

GOVERNMENT OF NCT OF DELHI
DELHI DISASTER MANAGEMENT AUTHORITY

F/02/07/2020/S.1/pt.file II/428

Dated: 24-05.2021

To,

1. All District Magistrates of Delhi
2. All District DCPs of Delhi
3. Drugs Controller, GNCTD

Sub: Regarding SOP for release of Medicines / Oxygen Cylinders seized by Delhi Police from Hoarders/Black marketers.

Madam/Sir,

Please find enclosed herewith a SOP for release of Medicines / Oxygen Cylinders seized by Delhi Police from Hoarders/Black marketers, in pursuance to directions of Hon'ble High Court of Delhi dated 29.04.2021 in WP(C) No. 5073/2021 & connected matters, for information and compliance.

This issues with the approval of Competent Authority.

Yours faithfully,



(Rajanish Singh)
Joint CEO, DDMA

Enclosure: As above.

Copy for kind information to:-

1. Secretary to Hon'ble Lt. Governor, Delhi
2. Secretary to Hon'ble Chief Minister, GNCTD
3. Secretary to Hon'ble Dy. Chief Minister, GNCTD
4. Secretary to Hon'ble Minister of Health, GNCTD
5. Secretary to Hon'ble Minister of Revenue, GNCTD
6. Secretary to Hon'ble Minister of Labour, GNCTD
7. Secretary to Hon'ble Minister of Social Welfare, GNCTD
8. Secretary to Hon'ble Minister of Food & Supply, GNCTD
9. SO to Chief Secretary, Delhi
10. Addl. Chief Secretary (Power)/ State Nodal Officer, GNCTD
11. Commissioner of Police, Delhi
12. Pr. Secretary (Revenue)-cum-Divisional Commissioner, GNCTD
13. Pr. Secretary (H&FW), GNCTD
14. Director, DGHS
15. Guard file

**SOP for release of Medicines / Oxygen Cylinders seized by Delhi Police
from Hoarders/Black marketers**

Kindly refer the directions of Hon'ble High Court of Delhi on dated 29.04.2021 in WP(C) No. 5073/2021 & connected matters, the relevant paras of the directions are reproduced as under:

- "..... 16. Mr. Kawal Jeet Arora, learned Secretary, DSLSA is present. He states that the Delhi Police has made seizures of Remdesivir Drug, as well as Oxygen Cylinders upon their conducting raids on premises of persons alleged to be hoarding, and selling these essentials in black market. He submits that as on 27.04.2021, about 200 Oxygen Cylinders and 279 vials of Remdesivir have been seized.*
- 17. Mr. Arora submits that when there is huge shortage of the medicines, the same should not be retained as case property, and the same should be released for use by the patients after ensuring that the same is in usable condition and is genuine. Similarly, for the cylinders, he submits that the same should be put back in circulation for use by the needy patients. He submits that an application was moved before the concerned CMM for release of the said case property. However that application has been rejected on the ground that the District Commissioner is empowered to pass the order under the Essential Commodities Act. Mr. Satyakam points out that while CMM, North has rejected the application for release of the said case property, other CMMs have been passing orders for release. In any event, since the power to pass release orders lie with the District Commissioners, we direct the District Commissioner to pass orders for release of both – the Oxygen Cylinders and the medicines, at the earliest. The released medicines and Oxygen cylinders be made available for use by the Hospitals of the GNCTD as allocated by the Secretary, Health.*
- 18. Whenever any seizure is made of the medicines/ Oxygen cylinders, , the IOs should immediately inform the concerned District Commissioner about the same, and they should also proceed, without waiting for any further orders, to ascertain the genuineness of the said medicines. They should also ensure that the said case property is kept in refrigerated environment, so that the same does not lose its efficacy and become nonusable. The District Commissioners should proceed to pass orders for release of the same without any delay.*
- 19. We also direct the Delhi Police to immediately release the seized Remdesivir or other Drug used for treating COVID-19, or any Oxygen cylinders, which are seized from the possession of the patients or their attendants, since they would have procured the same only out of desperation, and in need. However, the Delhi Police would be bound to conduct the investigation in the case with the assistance and cooperation of*

all concerned, which shall be rendered by the public at large. While releasing the case property, it shall be ensured by the Delhi Police that photographs/ copies of the relevant documents are retained, so that the case could proceed before the court concerned.....”

In pursuance to the aforesaid direction of the Hon'ble High Court of Delhi the following SOP for release of Medicines / Oxygen Cylinders seized by Delhi Police from Hoarders/Black marketers may be followed

1. Whenever any seizure is made of medicines / oxygen cylinders or like articles by the Police from Hoarders/Black marketers, the concerned IO shall immediately inform the respective District Magistrate about the same.
2. Simultaneously, IO shall proceed to ascertain the genuineness of the said medicines/oxygen cylinders without waiting for any further orders from district Magistrate.
3. The IO shall ensure that seized medicines/case property is kept in refrigerated environment so that the same does not lose its efficacy and become nonusable.
4. The genuineness of the medicines shall be verified by IO **with the assistance** from Drugs Control Department GNCTD by depositing a small sample out of the medicines seized, **to the respective original manufacturer of the said medicines.**
5. **After getting** the genuineness of the seized medicines verified at the earliest possible, the report of the genuineness so obtained by Drugs Control Department from the original manufacturer of medicines, shall be sent to the concerned IO of Delhi Police for further necessary action.
6. **In case of oxygen cylinders, the same may be got tested by the Police IO directly from any one of the approved Testing Laboratories in Delhi (as per list attached).**
7. The district magistrate should proceed to pass the required order for release of seized medicines/oxygen cylinders without any delay under the provisions of the Essential Commodities Act, 1955 and in terms of the order dated 29.04.2021 of the Hon'ble High Court of Delhi at New Delhi in WP(C) No. 5073 of 2021 and other connected matters.
8. Pursuant to the release order issued by District Magistrate IO, after verifying the genuineness of seized medicines/oxygen cylinders, shall release and handover the seized medicines/oxygen cylinders and articles to Director, DGHS who in turn, after verifying the expiry date medicine, and shall distribute the medicines, oxygen cylinders and other articles amongst the hospitals of Government of NCT of Delhi for usage.
9. IO shall take proper photographs & documents while releasing the seized medicines/oxygen cylinders and shall place these photographs & documents in the case file which may be required during the trial in the Court of Law.

Approved Testing Laboratories of Delhi

S.No.	Name & Address of Laboratories	Mobile No Contact Person	e-mail id
1.	M/s. Shri Ram Institute for Industrial Research, 19, University Road, Delhi	9971429579 Mr. N. Hashmi	
2.	M/s. Sophisticated Indl. Material Analytical Labs.Pvt. Ltd.,A-3/7, Mayapuri Industrial Area, Phase II, New Delhi	9899316911 Mr. Harender	testing@simalab.co.in
3.	M/s. Arbro Pharmaceuticals Ltd. (Analytical Division), 4/9, Kirti Nagar, Industrial Area, New Delhi-15	9810820412 Mr. Saurabh	r.malik@arbro.net
4.	M/s. Shree Krishna Analyticals Services A-5/4, Mayapuri Industrial Area, New Delhi-61	9811012151 Mr. Sunil	shreekrishnallab@gmail.com
5.	M/s. Standard Analytical Laboratory (ND) Pvt. Ltd., 69 Functional Industrial Estate, Patparganj, Delhi-92	9811110672 Mr. Srivastav	info@testinglaboratoryindia.com
6.	M/s. ITL Pvt. Ltd. B- 283-284, Mangolpuri Industrial Area, Phase-I, Delhi -83	9810007619 Mr. Sunil	itllabs@gmail.com
7.	M/s Shree Balaji Test Labs. Pvt. Ltd. C-181 Naraina Industrial Area, Phase-I, New Delhi-28	9873173418 Mr. Sunil	sharmasbtl@yahoo.com
8	M/s Delhi Test House A-62/3 , G.T.Karnal Road, Industrial Area, opposite Hans Cinema, Azadpur, Delhi-110033	9810442016 Mr. Dinesh	sor.ia@delhitesthouse.com
9	M/s Catts Labs & Research (P) Ltd. F-78, 1 st Floor, Okhla Industrial Area, Phase-II, New Delhi	9810575737 Mr. Chaddha	labs.test@cattslabs.com