

Annexure - E**TEMPLATE FORMAT FOR HANDING OVER OF NDPS CASES BY
NON-EMPOWERED AGENCIES UNDER SECTION 52/53 OF THE
NDPS ACT TO THE EMPOWERED AGENCIES**

(Explanation: There are many agencies, mainly border guarding forces, which are empowered under sections 41, 42, 43 of the NDPS Act but not empowered under 52 & 53 of the Act. They can seize the drugs and arrest the offenders but they are not authorized to investigate the case further and file complaint/chargesheet in the courts. Therefore, they have to hand over the case to any empowered agency u/s 52 or 53 of the NDPS Act. There are other central agencies which are not at all empowered under NDPS Act.)

The list of documents to be forwarded to the empowered agency:

1. Forwarding letter for registration of the case
2. Intelligence Input/information u/s 42 of NDPS Act
3. Authorization letter u/s 41 of NDPS Act
4. Brief Facts of the case
5. Seizure Proforma/list of items detected

(Explanation: If the agency empowered u/s 42 of NDPS Act seizes the drugs and arrest persons then seizure proforma and arrest memo are to be made. If there is no seizure then only detection list is to be made).

6. Apprehension Proforma
7. Interrogation Report Proforma
8. Medical Certificate
9. Photography of the Accused

10. Photography of the accused with consignment and security personnel.

11. Recording of Finger Prints

12. Statement of suspect/accused

13. Statement of Witness

NOTE: (There are many instances when accused persons have been acquitted due to discrepancies in the versions of two agencies. Therefore, there should be clarity of action. If agency is empowered for search and seizure, it should hand over the case after proper seizure and arrest).

SEIZURE MEMO

Sl. No	Points to be covered	Information
1.	Details of place of Occurrence A) Name of the place, PS/Dist./State including latitude & longitude of the place B) In case of Bordering Area i) Name of Border Observation Post (BOP) ii) Border Pillar reference (In case of International Border (IB)) iii) Distance from nearest BOP iv) Distance from IB	
2.	Date & time of seizure	
3.	Place of seizure (Preferably latitude & longitude)	
4.	Border pillar No. at the place of seizure (in case of IB)	
5.	Details of objects/items seized	
6.	Outgoing/incoming consignment (In case of IB)	
7.	Origin and route from where the items were being smuggled	
9.	Name and distance of nearest Customs Station/Excise Department/Police Station	
10.	Source of information (on whose intelligence input the seizure has taken place)	
11.	Other Police forces/Government agencies involved in the process	
12.	How exactly the process was implemented -Raid/ search/ naka/chance recovery/ encounter/etc.?	

13.	Nature / description of seized items				
	Sl.no .	Name of the suspected item/drug	Qty in gms.	Monetary value	Remarks/Description (Details of the packing and official seal etc.)
14.	Seized items handed over to (Name and Designation)				
15.	Whether any criminal case has been registered against the accused if yes by which agency and under what section				
16.	Whether any person arrested/interrogated, if yes , details thereof . If the culprits escaped, their details and action taken				
17.	The name & ranks of the force personnel/officials involved in the process				
18.	Details of vehicle (if any) used during the course of action				

Details of witnesses:

Sl. No.	Name	Address	Signature

Taken over by

(Name, Designation, place, date)

Handed over by

(Name, Designation, place, date)

APPREHENSION FORM

Sl. No.	POINTS TO BE COVERED	INFORMATION
1.	<u>Details of place of occurrence</u> A) Name of the place, PS/Dist./State B) In case of Bordering Area i) Name of Border Observation Post ii) Border Pillar reference iii) Distance from nearest BOP iv) Distance from International Border	
2.	Date & time of apprehension	
3.	Place of apprehension preferably latitude & longitude	
4.	Source of information (on whose intelligence Input the apprehension has been made)	
5.	Other Police forces/Government agencies involved in the process	
6.	How exactly the process was implemented -Raid/ search/ naka/chance recovery/ encounter/etc.?	
7.	a) Name of persons apprehended (details) b) Background history of apprehended persons	
8.	To whom apprehended persons were handed over.	

9.	Whether any criminal case has been registered, if yes, by which agency and under which sections	
10.	Interrogation details	
11.	Name & rank of the force personnel/officials involved in the apprehension.	

Name & Sign of apprehended person

Taken over by
(Name, Designation, Place, Date)

Handed over by
(Name, Designation, Place, Date)

Interrogation Report

- | | |
|--------------------------------|---|
| 1. Dist. | - |
| 2. Police Station | - |
| 3. FIR No. | - |
| (a) Act | - |
| (b) Sec. | - |
| 4. Interrogated by | - |
| Name | |
| Rank | |
| Contact no. | |
| 5. Place of interrogation | - |
| 6. Name of accused/suspects- | |
| 7. Alias if any | - |
| 8. Age (date of birth) | - |
| 9. Address and contact details | |
| 10.Passport details | - |
| (a) Passport no. | - |
| (b) Issued by | - |
| (c) Valid up to | - |
| 11.Religion | - |
| 12.Caste | - |
| 13.Education qualification - | |
| 14.Marital status | - |
| 15.Occupation | - |
| 16.Language known | - |
| (a) | |
| (b) | |
| (c) | |

17. Dress, habits	-
18. Food preferences	-
19. Diseases	-
20. Weakness	-
21. Hobby	-
22. Height & weight	-
23. Wound marks	-
24 built	-
25. Eye colour	-
26. Complexion	-
27. Shape of face	-
28. Hair	-
29. Beard	-
30. Moustache	-
31. Identification marks	-
32. Nose	-
33 lips	-
34. Teeth	-
35. Mouth	-
36. Chin	-
37. Speech	-

38. Walking style -
39. Deformity/ disability -
40. Type of crime -
41. District -
42. Police station -
43. History sheet index no. -
44. Place of arrest (sl. No. 44 to 48 applicable only if arrest is made)
45. Date of arrest -
46. Arrested by -
47. Period of remand -
48. Date of period remand -
49. Details of consignment seized from the suspect/ accused

Sl. No.	Items	Qty	Amount

(a) Details about source from where the consignment procured by the accused (it should include all fives w's what, why, where, when, who and how).

(b) To whom the consignment was to be handed over -

50. Details of personal properties of the accused/suspects
51. Place of birth
52. Accused address details

- (a) Present address
- (b) Permanent address
- (c) Any other known addresses

53. Details of family members

- (a) Father's name
- (b) Father's occupation
- (c) Mothers name
- (d) Brothers/ sisters

54. Spouse(s) and children – Name & Age

55. Spouse(s) and children - occupation

56. Details of other family members

Sl. No.	Name	Relationship	Address

57. Details of associates

Sl. No.	Name	Relationship	Type of association
1			
2			
3			

58. If member of a gang, then gang details

- (a) Name of the gang
- (b) Date of joining
- (c) Name of the leader
- (d) Details of members
- (e) Area of operation
- (f) Type of activity
- (g) Type of arms and explosive used
- (h) Linkage with any other gang/organization (national/international)
- (i) Training if any

- (j) M.O details
- (k) Last crime details
- (l) Others details
- (m) Future plans

59. Gist of interrogation & detail of any further specific input/intelligence
(if any) gathered during interrogation

Details of Interrogation Team

(Signature)
Name
Designation
Organisation

(Signature)
Name
Designation
Organisation

(Signature)
Name
Designation
Organisation