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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF NARCOTICS CONTROL

NOTIFICATION

Islamabad, the 8th March, 2008

S. R. O. 269 (I)/2008.—In exercise of the powers conferred by sub-section (1) of section 77 of the Control of Narcotics Substances Act, 1997 (XXV of 1997), read with the second proviso to sub-section (2) of section 33 thereof, the Federal Government is pleased to direct that the following further amendments shall be made in the Disposal of Vehicles and other Articles (Involved in the Narcotic Cases) Rules, 2001, namely:—

In the aforesaid Rules,—

(1) in rule 2, in sub-rule (1),—

(a) for clause (c), the following shall be substituted, namely:—

“c” “auctioneer” means the headquarters Anti Narcotics Force and includes the Regional Directorates Anti Narcotics Force or other law enforcement agencies or auction committees;”;

(637)

(b) clause (d) shall be omitted;

(c) after clause (g), the following new clause shall be inserted, namely:—

“(ga) “Director-General” mean the Director General of the Anti Narcotics Force;

(gb) “law enforcement agencies” means the members of the law enforcement agencies who are empowered to exercise the powers and perform the functions under Notification No. S. R. O. 787(I)/2004, dated the 16th September, 2004;” and

(d) after clause (h), the following new clause shall be inserted, namely:—

“(ha) “Regional Director” means the Regional Director of the Anti Narcotics Force or any other officer but not below the rank of a Joint Director authorized by the Director General; and”;

(2) in rule 3,—

(a) in sub-rule (1),—

(i) after the word “Force”, the words “or other law enforcement agencies” shall be inserted; and

(ii) after the word “Director-General”, the words “or Head of other law enforcement agencies” shall be inserted;

(b) in sub-rule (2), after the word “Force”, the words “or Head of other law enforcement agency” shall be inserted; and

(c) in sub-rule (4), for the word “committee” the word “committee” shall be substituted;

(3) in rule 4,—

(a) in the marginal note, for the word “committee” the word “committees” shall be substituted;

(b) for the word “committee”, the word “committees” shall be substituted;

- (c) in clause (a), after the word "Directorate" the words, letters, hyphens and figures "or an officer of BPS-20 or BPS-19 of other Law Enforcement Agencies" shall be inserted;
- (d) for clause (b) the following shall be substituted, namely:—
- "(b) Joint Director (Enforcement) or an officer of BPS-19 of other Law Enforcement Agencies; or Deputy Director (Enforcement) or an officer of BPS-18 of other Law Enforcement Agencies; or Assistant Director (Enforcement) or an officer of BPS-17 of other law enforcement agencies _____ Member"; and
- (e) in clause (c), after the word "Directorate", the words, letters, hyphen and figure "or an officer of BPS-17 of concerned offices of other law enforcement agencies" shall be inserted;
- (4) in rule 5,—
- (a) in the marginal note, for the word "committee" the word "committees" shall be substituted;
- (b) in sub-rule (1), after the word "Force", the words "or Headquarter of concerned Law Enforcement Agencies" shall be inserted; and
- (c) in sub-rule (3), in clause (b), after the word "Directorate", the words and comma "or the concerned office of other law enforcement agencies," shall be inserted;
- (5) in rule 6, after the word "personnel", the words "or the personnel of other law enforcement agencies" shall be inserted;
- (6) in rule 9, after the word "bid", occurring for the first time, the words and commas "alongwith the general sales tax and income tax or any other tax leviable under any law, for the time being in force, on the amount of auctioned vehicles or other articles" shall be inserted;
- (7) in rule 10,—
- (a) in sub-rule (1), for clause (f) the following shall be substituted, namely:—
- "(f) the successful bidder shall present the delivery order issued to him to the concerned custodian Joint Director or the concerned officer of BPS-19 of other law enforcement

agencies or Deputy Director deputed for the purpose or officer of BPS-18 of other law enforcement agencies deputed for the propose; and”;

(b) in sub-rule (2),—

(i) after the word “Directorates”, the words “or concerned offices of other law enforcement agencies” shall be inserted; and

(ii) after the word “Directorate”, the words “or respective office of other law enforcement agencies” shall be inserted;

(8) for rule 11 , the following shall be substituted, namely:—

“11. Use of vehicles for operational purpose.—(1) Regional Directorates or concerned offices of other law enforcement agency, after the approval of Director General or, as the case may be, Head of the concerned law enforcement agency, may retain certain confiscated and seized vehicles after obtaining an order and fixation of market price in writing of such vehicles by the trial court only for operational purpose. Requirement in this regard shall be forwarded by respective Regional Directorate or the respective office of other law enforcement agency on the 1st January and 1st July of each year.

(2) All charges incurred on the preparation of registration books or documents and transportation or movement of such confiscated and seized vehicles shall be borne by the respective Regional Directorate or the respective office of other law enforcement agency. The respective Regional Director may take up the case for prior sanction of all such expenditures through Joint Director (Accounts), Headquarters Anti Narcotics Force and in case of an officer of BPS-20 of respective law enforcement agency, its Accounts Officer may take up the case for prior sanction of all such expenditures. Amount of expenditures sanctioned by the Director-General or the Head of other law enforcement agency shall be released by Joint Director (Accounts)”;

(9) in rule (12), after the word “Government”, the words “or the concerned Provincial Government” shall be added; and

(10) in rule 13,—

- (a) in the marginal note, after the word “Director-General”, the words “and Heads of other law enforcement agencies” shall be inserted; and
- (b) after the word “Director General”, the words “or the Head of other Law Enforcement Agency” shall be inserted.

[F. No. 11-2/05-Policy.]

SAJID MEHMOOD QAZI,
Deputy Secretary (Policy).