



NATIONAL INVESTIGATION AGENCY
FIRST INFORMATION REPORT
(Under Section 154 Cr. P.C)

Book No. 01

Sr. No. 241

1. **District:** New Delhi **PS:** NIA, Hqrs, New Delhi. **Year:** 2021
FIR No. : RC-23/2021/NIA/DLI **Date:** 17.09.2021

2.

S.No.	Act	Sections
(i)	The Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Act, 2005	Sections 11 & 13.

3. (a) **Suspected Offence:** A Show Cause Notice F. No. S/20-60/R&I/DRI-COMM/DA CUI YUN/2019-20 dated 04.02.2021, was issued by the Office of the Commissioner of Customs, Custom House, Kandla, Kutch, Gujarat to – (i) Master of Vessel MV Da Cui Yun (a Chinese citizen), (ii) Agent for the vessel - M /s ASL Shipping and Logistic (India) Pvt. Ltd., and (iii) Sub-agent M/s DBC & Son(Gujarat) Pvt. Ltd., Gandhidham, Kutch, Gujarat, for the offences punishable under the provisions of the Customs Act, 1962 read with the provisions of Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Act, 2005, and the Arms Act, 1955, in connection with the seizure of proliferation concerned cargo i.e., 'Autoclave' mis-declared as 'Heat Treatment Furnace Casing System' having approx. value of Rs.10.50 crores, attempted to be clandestinely shipped from Shanghai port (China) to Port Qasim (Pakistan) via Kandla port (India) by deliberately and wilfully suppressing the identity and critical information about the said Cargo, which has critical defence application and is a potential threat to national security.

(b) **Day:** Tuesday **Date:** 04.02.2020 **Time:** N/A

(c) **Information received at PS NIA, New Delhi:** Vide Government of India, Ministry of Home Affairs, and New Delhi, CTCR Division Order F. No. 11011/59/2021/NIA, dated the 16th September, 2021.

GD Entry No. 4 Date: 17.09.2021 **Time:** 1230 hrs.

4. **Type of information: Written/Oral:** - Written
5. **Place of Occurrence:**
 - (a) **Direction & Distance from PS** : N/A
 - (b) **Address:-** Deendayal Port, Kandla, Kutch, Gujarat – 370210.
 - (c) **In case, outside the limit of this Police Station, then-** N/A
6. **Complainant /Informant:**
 - (a) **Name:** - Shri Kshitish Kumar
 - (b) **Father's/Husband's Name:-**
 - (c) **Date of Birth:**
 - (d) **Nationality:** Indian
 - (e) **Passport No.** N/A **Date of Issue** N/A **Place of Issue:** N/A
 - (f) **Profession:** Government Servant.
 - (g) **Address:** Under Secretary to the CTCR Division, Ministry of Home Affairs, North Block, New Delhi.
7. **Details of Known/ Suspected/Unknown accused with full particulars (Attached separate sheet, if necessary):** Unknown.
8. **Reasons for delay in reporting by the complainant/informant:** No delay.
9. **Particulars of Properties recovered:** One cylindrical shell of orange colour Autoclave declared as “**Heat Treatment Furnace Casing System**” in the Bill of Lading dated 09.01.2020.
10. **Total value of Property recovered:** Approx. Rs.10.50 Crores
11. **Inquest Report/U.D. Case No. if any.** N/A
12. **First Information contents (Attach separate sheet, if required):-**

Whereas, the Central Government has received the information regarding a shipment of proliferation concerned, consignment (Autoclave Heat Treatment Equipment) via vessel MV Da Cui Yun (IMO No. 9451329) as transit cargo which has dual applications and can be used for fabricating solid rocket motors for missiles.

And whereas, the Central Government is of the opinion that a Schedule Offence under the National Investigation agency Act, 2008, has been committed and , having regard to the gravity of the offence and its ramifications on national security, it is required to be

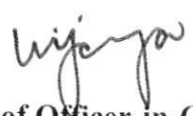
investigated by the National Investigation Agency in accordance with the National Investigation Agency Act, 2008.

The Government of India, Ministry of Home Affairs, CTCR Division, North Block, New Delhi, vide Order F. No. 11011/59/2021/NIA/CTCR Division, North Block, New Delhi dated 16-09-2021, issued as per provision of sub-section (5) of section 6 read with section 8 of the National Investigation Agency Act, 2008, directed the National Investigation Agency to take up the investigation of the aforesaid case. The MHA order No. 11011/59/2021/NIA/CTCR Division, North Block, New Delhi dated 16-09-2021 and the copy of Show Cause Notice F. No. S/20-60/R&I/DRI-COMM/DA CUI YUN/2019-20 dated 04.02.2021 issued by the Office of the Commissioner of Customs, Custom House Kandla, Kutch, Gujarat is attached as **Annexure- 'A' & 'B'**.

13. **Action taken:**


- (i) The case is registered vide RC-23/2021/NIA/DLI, dated 17.09.2021.
- (ii) Shri. Jayant Nair, Dy. SP, NIA, Branch Office Mumbai has been directed to take up the investigation into the case as the Chief Investigation Officer (CIO).

14. **Signature / Thumb Impression
of the complainant/informant**


**Signature of Officer-in-Charge
Police Station-NIA, New Delhi**

**VIJAYANTA ARYA, IPS
Superintendent of Police
National Investigation Agency
Ministry of Home Affairs
Govt. of India, New Delhi**

15. **Date and time of dispatch to the Court**


**Signature of recording officer with date
VIJAYANTA ARYA, IPS
Superintendent of Police
National Investigation Agency
Ministry of Home Affairs
Govt. of India, New Delhi**

Enclosures:-

- (i) Copy of order F. No. 11011/59/2021/NIA, dated the 16th September, 2021 of Ministry of Home Affairs, CTCR Division, Govt. of India, New Delhi. (**Annexure 'A'**)
- (ii) Copy of Show Cause Notice No. S/20-60/R&I/DRI-COMM/DA CUI YUN/2019-20 dated 04.02.2021 was issued by Office of the Commissioner of Customs, Custom House Kandla, Kutch, Gujarat. (**Annexure 'B'**)

Copy to: 15444-15449

1. The Hon'ble Special NIA Judge, Ahmedabad.
2. The Joint Secretary (CTCR Division), MHA, North Block, New Delhi.
3. The Commissioner of Customs, Kandla, Gujarat.
4. IG (NWZ), NIA Hqrs, New Delhi.
5. Shri. Jayant Nair, Dy. SP, NIA, Branch Office Mumbai.
6. Crime Section, NIA Mumbai.