

APEENDIX - V

Department of Forest

Notification

No. 7-5-2005/FOR/310

In supersession of Notification No. 7-5-2005/FOR dated 08-09-2008, the Government of Goa is pleased to revise the scheme for grant of compensation on account of loss of human life, permanent disability or injury and/or damage to cattle or property caused by Wild Animals on the following terms and conditions and at the rates mentioned below and in Schedule-I attached herewith. The terms 'Wild Animal' will be defined in the Wild Life (Protection) Act, (Central Act 53 of 1972).

1. In case of loss of human life or permanent disability / incapacitation or injury:

- a. In case of loss of human life, on the basis of the postmortem report issued by the Authorized Medical Officer, the amount of compensation to be paid is Rs. 2,00,000/- (Rupees Two lakhs only).
- b. In case of permanent disability/incapacitation, a report of the Health Officer/in charge of the Primary Health Centre/Medical Superintendent of the hospital as the case may be shall be obtained. In case the specialists are not available in the Primary Health Centre/District hospital or in case the Medical Officers are not competent to certify permanent disability/incapacitation, such cases have to be referred to the Goa Medical College, Bambolim for certification. The amount of compensation to be paid is Rs. 1,00,000/- (Rupees One lakh only).
- c. In case of injury on the basis of the report of the Health Centre/District Hospital/State Level Hospital, the amount of compensation to be paid is the entire amount of treatment or Rs. 50,000/- (Rupees Fifty thousand only), whichever is less.
- d. No compensation as at (a), (b) and (c) above is payable in case the incident occurs within National Parks/Wildlife Sanctuaries when the person has entered without valid entry Pass/Permit. This shall be certified by the concerned Deputy Conservator of Forests (DCF) based on the report of concerned Range Forest Officer (RFO) and countersigned by the concerned Asstt. Conservator of Forests (ACF)/Sub-Divisional Forest Officer (SDFO). However, the decision of Chief Wild Life Warden (CWLW) in this regard will be final to consider the genuinity of claim.

2. In case of loss of cattle, damage to house or other property:

The amount of loss shall be paid at the rates as per the Schedule-I attached herewith. For assessing/calculating the losses, Head of concerned Departments shall issue rates per unit from time to time.

3. Procedure for assessment of amount of loss/damage:

(A) (I) All cases of loss of life/damage by the wild animals should be reported by the applicant to the nearest Range Forest Officer (RFO) of the Wildlife Division/Territorial Division within 3 days of the occurrence of the incident. The RFO will forward the same duly countersigned by ACF/SDFO immediately to his Dy. Conservator of Forests alongwith the report.

(II) In cases of loss of human life, the concerned Dy. Conservator of Forests shall arrange to obtain the post mortem report from the Authorized Medical Officer.

(III) Relief in case of loss of human life shall be granted in the following order of preference to:

- a) Wife or husband, as the case may be.
- b) Sons unmarried or divorced daughter / equal share.
- c) Daughters (equal share).
- d) Grand children being children of sons or daughters (equal share).
- e) Father or mother.
- f) Failing all the above, any other next of kin entitled to a share in the property of the deceased.

(B) For the purpose of assessment of the loss/damage caused to the Agricultural/Horticultural crop/live stock/other property such as houses, huts, livestock sheds etc., the following Damage Assessment Committee (DAC) shall verify the various claims and assess the damages caused by the Wild Animals.

- i. Sub-Division Forest Officer/Asstt. Conservator of Forests : Chairperson.
- ii. Mamlatdar of the respective taluka : Member.
- iii. Zonal Agriculture Officer (In case of agriculture/ horticulture crop)/Vet. Officer (In case of cattle etc.)/Asstt. Engineer, PWD (In case of houses and other property) : Member.
- iv. Range Forest Officer of the respective Range : Member Secretary.

The committee shall enquire, investigate and recommended the amount of compensation payable to the owner(s) of house/crop/cattle/other property damaged by Wild Animals in terms of the amount mentioned in the enclosed Schedule-I in accordance with the guideline mentioned in Annexure-I. The physical inspection should be done at the earliest time possible.

(C) The Committee shall clear the case within 60 days from the receipt of the report of occurrence of the damage.

4. Payment of compensation for loss of life, permanent disability/incapacitation, injury or damage to live-stock and property:

(A) Compensation for damages as assessed & recommended by the Damage Assessment committee (DAC) shall be referred to the Committee consisting of the following:

1. Dy. Conservator of Forests (Territorial Division).
2. Dy. Conservator of Forests (Wildlife and Ecotourism Division)
3. Sub Divisional Magistrate/Deputy Collector or his representative (Gazetted Officer).
4. Assistant Conservator of Forests-Convener.

This Committee shall sanction the amount after scrutinized the assessment report as per the schedule annexed herewith and arrange to make payment through the respective Divisional Head.

(B) This Committee shall clear the case within one month (30 days) from the date of receipt of case papers from the Damage Assessment Committee (DAC). This Committee shall have powers to reduce the amount recommended by Damage Assessment Committee for reasons to be recorded in writing.

5. The charge on account of payment of compensation in respect of incident of depredation anywhere in the State will be treated as miscellaneous work of the Forest Department and shall be settled as per the delegation of financial powers delegated vide Notification No. 10-11-87/LA dated 05-02-1990 and as per the revision made from time to time by the Government. The expenditure will be met by the Forest Department from the Budget head of Account of the Department and payment will be made from the office of the concerned Dy. Conservator of Forests. Accordingly, the Dy. Conservator of Forests/Conservator of Forests/Chief Conservator of Forests will exercise the financial powers and issue sanction orders.

This order issues with the concurrence of the Financial Department vide its U.O. No. Fin(EXP/3105 dated 07-08-2008).

By order and in the name of the Governor of Goa.

Pushpa Naik, Under Secretary (Forests),

Porvorim, 14th August, 2012.

ANNEXURE-I

Guidelines prescribed by the Government of Goa for payment of compensation to the owners of the Cattle/Other properties damaged due to attack by Wild Animals.

1. Compensation will be admissible to legitimate residents/visitors if the incident has taken place in any of the Wildlife Sanctuaries or National Parks.
2. The investigation of the incidence of attack by the wild animals shall be initiated as early as possible from the date of the event taking place.
3. In case of death of cattle, etc., suspected to be caused by Wild Animals, the post mortem report from the concerned Government Veterinary Officer may be obtained by the owner and the same may be submitted along with the claim to the Range Forest Officer concerned. The concerned nearest Veterinary Officer shall visit the site within 48 hours of the receipt of complaint and furnish Certificate to the owner mentioning loss in Rupees taking parameters as mentioned under point No. 6.
4. The concerned Dy. Conservator of Forests shall investigate the attack on human being by the wild animals and after effecting payment of compensation, submit the report to the Chief Wildlife Warden / Addl. Principal Chief Conservator of Forests through the Conservator of Forests. The concerned Mamlatdar shall be duty bound to identify the person & furnish requisite Certificate to the Range Forest Officer.
5. In order to decide the payment of compensation to the owner/owners of the cattle which die due to the attack by wild animals, the maximum rate indicated in Schedule-I annexure shall be adhered to. The Director, Department of Animal Husbandry & Veterinary Services shall issue Order/Circular from time to time about different rates to be taken for assessing the compensation to be paid to owners/farmers.
6. For determining the compensation payable in case of death or injury of Cattle due to attack by wild animals, the Damage Assessment Committee (DAC) shall take into consideration the following conditions:
 - (I) The committee (DAC) should record its findings that the death of the live-stock/cattle was purely due to the attack by the wild animals and not due to any other reason. Cattle include cows (including cross bred cows), bullocks, buffaloes, calves, pigs, horses, donkeys, goats, sheep, etc.

(II) The following details shall be recorded in the findings:-

- i. Age of the animal.
- ii. Milk yield of the animal in case of female.
- iii. Maintenance cost of the animal by the owner.
- iv. Quantity of the animal dropping.
- v. Longevity of the animal.
- vi. Health of the animal.
- vii. Life history of the animal, and
- viii. The financial capacity of the owner of the animal etc.

7. The expenditure shall be debitible under the appropriate Scheme/Head of Account of the Forest Department and arranged to be paid by the Divisional Head.

SCHEDULE - I

The rate of compensation on account of loss of human life or permanent disability or injury and/or damage to cattle or property caused by Wild Animals would be as follows:-

1. Ex-gratia payment for death/injury to human life.
 - (a) For death - Rs. 2,00,000/-
 - (b) For permanent disability - Rs. 1,00,000/-
(Resulting in loss of limb, eye, etc.)
 - (c) Injury - The entire cost of treatment or Rs. 50,000
whichever is less.
2. For death/injury to cattle/domestic Animals
 - (a) In case of death of cattle, the compensation will be as assessment by the Damage Assessment Committee subject to a maximum of Rs. 16,000/- in each case.
 - (b) In case of injury to cattle the compensation in each case will be as per the actual assessment or Rs. 5000/- whichever is less.
3. For house/other property Actual assessment or Rs. 25,000/- per house
whichever is less.
4. For any other item not mentioned above, the Committee mentioned at Para 4 shall decide the amount on merits after examining the case recommended by the Committee mentioned at Para 3.