

**GOVERNMENT OF SIKKIM  
HOME DEPARTMENT  
TASHILING, GANGTOK - 737102**

**No: 29/Home/2023**

**Dated: 18 /05/2023**

**NOTIFICATION**

In compliance with the judgment of the Hon'ble Supreme Court of India in criminal Appeal No. 652 of 2012, Union of India Vs. Mohanlal & another, vide Order dated: 28<sup>th</sup> January, 2016 and Standing Order No. 1/89, dated: 13<sup>th</sup> June, 1989 issued by the Ministry of Finance (Department of Revenue), Government of India, the State Government is hereby pleased to set up Malkhana/Storage Godown, duly equipped with vaults and double locking system to prevent theft, pilferage or replacement of the seized drugs, at District Administrative Centre in the District Headquarters of Gangtok, Gyalshing, Mangan, Namchi, Pakyong and Soreng for the exclusive storage of Narcotics Drugs and Psychotropic and controlled substances seized under the Narcotics Drugs and Psychotropic Substances Act, 1985, Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 and Sikkim Anti-Drugs Act, 2006.

2. The Additional/Deputy Superintendent of Police, Headquarters of all the Districts shall be designated as the Incharge of the Malkhana and in his/her absence by the Sub Divisional Police Officer of the District who is stationed in the District Headquarters.

3. The following conditions as laid down in Standing Order No. 1/89, dated: 13<sup>th</sup> June, 1989 shall be followed in letter and spirit;

- (1) The Incharge shall exercise utmost care, circumspection and personal supervision as far possible. Each seizing officer shall deposit the drugs fully packed and sealed in the godown within 48 hours of such seizure, with forwarding memo indicating NDPS Crime No. as per Crime and Prosecution (C & P Register) under the new law, name of the accused, reference of test memo, description of the drugs, total nos. or packages/containers etc.

*Drunk*

*[Handwritten signature]*  
20/5

*Dy. Dir. I.T.*

*D. upload.*

*Sandip*  
20/5





- (2) The seizing officer, after obtaining acknowledgement for such deposit in Form I, shall hand over to the Investigation Officer of the case along with the case dossiers for further proceedings.
- (3) The officer-in-charge of the godown, before accepting the deposit of drugs, shall ensure that same are properly packed and sealed. He shall also arrange the packages/containers (case-wise and lot-wise) for quick retrieval etc.
- (4) The godown-in-charge is required to maintain register wherein entries of receipt shall be made in Form II.
- (5) It shall be incumbent upon the Inspecting Officers of various Departments mentioned at Form II to make frequent visits to the godowns for ensuring adequate security and safety and for taking measures for timely disposal of drugs. The Inspecting Officers shall record their remarks/observations in Col. 15 of Form-II.
- (6) The Heads of the respective enforcement agencies (both Central and State Government) may prescribe such periodical reports and returns, as they may deem fit, to monitor the safe receipt, deposit, storage, accounting and disposal of seized drugs.
- (7) Since the early disposal of drugs assume utmost consideration and importance, the enforcement agencies may obtain orders for pre-trial disposal of drugs and other articles (including conveyance, if any) by taking recourse to the provisions of sub-section (2) of section 52A of the NDPS Act, 1985 and sub-section (2) of section 26 of Sikkim Anti Drugs, Act, 2006.

By order and in the name of the Governor,



Sd/-  
**(V.B. Pathak) IAS**  
Chief Secretary  
Government of Sikkim

File No. 166/GOS/POL/DIGP/GTK/RANGE/2022

Copy for information to: -

1. All concerned above;
2. The Secretary to Hon'ble Governor, Raj Bhavan;
3. The Secretary to Hon'ble Chief Minister, CMO;
4. All Addl. Chief Secretaries, Principal Secretaries, Secretaries/HODs;
5. The Director General of Police, PHQ, Gangtok;
6. The Inspector General of Police, CB-CID, PHQ, Gangtok;

7. The PCE-cum-Secretary, Building and Housing Department, Government of Sikkim;
8. The District Collectors, Gangtok, Gyalshing, Mangan, Namchi, Pakyong and Soreng;
9. The Superintendent of Police, Gangtok, Gyalshing, Mangan, Namchi, Pakyong and Soreng;
10. The Resource Officer, CMO;
11. Staff Officer to the Chief Secretary, Government of Sikkim;
12. PA to Chief Administrator; Govt. of Sikkim;
13. PS to Additional Chief Secretary, Home Department;
14. PA to the Secretary, Home Department-cum- Member Secretary, Committee for ILP;
15. Programmer-IT, Home Department - for uploading in Government website;
16. Gazette Section - for publication in the Official Gazette;
17. File & Guard File.



*Sumit*  
18/5/23  
Joint Director (Confdl.)  
Home Department

**FORM-I**

**GODOWN RECEIPT**

Received (No.) \_\_\_\_\_ Packages/containers said to  
contain \_\_\_\_\_ (Description of Drugs) sealed with the seal  
No. \_\_\_\_\_ of (Name & Designation) seizing officer and  
entered into godown register vide entry No. \_\_\_\_\_.

Facsimile of the seal \_\_\_\_\_.

Place :  
Date :  
Time :

Signature of the Officer-in-  
Charge of godown with full  
name and official seal



**FORMAT OF REGISTER REQUIRED TO BE  
MAINTAINED BY THE GODOWN IN CHARGE**

1. Godown entry S. No.
2. NDPS/SADA Crime No.
3. Description of drugs in the sealed packages/  
containers and other goods, if any
4. No. of packages/containers (drug-wise)
5. Quantity of drug (package/container-wise)
6. Particulars of the test memos
7. Name(s) and address(es) of accused
8. Name with official designation and address  
of seizing/depositing officer
9. Facsimile of the seal put on the packages/
10. Date and time of deposit
11. Particulars of exit and re-entry for  
exhibiting to court
12. Date and time of removal for disposal
13. Disposal particulars including destruction or  
despatch to Central Government Opium Factory
14. Certificate of disposal including price payment  
particulars from Government Opium Factory,  
where applicable
15. Remarks of the Inspecting Officer(s)\*

\* Inspecting Officers : In the case of Central Enforcement Agency : (1) D.G. NCB, (2) Dy. D.G. NCB, (3) Narcotics Commissioner of India, (4) Dy. Narcotics Commissioners, (5) D.G.BSF, (6) Dy. D.G.BSF (7) Sr. Officers of CBI, (8) Principal Collector, Customs & Central Excise, (9) Collector, Customs & Central Excise, (10) Assistant Collector of Customs and Central Excise.

In the case of State Enforcement Agency : (1) D.G. of Police (2) I.G. of Police, (3) Dy. I.G.P, (4) Superintendent of Police, (5) State Excise Commissioner, (6) Dy. Excise Commissioner (7) Superintendent of Excise and equivalent officer of State Government in the authorised departments.

**FORM-III****CERTIFICATE OF DESTRUCTION OF NARCOTIC DRUGS AND  
PSYCHOTROPIC SUBSTANCES****(PARA 9, 10 OF THE STANDING ORDER NO. \_\_\_\_/88)****DETAILS OF THE DRUGS AND SUBSTANCES DESTROYED**Particulars of the drugs

(1)

Seizure case file ref. No.

(2)

Godown Register entry No.

(3)

Certified in the GodownRegister

(4)

Gross  
Weight

(a)

Net  
Weight

(b)

Weight ascertained on  
physical verification

(5)

Gross  
Weight

(a)

Net  
Weight

(b)

Name and address of the  
witness

(6)

Date/Place/Mode of  
destruction

(7)

It is certified that a Committee consisting of S/Shri \_\_\_\_\_  
supervised the destruction of narcotic drugs and psychotropic, substances particularised above, in the  
presence of following witness, (delete whatever is not applicable).

**SIGNATURE  
WITH DATE  
(CHAIRMAN)****SIGNATURE  
WITH DATE  
(MEMBER)****SIGNATURE  
WITH DATE  
(MEMBER)**