and a separate register maintained for their record. Inspection register for Arms should be maintained. History record for Arms should be maintained.
- 6.8. If it is found that the weapon has been lost due to negligence of any official, case will be registered against him in the Police and at the same time Departmental action will also be initiated against him.
- 6.9. The Forest officials using the arms must invariably bear his identity card on his person while on duty. The identity card should be duly attested by the concerning DCF.
- 6.10. All the weapons should be kept in a separate room. The room should be damp-proof and free from termites.
- 6.11. Special racks with chain and lock should be used for storage of arms.
- 6.12. Ammunition should be kept in a separate room. In the event of non-availability of separate room it may be stored in the room where arms are kept, providing sand bag partition between arms and ammunition.

7. Maintenance of Firearms

- 7.1. All weapons should be cleaned at least once a week. A day may be fixed for it.
- 7.2. Weapon should be cleaned while taking out for use and placing back in the arm room after use.

- 7.3. All the weapons should be piled and cleaned once a month. During monthly cleaning, the butt portion should oiled with linseed oil.
- 7.4. A Forester/Forest Guard will be specially got trained to function as an Armoire so as to facilitate proper upkeep and maintenance of firearms.
- 7.5. He will be stationed in the Head office and visit Head quarters of the Flying Squads for inspection and general repairs once every three months, for greasing and general repairs once in six months and for re-browning once in two years.
- 7.6. All the weapon should be sent to local police line for test firing and re-boring once in a year.
- 7.7. The concerned Dy. Conservator of Forests will inspect the firearms at least once in a year and record a certificate about the safe custody of arms and also to the effect that these are fit to be used.
- 7.8. Fresh ammunition would be purchased every year. Unused ammunition of previous year would be invariably used for test firing and practice firing in next year.
8. Training to Forest Officials in handling fire-arms:
 - 8.1. All members of Flying Squads must be trained in handling and maintenance of firearms.
 - 8.2. Training schedule of Forest officials may be drawn out in consultation with the authorities of Rajasthan Police Academy, Jaipur.

Date:-

Deputy Secretary to Govt.,
Forest Department, Rajasthan,
Jaipur

I-STOCK REGISTER OF ARMS FOR PCCF/CF/DCF OFFICE

Date of receipt	Source of Receipt with Vr No etc.	Full Specification	Qty received	Particulars of issue or disposal	Qty issued or disposed of	Balance after each issue	Purchase price	Initials of store keeper	Physical Verification -Date -Result -Initials of verifying officer	Remarks, Indication obsolete/ surplus unserviceable etc.
1	2	3	4	5	6	7	8	9	10	11

II – STOCK REGISTER OF ARMSFOR FLYING SQUADS

Date of receipt	Source of Receipt with Vr No etc.	Full Specification	Qty received	Purchase price	Initials of Officer in charge	Physical Verification -Date -Result -Initials of verifying officer	Remarks, Indication obsolete/ surplus unserviceable etc.
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**STOCK REGISTER FOR AMMUNITION
I – FOR PCCF/CF/DCF OFFICE**

Particulars	Date	Qty received	Bill/Challan No	Qty issued		Balance	Signature of Head of the Institution	Remarks
				No of Cartridges	Name of office			

II – FOR FLYING SQUADS

Particulars	Date	Qty received	Challan No	Issue Details					Qty used / lost	Empty cartridges after use	Reasons for loss of live/ empty cartridges	Balance in stock	Signature of officer incharge
				Date and time of issue	Name of official to whom issued	Qty issued	Signature of the official to whom issued	Date of return after use					

INSPECTION REGISTER

Date	Inspection Report	Dated initial and designation of the inspection officer