The Jodhpur Development Authority (Custody and Disposal of Seized Articles) Regulation, 2014

In exercise of powers conferred by Sub-section (1) of Section 92 read with Sub section (4) or section 67 & Sub-section of (3) section 33 of the Jodhpur Development Authority Act, 2009
(Act No. 02 of 2009) the Jodhpur Development Authority hereby makes the Jodhpur Development Authority (Custody and Disposal of Seized Articles) Regulation, 2014

1. **Title** - These Regulations may be called the Jodhpur Development Authority (Custody and Disposal of Seized Articles) Regulation, 2014.

2. **Commencement** - These Regulations shall come into force from the date of their publication in the Official Gazette.

3. **Definitions** - In these Regulations, unless the subject or context otherwise requires -
   1. 'Act' means the Jodhpur Development Authority Act, 2009 (Act No. 02 of 2009)
   2. 'Authority' means the Jodhpur Development Authority constituted under Section 3 of the Act.
   3. 'Commissioner' means Jodhpur Development Commissioner, appointed under Section 8 of the Act.
   4. Words and expressions used but not defined in these Regulations shall have the meaning assigned to them in the Act.

4. **Authorisation for Seizure of Articles** - The Commissioner, Secretary, Director/Enforcement, Additional Secretary, Additional Director/ Enforcement, Deputy Director/Enforcement, Officers Incharge of Zones and Enforcement Officers of the Authority or any other officers authorised by the Authority in this behalf may seize and detain the articles referred to in Sub-Section (3) of Section 33 & Sub-section (1) & section 67 of the Act.

5. **Procedure for Custody of Articles Seized** - (1) At the time of seizure of the articles referred to in Sub-section (3) of Section 33 of the Act, & Sub-section (1) of Section 67 the officer authorised shall prepare a list of articles giving accurate and correct description and approximate value of every article in Form No. 1 in triplicate.
   
   (2) One copy of the list of articles seized shall be supplied to the person from whose possession, the articles have been seized and his signatures/thumb impression, as the case may be, shall be obtained.
   
   (3) The articles accompanied by a copy of the list in Form No. 1 shall be deposited in the Store.
   
   (4) The articles shall be entered in the Stock Register (Reg. No. 1) immediately after the receipt thereof by the Store Keeper who shall sign every entry. The entries made in the register shall be countersigned by the Officer in charge of the store.
   
   (5) The Store Keeper shall endorse a receipt on one copy of the list of articles and hand over the same to the officer who deposited the articles. One of the copies of the list shall be retained by the Store - Keeper.

6. **Procedure for disposal of seized articles** - (1) The owner or the person from whose possession articles have been seized may apply in writing for release of seized articles within 30 days from the date of the seizure.
   
   (2) The Commissioner, Secretary, Director/ Enforcement and Additional Director/ Enforcement or any other officer authorised by the Authority in this behalf may, after giving an opportunity of hearing to the person concerned, pass an order to release or confiscate the articles in the manner provided hereinafter.
   
   (3) In case where no contravention of Section 33(2) & 67(1) of the Act in found, the seized articles shall be returned without charging expenses.
   
   (4) In case of construction or set up of any wall or any fence, railpost, Stall, Verandah, Platform, Plinth, Step or any projecting structure or thing or other
encroachment or obstruction as referred to in sub-section (3) of Section 33 & (1) of 67 of the Act, the seized articles shall be confiscated.

(5) In case of placing or depositing or causing to be placed or deposited any box, bale, package or merchandise or any other thing as referred to in sub-section (3) of Section 33 & Sub-section (1) of section 67 of the Act, the seized articles may be confiscated or returned on payment of such charges, as may be determined by the Commissioner from time to time.

(6) On Confiscation of such articles, the same may be disposed of by auction or on fixed rates as determined by Commissioner from time to time.

7. Procedure for the return of Articles - After the order to release the articles, if the person to whom the articles are to be delivered fails to receive the articles within 30 days from the date of such order, the articles shall stand confiscated and shall be disposed of as per sub regulation (6) of Regulation No. 6.

ANNEXURE 39.5/4

LIST OF ARTICLES SEIZED
(From No. 1)

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Date of Seizure</th>
<th>Reference to No. and title of case</th>
<th>Name of the person from whose possession articles were seized or the owner</th>
<th>Name of the officer who seized the articles</th>
<th>Description, weight and estimated value of the articles</th>
<th>Date of deposit in the store</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Signature of the officer
Signature of person from whose possession articles were seized or the owner

ANNEXURE 39.5/5

REGISTER No. 1
(Stock Register of Articles Seized)

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Date of deposit the article</th>
<th>Reference No. and title of case</th>
<th>Name of the person from whose possession the articles were seized or the owner</th>
<th>Name of the officer depositing the articles</th>
<th>No. &amp; Date description of the articles</th>
<th>Weight and estimated value</th>
<th>Articles released/confiscated</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amount of expenses charged, if any</th>
<th>To whom articles released</th>
<th>Date</th>
<th>Sig. Of Receiver</th>
<th>Attestation</th>
<th>Article sold and date</th>
<th>Amount of sale proceeds</th>
<th>Sig. of the Incharge Store</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td></td>
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</tbody>
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