

N.W.F.P. Forest Officers powers, duties and Rewards Rules, 1973

(6th June 1975)

No. **Soft (FAD) V-168/71**—In exercise of the powers conferred on him by Section 76 of the Forest Act 1927 (Act XVI of 1927), read with section 72 thereof and in Suppression of all previous ruled in this behalf the Governor of the North-West Frontier Province is pleased to make the following rules, previously.

1. Short title and commencement.—(1) These rules shall be called the North-West Frontier Province Forest Officers (Powers, Duties and Rewards) Rules 1973.

(2) They shall come into force at once.

2. Definitions.—All words and expressions used in these rules, unless the context otherwise requires, shall have the same meanings as are assigned to them in section 2 of the Forest Act, 1927 (hereinafter referred to as the Act).

3. Powers of Forest officers.—The Forest Officers mentioned in column 2 of the Schedule to these rules shall exercise powers in respect of the subjects under the section of the Act, specified against each in columns 3 and 4 of the said Schedule.

4. Special power of the Chief Conservator and Conservators.—Notwithstanding the provisions of rule 3 the Chief Conservator of Forests, and conservator of Forests may exercise all, or any of the powers conferred on various categories of the Forest Officers under these rules.

5. Reward.—(1) Upon conviction of the offender or on directing the confiscation of property under section 56 of the Act, the Magistrate by whom the case has been decided, may order payment of reward not exceeding three-fourth in values of the property confiscated on penalty imposed, or five hundred rupees, whichever is less to the person or persons responsible for the detection of the case. The rewards shall be paid out of the proceeds of the property confiscated or the penalty imposed as the case may be :

Provided that no reward shall be admissible to Revenue Officers of and above the rank of Tehsildars, all police officers above the rank of Inspector and all Forest Officers of and above the rank of Extra Assistant Conservator.

Provided further that where the number of persons responsible for the detection of a case is more than one, the reward admissible under this rule shall be distributed amongst the persons concerned equally.

(2) If after payment of the reward the conviction is reversed in appeal, the amount paid away in reward shall not be recovered unless it shall appear the person or persons receiving the reward have acted fraudulently in the case.

(3) In cases where, under section 68 of the Act, a Forest Officer has accepted a sum of money as compensation for any damage which may have been committed, the Conservator of Forests, concerned or any other officer empowered in this behalf, may authorise the payment of a portion of the amount realized (not exceeding three-fourths) as a reward to any person or persons who may have contributed to the discovery of the offender.

SCHEDULE

Serial No.	Forest Officers empowered	Brief description of the powers	Section of the Act
1.	All Deputy Conservator, Assistant Conservator, with incharge of Forest Division.	To publish translation of notification of reserved forests.	21
2.	Chief Conservators of Forests and all Conservators of Forests.	To stop ways and water-course in a reserved forest.	25
3.	All Deputy Conservators, Assistant Conservator and Extra Assistant Conservator when incharge of Forests Division.	To notify season during which the kindling act of fire is not prohibited.	26
4.	All Deputy Conservators, Assistant Conservators, Extra Assistant Conservators, Forest Rangers, Deputy Rangers and Foresters when specially authorised in that behalf by the Chief Conservator of Forests, or Conservator of Forests.	To permit acts otherwise prohibited in reserved forest.	27
5.	All Deputy Conservators, Assistant Conservator, Extra Assistant Conservator, Forest Rangers, Deputy Rangers, and Foresters when specially authorised in that behalf by the Chief Conservator of Forests, or Conservator of Forest.	To permit acts otherwise prohibited in protected forest.	38
6.	All Deputy Conservator, Assistant Conservator, and Extra Assistant Conservator when incharge of Forest Division.	To notify depots for drift timber etc.	45
7.	All Deputy Conservators, Assistant Conservator, and Extra Assistant Conservator.	To use notice to claimants of drift timber etc.	46
8.	All Deputy Conservators, Assistant Conservator, and Extra Assistant Conservator.	To decide claims to drift timber etc.	47

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9.	All Deputy Conservators, Assistant Conservator and Extra Assistant Conservator.	To receive payment on account of drift timber, etc.	50
10.	All Deputy Conservators, Assistant Conservator and Extra Assistant Conservator of Forest when in charge of Forests Division.	To direct release of property seized.	61
11.	All Forest Officers, not below the rank of Extra Assistant Conservator of Forests.	To accept compensation.	68
12.	Conservator of Forests and all Divisional Forest Officers provided that such jobs are held by officers not lower in Assistant Conservator of Forests, or Extra Assistant Conservator of Forest, and that they have passed prescribed departmental examinations in Forest Law.	Powers of Civil Court to compel attendance of witnesses and production of documents, etc.	72 (b)
13.	(a) Conservator of Forests. (b) Assistant Conservator of Forests and Extra-Assistant Conservator of Forests, who have passed the departmental examination in Forest law.	Power to issue search warrant under the Code of Criminal Procedure.	72 (c)
14.	Conservator of Forests and all Forest Officers above the rank of Assistant Conservator of Forests, or Extra Assistant Conservator of Forests provided that they have passed the prescribed departmental examination in Forest Law.	Power to hold an enquiry into forest officers, and in the course of such inquiry to receive and record evidence.	72 (d)
15.	All Deputy Conservators, Assistant Conservator, and Extra Assistant Conservator of Forest when in charge of Forest Division.	To take possession of, and sell, forest produce for Government.	83