

MANUAL-III

A. The procedure under Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act:-

- Recording of reasons to believe that a property is illegally acquired, on completion of enquiry & receipt of detention order under Conservation of Foreign Exchange and Prevention of Smuggling Activities Act/ conviction order under Customs Act/ FERA.
- Collection of supplementary information, if any required.
- Issue of show cause notice u/s 6.
- Issue of notice for personal hearing.
- Examination of documents submitted by noticee.
- Passing of final order of forfeiture of property.
- Taking possession of the property.
- Management, Administration & Disposal of the property.

Channel of Supervision:

1. For effective handling of work, the cases under SAFEM (FOP) Act have been distributed amongst the officers posted in this office, viz. Inspector, Inspecting Officer, and Superintendent, based on the place of origin of the case.
2. The officers in charge report to the Competent Authority through their supervisory officers. They are also responsible for supervising the work of their subordinates.

Accountability -

A system of weekly & quarterly review is being followed by this office to ensure accountability. The work distributed has to be completed in a time bound manner.

The procedure under Narcotic Drugs and Psychotropic Substances Act, 1985

- Recording of Reasons on completion of enquiry & receipt of detention order under Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 or under the Jammu and Kashmir Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988.
- Collection of supplementary information, if any required.
- Examination of freezing order on its receipt.

- Issue of notice for personal hearing.
- Examination of documents submitted by the noticee.
- Passing an order u/s 68 F (2), confirming the freezing order.
- Granting another opportunity of personal hearing u/s 68 (I) to the Affected Person, after such person has been convicted or detained, under the Act.
- Passing of final order of forfeiture of property.
- Taking possession of the property
- Management, Administration & Disposal of the property

Channel of Supervision:

1. For effective handling of work, one officer in the rank of the Superintendent has been made in charge of all cases under Narcotics Drugs & Psychotropic Substances Act, 1985.
2. The officers in charge report to Competent Authority through their supervisory officers. They are also responsible for supervising the work of their subordinates.

Accountability -

A system of weekly & quarterly review is being followed by this office to ensure accountability. The work distributed has to be completed in a time bound manner.

Administrative-

- (1) Competent Authority is the head of the Department. J.C./A.C. is the head of office.
- (2) Superintendent is in-charge of day-to-day affairs.