



THE ANTI NARCOTICS FORCE ACT, 1997



CONTENTS

PREAMBLE.

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1	Short title and commencement
2	Definitions
3	Constitution of the Force
4	Superintendence and administration of the Force
5	Functions of the Force
6	Power of the members of the Force
7	Wearing of Uniform
8	Punishment
9	Grounds of punishment
10	Authority to award punishment
11	Terms of service
12	Conduct and Discipline
13	Members to serve anywhere
14	Members as public prosecutors
15	Delegation of powers
16	Indemnity
17	Power to make rules

SCHEDULE.

Section 9

Authorities to award punishment

ANTI-NARCOTICS FORCE ACT, 1997

ACT No.III OF 1997

An Act to provide for the constitution of Anti-Narcotics Force

WHEREAS it is expedient to provide for the constitution of a Force for the purpose of inquiring into, and investigating offences relating to narcotics and Narcotics Trafficking and for matters connected therewith or incidental thereto;

It is hereby enacted as follows:

1. Short title and commencement.— (1) This Act may be called the Anti-Narcotics Force Act, 1997.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Code" means the Code of Criminal Procedure, 1898, ([Act V of 1898](#));

(b) "Director-General" means the Director General of the Force;

(c) "Force" means the Anti-Narcotic Force constituted under section 3;

(d) "narcotics" includes narcotic, drugs, psychotropic substances and controlled substances as defined in the Control of Narcotic Substances Ordinance, 1996, (XCIV of 1996)

(e) "police" means a police-force constituted by the Federal Government or Provincial Government under the Police Act, 1861 ([V of 1861](#)).

(f) ."prescribed" means prescribed by rules under this Act; and

(g) "rules" means rules made under this Act.

¹This Act shall apply to FATA vide S.R.O.No. 489(1)/98, dated 26-5-1998, with certain condition.

(2) The words and expressions used but not defined herein shall have the same meaning as assigned to them in the Control of Narcotic Substances Ordinance, 1996, (XCIV of 1996).

3. Constitution of the Force.—(1) Notwithstanding anything contained in any other law for the time being in force, the Federal Government may constitute a Force to be called the Anti Narcotics Force.

(2) The Force shall consist of a Director-General to be appointed by the Federal Government and such number of other officials as the Federal Government may, from time to time, appoint to be members of the Force.

(3) On commencement of this Act, the Pakistan Narcotics Control Board constituted under the Government of Pakistan, Planning Division's Resolution, dated the 8th March, 1973, and Anti-Narcotics Task Force constituted under the Anti Narcotics Task Force Ordinance, 1994, (LXXVI of 1994) shall stand merged and all personnels, including officers, ministerial staff and the contingent staff of the said Board and Task Force shall, subject to the provisions of section 11 become members of the Force and be governed in accordance with this Ordinance and the rules made thereunder.

(4) The Force shall for all intents and purposes be successor of Pakistan Narcotics Control Board and Anti-Narcotics Task Force in respect of all cases, inquiries, investigation, assets, liabilities, rights, obligations and privileges and matters related thereto or connected therewith.

(5) Notwithstanding anything contained in the General Clauses Act, 1897, ([IV of 1897](#)), anything done or action taken before the commencement of this Act, under the Anti Narcotics Task Force Ordinance, 1994 (LXXVI of 1994), or otherwise by the Pakistan Narcotics Control Board in so far it is not inconsistent with the provisions of this Act shall be deemed to have been done or taken under this Act.

4. Superintendence and administration of the Force.—(1) The superintendence of the Force shall vest in the Federal Government.

(2) The Administration of the Force shall vest in the Director-General who shall exercise in respect of the Force all powers of an Inspector-General of Police under the Police Act, 1861, ([V of 1861](#)), and all other powers under the Act.

(3) In case of any officers and members from the Armed Forces, the Director-General shall have all powers conferred by or under the Pakistan Army Act, 1952, ([XXXIX of 1952](#)), the Pakistan Air Force Act, 1953, ([VI of 1953](#)), and the Pakistan Navy Ordinance, 1961, (XXXVI of 1961), respectively as an officer empowered to convene a General Court Martial:

Provided that such powers shall be exercised only by the Director-General who is in the regular service of any of the Armed Forces.

5. Functions of the Force. The Force shall

- (a) inquire into, investigate and prosecute all offences relating to, or connected with, preparation, production, manufacture, transportation, illicit trafficking or smuggling of intoxicants, narcotics and chemical precursors or reagents used in the manufacture of narcotics or any offence committed in the course of the same transaction under any law for the time being in force, including an attempt or conspiracy to commit, or any abetment of, any such offence, or any offence committed under the Control of Narcotics Substances Ordinance, 1996 (XCIV of 1996) or the Prohibition (Enforcement of Hadd) Order, 1979 ([P.O. 4 of 1979](#));
- (b) trace and freeze the assets;
- (c) provide assistance and advice to other enforcement agencies on all matters in the field of narcotics and to collect information from all national and international enforcement agencies about illicit narcotic traffic and traffickers;
- (d) maintain liaison with all national or international narcotics authorities, organisations, bodies, associations and societies and represent Pakistan in such conferences, seminars and workshops arranged by any such organization on narcotics related matters;
- (e) arrange and co-ordinate training of own staff and members of other enforcement agencies in various aspects of narcotics enforcement;
- (f) co-ordinate the project and schemes for elimination and destruction of poppy cultivation; and
- (g) perform any other related functions which may be assigned to it by the Federal Government.

6. Power of the members of the Force.—(1) The members of the Force shall, for the purpose of any inquiry or investigation under this Act, have throughout Pakistan such powers, including the powers relating to search, arrest of persons and seizures of property, and such duties, privileges

and liabilities as a police-officer has in respect of offences under the Code or any other law for the time being in force.

(2) Save when the Director-General otherwise direct, a member of the Force, not below the rank of an Inspector may, for the purpose of any inquiry or investigation under this Act, exercise all the powers of an officer-in-charge of a police-station in any area in which he is for the time being and, when so exercising such powers, shall be deemed to be the officer-in-charge of a police-station discharging his functions as such within the limits of his station.

(3) Without prejudice to the generality of the provisions of sub-section (1) and sub-section (2), any member of the Force not below the rank of Inspector, authorized by the Director-General in this behalf, may arrest without warrant any person who has committed or against whom a reasonable suspicion exists that he has committed any of the offences relating to narcotics referred to in clause (a) of section 5.

(4) Notwithstanding anything contained in any other law for the time being in force, a member of the Force not below the rank of Inspector authorised by the Director-General, may inquire, investigate and trace the assets of a person who has committed an offence referred to in clause (a) of section 5 or when in his opinion, there is a reasonable suspicion that the said assets were acquired through illicit involvement in narcotics, and may, for this purpose, require a bank or other financial institution or departments, whether under the control of Government or otherwise to furnish such information as he may specify.

(5) If in the opinion of a member of the Force, conducting an inquiry investigating or tracing any assets under sub-section (4), which is likely to be removed, transferred or otherwise disposed of, such member may, notwithstanding anything contained in any other law for the time being in force, by order in writing direct the owner or any person who is for the time being in possession thereof, not to remove, transfer, or otherwise dispose of such property in any manner except with the previous permission of that member and such order shall be subject to any order made by the Court having jurisdiction in the matter.

(6) Any contravention of any order made under sub-section (4) or (5) shall be punishable with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

(7) Any member of the Force may, in performance of its functions and exercise of powers as may be prescribed, seek assistance from all officers of police, customs, excise, Federal Investigation Agency or any other investigation agency or authority or civil armed forces.
